

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-3097

September Term, 2021

1:21-cr-00175-TJK-2

Filed On: March 3, 2022

United States of America,

Appellee

v.

Joseph Randall Biggs,

Appellant

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Tatel, Pillard, and Wilkins, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the memoranda of law and fact filed by the parties, the motion to extend the time to file the reply memorandum of law and fact, and the lodged reply memorandum. The court has determined that the issues presented occasion no need for an opinion. See D.C. Cir. Rule 36. It is

ORDERED that the motion to extend the time to file the reply memorandum of law and fact be denied. It is

FURTHER ORDERED AND ADJUDGED that the district court's order entered on December 14, 2021, denying appellant's motion to reopen the detention hearing and for release, be affirmed. Appellant has not shown that the district court clearly erred in determining that no condition or combination of conditions of release would reasonably assure the safety of any other person and the community. See 18 U.S.C. § 3142(e), (f)(2). In previously affirming the district court's original detention decision, this court cited the district court's finding that appellant and his co-defendant provided leadership and planning for the Proud Boys in connection with the events at the Capitol on January 6, 2021, coordinating a large group of people and facilitating unlawful conduct. United States v. Biggs, No. 21-3021, unpublished judgment (D.C. Cir. June 25, 2021). Appellant has not shown that the district court clearly erred in finding that appellant planned to do something unlawful, and that he helped to coordinate a large group of people and facilitate unlawful conduct.

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after the resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam