

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

UNITED STATES OF AMERICA,

v.

Jerrod Hughes

Defendant.

Crim No.: 1:21- CR 00106 (TJK)

Defendant's Supplement to Sentencing Memorandum

COMES NOW, the defendant, Jerrod Hughes, and supplements his previously filed Sentencing Memorandum. Since the filing of the original sentencing memorandum the case of United States v. Mathew Mark Wood 21 Cr. 223 (APM) has come to undersigned counsel's attention. The cited case bears striking resemblance to the instant case. Defendant Wood's activities on January 6, 2021, bear marked similarity to Jerrod Hughes. Both were among the first 10 persons to enter the Capitol. Both were part of the crowd that followed Officer Goodman up the stairwell as he was instructing them to stop. Neither physically assaulted anyone, particularly any law enforcement officers. Unlike the defendant Hughes, Mr. Wood never kicked a door handle to force it open. In all other regards their activities are comparable. Neither had weapons nor protective armor, neither were part of any "group" that organized as part of their attendance,

like Proud Boys, Oath Keepers, etc.. Both voluntary surrendered to law enforcement prior to being contacted by law enforcement. Both were cooperative with law enforcement after their surrender.

Defendant Wood pleaded guilty to the six counts in the indictment including obstruction of an “Official Proceeding,” the same count applicable in the instant case. According to the prosecution’s sentencing memorandum Wood’s sentencing guidelines were 51-63 months<sup>1</sup>. The Court imposed concurrent sentences of 36 months probation on each count, the first 12 months to be served on home confinement with location monitoring<sup>2</sup>.

Recognizing that one of the objectives in sentencing is “the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct,” 18 U.S.C. § 3553(a)(6), the defense suggests that a comparable sentence is warranted in the instant case. Given the hardship that defendant’s disabled wife and

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<sup>1</sup> Undersigned counsel is basing this on the prosecution’s sentencing memorandum which is contained in the docket of US v. Mathew Mark Wood. The docket contains a minute order reflecting the sentence imposed. The docket does not contain a written order of findings by the Court so it is not clear what sentencing guidelines the Court found applicable. Nor does the docket contain a Pre Sentence Report. The Defendant’s Sentencing Memorandum suggested a much lower Sentencing Guidelines range.

<sup>2</sup> The plea agreement in both required \$2,000 restituion.

dependent daughter will suffer if, due to incarceration, the defendant is not available to provide financial support and physically care for his wife, the defense requests that he be permitted to serve all or at least some of his sentence on home confinement.

### Letters of Support

Defendant submits as attachments to this supplement letters of support from seven family members and friends of the defendant that the defense wishes the Court to take into consideration.

### Conclusion

For the foregoing reasons as well as any others that may arise at a sentencing hearing in this case, the defendant respectfully requests the Court impose the shortest sentence the Court believes justice would permit. The defendant suggests that a downward variance beneath the USSG guidelines would be “sufficient but not greater than necessary” to achieve the objectives inherent in sentencing. Defendant requests that the Court permit the defendant to serve all or at least a portion of his sentence on home confinement.

Respectfully submitted,

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S  
Jonathan Zucker  
Bar # 384629  
37 Florida Av. NE  
Suite 200  
Washington, D.C. 20003  
(202) 624-0784  
Counsel for Defendant

### CERTIFICATE OF SERVICE

I certify that on January 2, 2023, I caused a copy of the foregoing Motion to be filed with the Clerk using the CM/ECF System which will send notification of this filing to all parties.

Courtesy copies were sent by email to the assigned AUSAs.

\_\_\_\_\_  
/s/  
Jonathan Zucker

From: Briona Shipman <[briona.shipman@gmail.com](mailto:briona.shipman@gmail.com)>  
Date: Mar 22, 2021 5:03 PM  
Subject: Jerod Hughes  
To: catherine hughes <[catjennings@hotmail.com](mailto:catjennings@hotmail.com)>  
Cc:

To Whom it May Concern,

I have known Jerod for over twenty years, and have watched him grow from a young teenager to an adult. He is married to my cousin Catherine. Jerod is a loving husband, father, brother, son, and friend. He works incredibly hard to provide for his family and take care of his chronically ill wife. He is a homebody and proud Montana native-there is nowhere else he would rather be.

I have personally benefitted from Jerod's kind heart and generous nature-he has put gas in my car on numerous occasions as a thank you for my assistance in transporting his wife to her various medical appointments. Groceries appeared in my vehicle after he overheard me talking about struggling to afford food. He does not hesitate to welcome people to his home and his dinner table. He's the first to roll up his sleeves and chip in when needed-as a single mother, I appreciate his insight and actual sweat equity when I've needed help working on my house, or starting my car in below zero temps, and all manner of other scenarios. He's been a wonderful and warm uncle to my children. He will give you the shirt off his back if he feels like you are in need-he goes out of his way to make sure the people he cares about are taken care of.

