

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

_____)	
UNITED STATES,)	
)	
v.)	Crim. No. 21cr40
)	Hon. Trevor McFadden
GEOFFREY SILLS,)	
Defendant.)	
_____)	

DEFENDANT’S REPLY TO GOVERNMENT’S OPPOSITION
TO MOTION TO COMPEL DISCOVERY

Comes now Defendant Geoffrey Sills, by counsel, and replies to the government’s response in opposition (“Response” Doc 549) to his motion to compel discovery (Doc 533).

Defendant does not dispute that “the USMS has discretion regarding housing decisions” pertaining to pretrial detainees. Response at 3. Defendant is not questioning his transfer to USP Lewisburg. Rather, he applauds it, having found the conditions of his confinement there dramatically better than those he suffered at the Northern Neck Regional Jail (“NNRJ”). The government errs, however, in several respects.

The government incorrectly states that Defendant’s motion is “based largely upon his own interview with a local monthly publication...” “ Response at 4. In fact, the motion is based on repeated reports of mistreatment of inmates at NNRJ as substantiated by the Richmond County Commonwealth’s Attorney who has reportedly refused further to use the facility to house pretrial detainees prosecuted by her office, and on the inescapable inference of a problem with the facility as surmised from the wholesale removal of detainees by the Marshal’s Service.

The government also errs in claiming that undersigned failed to “confer in good faith with the government prior to filing this motion to compel.” Response at 5. In fact, undersigned queried by email counsel for the government for illumination of the reason/s for the bulk

removal from NNRJ by the Marshal's Service of January 6th defendants. Undersigned was referred to the number for the Washington, D.C. Office of the Marshal's Service.

Defendant has spent nearly two years in pretrial detention in a facility that appears to have lost the confidence of the Marshal's Service. The Presentence Investigation Report reflects that, while at that facility, he has contracted MRSA – a potentially fatal, chronic condition that will likely plague him for the rest of his life. The quality of Defendant's pretrial confinement is without question "material to the preparation of a defense" which includes sentencing argument.

Under the circumstances, Defendant is entitled to substantiate the problems with his pretrial confinement and the government enjoys exclusive custody of the means to do so.

Respectfully submitted,

GEOFFREY SILLS

By Counsel

/s/

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Certificate of Electronic Service

I hereby certify that on March 3, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System.

/s/

John C. Kiyonaga