

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| UNITED STATES OF AMERICA | : | | No.: 21-CR-83 (TNM) |
| | : | | |
| v. | : | | |
| | : | | |
| BRANDON FELLOWS, | : | | |
| Defendant. | : | | |
| <hr/> | | : | |

NOTICE OF FILING DISCOVERY CORRESPONDENCE

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby files its March 26, 2021 discovery letter, memorializing discovery sent on March 18th and March 25th, 2021, which is served as an attachment via ECF on counsel for the Defendant.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
D.C. Bar No. 415793

By: */s/ Mona Lee M. Furst*
Mona Lee M. Furst
Assistant United States Attorney
Detailee – Federal Major Crimes
United States Attorney’s Office
District of Columbia
Cell No. (316) 213-7420
Kansas Bar Number 13162
Mona.Furst@usdoj.gov

CERTIFICATE OF SERVICE

On this 26th day of March, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court’s Electronic Filing System.

/s/Mona Lee M. Furst
Mona Lee M. Furst
Assistant United States Attorney



U.S. Department of Justice

CHANNING D. PHILLIPS
Acting United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St., N.W.
Washington, D.C. 20530*

March 26, 2021

Cara Halverson
Assistant Federal Public Defender
VIA E-mail

Re: *United States v. Brandon Fellows*
Case No. 21-cr-83 TNM

Dear Counsel:

This is to memorialize the following initial discovery sent you via email on March 18, 2021:

Serial 63_Redacted: telephone conversation with Mr. Fellows January 16, 2021
Serial 66: summary of telephone call made by Mr. Fellows February 11, 2021 to Special Agent Manchuck

And, additional initial discovery provided to you via USAFX on March 25, 2021:

Serial 60_001A_0017_001 through _0035, representing the return from Facebook of the warrant for your client's account, including videos, photographs, and other posts.

Serial 61_001A_0018_001 through _0019; 1A_0019_001 through _0053 including videos, photographs, and other posts.

Due to the extraordinary nature of the January 6, 2021 Capitol Attack, the government anticipates that a large volume of materials may contain information relevant to this prosecution. These materials may include, but are not limited to, surveillance video, statements of similarly situated defendants, forensic searches of electronic devices and social media accounts of similarly situated defendants, and citizen tips. The government is working to develop a system that will facilitate access to these materials. In the meantime, please let me know if there are any categories of information that you believe are particularly relevant to your client.

The discovery is unencrypted. Please contact me if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

Additional materials will be provided after the entry of a Protective Order in this case.

I recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio, Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

I request reciprocal discovery to the fullest extent provided by Rule 16 of the Federal Rules of Criminal Procedure, including results or reports of any physical or mental examinations, or scientific tests or experiments, and any expert witness summaries. I also request that defendant(s) disclose prior statements of any witnesses defendant(s) intends to call to testify at any hearing or trial. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 255 (1975). I request that such material be provided on the same basis upon which the government will provide defendant(s) with materials relating to government witnesses.

Additionally, pursuant to Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3, I request that defendant(s) provide the government with the appropriate written notice if defendant(s) plans to use one of the defenses referenced in those rules. Please provide any notice within the time period required by the Rules or allowed by the Court for the filing of any pretrial motions.

I will forward additional discovery as it becomes available. If you have any questions, please feel free to contact me.

Sincerely,

/s/ *Mona Lee M. Furst*

Mona Lee M. Furst
Assistant United States Attorney

Enclosure(s)
cc: