

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal Case No. 22-cr-15 (APM)
	:	
KENNETH HARRELSON	:	<i>Formerly</i>
	:	
Defendant	:	No. 21-cr-28 (APM)
	:	

**NOTICE OF JOINDER BY KENNETH HARRELSON AS TO
DEFENDANTS STEWART RHODES AND KELLY MEGGS' JOINT MOTION FOR
JUDGMENT OF ACQUITTAL PURSUANT TO RULE 29**

Defendant, Kenneth Harrelson, through the undersigned counsel, Bradford L. Geyer, out of an abundance of caution, explicitly places on the record what may be obvious that Harrelson joins in, adopts, encourages, agrees with, and asks the Court to grant DEFENDANTS STEWART RHODES AND KELLY MEGGS' JOINT MOTION FOR JUDGMENT OF ACQUITTAL PURSUANT TO RULE 29, which is filed in the Court's record as Dkt. #432, filed on December 23, 2022, including the Reply thereto filed by counsel for Stewart Rhodes and Kelly Meggs on January 24, 2023.

The body of the motion mentions several times that it is filed by movants including Kenneth Harrelson, but since he is not mentioned in the title / heading (there being a negotiation process of who will join a motion sometimes under intense time pressure), Defendant Harrelson wishes to make certain there is no uncertainty that the references in the opening paragraph are correct and Kenneth Harrelson is one of the moving parties for the Motion. The centrality and importance of the issues raised to the expected appeals and post-verdict rights of the Defendants are too great to leave any question. The important, thorough, and persuasive Motion at Dkt. #432 contains many matters too significant for Harrelson to take chances about asking that they

be applied to him now or during any expected appeal.

However, Harrelson was found not guilty of Counts I and II such that he does not have the same level of standing to challenge Counts I and II. Yet he does have some. The presentation of the evidence and arguments to the jury overlap. The jury's understanding of the case and the various Counts could not be sharply separated or cabined off. The evidence or lack thereof and argument would bleed through from one Count to another in the jury's understanding. Therefore, the Motion's intricate analysis of all of the Counts affects Harrelson almost as much even on Counts where he was found not guilty as for those Defendants found guilty. Put on a simple but easy level, when creamer is added to coffee, the creamer cannot later be removed. Once it is part of the mix, it will stay mixed in. Various issues in the trial of this case cannot be backed out or separated out. The jury heard it all as to all Defendants.

Accordingly, having carefully considered, read, and analyzed every part of the Motion, Defendant Harrelson strongly agrees with and moves the Court to grant each and every part or sub-part of the Motion filed at Dkt. # 432.

Obviously, if the Motion addresses an error in the trial or verdict naming specifically another Defendant, Defendant Harrelson asks that the Motion be read and interpreted as if it explicitly named Harrelson also, as well as the other moving Defendants.

The Defendant also notes that the Motion explicitly addresses Count IX which applies only to Harrelson (there being separate Counts for each Defendant as to allegations of deleting digital information from personal data devices that have limited data storage capacities).

CONCLUSION

The Court has previously instructed that joinder of motions or other pleadings by other Defendants shall be by simple, straightforward Notice and not by a motion to simplify the

procedure. Therefore, no action or decision would seem to be required for this Notice of Joinder.

Dated: January 24, 2023

RESPECTFULLY SUBMITTED
KENNETH HARRELSON, *By Counsel*

/s/ Brad Geyer

Bradford L. Geyer, PHV
PA 62998
NJ 022751991
Suite 141 Route 130 S., Suite 303
Cinnaminson, NJ 08077
Brad@FormerFedsGroup.Com
(856) 607-5708

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2023, a true and accurate copy of the forgoing was electronically filed and served through the ECF system of the U.S. District Court for the District of Columbia.

/s/ Brad Geyer
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NJ 022751991
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