

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
 Plaintiff.)
v.) No. 22-CR-1014
))
MATTHEW LINDNER,)
 Defendant.)

SENTENCING MEMORANDUM

Now comes the Defendant, Matthew Lindner, by and through undersigned counsel, who respectfully submits the following Sentencing Memorandum:

INTRODUCTION

The following Memorandum is respectfully submitted on behalf of Defendant Matthew Lindner [Mr. Lindner] by his undersigned counsel to assist this Honorable Court in determining whether to accept the Rule 11(c)(1)(C) plea and the appropriate sentence to be imposed. In addition to Mr. Lindner’s history, which includes quotes from those who know him best,¹ undersigned would respectfully stress the following matters which, as is set out more fully below, may have bearing on this Court’s decision:

¹ These letters of support include a local Comfort, Texas judge, sheriff, firefighter, pastor, local business owner, president of the Texas Beef Counsel, 4H volunteer coordinator, registered nurse, teachers, classmates, friends, and family.

- The offense to which Mr. Lindner has plead guilty involved only one voicemail. There are no other telephone calls, texts, or emails.
- Mr. Lindner never left the State of Texas and there was no evidence he had any intent to do so, or to travel to Boston. In fact, Mr. Lindner had never been to Boston before appearing before this Honorable Court when required.
- There is no credible evidence that Mr. Lindner had any intent to personally cause harm to the victim in this case, as Mr. Lindner honestly thought that when he left the message and called the police, he was defending the safety of children that the false internet post claimed were being castrated by the victim doctor.
- Mr. Lindner has participated with great success in the Restorative Justice Program, and deeply regrets and is profoundly sorry about making the call and leaving a message that was threatening to the doctor.
- That there has been no repeat of this conduct and there is no foreseeable likelihood given the depth of Mr. Lindner's remorseful reaction that he would ever repeat the conduct for which he has entered a plea of guilty

HOMETOWN COMFORT, TEXAS

The Lindner Family has lived in Comfort, Texas for over five (5) Generations. In fact, the town of Comfort was founded by Mr. Ralph Lindner's Great, Great Grandfather, who first settled the community in 1854, a decade before the Civil War. These German settlers were called the "Freethinkers," because they were known for their open-minded and

inclusive nature.² These “Freethinkers” were staunch believers in the separation of church and state and when the State of Texas seceded from the Union, the stubborn residents of Comfort, who vehemently opposed slavery, remained loyal to the Union during the Civil War. In 1862, when thirty-four (34) of the residents refused to sign a loyalty oath to the Confederacy, they were summarily executed by Confederate soldiers. At war’s end in 1866, a memorial was erected in the town square to commemorate the slain citizens of Comfort’s stand against slavery. The town monument is named the Treue der Union Monument (roughly translated as loyalty to the Union), and is one of the early locations Congress authorized to permanently fly the American flag at half-mast.³

² The nearest town, settled by similarly minded German immigrants is named Welfare.

³ This information regarding Mr. Lindner’s small town family history is not provided as an excuse for the Defendant's unlawful conduct, but to dissuade any misperception that Matthew Lindner is the product of some reactionary political faction. Rather, this small but unique part of the Texas Hill country was founded by and is still home to many who fled religious persecution in 19th Century Germany. This background is being submitted merely to emphasize that Lindner’s unfortunate conduct was not the result of some political ideology, but rather a misplaced belief in false social media reports of child abuse.

Matthew Lindner, born into that tradition, is one of four children raised in this small central Texas community by his parents Ralph and Annabelle Lindner.⁴

MATTHEW LINDNER'S ROLE IN THE COMMUNITY

Matthew Lindner, like his parents⁵ continues their active community life, supporting his neighbors by loading their feed at the mill, helping the youth of the community develop in sports, hunting, and 4H, and by assisting with coaching youth in sports.⁶ Letters from those who grew up with Mr. Lindner and who know him now reflect his amiable

⁴ Ralph and Annabelle Lindner are a part of the fabric of Comfort and have been volunteering paramedics from the time they became a couple and for the next twenty years. They worked full time to provide for their family and trained at their own expense to become paramedics. Ralph Lindner ran the Lindner Feed and Milling Company and Annabelle worked in healthcare, at one time working in rehabilitation helping persons with addictions. The couple had four sons, Matthew, Ethan, Jason, and Clayton (the eldest son). Ralph and Annabelle lost Clayton, who was taken too young by cancer. The family continues to share the pain of his loss. Their letter is attached as Exhibit 1.

