

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

UNITED STATES OF AMERICA,

v.

ELMER STEWART RHODES, et al,

Defendant.

Criminal No. 22-cr-00015-APM

**MOTION TO SEVER CASE FROM CODEFENDANTS OR,
IN THE ALTERNATIVE, TO PLACE RHODES IN
THE NOVEMBER 10 TRIAL GROUP**

NOW comes Defendant, ELMER STEWART RHODES III (“Rhodes”), by and through undersigned counsel, and respectfully moves this honorable Court for an order severing Rhodes’ case and trial from the trials of Rhodes’ nine codefendants. Rhodes requests a stand-alone trial, due to the stark differences in fundamental facts as well as trial preparation between himself and his codefendants (discussed below). But in the alternative, Rhodes requests to be tried along with the November 10 trial group in case 21-cr-28-APM.

Counsel has informed the Assistant US Attorneys of this motion; and they are opposed.

Dated: September 12, 2022

Respectfully Submitted,
/s/ Edward L. Tarpley Jr.

Edward L. Tarpley Jr.
A Professional Law Corporation
LA Bar ID: 12657
819 Johnston Street
Alexandria, Louisiana 71301
Telephone: 318-487-1460
Fax: 318-487-1462
Email: edwardtarpley@att.net

Counsel for Defendant,
Elmer Stewart Rhodes III

CERTIFICATE OF SERVICE

I hereby certify that this document is being filed on this September 6, 2022, with the Clerk of the Court by using the U.S. District Court for the District of Columbia's CM/ECF system, which will send an electronic copy of to the following CM/ECF participants. From my review of the PACER account for this case the following attorneys are enrolled to receive notice and a copy through the ECF system.

Troy A. Edwards, Jr
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF
COLUMBIA
555 4th Street, NW
Washington, DC 20001
202-252-7081
troy.edwards@usdoj.gov

Jeffrey S. Nestler
U.S. ATTORNEY'S OFFICE
555 Fourth Street NW
Washington, DC 20530
202-252-7277
jeffrey.nestler@usdoj.gov

Kathryn Leigh Rakoczy
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF
COLUMBIA
555 Fourth Street, NW

Washington, DC 20530
(202) 252-6928
(202) 305-8537 (fax)
kathryn.rakoczy@usdoj.gov

Justin Todd Sher
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue NW
Washington, DC 20530
202-353-3909
justin.sher@usdoj.gov

Alexandra Stalimene Hughes
DOJ-Nsd
950 Pennsylvania Ave NW
Washington DC, DC 20004
202-353-0023
Alexandra.Hughes@usdoj.gov

/s/ Edward L. Tarpley Jr.
Edward L. Tarpley Jr.