

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	Case No.: 22-DR-102 (JDB)
Plaintiff	)	District Judge John D. Bates
	)	
v.	)	40 U.S.C. §5104(e)(2)(G)
	)	
MELANIE LANHAM,	)	
AKA MELANIE ARCHER	)	
	)	
Defendant	)	

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**MEMORANDUM IN AID OF SENTENCING  
ON BEHALF OF MELANIE LANHAM**

1. INTRODUCTION

Counsel for Defendant Melanie Lanham respectfully submits this memorandum to assist this Honorable Court in determining an appropriate sentence for her Parading, Demonstrating, or Picketing in a Capitol Building in violation of 40 U.S.C. §5104(e)(2)(G).

Counsel does not excuse the Defendant Lanham's serious offense, however, as described herein, Counsel respectfully submits that a probationary sentence, community service, and restitution is an appropriate sentence.

2. FACTORS SUPPORTING A PROBATIONARY SENTENCE

*A. Nature of the Offense.*

For her role in the events of January 6, 2021, Defendant has pled guilty to a single count violation of 40 U.S.C. 5014 §5104(e)(2)(g), a Class B Misdemeanor.

Without diminishing the seriousness of Defendant's actions, I respectfully submit that there are some facts that bear consideration, as follows:

Unlike many present on January 6, 2021, it does not appear from the record that Defendant Lanham travelled to Washington, D.C. for the specific purpose of engaging in criminal acts or to prevent the orderly transition of power, rather, it appears that Defendant Lanham travelled to Washington D.C. to hear a speech by the outgoing President.

Defendant Lanham did, ultimately, follow the crowd and enter the Capitol Building, in violation of Law. Defendant herself has acknowledged her culpability and has provided the statement:

[O]n January 6, 2021, I entered the Capitol Building without permission. I knew I did not have permission to enter the U.S. Capitol building. I took photographs while on restricted Capitol grounds and while inside the Capitol building. While inside the Capitol, I willfully and knowingly engaged in parading, demonstrating, and picketing.

By various accounts, the first rioter entered the Capitol at approximately 2:12 p.m.<sup>1</sup>. Pleadings in this case indicate that Defendant Lanham entered the Capitol at 2:44 p.m. and left the Capitol 13 minutes later, at 2:57 p.m..

There is no suggestion in the record that Defendant Lanham used force to enter the Capitol Building, or that Defendant Lanham used force, or committed violence, against any person. Similarly, there is no suggestion that Defendant Lanham damaged or took any property.

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<sup>1</sup> [https://en.wikipedia.org/wiki/Timeline\\_of\\_the\\_January\\_6\\_United\\_States\\_Capitol\\_attack](https://en.wikipedia.org/wiki/Timeline_of_the_January_6_United_States_Capitol_attack)

Defendant Lanham has admitted that she did knowingly enter the Capitol building without permission and has admitted that she knowingly engaged in parading, demonstrating, and picketing while inside.

*B. Nature of the Offender.*

Defendant Lanham is 43 Years old, a college graduate, married, Mother of three and a Stepmother to another three children. As attested by the attached letters of reference, Defendant Lanham is active in her church and supported by her church community. Defendant Lanham is self-employed as an organizer, de-clutterer and event planner.

Importantly, Defendant Lanham has never been arrested before and lived a law-abiding life up until January 6, 2021.

*c. Likelihood of further offenses.*

Defendant Lanham has no prior convictions, arrests, or contact with the criminal justice system, i.e. Defendant Lanham has zero prior criminal history points and zero prior contact with the criminal justice system.

The U.S. Sentencing Commission has noted that offenders with zero prior criminal history points and zero prior contact with the criminal justice system have the lowest likelihood of recidivation (25.7%)<sup>2</sup>. Given Defendant Lanham's age, education, family obligations, the nature of the instant offense, and the singularly unusual circumstances that led to the events of January 6, 2021, I

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<sup>2</sup> U.S. Sentencing Commission, "The Past Predicts the Future: Criminal History and Recidivism of Federal Offenders." March, 2017, at P. 6

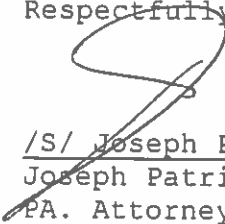
respectfully submit that Defendant Lanham presents an extremely low risk of re-offense.