⁵ Judge Pessler wrote that Mr. Lindner works hard to follow in his father's footsteps. [Exhibit 2].

"...Matty embodies the spirit of giving. His generosity extends beyond material possessions; he willingly invests in the well-being of others, fostering a sense of community and support among those who know him. In addition to being thoughtful and generous, Matty is inherently considerate of others. He consistently displays empathy and understanding, making an effort to ensure that those around him feel valued and heard." Letter of support by Kathy Simmons RN, BSN. [Exhibit 3].

⁶ "In addition to his role as a protector, Mr. Lindner has also been actively involved in coaching children and teaching youth how to hunt. He has dedicated countless hours to mentoring and guiding young individuals, instilling in them the values of responsibility, respect, and sportsmanship. Mr. Lindner's dedication to shaping the lives of these young individuals is a testament to his character and his desire to make a positive impact on the community." Ethan Lindner's letter of support. [Exhibit 4].

nature, respect for authority and his elders, and his volunteer and community caretaking characteristics. Letter of Ralph and Annabelle Lindner.⁷ [Exhibit 1].

Jason Lindner's wife has also written a letter of support for Mr. Lindner describing his remorse and the family's support for him when he returns home after serving his sentence.⁸ [Exhibit 5].

Those who have known Mr. Lindner and his family for years vouch for him and pledge their support for him when he returns to their community.

“Matthew tells us of his efforts not only to improve himself, but to help others as well. My family and I are more than willing to continue to provide Matthew with every aspect of emotional support and love as possible. I believe beyond a doubt that given the opportunity Matthew will come home and make us all proud.” Letter of support from Kendall County Sherriff Department employee Emilio Pereda. [Exhibit 6].

⁷ Mr. Lindner's parents passed their strong work ethic and compassion for the wellbeing of others on to their children, including Mr. Lindner. Annabelle and Ralph Lindner wrote about Mr. Lindner, our “children learned that one ‘can take their greatest liability and turn it into their greatest asset’. I can see Matthew has taken this sage advice as he moves forward with his life.”

⁸ “Matthew has been very remorseful of his actions. He has expressed to me he is truly sorry for what he has done to both the victim and his own family. As adults we can all be judged on two things: What we did and how we did them. While he cannot change his past mistakes, he can certainly move forward and change how he responds to challenges in the future. In the Lindner family I have been shown love and forbearance. Matthew can certainly expect that from me. It is my hope that after he has fulfilled the terms of his sentence that he can proceed with his head held up and pay forward kindness. I humbly ask for your consideration in the matter of his sentencing.” Letter of support from Kristen Lindner. [Exhibit 5].

“Matthew is well known and thought of in Comfort. He is a hard worker and can be relied on to do his job correctly and as instructed. He takes pride in his work but isn’t boastful. ...Family and friends are vitally important to Matthew. He is the father of two beautiful children whom he loves deeply. He provides for them as a father should and is a good role model, teaching them right from wrong based on his life experiences.” Letter of support from Paul Urban a banker in Comfort for Forty years. [Exhibit 7]. He also noted that Matthew suffered concussions when he played football and questions the lasting effect these very serious injuries might have had on Matthew Lindner.

He is a good father with a good relationship with his ex-wife,⁹ he takes care of his children, his financial responsibilities,¹⁰ is a reliable and productive employee of the Lindner Feed and Milling Company that his brother Jason now runs.¹¹ He is most dedicated to providing for and raising his two children.¹²

⁹ Ethan Lindner [Exhibit 4] speaks of Mr. Lindner’s investment in his children in his letter of support: “... Matthew is a loving and devoted father to his two children. He has always prioritized their well-being and has been actively involved in their lives. Matthew’s role as a father has been marked by love, support, and guidance, and he has consistently demonstrated his commitment to being a positive influence in their lives.”

¹⁰A member of the Comfort community, Betty Murphy, who knew Mr. Lindner since his birth, describes Matthew as a father. “After he became a father, we watched him guide his children, coach many of their teams, and teach them to love the land. He told me that he wanted them to learn all they could about the bounty the Earth provided. He knew that knowledge was invaluable. When he and his wife divorced, they agreed to a 50-50 custody of the children and he insisted on paying a generous child support so that they would have their needs met. Matthew has been a hands-on father who has taught his children to be kind, polite, and respectful to others. Consequently, his children are always welcome in any social setting.” Betty Murphy letter of support. [Exhibit 8]

¹¹ See letter of support from SaVanna Cano. [Exhibit 9].

