

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 13 2023

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 V.)
)
 JOLENE EICHER)
)
 Defendant)

CRIMINAL CASE NO. 22-38 (BAH)

JOINT ACKNOWLEDGMENT CONCERNING TRIAL EXHIBITS

Counsel acknowledge that they have jointly reviewed with the courtroom deputy the exhibits that were admitted into evidence and have agreed on what exhibits will be submitted to the jury during deliberations.

Plaintiff:

Exhibits: SEE ATTACHED




Attorney for the plaintiff

Date: 6/13/23

Defendants:

Exhibits: see attached



Attorney for the defendant

Date: 6-13-23

Government
 Plaintiff
 Defendant
 Joint
 Court

UNITED STATES OF AMERICA

Civil/Criminal No. 22-cr-38 (BAH)

VS.

Jolene Eicher

FILED

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Clerk, U.S. District and
 Bankruptcy Courts

GOVERNMENT WITNESSES

- USCP Captain Carneysha Mendoza
- MPD Ofc. Noah Duckett
- USSS Inspector Lanelle Hawa
- FBI Special Agent Brittany Ausley
- FBI Special Agent Jeremy Taguding
- FBI Special Agent Victor J. Olesen

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
000 Series	<i>Residence Search/Physical Evidence</i>				
001	Yellow scarf seized from defendant's residence	6/13/2023	6/13/2023	SP. AGENT TAGUDING	6/13/2023 3:45 PM
001A	Photograph of yellow scarf seized from defendant's residence				
002	Olive/tan jacket seized from defendant's residence	6/13/2023	6/13/2023	SP. AGENT TAGUDING	
002A	Photograph of olive/tan jacket seized from defendant's residence				
003	Green tank top seized from defendant's residence	6/13/2023	6/13/2023	SP. AGENT TAGUDING	
003A	Photograph of green tank top seized from defendant's residence				

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
✓ 004	Purple shirt seized from defendant's residence	6/13/2023	6/13/2023	SP. AGENT TALUDING	
004A	Photograph of purple shirt seized from defendant's residence				
✓ 005	Necklace seized from defendant's residence	6/13/2023	6/13/2023	SP. AGENT TALUDING	
005A	Photograph of necklace seized from defendant's residence				
006	Photograph of clothing seized from defendant's residence				
✓ 007	Cards recovered from the jacket seized from the defendant's residence	6/13/2023	6/13/2023	SP. AGENT TALUDING	
007A	Photograph of cards recovered from the jacket seized from the defendant's residence				
008	Photograph of FBI Residence Search Photographic Log Cover Sheet				
100 Series	<i>U.S. Capitol Maps, Diagrams, Photographs</i>				
✓ 100	Aerial U.S. Capitol Photo	6/12/2023	6/12/2023	CAPTAIN MENDOZA	
✓ 101	Map Identifying the Restricted Area on U.S. Capitol Grounds on January 6, 2021	6/12/2023	6/12/2023	INSPECTOR HARWA CAPTAIN MENDOZA	
✓ 102	Photograph of West Side of U.S. Capitol Grounds with Snow Fencing and "Area Closed" Signs	6/12/2023	6/12/2023	CAPTAIN MENDOZA	

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
✓ 103	Photo of "Area Closed" Sign	6/12/2023	6/12/2023	CAPTAIN MENDOZA	
✓ 104	GettyImages photo of rioters on the West Front of the U.S. Capitol	6/12/2023	6/12/2023	CAPTAIN MENDOZA OR DET. DUCKETT	
✓ 105	GettyImages photo of rioters on the West Front of the U.S. Capitol	6/12/2023	6/12/2023	CAPTAIN MENDOZA	
✓ 106	Exemplar USCP "Area Closed" Sign	6/13/2023	6/13/2023	CAPTAIN MENDOZA	
200 Series	<i>Legal and Congressional Records</i>				
✓ 201	U.S. Constitution. 12th Amendment		6/13/2023		
✓ 202	Title 3, United States Code, Section 15				
✓ 203	Title 3, United States Code, Section 16				
✓ 204	Title 3, United States Code, Section 17				
✓ 205	Title 3, United States Code, Section 18				
✓ 206	Senate Concurrent Resolution 1, dated Jan. 3, 2021				
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EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
300 Series	<i>Law Enforcement Video Footage</i>				
✓ 300	Montage of Video Footage from USCP Security Cameras (West Front CCTV only) on January 6, 2021 *(6 minutes)* **West Front Only*	6/12/2023	6/12/2023 OVER OBJECTION	CARPTAN MENDOZA	
✓ 301	Video footage from USCP Camera: Senate Wing Door [3:28:00 PM-3:32:00 PM] (4 minutes)	6/12/2023	6/12/2023	CARPTAN MENDOZA	
✓ 301A	Video footage from USCP Camera: Senate Wing Door [3:31:00 PM-3:33:00 PM]	6/12/2023	6/12/2023	CARPTAN MENDOZA	
302	Video footage from AXON BODY 3 X6039BXH15 — marked for identification				
✓ 302A	Video Clip from AXON BODY 3 X6039BXH5 [13:56:53-14:05:03]	6/13/2023	6/13/2023	OFF. DUCKETT	
✓ 302B	Image from AXON BODY 3 X6039BXH5 14:04:25	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 302C	Image from AXON BODY 3 X6039BXH5 14:04:34	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 302D	Video Clip from AXON BODY 3 X6039BXH15 14:06:02-14:08:31	6/13/2023	6/13/2023	OFF. DUCKETT	
✓ 302E	Video Clip from AXON BODY 3 X6039BXH5 14:13:26-14:15:29	6/13/2023	6/13/2023	OFF. DUCKETT	
400 Series	<i>Facebook Records</i>				
400	Defendant's complete Facebook return — marked for identification				

