

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :  
 :  
 v. : **Crim. No. 21-CR-127 (ABJ)**  
 :  
 JOSHUA BLACK, :  
 : *Defendant.* :

**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 a May 7, 2021, discovery letter (and attached index) regarding volume one of the formal discovery in this case, which was served as an attachment to this notice via the Court's electronic case files system (ECF) on counsel for the defendant.

Respectfully submitted,

CHANNING D. PHILLIPS  
Acting United States Attorney  
D.C. Bar No. 415793

By: /s/ Seth Adam Meinero  
SETH ADAM MEINERO  
Trial Attorney  
Detailee  
D.C. Bar No. 976587  
United States Attorney's Office  
for the District of Columbia  
Federal Major Crimes Section  
555 4th Street, N.W.  
Washington, D.C. 20530  
202-252-5847  
Seth.Meinero@usdoj.gov

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 8, 2021, I served a copy of this pleading on defendant's counsel through ECF.

/s/ Seth Adam Meinero

SETH ADAM MEINERO

Trial Attorney

Detaillee

United States Attorney's Office

for the District of Columbia



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*

May 7, 2021

VIA EMAIL

Clark U. Fleckinger, II, Esq.  
*Counsel for Joshua Black*

Re: *United States v. Joshua Black*  
Case No. 21-CR-127 (ABJ)

Dear Counsel:

Enclosed as discovery in this case is a USAfx folder that contains materials as described in the attached index. Note: as part of preliminary discovery, we produced evidence seized from your client's cellphone pursuant to a consent search. If you would like a forensic copy of the entire download of that cellphone, please let me know.

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.

The discovery is encrypted; you will receive a separate email with the password. Please contact me if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

This material is subject to the terms of the Protective Order issued in this case.

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,

/s/ Seth Adam Meinero  
SETH ADAM MEINERO  
Trial Attorney  
Detailee

Enclosure(s)

Volume	SENSITIVE	HIGHLY SENSITIVE	BEGINBATES	ENDBATES	PAGECOUNT	DESCRIPTION
BlackJ_01			CAP03_000000695	CAP03_000000701	7	(U) Subfile Opening Document
BlackJ_01			CAP03_000000702	CAP03_000000702	1	(U) 2021-01-10_1-01-38_LetUSTalk pt1.mp4
BlackJ_01			CAP03_000000703	CAP03_000000703	1	(U) 2021-01-10_1-36-44_LetUsTalk pt2.mp4
BlackJ_01			CAP03_000000704	CAP03_000000704	1	(U) 2021-01-10_2-50-35_LetUSTalk pt2 Screenshot.png
BlackJ_01			CAP03_000000705	CAP03_000000705	1	(U) 2021-01-10_2-52-05_LetUsTalk pt1 Screenshot.png
BlackJ_01			CAP03_000000706	CAP03_000000709	4	(U) JOSHUA_BLACK_photo_crim_history_driver_registration.pdf
BlackJ_01			CAP03_000000710	CAP03_000000711	2	(U) On 01/10/2021, at 1:31 a.m. Eastern Time, [REDACTED], date of birth [REDACTED],
BlackJ_01			CAP03_000000712	CAP03_000000713	2	(U) On 01/07/2021, at 5:43:36 PM Eastern Time, an anonymous male caller (ANONYMOUS),
BlackJ_01			CAP03_000000714	CAP03_000000715	2	(U) Attempts to locate Joshua Matthew Black in Dahlonga and Cleveland, Georgia
BlackJ_01			CAP03_000000716	CAP03_000000738	23	(U) BALDINO - BLACK (1).docx
BlackJ_01			CAP03_000000739	CAP03_000000739	1	(U) IMG950595.jpg
BlackJ_01			CAP03_000000740	CAP03_000000740	1	(U) IMG950594.jpg
BlackJ_01			CAP03_000000741	CAP03_000000741	1	(U) YouTube (Google LLC) - Preservation Request
BlackJ_01			CAP03_000000742	CAP03_000000743	2	(U) Youtube_PL_010921.pdf
BlackJ_01			CAP03_000000744	CAP03_000000745	2	(U) Criminal complaint and arrest warrant issued for JOSHUA MATTHEW BLACK on 01/13/2021
BlackJ_01			CAP03_000000746	CAP03_000000746	1	(U) signed-21mj49_Complaint_Redacted.pdf
BlackJ_01			CAP03_000000747	CAP03_000000747	1	(U) signed-21mj49_Proposed_Order_to_Seal.pdf
BlackJ_01			CAP03_000000748	CAP03_000000756	9	(U) signed-21mj49_Aff_in_Support.pdf
BlackJ_01			CAP03_000000757	CAP03_000000757	1	(U) signed-21mj49_Complaint.pdf
BlackJ_01			CAP03_000000758	CAP03_000000759	2	(U) signed-21mj49_Arrest_Warrant.pdf
BlackJ_01			CAP03_000000760	CAP03_000000760	1	(U) Operational plan for planned 1/14/2021 arrest of JOSHUA MATTHEW BLACK
BlackJ_01			CAP03_000000761	CAP03_000000777	17	(U) BLACK_OPPLAN_13_JAN_2021.pdf
BlackJ_01			CAP03_000000778	CAP03_000000778	1	(U) Warrant Entry
BlackJ_01			CAP03_000000779	CAP03_000000785	7	(U) Joshua Black Entry.pdf
BlackJ_01			CAP03_000000786	CAP03_000000786	1	(U) Lead to remove arrest warrant from NCIC
BlackJ_01			CAP03_000000787	CAP03_000000787	1	(U//FOUO) Arrest of Joshua Matthew BLACK on 01/14/2021
BlackJ_01			CAP03_000000788	CAP03_000000788	1	(U) Warrant Removal
BlackJ_01			CAP03_000000789	CAP03_000000792	4	(U) Joshua Black Removal.pdf
BlackJ_01			CAP03_000000793	CAP03_000000793	1	(U//FOUO) Joshua Matthew BLACK signed and witnessed Consent to Search Computer - iPhone 11
BlackJ_01			CAP03_000000794	CAP03_000000795	2	(U//FOUO) BLACK Consent to Search Computer170606.pdf
BlackJ_01			CAP03_000000796	CAP03_000000797	2	(U) Personal effects of Joshua Matthew BLACK given to Tyler Eric Tucker on 01/14/2021