¹² “By far Matthew’s biggest and most proud accomplishment are his two children. Watching Matthew be a father and teaching his children to love God, love family and just to be good humans has been an

The manager of El Toro Auto Group, Javier Ozuna, wrote a letter of support for Mr. Lindner, [Exhibit 11].:

“Matthew is so involved in the community, especially with all the kids in our small town where everyone knows each other. Whether they play football, basketball, ride horses, or show in the 4H area, no matter what it is he is there to help a family or a kid at any time. ... I know Matthew Linder is compassionate, dependable and I would trust him with my kids’ lives!”

The fifteen-minute video with excerpts from community members shows his deep respect for the judiciary, dropping to his knee in front of Judge Pressler’s desk when addressing her, so as to not tower over Judge Pressler. She said that he has his own two children that he provides for and loves, he is a hard-working person who is trying to follow in his dad’s footsteps, and she describes him as is “outstanding.” His high school football coach Paul Talbert who knew him since he was in fifth grade and also taught him history, describes him as a hardworking man who works with his family from sunup to sundown. [Exhibit 12]. He further describes Mr. Lindner as the salt of the earth and states that he is very passionate and loving to his family. Coach Talbert says that Mr. Lindner is a person upon whom he could rely with a handshake. He states that

honor. Matthew has given back to the community by mentoring young athletes and a volunteering his time.” Letter of support from KC Chmelik. [Exhibit 10].

wherever he, the coach, “set the bar” Mr. Lindner complied with his requirements. Mr. Talbert said Mr. Lindner is a quality person who he trusts with his life and with his family as well. A former Comfort, Texas postal worker for over twenty years, Angela Stokes, describes Mr. Lindner as a sweet and quiet gentle giant who is a respectful and kind person. [Exhibit 13]. One of his high school teachers said that Mr. Lindner “showed thoughtfulness and appreciation for others’ thoughts and opinions” and as “respectful of authority” while also being “more than willing to lend a hand when one was needed.” Letter of support from Ralph Real. [Exhibit 4].

SUPPORT FROM LGBTQ+ COMMUNITY

In addition to Mr. Lindner’s high esteem in the community, he also has enjoyed good relations over the years with transgender and gay persons who he respects and relies upon. Therefore, this case truly presents no case of conduct motivated by animus against transgender or gay persons.

Mr. Lindner harbors no ill feelings or hatred against transgender or gay persons. Laura Hamilton, his high school contemporary,¹³ a transgender woman, describes him as very respectful and a gentle giant. [Exhibit 5]. Ms. Hamilton lived in Comfort, Texas her whole life, she became transgender in 2011, and she works at the Comfort, Texas Mini Mart¹⁴ where Mr. Lindner brings his kids from time to time. Ms. Hamilton states that Mr. Lindner is a real family-oriented man who treats everyone with respect “no matter what” and that he and his family will always help if they can, no matter what. Jim Lord met Mr. Lindner when Mr. Lord took in and cared for a fellow football player on Mr. Lindner’s high school football team. [Exhibit 16]. James Lord is an openly gay man. Mr. Lindner and his football friends would come over to Mr. Lord’s home to visit and his sexuality was never an issue with Mr. Lindner. Mr. Lindner and he maintained a friendship even after high school when Mr. Lindner attended college. Mr. Lindner continued to reach out to him for advice. In fact, Mr. Lindner called Mr. Lord about a health scare he had in college before he called his own mother. Mr. Lord

¹³ Mr. Lindner was a few grades below her in high school.

¹⁴ A convenience store.

suggested that Mr. Lindner call his mother, of course, and Mr. Lord spoke to Annabelle Lindner too. But Mr. Lord explained even his own nephews and nieces did not call him when they were in college. Mr. Lindner enjoyed a genuine and respectful relationship with Jim Lord over the years. Jim Lord came from metropolitan Atlanta and was surprised that in small Comfort, Texas that he had wonderful friends when he celebrated his 25-year wedding anniversary with his husband and about 300 to 400 town's people attended his party to celebrate.