3. REQUESTED SENTENCE AND CONCLUSIONS

In light of the foregoing, I submit that the appropriate sentence is probation and community service, with a restitution schedule and such other conditions as the Court may deem to be appropriate.

Dated 1/22/23

Respectfully Submitted,

BY:  /s/ Joseph Patrick Murphy  
Joseph Patrick Murphy  
PA. Attorney I.D. #83120  
Appearing *Pro Hac Vice*

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Attorney for Defendant Melanie Lanham



## Anchored in His Love and Hope

Connecting People, Nurturing Families,  
Making Disciples, Experiencing God

10/31/2022

Pastor Cathy Blythe  
411 First Avenue  
Tarentum, PA 15084  
(724) 224-5715

The Honorable John D. Bates  
United States District Court Judge  
U.S. District Court for the District of Columbia  
333 Constitution Avenue, Northwest  
Washington, DC 20001

Dear Judge Bates:

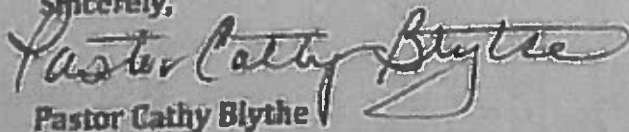
I am writing on behalf of Melanie Lanham. Melanie has been a part of our fellowship for approximately 10 years. During the time that I have known her, she has proven herself to be a woman of character. Has she made some mistakes? Yes. I'm pretty sure we all have. Has she had some big struggles in life and had to overcome some major adversities? Again, my answer is yes. Is she a woman who takes responsibility for her actions? Yes. Melanie is a law-abiding citizen that has a great love for our country. Do I believe she would deliberately break the law? No. Sometimes we can find ourselves at the wrong place at the wrong time, which I believe is the case in this situation.

Regarding Melanie's character on a day-to-day basis, this is how I would describe her: honest (extremely), forgiving, kind, a great work ethic (she's one of the hardest workers I know), helpful, resourceful, a team player.

It is my hope and prayer that she would be granted leniency in regards to this matter.

Should you want any additional information regarding Melanie, please do not hesitate to contact me.

Sincerely,

  
Pastor Cathy Blythe



**Anchored in His Love and Hope**  
Connecting People, Nurturing Families,  
Making Disciples, Experiencing God

10/31/2022

Reverend Beau Key  
411 First Avenue  
Tarentum, PA 15084  
(724) 224-5715

The Honorable John D. Bates  
United States District Court Judge  
U.S. District Court for the District of Columbia  
333 Constitution Avenue, Northwest  
Washington, DC 20001

Dear Judge Bates:

My name is Beau Key and I am a leader and pastor at Abundant Joy Fellowship Church. I have known Melanie Lanham and have had the privilege of speaking into her life as a pastor for over ten years now. Melanie is not perfect and has made mistakes. I have seen over the years how Melanie has taken those mistakes and have allowed them to change her for the better. She doesn't ask for grace and favor but she gives it away all of the time. As you are considering Melanie in this situation, I would ask that you would extend grace. I personally know that Melanie is a rule follower and does not knowingly break rules or laws. She does not knowingly harm anything or anyone. In fact quite the opposite, Melanie does her best to show the love and nature of Jesus. As someone that highly respects and honors the law, I believe in justice and when rules and laws are broken, there are consequences. In Melanie's case, with a right heart and motivation, she found herself in the wrong place at the wrong time. Please see her through my eyes and trust my words when I say, she truly deserves an absolute minimal sentence if any sentence at all.

Kindly,

Reverend Beau Key