

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	No. 1:18-CR-457-AJT
BIJAN RAFIEKIAN, <i>et al.</i> ,)	
)	
Defendants.)	

GOVERNMENT’S MOTION TO DISMISS COUNTS ONE AND
TWO OF THE INDICTMENT

The United States respectfully moves pursuant to Federal Rule of Criminal Procedure 48(a), to dismiss Counts One and Two of the indictment in this case with prejudice. Defendant Bijan Rafiekian is only charged in Counts One and Two of the indictment. After carefully considering the Fourth Circuit’s recent decision in this case and the principles of federal prosecution, the United States believes it is not in the public interest to pursue the case against defendant Bijan Rafiekian further. Defendant Rafiekian does not oppose this motion. A proposed order is attached to this motion for the Court’s convenience.

Respectfully submitted,

JESSICA D. ABER
UNITED STATES ATTORNEY

_____/s/
Evan N. Turgeon
Trial Attorney
Counterintelligence
and Export Control Section
National Security Division
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530
(202) 353-0176
Evan.Turgeon@usdoj.gov

By: _____/s/
John T. Gibbs
Virginia Bar No. 40380
Aidan Grano-Mickelsen
New York Bar No. 5216585
Assistant United States Attorneys
The Justin W. Williams
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 299-3982 (fax)
John.Gibbs@usdoj.gov
Aidan.grano-mickelsen@usdoj.gov

