

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

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Criminal Action No. 21-161-1 (RBW)
)	
DUSTIN BYRON THOMPSON,)	
)	
Defendant.)	
_____)	

GOVERNMENT’S ADDITIONAL PROPOSED JURY INSTRUCTIONS

The government submits the following two proposed jury instructions for the Court’s consideration. The first proposed instruction would be a final instruction to the jury; the second proposed instruction is a limiting instruction that the Government would request after the statements of former President Donald Trump or Rudolph Giuliani are entered into evidence. The government submits these instructions in light of the Court’s concerns during yesterday’s pretrial conference, with which the government agrees, regarding the interaction between the admission of evidence of former President Trump’s or Rudolph Giuliani’s statements and the two affirmative defenses (entrapment by estoppel and public authority) that this Court has precluded in this trial. Specifically, without a limiting instruction, the government is concerned that the jury may believe there is some question as to whether or not the defendant’s actions were in fact authorized (or lawful) as a result of former President Trump’s statements. Similarly, the government’s first proposed instruction is in part aimed at ensuring that the jury understands that its role is limited to evaluating the guilt or innocence of the defendant.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

() UNITED STATES OF AMERICA)) v.) Criminal Action No. 21-161-1 (RBW)) DUSTIN BYRON THOMPSON,) Defendant.)

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