

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : Case No. 21-CR-91 (RCL)
 :
 CRAIG MICHAEL BINGERT, and :
 ISAAC STEVE STURGEON, :
 :
 Defendants. :

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

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby submits its reply in support of its motion *in limine* seeking to limit the cross-examination of witnesses regarding United States Secret Service protection at the U.S. Capitol on January 6, 2021, ECF No. 137.

In response, Defendant Sturgeon (jointed by Defendant Bingert) states that it does not anticipate questioning the Secret Service witness on two of the areas the Government seeks to preclude: (1) Secret Service protocols related to the locations where motorcades are taken at the Capitol or other government buildings when emergencies occur; and (2) details about the nature of Secret Service protective details, such as the number and type of agents the Secret Service assigns to protectees. *See* ECF No. 144 at 3.

The Defendants do seek to obtain information about the location of former Vice President Pence on January 6, 2021, as they assert that it is “directly relevant to whether or not the defendant was entering or remaining in a restricted area where the Vice President was temporarily visiting.” *Id.* The Government expects that the Secret Service witness will, on direct, testify that the Vice President remained within the restricted perimeter of the Capitol from approximately 12:30 p.m. on January 6, 2021 until approximately 4:30 a.m. on January 7, 2021. In other words, the

testimony will establish that the area within the restricted perimeter was “restricted building or grounds”—which is defined under the statute as “any posted, cordoned off, or otherwise restricted area of a building or grounds where a person protected by the Secret Service is or will be temporarily visiting.” 18 U.S.C. §1752(c)(1)(B). No additional details are relevant, and accordingly, the Government asks the Court to preclude questioning of the Secret Service witness beyond the fact that the Vice President remained within the restricted perimeter.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Kaitlin Klamann
KAITLIN KLAMANN
Assistant United States Attorney
601 D Street NW
Washington, D.C. 20530
IL Bar No. 6316768
(202) 252-6778
Kaitlin.klamann@usdoj.gov

By: /s/ Courtney A. Howard
COURTNEY A. HOWARD
Trial Attorney, Criminal Division
Detailed to the U.S. Attorney’s Office
601 D Street NW
Washington, D.C. 20001
NY Bar No. 4513909
202-514-3130
Courtney.Howard2@usdoj.gov