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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIPOSA CASTRO,

Defendant.

----- x

Criminal Action No.
1:21-cr-00299-RBW-1
Wednesday, February 23, 2022
9:04 a.m.

TRANSCRIPT OF SENTENCING HEARING
HELD BEFORE THE HONORABLE REGGIE B. WALTON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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P R O C E E D I N G S

THE COURTROOM DEPUTY: We have *United States vs. Mariposa Castro*, Criminal Matter 21-299.

Counsel, please identify yourselves for the record.

MR. KONIG: Good morning, Your Honor; Jordan Konig for the United States.

THE COURT: Good morning.

MS. AMATO: Good morning, Your Honor; Elita Amato on behalf of Ms. Acosta, who is present.

THE COURT: Good morning.

Ms. Acosta, would you please identify yourself.

THE DEFENDANT: Yes, good morning; Imelda Acosta.

THE COURT: And we have somebody here from probation also.

THE PROBATION OFFICER: Good morning, Your Honor; Crystal Lustig on behalf of the probation office.

THE COURT: Good morning.

This matter is here today for a sentencing. In preparation for the sentencing I did review the plea agreement again, also the final presentence report dated February 2, 2022, also the government's sentencing memoranda, also the defendant's sentencing memorandum, also the response by the defendant to the government's sentencing memoranda along with four exhibits that were submitted by

1 the defense.

2 Is there anything else I should have reviewed in
3 preparation for the sentencing, Government Counsel?

4 MR. KONIG: I don't believe so, Your Honor.

5 THE COURT: Defense Counsel?

6 MS. AMATO: No. Thank you, Your Honor.

7 THE COURT: Government Counsel, it appears that
8 there are no objections to the presentence report; is that
9 right?

10 MR. KONIG: That's correct.

11 THE COURT: And it appears that there's still an
12 issue regarding Paragraph 4 of the presentence report from
13 the defense's perspective. Is that correct?

14 MS. AMATO: The Court's indulgence.

15 Your Honor, I understand why it was included,
16 because the plea -- I think Paragraph 4 just repeats
17 what was in the plea agreement. But I think we're all on
18 the same page, that she is not eligible for supervised
19 release -- well, supervised release is not an option because
20 it is a Class B misdemeanor that she has pled guilty to.

21 THE COURT: And so you're saying that's a petty
22 offense; is that right?

23 MS. AMATO: Correct, Your Honor.

24 THE COURT: So does the government have a position
25 as to whether a split sentence would be appropriate? I've

1 had this issue up before, whether -- in the context of these
2 type of pleas, whether a split sentence would be
3 appropriate. I know Judge Kotelly ruled that it is not
4 because of the offense that she pled guilty to being a petty
5 offense, then you could not impose a prison sentence along
6 with a period of probation.

7 MR. KONIG: Your Honor, I believe the office's
8 position on that, which was set forth in the case in front
9 of Judge Kotelly, is that a split sentence is possible. We
10 have not requested one in this case, and we're not asking
11 the Court for a split sentence in this particular case, but
12 I think it's the position of the U.S. Attorney's Office that
13 such a split sentence is possible.

14 Though I think Ms. Amato is correct, that
15 supervised release is not available in a Class B
16 misdemeanor, to which Ms. Acosta pleaded guilty here. But a
17 split sentence of probation and incarceration, I think the
18 office's position is that it is possible under law.

19 THE COURT: Okay. Well, we'll address that if I
20 decide that that will be the appropriate way to go once I
21 hear from counsel.

22 Okay. Then, Government Counsel, you may proceed
23 with your allocution.

24 MR. KONIG: Thank you, Your Honor. And I'm going
25 to try and let Ms. Acosta's words speak for themselves more

1 than my own. This is a rare case in which the defendant has
2 videotaped and narrated the offense to which she's pleaded
3 guilty, and there's also independent video and independent
4 pictures that generally establish what happened. So I'm
5 going to try and be brief in my own argument and rely some
6 on the sentencing memorandum that we submitted as Docket No.
7 40.

8 I'm going to concentrate on the nature and
9 circumstances of this offense and to some extent on the need
10 for the sentence the Court imposes to reflect the
11 seriousness of the offense, promote respect for the law,
12 deter her and others, and also avoid unwarranted sentencing
13 disparities. Those are the 3553(a) factors I think the
14 Court should concentrate on when it applies the law and
15 sentences Ms. Acosta.

16 So what this defendant did in this case and what
17 she pleaded guilty to is set forth in her statement of
18 offense.

19 On January 6th, she had gone to a rally on The
20 Ellipse. She'd seen the former president speak. She went
21 back to her hotel room, and she watched TV. And she saw on
22 TV what was going on down at the Capitol, and so she left
23 the comfort of her hotel room, which we now know was The
24 Embassy Suites over near the convention center, and she
25 walked across town to the Capitol space, the inaugural space

1 which had been set up for the inauguration.

2 And according to the statement of offense and the
3 statements of Ms. Acosta, she arrived at about 3:48 p.m.
4 And we know, from the Facebook Live videos she took and from
5 videos that were on her phone, that she left around sunset.
6 I think the last video that shows her in the parking lot not
7 far from where Your Honor sits today was about 5:15 p.m. I
8 think it was 5:13 p.m.

9 And in that time she was at the Capitol she
10 recorded herself. She said, starting at about 4:13 at the
11 earliest, that she intended to go into the Capitol Building,
12 and then she did that at what we're guessing is about 4:45
13 p.m. She went into a window that had been broken out, and
14 she went into a conference room of the Senate, which we
15 refer to as ST-2M. It's the Senate Terrace Mezzanine Room
16 2. She -- and then she was -- according to her own
17 statements, it appears that she was driven out by tear gas
18 in the air.

19 She continued to record herself as she left the
20 Capitol grounds.

21 She's not being sentenced today for offenses that
22 she didn't do. She pleaded guilty to this one misdemeanor,
23 and so she should not be given credit for crimes she did not
24 commit.

25 It is true she did not kick furniture, like the

1 people around her, and pass it to people who were attacking
2 officers in the tunnel area nearby. It is true that she did
3 not commit property damage. She did not herself assault
4 officers, she did not breach the Senate floor, and she
5 should not be given credit for her failure to commit those
6 crimes. And the government is not intending to have her
7 sentenced based on the fact that she was chanting, that she
8 had political views, that others perpetrated violence.

