

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CR No. 21-386
)	Washington, D.C.
vs.)	February 3, 2022
)	10:06 a.m.
WILLIAM BLAUSER, JR., (1))	
)	
Defendant.)	
_____)	

TRANSCRIPT OF SENTENCING HEARING PROCEEDINGS
BEFORE THE HONORABLE TREVOR N. McFADDEN
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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Proceedings recorded by mechanical stenography; transcript produced by computer-aided transcription

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P R O C E E D I N G S

THE COURT: Good morning, everyone.

COURTROOM DEPUTY: Please be seated and come to order.

This is Criminal Case 21-386-1, United States of America versus William Blauser, Jr.

From Probation, Officer Hana Field.

Counsel, please come forward to identify yourselves for the record, starting with the government.

MR. PETERSON: Good morning, Your Honor. May it please the Court. Jim Peterson for the government.

THE COURT: Good morning, Mr. Peterson.

MR. BARBARI: Good morning, Your Honor.

Rammy Barbari on behalf of Mr. Blauser, who is present.

THE COURT: Good morning, Mr. Barbari; good morning, Mr. Blauser.

All right. We're here for the sentencing of the Defendant William Blauser, Jr., who's pled guilty to one count of parading, demonstrating, or picketing in a Capitol building, in violation of 40 U.S.C. 5104.

I've received and reviewed the Presentence Investigation Report and sentencing recommendation from the Probation Office, as well as the sentencing memorandum from the government and Mr. Blauser. Mr. Blauser's memorandum

1 also had a number of letters attached to it, including one
2 from him.

3 Are there any other documents or materials that
4 I should have reviewed, Mr. Peterson?

5 MR. PETERSON: No, Your Honor, not for the
6 government.

7 THE COURT: Mr. Barbari?

8 MR. BARBARI: No, Your honor, not from the
9 defense.

10 THE COURT: Mr. Blauser, this sentencing hearing
11 will proceed in three steps which may seem a bit mechanical
12 to you at times.

13 The first step of today's hearing is for me to
14 determine whether you've reviewed the Presentence Report and
15 whether there are any outstanding objections to it, and, if
16 so, to resolve those objections. The second step is to hear
17 from the government, from your counsel, and you, sir, if you
18 wish to be heard, about sentencing in this case.

19 And the final step requires the Court to fashion a
20 just and fair sentence in light of the factors Congress set
21 forth in 18 U.S.C. 3553(a).

22 As part of this last step, the Court will actually
23 impose the sentence, along with the other required
24 consequences of the offense.

25 All right. So going to that first step, the final

1 Presentence Investigation Report was filed on January 25th,
2 2022; the Probation Office filed its final sentencing
3 recommendation on the same day, Mr. Blauser filed a
4 memorandum in aid of sentencing on January 27th, 2022, as
5 did the government.

6 Mr. Peterson, does the government have any
7 objection to any of the factual determinations set forth in
8 the Presentence Report?

9 MR. PETERSON: No, Your Honor, we do not.

10 THE COURT: Mr. Barbari, have you and Mr. Blauser
11 read and discussed the Presentence Report?

12 MR. BARBARI: We have, Your Honor.

13 THE COURT: Does the defendant have any objection
14 to any of the factual statements set forth in it?

15 MR. BARBARI: We do not, Your Honor.

16 THE COURT: All right.

17 Mr. Blauser, could you step forward, please.

18 MR. BARBARI: Is it okay to have the mask off?

19 THE COURT: That's fine.

20 Sir, are you fully satisfied with your attorney in
21 this case?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Do you feel you've had enough time to
24 talk with him about the Probation Office's Presentence
25 Report and the papers the government filed in connection

1 with sentencing?

2 THE DEFENDANT: Yes, Your Honor, we've gone over
3 it several times.

4 THE COURT: Great. All right. You may both have
5 a seat. Thank you.

6 The Court will accept the facts as stated in the
7 Presentence Report. The Presentence Report will serve as my
8 findings of fact for purposes of this sentencing. I'd like
9 to thank Ms. Field for her work on this.

