

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

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Case No: 21-cr-38 (CRC)

v.

RICHARD BARNETT

Defendant.

**DEFENDANT’S MOTION TO INCLUDE A DEFINITION FOR DANGEROUS
WEAPON INTO THE JURY INSTRUCTIONS**

TO THE HONORABLE COURT:

The Court’s jury instruction lacks a definition of a “dangerous weapon.” Accordingly, the Defendant respectfully requests that the Court’s instructions to the jury include a definition of a “dangerous weapon” based on the United States Sentencing Guidelines which explains that:

Federal law defines dangerous weapon as, “(i) an instrument capable of inflicting death or serious bodily injury; or (ii) an object that is not an instrument capable of inflicting death or serious bodily injury but (I) closely resembles such an instrument; or (II) the defendant used the object in a manner that created the impression that the object was such an instrument (e.g., a defendant wrapped a hand in a towel during a bank robbery to create the appearance of a gun).”)

U.S.S.G. § 1B1.1 cmt. n.1(E).

Dated: January 19, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify on this 19th day of January 2023, a copy of the foregoing was served upon all parties as forwarded through the Electronic Case Filing (ECF) System.

/s/ Jonathan Gross, Esq

Jonathan Gross, Esq.