## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :

:

v. :

: Case No. 1:21-cr-000651(DLF)

EDWARD SPAIN, JR.

:

Defendant. :

## **DEFENDANT'S RESPONSE TO GOVERNMENT'S SENTENCE MEMO**

The defendant, Mr. Spain, through his attorney, Kira Anne West, clarifies the following facts: Mr. Spain has been to the Capitol before, in the 1970's. He did go to the Capitol with his friends, but only he went inside. Mr. Spain did attend a rally, but to be clear, it was the rally on January 5<sup>th</sup>, not January 6<sup>th</sup>. Undersigned counsel did not receive from the government any FBI 302 of Mr. Spain's interview with the FBI. This was discovered April 21<sup>st</sup>, 2022. AUSA Eve downloaded the additional evidence on Friday, April 22<sup>nd</sup>, 2022, to USAFX. This does not affect the plea for Mr. Spain.

The government argues that Mr. Spain should be incarcerated because of his social media posts. Mr. Spain has every confidence that this Court will not punish him for the content of his speech which was minimal and over a period of 3 days. He has since expressed sincere remorse for these posts.

Letters from Mr. Spain and others will be filed separately soon for the Court to consider at sentencing.

Respectfully submitted,

By: /s/
KIRA ANNE WEST
DC Bar No. 993523
712 H. St NE, Unit #509
Washington, D.C. 20005
Phone: 202-236-2042
kiraannewest@gmail.com

## CERTIFICATE OF SERVICE

I hereby certify on the 25th day of April, 2022 a copy of same was delivered to the parties of record, by ECF pursuant to the Covid standing order and the rules of the Clerk of Court.

	/S/
Kira Anne West	