

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 1:21-CR-222 (TFH)

GEORGE PIERRE TANIOS,

Defendant.

DEFENDANT’S MOTION FOR APPOINTMENT OF LOCAL COUNSEL

The Defendant, George Pierre Tanios, by and through counsel, pursuant to the Sixth Amendment, moves for the appointment of local CJA counsel in Washington, D.C. (“DC”), as an addition to the defense team for the purpose of assisting with the trial preparation and trial in this matter. In support, the Defendant states the following:

Mr. Tanios is scheduled for trial on June 6, 2022, before this Court in DC. Mr. Tanios is charged with ten felonies based upon his alleged conduct at the U.S. Capitol Building on January 6, 2021. This is a major criminal case, which will likely proceed to trial. The DOJ has indicated that it is a part of the largest criminal investigation of our history. Mr. Tanios is a high-profile defendant. This is a complicated and labor-intensive case.

Undersigned counsel works at the Federal Defender Office in Clarksburg, West Virginia, in the Northern District of West Virginia. On or about April 9, 2021,

undersigned counsel filed a notice of appearance and our Federal Defender Office in the Northern District of West Virginia accepted the appointment to represent Mr. Tanios, given that the Federal Defender Office in DC is inundated with January 6 appointments. As this Court knows, other Federal Defender Offices have similarly volunteered to assist with the representation of defendants given the large number of defendants (over 700).

During the pretrial phase of this case, undersigned counsel has been assisted by her supervisor, L. Richard Walker, Esq., and another Assistant Federal Public Defender, Aaron Moss. With this assistance, undersigned counsel has been able to successfully manage the pretrial phase of this case. Now that we are involved in trial preparation, though, there is a need for local counsel in DC.

Undersigned counsel consistently handles approximately 30 felony cases in the Northern District of West Virginia. In addition, she is currently assisting with a death-eligible homicide, and she is a drug court representative. Mr. Walker has supervisory and administrative responsibilities and is currently handling approximately 30 felony cases before the district court in the NDWV and the Court of Appeals for the Fourth Circuit, including one complex homicide. Mr. Moss has approximately 30 felony cases and is co-counsel in a death-eligible prison homicide. Undersigned counsel has the assistance of staff members in this case, including one investigator and one paralegal who are simultaneously assisting other lawyers.

As we prepare for trial, given that we are a smaller defender office, with a substantial caseload, including other complex matters, the appointment of local

counsel in DC is critical. Local counsel can assist with investigation in DC, meet with the prosecution team in DC, and prepare witnesses in DC. Local counsel will provide our defense team a physical base of operations in DC. Local counsel can assist with the review of the discovery and assist with trial preparation. Local counsel can inspect physical evidence maintained by the FBI in DC. Local counsel can assist with jury selection, given that undersigned counsel is unfamiliar with DC's demographics.

Likewise, local counsel can provide important institutional knowledge pertaining to the practices, customs, and preferences of this Court. While undersigned counsel is now a member of the bar of this Court, she has never tried a case outside the Northern District of West Virginia. Procedures and practices vary from district to district. In sum, the appointment of local counsel will allow the defense team to adequately and efficiently prepare for trial and local counsel will put the defense team on par with the local prosecution team.

Undersigned counsel understands the Federal Defender Office in DC is fully occupied with January 6 cases, which is why our Defender Office became involved in the first place. Accordingly, undersigned counsel conferred with Christopher M. Davis, Esq., who has a criminal defense firm in DC. Mr. Davis is an experienced CJA attorney who has tried criminal cases before this Court. Mr. Davis advised that he is familiar with the January 6 cases, the investigation, and the common discovery, having represented defendants in unrelated cases arising out of January 6. Mr. Davis has visited the alleged crime scene already, which undersigned counsel has been unable to do given the distance (245 miles one way) and her other professional and

personal obligations. Mr. Davis has the space in his office to accommodate our team. Mr. Davis has available time to assist with trial preparation on this case and he is willing to accept the appointment as local counsel.

Since 2008, Mr. Davis has worked very closely with attorneys from our Federal Defender Office in connection with complex homicides, where he has been appointed as “learned counsel” in death eligible cases in the NDWV. Our office has a good working relationship with Mr. Davis, who is very qualified. Mr. Davis does not have a conflict of interest. Mr. Davis advised he is available for trial on June 6, 2022, and thereafter for two weeks.

Mr. Tanios expressly agrees with this motion.

WHEREFORE, based upon the forgoing, undersigned counsel requests the appointment of CJA attorney Christopher M. Davis (1350 Connecticut Ave., NW, Suite 202, Washington, DC 20036; (202) 234-7300; Ext. 101, cmdavisdc@gmail.com) as local counsel for the trial in this matter, currently scheduled for June 6, 2022.

Respectfully submitted,

GEORGE PIERRE TANIOS

By: /s/ Elizabeth B. Gross
WV State Bar No. 11567
Federal Public Defender Office
230 West Pike Street, Suite 360
Clarksburg, West Virginia 26302
Tel. (304) 622-3823
E-Mail: Beth_gross@fd.org

CERTIFICATION OF SERVICE

I hereby certify that on March 2, 2022, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Columbia and that a copy of which will be sent to the following:

Anthony F. Scarpelli, Esq.
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7707
Fax: (202) 514-8707
Email: anthony.scarpelli@usdoj.gov

Gilead I. Light, Esq.
U.S. ATTORNEY'S OFFICE
555 4th Street NW
Ste 4832
Washington, DC 20816
202-252-6880
Email: gilead.light@usdoj.gov

By: s/ Elizabeth B. Gross
Elizabeth B. Gross
WV State Bar No. 11567
Federal Public Defender Office
230 West Pike Street, Suite 360
Clarksburg, West Virginia 26302
Tel. (304) 622-3823
Fax. (304) 622-4631
E-Mail: Beth_Gross@fd.org