He is dearly missed. I would love for his bond to be re-evaluated, and can say with absolute conviction he is a safe and good human who is the rock of his family.

Thank you,

Briona Shipman

03-14-21

To whom it may concern,

My name is David Gleich, I am an uncle to Josh and Jared Hughes. I am writing this letter on behalf of these two men. I am a husband, father, grandfather, US Airforce veteran and currently work as a state trooper for the Montana Highway Patrol. I tell you these things because I want you to understand that I take what happens in this country seriously. I would like to see my children and grandchildren have the same opportunities that I have had. I believe in protecting this country and the American way of life through service to our fellow Americans and the people who visit our great nation. In fact, I have a son that is currently serving in our nations US Navy. My father was a retired police officer, and my brother is a retired sheriff's deputy. Our nation has always been a nation of laws. Laws that help protect us all. We as a nation need to protect and enforce those laws to best of our ability. Not when it suits our needs. There should be equal justice for all citizens of our nation and those that visit it.

On January 6<sup>th</sup>, my nephews drove from Montana to Washington DC where they participated in a rally for President Trump. They then marched to our nation's capital where things got out of hand. Josh and Jared climbed through a broken window where Jared kicked a door open to allow others into the capital. Essentially, they committed the crime of trespassing. In addition, Jared committed the crime of destruction of public property when he kicked in the door. After that, Josh did little more than remain after being ordered to leave. Jared is seen yelling and screaming at the Capital Police. IE: being disorderly. I am not going to sit here and condone what they did. They were wrong and should be willing to pay for the crimes that they committed. But they should not be "made and example of." Their prosecution should be for the crimes listed above with a punishment that is just for their individual culpability.

When Josh and Jared learned that they were being sought out by the FBI, they drove themselves to the local office and let them know who they were. They were not trying to hide their identity or what they had done. They offered themselves up. I do not know about you, but I feel that people taking responsibility for their actions is one of the strongest things someone can do and how each of us should stive to be. We are all human and have and will continue to make mistakes in our lives. Taking responsibility for the mistakes we make show outstanding character. If everyone did this, our nation and the world would be a much better place to be. I have sent hundreds of people to either prison or jail for the things that they have done. But only a handful of them have ever taken responsibility for the crimes they committed. When I find someone like that, it makes me feel a little better about the society we live in and them as a person. Josh and Jared did something that they should not have done. When they realized how out of control it was getting, they left the Capital and went back to Montana. When they heard they were wanted for questioning, the FBI did not need to come looking for them, they made their identity known. They are neither a danger nor a flight risk. It is my feeling that both Josh and Jared should be released on their own recognizance. Let them return home to their families until such time they need to answer for what they did. It is the right thing to do, and it is what should be done here. Feel free to contact me if you have any questions.

David Gleich

(406)439-5717



From: Cowboycandy Stiffler <[bocievous@yahoo.com](mailto:bocievous@yahoo.com)>  
Date: Mar 23, 2021 1:10 AM  
Subject: Candy Letter for Jerod  
To: [catjennings@hotmail.com](mailto:catjennings@hotmail.com)  
Cc:

Candice Maupin  
P.O. Box [REDACTED]  
East Helena MT 59635

March 22, 2021

To whom it may concern;

My name is Candice Maupin. I have been a nurse for nine years. I travel Montana to care for the elderly. I am a wife and a mother of two wonderful boys.

I am writing on behalf of Jerod Hughes. I have been friends with Jerod for over fifteen years. He was one of the groomsmen at my wedding seven years ago. His father is Godfather to my both my sons. Jerod has always been hard working family man who is willing to help others.

For as long as I have known Jerod he has worked hard to provide for his family. He provides for his wife and teenage daughter. In recent years Jerod has become the sole income source for his family. Due to his wife having medical issues. He goes to work everyday and works hard without complaint. He also takes into consideration the needs and what is best for his family.

Jerod is always willing to help others around him. Numerous times he has helped myself and my family. Whether it was helping move, giving rides home or anything else asked of him. I know if I needed help in anyway I could rely on Jerod and he would be there. He is a stand up hardworking Montanan. He loves his family, friends, and community fiercely.

Sincerely,

Candice Maupin

To whom it may concern,

I have known Jerod Hughes for a little over 20 years. He is married to my cousin Catherine Hughes and they have a 14-year-old daughter Andrea Hughes. Although I have been away from Montana for a few years, I still keep in touch with Catherine.

Shortly after completing her degree in network administration she started to experience medical issues. She became extremely ill and at times we wondered if she would make it. She spent years trying to get a diagnosis and receive treatment. She is only 35 years old, on disability, and unable to work and provide for her and her daughter. They have relied on Jerod to be their main financial supporter and her caretaker. She has weekly appointments that she is unable to attend without him and his income. Through my conversations with her I have learned that he works 10 hour days and still comes home and cares for her, their daughter, and the household chores. I am very worried about her and Andrea and how they will survive during this time.

