

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

UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 21-CR-107 (RDM)**
 :
 BRUNO JOSEPH CUA, :
 :
 Defendant. :

AGREEMENT AND WAIVER OF JURY TRIAL RIGHTS

Defendant Bruno Joseph Cua, by and through counsel, hereby acknowledges that he will be waiving the following rights by proceeding with a Stipulated Trial:

1. The constitutional right to trial by jury. At a trial, the government would have to present evidence to prove the defendant's guilt beyond a reasonable doubt.
2. The right to cross-examine witnesses presented by the government and the right to have witnesses called to court to testify on behalf of the defendant.
3. The right to counsel to assist the defendant at trial.
4. The right to testify if the defendant chose to do so. However, if the defendant chose not to testify, the Court would instruct the jury that the decision could not be used against the defendant.
5. At a trial, the defendant could not be convicted unless all twelve jurors unanimously agreed that the government had proved the defendant's guilt beyond a reasonable doubt.
6. The defendant understands and acknowledges that if he is not a citizen of the

United States, his conviction could result in his deportation or have other immigration consequences.

If the Court grants leave to proceed with a Stipulated Trial, you will give up these rights. The government agrees that proceeding with a Stipulated Trial will not curtail, abridge, or otherwise affect the defendant's right to appeal the Court's denial of his motions to dismiss Count Two, which charges a violation of 18 U.S.C. § 1512(c)(2), and Count Three, which charges a violation of 18 U.S.C. § 111(a)(1). The Court will consider the Statement of Facts, and if it believes that the government has proven the defendant's guilt beyond a reasonable doubt, the Court will find the defendant guilty. The defendant's signature below means that he wishes to proceed by a Stipulated Trial and give up those rights.



BRUNO JOSEPH CUA

2-1-2023

DATE

Respectfully submitted,

MATTHEW M. GRAVES
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D.C. Bar No. 481052

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DEFENDANT'S ACCEPTANCE

I have read the foregoing Statement of Facts for Stipulated Trial, and I have discussed this proffer fully with my attorney. I fully understand this proffer, and I accept it without reservation. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this proffer fully.

Date: 2-1-2023




Bruno Joseph Cua

ATTORNEY'S ACKNOWLEDGMENT

I have read every page of this Statement of Facts with my client, Bruno Joseph Cua, and fully discussed it with my client.

Date: 02/01/2023



William Zapf
Jon Jeffress
Attorney for Defendant Bruno Joseph Cua