

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

UNITED STATES OF AMERICA,

-v-

RICHARD SLAUGHTER, and

CADEN GOTTFRIED,

Defendants.

Criminal No.: **1: 22-cr-00354-RCL-1
and 2**

**DEFENDANTS MOTION IN
LIMINE TO PRECLUDE ALL
DISCUSSION OF SIGNS,
BARRICADES OR
ANNOUNCEMENTS NOT SEEN
BY DEFENDANTS as well as ALL
DISCUSSION OF BAD ACTS,
CRIMES OR GUILT BY PEOPLE
OTHER THAN DEFENDANTS**

**DEFENDANT’S MOTION IN LIMINE TO PRECLUDE ALL DISCUSSION
OF SIGNS, BARRICADES OR ANNOUNCEMENT NOT SEEN BY
DEFENDANTS as well as ALL DISCUSSION OF BAD ACTS, CRIMES OR
GUILT BY PEOPLE OTHER THAN DEFENDANTS**

COMES NOW, the Defendants Slaughter and Gottfried, by and through his counsel of record John Pierce, with this motion in limine to preclude from trial any evidence, discussion, or argument regarding signs, fencing, dispersal announcements, barricades or other barriers unless the offering party first lays a foundation that Defendants Slaughter and Gottfried actually was in a place to clearly and obviously witness such features.

Defendants Slaughter and Gottfried also request an order precluding the prosecution from offering any evidence, testimony or discussion that others may have committed bad acts or crimes as a way to impose guilt on Defendants Slaughter and Gottfried by association.

Background.

Defendants Slaughter and Gottfried are charged with several criminal offenses which require the United States to prove that Defendants Slaughter and Gottfried knew they were in an unauthorized area or areas. At trial, Defendants Slaughter and Gottfried will contest these assertions. Defendants Slaughter and Gottfried freely walked onto the U.S. Capitol grounds on January 6 at a time when there were no signs, warnings, announcements, or police officer resistance.

Under Rules 401 and 403, the government must be precluded from introducing evidence, discussion, or argument of any signs, plaques, notices, “No Trespassing” markings, dispersal announcements, barriers, fences or barricades which Defendants Slaughter and Gottfried could not have seen or heard themselves at their location(s).

The government must not use guilt by association to try to convict Defendants Slaughter and Gottfried. Observing disorderly conduct by others is not disorderly conduct. Observing picketing or parading by others is not picketing or parading by Defendants Slaughter and Gottfried. Defendants Slaughter and

Gottfried are entitled to a trial in which the government must meet a burden of showing *Defendants Slaughter and Gottfried themselves* committed disorderly conduct, picketed and paraded, or entered knowingly without authorization.

Under Rules 401 and 403, Defendants Slaughter and Gottfried seek an order precluding prosecutors or prosecution witnesses from arguing or suggesting Defendants Slaughter and Gottfried are guilty of any crime(s) due to the criminal conduct of others. Such evidence or argument is irrelevant, confusing, and misleading.

Dated: October 06, 2023

Respectfully Submitted,

/s/ John M. Pierce

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Attorney for Defendants

CERTIFICATE OF SERVICE

I, John M. Pierce, hereby certify that on this day, October 6, 2023, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system.

/s/ John M. Pierce

John M. Pierce