## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES	)	
v.	)	Criminal No. 21-cr-206-1 (EGS)
JONATHAN MELLIS	)	
Defendant.	)	
	)	
	)	

## DEFENDANT'S SECOND SUPPLEMENT TO MOTION TO RECONSIDER PRETRIAL DETENTION

Defendant Jonathan Mellis, by and through undersigned counsel, respectfully supplements his motion to reconsider his release from detention.

Third-Party Custodian

At the detention hearing on June 3, 2022, the Court exhibited some concern regarding Kelly, Wilde, the potential third-party custodian proposed by the defense. Counsel has submitted three (3) letters written by those who know Ms. Wilde. One is written by Ms. Wilde's father, William Horn, who spent thirty-four (34) years with Customs and Border Protection in various capacities.<sup>1</sup> Another is submitted by Alison Beach,<sup>2</sup> who knows Ms. Wilde both professionally and personally, and the third is written by Peter Leggett,<sup>3</sup> who currently employs Ms. Wilde in Tennessee.

<sup>&</sup>lt;sup>1</sup> Exhibit A.

<sup>&</sup>lt;sup>2</sup> Exhibit B.

<sup>&</sup>lt;sup>3</sup> Exhibit C.

## Fundraising Efforts

The government attempted to paint Mr. Mellis' efforts to raise money while incarcerated to hire competent counsel as somehow nefarious. In addition to raising money in support of his constitutionally guaranteed right to counsel, Mr. Mellis has also been a part of a fundraising campaign<sup>4</sup> to provide financial support to the children of inmates from Washington, DC in the general population at the DC Jail. Counsel has submitted documentation of that campaign as part of this Supplement.<sup>5</sup>

United States v. Michael Foy

Counsel has submitted the Affidavit in Support of Arrest Warrant<sup>6</sup> concerning Michael Foy<sup>7</sup> in order to highlight far more egregious nature of the conduct Mr. Foy engaged in on January 6, 2021 in comparison to Mr. Mellis.

Chart Contrasting Beddingfield and Foy From Mellis

Counsel submits the chart below which shows the sharp contrast between various key components of the Beddingfield and Foy matters and that of Mr. Mellis:

Category	Beddingfield	Foy	Mellis
Brought weapon to the	Yes	Yes	No
Capitol			
Length and Number of	Multiple incidents of	Multiple incidents of	One – approximately
Incident(s)	assaultive conduct	assaultive conduct	10 seconds
Action(s)	Multiple strikes	Numerous overhead	Three (3) – four (4)
		strikes with hockey	pokes with a stick
		stick	

<sup>&</sup>lt;sup>4</sup> Exhibit D.

<sup>&</sup>lt;sup>5</sup> Exhibit E.

<sup>&</sup>lt;sup>6</sup> Exhibit F.

<sup>&</sup>lt;sup>7</sup> 1:21-cr-108-TSC (ECF 1-1).

Entered the Capitol	Yes	Yes	No
Criminal Record	Pending – Attempted	No	Yes
	Murder		Not on supervision

WHEREFORE, Jonathan Mellis respectfully reiterates his request that the Court release him from detention.

Respectfully submitted,

/s/

David Benowitz
D.C. Bar No. 451557
Price Benowitz LLP
409 Seventh Street, NW
Suite 200
Washington, DC 20004
David@PriceBenowitz.com

Counsel for Jonathan Mellis

## CERTIFICATE OF SERVICE

I hereby certify that on this 6<sup>th</sup> day of June, 2022, a copy of the foregoing Second Supplement was served on all parties via the CM/ECF system.

\_\_\_\_/s/\_ David Benowitz