

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)	
v.)	CRIMINAL CASE NO: 1:21-CR-00564
MATTHEW DASILVA)	TRIAL: JULY 17, 2023
DEFENDANTS.)	

RESPONSE TO GOVERNMENT’S MOTIONS IN LIMINE

In **ECF No. 49**, the Government seeks to introduce the broad, generalized, sweeping, non-particularized evidence that the defendant moved to exclude in ECF No. 46. Accordingly, to reduce redundancy, the Defense asks this Court to treat Defendant’s ECF No. 46 as a motion and also as a *Response* to Government’s ECF No. 49.

In **ECF No. 50**, the Government seeks to limit the scope of Defendant’s cross-examination of a Secret Service witness in order to protect the national security interests of the Country and the Vice President. The specific location of the Vice President on January 6, 2021 is not material to this case, only the general location relative to his positioning within the Capitol Building and any exit therefrom, and relative to the Defendant. The parties have conferred on this issue and the Defense will be eliciting the following information as to the location of the Vice President, already known to both parties:

— When the Secret Service decided to move Vice President Pence from his ceremonial office in the Capitol to a more secure location based on the breach of

the Capitol Building on January 6, 2021, the Vice President was taken underground, under the plaza on the Senate side of the Capitol Building, which is on the North side of the Capitol Building.

— At no time on January 6, 2021, was the Vice President physically present outside of the U.S. Capitol Building on the western front of the building, or the west plaza, or the Lower West Terrace.

In **ECF No. 51**, the Government seeks to conceal the locations of USCP CCTV cameras. The parties have stipulated as to the admissibility of the USCP CCTV evidence, rendering this motion moot.

In **ECF No. 63**, the Government seeks to notify the Defense of its intent to introduce business records. This Notice requires no reply.

Respectfully submitted,

By Counsel:

/s/
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CERTIFICATE OF SERVICE FOR CM/ECF

I hereby certify that on July 7, 2023, I will electronically file the foregoing with the Clerk of the Court for the United States District Court for the District of Columbia by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

_____/s/_____
Marina Medvin, Esq.