

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

UNITED STATES OF AMERICA

v.

**PATRICK MONTGOMERY and
BRADY KNOWLTON,**

Defendants

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Case No. 21-CR-00046-RDM

**DEFENDANTS' AMENDMENT TO THEIR MOTION TO DISMISS
COUNT TEN OF THE INDICTMENT**

TO THE HONORABLE RANDOLPH D. MOSS, UNITED STATES DISTRICT
JUDGE FOR THE DISTRICT OF COLUMBIA:

PATRICK MONTGOMERY AND BRADY KNOWLTON, the Defendants in the above styled and numbered cause, by and through undersigned counsel, and, pursuant to Rules 7(c)(1) and 12(b)(3)(B) of the Federal Rules of Criminal Procedure, the Fifth and Sixth Amendments to the United States Constitution, and the authority discussed in their Joint Supplemental Brief on Defendants' Motion to Dismiss moves this Court to enter an order dismissing Count Ten of the indictment in this case.

More specifically, in addition to the grounds originally set out in Defendant Brady Knowlton's Motion to Dismiss Count Ten of the Indictment (Doc. No. 39), joined by Defendant Patrick Montgomery by his Motion for Joinder (Doc. No 40), both Defendants jointly move this Court to dismiss Count Ten of the Indictment against them based on the additional grounds set out in their Joint Supplemental Brief on Defendants' Motion to Dismiss filed with this Court on September 17, 2021.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully requests this Honorable Court dismiss Count Ten of the indictment against them and permit them leave to amend and supplement this motion at a later date, if needed.

Date: September 17, 2021

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this reply was sent to Counsel for the Government, Elizabeth Kelley, James Pearce, and James Peterson on September 17, 2021, via CM/ECF and email.

/s/ T. Brent Mayr
T. BRENT MAYR