Volume	SENSITIVE	HIGHLY SENSITIVE	BEGINBATES	ENDBATES	PAGECOUNT	DESCRIPTION
BlackJ_01			CAP03_000000798	CAP03_000000798	1	(U//FOUO) Signed and executed Arrest Warrant for Joshua Matthew BLACK
BlackJ_01			CAP03_000000799	CAP03_000000799	1	(U//FOUO) BLACK Arrest Warrant SIGNED.pdf
BlackJ_01			CAP03_000000800	CAP03_000000800	1	(U) Interview of Joshua Matthew Black
BlackJ_01			CAP03_000000801	CAP03_000000801	1	(U) 0176-WF-3366759- BLACK_0000015_1A0001070_0000001_PHYSICAL.pdf
BlackJ_01			CAP03_000000802	CAP03_000000802	1	(U) Black302notes.pdf
BlackJ_01			CAP03_000000803	CAP03_000000803	1	(U) EVIDENCE COLLECTED
BlackJ_01			CAP03_000000804	CAP03_000000804	1	(U) Interview of [REDACTED] on January 10, 2021
BlackJ_01			CAP03_000000805	CAP03_000000805	1	(U) notes of interview of [REDACTED] on January 10, 2021.pdf
BlackJ_01			CAP03_000000806	CAP03_000000807	2	(U) Interview of JESSICA TAYLOR on January 13, 2021
BlackJ_01			CAP03_000000808	CAP03_000000809	2	(U) notes of interview of [REDACTED] on January 13, 2021.pdf
BlackJ_01			CAP03_000000810	CAP03_000000812	3	(U) Emails_provided_to_FBI_by_[REDACTED]_January_11_and_13.pdf
BlackJ_01			CAP03_000000813	CAP03_000000813	1	(U) Emails_provided_to_FBI_by_[REDACTED]_January_11_and_13.pdf
BlackJ_01			CAP03_000000814	CAP03_000000815	2	(U) Emails_provided_to_FBI_by_[REDACTED]_January_11_and_13.pdf
BlackJ_01			CAP03_000000816	CAP03_000000817	2	(U//FOUO) TTK Review, Public Tip submitted through <a href="http://www.fbi.gov/USCapitol">http://www.fbi.gov/USCapitol</a>
BlackJ_01		X	CAP03_000000818	CAP03_000000821	4	(U//FOUO) 230121-1313.pdf
BlackJ_01			CAP03_000000822	CAP03_000000822	1	(U//FOUO) Joshua Matthew BLACK gave consent to Search his Residence and Vehicle
BlackJ_01			CAP03_000000823	CAP03_000000823	1	(U) 01_20210114_114706.jpg
BlackJ_01			CAP03_000000824	CAP03_000000824	1	(U) 04_20210114_114538.jpg
BlackJ_01			CAP03_000000825	CAP03_000000825	1	(U) 03_20210114_114556.jpg
BlackJ_01			CAP03_000000826	CAP03_000000826	1	(U) 02_20210114_114659.jpg
BlackJ_01			CAP03_000000827	CAP03_000000827	1	(U) 05_20210114_114534.jpg
BlackJ_01			CAP03_000000828	CAP03_000000828	1	(U) 07_20210114_113545.jpg
BlackJ_01			CAP03_000000829	CAP03_000000829	1	(U) 06_20210114_113549.jpg
BlackJ_01			CAP03_000000830	CAP03_000000830	1	(U) 08_20210114_113540.jpg
BlackJ_01			CAP03_000000831	CAP03_000000831	1	(U) 10_20210114_113538.jpg
BlackJ_01			CAP03_000000832	CAP03_000000832	1	(U) 11_20210114_113535.jpg
BlackJ_01			CAP03_000000833	CAP03_000000833	1	(U) 09_20210114_113539.jpg
BlackJ_01			CAP03_000000834	CAP03_000000835	2	(U) BLACK SIGNED FD-26.pdf
BlackJ_01			CAP03_000000836	CAP03_000000837	2	(U) TTK regarding photo #6

