

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

United States)	
)	
v.)	NO. 1:21cr140
)	
Larry Brock)	
)	
)	
<u>Defendant.</u>)	

**MOTION TO RECONSIDER ORDER ON REDACTION OR IN THE
ALTERNATIVE FOR EXTENSION OF TIME**

Comes now the defendant Larry Brock and moves the Court to reconsider its March 12, 2023 minute order (no ECF #) relating to redactions of Mr. Brock’s sentencing memorandum. Mr. Brock submits the following:

1. Mr. Brock submitted his sentencing memo on March 10, 2023. The memo had the names, addresses and telephone numbers of private individuals who had written character letters redacted.
2. On the same date, Mr. Brock filed a Motion to Seal with the undredacted sentencing filings attached. Mr. Brock also provided the government with the undredacted materials.
3. The government had previously expressed its agreement to redact names in a November 30, 2022 email: “I have no issue with keeping names/personal information out of public filings or public oral arguments during sentencing.”
4. Mr. Brock’s request was in keeping with prior accommodations offered by the Court to January 6th defendants. *See, United States v. Nicholas Rodean*, 21-cr-140-TNM, October 20, 2022 Minute Order (allowing exhibits under seal);

ECF 69 (redacted sentencing memo *sans* under seal exhibits). It was also in keeping with accommodations offered pursuant to government requests to withhold sensitive January 6th evidence from the public docket. ECF 16 (Protective order setting “allowing designated material to be filed under seal”).

5. To be clear, Mr. Brock is not requesting permission to seal any substance of his sentencing memo or exhibits. The majority of the memo and exhibits were left unredacted, including personal titles, military ranks, and other identifying information. The only request beyond routinely redacted personal information is to redact names in order to avoid public harassment.
6. The possibility of public harassment is not a specious concern. Mr. Brock has been subject to harassment and death threats since the beginning of this case. Undersigned counsel has participated in several January 6th cases and has received threatening emails and calls. The government’s sentencing filings have already engendered hostile commentary online. The following is representative sample of Twitter comments from just the past few days :
 - “5 years of prison? Larry Brock should be put in a zoo”
 - “Larry Brock. Righty ‘Patriot’ Lock him up!”
 - “What anti-American scum and conservative Republican Trump supporter Larry Brock planned on Jan 6: (He is the terrorist with the zip ties)”
 - “You’re a traitor. Qev sides with terrorist #LarryBrock”
 - “People like Larry Brock should be getting a short drop with a sharp stop tbh [to be honest].”
7. In light of this background, allowing Mr. Brock to seal certain limited portions of his sentencing filings would not be overly prejudicial to the public’s

right to follow judicial proceedings.

8. If the Court is not inclined to grant this request Mr. Brock asks in the alternative for an extension of 1 day (until March 14) to consult with supporters and consider whether certain portions of the under seal materials should simply be withdrawn. Mr. Brock wishes to protect his loved ones from being targeted even at some prejudice to his case.

For the foregoing reasons Mr. Brock respectfully requests that this Court reconsider its prior order and allow him to redact the names of his character witnesses from public filings, per the parties agreement. In the alternative he requests an extension of one day to submit a revised redacted sentencing memorandum.

Respectfully Submitted,

By:

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CERTIFICATE OF SERVICE

I have served this filing on the government through the ecf system.

Respectfully Submitted,

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