

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	No. 21-cr-508-01-BAH
v.	:	
LUKE WESSLEY BENDER,	:	
<i>Defendant.</i>	:	

**DEFENDANT’S UNOPPOSED MOTION TO
FILE DEFENDANT’S SENTENCING MEMORANDUM UNDER SEAL**

Defendant Luke Wesley Bender, through his undersigned counsel, files the present *Unopposed* Motion to File Defendant’s Sentencing Memorandum Under Seal, and states as follows:

1. On July 29, 2021, Mr. Bender was arrested by Complaint as to offenses relating to the events that occurred on January 6, 2021 at the United States Capitol. Since his initial presentment, Mr. Bender has been in complete compliance with all of his pretrial release requirements.
2. Following a stipulated trial held on December 7, 2022, a sentencing date was scheduled for Mr. Bender for March 3, 2023.
3. In preparation for sentencing, undersigned counsel plans to file a sentencing memorandum that includes a discussion of medical and mental health treatment that Mr. Bender has received for diagnosed medical and mental health related conditions (as discussed in the Presentence Report (*see* D.E. 99 at ¶¶ 96-100)). This information will be discussed at length in the Defendant’s sentencing memoranda, in attached treatment records, and in character letters submitted by his family members. Given the nature of this medical/mental health information and

the confidential and highly sensitive and personal identifying information contained and discussed therein, Mr. Bender requests to file his sentencing memorandum and accompanying exhibits under seal.

4. Undersigned counsel has conferred with counsel for the Government and Government counsel informs undersigned counsel that the Government does not oppose Mr. Bender's request to file his sentencing memorandum under seal.

5. Accordingly, Mr. Bender requests that he be permitted to file his sentencing memorandum under seal.

Dated: February 13, 2023

Respectfully submitted,

SILVERMAN|THOMPSON|SLUTKIN|WHITE, LLC

/s/ Christopher Macchiaroli

Christopher Macchiaroli (D.C. Bar No. 491825)
1750 K Street, NW, Suite 810
Washington, D.C. 20006
Telephone: (202) 539-2444
Facsimile: (410) 547-2432
Email: cmacchiaroli@silvermanthompson.com

Emma J. Mulford (Bar No. MD0146)
400 East Pratt Street, Suite 900
Baltimore, MD 21202
Telephone: (410) 385-6249
Facsimile: (410) 547-2432
Email: emulford@silvermanthompson.com

Counsel for Defendant Luke Wessley Bender