

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

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|---------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| v. | : | Case No: 21-CR-403 (RC) |
| | : | |
| NICOLE PRADO, | : | |
| Defendant. | : | |

JOINT MOTION TO CORRECT STATEMENT OF OFFENSE

Comes Now the Government and Defendant, by counsel, and respectfully move this Court, pursuant to Rule 36 of the Federal Rules of Criminal Procedure, to correct an error in paragraph eight of the Statement of Offense¹ (ECF #33), filed November 22, 2021.

In support of this request, the parties proffer that subsequent to the entry of Defendant's guilty plea, the government conducted additional investigation into the timing of Defendant's entry into the Capitol building. That investigation revealed that Ms. Prado entered the building at 2:35 p.m. (rather than between 2:20 p.m. and 2:30 p.m., as stated in the original SOO) and that she remained in the building for approximately 17 minutes (rather than 20-30 minutes, as stated in the original SOO). The difference in timing has no bearing on any element of the offense to which Defendant plead guilty, but it may be a relevant consideration at sentencing.

Accordingly, and for good cause shown, the parties now jointly move this Court to amend the Statement of Offense to correctly reflect the defendant's time of entry into the building.

¹ hereinafter SOO.

Respectfully submitted,

_____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of January, 2022, I will electronically file the foregoing Motion to Continue with the Clerk of Court using the CM/ECF system, which will then send a notification of said filing (NEF) to counsel of record.

_____/s/_____
Joan Robin