

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Criminal Division – Misdemeanor Branch**

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 2021-CMD-000193
	:	
JOSHUA KNOWLES,	:	Judge Neal Kravitz
	:	
Defendant	:	Trial Readiness: 9/9/2022

**DEFENDANT’S RESPONSE TO GOVERNMENT’S OPPOSITION TO
THE REQUEST TO PROCEED TO TRIAL REMOTELY**

Joshua Knowles, by and through undersigned counsel Megan D. Allburn, respectfully submits this response to the government’s opposition to Mr. Knowles’s request to proceed to trial remotely. In support of the response, Mr. Knowles states as follows:

1. The government concedes that where a defendant is charged with a misdemeanor offense, a defendant’s physical presence may be excused for trial, but only with the court’s permission, that determination is discretionary and requires that the defendant consent in writing. *See* Government’s Opposition pg. 3 and Superior Court R. Crim. . 43, Comment to 2017 Amendments (“Subsection (b)(2) has been amended to permit proceedings in misdemeanor cases to occur by video teleconference, if the defendant consents to writing and the court approves.”)
2. Should this Court permit remote participation by Mr. Knowles, counsel objects to the following government proposed conditions:
 - a. Each defense must agree to waive any Fifth or Sixth Amendment challenges arising from proceeding with these trials in a remote fashion;
 - b. Each defendant must stipulate to the identification element of the charged offense;

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this Response was efiled through CaseFileXpress and also emailed to AUSA Cameron Tepfer on this the 17th day of August 2022.

/s/ Megan Allburn