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 12 UNITED STATES OF AMERICA

13 UNITED STATES DISTRICT COURT

14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,
 17 Plaintiff,
 18 v.
 19 JONATHON REDONDO-ROSALES,
 20 Defendant.

No. 2:25-CR-679-CV

GOVERNMENT TRIAL MEMORANDUM

Trial Date: February 3, 2026
 Trial Time: 9:00 a.m.
 Location: Courtroom of the
 Hon. Cynthia
 Valenzuela

22 Plaintiff United States of America, by and through its counsel
 23 of record, the Acting United States Attorney for the Central District
 24 of California and Special Assistant United States Attorney Robert K.

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28 ¹ Authorized to practice pursuant to Local Rule 83-2.1.4.2.

1 Quealy and Assistant United States Attorney Joshua J. Lee, hereby
2 files its Trial Memorandum.

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Dated: January 26, 2026

Respectfully submitted,

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/s/

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. INTRODUCTION**

3 Defendant Jonathon Redondo-Rosales ("defendant") will soon stand
4 trial for assault on Federal Protective Service ("FPS") Inspector
5 Z.C., a federal officer, in violation of 18 U.S.C. § 111(a)(1). The
6 charge is a Class A misdemeanor.

7 This is a simple case. On August 2, 2025, defendant was present
8 among a group of protestors at the Alameda Street Entrance to the
9 Roybal Federal Building located on the 500 block of North Alameda
10 Street in Los Angeles. Defendant walked across North Alameda Street
11 towards the federal building as a federal vehicle was exiting onto
12 the street. Defendant stepped in front of the vehicle and then
13 intentionally collapsed onto the hood of the car. As FPS Inspector
14 Z.C. and two other FPS officers approached defendant to detain him
15 for obstructing a government vehicle and property damage, defendant
16 retreated from FPS Officer Z.C. and swatted at FPS Officer Z.C.'s
17 face with his left hand, in which defendant was holding a hat.

18 Trial is set to commence on February 3, 2026, at 9:00 a.m.

19 **II. STATEMENT OF THE CHARGE**

20 Defendant is charged with Simple Assault of a Federal Officer in
21 violation of 18 U.S.C. § 111(a). To prove a violation, the
22 government must prove the following elements beyond a reasonable
23 doubt:

24 First, defendant forcibly assaulted Z.C.; and

25 Second, the defendant assaulted Z.C. while Z.C. was engaged in,
26 or on account of, his official duties.

27

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1 1. Mens Rea

2 Section 111 is a general intent crime in the Ninth Circuit, and
3 no intent to injure is required to prove this offense. United States
4 v. Sanchez, 914 F.2d 1355, 1358 (9th Cir. 1990).

5 **III. STATEMENT OF THE CASE**

6 Government Case: The government estimates that presentation of
7 its case-in-chief will take approximately forty-five minutes to one
8 hour, not including defense's cross-examination. The government
9 currently anticipates calling FPS Inspector Murberg as the sole
10 witness in its case-in-chief.

11 Government Exhibits: The government will seek to admit
12 approximately two exhibits, to include a video captured from social
13 media and a surveillance video, as well as still photographs from the
14 videos.

15 Defense Case: The defense case appears to center around making
16 this a trial about what happened after defendant's assault of FPS
17 Officer Z.C., when defendant was arrested. This issue is addressed
18 more fulsomely in the government's motions to preclude self-defense
19 arguments and to exclude post-assault evidence, found at Dockets 33
20 and 34.

21 Pre-Trial Motions: There are currently six motions in limine
22 pending before the Court which are scheduled to be held at the pre-
23 trial conference on January 28, 2025. The motions are discussed
24 below:

25 1. Government Motions

26 The government has filed the following motions in limine which
27 remain pending before the Court:
28

1 1. Motion to Admit Evidence under Federal Rule of Evidence
2 Rules 404 and 609 (Dkt. 32);

3 2. Motion to Exclude Self-Defense Arguments (Dkt. 33); and

4 3. Motion to Exclude Post-Assault Evidence (Dkt. 34).

