

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 22-cr-15-APM
	:	
v.	:	
	:	
ELMER STEWART RHODES III,	:	
	:	
KELLY MEGGS,	:	
	:	
KENNETH HARRELSON,	:	
	:	
JESSICA WATKINS,	:	
	:	
ROBERTO MINUTA,	:	
	:	
JOSEPH HACKETT,	:	
	:	
DAVID MOERSCHEL,	:	
	:	
BRIAN ULRICH,	:	
	:	
THOMAS CALDWELL, and	:	
	:	
EDWARD VALLEJO,	:	
	:	
Defendants.	:	
	:	

**UNITED STATES' MOTION FOR EXTENSION OF DEADLINE
TO RESPOND TO DEFENDANTS' RULE 12 MOTIONS**

The United States respectfully requests a one-week extension of the April 29 deadline for filing oppositions to defendants' Rule 12 motions.

On January 12, 2022, a grand jury of this Court returned an indictment charging all defendants with seditious conspiracy, in violation of 18 U.S.C. § 2384 (Count One); conspiracy to obstruct an official proceeding, in violation of 18 U.S.C. § 1512(k) (Count Two); obstruction of an official proceeding, in violation of 18 U.S.C. § 1512(c)(2) (Count Three); and conspiracy to prevent an officer from discharging any duties, in violation of 18 U.S.C. § 372 (Count Four). ECF

No. 1. Some defendants were additionally charged with destruction of government property and aiding and abetting, in violation of 18 U.S.C. § 1361, 2; civil disorder and aiding and abetting, in violation of 18 U.S.C. § 231(a)(3), 2; and tampering with documents or proceedings and aiding and abetting, in violation of 18 U.S.C. § 1512(c)(1), 2. *Id.*

At the arraignment and status hearing held on January 25, the Court scheduled trial dates of July 11, 2022, and September 26, 2022, and set a deadline of February 25 for the filing of Rule 12 motions. The Court then granted, in part, two unopposed motions from the defense to extend that deadline. In its Pretrial Scheduling Order, the Court set a final deadline of April 15 for the defense to file Rule 12 motions; a deadline of April 29 for oppositions; and a deadline of May 6 for replies. ECF No. 64. A motions hearing was scheduled for May 17, 2022, at 1:00 p.m.

The defendants have now filed a combination of four different motions to dismiss Counts One through Four of the Indictment (ECF Nos. 82, 84, 89, 95); motions to dismiss and/or sever several of the tampering with documents charges (ECF No. 90, 91); and a motion for change of venue (ECF No. 84). Various combinations of defendants have joined each of these motions.

Given the number of different motions and claims raised throughout these pleadings, the government respectfully requests a one-week extension of its deadline for filing oppositions, to Friday, May 6. If defendants are still then given one week to file their replies, these motions will be fully briefed by Friday, May 13, four days prior to the May 17 hearing.


Undersigned government counsel conferred with counsel for the defendants and none opposed this request; the government did not hear back from caretaker counsel for Mr. Meggs on this issue.

WHEREFORE, the government respectfully moves for a one-week extension of its deadline to file its oppositions to the defendants' Rule 12 motions.


Respectfully submitted,

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