

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

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal Action No. 1:23-cr-61-MN
	)	
ROBERT HUNTER BIDEN,	)	
	)	
Defendant.	)	

**RESPONSE TO DEFENDANT’S MOTION IN LIMINE TO EXCLUDE  
REFERENCE TO THE CHILD SUPPORT PROCEEDINGS IN ARKANSAS  
AND MOTION IN LIMINE TO EXCLUDE REFERENCE TO MR. BIDEN’S  
DISCHARGE FROM THE NAVY**

The United States, by and through undersigned counsel, respectfully submits this Response to defendant’s motion in limine (Doc. No. 136), and consents to the defendant’s motion in part.<sup>2</sup> The government does not intend to elicit or reference “child support proceedings that occurred in Arkansas” unless the defendant opens the door. The government also does not intend to reference the defendant’s discharge from the Navy in its case in chief unless the defendant opens the door to such testimony. The government may reference his cocaine use in 2014 if he takes the stand and may reference an administrative discharge if the defendant falsely denies his cocaine use while he was in the Navy. The government agrees with the defendant that the Court can reserve a decision on this issue. Doc. No. 136 at p. 3 (“Either way, this Court would be able to make that determination on the merits when or if the testimony occurs.”)

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<sup>2</sup> During a call on May 10, 2024, requested by the government, the defendant’s counsel stated he intended to send a list of potential motions in limine for the government to state its positions, but never did. The last the government heard about his potential motions is when Mr. Lowell stated in an email, “we have not had time to write our questions that you answered as for our need or lack of need for MILs.” Defendant’s claim that he was waiting for the government to “get back to defense counsel” is false.

Respectfully submitted,

DAVID C. WEISS  
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By:



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