

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	
DALE JEREMIAH SHALVEY,	:	No 21-CR-334-TJK
	:	
and	:	
	:	
TARA AILEEN STOTTLEMYER	:	
Defendants.	:	

GOVERNMENT’S OPPOSITION TO DEFENDANT TARA AILEEN STOTTLEMYER’S MOTION TO MODIFY CONDITIONS OF RELEASE

COMES NOW the United States of America, by and through the United States Attorney for the District of Columbia, and for its Opposition to Defendant Tara Aileen Stottlemyer’s (Defendant) Motion to Modify Conditions of Release states as follows:

1. On July 28, 2021, a federal grand jury returned an indictment against Defendant charging her with violations of the following statutes: 18 U.S.C. § 1512(c)(2), 2 (Obstruction of an Official Proceeding); 18 U.S.C. § 1752(a)(1)(Entering and Remaining in a Restricted Building or Grounds); 18 U.S.C. § 1752(a)(2)(Disorderly and Disruptive Conduct in a Restricted Building or Grounds); 40 U.S.C. § 5104(e)(2)(A)(Entering and Remaining on the Floor of Congress); 40 U.S.C. § 5104(e)(2)(D)(Disorderly Conduct in a Capitol Building); and 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building). The charge under 18 U.S.C. § 1512 (c)(2) is a felony offense.

2. Defendant’s co-defendant, and husband (Dale Jeremiah Shalvey) , was charged in the same indictment, and was charged with violations of 18 U.S.C. § 231(a)(3) (Civil Disorder);

18 U.S.C. § 111(a)(1) (Assaulting, Resisting Certain Officers or Employees); 18 U.S.C. § 1512(c)(2), 2 (Obstruction of an Official Proceeding); 18 U.S.C. § 661 (Theft of Personal Property Within Special Maritime and Territorial Jurisdiction); 18 U.S.C. § 1001(a)(2)(False Statements); 18 U.S.C. § 1752(a)(1)(Entering and Remaining in a Restricted Building or Grounds); 18 U.S.C. § 1752(a)(2)(Disorderly and Disruptive Conduct in a Restricted Building or Grounds); 40 U.S.C. § 5104(e)(2)(A)(Entering and Remaining on the Floor of Congress); 40 U.S.C. § 5104(e)(2)(D)(Disorderly Conduct in a Capitol Building); 40 U.S.C. § 5104(e)(2)(G); and (Parading, Demonstrating, or Picketing in a Capitol Building).

3. Defendant and her co-defendant husband (Dale Jeremiah Shalvey) reside together, and both are charged by indictment with felonies in this case. As such, Title 18 U.S.C. § 922(n) prohibits them from receiving a firearm or ammunition because they are under indictment for felony offenses.

4. Notwithstanding the prohibition of Title 18 U.S.C. § 992(n), the safety of Pretrial Services will be jeopardized if Defendant is allowed to possess a firearm. Defendant is charged with serious felony offense, 18 U.S.C. § 1521(c)(2)(Obstruction of an Official Proceeding); Moreover, her co-defendant husband Shalvey, is alleged to have violated 18 U.S.C. § 111(a) for assaulting law enforcement during the Capitol riots on January 6, 2021. As such, the safety of Pretrial Services will be jeopardized if Defendant can possess a firearm, especially since her husband and her live together and both could access the firearm.

5. For all of the above reasons, the condition prohibiting Defendant from possessing a firearm should remain.

WHEREFORE, the United States respectfully requests that this Court to deny Defendant's Motion to Modify Conditions of Release.

Respectfully submitted,

MATTHEW M. GRAVES
UNITED STATES ATTORNEY
D.C. Bar No. 481052

/s/Anthony L. Franks

By: ANTHONY L. FRANKS
Missouri Bar No. 50217MO
Assistant United States Attorney
Detailee-Federal Major Crimes
United States Attorney's Office
111 South 10th Street
St. Louis, Missouri 63110
Telephone No. (314) 539-3995
anthony.franks@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of this pleading to be served upon counsel of record by the filing of same in ECF on November 17, 2021

/s/ Anthony Franks
ANTHONY FRANKS
Assistant United States Attorney