Unfortunately, we all know this should have been considered prior to his actions but we also know it is easy to get caught up in the heat of a moment when you feel so passionate about something. I am not making any excuses for him and I do not support his actions. I personally am not in support of Donald Trump but I know Jerod truly believed in him. I am just asking that the welfare of his wife and child be considered during this time. It is also my understanding that he turned himself in prior to being wanted for anything. I hope this will have some weight when considering his options for being released on bail and letting him return to his family while awaiting trial.

Sincerely,

Danielle Whittern



March 22, 2021

Reference: Character Reference for Josh Hughes and Jerrod Hughes

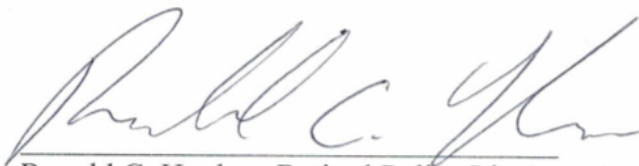
To Whom It May Concern:

I am writing this letter to give a character reference for Josh Hughes and Jerrod Hughes. I am their uncle and a retired police lieutenant with the Odessa Police Department in Odessa Texas. I have known Josh and Jerrod all their lives. They are good Christian boys that would go out of their way to help someone. I know Josh and Jerrod to be very respectful and honest when dealing with people. Josh and Jerrod have strong family values and a high grade of respect for their community. They both have many relatives in law enforcement and have always been respectful of the law and law enforcement officers.

I believe Josh and Jerrod went to Washington DC to participate in a legal demonstration and wanted to have their voices heard concerning the current political atmosphere and being young men, made some poor decisions in the heat of the moment. I would hope that they would not be judged solely on one incident of poor judgement that will have a lasting effect on the rest of their lives.

I am not in the habit of giving out character references and would only make these statements if I knew them to be true through my personal dealings with Josh and Jerrod. I would hope you would consider this character reference for Josh and Jerrod when dealing with these young men.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald C. Hughes". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Ronald C. Hughes, Retired Police Lieutenant  
Odessa Police Department  
Odessa, Texas 79761  
E-Mail Address: rhughes@mygrande.net

23 March 2021

Dear Judge,

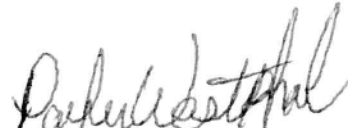
I am a friend of Jerod Hughes, more as a brother than a friend. I have known him since our middle school years. His family took me in as one of their own. I later served in the Marine Corps for over fifteen years, becoming a Gunnery Sergeant and I am now a disabled veteran.

Jerod is and always has been a caring and understanding friend. He is not immoral or hurtful. Jerod is the type of person that exhibits unwavering loyalty, and a constant positive personality. In my early adult years, I was diagnosed with Bipolar Disorder Type-1. Without going into the embarrassing details of my own past, Jerod was/is always "there" for me to calm me and look after me as his own brother.

Jerod is a father of a fourteen-year-old daughter, who loves and respects him more than anything. Jerod also has a wife, Catherine, who is ill and cannot work. As this unfortunate occurrence progressed Jerod continued and became increasingly accommodating in providing necessary monetary support for his family. Jerod is a tremendously solid worker, liked by all for his ability to perform and bring humor/fun to the "atmosphere". The most impressive quality about Jerod, to me, is that he told me once (a few months ago) that if I call him to please not call on the weekends when he is home from work. He reserves this time strictly for his wife and daughter. His family loves him. His family needs him.

Thank you, Your Honor, for allowing me this opportunity to communicate to you concerning Jerod's character. I can be reached at [parker.westphal@gmail.com](mailto:parker.westphal@gmail.com).

Sincerely,



P. S. Westphal

*Sent from my Verizon Motorola Smartphone*

----- Forwarded message -----

From: [jeremyrothenbuhler@gmail.com](mailto:jeremyrothenbuhler@gmail.com)

Date: Mar 23, 2021 10:33 PM

Subject: Jerod Hughes

To: [catjennings@hotmail.com](mailto:catjennings@hotmail.com)

Cc:

To whom it may concern,

I am writing to explain that Jerod Hughes is a great man that was at the wrong place at the wrong time but felt he was doing what was right at the time to support and protect the ones around him. The strong traits he possesses led my friend to be in the position he is in.

It was with the best intentions that Jerod attended the rally with belief he was supporting the president of the United States and honoring our country.

My friends only intentions are to protect his family, friends and fellow Americans.

I have known Jerod since 2000 and he is a hard working family man who has always been there to live and support his family and friends. He loves his his wife and daughter and has always worked hard to provide and protect them. He has helped many people in his life. Jerod enjoys a good day fishing and a cup of coffee with family and friends. Those things are what makes his days great.

I know that you have not had the opportunity to know Jerod as I have and if you had you too would be honored and glad to call him your friend.

Jerod is a good man.

Thank you,  
Jeremy Rothenbuhler  
Sent from my iPhone