9 But the videos that we're going to show today and
10 the statements we relied on in our sentencing memo show this
11 defendant's state of mind. It shows what she was doing,
12 shows what she was seeing on January 6, 2021. It's part and
13 parcel of the 3553(a) factors. It's the way the Court can
14 make sure that this defendant is sentenced appropriately for
15 what she did, and it shows that when she says she never put
16 into action anything she said, that's not correct.

17 She said, starting at 4:13 p.m., that she was
18 going to go into the Capitol Building, and then she did
19 that.

20 And I should also note that it wasn't just --

21 THE COURT: One moment. Let me interrupt you for
22 a minute because I forgot to do something before we started.

23 Ms. Acosta, she has a right to an in-court
24 hearing, and if she wants that, then we would delay the
25 hearing so that she could actually come to Washington and be

1 present in the courtroom for the hearing. And I assume,
2 based upon that request having not been made, that there is
3 no request for an in-court hearing, but I do need to have a
4 waiver on her part.

5 So, Counsel, have you talked to your client about
6 her right to actually be in court for the sentencing?

7 MS. AMATO: I have, Your Honor. We've spoken
8 about her right to come to Washington, D.C., to be in court
9 for her hearing. As Your Honor knows, she lives out of
10 state, and she is agreeing to proceed in the manner that we
11 are proceeding as of now.

12 THE COURT: Ms. Acosta, as I said, you do have a
13 right to actually come to Washington and be in the courtroom
14 for your sentencing, but you can waive or give up that right
15 in light of the pandemic that we're experiencing, the virus.
16 But it's really your prerogative as to whether you want an
17 in-court hearing or whether you're willing to proceed
18 remotely, as we're proceeding now.

19 THE DEFENDANT: This is fine, Your Honor. This is
20 okay, as we're proceeding right now.

21 THE COURT: Very well.

22 Sorry, Government Counsel. You may proceed.

23 MR. KONIG: Thank you, Your Honor.

24 So as I was saying, this defendant, Ms. Acosta, is
25 not being charged -- she's not being sentenced based on

1 anything but her own conduct. And it is worth noting that
2 although she was in the Capitol Building relatively briefly,
3 that in this case it's pretty clear that she was violating
4 the law for longer than that.

5 You know, whether the U.S. Attorney's Office
6 chooses to prosecute or not, there was a perimeter around
7 the Capitol Building on January 6th. And in particular the
8 inaugural space that she was standing on and around for, you
9 know, one would guess nearly an hour -- she said she got
10 there at 3:48, and we think she left at about 5:15 -- that
11 was restricted, and in a lot of cases I think it's fair to
12 say the defendants are going to argue that they didn't know
13 that that area was restricted.

14 And I don't know that the U.S. Attorney's Office
15 is prosecuting people for being in restricted areas and not
16 entering the Capitol, but in this instance Ms. Acosta was
17 watching TV. She'd gone back to her hotel room. And so
18 it's fair to assume that what she saw on TV was individuals
19 breaching that perimeter. And it's also fair to assume that
20 anyone would know that the inaugural stage is not a site to
21 be freely stood on.

22 But, you know, so that's -- but that's background.

23 The Court also should consider unwarranted
24 sentencing disparities. The United States has addressed
25 that at some length in its sentencing memorandum at Page 28

1 and following that, and I'm not going to further argue that,
2 but I would say that a sentence of 60 days imprisonment
3 here, which we're asking for, would be consistent with the
4 cases of Jennifer Ryan, Karl Dresch, Erik Rau, and Derek
5 Jancart.

6 The defendant submitted a statement and a pleading
7 on Monday of this week where she raises the case of Rasha
8 Abual-Ragheb. That's Case No. 21-cr-43 in front of Judge
9 Nichols. In that case the government recommended 30 days
10 incarceration, and the Court imposed a 60-day home
11 confinement sentence and three years of probation. The
12 government believes that a disparity with that sentence is
13 warranted.

14 In that case some messages that the defendant
15 posted were posted before and after, but not during, the
16 riots of January 6th. That defendant went directly from the
17 rally to the Capitol Building and claims that she didn't see
18 any of the destruction, that she didn't -- that she followed
19 the crowd in, which, as the chief judge said last week, is
20 not an offense of culpability, but it is a factor that the
21 Court can consider, that this defendant had time to think
22 about leaving her hotel room and joining what she'd seen on
23 TV.

24 The defendant in that case was -- went in through
25 a door, not a broken window, and she had two minor children

1 of which she was the sole custodian. That defendant also,
2 since her sentencing to home confinement, has gone on media.
3 She was on an Internet show called The Tamara Scott show
4 just last month and told the host that she was not guilty of
5 the offense she pleaded guilty to.

6 She wanted to make it clear that she didn't trust
7 the justice system, and that she was -- she -- in her own
8 words, that defendant said that she was hoping the judge
9 would remember the oath that he took, but obviously this is
10 not the land of the free. And she said that she begged the
11 judge, but this shows how evil they are because she was sent
12 to home confinement during the Christmas season. And she
13 said in her -- this other defendant, who was sentenced to
14 just home confinement, said that 90 percent of the people
15 who entered guilty pleas were forced to enter their guilty
16 pleas because they don't trust the justice system.

17 So I think that in that instance, the 3553(a)
18 factors, you know, might have called for the sentence the
19 United States requested, and certainly the sentence that was
20 imposed does not appear to have deterred that defendant. So
21 the government believes that it would be warranted for the
22 Court to impose a sentence disparate with Ms. Abual-Ragheb.

23 So I'm going to move on with what happened with
24 this defendant on January 6th. We know that she went to the
25 rally at The Ellipse. The former president spoke starting

1 at about noon. And we know, from the public record, that by
2 12:53 rioters began to overwhelm law enforcement at the
3 Capitol.

4 We know that at 1:00 p.m. the former vice
5 president released a letter stating that he was not going to
6 undo the election, and that by 1:30 the Capitol Police were
7 overwhelmed and forced to retreat up the steps of the
8 Capitol into a tunnel that is where the President-Elect
9 comes down during the inauguration. I believe another judge
10 of this court referred to it as the Lady Gaga tunnel. It's
11 where the President-Elect comes down.

12 The stage is set up for the inauguration, and by
13 about 1:35 the officers from the West Front had to retreat
14 into that tunnel.

15 And I'm going to begin to share my screen, and
16 it -- can the Court see this well?

17 THE COURT: I don't -- yes, I can see it. I don't
18 see any images though.

19 MR. KONIG: Can you see the presentation?

20 THE COURT: Yes.

21 MR. KONIG: Okay. So Exhibit 1, which we
22 submitted with our sentencing memorandum, shows -- can you
23 see where I'm pointing, Your Honor?