10 The Sentencing Guidelines do not apply because
11 this is a Class B misdemeanor. The applicable penalty --
12 potential penalties are as follows:

13 The maximum jail term that the Court may impose
14 for Mr. Blauser's offense is six months, the maximum fine
15 the Court may impose for the offense is \$5,000. There's a
16 mandatory Special Assessment of \$10. Mr. Blauser is
17 eligible for up to five years of probation because the
18 offense is a misdemeanor. And under 18 U.S.C. 3663(a), the
19 Court shall award restitution in the amount of \$500.

20 Have I stated accurately the statutory framework
21 under which we are operating in regard to this case,
22 Mr. Peterson?

23 MR. PETERSON: Yes, Your Honor.

24 THE COURT: And Mr. Barbari?

25 MR. BARBARI: Yes, Your Honor.

1 THE COURT: All right.

2 Before I discuss the other sentencing factors that
3 will bear on the Court's final decision, I'll at this point
4 share with the parties the particular sentence the
5 Probation Office has recommended. Taking into account the
6 advisory Guidelines sentence, the available sentences, and
7 all of the factors listed in Section 3553(a), the
8 Probation Office's recommended a sentence of two years'
9 probation, a fine of \$2,000, restitution in the amount of
10 \$500, and a special assessment of \$10. The recommendation
11 of the Probation Office is based solely on the facts and
12 circumstances contained in the Presentence Report.

13 I must now consider the relevant factors that
14 Congress set out in 3553(a) to ensure that the Court imposes
15 a sentence that is sufficient but not greater than necessary
16 to comply with the purposes of sentencing.

17 These purposes include the need for the sentence
18 imposed to reflect the seriousness of the offense, to
19 promote respect for the law, and to provide just punishment
20 for the offense.

21 The sentence should also afford adequate
22 deterrence to criminal conduct, protect the public from
23 future crimes of the defendant, and promote rehabilitation.

24 In addition to the Guidelines and policy
25 statements, I will consider the nature and circumstances of

1 the offense, the history and characteristics of the
2 defendant, the need for the sentence imposed, the
3 Guidelines Ranges which actually do not apply here, the need
4 to avoid unwarranted sentencing disparities among defendants
5 with similar records who have been found guilty of similar
6 conduct, and the types of sentences available.

7 Does the government wish to be heard on the
8 application of the factors set forth in 3553(a), request a
9 variance, or otherwise make a sentencing recommendation?

10 MR. PETERSON: Yes, Your Honor, we do.

11 THE COURT: Mr. Peterson.

12 MR. PETERSON: Thank you, Your Honor, may it
13 please the Court.

14 The government is here today arguing in support of
15 its recommendation that the Court sentence William Blausler,
16 Jr., to three months' home detention, 36 months of
17 probation, 60 hours of community service, \$500 in
18 restitution, which I understand the Court has imposed or
19 will impose, and the mandatory \$10 Special Assessment.

20 In reviewing the pleadings, I think it's fair to
21 say that there's not a huge gap between what the government
22 is seeking today and what the defense has put in their
23 sentencing recommendation, and that boils down to, in my
24 view mostly, the argument on the propriety of home
25 detention. We feel that home detention is appropriate and

1 we would ask the Court to impose it.

2 We certainly do not dispute the background
3 highlighted by the defense in their memorandum, it is
4 impressive, we've highlighted some of those things
5 ourselves. We also identified in our sentencing memorandum
6 the defendant's conduct in restraining Ms. Bauer, his
7 co-defendant, who is engaging in much more serious conduct,
8 I think we called it laudable. We don't dispute any of
9 that.

10 But it comes down to -- and it's a "but," but it
11 is a but. I think in fashioning a just and appropriate
12 sentence, we cannot overlook and cannot overstate the
13 significance of the nature and circumstances of the offense
14 on January 6th, 2021. The magnitude of the offense, the
15 attack on the Capitol, I would suggest, cannot be
16 overstated. Your Honor, I believe, recently, I think days
17 ago, based on my research, has adopted another
18 characterization of the events as serious and chilling.
19 I think that that is a fair assessment of that.