Volume	SENSITIVE	HIGHLY SENSITIVE	BEGINBATES	ENDBATES	PAGECOUNT	DESCRIPTION
BlackJ_01		X	CAP03_00000838	CAP03_00000841	4	(U) 270121-1429.pdf
BlackJ_01			CAP03_00000842	CAP03_00000842	1	(U) Interview of Joshua Matthew Black
BlackJ_01			CAP03_00000843	CAP03_00000843	1	(U) Black395.pdf
BlackJ_01			CAP03_00000844	CAP03_00000845	2	(U//FOUO) Public Tip submitted through <a href="http://www.fbi.gov/USCapitol">http://www.fbi.gov/USCapitol</a>
BlackJ_01		X	CAP03_00000846	CAP03_00000849	4	(U//FOUO) 030221-0929.pdf
BlackJ_01			CAP03_00000850	CAP03_00000852	3	(U) DEWF_MasterCopy
BlackJ_01			CAP03_00000853	CAP03_00000853	1	(U) DSCN3731.JPG
BlackJ_01			CAP03_00000854	CAP03_00000855	2	(U) CART Document creation of Master, Working, and Prosecution copy
BlackJ_01			CAP03_00000856	CAP03_00000856	1	(U) DSCN3730.JPG
BlackJ_01			CAP03_00000857	CAP03_00000857	1	(U) DSCN3732.JPG
BlackJ_01			CAP03_00000858	CAP03_00000858	1	(U) DSCN3731.JPG
BlackJ_01			CAP03_00000859	CAP03_00000859	1	(U) DSCN3729.JPG
BlackJ_01			CAP03_00000860	CAP03_00000861	2	(U) To set lead to Birmingham to locate and interview WILLIAM DARRELL CROWLEY
BlackJ_01			CAP03_00000862	CAP03_00000862	1	(U) crowley chat.JPG
BlackJ_01			CAP03_00000863	CAP03_00000865	3	(U//FOUO) Facial Recognition Search Report with TTK TIES
BlackJ_01		X	CAP03_00000866	CAP03_00000872	7	(U//FOUO) FRSR_14411_60982_TTK_TIES_170221-0743.pdf
BlackJ_01		X	CAP03_00000873	CAP03_00000873	1	(U//FOUO) FRSR_14411_60982.pdf
BlackJ_01			CAP03_00000874	CAP03_00000874	1	(U) Indictment
BlackJ_01			CAP03_00000875	CAP03_00000878	4	(U) Joshua_Black_Filed_Indictment_2.17.21.pdf
BlackJ_01			CAP03_00000879	CAP03_00000879	1	(U) JOSHUA BLACK Face and Name Search
BlackJ_01		X	CAP03_00000880	CAP03_00000927	48	(U) Joshua_Black_Face_Search.pdf
BlackJ_01		X	CAP03_00000928	CAP03_00000938	11	(U) Joshua_Black_Name_Search.pdf
BlackJ_01			CAP03_00000939	CAP03_00000939	1	(U//FOUO) Results of Facial Recognition search for William Darrell CROWLEY
BlackJ_01			CAP03_00000940	CAP03_00000940	1	(U//FOUO) CROWLEY_Facial_Recog_Results.pdf
BlackJ_01			CAP03_00000941	CAP03_00000941	1	(U) Attempted interview of [REDACTED] on 02/23/2021
BlackJ_01			CAP03_00000942	CAP03_00000943	2	(U//FOUO) Public Tip submitted through <a href="http://www.fbi.gov/USCapitol">http://www.fbi.gov/USCapitol</a>
BlackJ_01		X	CAP03_00000944	CAP03_00000947	4	(U//FOUO) 260221-1322.pdf
BlackJ_01			CAP03_00000948	CAP03_00000951	4	(U) Interview of Capitol Police SGT GEORGE TORRES on March 1, 2021
BlackJ_01			CAP03_00000952	CAP03_00000954	3	(U) _image_131219.pdf
BlackJ_01			CAP03_00000955	CAP03_00000955	1	(U) RE_photo.msg
BlackJ_01			CAP03_00000956	CAP03_00000958	3	(U) RE_photo.msg
BlackJ_01			CAP03_00000959	CAP03_00000959	1	(U) RE_photo_1.msg
BlackJ_01			CAP03_00000960	CAP03_00000961	2	(U) New York Post Capitol Riot Video