PASSION FOR COMMUNITY JUSTICE

Larry Leitha Jr., the Kerr County Sheriff, also describes Mr. Lindner as-a big guy that is like a Teddy Bear, is really quiet, and has always been helpful to the Sheriff and his kids. [Exhibit 17]. Sheriff Leitha has known Mr. Lindner for fifteen years. He first met Mr. Lindner at the Lindner Feed and Milling Company when he was picking up feed for his pigs.

In a video excerpt from the fifteen-minute video this Court can see that Mr. Lindner stopped a fugitive from justice by using only his hands. He stopped this fugitive from entering a restaurant where women and

children were eating.¹⁵ The man was fleeing from the Kimball County Police Department as other men in the parking lot were aiming their long guns to shoot and kill the man who they felt was a danger.¹⁶ Mr. Lindner not only protected the women and children, which is in his nature, but also saved the life of the fugitive and earned the thanks of the police and patrons.

HONEST AND REASONABLE MISTAKE OF FACT

Mr. Lindner acknowledges his guilt and accepts full responsibility for the harm his unfortunate conduct has caused. While not excusing his conduct, it is important to explain that the character that Mr. Lindner has shown throughout his adult life is consistent with what happened in this case and also how Mr. Lindner has dealt with the charges against him in this Court. A brief explanation of what occurred in the instant matter will help to better understand this situation. At the time of these events, Mr. Lindner was bailing hay in a field in Atascosa County,

¹⁵ Mr. Clay Simmons, the Lissy-Eckle Feed Store and Café Manager did not know if the fugitive had a gun but he considered him dangerous to the Café patrons and was glad that Matthew Lindner intervened to stop the man from harming the café patrons because the “cops weren’t going to catch him before he got in there.” [Exhibit 18]. He was glad Matthew was in there eating because “he saved everybody in there.” He said, no telling what that fugitive would have done if he had gotten in the café, he could have grabbed the kids.

¹⁶ Mr. Clay Simmons, the Lissy-Eckle Feed Store and Café Manger describes the event in the 15 minute video. The man in the parking lot who took aim to shoot the man can be seen on the video of the event that follows.

Pearsall, Texas when he viewed a so-called “news video” on his phone purporting to report that a Boston Doctor was castrating minor children. Not knowing that the story was false, and based on his protective nature,¹⁷ he believed the false story and also believed that the doctor was committing a crime that nobody was doing anything about. He obtained publicly available contact information for the doctor and calling on his own telephone, left a voice mail on the hospital phone where the offensive conduct was reportedly taking place. He relayed what he had seen in social media comments to the “news story.” He condemned the castration of children in a harsh and profane way. He is ashamed of the profane language he used. He was taught to speak to people differently.

“Our family traditions are solid, in that we teach our children to have respect for their elders, adults and strangers. It is here that ‘No Ma’am’ n ‘No sir’ are considered signs of respect for others. Our children adopted these traits and for that we are very proud of them. Now our grandchildren exhibit the same politeness and in a couple of years our new great grandchild will learn this trait as well. Admittedly, Matthew failed to follow this tradition. Matthew regrets the language he used and has apologized to his entire family and friends.” Letter from Ralph and Annabelle Lindner. [Exhibit 1].

¹⁷ Mr. Lindner is protective of his own and other children.

When Mr. Lindner left his phone message for the doctor he thought was harming children, he left word that others deeply disapproved of the castration of children as well. ***And then he called the police.*** During his interview with the FBI in San Antonio, Texas, still believing the false “news story” he admitted placing the call and leaving the phone message, and asked the agents whether they knew what the doctor was doing. He still, these many months later, believed the story to be true. Nevertheless, it is important to note that he took no action as a result.

As soon as he learned that the “news story” was false he became concerned for the doctor and was focused on the fact that the perpetrators of the false “news story” were continuing to cause the doctor unwanted attention and opprobrium. He now regrets not vetting the news story or not doing something earlier, even before he made the call at issue, to learn that the story was false.

A friend of his who owns an automotive repair business, Cody Walker says:

“Matty is one of those guys that you see in town at a gas station or a restaurant and he would go out of his way to shake your hand and say hello. He is also the same guy if you that ever needed anything he would get there as quickly as possible. He has always had a very big heart and he is a good

person. I consider Matty to be one of my good friends because I know that I can count on him. Matty knows he made a mistake and I know he regrets his actions before he verified the information at hand.” [Exhibit 19].

