

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

UNITED STATES OF AMERICA

v.

EDWARD SPAIN, JR.

Defendant.

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

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 5th, not January 6th. Undersigned counsel did not receive from the government any FBI 302 of Mr. Spain’s interview with the FBI. This was discovered April 21st, 2022. AUSA Eve downloaded the additional evidence on Friday, April 22nd, 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.

