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8 Attorney for Defendant  
9 JONATHAN REDONDO-ROSALES

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 JONATHAN REDONDO-  
16 ROSALES

17 Defendant.

CASE NO. CR 25-679-JLS

18 DEFENDANT JONATHAN  
19 REDONDO-ROSALES' MOTION  
20 *IN LIMINE* TO COMPEL GRAND  
21 JURY INFORMATION AND  
22 TRANSCRIPTS

Hearing Date: October 10, 2025  
Hearing Time: 8:30 a.m.  
Trial Date: October 21,  
Location: Courtroom of the Hon.  
Josephine L. Stanton

23 Defendant, Jonathan Redondo-Rosales, by and through his counsel of  
24 record, Katherine C. McBroom, hereby files his Motion *in Limine* No. 2 to  
25 compel the government to disclose grand jury information and transcripts, if they  
26 exist.

27 On September 29, 2025, defense counsel met and conferred telephonically  
28 with Special Assistant United States Attorney Robert Quealy concerning this  
motion. The government opposes the defense's request

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTROCUCTION**

3 Mr. Redondo-Rosales was arrested on August 2, 2025 for assault on a federal  
4 officer in violation of 18 U.S.C. § 111. The government claims Mr. Redondo-  
5 Rosales intentionally struck complaining witness Z.C. In fact, Z.C. pursued and  
6 shoved Mr. Redondo-Rosales after he stood in front of and rolled onto the hood  
7 of a government vehicle. The shove landed Mr. Redondo-Rosales onto his back  
8 on the concrete. As he attempted to stand up, another officer tackled Mr.  
9 Redond-Rosales from behind and slammed him to the ground. Then, while three  
10 officers pinned Mr. Redondo-Rosales to the ground, a fourth officer maced him  
11 in the face. He sustained injuries to his head, left shoulder, left arm, and right  
12 palm.

13 On August 5, 2025, Mr. Redondo-Rosales appeared for his arraignment on a  
14 felony complaint in this matter. On August 15, 2025, the USAO filed an  
15 information against Mr. Redondo-Rosales alleging a misdemeanor violation of  
16 18 U.S.C. § 111. The USAO refuses to disclose whether it presented the case to a  
17 grand jury prior to filing the misdemeanor information. This refusal to disclose  
18 the existence of the proceeding is suspicious and raises the inference that such  
19 proceeding was held and that no bill was returned. The government could clarify  
20 this immediately, but it will not. If witnesses testified before the grand jury and  
21 no charge resulted, that testimony is relevant to Mr. Redondo-Rosales' defense  
22 under *Brady v. Maryland*, 373 U.S. 83 (1963) and *Gigilo v. United States*, 405  
23 U.S. 150 (1972). This is particularly true if testimony to the grand jury will  
24 impeach trial witness testimony however slight. Mr. Redondo-Rosales  
25 respectfully requests that the Court compel the government to answer whether the  
26 case was presented to the grand jury and to disclose grand jury transcripts if they  
27 exist.

## 1 II. ARGUMENT

2 Disclosure of grand jury materials under Rule 6(e) is generally permitted upon  
3 a defendant's showing of a "particularized need." *See Douglas Oil Co. v. Petrol*  
4 *Stops Northwest*, 441 U.S. 211, 221-22 (1979); *United States v. Sells Eng'g*, 463  
5 U.S. 418, 442-443 (1983). This showing of "particularized need" requires that the  
6 party requesting disclosure show that the material sought is necessary to "avoid  
7 possible injustice in another judicial proceeding, that the need for disclosure is  
8 greater than the need for continued secrecy, and that their request is structured to  
9 cover only material so needed." *Id.* at 443.

### 10 A. The Grand Jury Transcripts Include *Brady/Giglio* Evidence

11 The prosecutor in a criminal case must disclose evidence favorable to the  
12 accused. The Supreme Court has stated that suppression by the prosecution of  
13 evidence favorable to an accused upon request violates due process where the  
14 evidence is material either to guilt or to punishment, irrespective of the good faith  
15 or bad faith of the prosecution." *Brady v. Maryland*, 373 U.S. 83, 87 (1963).  
16 *Brady* also requires the disclosure of evidence impeaching the testimony of a  
17 government witness when the reliability of that witness may be determinative of  
18 a criminal defendant's guilt or innocence. *See Giglio v. United States*, 405 U.S.  
19 150 (1972). *See also* *Bagley*, 473 U.S. 667 (1985).