24 THE COURT: Yes.

25 MR. KONIG: That is the inaugural stage, and that

1 is the tunnel to which I was referring.

2 And I'm now pointing to the viewers' left. The
3 first window is the window in through the Senate Terrace
4 Mezzanine Room 2, and by about 1:35 the officer retreated
5 into that tunnel.

6 In Ms. Castro's sentencing memorandum she claims
7 that she turned on the TV and began watching the events that
8 occurred at the Capitol when she got back to her hotel, and,
9 partly out of curiosity and partly because she wanted to
10 live stream it, she decided to leave the comfort of her
11 hotel and walk to the Capitol.

12 She also said that she was downstairs in the
13 lobby, and she was talking to some people, and she said she
14 wants to see things firsthand. We know from her interview
15 with the FBI that she also had heard -- and in her words or
16 in their words -- that the former vice president was a
17 traitor. And later that night she stated to a friend by
18 text, "I couldn't stay in the room well watching in the news
19 what is happening. I'm not taking this! No."

20 So she did say that she was curious, and she did
21 say that she wanted to live stream. She said she wasn't
22 taking it, and she assumedly was going to act. And so she
23 went from her hotel, which is about 10th Street, Northwest,
24 between K and New York Avenue, and she went to the Capitol
25 Building, and she arrived about 3:48 p.m. That would have

1 been after -- and I should say -- I think I got the math
2 wrong. It was 2:35 p.m. when the officers were forced to
3 retreat into the tunnel, not 1:35 p.m.

4 And 2:12 p.m. was when the first rioter entered
5 the Capitol Building through a broken window, and I would
6 submit that the defendant would have known that by the time
7 she left her hotel room.

8 So she arrived at about 3:48, and by 4:13 she
9 takes a video, and I'm going to -- I have to switch what I'm
10 sharing.

11 Thank you for your patience, Your Honor.

12 Okay. And this is a video that was taken on
13 defendant's phone at 4:13 p.m. It is a video. You'll see
14 on the top of the screen from ST-2M with the gentleman with
15 the red hat in front of it, and then the tunnel area with
16 somebody with a gray sweatshirt in front of that. And this
17 is the scene that we first see on Ms. Acosta's phone, and
18 she says during this that, "We're breaking in. We're
19 breaking in. We're doing this. We're taking our house
20 back. This is our Capitol."

21 And somebody else said at the end of this, "I know
22 people are going to be destructive."

23 (Video playing)

24 MR. KONIG: Your Honor, that was one of the longer
25 clips I'll be playing. I'm now going to be playing, in

1 hopefully quick succession, a handful of quick notes which
2 are about a minute long from a 30-minute-and-seven-second
3 video that Ms. Acosta filmed right in the essentially 30
4 minutes before she entered the Capitol and while she was
5 entering the Capitol.

6 I'll note for the record that because this came
7 from Facebook, for some reason the images appear reversed;
8 so it's going to actually look like she comes from the right
9 side of the Capitol when we believe she was, as this image
10 showed, coming from the left entering ST-2M.

11 In the first video I'm going to share,
12 Ms. Acosta -- it's about four minutes and 50 seconds into
13 the video, so our guess is around 4:20, 4:25 -- she states
14 that "We're taking back the Capitol. We're not giving up.
15 We're breaking in."

16 (Video playing)

17 MR. KONIG: And the next clip, about ten minutes
18 and 55 seconds into the 30-minute-and-seven-second video,
19 Ms. Acosta hears someone being tasered. And the Court will
20 be able to hear the sound of the taser, and she actually
21 comments, "That was a taser."

22 She wouldn't have known it at the time, but we now
23 know that that was an officer, a Metropolitan Police
24 Department officer, being tasered with his own weapon, which
25 caused him to have a heart attack. He was pulled into the

1 crowd of rioters and tasered.

2 This is the next clip.

3 (Video playing)

4 MR. KONIG: The next clip, at about --

5 THE COURT: Before you move on, I couldn't
6 discern -- I could only discern her saying "1776," but what
7 was she saying before that?

8 MR. KONIG: She was -- I know she said afterwards,
9 "We're not stopping." If I -- was it just before the
10 chanting, Your Honor?

11 THE COURT: No, it was when she first started
12 speaking, and then there's some other -- there were some
13 other things that she was saying.

14 MR. KONIG: If Your Honor will give me the
15 indulgence, I'll briefly replay it, and I'll state out loud
16 what I hear.

17 So that's her saying, "Fight for Trump."

18 And that would be the taser. And she would have
19 said -- she said something like "That was a taser" or
20 "Someone was tasered."

21 THE COURT: Okay.

22 MR. KONIG: In the next clip, which is about 12
23 minutes and 54 seconds into this video, you can see
24 Ms. Acosta with her peace flag, and past her flag
25 individuals are passing a large wooden object. We know now

1 that that object and objects like it were used to attack the
2 officers in the tunnel. Ms. Acosta says -- rioters are
3 yelling at the officers protecting the Capitol in this clip,
4 and Ms. Acosta says, "We're passing some sticks so we can
5 break windows and go in."

6 (Video playing)

7 MR. KONIG: About ten minutes later in this video,
8 at 23 minutes and 23 seconds, she again says, "Let's go in.
9 Let's go in. We're going in. We're taking back the
10 Capitol."

11 The next clip a few minutes later, 26 minutes and
12 55 seconds, is when some of the worst fighting was occurring
13 between the rioters and the law enforcement officers
14 protecting the Capitol Building, and Ms. Acosta comments,
15 "Oh, my God, they're hitting people. They're hitting
16 people. Oh, my God. Fight, fight, fight."

17 So the next clip's going to be about two and a
18 half -- it's a little over two minutes, but it is the final
19 few minutes as Ms. Acosta's entering the Capitol Building.

20 When she says, in her sentencing memo or
21 subsequent sentencing memo, that she never put into action
22 anything she said, this video, starting at 27 minutes and 47
23 seconds in, shows that she actually did put into action her
24 statements and her statements over the prior 25 minutes, 27
25 minutes, where she said at least four times that she was

1 going to enter the Capitol, and then she did.

2 In this video, which we discussed in our
3 sentencing memorandum, she says, "We're going in. We're
4 getting in." And another rioter asks for strong patriots to
5 build a house and encourages the crowd, "Let's go."

