

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 21-CR-93 (RC)
	:	
JOHN D. ANDRIES,	:	
Defendant.	:	

**GOVERNMENT’S SECOND SUPPLEMENTAL BRIEF ADDRESSING 18 U.S.C. §
1512(c)(2) AND UNITED STATES V. MILLER**

On March 7, 2022, Judge Nichols granted a motion to dismiss a count charging defendant Garret Miller with a violation of 18 U.S.C. § 1512(c)(2), which prohibits corruptly obstructing, influencing, or impeding an official proceeding. *United States v. Miller*, No. 21-cr-119, ECF 73, Order (D.D.C. Mar. 7, 2022). Relying on the *Miller* decision, the defendant filed a Second Motion to Dismiss Count One of the Superseding Indictment in the case at bar on March 15, 2022. The government responded in opposition on April 4, 2022.

The government respectfully submits the attached Decision and Order from Hon. John D. Bates, issued May 2, 2022, as supplemental authority to the government’s response in opposition.

The government continues to assert the Court should not dismiss the count charging a violation of Section 1512(c)(2).

Respectfully submitted,

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