

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

| | | |
|---------------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| v. | : | Case No. 21-CR-149 |
| | : | |
| CHANCE ANTHONY UPTMORE | : | |
| and JAMES HERMAN UPTMORE, | : | |
| also known as “Sonny” Uptmore, | : | |
| | : | |
| Defendants. | : | |

NOTICE OF LETTER PROVIDED TO DEFENSE COUNSEL

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby gives notice that the United States gave to counsel of record in the above-captioned case via USAfx file exchange and via FedEx the discovery listed in the attached letter on the date set forth in the letter. The government requests that the attached discovery letter, dated June 13, 2021, be made part of the record in this case.

Respectfully submitted,

CHANNING D. PHILLIPS
ACTING UNITED STATES ATTORNEY
D.C. Bar No. 415793

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

CERTIFICATE OF SERVICE

On August 16, 2021, a copy of the foregoing notice and attached discovery letter were served on defendants' counsel through the Court's Electronic Filing System with the listed attachments provided to counsel through the means described in the discovery letter.

/s/ Angela N. Buckner _____
Angela N. Buckner
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*

June 13, 2021

By e-mail

Christopher W. Adams
chris@adamsbischoff.com

John Convery
hasconpc@aol.com

Re: *Chance Uptmore and James Uptmore
Preliminary Discovery for Case Number 21-cr-149*

Dear Counsel:

I have uploaded preliminary discovery to USAfx. As we receive and review additional discovery, it will be uploaded to USAfx. When our investigation and review is complete, I will provide a more formal, bates stamped production which will include items such as serialized 302s and responsive search warrants returns.

For now, I have included below most (if not all) of the warrant affidavits we have sought thus far so that you have an idea of the universe of discovery. The search warrant returns have not necessarily been reviewed for responsive materials. However, because Mr. James and Chance Uptmore are related, and because they are co-defendants, I have provided full copies of the phone extractions, as well as a full copy of the Facebook account for Mr. Chance Uptmore, to each of you.

Additionally, law enforcement officers and agents sometimes use sensitive and confidential databases for searches, such as CLEAR and NCIC. Where the documents involve law enforcement search results utilizing these databases (such as CLEAR or NCIC), I have marked those items "highly sensitive" (**HS**).

Similarly, where the documents involve sensitive internal FBI databases, such as documentation involving “TTK” and/or “FACES” (facial recognition) searches, I have marked those items “highly sensitive” (**HSI**).

If you have any questions, issues, or concerns with how I’ve marked (or not marked) documents, please let me know and I’m happy to revisit.

PHYSICAL EVIDENCE

| | |
|--|---|
| External Drive <i>Delivered via FedEx</i> | Phone Extraction (QSA1 - James Uptmore) Phone Extraction (QSA2 - Chance Uptmore) |
| DVD (1) <i>Delivered via FedEx</i> | James Uptmore and Chance Uptmore Audio Interviews |
| DVD (3) <i>Delivered via FedEx</i> | Chance Video Interview (multiple video files) |
| CCTV <i>Delivered via USAfx</i> | 0959 USC 02 Rotunda South(HSI) Advance to: 4:30 minutes Uptmore Video: DA033099-D8A6, IMG 229, IMG 231 ¹ Approx. Time: 238pm 0960 USC 02 Rotunda North(HSI) Advance to: 4:30 minutes Uptmore Video: DA033099-D8A6, IMG 229, IMG 231 Approx. Time: 238pm 0686 USCH 02 Rotunda Door Interior(HSI) Advance to: 25 minutes Uptmore Video: IMG 230 Approx. Time: 240pm Advance to: 40 minutes Uptmore Video: IMG 241 Approx. Time: 255pm 7029 USCS 02 Rotunda Door Interior(HSI) Advance to: 25 minutes Uptmore Video: IMG 230 |

¹ I’ve made some attempt to indicate where videos from Mr. Chance Uptmore’s phone extraction coincide with the Capitol Building CCTV. These are the file names for the videos on Chance Uptmore’s phone.

| | |
|--|------------------------|
| | Approx. Time: 240pm |
| | Advance to: 40 minutes |
| | Uptmore Video: IMG 241 |
| | Approx. Time: 255pm |
| Facebook Account <i>Delivered via USAfx</i> | Chance Uptmore |

FBI SERIALS

| | |
|---------------------|---|
| Chance Uptmore File | Chance A. UPTMORE-U.S. Capitol Intrusion January 6, 2021 (2 pages) |
| | Conversion to Full Investigation (10 pages) |
| | Federal Arrest-Chance Anthony Uptmore (2 pages) |
| | Follow Up Interview Telephonic of Tipster (1 page) |
| | Grand Jury subpoena return from ATT (6 pages) |
| | Grand Jury subpoena return from Facebook (2 pages) |
| | Search warrant at 15411 Pebble Gate San Antonio TX 78232 (9 pages) |
| | Telephone Call- Self Surrender Arrangements for Uptmore Co-defendants (1 page) |
| | Telephonic Interview of Tipster (2 pages) |
| | Guardian_701528_SA (2 pages) |
| | Interview of Chance Uptmore Advice of Rights (2 pages) |
| | Interview of James Sonny H. Uptmore Jr (8 pages) |
| | 1.8.21 Tipster (2 pages) |
| | Recorded Voluntary Non-Custodial Interview of Chance Anthony Uptmore (11 pages) |
| | Search by Arresting Agents (2 pages) |

James Uptmore File Case Opening Form-James Uptmore 18 USC 1752a (1 page)

Federal Arrest -James H. Uptmore (1 page)

Search Warrant Return-SA 21-MJ-00053-Uptmore Residence (1 page)

Telephone Call-Self Surrender Arrangements for Uptmore Co-defendants (1 page)

OPENING EC-Full Investigation (8 pages)

Recorded Voluntary Non-Custodial Interview of Chance Anthony Uptmore (JU File) (11 pages)

Voluntary Interview of James Uptmore and Return of Telephone (6 pages)

ADDITIONAL DISCOVERY

Receipt for Property (1 page)

Residential Search Warrant (29 pages)

Facebook Search Warrant (40 pages)

Face Search – Chance Uptmore (12 pages)- (HSI)

Name Search – Chance Uptmore (17 pages) (HSI)

Face Search – James Uptmore (80 pages) (HSI)

Facebook Screenshot from Tipster

Images from Telegraph UK/ CCN (3)

NCIC – James Uptmore (10 pages) (SI)

DL - James Uptmore (2 pages) (SI)

DL – Chance Uptmore (3 pages) (SI)

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.

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,

CHANNING D. PHILLIPS
Acting United States Attorney

By: /s/ Angela N. Buckner
ANGELA N. BUCKNER
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