

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Criminal Division—Misdemeanor Branch

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case Nos.
	:	
YEVGEMYA MALIMON	:	2021 CMD 000156
VICTORIA BERGESON	:	2021 CMD 000161
ANTHONY TAMMARO	:	2021 CMD 000164
DAVID ROSS	:	2021 CMD 000167
JOHN PARKER	:	2021 CMD 000171
MAURICIO MENDEZ	:	2021 CMD 000176
JERE BROWER	:	2021 CMD 000182
DAVID FITZGERALD	:	2021 CMD 000185
EARL GLOSSER	:	2021 CMD 000187
ANDREW JOHNSON	:	2021 CMD 000191
JOSHUA KNOWLES	:	2021 CMD 000193
WILLIAM LEARY	:	2021 CMD 000194
KRISTINA MALIMON	:	2021 CMD 000195
	:	
Defendants.	:	Judge Neal Kravitz
	:	
	:	Status Hearing: April 1, 2022

NOTICE OF FILING

At the last hearing for these matters on February 11, 2022, the court ordered that all defendants must file a notice on the docket by March 4, 2022, regarding whether or not the defendant is requesting a bench trial. By March 4, the government had received notices from only three defendants: Anthony Tammaro, Mauricio Mendez, and Victoria Bergeson. Defendant Earl Glosser filed his notice on March 9, 2022. Each of these defendants requested a bench trial.

On March 11, 2022, given that the government had only heard from four defendants, it emailed all defendants reminding them of the March 4 deadline and requesting that such notices be filed as soon as possible. Subsequently, counsel for John Parker replied via email with his request for a jury trial (noting that he had previously filed a jury request), counsel for Andrew Johnson filed a re-newed request for a jury trial (as he had also previously filed a jury request), and counsel for Joshua Knowles filed a request for a bench trial.

As a result, as of the date of this filing, defendants Anthony Tammaro, Mauricio Mendez, Victoria Bergeson, Earl Glosser, and Joshua Knowles have requested a bench trial. Defendants John Parker and Andrew Johnson requested a jury trial.

The following defendants have not filed on their respective dockets: Yevgemya Malimon, Kristina Malimon, David Ross, Jere Brower, David Fitzgerald, and William Leary. With the

exception of defendants Brower and Ross, however, each of these defendants have previously requested a jury trial.

Both Malimon defendants orally requested jury trials at multiple prior hearings, and also filed a written demand on February 11, 2022. Defendant Fitzgerald orally requested a jury trial at the September 13, 2021, status hearing. Defendant Leary previously filed a jury demand on February 13, 2022. As for defendants Brower and Ross, the government was unable to locate any prior filed notices or oral requests for either a bench or jury trial. As a result, the government has no information regarding defendant Brower's and Ross's intentions.

The government does not oppose a bench trial for any of the defendants that have requested a bench trial. While the government does not know the positions of defendants Brower and Ross, it does not oppose any future requests for a bench trial by them or any other defendant.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney

KIMBERLEY NIELSEN
Deputy Chief, Major Crimes Section

KATHLEEN W. GIBBONS
Assistant United States Attorney

By: /s/ Andy Wang
ANDY WANG
Assistant United States Attorney
United States Attorney's Office
for the District of Columbia
555 Fourth Street, N.W.
Washington, DC 20530
Phone: (202) 870-4940
Email: Andy.Wang@usdoj.gov