6 Ms. Acosta responds, "Let's go. Let's go. Let's
7 go in. Let's go."

8 The rioters then asked for angry patriots to fill
9 the house. Castro tells the social media followers, "We're
10 going in," and then she enters the building. And you can
11 hear the other rioters. One is speaking of his billy club
12 as Ms. Castro is helped through the hollowed out window into
13 the Capitol Building.

14 And this would be on Exhibit 4. There's an arrow.
15 She is being helped through this window that I am pointing
16 to next to the tunnel, which is right here.

17 (Video playing)

18 MR. KONIG: Ms. Acosta did not film for long
19 inside the Capitol, which, I submit, suggests she did not go
20 into the Capitol for recording purposes. She wasn't there
21 to show to her Facebook viewers what was going on.

22 But she went in because she wanted to go in. It
23 was her choice. She says to go in not as a reporter or a
24 citizen reporter, but because she wanted to go in, as she'd
25 been saying for approximately 30-something minutes before

1 she went in.

2 I should note for the Court that it wasn't
3 inevitable that she would go into a room that was just a
4 conference room unconnected to the rest of the Capitol. We
5 don't know what her intent was, what she wanted to do, if it
6 was in the room that the former vice president was in or the
7 Speaker of the House or the Senate Chamber itself. We don't
8 know what she went to see or how long she would have stayed
9 had it been a different room or had there not been tear gas
10 in the air.

11 Exhibit 6 we describe in the sentencing
12 memorandum, which is a video that is an open source video
13 that shows Ms. Acosta inside the room and shows what she
14 would have seen while she was inside that room at ST-2M.

15 (Video playing)

16 MR. KONIG: Ms. Acosta exited room ST-2M and began
17 to record herself on Facebook Live again for 16 minutes and
18 44 seconds ending at sunset.

19 And we have just three more clips from that longer
20 video: one outside of the Senate conference room on the
21 inaugural stage area; one as she was walking away from the
22 Capitol Building; and one when she finally made it to the
23 parking lot.

24 In the first one she tells her viewers that it was
25 time to leave because this is too much, and you can see her

1 talking to rioters who apparently had been sprayed by pepper
2 spray, I submit, in the tunnel area, which was right next to
3 where she was and where a lot of intense fighting still was
4 going on. In fact, Exhibit 7-1 shows a table that actually
5 shows up in the video we just saw in Exhibit 6. It was
6 taken from that room and a tabletop that was taken from that
7 room to attack the officers in that tunnel area. This is
8 directly outside of Room ST-2M.

9 (Video playing)

10 MR. KONIG: And in this you can see the rioters
11 are taking a door from ST-2M and putting it outside for the
12 other rioters. And in a moment you'll see Ms. Acosta.

13 (Video playing)

14 MR. KONIG: In the next clip, which we cited in
15 our sentencing memorandum, a passerby speaks of war, and
16 Ms. Castro agrees that it's a civil war. The passerby says,
17 "We're taking it back," and Ms. Castro says, "We're taking
18 it back. We're not a communist country."

19 The passerby says, "Nope, this is America."

20 Ms. Castro says, "We're not a communist country."

21 A little further she says, "Get them out of here."

22 The passerby says, "Traitors will be shot. Pence,
23 were coming."

24 Ms. Castro says, "We're coming."

25 The passerby says, "We're coming."

1 Ms. Castro says, "This is war."

2 The passerby says, "It's war."

3 And Ms. Castro says, "This is war."

4 This is about a 30 -- about a 20-second clip.

5 (Video playing)

6 MR. KONIG: Ms. Acosta, in her sentencing
7 memorandum, says when peace could not be obtained she left.
8 I submit that this next clip shows her state of mind as she
9 was leaving the Capitol grounds on January 6, 2021. In it
10 she says, "The war just started. It's just the beginning.
11 The best is yet to come. The war just started. It's just
12 the beginning. It was so ugly. It got ugly in there. It
13 got really ugly. I'm literally by myself. That just shows
14 how brave I am. If I can do this, you guys can do this."

15 (Video playing)

16 MR. KONIG: I appreciate the Court's indulgence
17 while going through these videos. I think that it makes --
18 this defendant went from the comfort of her hotel room to
19 the Capitol. She said she was going to go into the Capitol,
20 and she did. And when leaving, she stated, "This is war,"
21 and her -- the passerby said, you know, "In this war
22 traitors will be shot. Pence, we're coming for you."

23 Your Honor, when considering this defendant and
24 her crime, its seriousness, to deter her and to deter the
25 people she's saying to be brave like her, the government

1 believes that a sentence of imprisonment is appropriate.
2 This defendant is certainly not being singled out for her
3 views, for advocating for her preferred presidential
4 candidate or for making her voice heard. Her husband and
5 her friend did that on January 6th, and when the time came,
6 when they saw what was unfolding at the Capitol Building,
7 they stayed in the hotel room. They did not go out and do
8 what the Court has seen today.

9 This defendant admits that she violated the law,
10 and I think the Court has gotten a pretty good view of the
11 contours of how she violated the law that day and what her
12 state of mind was. And so the government believes a
13 sentence of 60 days of incarceration would be appropriate,
14 that it would not -- it would not, as defendant argues, be
15 draconian, but it would be consistent with the gravity of
16 the offense that she committed and would be consistent with
17 what's happening to similar and dissimilar people who
18 committed this crime and others on January 6th.

19 And I thank you, Your Honor.

20 THE COURT: Let me just ask, is it your position
21 that she then disseminated these various tapings to others?

22 MR. KONIG: She certainly did. We know from some
23 of the videos and how we received them, when they were
24 submitted to the FBI, that at some points she had, I
25 believe, a handful of hundred viewers -- I think it was

1 350 -- and that some of her videos had had as many as 5,000
2 views at the time they were shared with the FBI.

3 THE COURT: Thank you.

4 Defense counsel, you may proceed.

5 MS. AMATO: Your Honor, I want to just sort of
6 follow up with that last piece. I'm not sure if I'm
7 understanding that we know for sure that 5,000 different
8 people actually watched her videos versus, let's say, one
9 person watching 10, 20 times. So I don't know if the
10 government knows that, or if they just -- all they can say
11 is that there were 5,000 views.

12 I mean, I can put something up on Facebook, and
13 I can have a friend watch it 20 times, and it will show
14 that 20 times it has been viewed, but that's a little
15 different --

16 THE COURT: I don't think -- it's not the number
17 that concerns me, because you're right, I can't really
18 discern how many people would have, you know, actually seen
19 it. But the fact that it would be disseminated to others is
20 what I find concerning.

