



U.S. Department of Justice

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July 24, 2023

The Honorable Randolph D. Moss
U.S. District Court for the District of Columbia
E. Barrett Prettyman U.S. Courthouse
333 Constitution Ave., N.W.
Washington, D.C. 20001

Re: *United States v. Bruno Joseph Cua*
Criminal Case No. 21-CR-107

Dear Judge Moss:

We write to address the Court's docket entry from 5:33 pm today.

The Government extensively briefed the issue of whether the certification of electoral votes by Congress constitutes the "administration of justice" as contemplated by U.S.S.G. 2J1.2(b)(1)(B) and (b)(2) in *United States v. Dustin Thompson*, 21-cr-161 (RBW), in its response to the defendant's sentencing memorandum, ECF 151.

Since the Government's filing in *Thompson*, Judge Mehta has opined extensively on the issue and found that the certification of electoral votes by Congress constitutes the "administration of justice" as contemplated by U.S.S.G. 2J1.2(b)(1)(B) and (b)(2). Judge Mehta reached this conclusion in the sentencing hearings in *United States v. Rhodes*, 22-cr-15, *United States v. Thomas Adams*, 21-cr-354, and *United States v. Audrey Southard-Rumsey*, 21-cr-387. We are enclosing the transcript of the *Rhodes* sentencing. Judge Mehta's reasoning on the issue begins on p. 168.

Sincerely,

Matthew M. Graves
United States Attorney

By: /s/ Carolina Nevin
Carolina Nevin
Kaitlin Klamann
Assistant United States Attorneys

CC: Jonathan Jeffress (via email)
William Zapf (via email)