20 I think also there's some other judicial
21 assessments of the circumstances on January 6th, 2021, that
22 have been in records, have been on file, suggesting that a
23 mob is not a mob without people. And I would point out, as
24 is evident from the facts of this case, that Mr. Blauser is
25 one of those people that was part of that mob.

1 And because of that, and largely because of that,
2 the government feels that home detention in this case of
3 three months is appropriate. I think that that is
4 consistent with other sentences, certainly other sentencing
5 arguments from the government. The one that the government,
6 I think it's Wickersham, identified in its sentencing
7 memorandum, but given the nature and the gravity of the
8 offense and the defendant's participation in that, the
9 government would ask for, in addition to other
10 recommendations, 90 days of home incarceration -- home
11 detention.

12 THE COURT: Mr. Peterson --

13 MR. PETERSON: Yes.

14 THE COURT: -- you've provided various photos in
15 the memorandum, and I appreciate that. It was difficult --
16 I mean, it seemed to me that potentially the most serious
17 allegation here is that the defendant, at one point, lowered
18 his shoulder, pushing back into law enforcement, to help
19 extricate Ms. Bauer. It's difficult for me to tell what's
20 going on there in the photo.

21 MR. PETERSON: Right.

22 THE COURT: Is there a video that you've watched?

23 MR. PETERSON: There is a video, and that video
24 has been produced.

25 And I'm happy to adopt -- I don't think we have

1 disagreement on the characterization of that. If the Court
2 needs me to -- I mean, I've tried to be -- as the Court is
3 probably aware and there's been litigation on this, I've
4 tried to be circumspect in introducing things that may be
5 sensitive and that may not be, in the government's view,
6 necessary for the resolution of these issues.

7 But there is -- it is a clip, there's certainly
8 not photographs, a short clip, I will characterize it, and I
9 will accept defense counsel's characterization of it, he
10 lowers -- it's more of resisting and pushing back, if you
11 will. And it seems clear to the government that Mr. Blausen
12 is doing that not for himself or not out of hostility to law
13 enforcement, but Ms. Bauer is -- not trapped, but she's
14 behind some officers, and I think that that part is
15 hopefully somewhat clear. And I think it's clear on page 6
16 that he is -- that she is squeezed behind him and he reaches
17 for her to try and pull her through. I think that that is,
18 perhaps, the best photograph and the best view. And I think
19 that if you see the video clip, it will not illuminate it
20 more than that.

21 But the government's characterization of it is
22 that he is engaging in that conduct or that effort in an
23 attempt, I think, to have Ms. Bauer be with him, and then
24 they make the progress, and it is slow progress, it is
25 certainly escorted by law enforcement, as they are pushed

1 out of the Rotunda. Does that, in some small part, answer
2 the Court's question?

3 THE COURT: That's helpful.

4 So she wasn't being detained.

5 MR. PETERSON: No, no, she was not being detained,
6 no.

7 I mean, I think there was an effort to --

8 THE COURT: Okay.

9 So there wasn't someone pulling her away from law
10 enforcement -- or, if anything, he was trying to keep her
11 from engaging with law enforcement.

12 MR. PETERSON: Yes.

13 THE COURT: Okay.

14 MR. PETERSON: I mean, again, I can't speak to the
15 defendant's state of mind and what was going on at that
16 moment. I would invite counsel to -- I think he's addressed
17 some of those issues in his memorandum, talking about,
18 I think, essentially agreeing with the government that he
19 was trying to -- and I think it's abundantly clear in other
20 photographs that he is restraining her, trying to multiple
21 times.

22 THE COURT: Okay.

23 MR. PETERSON: And I think that that's akin to
24 that.

25 Although it seems to me that it is more along the

1 lines of getting -- to keep them together than it is, at
2 that moment in time, as other ones where he's clearly
3 putting a hand on her shoulder, in an effort, I would say --
4 and there's no audio that goes to this portion, in an effort
5 to say, stop, or come back or things like that, but it was a
6 little bit different but along those lines. Is that --

7 THE COURT: That's helpful. Thank you, sir.

8 All right. Anything further, Mr. Peterson?

9 MR. PETERSON: No, Your Honor.

10 THE COURT: Mr. Barbari, do you wish to be heard
11 on the application of the factors set forth in 3553(a) or
12 otherwise make a sentencing recommendation?

