

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

)	
UNITED STATES OF AMERICA)	
v.)	Criminal Action No. 1:23-cr-00061-MN
ROBERT HUNTER BIDEN,)	
Defendant.)	
)	
)	

**MR. BIDEN’S RESPONSE TO THE SPECIAL COUNSEL’S MOTION *IN LIMINE* TO
EXCLUDE REFERENCE TO MR. BIDEN’S SOBRIETY AFTER SPRING OF 2019
AND LAW-ABIDING CLAIMS (MIL #6)**

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The Special Counsel moves to exclude argument and questioning of any witness related to the fact that Mr. Biden has been law-abiding and sober since summer 2019 because it is improper character evidence under Fed. R. Evid 404, is irrelevant, and due to the specter of jury nullification. (D.E.123 (“Mot.”) at 2.) As Mr. Biden’s counsel indicated to the Special Counsel on May 10, 2024, it does not intend to argue or question on such matters, except for a question that would naturally come up should Mr. Biden testify in this case.

For the foregoing reasons, Mr. Biden does not oppose the Special Counsel’s motion *in limine*, but respectfully reserves the right to probe such matters should Mr. Biden testify in this case.

Dated: May 20, 2024

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May, 2024, I filed the foregoing Response with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ Abbe David Lowell
Abbe David Lowell

Counsel for Robert Hunter Biden