

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	Case No. 21-cr-40 (TNM)
David Mehaffie,	:	
	:	
Defendant.	:	

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**NOTICE REGARDING MOTION FOR ADMISSION *PRO HAC VICE* OF RYAN  
JOSEPH-GENE MARSHALL**

The United States submits this pleading to provide notice to the Court regarding the current status of Ryan Marshall—an associate from Mr. Pierce’s law firm who is a provisionally licensed attorney<sup>1</sup>— who Mr. Pierce recently moved this court to admit *pro hac vice* and will likely be appearing at today’s hearing. Because Mr. Pierce is unavailable for the hearing and Mr. Marshall will be representing Mr. Mehaffie at the hearing, the government is making the Court aware of Mr. Marshall’s provisional status so that it can take any steps it believes necessary to ensure the defendant’s rights are adequately protected.

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<sup>1</sup> It is unclear if and when Mr. Marshall will be able to obtain a non-provisional bar license, given that Mr. Marshall currently faces felony criminal charges in two cases in the Court of Common Pleas of Fayette County, Pennsylvania: No. CP-26-CR-859-2021 (multiple counts of intercepting communications and unlawful use of an audio device in court), and No. CP-26-CR-851-2021 (multiple conspiracy and theft-related counts). According to public reports, the latter case involves charges arising from Mr. Marshall’s alleged participation in a conspiracy to commit fraud while clerking for a judge on the Pennsylvania Court of Common Pleas. *See, e.g.*, <https://triblive.com/local/regional/fayette-co-court-assistant-law-clerk-accused-of-defrauding-widow-late-husband/>.

In the motion to admit Mr. Marshall, Mr. Pierce noted that “Mr. Marshall is an active member in good standing of the state bar of California (PL-560767).” ECF 193 at 1. It appears that Mr. Marshall is not an active member of the State Bar of California. *See Attorney Search, The State Bar of California*, available at <https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch> (last accessed December 17, 2021). Rather, it appears that Mr. Marshall is a “Provisionally Licensed Lawyer” (hereinafter “PLL”) and is “licensed to practice law under the supervision of a lawyer.” *Provisionally Licensed Lawyer Search, The State Bar of California*, available at <https://apps.calbar.ca.gov/provisional/> (last accessed December 17, 2021).

According to the State Bar of California, to be eligible to become a PLL, an individual needs to have either graduated from a qualifying law school in 2020 or have not passed the California Bar Exam while scoring between 1390 and 1439 between July 2015 and February 2020. *Provisional Licensure Program FAQs, The State Bar of California*, available at <https://www.calbar.ca.gov/Portals/0/documents/admissions/Provisional-License-FAQs.pdf> (last accessed 12/17/2021). The PLL must also have submitted a completed Application for Determination of Moral Character to the State Bar. *Id.* The PLL program is temporary and provisional licenses are currently set to expire on June 1, 2022. *Id.*

Once licensed, the PLL is “allowed to provide a broad array of legal services for clients” and “the limits on what a provisionally licensed lawyer can do . . . are largely left to the supervising attorney to determine[.]” *Id.* In order to maintain licensure, the PLL must “[c]omplete the State Bar New Attorney Training program[.]” complete an ethics requirement, “[m]aintain employment under the supervision of a licensed lawyer[.]” follow professional conduct rules that apply to all

lawyers, and “[c]learly disclose to clients and the public that they are a ‘provisionally licensed lawyer’ and not a fully licensed lawyer.” *Id.*

The motion in support of Mr. Marshall’s *pro hac vice* admission did include the letters “P.L.” before his listed bar number, which would indicate a provisional license if one was aware of that convention in California. However, out of an abundance of caution, the government wanted to clarify for the record that the P.L. indicates a provisional license, not full admission to the bar, so that the Court can take any steps it believes necessary to ensure that the defendant’s rights are adequately protected while Mr. Pierce is unavailable for today’s hearing.

Respectfully submitted,

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