

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

<b>UNITED STATES OF AMERICA,</b>	)
	)
<b>v.</b>	) <b>Case No: 3:22-cr-118</b>
	) <b>JUDGE VARLAN</b>
<b>EDWARD KELLEY,</b>	) <b>Magistrate Judge McCook</b>
	)
<b>Defendant.</b>	)

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**MOTION BY DEFENDANT EDWARD KELLEY TO VACATE CONVICTION AND  
DISMISS INDICTMENT WITH PREJUDICE**

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COMES the Defendant Edward Kelley (“Kelley”), by and through counsel, and pursuant to Fed. R. Crim. P. 12(b)(2), and moves this Court to Vacate his conviction and Dismiss the Indictment against him with prejudice. As grounds, Kelley submits this Court no longer has jurisdiction of the case against him as it is no longer a cognizable federal offense. Kelley was issued a full and unconditional pardon by President Donald J. Trump on January 20, 2025, on all charges “related to” his conduct on January 6, 2021. This case is unmistakably “related to” his charges in Washington, D.C. and covered by his Presidential pardon. Kelley respectfully requests that upon dismissal of this case he be immediately released and restored to all rights and privileges due every American citizen.

In support of this Motion, Kelley submits the attached Memorandum of Law.

Respectfully submitted this 27<sup>th</sup> day of January 2025

/s/ Mark E. Brown  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of January 2025, a true and exact copy of this document has been served via this Court's electronic filing system. Service is made on all parties appearing on this Court's electronic service certificate. All parties in interest may access this pleading via ECF.

/s/ Mark E. Brown

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Mark E. Brown