

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DONALD J. TRUMP,

Defendant.

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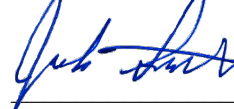
CRIMINAL NO. 23-cr-257 (TSC)

**GOVERNMENT’S SUPPLEMENT TO ITS MOTION TO DISMISS**

On November 25, 2024, on the Government’s Motion, *see* ECF No. 281, the Court dismissed the operative superseding indictment without prejudice. ECF No. 283. The Clerk acted on the Court’s order and the docket now reflects the absence of any pending charges against the defendant and classifies this case as “closed.” Nonetheless, because certain out-of-Circuit caselaw indicates that a superseding indictment does not void the original indictment, *see, e.g., United States v. Vavlitis*, 9 F.3d 206, 209 (1st Cir. 1993), the Government now supplements its dismissal motion to avoid any doubt that for all of the reasons set forth in the Government’s Motion to Dismiss, the original indictment, ECF No. 1, is also dismissed without prejudice. The Government has conferred with defense counsel, who does not object to the relief requested.

Respectfully submitted,

JACK SMITH  
Special Counsel



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