

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	EXHIBITS FILED UNDER SEAL
v.	:	
	:	Case Number 21-cr-175-1 (TJK)
ETHAN NORDEAN,	:	
	:	
Defendant.	:	

UNITED STATES’ NOTICE OF UNDER SEAL SUBMISSION OF EXHIBITS

The United States of America hereby gives notice that the United States has submitted for review by the Court the four videos referenced in Defendant Nordean’s Motion for Removal of Sensitivity Designation (ECF 129). These videos have been designated “Highly Sensitive” pursuant to the Protective Order entered in this case (ECF 103) and the video files are provided to the Court under seal.

The Government’s Opposition to Defendant Nordean’s Motion for Removal of Sensitivity Designation (ECF 129) will be filed separately; however, the Government found it necessary to provide an immediate response to Defendant’s characterization of rioters’ entrance to the Capitol. The Government disputes Defendant Nordean’s characterization of the events surrounding Nordean’s unlawful entrance into the Capitol. Among other things, the surveillance footage does not “show[] a law enforcement officer authorizing Nordean’s entrance.” (ECF 113). Likewise, the footage does not show a police officer “*prop[ping] the door open* and mov[ing] a box out of the way of protestors entering the building.” (ECF 129) (emphasis added). The video depicts outnumbered Capitol Police officers being overrun by rioters unlawfully breaching a Capitol entrance.

A list of the surveillance videos that have been submitted under seal has been set forth below.

Name	Size
 0126 I USCS 01 Upper West Terrace-2021-01-06_14h20min00s000ms.asf	627,375 KB
 0126 USCS 01 Upper West Terrace-2021-01-06_14h37min00s000ms.asf	50,921 KB
 0912 I USCS 01 Upper West Terrace Door-2021-01-06_14h20min00s000ms.asf	1,014,727 KB
 0912 USCS 01 Upper West Terrace Door-2021-01-06_14h37min00s000ms.asf	70,429 KB

Respectfully submitted,

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Date: July 29, 2021