PARTICIPATION IN RESTORATIVE JUSTICE PROGRAM

After his arrest on these charges and having the opportunity to confer with his family, his Pastor, and his counsel, Martin Weinberg, who told him about this District’s remarkable Restorative Justice Program, Mr. Lindner took the affirmative step of seeking admission to the program even prior to his decision to enter a plea of guilty. Actively taking part in this unique interactive program, which included a 2-day in person session in Boston as well as a great deal of additional study and participation in the multi-step program, Mr. Lindner learned a great deal about gay and transgender individuals that he had not considered in his rural Texas upbringing. While, as several of the letters attest, Mr. Lindner had gay friends for who he treated with respect and had a close personal relationship, he had not truly understood nor recognized their plight managing the prejudices and taboos that gays and transgender friends regularly suffer. Through the Restorative Justice program, Mr. Lindner became much more aware of how the world is seen through the eyes of others including transgender people and with that awareness

gained a profound empathy for both the victim in this case and how she experienced his threat and for others similarly situated who have to deal with the consequences of false information disseminated in social media and cyberspace. In the Restorative Justice program, the participants and those that directed the program learned his true character, that he harbored no overriding hatred for transgender and/or gay persons, and more importantly, Mr. Lindner learned first-hand of the struggles of others. His fellow participants learned that he understood and had true empathy for the struggles of others, including gay and transgender persons and that despite his offense he was at heart gentle, caring, and compassionate person. He deeply regrets the fear that his voice message must have caused and deeply regrets that he did not engage in more deliberative decision-making before making the phone call at issue. The Restorative Justice Program was a program that helped him develop a more deliberative and measured way of interacting with others, particularly those whose lives were markedly different than his own. .

As a result of the Program, he has also become more focused inward on his immediate family and community. He is more dedicated to his children and even more gentle with them and other youth with whom he

interacts. He is deeply remorseful for his actions¹⁸ and has committed his life to making amends by living his life as an example of the change that he wants to see in the world.¹⁹ He has taken what he has learned from his mistakes and the restorative justice program to heart.

His uncle, an experienced and accomplished man²⁰ vouches for his true remorse.

“It has been my experience that all of us, my self-included, have made mistakes and we have either learned from these mistakes and changed or we have moved on with no remorse and continue to live life as we care to. Your Honor, in my seventy plus years, I can honestly say that I have not misread change for the good and in my opinion, Matthew Lindner has made that change. I base this observation on a visit I had with Matthew several weeks ago, after having no contact with him during the last year or so. Matthew had always been well mannered and soft spoken but during this visit, I could tell that his words came from his heart and soul with a depth of meaning that I had never seen before and his demeanor was one of caring about his future and impact the

¹⁸ “A misleading video led Matthew to take actions that he now regrets. Matthew recently attended a Restorative Justice program in Boston that touched him greatly. He was also baptized into the Christian faith; regardless of one’s spiritual or religious beliefs, Christianity is an excellent model for living a principled life of integrity.” Letter of support from SaVanna Cano. [Exhibit 9].

¹⁹ “He has been up front with us about his struggles and his mistakes, has taken responsibility for them, and has been remorseful about this actions both in public and private.” Letter of support by Randal Zoeller. [Exhibit 20]. See also Letter from SaVanna Cano. [Exhibit 9].

²⁰ Mr. Fred Schuetze is a graduate of Texas A&M University with a masters in Animal Science. [Exhibit 21]. He served for 12 years as County Extension Agent for the Texas AgriLife Extension Service, where part of his job was to oversee the 4-H youth programs. He now manages a registered cattle operation and serves as President of the Texas Beef Counsel and is a member of the Board of Directors for the National Cattlemen’s Beef Association. He has served on national and international cattlemen’s boards as president and committee chairs.

change has made in his life personally and with others.”
Support Letter from Fred Schuetze. [Exhibit 21].

He is placing the priorities he always had as a caregiver for his children, father, Ralph (the patriarch of the family), his mother who is the conscience of the family, and his children as his primary focuses in his life.²¹ He lives next to his parents and assists them when he is not working and has helped elderly members of his community maintain their independence.²² He still works hard, driving grain commercially and working for the Lindner Feed and Milling Company where he most enjoys loading grain for long standing customers, missing those who have passed away.

HONEST AND SINCERE REMORSE

²¹ Mr. Lindner is dedicated to caring for his parents as they need him. Ethan Lindner wrote about this in his letter of support. “In addition to his commitment to his family and the community, Matthew has also been a pillar of support for our aging parents. As they have grown older, Matthew has been there to assist them with various tasks and provide them with the care and attention they need. His dedication to our parents is a reflection of his character and his willingness to go above and beyond to help those he loves.”

