





U.S. Department of Justice

Channing D. Phillips  
Acting United States Attorney

*District of Columbia*

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

June 3, 2021

Thomas Abbenante, Esq.  
888 17th Street, N.W., Suite 1200  
Washington, DC 20006

Re: *United States v. Brittiany Angelina Dillon*  
Case No. 1:21-cr-360







































Dear Counsel:

I am writing to memorialize production of discovery in this matter. On May 13, 2021, the government provided you with preliminary discovery, consisting of 12 files of U.S. Capitol Police video footage and records produced, pursuant to subpoena, by Verizon (one file), Instagram (three files), Google (three files), and Facebook (one file). On June 2, 2021 the government provided you with an additional 188 files from the FBI's case file. And on June 3, 2021, the government produced one additional file of U.S. Capitol Police video footage. All of these were provided by way of USAfx, in a folder titled *US v. Brittiany Dillon - Discovery*.

















































The image below documents the thirteen video files which have been produced:














-  7202 USCG 00 East Front House Egg-2021-01-06\_15h04min07s000ms
-  0953 USCS RF Northeast Roof-2021-01-06\_14h16min00s000ms
-  0952 USCS RF Northeast Roof-2021-01-06\_14h25min26s000ms
-  0951 USCS RF East Roof-2021-01-06\_14h21min00s000ms
-  0948 USCH RF Southeast Roof-2021-01-06\_15h05min50s000ms
-  0933 USCG 00 CVC Elevator Tower North-2021-01-06\_14h27min24s000ms
-  0930 USCG 00 Upper Terrace NE-2021-01-06\_14h15min57s000ms
-  0929 USCG 00 Upper Terrace NE-2021-01-06\_14h15min48s000ms
-  0811 USCG 00 K18 House Plaza Egress-2021-01-06\_15h07min43s000ms
-  0613 USCG 00 North Screening Entrance-2021-01-06\_14h17min29s000ms
-  0117 USCS 01 Senate Carriage Door Exterior-2021-01-06\_14h18min11s000ms
-  0117 USCS 01 Senate Carriage Door Exterior-2021-01-06\_14h18min08s000ms
-  0114 USCS 01 Senate Carriage Door-2021-01-06\_14h18min11s000ms

And the images below document the 188 items from the FBI's case file:

- |   |  |
|---|--|
|  266T-BA-3380424_0000001                     |  266T-BA-3380424_0000009_1A0000007_0000001            |
|  266T-BA-3380424_0000003                     |  266T-BA-3380424_0000009_1A0000007_0000002            |
|  266T-BA-3380424_0000003_1A0000001_0000001   |  266T-BA-3380424_0000010                              |
|  266T-BA-3380424_0000004                     |  266T-BA-3380424_0000010_1A0000008_0000001            |
|  266T-BA-3380424_0000004_1A0000002_0000001   |  266T-BA-3380424_0000011                              |
|  266T-BA-3380424_0000004_1A0000002_0000002 |  266T-BA-3380424_0000011_1A0000009_0000001          |
|  266T-BA-3380424_0000005                   |  266T-BA-3380424_0000011_1A0000010_0000001_Redacted |
|  266T-BA-3380424_0000005_1A0000003_0000001 |  266T-BA-3380424_0000012                            |
|  266T-BA-3380424_0000005_1A0000003_0000002 |  266T-BA-3380424_0000012_1A0000011_0000001_Redacted |
|  266T-BA-3380424_0000005_1A0000003_0000003 |  266T-BA-3380424_0000013_Redacted                   |
|  266T-BA-3380424_0000005_1A0000003_0000004 |  266T-BA-3380424_0000014                            |
|  266T-BA-3380424_0000005_1A0000003_0000005 |  266T-BA-3380424_0000014_1A0000012_0000001          |
|  266T-BA-3380424_0000005_1A0000003_0000006 |  266T-BA-3380424_0000015                            |
|  266T-BA-3380424_0000006                   |  266T-BA-3380424_0000015_Import                     |
|  266T-BA-3380424_0000007                   |  266T-BA-3380424_0000017                            |
|  266T-BA-3380424_0000007_1A0000004_0000001 |  266T-BA-3380424_0000017_Import                     |
|  266T-BA-3380424_0000007_1A0000004_0000002 |  266T-BA-3380424_0000018                            |
|  266T-BA-3380424_0000007_1A0000004_0000003 |  266T-BA-3380424_0000018_1A0000013_0000001          |
|  266T-BA-3380424_0000007_1A0000004_0000004 |  266T-BA-3380424_0000018_1A0000013_0000002_PHYSICAL |
|  266T-BA-3380424_0000008                   |  266T-BA-3380424_0000019_Redacted                   |
|  266T-BA-3380424_0000008_1A0000005_0000001 |  266T-BA-3380424_0000020                            |
|  266T-BA-3380424_0000008_1A0000005_0000002 |  266T-BA-3380424_0000020_Import                     |
|  266T-BA-3380424_0000009                   |  266T-BA-3380424_0000021                            |
|  266T-BA-3380424_0000009_1A0000006_0000001 |  266T-BA-3380424_0000021_1A0000015_0000001          |
|  266T-BA-3380424_0000009_1A0000006_0000002 |  266T-BA-3380424_0000021_1A0000015_0000002          |

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-  266T-BA-3380424\_0000010\_1A000008\_0000001
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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.

This material is subject to the terms of the Protective Order issued in this case. To date, all of the thirteen U.S. Capitol Police video files produced to you have been designated as highly sensitive pursuant to the Protective Order. Additionally, FBI Serial 18, item 1A13 (a physical disk containing U.S. Capitol Police video files) is designated as highly sensitive.

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/ Michael J. Romano  
Michael J. Romano  
Trial Attorney / Detailee