IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA	)	Criminal No. 3:23-mj-32
	)	
	)	
v.	)	
	)	
ALDER ALFONSO MARIN SOTELO,	)	
	)	
Defendant.	)	

GOVERNMENT'S MOTION TO DISMISS COMPLAINT

The United States of America, through undersigned counsel, moves to dismiss the criminal complaint in this matter pursuant to Federal Rule of Criminal Procedure 48(a). In support of this motion, the government states as follows:

1. The defendant is currently in the custody of the Mexican government awaiting extradition on other criminal charges. The U.S. Department of Justice's Office of International Affairs will not seek defendant's extradition on this particular charge.

2. Federal Rule of Criminal Procedure 48(a) provides in pertinent part that "[t]he government may, with leave of court, dismiss an indictment, information, or complaint" prior to the beginning of trial. "While the rule confers discretion on the district court to deny the government's motion to dismiss a charging document, this discretion is not broad . . . Indeed, the court must grant the government's Rule 48(a) motion unless the court concludes that to grant it would be clearly contrary to manifest public interest, determined by whether the prosecutor's motion to dismiss was made in bad faith." *United States v. Goodson*, 204 F.3d 508, 512 (4th Cir. 2000) (internal citations omitted).

3. Granting this motion would be in the public interest as it will expedite the defendant's extradition on other pending charges.

For the reasons stated previously, the United States respectfully requests that this Court enter the attached order granting leave to dismiss and dismissing the Criminal Complaint.

Respectfully submitted,

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By: /s/

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