

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 1:21CR00041-001
	:	
CINDY FITCHETT	:	
	:	
Defendant.	:	

DEFENDANT’S SUPPLEMENTAL POSITION ON SENTENCING

Cindy Fitchett, by counsel, is before this Court for the imposition of sentence stemming from her illegal presence in the United States Capitol on January 6, 2021. In further support of Ms. Fitchett’s sentencing position, the Court will please find enclosed letters of support from Ms. Fitchett’s closest friend and family members.

These letters further support that Ms. Fitchett’s behavior was truly out of character—an aberration from her usual selfless, quiet, caring demeanor. They describe Ms. Fitchett as a supportive and loving friend and family member, who gives back to her community through regular service and by simply being there to support others in times of need.

Conclusion

The Court’s decision in imposing a sentence here is unquestionably a difficult one. These additional support letters only strengthen Ms. Fitchett’s position that a term of probation is sufficient to punish and deter.

Respectfully Submitted,
Cindy Fitchett,
By Counsel

GREENSPUN SHAPIRO PC

BY: /s/
Peter D. Greenspun
Virginia Bar No. 18052
3955 Chain Bridge Road
Second Floor
Fairfax, Virginia 22030
(703) 352-0100
(703) 591-7268
pdg@greenspunlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2021, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which then sent a notification of such filing (NEF) to the following:

Seth Adam Meinero, Esquire
Susan Lehr, Esquire
United States Department of Justice
175 N Street, N.E.
Fourth Floor
Washington, D.C. 20530
Seth.meinero@usdoj.gov
susan.lehr@usdoj.gov

 /s/
Peter D. Greenspun

The Honorable Carl J. Nichols
United States District Court for the District of Columbia
333 Constitution Ave. NW
Washington, DC 20001

October 7, 2021

To Whom it May Concern:

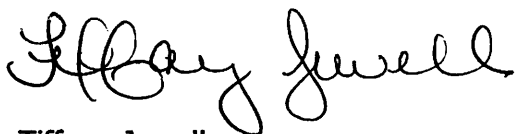
I am writing on behalf of my aunt Cindy Fitchett. She and my uncle Ronnie have been married almost 23 years. In that time, I have known Cindy to be a kind, thoughtful, and loving person. She loves the Lord, her family and friends, her Country, and has a great appreciation and respect for all living things. Cindy is soft spoken, small in stature, but with a huge heart. She will do anything for anybody with no expectation of reciprocation. To know her is to love her.

I am a Realtor in Virginia and had the pleasure of helping Cindy and Ronnie with the purchase of their current home. During that process, she showed such grace in the stressful times of the transaction. Where some people would become frustrated or would walk away, she showed understanding and poise. That made me admire her even more.

About 5 months ago, I went through a separation from my husband. As soon as Cindy found out, she was there for me. She never once told me how she thought I should handle things or what I should do. She was simple just there for me and supported me through the hardest time in my life. She helped me move into my new home, helped me get my home cleaned and set up, she helped me furnish my home, and she has been here several times to make sure I had everything I needed and that I was ok. She calls and sends texts messages frequently to make sure I'm doing ok. That's Cindy's heart. She cares. She loves.

This is who Cindy Fitchett is. A mother. An aunt. A caregiver. She is the heart of our family. I hope this letter helps to show you who Cindy really is EVERYDAY. Please take this letter into consideration when making your decision. We need her.

Thank you,

A handwritten signature in black ink that reads "Tiffany Jewell". The signature is written in a cursive, flowing style.

Tiffany Jewell

Gina Atkins

Bznursenva@gmail.com

October 6, 2021

The Honorable Carl J. Nichols

United States District Court for the District of Columbia

333 Constitution Avenue NW

Washington, DC 20001

Your Honor,

I am writing this letter on behalf of my friend Cindy Fitchett. My name is Gina Atkins. I am a retired RN, but remain working as a pianist for my church. I live with my elderly parents whom I help take care of.

I am fully aware of Cindys' charges that involve the Capital Building, which she has shared with me personally.

I have personally known Cindy for at least 5 years. I also know her family well as I attended school with her husband and personally know her daughter, and brother as well. I have socially attended outings with Cindy, as well as going on a cruise together. I have stayed at her house for days at a time taking care of her pet and house while her and her husband were away. We see each other at least once a week. Cindy is also dear to my parents, and often will come over and sit with my mom and dad and visit. She has also offered to help me with my elderly parents assisting them with daily chores or gardening.