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
✓ 400A	Defendant's Facebook return: Pages 1-3 (account information)	6/13/2023	6/13/2023	SP AGENT AUSLEY	
401	Facebook post dated 2021-01-31 01:47:54 UTC				
402	Facebook post dated 2021-01-30 23:09:32 UTC				
***	***				
✓ 408	Facebook messages dated 2021-01-13 21:09:07 UTC	6/13/2023	6/13/2023	SP AGENT AUSLEY	
✓ 409	Facebook messages dated 2021-01-04 18:16:24 UTC	6/13/2023	6/13/2023	SP AGENT AUSLEY	
410	Facebook message dated 2021-01-09 16:15:48 UTC				
411	Facebook message dated 2021-01-16 23:34:15 UTC				
***	***				
✓ 414	Facebook messages dated 2021-01-06 22:23:11 UTC	6/13/2023	6/13/2023	SP AGENT AUSLEY	
✓ 415	Facebook messages dated 2021-01-07 16:53:00 UTC	6/13/2023	6/13/2023	SP AGENT AUSLEY	
***	***				
✓ 417	Facebook messages dated 2021-01-06 19:35:47 UTC	6/13/2023	6/13/2023	SP AGENT AUSLEY	

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
✓ 418	Facebook messages dated 2021-01-06 18:40:28 UTC	6/13/2023	6/13/2023	CAPTAIN MENDOZA SP. AGENT AUSLEY	
✓ 419	Facebook messages dated 2021-01-07 22:15:05 UTC	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
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421	Facebook post dated 2021-01-07 01:56:00 UTC				
500 Series	U.S. Secret Service				
✓ 500	USSS HOS Notification	6/12/2023	6/12/2023	INSPECTOR HAWA	
✓ 501	USSS HOS Worksheet dated for Jan. 6, 2021	6/12/2023	6/12/2023	INSPECTOR HAWA	
✓ 502	VP Relocation Video	6/12/2023	6/12/2023	INSPECTOR HAWA	
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600 Series	Defendant's Cell Phone Records				
601	Cell Site Records for January 5, 2021 9:00 PM – January 6, 2021 6:39 AM				
602	Cell Site Records for January 6, 2021 6:39 AM – 9:29 AM				

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	MARKED FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
603	Cell Site Records for January 6, 2021 9:29 AM - 12:26 PM				
604	Cell Site Records for January 6, 2021 12:26 PM - 1:16 PM				
605	Cell Site Records for January 6, 2021 1:16 PM - 4:45 PM				
606	Cell Site Records for January 6, 2021 4:45 PM - 6:02 PM				
607	Cell Site Records for January 6, 2021 6:02 PM - 9:50 PM				
<i>700 Series</i>	<i>Open-source Media</i>				
700	Open-source video footage depicting the interior of the US Capitol near the Senate Wing Door - complete footage				
✓700A	Open-source video footage depicting the interior of the US Capitol near the Senate Wing Door - clipped	6/12/2023	6/12/2023	CAPTAIN MENDOZA	
✓700B	Screenshot image of the defendant from GEX 700	6/13/2023	6/13/2023	CAPTAIN MENDOZA	
701	Open-source video footage depicting rioters and law enforcement on the Capitol West Plaza				
✓701A	Screenshot image of the defendant from GEX 701	6/13/2023	6/13/2023	CAPTAIN MENDOZA SP AGENT AUSLEY	
✓701B	Open-source video footage depicting rioters and law enforcement on the Capitol West Plaza - clipped	6/13/2023	6/13/2023	CAPTAIN MENDOZA SP AGENT AUSLEY	

EXHIBIT NUMBER	DESCRIPTION OF EXHIBITS	FOR I.D.	RECEIVED IN EVIDENCE	WITNESS	EXHIBITS SENT INTO JURY (date & time)
✓ 800A	Portion of the Extraction Report Detailing Findings from the Defendant's Cell Phone: Identifier Pages	6/13/2023	6/13/2023	SP. AGENT OLESEN SP. AGENT AUSLEY	
✓ 801	Video from the Defendant's Phone Taken at the Ellipse	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 802	Video from the Defendant's Phone Taken on the Capitol West Plaza	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 803	Video from the Defendant's Phone Taken on the Capitol Lower West Terrace	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 804	Video from the Defendant's Phone Taken on the Northwest Courtyard Outside the Senate Wing Door	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 805	Video from the Defendant's Phone Taken on the Northwest Capitol Grounds	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 806	Photo from the Defendant's Phone Depicting the Capitol's Northwest Scaffolding	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 807	Photo from the Defendant's Phone Depicting the Interior of the Northwest Scaffolding	6/13/2023	6/13/2023	SP. AGENT AUSLEY	
✓ 808	Photo from the Defendant's Phone Depicting the Defendant With a Sign	6/13/2023	6/13/2023	CAPTAIN MENDOZA SP. AGENT AUSLEY	