

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States v. Vanterpool

Criminal Case No. 25-138-1 (RJL) (D.D.C. Mar. 11, 2026) · No. Criminal Case No. 25-138-1 (RJL) · Decided March 24, 2026

SUMMARY

The United States District Court for the District of Columbia denied Dremale Vanterpool's motion to dismiss federal firearm and drug charges. The court rejected his claims of a Sixth Amendment speedy-trial violation, Federal Rule of Criminal Procedure 16 discovery violations, and vindictive prosecution, while reserving judgment on possible sanctions short of dismissal for the Government's failure to preserve relevant body-worn-camera footage. The court also declined to dismiss the case under its supervisory powers.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Richard J. Leon
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 24, 2026
DOCKET	Criminal Case No. 25-138-1 (RJL)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss a federal indictment based on an alleged Sixth Amendment speedy-trial violation, failure to preserve and disclose evidence under Federal Rule of Criminal Procedure 16, vindictive prosecution, and the Court's supervisory powers. The district court denied dismissal but reserved judgment on possible sanctions short of dismissal.
STANDARD OF REVIEW	The court applied the Barker v. Wingo balancing test to the speedy-trial claim and Rule 48(b) issue; it exercised discretion concerning Rule 16 sanctions and reviewed the vindictive-prosecution claim under the actual-vindictiveness or presumption framework.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive authority within the District of Columbia but not binding on appellate courts.
PARTIES	Dremale Vanterpool v. United States of America

TOPICS

speedy trial discovery criminal criminal procedure prosecutorial misconduct due process

PRACTICE AREAS

criminal procedure constitutional law criminal discovery prosecutorial misconduct evidence sanctions

QUESTIONS PRESENTED

1. Whether the delay in bringing Vanterpool to trial violated the Sixth Amendment right to a speedy trial.
2. Whether the delay warranted dismissal under Federal Rule of Criminal Procedure 48(b) or the court's supervisory powers.
3. Whether the Government's failure to preserve and produce relevant body-worn-camera footage warranted dismissal or another sanction under Federal Rule of Criminal Procedure 16.
4. Whether bringing substantially identical federal charges after the Superior Court proceedings constituted vindictive prosecution in violation of due process.

HOLDINGS

1. The delay did not violate Vanterpool's constitutional right to a speedy trial because, although the delay was presumptively prejudicial and most of it was attributable to the Government, the Barker factors considered together did not warrant dismissal.
2. Dismissal was not warranted under Rule 48(b) or the court's supervisory powers because the circumstances did not constitute the extreme circumstances required for that remedy.
3. The Government's negligent failure to preserve potentially relevant body-worn-camera footage did not warrant dismissal under Rule 16, although the court retained discretion to impose a lesser sanction later.
4. The federal indictment was not vindictive because the Government provided objective, nonretaliatory evidence that the charges were brought pursuant to a general policy directing review and federal adoption of qualifying cases.

KEY QUOTATIONS

"Rule 48(b) is strong medicine that should be applied "only in extreme circumstances."" (at 5)

"To be sure, the Government cannot simply "dismiss and start anew across the street" to avoid the consequences of possible prosecutorial misconduct!" (at 10)

"Indeed, no one will ever know what the five BWC videos would have shown." (at 13)

"Such is the case here." (at 15)

FACTUAL BACKGROUND

Police arrested Vanterpool after a vehicle associated with armed robberies failed to stop and officers observed him discard an object during a foot chase. Officers recovered firearms, drugs, and other evidence, and later DNA

testing provided evidence that Vanterpool had handled one of the guns. After D.C. Superior Court charges were filed, the Government disclosed that multiple relevant body-worn-camera videos had been deleted because of tagging errors, causing a trial continuance and Vanterpool's release from detention. Before the Superior Court ruled on Vanterpool's dismissal motion, the Government filed nearly identical federal charges, obtained an indictment, and dismissed the Superior Court case with prejudice.

PROCEDURAL HISTORY

Vanterpool was initially arrested in June 2023 but was not charged at that time. The District of Columbia later charged him in Superior Court in June 2024, where discovery disputes concerning deleted body-worn-camera footage led to a continuance and his release from detention. While the Superior Court dismissal motion was pending, the Government filed substantially identical federal charges, obtained an indictment, and dismissed the Superior Court charges with prejudice. Vanterpool then moved to dismiss in federal court; after briefing, argument, and supplemental briefing, the district court denied the motion.

DISPOSITION

dismissed

CASES CITED

- Vermont v. Brillon, 556 U.S. 81, 88-90 (2009)
- Barker v. Wingo, 407 U.S. 514, 530-32 (1972)
- Mann v. United States, 304 F.2d 394, 398 (D.C. Cir. 1962)
- United States v. Parga-Rivas, 689 F. Supp. 2d 25, 30 (D.D.C. 2009)
- United States v. Hensley, 2024 WL 3673612, at *10 (D.D.C. Aug. 5, 2024)
- United States v. Lloyd, 992 F.2d 348, 351 (D.C. Cir. 1993)
- United States v. Slatten, 865 F.3d 767, 798-99 (D.C. Cir. 2017)
- United States v. Salavian, 649 F.3d 688, 692, 694 (D.C. Cir. 2011)
- United States v. Myer, 810 F.2d 1242, 1245 (D.C. Cir. 1987)
- Doggett v. United States, 505 U.S. 647, 651-52 (1992)
- United States v. Fernandes, 618 F. Supp. 2d 62, 68 (D.D.C. 2009)
- United States v. Gaffney, 2025 WL 3123668, at *1 (D.D.C. Nov. 7, 2025)
- United States v. Grabinski, 2026 WL 125230, at *4 (D.D.C. Jan. 16, 2026)
- United States v. Marshall, 132 F.3d 63, 69 (D.C. Cir. 1998)
- United States v. Jones, 524 F.2d 834, 852 (D.C. Cir. 1975)
- United States v. Gary, 291 F.3d 30, 34 (D.C. Cir. 2002)
- United States v. Meadows, 867 F.3d 1305, 1312 (D.C. Cir. 2017)
- United States v. Mills, 925 F.2d 455, 457, 463 (D.C. Cir. 1991), rev'd on other grounds, 964 F.2d 1186 (D.C. Cir. 1992)
- United States v. Jones, 433 F.2d 1176, 1181-82 (D.C. Cir. 1970)

- **United States v. Slough**, 679 F. Supp. 2d 55, 61 (D.D.C. 2010)

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