

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

UNITED STATES OF AMERICA

v.

RALPH JOSEPH CELENTANO III,

Defendant.

Criminal Action No. 22-186 (TJK)

ORDER

For the reasons stated on the record at the May 31, 2023, pretrial conference, it is hereby **ORDERED** that Defendant's Motion for Attorney-Conducted Voir Dire and for Individual, Sequestered Voir Dire of Jurors, ECF No. 34, is **GRANTED IN PART AND DENIED IN PART**. The Court will conduct voir dire by the method it outlined at the pretrial conference. That method will include individualized, sequestered questioning of the witnesses, and the Court will solicit questions from counsel. Moreover, the Court does not rule out the possibility that counsel will ask questions directly. It is further

ORDERED that Defendant's Motion *in Limine* to Preclude Evidence, ECF No. 36, is **DENIED AS MOOT IN PART**. On the government's representation that it will not seek to introduce evidence related to the investigative steps it took to identify Defendant or out-of-court statements of Jennifer Blake, it is unnecessary to decide whether such evidence is admissible. It is further

ORDERED that the government's Motion for a *Frye/Cooper* Hearing, ECF No. 44, is **GRANTED IN PART AND DENIED IN PART**. At the pretrial conference, the Court permitted the government to put the terms of two prior plea offers on the record in Defendant's presence. Defendant's counsel also represented that she has communicated to Defendant every plea offer the

government communicated to her. On that representation, and mindful that the Court cannot “participate” in plea-agreement-related “discussions,” Fed. R. Crim. P. 11(c)(1), the Court did not confirm directly with Defendant that he rejected the plea offers. It is further

ORDERED that the government’s Motion *in Limine* to Preclude Defendant from Arguing Self Defense or Defense of Others, ECF No. 46, is **DENIED WITHOUT PREJUDICE**. On Defendant’s representation that his opening statement will not explicitly raise a self-defense theory, the Court need not decide what arguments Defendant may ultimately make or which jury instructions may ultimately be appropriate until all the evidence is in. It is further

ORDERED that the government’s Sealed Motion for Leave to File ECF No. 50 under Seal, ECF No. 49, is **GRANTED**. Upon consideration of the motion and the factors set forth in *United States v. Hubbard*, 650 F.2d 293, 317–22 (D.C. Cir. 1980), the Court finds that public disclosure of ECF No. 50 is inappropriate. ECF No. 50 may remain under seal. It is further

ORDERED that the government’s Sealed Motion *in Limine* to Preclude or Limit Cross-Examination, ECF No. 50, is **DENIED AS MOOT**. On Defendant’s representation that he does not currently intend to pursue the lines of questioning identified in the motion, it unnecessary to decide whether such questioning will be permissible.

SO ORDERED.

/s/ Timothy J. Kelly
TIMOTHY J. KELLY
United States District Judge

Date: June 2, 2023