

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

UNITED STATES OF AMERICA,)	CASE NO.: 21CR00599-RBW
)	
Plaintiff,)	
vs.)	
)	
DONNIE DUANE WREN,)	
)	
Defendant.)	

**DEFENDANT’S MOTION FOR BILL OF PARTICULARS
AND MEMORANDUM OF LAW**

The Defendant, DONNIE DUANE WREN, who, by and through undersigned counsel and pursuant to Federal Rule of Criminal Procedure 7(f), files this Motion for a Bill of Particulars seeking an Order directing the Government to supply the following particulars in reference to the superseding indictment filed on December 7, 2022, in the above- captioned case:

1. As to **Count Thirteen** charging **Disorderly Conduct in a Capitol Building**, the nature of all events, behavior, and actions upon which the prosecution will rely on to prove Mr. Wren committed disorderly conduct and how such acts are separate and distinct from the alleged criminal acts charged in **Count Eight (Disorderly or Disruptive Conduct in a Restricted Building or Grounds)**; or, is Count Thirteen charging the same exact conduct charged in Count Eight.

2. As to **Count Nine** charging **Engaging in Physical Violence in a Restricted Building or Grounds**, the nature of all events, behavior, and actions upon which the prosecution will rely on to prove this charge, and how such acts are separate and distinct from the alleged criminal acts charged in **Count Fourteen (Act of Physical Violence in the Capitol Grounds or Building)**; or, is Count Four charging the same exact conduct charged in Count Fourteen.

MEMORANDUM OF LAW

Federal Rule of Criminal Procedure 7(f) provides that the Court may direct the filing of a bill of particulars upon the motion of a defendant. The purpose of a bill of particulars is to tell the defendant of the nature of the charges in such a way as to ensure that he: (1) understand the charges, (2) can prepare a defense, (3) can avoid prejudicial surprise at trial, and (4) can be protected against retrial for the same offense. *See, e.g., United States v. Butler*, 822 F. 2d 1191 (D.C. Cir. 1987); *see, e.g., United States v. Ramirez*, 602 F. Supp. 783, 793 (S.D.N.Y. 1985). The determination as to whether a bill of particulars should be provided is within the discretion of the trial court. *Butler*, 822 F. 2d at 1194.

In this case, in order to adequately prepare a defense, Mr. Wren is entitled to know what specific acts are the bases for each Count alleged.

WHEREFORE, it is respectfully requested that the Court grant this Motion for

Bill of Particulars.

Respectfully submitted,

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By:/s/ George T. Pallas
GEORGE T. PALLAS, ESQ.

CERTIFICATE OF SERVICE

I certify that on this 23rd day of February 2023, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing.

By:/s/ George T. Pallas
GEORGE T. PALLAS, ESQ.