

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Case No. 1:21-CR-118 (RCL)
)	
ERIC MUNCHEL and)	
LISA MARIE EISENHART)	
_____)	

**GOVERNMENT’S WITHDRAWAL OF MOTION FOR DETENTION
AND MOTION TO RELEASE THE DEFENDANTS ON BOND UNDER CONDITIONS
PREVIOUSLY SET BY U.S. MAGISTRATE JUDGE AND ADDITIONAL CONDITIONS
OF RELEASE**

Following the March 26, 2021 decision by the U.S. Court of Appeals for the District of Columbia Circuit in Appeal Nos. 21-3010 & 21-3011 and in light of the government’s continuing investigation and evaluation of the evidence, the United States hereby withdraws its motion to detain these Defendants pretrial. That is, the United States does not oppose release of each of these Defendants under the pretrial bond with special conditions previously established for each Defendant by U.S. Magistrate Judge Jeffrey S. Frensley of the U.S. District Court for the Middle District of Tennessee and the additional conditions set forth herein. These initial Magistrate Judge’s conditions include:

- Home detention and location monitoring;
- Submit to supervision by and report for supervision to the Pretrial Services office as directed, including calling pre-trial services once per week;
- No travel outside of continental United States. No travel except as approved by Pretrial Services. May not go to Washington, D.C. unless appearing for court, meeting with Pretrial Services, or meeting with counsel;
- No contact with co-defendants,
 - We request that the Court add the following: except through counsel or as otherwise authorized by Pretrial Services;

- Cannot possess firearm, destructive device, or other weapon;
- No excessive alcohol use;
- No use or possession of a narcotic drug or controlled substance;
- Submit to drug testing;
- Participate in inpatient or outpatient substance abuse therapy as directed;
- Report any contact with law enforcement; and
- Permit Pretrial Services to conduct home visit and confiscate plain view contraband.

See 21-mj-2668 (MDTN) at ECF No. 11; 21-mj-2679 (MDTN) at ECF No. 14. The defendants have agreed to the specific conditions of release issued by Magistrate Judge Frensley. In addition to those conditions imposed by the Magistrate Judge for the Middle District of Tennessee, the United States moves the Court to order that:

- Defendants shall not access the Internet, including social media and email, except for use with their legal defense teams or as otherwise authorized by Pretrial Services;
- Defendants shall not use encrypted messaging applications unless approved by Pretrial Services;
- Defendants shall not have contact with any other persons involved in the January 6 Capitol events after returning to the Districts where they will be supervised, except with their legal defense teams or as otherwise authorized by Pretrial Services; and
- The identity of the Defendants' third party custodians shall be provided directly to Pretrial Services.

Defendants have indicated to the United States that they do not oppose any of these conditions.

The United States asks this Court to enter the proposed Order, attached, to effectuate that pretrial release.

Dated: March 29, 2021

Respectfully submitted,

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Defendants.)	
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**ORDER ORDERING PRETRIAL RELEASE OF DEFENDANTS
ON BOND PURSUANT TO CONDITIONS OF RELEASE**

Following the United States' Withdrawal of Motion for Detention and Motion to Release the Defendants on Bond Under Conditions Previously Set by U.S. Magistrate Judge and Additional Conditions of Release requesting that these Defendants be released on bond under the pretrial conditions (including special conditions) established for each Defendant by U.S. Magistrate Judge Jeffrey S. Frensley of the U.S. District Court for the Middle District of Tennessee and additional conditions, it is hereby

ORDERED the Defendants be released from custody forthwith, and it is further

ORDERED that each Defendant shall report by telephone to the U.S. Pretrial Services Office in the District assigned for their supervision within 24 hours of release, and comply with all conditions as set forth in U.S. Magistrate Judge Frensley's previously-issued Orders including:

- Home detention and location monitoring;
- Submit to supervision by and report for supervision to the Pretrial Services office as directed, including calling pre-trial services once per week;
- No travel outside of continental United States. No travel except as approved by Pretrial Services. May not go to Washington, D.C. unless appearing for court,

meeting with Pretrial Services, or meeting with counsel;

- No contact with co-defendants, except through counsel or as otherwise authorized by Pretrial Services;
- Cannot possess firearm, destructive device, or other weapon;
- No excessive alcohol use;
- No use or possession of a narcotic drug or controlled substance;
- Submit to drug testing;
- Participate in inpatient or outpatient substance abuse therapy as directed;
- Report any contact with law enforcement; and
- Permit Pretrial Services to conduct home visit and confiscate plain view contraband; and it is further

ORDERED that each Defendant shall also comply with the following additional conditions of release:

- Defendants shall not access the Internet, including social media and email, except for use with their legal defense teams or as otherwise authorized by Pretrial Services;
- Defendants shall not use encrypted messaging applications unless approved by Pretrial Services;
- Defendants shall not have contact with any other persons involved in the January 6 Capitol events after returning to the Districts where they will be supervised, except with their legal defense teams or as otherwise authorized by Pretrial Services; and
- The identity of the Defendants' third party custodians shall be provided directly to Pretrial Services.

This ___ day of March, 2021

ROYCE C. LAMBERTH
Senior United States District Judge