

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

UNITED STATES OF AMERICA,

v.

JOSEPH W. FISCHER,

Defendant.

Criminal Action No. 1:21-cr-00234 (CJN)

ORDER

This matter is before the Court on Fischer's Motion to Dismiss Counts One, Three, Four, and Five, ECF No. 54.

Accordingly, for the reasons given in the contemporaneously published Memorandum Opinion, it is hereby

ORDERED that Motion to Dismiss Counts One, Three, Four, and Five, ECF No. 54, is **GRANTED** in part. Count Three is **DISMISSED WITHOUT PREJUDICE** from the Superseding Indictment, ECF No. 53; and

it is **ORDERED** that, with regards to Counts Four and Five, the Government has 14 days to either amend the Superseding Indictment to allege that one of then Vice President Pence's family members attended the certification of the electoral vote at the Capitol on January 6 or to explain to the Court why it will not do so.

DATE: March 15, 2022



CARL J. NICHOLS
United States District Judge