

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

UNITED STATES OF AMERICA :
 :
 v. : **Case No. 22-cr-186 (TJK)**
 :
RALPH JOSEPH CELENTANO III, :
 :
 Defendant. :

JOINT PRETRIAL STATEMENT

Pursuant to the Court’s Order, the parties hereby jointly submit this pretrial statement in advance of the March 20, 2023 trial in this matter.

A. Joint Statement of the Case

The United States has charged Ralph Celentano with events which occurred at the United States Capitol on January 6, 2021. Count One charges Mr. Celentano with forcibly assaulting, resisting, opposing, impeding, intimidating, and interfering with law enforcement officers from the United States Capitol Police. Count Two charges Mr. Celentano with civil disorder. Count Three charges Mr. Celentano with entering and remaining in a restricted building or grounds. Count Four charges Mr. Celentano with disorderly and disruptive conduct in a restricted building or grounds. Count Five charges Mr. Celentano with engaging in physical violence in a restricted building or grounds. Count Six charges Mr. Celentano with an act of physical violence in the Capitol grounds or building. Count Seven charges Mr. Celentano with obstructing an official proceedings, specifically Congress’ certification of the Electoral College vote.

Mr. Celentano has pleaded not guilty all charges.

B. Proposed Voir Dire Questions

The parties' jointly proposed voir dire questions are set forth in Attachment 1.

C. Proposed Jury Instructions

The parties' proposed jury instructions are set forth in Attachment 2. To the extent the parties object to any proposed instructions, those objections are noted.

D. List of Expert Witnesses

At this time, the parties do not anticipate sponsoring the testimony of expert witnesses at trial.

E. List of Outstanding Motions in Limine

The United States has not filed any motions in limine. The United States intends on filing a motion regarding the defendant's assertion of self-defense or defense of others.

The defense has filed a motion in limine objection to three issues likely to occur at trial: (1) use of certain language to describe the events at the Capitol on January 6; (2) introduction of evidence concerning actions and locales at the Capitol where Celentano was not present; and (3) request for attorney-conducted voir dire.

F. List of Prior Convictions

Defendant Celentano has no prior convictions.

G. List of Government Exhibits

The list of government exhibits is attached as Attachment 3.

At this time, the United States has identified several exhibits it intends to use at trial. The exhibit list was compiled in a good-faith effort to identify all trial evidence that is known or identified at this time. The government reserves the right to supplement this list or to remove

items from the list, as it develops additional evidence throughout trial preparations and to streamline the presentation of its case. The government also reserves the right to introduce any evidence produced to the defense in discovery. The defendant reserves the right to object to any modifications to the exhibit list on grounds related to undue delay, timeliness, and fair notice.

H. Stipulations

The government has proposed approximately ten stipulations regarding authenticity of seized cell phone, authenticity of video footage, the Capitol building and grounds, the Capitol Closed Circuit Video (CCTV) Monitoring System, Chain of Custody, Electoral College Certification, Metropolitan Police Department Body Worn Camera, Official Duties of Capitol Police and Metropolitan Police Department Officers, Authenticity of a Parler account, and Impact on Interstate Commerce and Federally Protected Function .

The Defendant has agreed to stipulations regarding Metropolitan Police Department Body Worn Camera, Capitol CCTV, Chain of Custody, and Identification of Celentano on certain video exhibits.

The Defendant has rejected the following stipulations: authenticity of seized cell phone, authenticity of video footage, the Capitol building and grounds, Electoral College Certification, Official Duties of Capitol Police and Metropolitan Police Department Officers, Authenticity of a Parler account, and Impact on Interstate Commerce and Federally Protected Function.

The parties will continue to discuss and resolve these issues.

I. Proposed Verdict Form

Proposed verdict forms are included as Attachment 4.

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