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February 7, 2024

The Honorable Mark J. Langer, Clerk of Court  
U.S. Court of Appeals for the D.C. Circuit  
E. Barrett Prettyman U.S. Courthouse  
333 Constitution Ave., NW  
Washington, D.C. 20001

Re: *United States v. Couy Griffin*, No. 22-3042, argued on  
December 4, 2023, before Judges Pillard, Katsas, and Rogers

Dear Mr. Langer:

Pursuant to FRAP 28(j), we write to advise the Court of new authority holding that § 1752(a)(1) requires knowledge of the presence of a Secret Service protectee.

In announcing the verdicts in *United States v. Samsel, et al.*, No. 21-cr-537 (JMC), Judge Cobb stated:

I do want the parties to know before I read the verdict, I appreciate the parties' supplemental briefing on the 1752 counts. This will be in my order in some detail, but I did change my position on those counts after reading some of the opinions from colleagues on this court. So that will be in the order. But as my order will indicate, I have been convinced of defendants' position that the knowledge requirement does extend to their having to know about the protected individual's presence in the restricted area.

Transcript of Feb. 2, 2024 at 4.

