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 11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT  
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,  
 15 Plaintiff,  
 16 v.  
 17 JOSE MARGARITO PLIEGO-PINEDA,  
 18 Defendant.

No. 5:25-CR-00089-RGK  
REPLY IN SUPPORT OF MOTION TO  
DISMISS INDICTMENT WITH PREJUDICE  
PURSUANT TO FEDERAL RULE OF  
CRIMINAL PROCEDURE 48(a)

19  
 20 Pursuant to Federal Rule of Criminal Procedure 48(a), the United  
 21 States of America, by and through its counsel of record, the First  
 22 Assistant United States Attorney for the Central District of  
 23 California and Assistant United States Attorneys Jing Yan and Jun  
 24 Nam, hereby file this reply in support of the government's motion to  
 25 dismiss the indictment with prejudice in the above-captioned case.

26 On February 21, 2026, the government moved to dismiss its  
 27 indictment with prejudice against defendant JOSE MARGARITO PLIEGO-  
 28 PINEDA ("defendant"), explaining that defendant was removed from the

1 United States by U.S. Immigration and Customs Enforcement. (Dkt.  
2 61.) On February 22, 2026, defendant filed a response to the  
3 government's motion to dismiss, "urg[ing] the Court to dismiss this  
4 matter with prejudice." (Dkt. 62 at 4.)

5 The record makes clear that all parties agree the Court should  
6 dismiss the indictment with prejudice. If the agreed-upon request is  
7 granted, the dismissal would moot the other requests defendant  
8 included in his motion, including a request for discovery. See,  
9 e.g., Y.A.E. v. Mayorkas, No. 2:24-CV-06660-RGK-MAR, 2025 WL 1127851,  
10 at \*4 (C.D. Cal. Apr. 8, 2025) (unreported) (Klausner, J.) (denying  
11 as moot a discovery motion after ruling on a motion to dismiss the  
12 civil case); see also, e.g., United States v. Campbell, 134 F. Supp.  
13 2d 1104, 1110 (C.D. Cal. 2001) (Marshall, J.) ("Since the indictment  
14 has been dismissed, the Court denies Defendant's Request for  
15 discovery materials as moot.").

16  
17  
18 Dated: February 23, 2026

Respectfully submitted,

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24  
25           /s/  
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