5 Defense opposes all three motions.

6 2. Defense Motions

7 Defendant has filed the following motions in limine, which
8 remain pending before the Court:

9 1. Motion to Exclude video Evidence (Dkt. 42);

10 2. Motion Requesting Grand Jury Information (Dkt. 43); and

11 3. Motion to Compel Brady Material (Dkt. 53).

12 The government opposes all three motions and has filed its
13 opposition.

14 **IV. LEGAL AND EVIDENTIARY ISSUES**

15 **A. Audio and Video Recordings**

16 The government intends to offer into evidence video recordings
17 of defendant from surveillance and bystander video. A recording is
18 admissible upon a showing that it is "accurate, authentic, and
19 generally trustworthy." United States v. King, 587 F.2d 956, 961
20 (9th Cir. 1978). Testimony that a recording depicts evidence that
21 the witness observed is sufficient to authenticate the recording.
22 Fed. R. Evid. 901(b); United States v. Smith, 591 F.3d 974, 979-80
23 (8th Cir. 2010).

24 All duly admitted recordings must be played in open court. The
25 foundation that must be laid for the introduction into evidence of
26 recorded conversations is a matter largely within the discretion of
27 the trial court. There is no rigid set of foundational requirements.
28 Rather, the Ninth Circuit has held that recordings are sufficiently

1 authenticated under Federal Rule of Evidence 901(a) if sufficient
2 proof has been introduced "so that a reasonable juror could find in
3 favor of authenticity or identification," which can be done by
4 "proving a connection between the evidence and the party against whom
5 the evidence is admitted" and can be done by both direct and
6 circumstantial evidence. United States v. Matta-Ballesteros, 71 F.3d
7 754, 768 (9th Cir. 1995), opinion amended on denial of reh'g, 98 F.3d
8 1100 (9th Cir. 1996). Federal Rule of Evidence 901 requires only
9 that the government make "a prima facie showing of authenticity so
10 that a reasonable juror could find in favor of authenticity or
11 identification," and the "probative force of the evidence offered is,
12 ultimately, an issue for the jury." United States v. Blackwood, 878
13 F.2d 1200, 1202 (9th Cir. 1989).

14 **B. Impeachment of Witnesses**

15 Defendant has indicated that he may call several law enforcement
16 witnesses as part of the defendant's case-in-chief. The government
17 reserves its right to object to the admission of evidence that is
18 irrelevant or cumulative. Evidence is relevant if it tends to make a
19 fact of consequence more or less probable. See Fed. R. Evid. 401.
20 The court "may exclude relevant evidence if its probative value is
21 substantially outweighed by a danger of one or more of the following:
22 unfair prejudice, confusing the issues, misleading the jury, undue
23 delay, wasting time, or needlessly presenting cumulative evidence."
24 Fed. R. Evid. 403. The government further maintains its position
25 that a party may not call a witness solely for the purpose of
26 impeachment. United States v. Giles, 246 F.3d 966, 974 (7th Cir.
27 2001); cf. United States v. Gomez-Gallardo, 915 F.2d 553, 555 (9th
28 Cir. 1990).

1 **C. Scope of Cross-Examination of Defendant**

2 The government is unaware of whether defendant intends to
3 testify at trial. If defendant does testify, the government should
4 be permitted to fully cross-examine him. A defendant who testifies
5 at trial waives his right against self-incrimination and subjects
6 himself to cross-examination concerning all matters reasonably
7 related to the subject matter of his or her testimony. See, e.g.,
8 Ohler v. United States, 529 U.S. 753, 759 (2000) (“It has long been
9 held that a defendant who takes the stand in his own behalf cannot
10 then claim the privilege against cross-examination on matters
11 reasonably related to the subject matter of his direct examination”)
12 (citation omitted). A defendant has no right to avoid cross-
13 examination on matters that call into question his claim of
14 innocence. United States v. Miranda-Uriarte, 649 F.2d 1345, 1353-54
15 (9th Cir. 1981). The scope of a defendant’s waiver is co-extensive
16 with the scope of relevant cross-examination. United States v.
17 Cuozzo, 962 F.2d 945, 948 (9th Cir. 1992); United States v. Black,
18 767 F.2d 1334, 1341 (9th Cir. 1985) (“What the defendant actually
19 discusses on direct does not determine the extent of permissible
20 cross-examination or of his waiver. Rather, the inquiry is whether
21 the government’s questions are reasonably related to the subjects
22 covered by the defendant’s testimony”) (citation and internal
23 quotation marks omitted).

