

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ALAN WILLIAM BYERLY,

Defendant.

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Case No. 1:21-cr-527 (RDM)

**GOVERNMENT’S NOTICE OF FILING OF EXHIBITS PURSUANT
TO LOCAL CRIMINAL RULE 49 AND STANDING ORDER 21-28**

The United States hereby gives notice, pursuant to Local Criminal Rule 49 and Standing Order 21-28, of the following exhibits provided to the Court and counsel and used in the Government’s Sentencing Memorandum (ECF 47) in this matter. These exhibits will be offered into evidence during the sentencing hearing scheduled on October 21, 2022. Because Video Exhibits 1-5 are video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The proposed exhibits are as follows:

1. Government Exhibit 1 is a 57 second clip entitled “Hole the Line.” The clip shows the defendant and others using a Trump billboard as a battering ram against a line of police officers on January 6, 2021.

2. Government Exhibit 2 is a one minute, 28 seconds clip entitled “AP Assault,” obtained from the Associated Press. The contents of the video are captured in open source video downloaded from <https://nypost.com/2021/01/08/trump-supporters-attack-associated-press-photographer-in-dc/> and the photographer’s Instagram account: https://www.instagram.com/tv/CJxKMArpN0/?utm_source=ig_embed&ig_rid=b4b2c77a-fb94-

[4e95-8ca5-519e50fba916](#). The events depicted in in the exhibit occurred in the early afternoon of January 6, 2021.

3. Government Exhibit 3 is a 46 second clip entitled “AFO,” meaning on assault on federal officer. The clip comes from the body-worn camera of an officer with the Metropolitan Police Department. The events depicted in the exhibit commenced at approximately 2:10 p.m. ET on January 6, 2021.

4. Government Exhibit 4 is a one minute, 50 seconds clip entitled “Chaos before the breach.” The events depicted in the exhibit occurred in the early afternoon of January 6, 2021.

5. Government Exhibit 5 is a 54 second clip recorded by a private citizen obtained during the government’s investigation of the events of January 6, 2021. The recording is entitled “Admission” and was recorded on January 6, 2021.

If there is no objection from the defendant, the government requests that these exhibits be promptly released to the public.

Respectfully submitted,

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/s/ ANITA EVE

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