

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

UNITED STATES OF AMERICA : **1:21-CR-234-CJN**
:
v. :
:
JOSEPH W. FISCHER, :

MOTION TO FOR LEAVE TO FILE REPLY

Joseph W. Fischer, by and through his attorneys, requests that this Court grant his Motion for Leave to file a Reply. In support of this Motion, counsel states the following facts.

1. Mr. Fischer is charged in a seven-count superseding indictment with, *inter alia*, civil disorder in violation of 18 U.S.C. § 231(a)(3) (Count One), obstruction of an official proceeding in violation of 18 U.S.C. § 1512(c)(2) (Count Three), entering and remaining in a restricted building or grounds in violation of 18 U.S.C. § 1752(a)(1) (Count Four), and disorderly and disruptive conduct in a restricted building or grounds in violation of 18 U.S.C. § 1752(a)(2) (Count Five). (Doc. 52). All of the charges against Mr. Fischer arise out of the events that took place at the United States Capitol on January 6, 2021. ECF#52.

2. On January 12, 2022, Mr. Fischer filed a Motion to Dismiss Counts One, Three, Four and Five of the Superseding Indictment. ECF#54.

3. On February 4, 2022, the Government filed an Opposition to Mr. Fischer's Motion to Dismiss. ECF#57.

4. The Government's opposition discusses recent decisions on similar motions issued by other judges of this District Court. Mr. Fischer seeks an opportunity to file a reply to address the Government's arguments.

5. The Government has concurred in the relief sought in this motion.

CONCLUSION

For the reasons set forth hereinabove, the defendant, Joseph W. Fischer, respectfully requests that this Honorable Court grant the foregoing motion to for leave to file a reply and that the Court order the reply be due no earlier than February 25, 2022.

Date: February 7, 2022

Respectfully submitted:

/s/ Lori J. Ulrich

LORI J. ULRICH, ESQUIRE
Assistant Federal Public Defender

/s/ Amanda R. Gaynor

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CERTIFICATE OF SERVICE

I, Lori J. Ulrich, Esquire, of the Federal Public Defender's Office, do hereby certify that I served a copy of the foregoing **Motion for Leave to File Reply** via Electronic Case Filing, and/or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, and/or by hand delivery, addressed to the following:

ALEXIS JANE LOEB, ESQUIRE
Assistant United States Attorney
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JOSEPH W. FISCHER

Date: February 7, 2022

/s/ Lori J. Ulrich
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