

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

	)	
UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Criminal No. 1:23-cr-153-JDB
DAVID BALL JR.	)	
	)	
	)	

**UNOPPOSED MOTION**  
**TO CONDUCT ARRAIGNMENT HEARING REMOTELY**

The defendant, David Ball Jr., by and through undersigned counsel, respectfully requests this Court, pursuant to Fed. R. Crim. P. 43(b)(2), allow Mr. Ball to conduct his arraignment hearing by video teleconference. In support of this motion, Mr. Ball submits the following:

1. Mr. Ball is before this Court charged by Information with: 1) Entering and Remaining in a restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1); 2) Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); 3) Disorderly and Disruptive Conduct in a Capitol Building or Grounds, in violation of 40 U.S.C. § 5104(e)(2)(D); and 4) Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G).
2. Mr. Ball lives in Cape Neddick, Maine.
3. Mr. Ball wishes to have his arraignment hearing conducted by video teleconference.
4. Under Fed. R. Crim. P. 43(b)(2), where a defendant is being arraigned on an offense for which the maximum sentence is not more than one year, the defendant can, if he provides written consent and if the Court permits, have his arraignment hearing conducted by video teleconference.
5. Mr. Ball’s expressed written consent to have his arraignment hearing conducted by video teleconference is attached to this motion as Exhibit A.

6. The government does not oppose this motion.

WHEREFORE, the defendant, David Ball Jr., respectfully requests this Court, pursuant to Fed. R. Crim. P. 43(b)(2), allow Mr. Ball to conduct his arraignment hearing by video teleconference.

Respectfully submitted,

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of May 2023, I caused a true and correct copy of the foregoing Motion to be delivered via CM/ECF to all parties in this matter.

/s/

David Benowitz