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 12 UNITED STATES OF AMERICA

13 UNITED STATES DISTRICT COURT

14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 CYNTHIA RAYGOZA, *et., al.,*

19 Defendants.
 20
 21

No. CR 25-780-SVW

GOVERNMENT'S OPPOSITION TO
 DEFENDANT'S MOTION TO COMPEL GRAND
 JURY TRANSCRIPTS (DKT. 104);
 DECLARATION OF CLIFFORD D. MPARE

Hearing Date: January 26, 2026
 Hearing Time: 11:00 A.M.
 Location: Courtroom of the
 Hon. Stephen V.
 Wilson

22 Plaintiff United States of America, by and through its counsel
 23 of record, the First Assistant United States Attorney for the Central
 24 District of California and Assistant United States Attorneys Clifford
 25 D. Mpare and Lauren E. Border, hereby files its opposition to
 26 Defendant's Motion for Disclosure of Grand Jury Transcripts (Dkt.
 27 104).
 28

1 This opposition is based upon the attached memorandum of points
2 and authorities, the files and records in this case, and such further
3 evidence and argument as the Court may permit.

4 Dated: January 21, 2026

Respectfully submitted,

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

In a fishing expedition, defendant ASHLEIGH BROWN (“defendant”) moves to compel the government to produce secret grand jury transcripts pertaining to the charges against her. Defendant’s claim is based on rank speculation, and she has failed to satisfy her burden of demonstrating a “particularized need” – as the law requires. First, defendant argues, with no support, that knowing false testimony must have been presented to the grand jury. Second, defendant claims – without any support – that the government’s instructions to the grand jury were erroneous.

This Court should deny defendant’s motion to compel.

II. FACTUAL BACKGROUND

The September 23, 2025 indictment in this case charged the defendants with conspiracy (18 U.S.C. § 371) and a substantive count of publicly disclosing the victim’s personal address (18 U.S.C. § 119(a)). The government ultimately determined that defendants failed to state the victim’s actual home address, as required under 18 U.S.C. § 119(a), and instead said the number of a neighbor’s home approximately 100 feet from the victim’s home. (Dkt. 98 at 4 n.4.) Accordingly, the government moved to dismiss, and the Court dismissed Count Two of the indictment. (Dkt. 97, 99.)

Then, on January 15, 2026 a grand jury returned a first superseding indictment charging defendants with the same conspiracy and adding a charge of stalking (18 U.S.C. § 2261A) (Dkt. 103). The conspiracy charge in the superseding indictment amended the allegation in Overt Act 5 to indicate that defendants disclosed “an address approximately 100 feet” from the victim’s home.

1 **III. ARGUMENT**

2 **A. The Court Should Deny Defendant's Request for Disclosure of**
3 **Grand Jury Transcripts**

4 The "proper functioning of our grand jury system depends upon
5 the secrecy of grand jury proceedings." Douglas Oil Co. v. Petrol
6 Stops Northwest, 441 U.S. 211, 218 (1979) (noting that the "Supreme
7 Court has consistently recognized" this principle). Indeed, "[s]ince
8 the 17th century, grand jury proceedings have been closed to the
9 public, and records of such proceedings have been kept from the
10 public eye. The rule of grand jury secrecy . . . is an integral part
11 of our criminal justice system." Id. at 218 n.9. More than a
12 century of jurisprudence supports the need for grand jury secrecy,
13 the notion being that grand jury proceedings are a cornerstone of the
14 criminal justice system, which hold a "'high place . . . as an
15 instrument of justice.'" Pittsburgh Plate Glass Co. v. United
16 States, 360 U.S. 395, 399 (1959) (quoting Costello v. United States,
17 350 U.S. 359, 362 (1956)).

18 As the Supreme Court explained in Pittsburgh Plate Glass, the
19 grand jury is "convened as a body of laymen, free from technical
20 rules, acting in secret, pledged to indict no one because of
21 prejudice and to free no one because of special favor." 360 U.S. at
22 400 (internal quotation marks omitted). "To make public any part of
23 its proceedings would inevitably detract from its efficacy," as
24 "[g]rand jurors would not act with that independence required of an
25 accusatory and inquisitorial body."

26 To preserve these principles, grand jury secrecy is governed by
27 Federal Rule of Criminal Procedure 6(e). These rules carve out a
28 very narrow exception against the presumption of grand jury secrecy.

1 Pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(ii), the
2 Court may authorize disclosure of the grand jury transcripts "at the
3 request of a defendant who shows that a ground may exist to dismiss
4 the indictment because of a matter that occurred before the grand
5 jury." The burden, thus, is on the defendant seeking disclosure.
6 See United States v. Walczak, 783 F.2d 852, 857 (9th Cir. 1986).

7 In addition, the party seeking the grand jury transcripts must
8 demonstrate a "particularized need" for their disclosure. Dennis v.
9 United States, 384 U.S. 855, 870 (1966); U.S. Indus., Inc. v. U.S.
10 Dist. Court, 345 F.2d 18, 21 (9th Cir. 1965). To determine that
11 there is a particularized need, a court must find "(1) that the
12 desired material will avoid a possible injustice, (2) that the need
13 for disclosure is greater than the need for continued secrecy, and
14 (3) that only the relevant parts of the transcripts should be
15 disclosed." United States v. Plummer, 941 F.2d 799, 806 (9th Cir.
16 1991) (citing Douglas Oil Co., 441 U.S. at 222)). Notably, the
17 required showing of a particularized or compelling need cannot be
18 based on speculation. See Walczak, 783 F.2d at 857. Put simply,
19 Rule 6(e) "is not an invitation to engage in a fishing expedition to
20 search for grand jury wrongdoing and abuse when there are no grounds
21 to believe that any wrongdoing or abuse has occurred." United States
22 v. Loc Tien Nguyen, 314 F. Supp. 2d 612, 616 (E.D. Va. 2004).