13 MR. BARBARI: Yes, Your Honor.

14 Thank you, Your Honor. May it please the Court.

15 Judge, we are asking for just a probationary
16 sentence in this case. And as the government has indicated,
17 we're not the farthest apart as some of these other cases
18 are.

19 And if I could just first go ahead and address
20 what we were just talking about in reference to that
21 photograph and Mr. Blauser's conduct there.

22 So Ms. Bauer is Mr. Blauser's -- one of his best
23 friends that he has known for a very long time. And he came
24 down from Pennsylvania to attend the rally with her.

25 And in those moments and in those photographs, we

1 actually agree with the government, and it's always been
2 Mr. Blauser's contention that he was attempting to restrain
3 Ms. Bauer from any further conduct or contact with law
4 enforcement. And so that is the explanation referred to
5 those photographs.

6 And for him -- and in the -- I know Your Honor,
7 I think, has the photograph, but Ms. Bauer is in front of
8 Mr. Blauser in that moment. And there is at least one
9 officer in front of Ms. Bauer and then another officer in
10 between Ms. Bauer and Mr. Blauser.

11 And that's when the incident of him lowering a
12 shoulder to try to reach -- what appears to be to reach
13 toward Ms. Bauer to bring her back into the middle of the
14 Rotunda where they were at. So that has always been
15 Mr. Blauser's contention about that particular moment. And
16 what Your Honor has pointed out is perhaps the more
17 concerning conduct in that, in having actual contact.

18 But at no point, we would submit, did Mr. Blauser
19 try to engage or yell at law enforcement or otherwise be in
20 any way aggressive or violent in word or action, as we've
21 indicated in our papers, and I think as the government
22 points out as well.

23 And if I could point to -- and I don't want to
24 belabor all the points in the papers, Your Honor, but
25 you understand Mr. Blauser's history, he's a Vietnam

1 veteran, he's 75 years old, he has significant medical
2 conditions that we've submitted to the Court separately.

3 And he's a pillar of his community. He's a
4 commander of the American Legion. He single-handedly
5 started the fundraising and actual implementation of a
6 veterans memorial in their local park near his hometown.
7 And as the letters indicate, Your Honor, he is very well
8 loved and very well looked up to as a leader. And he sits
9 on the governing council of his church and a variety of
10 other things.

11 And otherwise he has lived -- he's a devoted
12 father and husband and community member. And he's a
13 hard-working man. You know, he's had two 20-year careers;
14 one as a machine operator, one as a postal worker. And he's
15 lived an unblemished life for 75 years.

16 And the conduct and the decision to come to D.C.
17 and enter the Capitol on January 6th was the worst decision
18 he's made. He's accepted responsibility, Your Honor; you'll
19 hear from him in a moment. He regrets ever coming that day
20 and getting swept up in what ended up becoming that day, and
21 making a decision to enter the Capitol when he knew he
22 shouldn't, when he followed that crowd in.

23 And I will -- I do want to just make one point on
24 the case of Wickersham that the government cites in their
25 brief, Your Honor, and citing that that's perhaps the most

1 comparable set of circumstances for a gentleman that was,
2 I think, 81 years old and had no criminal record. And
3 similarly, Mr. Blauser is 75 years old and has no criminal
4 record.

5 But in that case, the defendant did get three
6 months of home detention. And I just want to point out some
7 of the factors that I think distinguish that case from
8 Mr. Blauser's situation.

9 And in the government's memorandum in that case,
10 the reason they had asked for, I think, four months of home
11 detention was because Mr. Wickersham was among the first
12 people to enter the Capitol, after the initial doors were
13 breached.

14 He was seen engaging and speaking with law
15 enforcement, although it's not clear whether it was in an
16 aggressive way or not, so I can't speak to that.

