

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ERIC MUNCHEL,

Defendant.

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Case No.: 1:21-cr-118 (RCL)

Let this be filed.
Angela C. Lomata
U.S.D.J. 4/18/23

AGREEMENT AND WAIVER OF JURY TRIAL RIGHTS

Defendant Eric Munchel, by and through counsel, hereby acknowledges that he will be waiving the following rights by proceeding with a Stipulated Trial:

1. The constitutional right to trial by jury. At a trial, the government would have to present evidence to prove the defendant's guilt beyond a reasonable doubt.
2. The right to cross-examine witnesses presented by the government and the right to have witnesses called to court to testify on behalf of the defendant.
3. The right to counsel to assist the defendant at trial.
4. The right to testify if the defendant chose to do so. However, if the defendant chose not to testify, the Court would instruct the jury that the decision could not be used against the defendant.
5. At a jury trial, the defendant could not be convicted unless all 12 jurors agreed that the Government had proved the defendant's guilt beyond a reasonable doubt.
6. If you are not a citizen of the United States, your conviction could result in your deportation or have other immigration consequences.
7. If convicted on one or more of Count Four, the violation of 18 U.S.C. § 1752(a)(1) and (b)(1)(A); Count Six, the violation of 18 U.S.C. § 1752(a)(2) and (b)(1)(A); Count

Eight, the violation of 40 U.S.C. § 5104(e)(2)(B); Count Nine, the violation of 40 U.S.C. § 5104(e)(2)(D); and/or Count Ten, the violation of 40 U.S.C. § 5104(e)(2)(G), you waive the right to appeal.

If the Court grants leave to proceed with a Stipulated Trial, you will give up these rights. The Court will consider the Statement of Facts and if it believes that the Government has proven your guilt beyond a reasonable doubt, the Court will find you guilty. Your signature means that you wish to proceed by a Stipulated Trial and give up those rights.

However, the government agrees that proceeding with a Stipulated Trial will not curtail, abridge, or otherwise affect your right to appeal the legality, constitutionality, or applicability of Count 1 of the current indictment, which charges a violation of 18 U.S.C. § 1512(k), or Count 2, which charges a violation of 18 U.S.C. §§ 1512(c)(2) and 2.


ERIC MUNCHEL

03/29/2023
DATE