24 If defendant testifies, the government reserves the right to
25 cross-examine defendant regarding his prior convictions to impeach
26 his “character for truthfulness” or, depending on his testimony on
27 direct examination, to refute his contention that he is a law-abiding
28 citizen unfamiliar with violence.

1 **D. Self-Defense**

2 As stated more fully in government's motion-in-limine #2, the
3 government maintains that defendant has failed to make the necessary
4 prima facie showing to present evidence in support of self-defense at
5 trial. United States v. Cramer, 532 F. App'x 789, 791 (9th Cir.
6 2013) (upholding order excluding self-defense theory at trial when
7 defense proffer was insufficient to meet elements as matter of law);
8 see also United States v. Biggs, 441 F.3d 1069, 1071 (9th Cir. 2006)
9 (discussing requirement defendant proffer elements of self-defense
10 before trial). The elements for self-defense set forth in the Model
11 Ninth Circuit Jury Instructions, 8.3 Assault on Federal Officer or
12 Employee—Defenses are: (1) the defendant did not know that the victim
13 was a federal officer or employee; (2) the defendant reasonably
14 believed that use of force was necessary to defend oneself against an
15 immediate use of unlawful force; and (3) the defendant used no more
16 force than appeared reasonably necessary in the circumstances. See
17 Ninth Circuit Model Criminal Jury Instructions, No. 8.3 (2022 ed.)
18 (emphasis added).

19 An individual may make out an affirmative defense of self-
20 defense against a federal law enforcement official who uses excessive
21 force in a "narrow range of circumstances." Acosta-Sierra, 690 F.3d
22 at 1126; Span, 970 F.2d at 580 (noting that an individual has a
23 limited right to offer reasonable resistance to arrest that is
24 triggered by the officer's bad faith or provocative conduct). Only
25 in those "narrow circumstances" does a defendant not need to
26 establish he was ignorant the victim was a federal officer or
27 employee. See United States v. Ornelas, 906 F.3d 1138, 1148 (9th
28 Cir. 2018). Defendant must, however, still offer evidence to show

1 “(1) a reasonable belief that the use of force was necessary to
2 defend himself against the immediate use of unlawful force and
3 (2) the use of no more force than was reasonably necessary in the
4 circumstances.” Acosta-Sierra, 690 F.3d at 1126 (cleaned up); United
5 States v. Urena, 659 F.3d 903, 907 (9th Cir. 2011).

6 **E. Character Evidence**

7 As discussed more fully in government’s motion in-limine #1
8 Under Fed. R. Evid. 404(a)(2)(A), in a criminal case, “a defendant
9 may offer evidence of the defendant’s pertinent trait, and if the
10 evidence is admitted, the prosecutor may offer evidence to rebut it.”
11 Fed. R. Evid. 404(a)(2)(A). Similarly, if a defendant offers
12 evidence of an alleged victim’s pertinent trait, the prosecutor may
13 “offer evidence to rebut it” and “offer evidence of defendant’s same
14 trait.” Fed. R. Evid. 404(a)(2)(B). Thus, in an assault case, if
15 the defendant offers evidence of his alleged peacefulness or the
16 victim’s alleged violent nature, the prosecution may admit evidence
17 regarding defendant’s violent nature.

18 Here, defendant has prior convictions and/or arrests in 2021 for
19 misdemeanor domestic violence battery, obstructing law enforcement,
20 violating a domestic violence restraining order, in 2022 for felony
21 stalking, and in 2023 for felony stalking and misdemeanor domestic
22 violence battery – all of which are evidence of defendant’s violent
23 character. The government, therefore, may inquire into these
24 specific acts on cross-examination should the defendant open the
25 door. See Fed. R. Evid. 405(a) (“On cross-examination of [a]
26 character witness, the court may allow an inquiry into relevant
27 specific instances of the person’s conduct.”).

1 **V. MEET AND CONFER**

2 On January 26, 2026, pursuant to the Court's standing order, the
3 government attempted to meet and confer with defense counsel
4 regarding their position as to items I through IV. As of the time of
5 this filing, the government has not received a response.

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