

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)

v.)

DANIEL GOODWYN,)

Defendant.)

Case No. 1:21-cr-00153 (RBW)

NOTICE OF AFFIRMATIVE DEFENSE FOR 18 U.S.C. § 1512(c)(2) COUNT ONE

Comes now the Defendant, Daniel Goodwyn, by and through undersigned counsel, and pursuant to 18 U.S.C. § 1512(e), hereby gives notice that he will use the statute's designated affirmative defense at trial to show by a preponderance of evidence that he is not guilty of the crime charged because his conduct was lawful and his intent was to support Senator Cruz among others through completion of the Electoral Count, to include objections with truthful debate.

18 U.S.C. § 1512 includes an express affirmative defense where the defendant bears the burden of proof:

(e) In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

Dated September 30, 2022

Respectfully submitted,
/s/ Carolyn A. Stewart

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Dated September 30, 2022

Respectfully submitted,

/s/ Joseph D. McBride, Esq.

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CERTIFICATE OF SERVICE

I hereby certify on the 30th day of September 2022, a copy of the foregoing was served upon all parties as forwarded through the Electronic Case Filing (ECF) System.

/s/ Carolyn A. Stewart
Carolyn A. Stewart, Esq.