

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

Case No. 21-CR-175-2

JOSEPH RANDALL BIGGS,

Judge Timothy J. Kelly

Defendant.

**BIGGS' THIRD SUPPLEMENT TO MOTION TO
REOPEN HEARING AND FOR RELEASE FROM DETENTION**

Defendant Joseph R. Biggs (“Biggs”) files this Third Supplement to his Motion to Reopen (ECF No. 137) under 18 U.S.C. Section 3142(f). As the Court knows, new information has been submitted by defense counsel since mid-August. The information shows that conditions of release to protect against future dangerousness is at best an illusory issue. The Justice Department has known this since the time of Biggs’ detention hearing on April 6, 2021. Clear and convincing evidence does *not* exist to support: (a) a conspiracy/plan by Proud Boy leadership to interfere with the January 6 Biden-Harris certification, (b) acts in furtherance of a plan or (c) other January 6 acts sufficient to find future dangerousness. Finally, because there was no plan, any DOJ coercion strategy to pry false histories and cooperation agreements from Biggs or from any of his three codefendants while in detention over the past half-year has obviously failed and will continue to fail. Therefore, Biggs asks for restoration to the home detention status (with appropriate modifications) he was serving January 20-April 22.

Respectfully submitted,

Dated: October 4, 2021

By: /s/John Daniel Hull
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CERTIFICATE OF SERVICE

The undersigned certifies that on October 4, 2021, he served a true and correct copy of the forgoing Third Supplement via Electronic Case Filing (ECF) system upon counsel for the government and all counsel of record.

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