21 MS. AMATO: Well, Your Honor, I will say this. My
22 understanding is that this was the first time that she's
23 ever live streamed anything, and I think she -- I've heard
24 her actually say that in these recordings that the
25 government has played. The government's played portions of

1 some of these recordings, and she has said this is the first
2 time she live streamed anything. And my understanding is
3 that the purpose of that was because she wanted -- she was
4 concerned that people wouldn't see what she was seeing, and
5 she was concerned that maybe media would distort things
6 later on, and so here she has this video of what she
7 actually saw.

8 So I don't think there was necessarily a bad
9 intent on her part by filming and doing the live stream. I
10 think it was more she wanted to make sure that people
11 actually saw the reality of it. You know, good or bad, but
12 that's the reality. So that's --

13 THE COURT: It's a reality I don't understand why
14 somebody would want to share with somebody else, but...

15 MS. AMATO: I think she felt that the media
16 sometimes puts a spin on things, and so she wanted people to
17 be able to -- I guess she thought that what she was going to
18 encounter might be something that would be put out in a
19 different format through the media. That's my
20 understanding. So she wanted it to be shown that this is
21 what was actually happening.

22 Your Honor, through the sentencing pleadings
23 that I filed with the Court and the attachments to include
24 Ms. Acosta's letter, I hope the Court is able to see the
25 type of person Ms. Acosta really is.

1 She's not a violent person. She's the antithesis
2 of violence. Everything that she enjoys doing, her hobbies,
3 are all peace, about peace and harmony. She does yoga
4 healing, herbal tea, Reiki, self-care. I included the
5 photos of her house, Your Honor, that were taken at the time
6 of the search and arrest to also show that she embraced
7 philosophies of tranquility and nonviolence in her home
8 through the statues that she had of Buddhas and different
9 types of, again, self-healing and peaceful meditative type
10 of pieces in her home and the way her home is set up. So
11 when she went -- she made the decision to go to the Capitol,
12 she did not do so to commit violence.

13 And let's not forget that she did come to D.C.
14 with her husband and a friend. They all came to watch
15 Former President Trump speak at the rally; and after he
16 spoke, they left. That's what they came to do, and that's
17 when they left -- and that's what they saw, and they left to
18 go back to the hotel.

19 She saw some things on TV. She made a bad mistake
20 in deciding to leave the hotel -- the comfort of the hotel,
21 as the government alludes to -- but had she really realized,
22 at the time that she made that decision, that things were as
23 bad as they were or were going to be as bad as they were,
24 she wouldn't have gone. Her husband certainly would not
25 have let her go to the Capitol by herself and potentially be

1 put in harm's way.

2 Now --

3 THE COURT: Let me just stop you there. I mean, I
4 find that, you know, interesting; that considering what was
5 being broadcast, that she wouldn't have realized that there
6 was violence taking place and total chaos taking place. But
7 even if she didn't see that on the TV and therefore that was
8 not the incentive for her to go down to the Capitol, once
9 she got to the Capitol and the things that she obviously was
10 live streaming, you know, she clearly would have realized,
11 once she got there, that this was a situation, it seems to
12 me, if she was a peace-loving person, she wouldn't want to
13 be involved in. She would have turned around and went right
14 back to that hotel and got away from that as soon as
15 possible.

16 MS. AMATO: You're right, Your Honor, and
17 that's -- it's hard to understand why, when she got there,
18 and she saw what she saw -- I mean, clearly she saw violence
19 going on. She saw the window being broken, and then she
20 goes in. She was surrounded by people who were saying
21 various things, and she repeated many of these things that
22 they said. And so frankly, I think what really happened is
23 then she kind of got wrapped up and caught up in the fervor
24 of everybody else.

25 But she was not the one that started it. She was

1 not the one that really -- I mean, she just got caught up in
2 everything, quite frankly, and she agrees that when she
3 looks back at everything that she should have left. She
4 should never have gone, number one; and number two, when she
5 saw what was going on, she should have left. And that was
6 the biggest mistake that she's made regarding all of this.

7 But, yes, it's -- for everything that I've seen of
8 her, including the letters that people have written -- but
9 I've also had a chance, over these many months, to talk with
10 her and get a better understanding of who she is -- that
11 person is very -- is not the kind of person you would expect
12 to stay at something like this.

13 But, again -- and she admits -- she got caught up
14 in the rapt and the fervor of everything around her, and she
15 had a lapse of judgment. She really did.

16 Now, in terms of her entering the room, of
17 course -- I mean, she's not denying any of this. She --
18 again, she got caught up in everything, but I do think that
19 part of her reason for going in there was a certain
20 curiosity. As we saw in the clip that the government
21 provided that someone else had filmed, we see her with her
22 hand out holding her camera, and she's going around filming
23 what she saw.

24 She did leave. She didn't stay in for very long,
25 not more than probably two minutes, and she -- to her

1 credit, she didn't try to go into any other room in the
2 Capitol.

3 As we saw in that clip the government provided,
4 there was an open room that people were going in and out.
5 There was that woman on that bullhorn who was talking to
6 people and giving them instructions and also telling them of
7 different ways to go to this place and that place in the
8 Capitol. She didn't follow through with any of that.

9 So to her credit, she saw, she walked out, and she
10 didn't try to go back in the Capitol at all. She didn't
11 touch any of the furniture. She didn't do any -- she saw
12 what was going on, and she left. She didn't want any part
13 of that violence that she saw other people were doing.

14 And as I explained in my sentencing memorandum,
15 there is a clip that I want to play in which the woman with
16 the bullhorn is telling people to stay there, to help the
17 patriots, and it's at that point that Ms. Acosta says I'm
18 out of here. So I'm just going to see if I can play that
19 for the Court, and also if it can be heard. Let's see.

20 (Pause)

21 Here we go. Sorry. Let me see if I can share my
22 screen.

23 Okay. My screen -- for some reason this set-up is
24 not showing me what some of the other Zoom screen set-ups
25 show, and I'm not sure how to share it with the Court. I

1 don't know, if I play it, if the Court can hear it.

2 (Video playing)

3 MS. AMATO: Can the Court hear?

4 THE COURT: Yes.

5 MS. AMATO: Okay. I'll just play the video.

6 (Video playing)

7 MS. AMATO: So Ms. Acosta did not stay to help the
8 patriots. She did leave when she finally realized that this
9 was not for her, and it was getting out of control.

