

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

UNITED STATES OF AMERICA

v.

BRIAN BINGHAM

)
)
) **CASE NO. 1:22-CR-00092-DLF**
)
)

NOTICE OF PUBLIC AUTHORITY DEFENSE

Mr. Bingham, through counsel, and pursuant to Federal Rule of Criminal Procedure 12.3, gives notice that he may assert as a defense at trial that he was acting under actual or believed public authority at the time of the alleged offenses. Mr. Bingham submits that, on or about January 6, 2021, he was and he believed he was directed and authorized to engage in the conduct set forth in the indictment by President Donald J. Trump and his various agents and representatives. At the time, President Trump was vested with the full authority of the Executive Branch as President of the United States of America and was acting under color of that authority.

Date this 25 day of October, 2023.

Respectfully submitted,

/s/ Donnie W. Bethel

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CERTIFICATE OF SERVICE

I certify that on October 25, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/ Donnie W. Bethel

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