

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

MARK ANDREW MAZZA,

Defendant.

Case No. 21-cr-736-JEB

Sentencing Date: October 21, 2022

**GOVERNMENT RESPONSE TO DEFENDANT'S MOTION REGARDING RETURN  
OF PROPERTY**

The United States, by and through its attorney the United States Attorney for the District of Columbia, hereby responds to the Defendant's *Pro Se* Motion Regarding Return of Property.

1. The Defendant's motion is hard to discern. The legal basis of the Motion identified is the Civil Asset Forfeiture Act under 18 U.S.C. §§ 981 and 983. These statutes relate to civil forfeiture, and there is no pending civil forfeiture claim against the defendant. Later in the motion, the defendant cites Rule 41(g) regarding a return of property, but he does not identify which property he wishes to be returned to him. Without such basic information it is difficult to fully respond to the defendant's motion, except to oppose it.

2. By way of background, this Court will likely recall, the defendant in this case pled guilty, he was sentenced, and consented to an order of criminal forfeiture. His case was also related to other January 6<sup>th</sup> matters, including *United States v. Roger Kent Baugh*, 22-cr-313, who was sentenced earlier this year by this Court. As such, the government acknowledges some evidence has been held because it may relate to other cases or matters. However, prior to this Motion being filed, undersigned has received no request for any return of property from the defendant or his counsel since the defendant has been sentenced.

3. The government has reached out to prior counsel in this matter on August 9, 2023 regarding this motion to ascertain the property at issue, but has not yet received any response. The government stands ready to confer with counsel or the defendant to discuss specific items of property that are at issue.

4. In an effort to help expedite the return of any outstanding property to the defendant, undersigned has asked the U.S. Capitol Police to identify any remaining property that can be released, and counsel has authorized the release of that property at Attachment A.

Respectfully Submitted,

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