

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-00040-TNM
	:	
PATRICK EDWARD MCCAUGHEY III, et al.	:	
	:	
Defendant(s).	:	

**NOTICE UNDER LOCAL CRIMINAL RULE 57.12B3 OF RELATED CASES AND
INTENT TO SUPERSEDE INDICTMENT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files notice, pursuant to Local Criminal Rule 57.12b3, that *United States v. Federico Klein*, No. 21-cr-236 (JDB), *United States v. McCaughey, et al.*, No. 21-cr-40 (TNM), and two presently uncharged subjects the government expects to be charged within 30 days are related cases. All nine of these individuals are or will be charged primarily with assaultive conduct on law enforcement officers in and around the first landing of the Lower West Terrace as well as the Lower West Terrace archway, colloquially referred to as “the tunnel,” of the United States Capitol Building on January 6, 2021, between approximately 1:00 p.m. and 4:30 p.m. This tunnel entranceway to the Capitol Building, which is approximately ten feet wide, was the site of a significant physical confrontation with law enforcement for several hours. Each of these defendants was an active participant in the first wave of rioters to enter the tunnel between 2:40 and 3:18 p.m., at which time law enforcement successfully cleared the tunnel of rioters for the first time that day. Moreover, several of the defendants, including Mr. Klein, committed additional crimes on the first landing of the Lower Wester Terrace before reaching the tunnel for

the first time. Accordingly, because the primary criminal conduct alleged against these individuals overlaps both temporally and geographically, and the evidence against them will be mutually admissible, including the testimony of witnesses and their victims, the government is preparing to charge this group in a single indictment and to present evidence against them in a single trial. Although there are potentially dozens of additional individuals whose criminal conduct could be joined to this indictment, the government does not expect to add further defendants to this case.

Respectfully submitted,

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By: /s/ Jocelyn Bond
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CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2021, I caused a copy of the foregoing opposition to be served on counsel of record via electronic filing.

/s/ Jocelyn Bond
Jocelyn Bond
Assistant United States Attorney