

CO 109A - Rev. 3/2010

UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

vs.

HECTOR EMMANUEL SANTOS VARGAS

Civil/Criminal No.: 21cr47 (RDM)

NOTE FROM JURY

Question for the Judge related to the first charge
(18 U.S.C. 1752(a)(1))

1) Does the "restricted building" include all areas within the red perimeter as depicted on Government Exhibit 202? If not, what areas are excluded?

2) Is there a time threshold that defines who is considered to be "remaining in a restricted building?"

Date:

12/9/21

Time:

3:36 pm

FOREPERSON

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UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA

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vs.

HECTOR EMMANUEL SANTOS VARGAS

Civil/Criminal No.: 21cr47 (RDM)

NOTE FROM JURY

Question for Judge on Count Two:

1) Is there a ~~more~~ legal definition of
"government business or official functions"?

Date:

12/9/22

Time:

4:02pm

FOREPERSON

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

HECTOR EMMANUEL VARGAS
SANTOS,

Defendant.

Criminal Action No. 21-cr-47 (RDM)

JURY QUESTIONS AND ANSWERS

1. **Does the “restricted building” include all areas within the red perimeter as depicted on Government Exhibit 202? If not, what areas are excluded?**

As to Count One, 18 U.S.C. § 1752 defines the phrase “restricted buildings or grounds” to mean “any posted, cordoned off, or otherwise restricted area . . . of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting.” Count One of the Information, however, only charges the defendant with knowingly entering or remaining in the United States Capitol, a restricted building, without lawful authority to do so.” Because that count refers only to the Capitol building—and not the Capitol grounds—you should consider only whether the defendant entered or remained in a “restricted building” for purposes of Count One. You may consider Government Exhibit 202, along with all the other evidence in the case, in deciding whether the defendant is guilty or not guilty of this charge.

2. **Is there a time threshold that defines who is considered to be ‘remaining in a restricted building?’**

The statute does not define any time threshold for “remaining in a restrict building.”

3. **Question for the Judge on Count Two: Is there a legal definition of “government business or official functions”?**

As to Count Two, the statute does not define the phrase “government business or official functions.” You should give those words their ordinary meaning.

RDM