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8 *Representing the United States of America*

9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 RYAN C. BUNDY,

15 Defendant.

2:16-CR-00046-GMN-PAL

**GOVERNMENT’S RESPONSE IN
 OPPOSITION TO DEFENDANT
 RYAN C. BUNDY’S “MOTION TO
 COMPELL [sic] DISCOVERY” (ECF
 No. 2299)**

16 **CERTIFICATION:** The undersigned certify that this response is timely filed.

17 The United States, by and through the undersigned, respectfully files this
 18 response in opposition to Defendant Ryan C. Bundy’s Motion to Compell (sic)
 19 Discovery filed August 22, 2017 (ECF No. 2299).
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1 Bundy's affidavit states he observed these "mysterious devices" near the
2 Bundy residence in April 2014. Yet he fails to explain how further knowledge of
3 these "mysterious devices" would aid him in providing a valid defense to the charges
4 in this case. On its face information about surveillance cameras around the Bundy
5 residence, even if, as he claims fantastically, they were capable of allowing for aerial
6 "target acquisition" or functioning as "parabolic listening devices," is immaterial to
7 the charges of assaulting, threatening, extorting, obstructing law enforcement
8 officers and conspiring with others to do these acts. Thus, it is unclear how such
9 information would aid in Bundy's defense.

10 Bundy also failed to meet and confer either through writing or through his
11 standby counsel prior to moving to compel. LCR 16-1(c) (Before filing any motion
12 for discovery, the attorney for the moving party must meet and confer with the
13 opposing attorney in a good-faith effort to resolve the discovery dispute.) Instead,
14 he filed the instant motion and attached affidavit wherein he describes the BLM as
15 a "military force" and as "militarily armed personnel." Bundy's motion appears to
16 be little more than a fantastical fishing expedition for evidence justifying attacking
17 law enforcement officers because he did not like the way they dressed while
18 enforcing court orders. In essence, his motion is another attempt at jury
19 nullification.
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21 While Bundy's motion fails to establish any materiality of the information he
22 seeks and should be denied, the Government has and will continue to meet all of its
23 discovery/production obligations in this case.
24

CERTIFICATE OF SERVICE

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing **GOVERNMENT'S RESPONSE IN OPPOSITION TO DEFENDANT RYAN BUNDY'S "MOTION TO COMPELL (sic) DISCOVERY" (ECF No. 2299)** was served upon counsel of record, via Electronic Case Filing (ECF).

DATED this 5th day of September, 2017.

/s/ Steven W. Myhre

STEVEN W. MYHRE
Acting United States Attorney