

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL NO. 21-CR-00708 (RCL)
 :
 LEO CHRISTOPHER KELLY, :
 Defendant. :

**DEFENDANT’S UNOPPOSED MOTION FOR THE DEFENDANT AND
CO-COUNSEL TO APPEAR VIA ZOOM FOR PRETRIAL
CONFERENCE AND MOTIONS HEARING**

The defendant, Leo Kelly, through his attorney, Kira Anne West, respectfully files this unopposed motion for the defendant and co-counsel to appear via zoom in the above-captioned matter, currently scheduled for April 25, 2023. In support thereof, the defendant states as follows:

1. On January 18, 2021, the defendant was arrested and charged by Criminal Complaint with one count of Obstruction, in violation of Unlawful Entry on Capitol Grounds, violation of 18 U.S.C. § 1752(a)(1) and (4). On December 3, 2021, the defendant was indicted with 7 counts, to include felony obstruction under 18 U.S.C. § 1512.
2. Trial for this matter is set for May 1, 2023. This Court set a motions hearing and pretrial conference for April 25, 2023, by minute order dated 4/3/23. The defendant resides in Iowa. Co-counsel for the defendant, Ms. Nicole Cubbage, resides in Dallas, Texas. It would be a huge expense monetarily and time-wise for the defendant and Ms. Cubbage to appear in person for this hearing.¹ Undersigned counsel is prepared to handle the pretrial conference and motions hearing by herself.

¹ Undersigned counsel does not foresee any unusual issues for this hearing. The parties are working on exchanging exhibits and working on stipulations which will be completed before a jury is picked on May 1, 2023.

3. Undersigned counsel has communicated with AUSA James who does not oppose this motion.

4. Therefore, the defendant would respectfully request that the defendant and co-counsel be allowed to appear for this hearing via zoom.

Respectfully submitted,

By: /s/ Kira Anne West
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FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:
	:
v.	: CRIMINAL NO. 21-CR-708(RCL)
	:
LEO CHRISTOPHER KELLY,	:
Defendant.	:

ORDER

This matter is before the Court pursuant to an unopposed motion for the defendant and co-counsel to appear at the pretrial conference and motions hearing via Zoom on April 25, 2023.

The motion being unopposed and meritorious, it is:

ORDERED that the defendant, Leo Kelly, and co-counsel for Mr. Kelly, Ms. Nicole Cabbage, are allowed to appear at the pretrial conference and motions hearing on April 25, 2023 via Zoom.

SO ORDERED.

Royce C. Lamberth
United States District Judge