Volume	SENSITIVE	HIGHLY SENSITIVE	BEGINBATES	ENDBATES	PAGECOUNT	DESCRIPTION
BlackJ_01			CAP03_00000962	CAP03_00000962	1	(U//LES) 2021-02-11_13-25-28_NY Post.mp4
BlackJ_01			CAP03_00000963	CAP03_00000963	1	(U//FOUO) Interview of [REDACTED] on 03/03/2021
BlackJ_01			CAP03_00000964	CAP03_00000964	1	(U) [REDACTED]Intrvw NOTES 03MAR2021.pdf
BlackJ_01			CAP03_00000965	CAP03_00000966	2	(U//FOUO) Results of Facial Recognition search for [REDACTED]
BlackJ_01			CAP03_00000967	CAP03_00000967	1	(U//FOUO) [REDACTED]_Facial_Recog_Results.pdf
BlackJ_01			CAP03_00000968	CAP03_00000970	3	(U//FOUO) Facial Recognition Search Report with TTK TIES
BlackJ_01			CAP03_00000971	CAP03_00000971	1	(U//FOUO) FRSR_15535_62786.pdf
BlackJ_01		X	CAP03_00000972	CAP03_00000979	8	(U//FOUO) FRSR_15535_62786_TTK_Ties_08032021_0929.pdf
BlackJ_01			CAP03_00000980	CAP03_00000981	2	(U) Joshua Black TikTok Interview
BlackJ_01			CAP03_00000982	CAP03_00000982	1	(U//LES) 2021-03-02_10-56-43_Tiktok_Screenshot.png
BlackJ_01			CAP03_00000983	CAP03_00000983	1	(U//LES) 2021-03-02_10-53-56_Tiktok_tha1unknownmusic_1.mp4
BlackJ_01			CAP03_00000984	CAP03_00000985	2	(U//FOUO) FINAL Operations Plan for the Arrest of Joshua Matthew BLACK on 01/14/2021
BlackJ_01			CAP03_00000986	CAP03_00000999	14	(U//FOUO) FINAL OPPLAN for JOSHUA BLACK with Arrest Warrant063940.pdf
BlackJ_01			CAP03_000001000	CAP03_000001000	1	(U//FOUO) Interview of [REDACTED] on 02/26/2021
BlackJ_01			CAP03_000001002	CAP03_000001002	1	(U) Receipt and service of Search Warrant to Google Inc.
BlackJ_01			CAP03_000001003	CAP03_000001003	1	(U) Interview of Jefferson County, Alabama Deputy Sheriff Scott Sanders
BlackJ_01			CAP03_000001004	CAP03_000001005	2	(U) Interview of Capitol Police Officer MICHAEL WITHERSPOON on April 15, 2021
BlackJ_01			CAP03_000001006	CAP03_000001006	1	(U) photo.msg
BlackJ_01			CAP03_000001007	CAP03_000001008	2	(U) Witherspoon notes.pdf
BlackJ_01			CAP03_000001009	CAP03_000001011	3	(U) Guardian 701668_BH
BlackJ_01			CAP03_000001012	CAP03_000001014	3	U//FOUO Joshua Black Broke into the Capitol building.
BlackJ_01			CAP03_000001015	CAP03_000001017	3	U//FOUO Joshua Black Broke into the Capitol building.
BlackJ_01			CAP03_000001018	CAP03_000001020	3	(U) 701668_BH.pdf
BlackJ_01			CAP03_000001021	CAP03_000001021	1	(U) Closing Documentation
BlackJ_01			CAP03_000001022	CAP03_000001031	10	(U) OPENING EC - Full Investigation
BlackJ_01			CAP03_000001032	CAP03_000001033	2	(U//FOUO) Joshua_Matthew_BLACK_LETS_Info.pdf
BlackJ_01			CAP03_000001034	CAP03_000001034	1	(U) 2021-01-10_1-01-38_LetUSTalk+pt1.mp4
BlackJ_01			CAP03_000001035	CAP03_000001035	1	(U) 2021-01-10_1-36-44_LetUsTalk+pt2.mp4
BlackJ_01			CAP03_000001036	CAP03_000001036	1	(U) 2021-01-10_2-52-05_LetUsTalk+pt1+Screenshot.png
BlackJ_01			CAP03_000001037	CAP03_000001037	1	(U) 2021-01-10_2-50-35_LetUSTalk+pt2+Screenshot.png
BlackJ_01			CAP03_000001038	CAP03_000001042	5	(U//FOUO) BLACK NCIC Report.pdf
BlackJ_01			CAP03_000001043	CAP03_000001043	1	(U//LES) FD930 Joshua Matthew Black
BlackJ_01			CAP03_000001044	CAP03_000001047	4	(U//LES) FD930 Joshua Matthew Black
BlackJ_01			CAP03_000001048	CAP03_000001051	4	(U) TSS_FD930_270590_17.txt
BlackJ_01			CAP03_000001052	CAP03_000001052	1	(U) Black Checks

