

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

BRADLEY STUART BENNETT,

Defendant.

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Case No. 21-CR-312 (JEB)

**UNITED STATES' REPLY IN SUPPORT OF
MOTION IN LIMINE REGARDING
CROSS-EXAMINATION OF U.S. SECRET SERVICE WITNESS**

The Government moved to limit the cross-examination of witnesses with the U.S. Secret Service Agency. ECF No. 105 at 1. Bradley Bennett responded to this motion asking the court to deny the government's motion. ECF No. 115 at 1. Bennett stated that he does not intend to cross examine the potential Secret Service witness on the issues the government presented to the court. *Id.* However, Bennett argued that he should nevertheless be permitted to ask "questions about the location of then Vice President Pence during the relevant period." *Id.* The government acknowledges that elements of multiple counts of the Superseding Indictment require the government to establish the Capitol and its grounds were restricted for the purposes of 18 U.S.C. 1752(a). However, specific questions on the nature of Secret Service protective details and protocols are not relevant to establish this element and the government does not seek to elicit testimony on this in its case-in-chief. This Court has granted similar motions from the government with the caveat "that defendant may cross-examine within the scope of direct testimony." *United States v. Mock*, 2023 WL 3844604, at *3 (D.D.C. June 6, 2023) (Boasberg, J.); *United States v. Bru*, No. 21-cr-352, 2023 WL 4174293, at *2 (D.D.C. June 26, 2023) (Boasberg, J.); *see also*, *United States v. Zink*, No. 210-cr-0191, 2023 WL 5206143, at *2 (D.D.C. Aug. 14, 2023)

(Boasberg, J.). The government intends to offer limited testimony on this matter in its case-in-chief.


CONCLUSION

For these reasons, the United States requests that this court enter an order, as described above, limiting cross-examination of any witness with the Secret Service. If this court determines an evidentiary hearing is necessary to rule on this motion, the government asks that the hearing be held *in camera* and ex parte.

Respectfully submitted,

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