20 The mandates of *Brady* and *Giglio* override the requirements of the Jencks Act.  
21 *See e.g., Chavis v. State of NC.*, 637 F.2d 213, 223 (4th Cir. 1980) (*Brady* is  
22 broader than Jencks and may be violated when government fails to disclose  
23 material that otherwise is not discoverable under Jencks); *United States v.*  
24 *Campagnuolo*, 592 F.2d 852, 860 (5th Cir.1979) (stating without deciding that  
25 *Brady* would override Jencks Act when failure to order pretrial discovery would  
26 result in denial of defendant's due process rights); *United States v. Tarantino*, 846  
27 F.2d 1384, 1414 n.11 (D.C. Cir. 1988) (government's *Brady* obligations are in no  
28 way lessened by the Jencks Act limitations).

1 The government must make a “reasonable effort” to aid the defense in obtaining  
2 favorable evidence and witnesses. *United States v. Henao*, 652 F.2d 591, 592 (5th  
3 Cir. 1981); *United States v. Hernandez Gonzalez*, 608 F.2d 1240, 1246 (9th Cir.  
4 1979). Furthermore, the government must disclose *Brady* material at a time that  
5 permits the defense to use these materials for trial preparation. *See, e.g., United*  
6 *States v. Elmore*, 423 F.2d 775, 779 (4th Cir. 1970); *United States v. Davenport*,  
7 753 F.2d 1460, 1462 (9th Cir. 1985).

8 Here, there is no reason to refuse to tell the defense whether or not a grand jury  
9 proceeding took place, and whether or not witness transcripts are available. If no  
10 charges were returned against Mr. Redondo-Rosales, this raises a valid inference  
11 that the grand jury transcripts are unfavorable to the government and favorable to  
12 the defense. They, in addition, may impeach trial witnesses.

13 Mr. Redondo-Rosales is not at this time seeking disclosure of the entire  
14 transcript. Rather, he is seeking disclosure of witness testimony for use in trial  
15 preparation.

16 **B. There is Minimal Interest in Protecting the Secrecy of Grand Jury**  
17 **Proceedings**

18 There is little interest in secrecy at this point in the proceedings. Ordinarily,  
19 courts weigh the need for disclosure against the traditional policies underlying  
20 grand jury secrecy:

21 (1) To prevent the escape of those whose indictment may be  
22 contemplated;

23 (2) to insure the utmost freedom to the grand jury in its deliberations,  
24 and to prevent persons subject to indictment of their friends from  
25 importuning the grand jurors;

26 (3) to prevent subornation of perjury or tampering with the witnesses  
27 who may testify before the grand jury and later appear at [t]he trial of  
28 those indicted by it;

1 (4) to encourage free and untrammelled disclosures by persons who  
2 have information with respect to the commission of crimes; (5) to  
3 protect the innocent accused who is exonerated from disclosure of the  
4 fact that he has been under investigation

5 *See U.S. Indus, Inc. v. U.S. Dist. Court for the Southern Dist. of Cal., Central*  
6 *Division*, 345 F.2d 18, 21 (9th Cir. 1965).

7 None of those considerations apply here. Mr. Redondo-Rosales has already  
8 been charged; there is no further grand jury deliberation to be had. There is no  
9 threat of witness intimidation, particularly since the witnesses are law  
10 enforcement officers, not lay persons. Indeed, after a grand jury's  
11 investigation has terminated, most of the reasons for grand jury secrecy are no  
12 longer applicable and the others are less than compelling.

13 **III. CONCLUSION**

14 Fore the foregoing reasons, Mr. Redondo-Rosales requests that the Court  
15 compel the government to disclose whether it presented this case to the grand  
16 jury, and if so, compel disclosure of grand jury testimony transcripts.

17  
18 DATED: September 30, 2025

/s/

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Katherine McBroom  
20 Attorney for JONATHAN  
REDONDO-ROSALES  
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