

**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. On March 29, 2022, the Government filed its “Response to March 15, 2022 Court Order Regarding Counts Four and Five of the Superseding Indictment.” ECF #67 (hereinafter “Response”).

2. In its Response, the Government elects not to seek a further amendment of the Superseding Indictment concerning Counts Four and Five.

3. In its Response, the Government submits additional argument opposing Mr. Fischer’s Motion to Dismiss with respect to Counts Four and Five, discussing very recent decisions on similar motions issued by other judges of this District Court. *See* ECF #67, p. 1 (citing *United States v. Puma*, 21-cr-454, 2022 WL 823079 (D.D.C. Mar. 19, 2022) (Friedman, J.); *United States v. Andries*, 21-cr-93, 2022 WL 768684 (D.D.C. Mar. 14, 2022) (Contreras, J.); *United States v.*

McHugh, --- F.Supp.3d ---, 21-cr-453, 2022 WL 296304 (D.D.C. Feb. 1, 2022) (Bates, J.)).

4. Mr. Fischer seeks an opportunity to file a brief, limited reply to address the Government's arguments regarding these recent cases.

5. Mr. Fischer requests that the Court issue an Order permitting him to file a reply by or before April 8, 2022.

6. 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 on April 8, 2022.

Date: March 31, 2022

Respectfully submitted:

/s/ Lori J. Ulrich

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/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
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JOSEPH W. FISCHER

Date: March 31, 2022

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