

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

UNITED STATES OF AMERICA

v.

LUKE RUSSELL COFFEE

Defendant.

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Case No: 21-CR-327

JOINT PRETRIAL STATEMENT

I. Joint Statement of the Case

The United States has charged Luke Russell Coffee with offenses that occurred at the United States Capitol on January 6, 2021. Count One charges Mr. Coffee with civil disorder. Count Two charges Mr. Coffee with forcibly assaulting, resisting, opposing, impeding, intimidating, and interfering with law enforcement officers from the United States Capitol Police while using a deadly or dangerous weapon. Count Three charges Mr. Coffee with forcibly assaulting, resisting, opposing, impeding, intimidating, and interfering with law enforcement officers from the United States Capitol Police while using a deadly or dangerous weapon. Count Four charges Mr. Coffee with entering and remaining in a restricted building or grounds with a deadly or dangerous weapon. Count Five charges Mr. Coffee with disorderly and disruptive conduct in a restricted building or grounds with a deadly or dangerous weapon. Count Six charges Mr. Coffee with impeding ingress and egress in a restricted building or grounds with a deadly or dangerous weapon. Count Seven charges Mr. Coffee with engaging in physical violence in a restricted building or grounds with a deadly or dangerous weapon. Count Eight charges Mr. Coffee with disorderly conduct in a Capitol building. Count Nine charges Mr. Coffee with impeding passage through the Capitol grounds or buildings. Count Ten charges Mr. Coffee with

engaging in an act of physical violence in the Capitol grounds or buildings.

Mr. Coffee has pleaded not guilty to all charges.

II. Estimated Trial Days

The Parties expect Trial to last 4 to 5 days.¹

III. List of Expert Witnesses

The Parties will not be calling expert witnesses.

IV. Outstanding Motions in Limine

Government Motions

- a) Motion *in Limine* regarding Cross-Examination of Secret Service Witness (ECF No. 67)
Status: No Defense response filed
- b) Motion *in Limine* to Preclude Claims of Self-Defense, Defense of Others, Necessity, Justification and Duress (ECF No. 68)
Status: Defense response was incorporated in a separate motion (ECF No. 85)

Defense Motions

- a) Motion to Dismiss Count for Multiplicity (ECF No. 65)
Status: Government response filed (ECF No. 769)
- b) Motion *in Limine* (Omnibus) (ECF No. 66)
Status: Government response filed (ECF No. 86)
Defense reply filed (ECF No. 88)
- c) Motion *in Limine* for Self-Defense Instruction (ECF No. 85)
Status: Government response filed (ECF No. 87)
Defense reply filed (ECF No. 89)

V. Proposed Voir Dire

A set of proposed *voir dire* questions is attached hereto as Attachment 1.

¹ The parties will continue to meet and confer in an effort to streamline the trial.

VI. Joint Proposed Jury Instructions

A set of jury instructions will be submitted to the Court in a supplemental filing.²

VII. List of Prior Convictions to be Used

The government does not intend to use any prior convictions at trial.

VIII. Exhibit Lists

The parties exhibit lists will be submitted as a supplemental filing with the Court.

IX. Stipulations

The parties have reached the following stipulations. The fully executed stipulations will be submitted to the Court as a supplemental filing:

- a) Identity
- b) Election Certification
- c) Duties of the Metropolitan Police Officers
- d) Authenticity of Body Worn Cameras
- e) Authenticity of Senate Recording Studio Footage
- f) Affect on Safeway Operations
- g) Capitol Building and Grounds
- h) Authenticity of Meta Records
- i) Authenticity of CCTV footage

X. Proposed Verdict Form

A proposed verdict form is attached hereto as Attachment 2.

² The parties are working diligently to resolve issues concerning the jury instructions.

For the United States:

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