

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

UNITED STATES OF AMERICA

v.

**PATRICK MONTGOMERY and
BRADY KNOWLTON,**

Defendants.

:
:
:
:
:
:
:
:

CASE NO. 21-cr-46 (RDM)

NOTICE OF FILING

The government files this notice in response to the Court's inquiry concerning what other Capitol cases a motion to dismiss an obstruction charge, in violation of 18 U.S.C. § 1512(c)(2), has been filed and fully briefed. Below is a list of cases the undersigned has compiled in response to the Court's question.


- *U.S. v. Caldwell, et. al.*, 21-CR-028 (APM). On July 1, 2021, defendant Caldwell filed a motion to dismiss multiple counts for multiple reasons including dismissal of the obstruction charge. The government's response was filed on July 29, 2021, and a hearing is set before Judge Mehta on September 8, 2021.
- *U.S. v. Chansley*, 21-CR-003 (RCL). On June 29, 2021, defendant filed a motion to dismiss the obstruction charge. The government filed a memorandum in opposition on July 13, 2021. No further action has been taken by Judge Lamberth and no hearings are presently scheduled.
- *U.S. v. Grider*, 21-CR-022 (CKK). On March 22, 2021, defendant filed a motion to dismiss the obstruction charge. The government opposed the motion on April 5, 2021. A motions hearing was set for May 13, 2021, but defendant asked the Court to hold the motion in abeyance, which was granted. The case is now before Judge Colleen Kollar-Kotelly and remains abated.
- *U.S. v. Miller*, 21-CR-119 (CJN). On June 28, 2021, defendant filed a motion to dismiss the obstruction charge. The government responded on July 9, 2021, and defendant filed a reply on July 16, 2021. No hearing has been set.
- *U.S. v. Nordean*, 21-CR-175 (TJK). On June 3, 2021, defendant Nordean filed a motion to dismiss multiple counts for multiple reasons including the obstruction charge. Co-defendant Biggs subsequently joined in the motion. On July 15, 2021, Judge Kelly entered a minute order granting the United States' Motion for Leave to File Sur-Reply and Set Further Briefing Schedule and ordered the United States to file any sur-reply to defendant's motion to dismiss by July 29, 2021, and granting defendant until August 5, 2021 to file any response to the sur-reply.

- *U.S. v. Pezzola, et. al.*, 21-CR-052 (TJK). On May 11, 2021, defendant William Pepe filed a motion to dismiss the obstruction charge. On May 25, 2021, the government filed a memorandum in opposition. The defense responded on June 1, 2021. A status hearing is scheduled on August 2, 2021, in which argument may be heard by Judge Kelly.
- *U.S. v. Pruitt*, 21-CR-23 (TJK). On May 26, 2021, defendant filed a motion to dismiss the obstruction charge. The government opposed the motion on June 8, 2021. A status hearing is scheduled on August 4, 2021.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
D.C. Bar No. 415793

By:


Elizabeth C. Kelley
Assistant United States Attorney
D.C. Bar No. 1005031
United States Attorney's Office
555 4th Street, N.W.
Washington, DC 20530
Elizabeth.Kelley@usdoj.gov