For close to 9 months, Cindy has been helping volunteering with me once a week delivering food to the needy in the community for " Christs' Baskets " a non profit charitable organization. She not only hands out the food and supplies, she interacts with the people, spreading her love and kindness to those in need. I

have seen her go that extra mile and take time out to sit with someone who just needed someone to talk to due to being lonely.

Cindy is a very nurturing wife and mother. I have seen her with her husband when he was ill, and the care and comfort she gives him is admirable to say the least. She also supports her daughter who runs marathons on most weekends, and is her biggest fan.

I also want to comment that Cindy does not partake in any form of recreational drugs from what I have witnessed. We were at a party once and Cindy wanted to leave because some people were smoking pot. If going out as a group, she would volunteer to be the designated driver, due to the fact she very seldom drinks, and if she does, it's only a small glass of wine usually.

I hope by writing this letter, you will get a better picture of who Cindy Smith Fitchett really is. I am proud to call her a true friend. I cannot imagine my life without her in it.

Thank you so much for your time,

Sincerely,

A handwritten signature in black ink that reads "Gina Atkins". The signature is written in a cursive, flowing style.

Gina Atkins

William Donald Blake
Wake, VA 23176

October 8, 2021

RE: Cindy Fitchett

To Whom it may concern:

My name is William Donald Blake. I have known Mrs. Fitchett as a good and loyal friend for over 20 years. For this reason, I am happy to write this letter for her.

I got to know Mrs. Fitchett through her husband. Mr. Fitchett and I worked closely together for over 40 years. I consider them both as family, like a brother and sister. Mrs. Fitchett is a dedicated wife and mother. She takes very good care of her husband and never misses a race that her daughter runs in. She has a positive attitude and is always happy around me. If at any time I need help or assistance, Mrs. Fitchett is there to help me or vice versa. With that being said, I will be around to support and assist Mrs. Fitchett with any of her future concerns or needs.

It is my sincere hope that you take this letter into consideration. I believe Mrs. Fitchett to be an upstanding, honest, and responsible person.

Sincerely,

William Donald Blake

A handwritten signature in black ink that reads "William D. Blake". The signature is written in a cursive style with a large, stylized 'W' and 'B'.

To the honorable Carl J Nichols

Monday, October 11, 2021 8:32 AM

My name is Michael Honeycutt. I reside outside of Williamsburg Va., where I have lived all my life. I have known Cindy Fitchett for 42 years of my life. I first met Cindy when I was just a teenager working part time in a drug store. Cindy and I began dating regularly after I graduated high school for 5 Years. We married and began a life together. During our 12 years of marriage we had our ups and downs just like any other married couple. Cindy and I had a baby girl on March 14, 1991 and she would change our lives forever. It is at this point I would like to point out some of my thoughts towards Cindy's character.

Your honor, Cindy is a wonderful mother. The first 5 years of our daughters life Cindy stayed at home to raise and nurture her. She developed a bond with our daughter that is as strong today as the day she was born.

She returned to the workforce to help us meet ends as most families did at that age in time. Cindy predominately worked in the medical field where most of her time was spent as a certified pharmacy technician. She also had hospital experience and was always known to be a fast and efficient worker. She was always well thought of by the pharmacists she worked with and the patients she cared for.

Although Cindy and I did not make it as a married couple, our love for our daughter never waivered and we continued to co-parent throughout the years. Cindy remarried and we shared custody of our daughter. One thing stayed constant throughout all of this-the health and welfare and the love for a child.

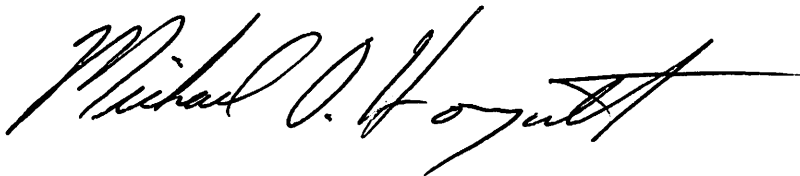
As years passed Cindy's parents became ill. Cindy became a lead caregiver for both her parents and put a lot of her life on hold to be there for them. Unfortunately this world lost her father all to soon and Cindy continued to care for her mother years after his passing. Her mother has since passed also. I point this out your honor because I truly feel this is a huge point of character for Cindy. She loved and honored her parents and took care of them in their most urgent hours of need.

