

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ALEXANDER SHEPPARD,

Defendant.

Crim. No. 21-203 (JDB)

RESPONSE TO JURY NOTE

The jury has submitted a note asking two questions:

- (1) Is aiding and abetting necessary to find Mr. Sheppard guilty of Count I?
- (2) In other words, if we find the 4 elements on p. 25 of the jury instructions met, do we need to go further and find the elements on p. 27 or p. 28 met?

The answers to the two questions are:

- (1) No.
- (2) No.

Date: 1/26/23

Time: 4:10 pm



JOHN D. BATES
United States District Judge

UNITED STATES DISTRICT COURT
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v.

ALEXANDER SHEPPARD,

Defendant.

Crim. No. 21-203 (JDB)

RESPONSE TO JURY NOTE

The jury has submitted a note asking two questions:

- (1) For Count 4, does floor of Congress mean the actual floor of the Senate or House chamber or the entire "house," i.e. the foyer to the Senate lobby, etc.?
- (2) Second, if Mr. Sheppard was willfully in the Capitol building and knew that was wrong, would he have willfully acted when he entered the Rayburn Room?

The answers to the two questions are:

- (1) The statute relevant to Count Four (40 U.S.C. § 5104(e)(2)(A)) uses the following language: "the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate."
- (2) The jury should consider all the evidence and the instructions they have already received on Count Four, including the instruction that Mr. Sheppard entered or remained on the floor of a House of Congress or in the Rayburn Room willfully, as well as the other instructions they have received.

Date: 1/26/23

Time: 4:40 pm


JOHN D. BATES
United States District Judge