

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-cr-28 (APM)
	:	
v.	:	
	:	
DONOVAN CROWL, and	:	
JAMES BEEKS,	:	
	:	
Defendants.	:	
	:	

PRETRIAL STATEMENT

Pursuant to the Court’s Pretrial Order, ECF No. 919 (21-cr-28), the government hereby submits a Pretrial Statement. Enclosed with this statement are the following materials:

1. Government Proposed Preliminary Jury Instructions (Ex. 1)¹
2. Government Proposed Final Jury Instructions (Ex. 2)²
3. Government Proposed Verdict Form (Ex. 3)³
4. Government Witness List (Ex. 4) (provided only to counsel and the Court)

¹ This proposal is modified from the version of preliminary instructions delivered during the trials in the related matters of *United States v. Rhodes, et al.*, 22-cr-15-APM, and *United States v. Parker, et al.*, 21-cr-28-APM, only to update the defendants’ names and charges. The government shared this proposal with the defense but has not received any response as of the time of filing.

² The government submits a version of the proposed final jury instructions modified from those delivered by the Court in the *Parker* trial. The government has highlighted instructions that may need to be modified or removed at the close of the evidence, depending on what occurs during the trial. The government shared this proposal with the defense but has not received any response as of the time of filing.

³ The government submits a version of the verdict form modified from the form used by the Court during the *Parker* trial. The government shared this proposal with the defense but has not received any response as of the time of filing.

5. Government Exhibit Lists (Ex. 5) (provided only to counsel and the Court), including:
 - a. Government List of Anticipated Exhibits⁴
 - b. Government List of Anticipated Messages to be Introduced
6. Proposed “for-cause” strikes of potential jurors based on juror questionnaire answers (provided only to counsel and the Court)

The government has not received anticipated witness or exhibit lists from either of the defendants. The government shared a list of proposed “for-cause” strikes of potential jurors but has not received any proposed “for-cause” strikes from either defendant as of the time of filing.

* * *

WHEREFORE, the government respectfully submit this Pretrial Statement for the Court’s consideration.

Respectfully submitted,

/s/
TROY EDWARDS
ALEXANDRA HUGHES
KATHRYN L. RAKOCZY
Attorneys for the Government

⁴ The government has communicated to defense counsel that it intends to supplement its exhibit list with a small number of additional exhibits. As in the three previous trials in the related cases, the government will move for the admission of a number of these exhibits through business records certifications, pursuant to FRE 902(11). Consistent with the rule, the government has provided the defense with a copy of these business records certifications. The government also has proposed admitting a number of exhibits pursuant to stipulation by the parties. The government provided the defense with its proposed stipulations, and the parties are still discussing these stipulations.