²² “My mother is 86 and still lives alone on her ranch. Matthew is one of the reasons she’s been able to maintain that independence. Whether it is helping her with plumbing issues, fixing broke troughs, taking care of ending, feeding livestock, or just being around when she can’t get the TV to work, he has made himself available to her both night and day when I was not able.” “Matthew’s thoughtfulness carries through to everyone in our town beyond just his immediate family. He is always ready and can be counted on to lend a hand or help someone or some group that is in need. His passion for the people of our town and its kids is unmatched.” Letter of support from Randal Zoeller. [Exhibit 20].

Even before Mr. Lindner entered the Restorative Justice program he took personal stock and sought to understand why he chose to react so quickly without further consideration of the “news story.” He engaged in self-reflection and self-evaluation and was chastened when he thought of all the comments he saw on the “story,” reflecting on the negative effects they may have had on the doctor. He also reflected on improving himself and took action to make changes in how he conducts his affairs and his life so that he will not act precipitously in the future. He says that the Restorative Justice Program changed his life. The Restorative Justice program is a positive and impressive program that allows an individual consideration of a case and its parties. It should be implemented throughout the country.

His mother and father saw that it changed him. His brother, Ethan, wrote about Mr. Lindner’s remorse for his conduct. [Exhibit 4].

“Your Honor, I implore you to consider Matthew's positive attributes and the potential for rehabilitation.”

“While I understand that Matthew has made mistakes, I firmly believe that these actions do not define his character. The circumstances surrounding his current situation do not accurately reflect the person he truly is. Matthew has shown remorse for his actions and is committed to making amends and becoming a better person.”

His family supports his efforts to make amends and rejoin his community. Ralph and Annabelle Lindner wrote:

“Our family, like many others, have made mistakes, but these mistakes do not define us, rather we find an opportunity to move forward clinging to our values, searching for new ways to live, asking for forgiveness and turning the results over to God. Matthew’s mistake does not accurately define him, his response of humility and remorse more accurately defines him. Your Honor, Matthew is a kind, gentle giant, intuitive and forgiving person. He is an excellent father to his two young children. He is a steady help to us as we age. His error in judgement was a mistake, but he has assumed responsibility for such, asked for forgiveness and because of such, we, the family and our community stand ready to support him as he moves forward. As a family and community, we hope you will find grace over condemnation for Matthew.” Letter from Ralph and Annabelle Lindner. [Exhibit 1].

APPLICATION OF SENTENCING GUIDELINES

Count 1 to Lindner’s plea agreement involves 18 U.S.C. § 875(c). This section directs us to USSG 2A6.1(a)(1), which notes that Lindner’s base offense level begins at a level 12. Because the offense involved a single instance evidencing little to no deliberation, Lindner’s offense level is reduced 4 points. *See* 2A6.1(a)(6). This places Lindner at a level 8. Further, Lindner has clearly demonstrated acceptance of responsibility for the offense at

hand. *See 4A1.1*. As such, his guidelines are reduced an additional 2 points. This ultimately places Lindner at level 6, within Zone A, where the range of potential punishment is zero (0) to six (6) months.

While Mr. Lindner has fully taken accountability and expressed genuine remorse for his actions, we urge the Court to accept the 3-months of imprisonment as a fair and just sentence that is within the heartland of the guidelines, is agreed to by the Government, and fully satisfies all of the objectives of 18 U.S.C. §3553.

Mr. Lindner was truly convinced that this doctor was harming children to the point where he felt it necessary to alert the police as well. He did not have an actual intent to harm the doctor which is corroborated by the fact that he never left Texas to approach the doctor in Boston. Ultimately, while the language he used may have been unfortunately harsh and vulgar, Mr. Lindner had a genuine belief that he was defending minors based upon the gross misinformation was reading online. A sentence of 3 months of imprisonment is a fair and just punishment for his threat and the

defendant requests that the Court accept the “C” plea agreement of the Party’s.

Respectfully Submitted,
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CERTIFICATE OF SERVICE

I, Martin G. Weinberg, hereby certify that on this date, February 13, 2024, a copy of the foregoing document has been served *via* Electronic Court Filing system on all registered participants.

/s/ Martin G. Weinberg
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