

# United States Court of Appeals

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Arrighi,  
Appellant  
v.  
United States,  
Appellee

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04-21

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Appeal from the United States District Court for the  
District of Columbia in No. 3:19-2378.

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Decided: September 02, 2019

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Arrighi, argued for appellant.  
Aescies, argued for appellee.

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Before: Giordano, Chief Judge, and Caprio,  
Hudson, Hand and Pratt, Circuit Judges

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Hudson, *Circuit Judge*, delivered the opinion of the Court.

The Appellee submitted an appeal, which was granted review, of the district case *United States v. Arrighi*.

The Appellee had been removed from the case chat due to outbursts and was represented by several Public Defenders. Despite entering a plea of nolo contendere on “confessed” charges, and a plea of not guilty on the remaining charges, the presiding Judge entered a plea of Guilty for all but two charges.

Due to malfunctions with the discord chat, the supposed affidavit admitting guilt, and other messages by the Appellee, were lost.

Rule 11(b) of the Federal Rules of Criminal Procedure states that “Before the court accepts a plea of guilty or nolo contendere, the defendant may be placed under oath, and the court must address the defendant personally in open court.”

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This court finds no evidence that the defendant was advised or questioned by the presiding judge or any other authorized officer. Therefore, the District Court erred in accepting any pleas of nolo contendere or guilty during this case.

The Judgement is hereby vacated and remanded.

*It is so ordered.*