23 Indeed, the Ninth Circuit has explicitly cautioned district courts
24 against "allowing across the board fishing expeditions" into grand
25 jury transcripts. United States v. Kim, 577 F.2d 473, 478 (9th Cir.
26 1978).

27 Finally, "[p]robable cause means only a 'fair probability,' not
28 certainty, and requires consideration of the totality of the

1 circumstances." United States v. Hill, 459 F.3d 966, 970 (9th
2 Cir.2006) (internal citation omitted). "The experience of a trained
3 law enforcement agent is entitled to consideration in determining
4 whether there was probable cause." United States v. Arrellano-Rios,
5 799 F.2d 520 (9th Cir. 1986).

6 1. Defendant Fails to Demonstrate a Particularized Need
7 for Grand Jury Materials

8 Here, defendant has not demonstrated a "particularized need"
9 supporting her motion. Indeed, defendant's motion hinges entirely on
10 speculation about what the government did or did not do during its
11 presentation of the case to the grand jury - as is made clear by her
12 repeated use of the words "may" and "appears." Specifically,
13 defendant argues in her motion that "the government appears to have
14 misinstructed the grand jury," and that it "seems" the government
15 instructed the grand jury on the requirements of Section 119
16 incorrectly. (Dkt. 104 at 7.) In similar fashion, defendant posits
17 that "the government may have instructed the grand jury that
18 [defendant] intended to incite or facilitate the commission of a
19 crime of violence," and that "the government likely did not instruct
20 the grand jury on the standard for 'true threats' or incitement . . .
21 ." (Dkt. 104 at 8.) Again, this is blatant speculation and
22 defendant has not, and cannot, meet her burden to establish a
23 particularized need for the Court to compel the production of grand
24 jury transcripts.

25 Defendant claims that the government's understanding of 18
26 U.S.C. § 119(a), as explained in the opposition to the motions to
27 dismiss (Dkt. 98), somehow shows that the government misinstructed
28 the grand jury. (Dkt. 104 at 5.) That argument makes no sense. The

1 government correctly stating the law in a court filing does not show
2 - in any way - that the government incorrectly instructed the grand
3 jury on that same law. Indeed, the clear inference is the opposite:
4 that the government correctly instructed the grand jury. Indeed,
5 three days after the government explained the law in its motion
6 opposition, a grand jury returned the first superseding indictment,
7 again charging defendants with the same conspiracy as in the initial
8 indictment.

9 2. Defendant Baselessly Claims the Government Presented
10 False Testimony

11 Defendant has also not met her burden in showing the government
12 presented false testimony to the grand jury. Defendant speculates
13 that the government may have knowingly presented false evidence.
14 (Dkt. 104 at 6.) Defendant presents no evidence in support of the
15 claim that the government knowingly presented false evidence before
16 the grand jury. Further, defendant does not, and cannot explain, how
17 grand jury transcripts would demonstrate that such testimony was
18 knowingly made. The government has acknowledged through its motion
19 to dismiss that defendants failed to state the victim's actual home
20 address. As a result, the government appropriately dismissed the
21 count of the original indictment that depended on that fact. (Dkt.
22 98 at 4 n.4.) Defendant is wrong and her motion goes no further to
23 support how or why the provision of grand jury transcripts would
24 avoid any possible injustice.
25 There is ample evidence that defendant, in fact, conspired to dox the
26 victim. As defendant's own motion concedes, "defendants' statements
27 were recorded on video," and "broadcast 'live'" to defendant's social
28 media crowd. (Dkt. 104 at 3.) This is correct. Every facet of

1 defendant's crime was captured in digital form, and the indictment,
2 in part, relies on these facts, noting, among other things, that
3 defendants encouraged others to "share ICE is in Baldwin Park," and
4 to "get it out," when referring to the location of the victim's home.
5 Put plainly, there are numerous actions, statements, and behaviors
6 that defendant engaged in which establish probable cause that
7 defendant committed the crimes charged in the indictment.

8 Finally, defendant's passing claim that the grand jury
9 transcripts may contain Brady information are similarly farfetched
10 (Dkt. 104 at 8). In a separate matter, Judge Olguin rejected this
11 defendant's attempts to obtain grand jury transcripts, despite
12 defendant's allegation that, to the extent the grand jury refused to
13 return a "true bill," those transcripts would "likely include Brady
14 and Giglio material." E.g., United States v. Brown, CR-25-701-FMO,
15 Dkt. 80 (Oct. 24, 2025). This Court has also recently denied similar
16 requests. See also United States v. Ramos-Brito, 25-CR-501-SVW, Dkt.
17 108 (Sept. 15, 2025) (denying defense motion to compel grand jury
18 information and transcripts). Here too, defendant has failed to
19 muster up any nonspeculative reasons to overcome the presumption of
20 secrecy in grand jury proceedings.

21 **IV. CONCLUSION**

22 For the foregoing reasons, defendant has not met her burden, and
23 this Court should deny her motion.

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