

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

V.

JULIA BEATRICE KELEHER,
Defendant.

CRIMINAL NO. 20-019 (FAB)

MOTION FOR LEAVE TO FILE SURREPLY

COMES NOW Defendant Julia Beatrice Keleher, through the undersigned counsel, and respectfully requests leave to file a sur-reply to the Government's *Consolidated Reply to the Defendants' Responses in Opposition to the United States' Motion in Limine to Preclude Presentation of Irrelevant Evidence and Illegitimate Defenses* (Docket No. 193; "the Reply"). In support thereof, Ms. Keleher states and prays as follows:

1. Pending before the Court is the government's *Motion in Limine to Preclude Defendants from Presenting Irrelevant Evidence and Raising Legally Illegitimate Defenses* (Docket No. 183), which seeks to preclude the defendants from presenting evidence to suggest that "(1) Defendant Keleher never actually ceded any portion of the Padre Rufo School because she lacked the authority to do so, (2) Defendant Keleher never intended to perform any official act, (3) Defendant Keleher lacked the authority or the ability to accomplish the outcome which the briber desired; and (4) Defendant Keleher's letter purporting to authorize Company C begin construction on Antonsanti Street was a meaningless gesture without any legally binding force."
2. On March 29, 2021, Ms. Keleher opposed the government's motion (Docket No. 191), arguing that 1) evidence of Ms. Keleher's lack of authority to transfer land at the Padre Rufo School is relevant and admissible, 2) the government is bound by its allegation

- that Ms. Keleher took official action by signing the letter in question, 3) the government's interpretation of binding Supreme Court precedent is erroneous, and 4) requesting the Court reserve its ruling on the motion until the trial record is developed.
3. On April 12, 2021, the government filed its Reply. (Docket No. 193). The Reply, however, is rife with straw man arguments whereby the government mischaracterizes the arguments made by Ms. Keleher and then attempts to discredit those mischaracterized arguments which Ms. Keleher never raised.
 4. Simply put, the Reply merits and requires a response from Ms. Keleher so she may properly frame the arguments made in her opposition and distinguish them from those the government has attempted to discredit, particularly in light of the extraordinary remedy requested by the government which constitutes nothing more than an attempt to tie Ms. Keleher's hands at trial and prevent her from raising plainly legitimate and admissible defenses.
 5. Accordingly, Ms. Keleher respectfully requests leave to file a surreply, pursuant to PRD Local Rule 7(d), so she may address the government's gross mischaracterization of her arguments in opposition to the government's motion *in limine*. Ms. Keleher also requests that she be afforded until May 26, 2021 to file the surreply, as she is currently up against a reply deadline in her sister case, 19-cr-431 (PAD), which counsel is ardently working towards complying with.
 6. This request is made in the interest of justice, without any dilatory intent, and will not delay proceedings in any way, as trial has not been set in this case.

WHEREFORE, Ms. Keleher respectfully requests the Court GRANT this request, with any relief it deems just and proper.

Respectfully submitted on this 13th day of April 2021, in San Juan, Puerto Rico.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will provide access to all parties of record.

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