10 Quite frankly, a sentence of jail time would cause
11 an unwarranted disparity in the sentences. I looked through
12 the list. The government has provided a list of all the
13 people who have been sentenced at this point, and I believe
14 I counted about 48 people who -- and which means basically
15 the majority of the people who have pled to this same
16 offense as Ms. Acosta have not received jail time, but have
17 received some kind of a probationary period with home
18 confinement.

19 The government had, in their pleading, mentioned a
20 couple of individuals who they -- who were sentenced to jail
21 time because they felt the Court should consider them, and
22 in my response I outlined the differences and the greater
23 actions that those other individuals were involved in. And
24 there's clearly a big difference between those other
25 individuals and Ms. Acosta's actions, and those are not

1 appropriate sentences to consider based on those individuals
2 who were sentenced to jail time.

3 For purposes of the 3553(a) factors, there's
4 certainly no need for jail time to deter Ms. Acosta. Again,
5 she's recognized her mistakes. She never wants to get
6 involved in something like this again. She's clearly stated
7 that in her letter. She does apologize, and she's already
8 suffered a lot herself personally.

9 As I explained in my sentencing memorandum, her
10 husband, when they went back to California, his family and
11 he had been -- her husband had been working for the father's
12 family business. When they learned that they had come to
13 Washington, and that she was there, at that point he lost
14 his job. His father fired him. He's been shunned by the
15 family. His family doesn't want to have anything to do with
16 him, and so now, at 61 years old, he finds himself without
17 employment. They moved out of state because of financially
18 how they've been affected.

19 I mean, it's just been one thing after another, so
20 she has already suffered a lot. So number one, she's
21 suffered a lot. Number two, she understands her mistakes in
22 this case. Her whole life has basically changed because of
23 her involvement that day.

24 As to her personal life, she's had -- she had a
25 good life before her involvement in this case, although it

1 certainly took a lot for her to get there. She is
2 originally from Mexico. She's been in the United States
3 since she was two years old. She's had various tough times
4 in her life, including her first marriage, which was
5 abusive, and then, when she did get divorced, she lost
6 custody of her children.

7 So she's had a lot of issues she's dealt with in
8 her life, and she's still working through some of the
9 traumas, but she's never been involved in criminal conduct
10 before. She doesn't have prior arrests. I mean, this is
11 her first and only offense. So she is definitely not
12 someone that the Court is going to see and does not need
13 jail time in terms of deterrence.

14 She personally never really intended to hurt
15 anyone on January 6th. She came to the Capitol with her
16 peace flag to spread peace. But unfortunately she got
17 caught up in the fervor around her, and it was not until she
18 was able to distance herself a little bit from the events
19 that occurred as she was walking away that she remembered
20 her intentions were for peace and recognized the gravity of
21 what took place.

22 And I wanted to play another video, and I guess
23 I'll just -- well, the point of playing this is not only to
24 hear her words, it also shows her again with her peace flag,
25 although we've seen her peace flag in some of the videos the

1 government had played. But I'll just play this part anyway.

2 (Video playing)

3 MS. AMATO: So that, again, brings her back to who
4 she really usually is.

5 In terms of some of the words, again, I've
6 mentioned she got caught up in the rapture of what other
7 people were saying around her in the events. She tried to
8 explain in her sentencing memorandum why she said some of
9 the words she said, like "the best is yet to come." That is
10 more a saying of hope.

11 But, anyway, Your Honor, we would ask the Court --
12 we would ask the Court to place her on probation with home
13 confinement or some other conditions, but we really believe
14 that, as to her, imprisonment would be a harsh sentence
15 that's unwarranted, and her involvement in this case was
16 very abhorrent.

17 THE COURT: What about general deterrence? I
18 mean, what do we do in a country as great as America that's
19 declining because we've got this unfortunate divide and this
20 partisanship that now seems to be controlling? I mean, what
21 message do you send to others who have the same mindset;
22 that if you engage in what was an attempt to undermine our
23 governmental process, that there's not really a consequence
24 for it?

25 MS. AMATO: Well, there is -- I mean, there's been

1 consequences. Again, irrespective of what Your Honor does
2 here, her whole life has changed. They moved from
3 California, from this very comfortable life, which was
4 basically taken right underneath of their feet because --

5 THE COURT: I'm sorry, I don't mean to cut you
6 off, but I guess my question is, I mean, that's not
7 information that society's going to know about, what has
8 happened to her personally as far as her personal life is
9 concerned. What society will know is that, you know,
10 despite all that occurred as far as she is concerned, that
11 she got no real sanction from the Court in reference to it.

12 MS. AMATO: Well, Your Honor, she's -- well,
13 whether people hear about that or not -- I mean, the media
14 seems to write about everybody who gets sentenced and
15 provides some information about that individual's
16 background. But even if they don't talk about how she has
17 lost everything and had to move and this, that, and the
18 other, and those repercussions and the stress of all that's
19 been involved and health issues, they know that she has been
20 under the Court's supervision for almost a year now, or a
21 year, basically. She has had certain requirements to do
22 pursuant to that.

23 She's now faced with sentencing. She's faced with
24 the stress of all this. And a sentence of home confinement,
25 a sentence of probation with conditions, does still indicate

1 to people that there are repercussions, that the Court is
2 not just -- I mean, first of all, the government has charged
3 these people, so, first of all, they recognize that there's
4 that issue. And then there's the possibility of any kind of
5 sentence and a lack of their own ability to just freely go
6 about their life.

7 So there are repercussions and sanctions just by
8 being charged and then by being sentenced, even with home
9 confinement, even with probation.

10 THE COURT: Very well.

11 Does your client want to say anything?

12 MS. AMATO: I think she does, Your Honor, yes,
13 although she did provide the Court with a rather extensive
14 letter.

15 THE COURT: Yes, I did read it last night.

16 MS. AMATO: Thank you.

17 THE DEFENDANT: Your Honor, I don't glorify my
18 actions, and I admit that what I did was not right. I got
19 caught up on the energy, and if I could go back and change
20 things over, I definitely would have brought more peace,
21 definitely more love.

22 And I'm not excusing my actions because there's
23 no excuse, but I know if I could just do things all over
24 again -- and I got caught up in all the energy of what was
25 going on, what others were saying and doing -- I definitely

1 would change things so much.

