

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

**UNITED STATES OF AMERICA**

**v.**

**LINWOOD ALAN ROBINSON, SR,**

**LINWOOD ALAN ROBINSON II,**

**BENJAMIN ROBINSON,**

**AND**

**BRITTANY ROBINSON**

**Defendants**

**Case No. 22-cr-00251-ABJ**

**RESPONSE TO RULE 44 INQUIRY BY THE COURT**

William L. Shipley  
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Attorney for Defendant

Defendants Linwood Robinson, Linwood Robinson II, Benjamin Robinson, and Brittany Robinson, through their Counsel of Record William L. Shipley, hereby respond to the Court's inquiry under Rule 44 of the Federal Rules of Criminal Procedure with regard to the issue of "joint representation" of multiple defendants in a federal criminal case.

Defendant Linwood Robinson is the father to Defendants Linwood Robinson II, and Benjamin Robinson. Defendant Brittany Robinson is the wife of Defendant Linwood Robinson II. The Defendants are all charged by Information with the same four misdemeanor offenses that have been commonly charged against other January 6 protesters.

At the time the Defendants first made contact with the undersigned counsel, all four were together on the initial telephone conference call. With more than 30 years of experience in federal criminal practice, including more than 21 years as a federal prosecutor, the undersigned counsel well understood the issues regarding potential conflicts of interest that can arise with joint representation of multiple defendants in a federal criminal proceeding.

The undersigned counsel explained to all four defendants their constitutional right to effective assistance of conflict-free counsel, and the nature of potential conflicts of interest that could arise in the future if all four family members were represented by the same attorney.

The undersigned counsel advised the four defendants that this right to conflict-free counsel is subject to a "knowing and intelligent" waiver, but that such waiver could be made once the defendants understood the nature of their

rights and made a knowing and voluntary decision to go forward with one attorney representing the four of them.

The undersigned counsel advised the four defendants that they were free to change their mind at any time and could hire new counsel to represent them. The undersigned counsel advised the four defendants that if they could not afford to hire counsel, they would be directed to contact the Office of the Federal Defender in the District of Columbia to seek appointment of counsel on their behalf. The undersigned counsel also advised the four defendants that if they had any questions regarding the issue of joint-representation and the possible implications as discussed during the telephone call, they should seek out an attorney in their area for consultation on the issue.

The undersigned counsel advised the four defendants that if an “actual” conflict of interest arose – as contrasted with a potential conflict of interest – undersigned counsel would be required to report the existence of such actual conflict of interest to the Court and it would be up to the Court to make the determination as to whether the joint-representation could continue. The undersigned counsel also advised the four defendants that in the event an actual conflict of interest arose, it was likely that the undersigned counsel would move to withdraw from representation of one or more of the four defendants due to ethical considerations and requirements in the states of Hawaii and California where the undersigned counsel is licensed.

All four defendants represented that they understood the legal and ethical implications of joint representation in a federal criminal matter, and at that time they wished to proceed with undersigned counsel representing all four

defendants at this stage of the proceedings.

Date: July 30, 2022

Respectfully Submitted,

/s/ William L. Shipley

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*Attorney for Defendant*