Your honor, presently Cindy and I see one another about 3 Saturdays a month at our daughters running events. I failed to mention that the little girl we raised is now a teacher at Tabb high school , holds her masters degree from the college of William and Mary, a phenomenal distance runner, track and field and cross country coach for the school she teaches at , and in many ways reminds me of her mother.

I believe Cindy to be a loving and caring mother and person with strong convictions and beliefs. I hope that my few words help illustrate my thoughts and perceptions of Cindy.

Sincerely

Michael O. Honeycutt

A handwritten signature in black ink, reading "Michael O. Honeycutt". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

To:

The Honorable Carl J. Nichols
United States District Court for the District of Columbia
333 Constitution Ave. NW
Washington, DC 20001

October 4, 2021

Dear Judge Nichols,

I, Danielle Newman, am very pleased to write a character reference letter for Cindy Fitchett. I am aware that Mrs. Fitchett will appear before your court for the sentencing of parading, demonstrating, or picketing in a Capital building.


Mrs. Fitchett is a cousin by marriage, but I have always called her my aunt. I have known Mrs. Fitchett for over 18 years. I was not blessed with a good family atmosphere. My childhood was far from normal. Mrs. Fitchett was there for me when even my own parents were not, filling that empty feeling I had.

As a single mom of three boys, "Aunt Cindy" has always been there for me to provide support; From emotional support to any obstacles that may have been too much for me to handle alone. Having her in my life has been one of my greatest blessings. She has always reminded me that the sky is the limit. She inspired and encouraged me to grow from a confused young adult into a Store Manager for Sport Clips, to now owning my very own hair salon. She was there helping me take an empty shell and turn it into my dream. She always gave me words of encouragement, motivation when I wanted to quit, and support when I needed it the most. Mrs. Fitchett has never put herself first. She has an enormous love and care for people and animals. Mrs. Fitchett has a heart of gold and is desperate to help any person or animal alike like she's done for me often and so many others. I'd like to mention we really have been enjoying our Bingo nights together and look forward to having many more. I have always known her to be a responsible and respectful person and am very confident she always will be,

In closing, I hope this letter will give the court an idea of her good character and help her get a second chance to prove this was a very unusual occurrence.

Sincerely,

Danielle Newman

A handwritten signature in black ink that reads "Danielle Newman" with a stylized flourish at the end.

804 815 4365

James A. Rose

P.O. Box 102

Topping, Va. 23169

October 11, 2021

RE: Cindy S. Fitchett

To: The Honorable Judge Carl J. Nichols

I have been married for twenty eight years, a father of three, and a retired law enforcement officer from the Virginia State Police.

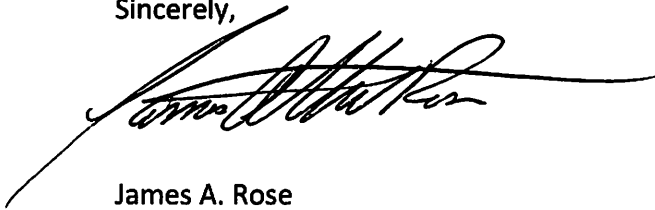
I have known Cindy for approximately three years. It was very surprising to hear about her current situation, as she has always been a sound person. It is for this reason that I am happy to write a letter of reference for Cindy regarding this matter. I fully understand the seriousness of this matter, the consequences she is facing, and hope the court will show leniency.

I have seen Cindy interact with my daughter and my now eighteen month-old son at functions we have attended together. I would have no hesitation whatsoever leaving either one of my children in the care of Cindy. I have also been able to see the interactions between her and her own daughter and her husband. It's quite obvious to me that family is a large part of Cindy's life. Although I have not had the pleasure of knowing Cindy that long, in the short time I have known her, she and her husband have been very dear friends.

In addition to our friendship, Cindy does volunteer work for several organizations to help the community. While it is unfortunate and very surprising that Cindy has found herself in this situation, thus resulting in this case, I am confident that she is remorseful for her actions.

It is my sincere hope that the court takes this letter into consideration for the purposes of sentencing. Despite the current case, I still believe Cindy to be an honorable individual, a valuable member of her community, and a good person.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Rose", with a long, sweeping horizontal line extending to the right.

James A. Rose