2 My actions and what I had said there, like I said,
3 I don't glorify them, but I wish I could just do things
4 different, and I wish I could have said and yelled and
5 screamed more about love, more about peace, because that's
6 what we need as humans. We -- there's no need for war if we
7 only just spread love, and that love comes within us. Until
8 then, we will not know peace because there is no peace if
9 we're fighting a war inside us.

10 I just want to spread love and peace to the world.
11 That's what I want. That's my vision to humanity. We need
12 to stop there. We don't need war against each other.

13 Find --

14 THE COURT: That day you seemed to be calling for
15 war. You say you're a peaceful person, but you were making
16 statements that seemed to be calling for war.

17 THE DEFENDANT: Yes. And you're right, because
18 that's what I saw people were just fighting and saying
19 things, and I got caught up on the energy of just how
20 everything just was that way. I just couldn't believe it.
21 I couldn't believe what was really going on.

22 THE COURT: But you -- wait a minute. You're not
23 suggesting that those statements that you made were a
24 rejection of what was taking place. That didn't seem to be
25 the case. You seemed to be all in.

1 I mean, I don't understand what you're saying.
2 You seem to be saying now that you were rejecting what was
3 taking place, but your comments are totally inconsistent
4 with that, and you seemed to be buying in on there being
5 future violence.

6 THE DEFENDANT: Like I said, Your Honor, I got
7 caught up on the energy, what was going on. I am very
8 empathic, and sometimes when I get these energies, I get --
9 it's like it sucked me in, and it's not who I am. And I was
10 just so -- just so in disbelief to what was happening.

11 And you're right, Your Honor. I mean, if I could
12 turn things around, I would, but usually, in all the rallies
13 that I have gone, I've always spread love and laughter and
14 peace. I never, in all the other rallies, have ever gotten
15 to the point that -- what was going on there.

16 All I wanted was just to report what was going on.
17 And it's like this dark energy, this just force just sucked
18 me into this. And it's not anything what I am and what I
19 stand -- who I am.

20 THE COURT: I'll be very honest. In reference
21 to -- there were two things in your statement that I found
22 concerning and, it appeared to me, possibly an attempt to
23 try and manipulate this Court.

24 You indicated that when you were detained that you
25 developed some energy, I guess, or whatever, affection, for

1 some woman, but then you maintained it was a woman of color.
2 I don't understand why that was of significance. It seems
3 to me that it makes no difference what color somebody is.
4 If you feel sympathy for them, so what? What does color
5 have to do with it?

6 And you also said outside the Capitol that day
7 that you had interaction with someone, and she was a person
8 of color. I just -- I'm sort of perplexed as to why you
9 thought the color of somebody would be relevant to those two
10 statements.

11 THE DEFENDANT: No, and there's no -- there's no
12 reason for that. It's specifically bringing up someone, you
13 know, that was really beautiful who helped me and gave me a
14 kiss on my forehead. I don't know exactly how she looked
15 because she was covered, and I just said like to identify
16 the person -- identify the person that way.

17 It's like if someone was Asian or Mexican, I
18 identify how beautiful that this person is no matter -- I
19 don't -- no matter what nationality, no matter what color,
20 no matter what religion. What matters is what you are on
21 the inside because the outside of your status, all of those
22 things, are nothing. What matters is what you are, which is
23 love.

24 It's like I said, I don't see -- I don't see any
25 other difference of people, but I just read into their

1 energy of the God source, and I just identify it that way,
2 Your Honor.

3 THE COURT: The other thing that concerned me -- I
4 mean, I think it was clear to anybody who was at the Capitol
5 on that day, or who watched it on TV, that, you know, these
6 people who were doing the things that were going on that day
7 were Former President Trump supporters, but you represented
8 that these acts were being committed by Antifa and Black
9 Lives Matter people.

10 Now, I don't condone violence by anybody, but that
11 was very concerning, as to why you would try and blame
12 somebody else for what obviously was not the case.

13 THE DEFENDANT: I have said, when I had mentioned
14 that when other people were repeating what they were saying,
15 they said that it was Antifa or BLM or --

16 THE COURT: But you had your own eyes. You had
17 your own eyes to see what was going on.

18 THE DEFENDANT: Yes.

19 THE COURT: What would have caused you to repeat
20 something that somebody else said that obviously was false
21 considering what you had to have seen and observed?

22 THE DEFENDANT: Yes, like I said, I was just
23 repeating what others were saying. But what I saw there was
24 everything, and, you know, other people, I don't know. I
25 don't know a hundred percent if that was either patriots or

1 BLM or Antifa. I don't -- I can't. I think it was just a
2 mix of everybody who got caught on into the energy honestly.
3 That's my honest opinion.

4 I'm not saying that all patriots are good because
5 definitely not all of them stand for good.

6 THE COURT: And then you made a statement, "We're
7 taking our Capitol back." Who do you think you were taking
8 your Capitol back from?

9 THE DEFENDANT: Well, I was just repeating what
10 other people were repeating, and that just came out. I
11 don't know what we were taking the Capitol from. It was
12 just something that was repeating from other people. I
13 don't have no idea, Your Honor.

14 THE COURT: Okay. Anything else?

15 MS. AMATO: No. Thank you, Your Honor.

16 THE COURT: I mean, I have -- I mean, these cases
17 are difficult because, on the one hand, most of the people
18 who got caught up in this situation don't have prior records
19 and seem to have lived decent lives before whatever caused
20 them to develop the mindset to do what they did on January
21 6th.

22 On the other hand, it's very troubling to me that
23 we have people in our country who, when there's an election
24 and they don't get their way, that they act out in the
25 manner that we saw take place on January 6th. I mean, what

1 happens next time around? Will it be justified if whoever
2 the Democratic candidate is runs and loses -- and that's
3 always a possibility -- that the Democratic supporters would
4 then say, well, we think the election was stolen and strike
5 out as the former president's constituents did? I mean,
6 that's leading us to a very dangerous place.

7 And, you know, I've been reading a couple of books
8 about how civil wars start, and so much of history is
9 repeating itself in our country. And the things that have
10 happened in other environments that have caused a
11 destruction of democracy, those same type of things are now
12 happening here in America because we've got a segment of our
13 society that feels that it has to be their way and no other
14 way. A democratic society can't function that way because
15 in a democratic society somebody's going to win and
16 somebody's going to lose. And historically, while people
17 may not have been happy about having lost, they accepted
18 that reality.