17 He was seen, after leaving, holding the door open
18 for other protesters and individuals to come in -- into the
19 Capitol building at that time.

20 He also gave an interview afterwards explaining
21 that his conduct was justified because he was a taxpayer and
22 it was set up by Antifa -- that was cited in the
23 government's brief in that case -- and that he witnessed a
24 lot of other acts of violence and still chose to go in.

25 And so I would submit that those are some of the

1 circumstances in that case that very much differentiate and
2 distinguish Mr. Blausen, because none of those really exist
3 in this case, right?

4 Mr. Blausen's conduct, other than what was just
5 discussed about the issue with law enforcement, Your Honor,
6 there was no violence in any way, no words or actions that
7 indicated any kind of violence, no evidence thereof.

8 There was no planning to get involved in actually
9 entering the Capitol that day. In fact, Mr. Blausen's
10 initial reason for coming down to D.C. was, yes, to attend
11 the Trump rally, but also to hear a hometown Senator from
12 Pennsylvania, Senator Mastriano, who he knows personally,
13 actually speak at that rally, and that was one of the main
14 driving factors for why he attended that day.

15 And so there was no evidence of destruction or
16 defacing of property whatsoever that Mr. Blausen engaged in,
17 Your Honor.

18 And then again, the only interaction with law
19 enforcement, which I won't discuss again.

20 And I understand the Court's need for deterrence
21 in this case. I can assure you, you know, given his
22 extensible and incredible record as an individual and an
23 upstanding, law-abiding citizen up until that day, you know,
24 that Mr. Blausen, this is his first time ever getting
25 involved in the criminal justice system. You're not going

1 to see him again. And that he is the candidate, appropriate
2 candidate, for just probation in this case.

3 Understanding the need for general deterrence,
4 Your Honor, but also, I think, the message of probation in
5 this case really does send the message that these cases are
6 really being looked at individually, as I think they are,
7 and that an individual's conduct on that day, albeit amongst
8 the greater picture of January 6th, are really being taken
9 into consideration by the bench and how they're approaching
10 it and actually sentencing these cases.

11 And I think Mr. Blausen's conduct, given all the
12 circumstances, including all of his life circumstances and
13 all the factors in 3553(a), really fall on the extreme low
14 end in this case, and it's the main reason why we do think
15 that a sentence of just probation is appropriate,
16 Your Honor.

17 THE COURT: All right. Thank you, Mr. Barbari.

18 MR. BARBARI: Yes, sir.

19 THE COURT: Mr. Blausen, you have the right to
20 make a statement or present any information to mitigate the
21 sentence.

22 Would you like to say anything that you would like
23 me to consider before imposing sentence?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: All right. This is your opportunity,

1 sir.

2 THE DEFENDANT: I just to have a short statement
3 to the Court, Your Honor.

4 I am very sorry and remorseful for what I did on
5 January 6th, 2021.

6 I take full responsibility for my actions on that
7 day. I learned a very valuable lesson.

8 I'll never get into those type of situations ever
9 again.

10 And from now on, my plans are to take care of my
11 family, take care of my friends, take care of my fellow
12 veterans to the best of my ability. So that's my plans.

13 THE COURT: Sir, how did this happen? You know,
14 you look at your record and you're the last person someone
15 would ever expect to be in trouble with the law.

16 What went wrong on that day?

17 THE DEFENDANT: Well, Your Honor, one of the
18 reasons I went down there, I would have liked to went over
19 and seen the Vietnam Veterans Memorial, because I have some
20 friends that were there that are on that, and I thought that
21 would be a good time to go over there and view that, which I
22 never did get a chance to do it.

23 Your Honor, I wanted to see our Senator speak,
24 because he's a man speaking for our freedoms, and that is
25 what I fought very, very hard for when I was over in

1 Vietnam, was for our freedom.

2 And so that was my intentions. Not to go down
3 there really for the rally but to listen to our Senator
4 speak, who was supposed to speak at the Freedom Square, but
5 that was under construction.

