FILED
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U.S. DISTRICT COURT
N.D. OF ALABAMA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA **v.** **LEVI CLIFTON BELCHER,** **Defendant.**	**Case No. 5:26-cr-00354-LCB-HNJ**

MOTION TO DISMISS COUNT ONE OF INDICTMENT

Given the ATF's October 9, 2026, open letter regarding certain provisions of the National Firearms Act, the United States moves the Court under Rule 48(a) of the *Federal Rules of Criminal Procedure* to dismiss Count One (Possession of Unregistered National Firearms Act Weapon in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871) of the Indictment pending in this matter without prejudice. *See United States v. B. G. G.*, 53 F.4th 1353, 1357 (11th Cir. 2022). The United States intends to continue to prosecute Count Two (Interstate Transmission of Threatening Communication in violation of 18 U.S.C. § 875(c)).

Respectfully submitted,

PHILLIP W. WILLIAMS JR.
United States Attorney

/s/ John M. Hundscheid
John M. Hundscheid
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2026, I filed a copy of the foregoing with the Court through CM-ECF, which caused a copy to be served on counsel of record.

/s/ John M. Hundscheid
John M. Hundscheid
Assistant United States Attorney