

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

UNITED STATES OF AMERICA	:	
	:	Case No. 21-cr-129 (ABJ)
v.	:	
	:	
GABRIEL AUGUSTIN GARCIA,	:	
also known as “Gabriel Agustin Garcia,”	:	
	:	
Defendant.	:	

**GOVERNMENT’S NOTICE REGARDING VIOLATION OF
PROTECTIVE ORDER AND MOTION FOR AN ORDER DIRECTING
REMOVAL FROM INTERNET OF SENSITIVE MATERIALS**

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Court to enter an order directing Defendant Gabriel A. Garcia (the “Defendant”) to remove a social media post that violates the Protective Order in this case.

1. On April 1, 2021, this Court signed a Protective Order governing discovery in this case. *See* ECF No. 17. In relevant part, the Order limits the use, dissemination, and reproduction of materials marked “Sensitive” or “Highly Sensitive.”

2. On or about June 2022, the government disclosed certain portions of the FBI file via Relativity, the discovery platform being utilized for Capitol Breach cases. One document from that file marked “Sensitive” has since been posted to the internet. In the accompanying comment to the post, the Defendant indicates that he has “decided to share my arrest report” and then draws viewers’ attention to the names and positions of certain FBI Agents and FBI Task Force Officers.¹

¹ While the Order provides in Paragraph 11 that materials “derived directly from Defendant or that pertain solely to Defendant” (such as a defendant’s arrest records) are automatically excluded from the Order (ECF No. 17 at 5), the discovery posted here does not pertain solely to the Defendant. The document includes, and the Defendant specifically highlights, the identities of law enforcement officers. Whatever the Defendant’s interpretation of the consent Protective Order, surely it protects against such careless – and dangerous - public disclosures.

3. This unauthorized disclosure violates the Protective Order. Therefore, the government requests that the Court enter an order directing that the post be immediately removed and reminding the Defendant of his obligations under the Protective Order.²

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar Number 481052

By: /s/ Angela N. Buckner
Angela N. Buckner
DC Bar #1022880
Assistant United States Attorney
United States Attorney's Office
601 D Street, N.W.
Washington, DC 20530
Phone: (202) 252-2656

² The Defendant's explicit acceptance to the terms of the Order is memorialized at ECF No. 15-2.