

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

**UNITED STATES OF AMERICA**

**v.**

**JOSEPH WAYNE FISCHER,**

**Defendant.**

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**Case No.: 21-cr-234-CJN**

**NOTICE OF FILING DISCOVERY CORRESPONDENCE**

The United States of America by and through its attorney, the United States Attorney for the District of Columbia, hereby files its September 13, 2021 discovery letter in this case, which was served as an attachment via ECF on counsel for the defendant.

Respectfully submitted,

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

By: /s/ Alexis J. Loeb  
Alexis J. Loeb  
California Bar No. 269895  
Assistant United States Attorney  
Detailee  
450 Golden Gate Avenue, 11<sup>th</sup> Floor  
San Francisco, CA 94102  
Tel. (415) 436-7168  
alexis.loeb@usdoj.gov

**CERTIFICATE OF SERVICE**

On this 13th day of September, 2021, a copy of the foregoing was served upon all parties listed on the Electronic Case Filing (ECF) System.

/s/ Alexis J. Loeb

Alexis J. Loeb  
Assistant United States Attorney  
Detailee



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*

September 13, 2021

Lori Ulrich, Assistant Federal Public Defender  
Federal Public Defender for the Middle District of Pennsylvania  
100 Chestnut Street, Third Floor  
Harrisburg, PA 17101

Eugene Ohm, Assistant Federal Public Defender  
Federal Public Defender for the District of Columbia  
625 Indiana Avenue NW  
Washington, D.C. 20004  
*Via ECF*

Re: United States v. Joseph Wayne Fischer  
Criminal Case No. 21-cr-234 (CJN)

Dear Counsel:

As part of our ongoing discovery production in this case, you will receive an invitation via USAFx to download reports from U.S. Capitol Police (USCP) investigations of alleged wrongdoing by USCP officers on January 6, 2021. Officer names, witness names, and complainant names have been redacted. We are working to produce a set of reports that replaces the redactions with unique identifiers for individuals whose names have been redacted. When that process is complete, we will reproduce the documents with the unique identifiers. Additional exhibits from these investigations are forthcoming. At this time, we understand that a small number of investigations are still on-going, and we will provide reports of those investigations on a rolling basis as they are concluded.

**Timing of Disclosures.** 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.

**Reciprocal Discovery.** 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.

**Notice of Defenses.** 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/ Alexis J. Loeb

Alexis J. Loeb  
Assistant United States Attorney  
Detailee