6 So they had mentioned to us to go up to the
7 Capitol building. So we went to the back side. And nowhere
8 to speak there. So someone said, well, he'll be speaking
9 out front. So that's where we went. And somehow, some way,
10 and, I don't know, a spur of the moment thing, it just
11 happened, where -- I was with Ms. Bauer and I wanted to
12 protect her and I didn't want her going off and getting in
13 any problems. So what happened was -- and it's our own
14 fault, we went up there, we did what we did. So that's the
15 gist of the whole thing.

16 But I thought I could maybe see some of those
17 memorials down there.

18 THE COURT: Yeah.

19 Well, I certainly understand why you would come
20 down for January 6th, so I'm not at all questioning that.

21 THE DEFENDANT: Yeah.

22 THE COURT: I think a lot of Americans are
23 wondering how a political rally turned into such a
24 catastrophe.

25 THE DEFENDANT: Right.

1 THE COURT: I'm looking at -- you know, there's
2 certainly plenty of defendants who -- in fact, I'm not aware
3 of any defendants who have your type of long, impeccable
4 background. But if this happens with you, it makes it hard
5 to understand just, like, how did this happen?

6 THE DEFENDANT: No, Your Honor, it breaks my heart
7 that it happened. But I can't -- I cannot bring the water
8 back up the river and re-do what happened.

9 THE COURT: Yeah.

10 THE DEFENDANT: And like I said, I'm very sorry
11 and remorseful that it happened.

12 THE COURT: I understand.

13 Sir, I've assessed the particular facts of this
14 case in light of the relevant 3553(a) factors, and I now
15 want to provide remarks for the record and for you, sir,
16 about my considerations in regard to the nature of the
17 offense and your history and characteristics, among other
18 things.

19 Of course, there's nothing wrong with
20 participating in political rallies or even protesting. As I
21 said, I'm convinced that is all you intended to do when you
22 woke up on the morning of January 6th, 2020 [sic], and
23 perhaps go to the Vietnam Memorial, which, of course, is
24 laudable.

25 But when you pushed your way through the crowd and

1 into the U.S. Capitol that afternoon, you were trespassing
2 in one of our country's most sacred places. And, of course,
3 as Mr. Peterson said, you ended up being part of a mob that
4 was involved in something much more dangerous and much more
5 destructive than, I'm sure, anything you would have
6 intended.

7 I am concerned that you admitted to becoming
8 involved in a skirmish with law enforcement officers who
9 were trying to clear the Capitol Rotunda.

10 As you know, when they were trying to control a
11 volatile situation in which they were badly outnumbered,
12 your presence and your actions made their job more difficult
13 that day.

14 Having said that, I understand, and from what
15 you've just told me, I think -- I can see how you probably
16 were coerced in one way or another by Ms. Bauer and that
17 your presence there, and I think the government agrees, that
18 much of what you were doing in the Capitol building that day
19 was trying to restrain her and make sure you all weren't
20 separated, and I think that does mitigate what otherwise is
21 a very troubling incident.

22 What is striking to me, sir, is how your offense
23 is so out of character with your history and
24 characteristics.

25 You're 75 years old, you don't even have a traffic

1 citation on your record, which is pretty impressive.

2 You have a long history of public service, most
3 notably in your distinguished and sacrificial service in
4 Vietnam. While there, you received multiple commendations,
5 including a Purple Heart, for being shot multiple times
6 while aboard a River Division 15 Troop Carrier Boat.

7 I'm also moved by the many letters submitted on
8 your behalf, which testify to your charitable work and
9 community service at home. You're the commander of your
10 local American Legion chapter, you've raised money and care
11 for local monuments, you help your fellow veterans in
12 numerous, very practical ways, you serve on the governing
13 board of your local church.

14 I agree with your attorney that there's no risk of
15 recidivism here, and I accept your apology and your sincere
16 remorse for what occurred. And I think your explanation
17 this morning helps me understand a little more how you
18 anyway ended up being there. I think it doesn't explain
19 how -- this broader situation there on January 6th, but
20 I think you anyway, you've got -- this clearly was not what
21 you intended and you got caught up into something that you
22 probably didn't even fully realize was happening.

