

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CASE NO. 21-CR-234-CJN
 :
 JOSEPH W. FISCHER, :
 :
 Defendant. :

**UNITED STATES' NOTICE OF RECENT AUTHORITY RELEVANT TO
MOTION FOR RECONSIDERATION**

The United States respectfully files this notice to alert the Court and counsel to a decision in this district relevant to the government’s pending motion for reconsideration of the Court’s order dismissing Count Three of the Superseding Indictment (ECF No. 72). Yesterday, Judge Friedrich issued a Memorandum Opinion denying Guy Reffitt’s motion for a judgment of acquittal and to arrest judgment on his conviction for obstruction of an official proceeding in violation of 18 U.S.C. § 1512(c)(2). Memorandum Opinion, *United States v. Reffitt*, No. 21-cr-32 (DLF), ECF No. 148 (D.D.C. May 4, 2022). Judge Friedrich’s opinion addresses *United States v. Miller*, No. 21-cr-119 (CJN), 2022 WL 823070 (D.D.C. Mar. 7, 2022) and declines to follow it. *Reffitt, supra*, at 13-24. The opinion is attached as Exhibit 1 to this filing.

Respectfully submitted,

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