

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>Case No. 21-mj-</b>
v.	:	
	:	<b><u>UNDER SEAL</u></b>
<b>DUKE EDWARD WILSON,</b>	:	
	:	
<b>Defendant.</b>	:	
_____	:	

**GOVERNMENT’S MOTION TO SEAL COMPLAINT  
AND RELATED DOCUMENTS**

The United States of America, moving by and through its undersigned counsel, respectfully moves the Court for an Order placing the above-captioned Complaint, Arrest Warrant, and the application and affidavit in support thereof, and all attachments thereto and other related materials (collectively herein the “Complaint”) under seal. In support of this motion, the government states:

1. The Court has the inherent power to seal court filings when appropriate, including the Arrest Warrant. *United States v. Hubbard*, 650 F.2d 293, 315-16 (D.C. Cir. 1980) (citing *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598 (1978)). More particularly, the Court may seal the Arrest Warrant to prevent serious jeopardy to an ongoing criminal investigation when, as in the present case, such jeopardy creates a compelling governmental interest in preserving the confidentiality of the Arrest Warrant. *See Washington Post v. Robinson*, 935 F.2d 282, 287-89 (D.C. Cir. 1991).

2. On April 13, 2021, the government applied for a Complaint and Arrest Warrant in this matter. The affidavit details the facts supporting probable cause to believe that Duke Edward Wilson violated Title 18, United States Code, §§ 111(a)(1), 231(a)(3), 1512(c)(2), 1752(a)(1) and (2); and 40 U.S.C. §§ 5104(e)(2)(D) and (G).

3. The government will continue its investigation after the Court signs its criminal complaint and arrest warrant, including taking efforts to locate the defendant and to develop information regarding potential co-conspirators and/or other individuals who took unlawful actions in and around the Capitol on January 6, 2021. Disclosure of the Complaint would jeopardize the investigation by providing the subjects of the investigation an opportunity to destroy evidence or flee and jeopardize the investigation by disclosing the details of facts known to investigators, the identities of witnesses, and the investigative strategy.

4. For the foregoing reasons, the United States respectfully requests that this Court issue an Order directing that the Clerk of the Court place and maintain under seal, until execution of the Arrest Warrant, the Affidavit in Support of Criminal Complaint, this Motion and Supporting Memorandum, the proposed Order attached to this Motion, and any Order granting this motion.

Respectfully submitted,

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<hr/>	:	

**ORDER**

The United States has filed a motion to seal the above-captioned Complaint, Arrest Warrant, and related documents, including the application and affidavit in support thereof and all attachments thereto and other related materials (collectively the “Complaint”).

The Court finds that the United States has established that a compelling governmental interest exists to justify the requested sealing, and that there is reason to believe that disclosure of the Complaint and Arrest Warrant would jeopardize the investigation by providing the subject of the investigation an opportunity to destroy evidence or flee and jeopardize the investigation by disclosing the details of facts known to investigators, the identities of witnesses, and the investigative strategy.

IT IS THEREFORE ORDERED that that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

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ROBIN M. MERIWEATHER  
UNITED STATES MAGISTRATE JUDGE