23 In fashioning a sentence, courts are instructed to
24 consider all relevant circumstances, not just the offense.
25 Here, I believe your long, spotless record, your charitable

1 work, and your status as a wounded combat veteran would
2 justify a downward variance under the Sentencing Guidelines.
3 Since this is just a misdemeanor, the Sentencing Guidelines
4 don't apply, but the same principles suggest that any
5 sentence you receive should be well below the median
6 misdemeanor sentence.

7 For that reason, I don't believe home detention is
8 appropriate. I understand the government is trying to be
9 consistent in their recommendations across and analyzing --
10 making pretty nuanced judgments about a lot of different
11 cases here on January 6th.

12 I've indicated before I'm somewhat skeptical about
13 the utility of home detention, especially in an era of
14 COVID, as a form of punishment. But in any case, regardless
15 of my broader concerns, I certainly don't believe it's
16 appropriate here in light of your history and
17 characteristics.

18 I think a \$500 fine, in addition to the
19 restitution, provides just and adequate punishment in this
20 case.

21 Mr. Barbari, how long does your client need to
22 pay?

23 MR. BARBARI: He can pay it today.

24 THE COURT: All right.

25 Mr. Barbari, you'll make sure that happens.

1 MR. BARBARI: Sure.

2 THE COURT: I don't think we can actually take the
3 payment today --

4 MR. BARBARI: Right.

5 THE COURT: -- but he'll provide payment to you?

6 MR. BARBARI: Yes, sir.

7 THE COURT: Okay.

8 And I want to be clear, sir, that but for your
9 long and unblemished record, this would be a very different
10 sentence. We all make mistakes, and January 6th was yours.
11 I'm confident you will not repeat it.

12 I'll now impose the sentence.

13 It is the judgment of the Court, that you,
14 William Blauser, are hereby sentenced to pay a payment of
15 \$500 in restitution, \$500 fine, and a 10-dollar special
16 assessment. The \$10 special assessment is immediately
17 payable to the Clerk of the Court for the U.S. District
18 Court for the District of Columbia.

19 I do not think that probation is necessary here;
20 I do not think home detention is necessary here.

21 Pursuant to 18 U.S.C. 3742, you have a right to
22 appeal the sentence imposed by this Court if the period of
23 imprisonment is longer than the statutory maximum. If you
24 choose to appeal, you must file any appeal within 14 days
25 after the Court enters judgment.

1 As defined in 28 U.S.C. 2255, you also have the
2 right to challenge the conviction entered or sentence
3 imposed if new and currently unavailable information becomes
4 available to you, or on a claim that you received
5 ineffective assistance of counsel in entering a plea of
6 guilty to the offense of conviction or in connection with
7 sentencing. If you're unable to afford the cost of an
8 appeal, you may request permission from the Court to file an
9 appeal without cost to you.

10 Pursuant to *United States versus Hunter*, 809 F.3d
11 677, from the D.C. Circuit in 2016, are there any objections
12 to the sentence imposed that are not already noted on the
13 record?

14 MR. PETERSON: No, Your Honor.

15 THE COURT: Mr. Peterson, Mr. Barbari?

16 MR. BARBARI: No, Your Honor.

17 THE COURT: Mr. Peterson, do you have a motion?

18 MR. PETERSON: Yes, Your Honor.

19 The government would move to dismiss the remaining
20 charges.

21 THE COURT: Mr. Barbari?

22 MR. BARBARI: No objection, Your Honor.

23 THE COURT: Without objection, the remaining
24 charges will be dismissed.

25 All right. Thank you, gentlemen.

1 Good luck to you, sir.

2 COURTROOM DEPUTY: All rise. This Honorable Court
3 is adjourned.

4 (Proceedings concluded at 10:37 a.m.)

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C E R T I F I C A T E

I, William P. Zaremba, RMR, CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-titled matter.

Date: February 16, 2022



William P. Zaremba, RMR, CRR

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