Volume	SENSITIVE	HIGHLY SENSITIVE	BEGINBATES	ENDBATES	PAGECOUNT	DESCRIPTION
BlackJ_01			CAP03_000001053	CAP03_000001053	1	(U) Black Checks
BlackJ_01			CAP03_000001054	CAP03_000001054	1	(U) image001.png
BlackJ_01			CAP03_000001055	CAP03_000001062	8	(U) _image_105017.pdf
BlackJ_01			CAP03_000001063	CAP03_000001063	1	(U) BlackChe.rtf
BlackJ_01			CAP03_000001064	CAP03_000001065	2	(U) To document production of specified video files to defense counsel
BlackJ_01			CAP03_000001066	CAP03_000001080	15	Grand Jury Transcripts & Exhibits/Black_Weeks 2.17.21 Vaillancourt.pdf
BlackJ_01			CAP03_000001081	CAP03_000001081	1	Grand Jury Transcripts & Exhibits/Ex1_Senate Floor.png
BlackJ_01			CAP03_000001082	CAP03_000001082	1	Grand Jury Transcripts & Exhibits/Ex2_YouTubePhoto.png
BlackJ_01			CAP03_000001083	CAP03_000001083	1	Grand Jury Transcripts & Exhibits/Ex3_FBI Poster.png
BlackJ_01			CAP03_000001084	CAP03_000001084	1	Grand Jury Transcripts & Exhibits/Ex4_Knife.png
						(U) [REDACTED] Intrvw NOTES 26FEB2021.pdf