

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 22-cr-183 (TSC)
	:	
LYNNWOOD NESTER,	:	
	:	
Defendant.	:	

**JOINT PRE-TRIAL STATEMENT OF THE CASE**

The parties, by and through their undersigned counsel and in compliance with this Honorable Court’s Pretrial Scheduling Order, Doc. 69, respectfully submit their Joint Pretrial Statement of the Case, including proposed voir dire questions, proposed jury instructions and proposed verdict form.

**1. Parties and Counsel**

Counsel for United States:

Brian Morgan  
Trial Attorney  
601 D Street, N.W.  
Washington, D.C. 20530  
(202) 591-5513

Katherine Boyles  
Assistant United States Attorney  
601 D Street, N.W.  
Washington, D.C. 20530  
(203) 931-5088

Defendant: Lynnwood Nester of Dillsburg, Pennsylvania

Counsel for the Defendant:

Jonathan W. Crisp  
CRISP AND ASSOCIATES, LLC  
4031 North Front Street  
Harrisburg, PA 17110  
(717) 412-4676

**2. Nature of the Case**

The parties have agreed that the following is an appropriate statement of the case:

This is a criminal case. The government has charged the defendant, Lynnwood Nester, with violating four separate federal criminal laws based on his presence and conduct on the grounds of and inside the United States Capitol in Washington, D.C., on January 6, 2021.

Count One charges the defendant with unlawfully and knowingly entering or remaining in a restricted area within the United States Capitol building and grounds.

Count Two charges the defendant with engaging in disorderly or disruptive conduct in and within such proximity to a restricted area within the United States Capitol building and grounds.

Count Three charges the defendant with willfully and knowingly engaging in disorderly or disruptive conduct in the Capitol building and grounds.

Count Four charges the defendant with willfully and knowingly parading, demonstrating or picketing in the United States Capitol building and grounds.

Mr. Nester denies each and every charge.

**3. Estimated Length of Trial**

The Government expects to call five witnesses at trial and accordingly expects its case-in-chief to last approximately two days. Counsel for the defendant estimates the trial will last 3-4 days.

**4. Proposed Voir Dire Questions**

The parties' proposed voir dire questions are attached as Attachment A.

**5. Proposed Jury Instructions**

The proposed jury instructions are attached to this pleading as Attachment B.

**6. Verdict Form**

The parties have agreed upon a proposed verdict form which is attached to this pleading as Attachment C.

Respectfully submitted,

FOR THE DEFENDANT

LYNNWOOD NESTER

/s/ Jonathan Crisp  
Jonathan W. Crisp  
CRISP AND ASSOCIATES, LLC  
4031 North Front Street  
Harrisburg, PA 17110  
(717) 412-4676

FOR THE UNITED STATES

MATTHEW M. GRAVES  
United States Attorney  
DC Bar No. 481052

By: /s/ Brian Morgan  
BRIAN MORGAN  
NY Bar No. 4276804  
Trial Attorney  
601 D Street, N.W.  
Washington, D.C. 20530  
Brian.morgan@usdoj.gov  
(202) 305-3717

/s/ Katherine E. Boyles  
Katherine E. Boyles  
Assistant U.S. Attorney  
D. Conn. Fed. Bar No. PHV20325  
United States Attorney's Office  
601 D Street NW  
Washington, D.C. 20001  
Phone: 203-931-5088  
Email: Katherine.Boyles@usdoj.gov