

TRINA A. HIGGINS, United States Attorney (#7349)  
JAWAYRIA Z. AUCHTER, Assistant United States Attorney (IL #6313178)  
MICHAEL KENNEDY, Assistant United States Attorney (#8759)  
Attorneys for the United States of America  
Office of the United States Attorney  
111 South Main Street, Suite 1800  
Salt Lake City, Utah 84111-2176  
Telephone: 801.325.3238  
Email: [jawayria.auchter@usdoj.gov](mailto:jawayria.auchter@usdoj.gov)

---

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH**

---

UNITED STATES OF AMERICA,  Plaintiff,  v.  JONATHAN DUNN,  Defendant.	Case No. 2:23-CR-00375-HCN-JCB  MOTION FOR LEAVE TO DISMISS THE INDICTMENT WITHOUT PREJUDICE  Judge Howard C. Nielson
---	---

---

The United States of America (“United States”), by and through the undersigned Assistant United States Attorneys, and pursuant to Fed.R.Crim.P. 48(a), moves this Court for leave to file a dismissal without prejudice of the Indictment in the above-captioned case against Defendant Jonathan J. Dunn.

This request is made for good cause and is in the interest of justice, as follows:

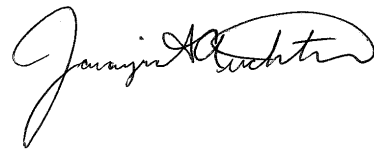
1. On Monday, August 12, 2024, the prosecution came into possession of previously unknown evidence.
2. The evidence was immediately disclosed to the defendant.
3. On review of the new evidence, the United States has reassessed the strength of the evidence and the crime charged. As it continues this assessment, it no

longer believes it can prove all elements of the charged offense beyond a reasonable doubt.

It therefore is in the interests of justice to grant leave to the United States to dismiss the Indictment pending against Jonathan J. Dunn without prejudice.

Dated: August 16, 2024

TRINA A. HIGGINS  
United States Attorney

A handwritten signature in black ink, appearing to read "Jawayria Z. Auchter". The signature is fluid and cursive, with a large initial "J" and a distinct "A" and "Z".

JAWAYRIA Z. AUCHTER  
Assistant United States Attorney

---

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH**

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN DUNN,

Defendant.

Case No. 2:23-CR-00375-HCN-JCB

ORDER GRANTING LEAVE TO  
DISMISS THE INDICTMENT  
WITHOUT PREJUDICE

Judge Howard C. Nielson

---

Upon the motion of the United States, good cause shown, and for the reasons proffered by the United States, the Court finds it to be in the interests of justice and hereby grants leave to the United States to dismiss the Indictment against Jonathan J. Dunn without prejudice.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

HON. HOWARD C. NIELSON  
United States District Judge