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Acting Under Authority
Conferred by 28 U.S.C. § 515
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIOVANNI TILOTTA (3),

Defendant.

Case No.: 19-CR-4768-GPC

Date: December 10, 2020

Time: 1:00 p.m.

The Honorable Gonzalo P. Curiel

**UNITED STATES' RESPONSE TO
DEFENDANT'S MOTION TO DISMISS
COUNT 13 (DOC. NO. 111)**

The UNITED STATES OF AMERICA, by and through its counsel, Linda Frakes, Attorney for the United States, Acting Under Authority of 28 U.S.C. § 515, and Nicholas W. Pilchak and Andrew R. Haden, Assistant U.S. Attorneys, hereby files its response to Defendant's motion to dismiss Count 13 of the Indictment.

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1 The United States has reviewed Defendant Giovanni Tilotta's motion to dismiss
2 Count 13 of the indictment. The United States respectfully declines to respond in
3 substance at this time because it anticipates that any defect in the indictment will be
4 cured by a further pleading filed shortly which would render the issue moot.

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6 DATED: December 3, 2020

Respectfully submitted,

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8 LINDA FRAKES
Attorney for the United States

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10 /s/ Andrew R. Haden
11 NICHOLAS W. PILCHAK
12 ANDREW R. HADEN
Assistant United States Attorneys
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