

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	CASE NO. 21-CR-536
v.	:	
	:	
[1] KAROL J. CHWIESIUK,	:	
[2] AGNIESZKA CHWIESIUK,	:	
	:	
Defendants.	:	

JOINT PRETRIAL STATEMENT

The parties hereby jointly submit this pretrial statement.

A. Plea Offers and Sentencing Exposure

On July 18, 2022, the Honorable Kollar-Kotelly held a status hearing. During that hearing, the Court confirmed that a plea offer had been extended to Mr. Chwiesiuk. *See* Minute Order, July 18, 2022. At the next status hearing, on August 23, 2022, the Government placed the plea offer on the record and Mr. Chwiesiuk confirmed that he had rejected the Government’s plea offer. *See* Minute Order, August 23, 2022. On February 23, 2023, the Court held another status hearing. During that hearing, Ms. Chwiesiuk confirmed that she had received and rejected the same plea offer that had previously been tendered to Mr. Chwiesiuk. *See* Minute Order, February 23, 2023.

B. Joint Statement of the Case

The parties have agreed that the following is an appropriate statement of the case:

This is a criminal case. The government has charged the defendants, Karol Chwiesiuk and Agnieszka Chwiesiuk, with violating four federal criminal laws based on their presence inside the U.S. Capitol on January 6, 2021. Specifically, the government alleges that Karol and Agnieszka Chwiesiuk unlawfully entered and remained in the restricted building and grounds of the U.S. Capitol, and engaged in disorderly and disruptive conduct while there; and that they paraded, demonstrated, and picketed inside the U.S. Capitol building. The government has charged Karol

Chwiesiuk with one additional crime: entering and remaining in a room designated for the use of a member of Congress. Mr. and Ms. Chwiesiuk deny each and every charge.

C. Proposed Voir Dire Questions

Consistent with the Court's Pretrial Scheduling Order, ECF No. 87, the parties will submit proposed voir dire questions on July 28, 2023.

D. Proposed Jury Instructions

Consistent with the Court's Pretrial Scheduling Order, ECF No. 87, the parties will submit proposed jury instructions questions on July 28, 2023.

E. Expert Witnesses

The parties do not intend to call any expert witnesses at trial.

F. Motions in limine

The parties previously filed motions in limine, and the Court ruled on those motions on April 19, 2023. Omnibus Memorandum Opinion & Order, ECF No. 83.

G. Prior Convictions

The Government does not intend to use any prior convictions to impeach either defendant.

H. Exhibit List

Consistent with the Court's Pretrial Scheduling Order, ECF No. 87, the parties will submit exhibit lists on July 31, 2023.

I. Stipulations

Consistent with the Court's Pretrial Scheduling Order, ECF No. 87, the parties will submit proposed jury instructions questions on July 28, 2023.

J. Proposed Verdict Form

The parties' jointly-proposed verdict form is attached. The parties will deliver a Microsoft Word version of this document to the Court by email.

Respectfully submitted,

DATED: June 27, 2023

Counsel for the Government

Counsel for Defendants Karol J. Chwiesiuk
and Agnieszka Chwiesiuk

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