

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

**UNITED STATES OF AMERICA**

v.

**KYLE FITZSIMONS**

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**CRIMINAL NUMBER 21-158**

**DEFENDANT’S MOTION TO WITHDRAW  
MOTION TO ENFORCE SUBPOENA AS MOOT**

Defendant Kyle Fitzsimons, by and through his attorney, Natasha Taylor-Smith, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests that this Court withdraw the August 11, 2022 Motion to Enforce Defense Subpoena (ECF No. 88). On July 26, 2022, Mr. Fitzsimons filed a subpoena with the D.C. Capitol Police seeking any complaints against Capitol Police Officer Aquilino Gonell. The D.C. Capitol Police did not immediately comply with the subpoena, and on August 11, 2022, Mr. Fitzsimons filed with the Court a Motion to Enforce Defense Subpoena. On August 11, 2022, shortly after Mr. Fitzsimons filed the motion, the D.C. Capitol Police complied with the subpoena and turned over the requested documents. Seeing as the motion to enforce is now moot, Mr. Fitzsimons respectfully requests that this Court Withdraw the Motion to Enforce Defense Subpoena.

**WHEREFORE**, for all the reasons set forth above, Defendant Fitzsimons respectfully submits that the Court withdraw the Motion to Enforce Defense Subpoena.

Respectfully submitted,

*/s/ Natasha Taylor-Smith*  
NATASHA TAYLOR-SMITH  
Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I, Natasha Taylor-Smith, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I caused a copy of the foregoing Defendant's Motion to Withdraw Motion to Enforce Defense Subpoena to be served by Electronic Case Filing ("ECF") upon Douglas Burton Brasher, Assistant United States Attorney, United States Attorney's Office, 1100 Commerce Street, Third Floor, Dallas, TX 75242, and Michael Matthew Gordon, Assistant United States Attorney, United States Attorney's Office, 400 North Tampa Street, Suite 3200, Tampa, FL 33602.

*/s/ Natasha Taylor-Smith*  
NATASHA TAYLOR-SMITH  
Assistant Federal Defender

DATE: August 12, 2022