19 But now this mindset is that we didn't get our
20 way, and because we didn't get our way the election had to
21 be rigged, and therefore that justifies the things that took
22 place on January 6th. Because, Ms. Acosta, I must say,
23 contrary to what you're saying now and contrary to what you
24 said in your letter, you were there for an extended period
25 of time. You seemed to be gleeful. You seemed to be happy

1 about what was going on.

2 You did not seem to be a peace-loving person. You
3 seemed to be someone who was seeking to inspire others to do
4 what you thought you had done.

5 You made a statement to the effect that, you know,
6 you were brave enough to do what you did; and, therefore,
7 others should be brave enough to do the same thing. I mean,
8 what kind of message does that send to people who may have
9 the same mindset that you had that day? I mean, that's a
10 very troubling situation for this country to be
11 experiencing. It's concerning to me.

12 I love this country. This country has been good
13 to me.

14 THE DEFENDANT: I just --

15 THE COURT: And to see what people are trying to
16 do to this country for their own partisan-biased
17 perspectives is just very concerning.

18 THE DEFENDANT: Yes.

19 THE COURT: And I just don't know the message that
20 you sent. I don't know. Maybe you've learned your lesson.

21 THE DEFENDANT: I did, Your Honor.

22 THE COURT: You know, maybe it's something that
23 you would not repeat. But the concern I have is what
24 message did you send to others? Because unfortunately there
25 are a lot of people out here who have the same mindset that

1 existed on January 6th that caused those events to occur.
2 And if people start to get the impression that you can do
3 what happened on January 6th, you can associate yourself
4 with that behavior and that there's no real consequence,
5 then people will say why not do it again.

6 Now, I've given people probation, but the people
7 I've given probation who were there, what they did was
8 wrong, but all they did was go in.

9 THE DEFENDANT: Yes.

10 THE COURT: There's no indication they were
11 seeking to try and disseminate what they did to other
12 people. They might incite other people. That's a different
13 situation, from my perspective.

14 Maybe other judges think differently, but it seems
15 to me that just -- yes, somebody just happened to be there,
16 got caught up in the event. They just walked in, they
17 looked around, and they turned around and left. That's one
18 thing. I don't think that person should have to go to jail.

19 But for somebody who, for as long of a period as
20 you were there and made the statements that you made --
21 which you now are saying, which I just don't accept, that
22 you were just repeating what somebody else said -- that was
23 not the impression I got from observing you and what you
24 were doing in your facial expressions. Those were your own
25 statements. Those were not statements that you were just

1 repeating because somebody else said it.

2 That's my view based upon my observation of what I
3 saw, and I just don't believe what you're saying is truly
4 what was in your mind and why you said those things at that
5 time.

6 So it's difficult because there are a lot of
7 things I have to take into account. I have to obviously
8 take into account the nature of the conduct that you engaged
9 in. And I consider it to be very serious, problematic
10 conduct that you engaged in because, like I say, it just
11 sends a bad message about what we, as Americans, should do
12 when our candidate of choice does not win. And, you know,
13 what occurred on January 6th just totally undermines a
14 governmental process predicated on the peaceful transfer of
15 authority. It just can't exist.

16 And, again, I think a message has to be sent to
17 others that there are consequences, and, you know,
18 considering all the factors I have to consider in deciding
19 what the appropriate penalty is in this case, it is my view
20 that in order for people to understand that if you're going
21 to engage in the type of behavior that you engaged in, if
22 you're going to make the statements that you made on that
23 day in reference to what was occurring, and if you're going
24 to then disseminate that information to others, there has to
25 be a penalty for it.

1 So I would conclude under the circumstances that a
2 sentence of 45 days in jail is an appropriate sentence in
3 this case, and I will also fine you \$5,000. And you also
4 have to pay \$10 to the court as a special assessment. I'll
5 give you 30 days, based upon the money that you have
6 available according to the probation department. I'll give
7 you 30 days to pay that \$5,000 fine and also the \$10 court
8 assessment.

9 I was of the impression previously, but I think
10 I've been convinced otherwise by a ruling by Judge Kotelly
11 and just a review of the statute itself, that if this is a
12 petty offense -- and I think it is a petty offense -- that a
13 period of probation is not appropriate, so I won't impose a
14 period of probation.

15 You do have 14 days from today's date to appeal
16 your sentence to a higher court. If you can't afford to pay
17 the cost of letting that court know that you want to appeal,
18 that will be paid free of charge by the government. And if
19 you cannot afford to pay for a lawyer, that will be paid
20 free of charge by the government.

21 Anything else from probation?

22 THE PROBATION OFFICER: No, Your Honor. Thank
23 you.

24 THE COURT: Does she need to contact you to
25 discuss self-surrender? Because I will permit her to self-

1 surrender once they designate a facility for her to serve
2 her sentence.

3 THE PROBATION OFFICER: Your Honor, I will get in
4 touch with Ms. Acosta after the hearing and give her the
5 instructions for voluntary surrender.

6 THE COURT: Very well.

7 Ms. Acosta, you will receive a notice from the
8 Federal Bureau of Prisons as to where you're to serve your
9 45-day sentence, and once you are notified, you will have to
10 report. If you don't, a warrant will be issued for your
11 arrest.

12 Anything else from government counsel?

13 (Pause)

14 THE COURT: I can't hear you.

15 MR. KONIG: I apologize. The government moves to
16 dismiss the remaining counts of the information or
17 indictment in this case.

18 THE COURT: Oh, I assume there's no objection.
19 That will be granted.

20 Anything else from defense counsel?

21 MS. AMATO: Your Honor, I would just ask for 60
22 days for her to pay the fine, please.

23 THE COURT: Very well. I'll give her 60 days to
24 pay the fine.

25 MS. AMATO: Thank you.

1 THE COURT: If nothing else, thank you.

2 (Whereupon the hearing was
3 concluded at 10:27 a.m.)
4

5 **CERTIFICATE OF OFFICIAL COURT REPORTER**

6
7 I, LISA A. MOREIRA, RDR, CRR, do hereby
8 certify that the above and foregoing constitutes a true and
9 accurate transcript of my stenographic notes and is a full,
10 true and complete transcript of the proceedings to the best
11 of my ability.

12 **NOTE:** This hearing was held remotely by Zoom or some
13 other virtual platform and is subject to the technological
14 limitations of court reporting remotely.

15 Dated this 5th day of April, 2022.
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18 /s/Lisa A. Moreira, RDR, CRR
19 Official Court Reporter
20 United States Courthouse
21 Room 6718
22 333 Constitution Avenue, NW
23 Washington, DC 20001
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