

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	No.: 21-CR-114 (TJK)
	:	
v.	:	
	:	
KEVIN STRONG,	:	
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 its April 14th discovery letter, memorializing discovery sent on March 17th, March 18th, April 12th, and April 14th which is 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/ Mona Lee M. Furst*
MONA LEE M. FURST
Assistant United States Attorney
Detailee – Federal Major Crimes
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CERTIFICATE OF SERVICE

On this 14th day of April, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court’s Electronic Filing System.

/s/Mona Lee M. Furst
Mona Lee M. Furst
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*

April 14, 2021

Ubong Akpan
Assistant Federal Public Defender
625 Indiana Ave. N.W, Suite 550
Washington, D.C. 20004

Re: *United States v. Kevin Strong*
Case No. 21-cr-114-TJK

Dear Counsel:

This is to memorialize the following initial discovery 2 and 3 sent to you on March 17 and 18, 2021:

Serial 12_1A_0010_001(email): the receipt to your client for the QAnon flag taken from his storage unit. Also part of this file is his written permission to search the unit and his statement that he gave the key to the officers to open the unit;

Audio of interview of Kevin Strong (via FedEx): recording of your client's interview in California.

This is to memorialize the following initial discovery 4 via USAFX on April 12 and April 14, 2021:

Sent April 12: Body worn camera footage of your client outside the Capitol;

Sent April 14:

Keving Strong Search Warrant (redacted)

U_Search Warrant Executed;

U_Intake_1-8-21 with attachments (redacted);

U_Intake_1-11021 with attachments (redacted);

U_Firearm Purchase and Receipt

U_FOUO Interview of David Pesko, Jr

Serial 4_1A_02_01 Attachments to Pesko interview

Serial 4_03_01 through _04 Attachments to Pesko interview

Serial 12 and 12_1A_010_01: Documentation of consent to search storage unit
Serial 17 and 12_1A_014_01: Report of search warrant execution and receipt for property seized;
Serial 18 and 18_1A-015_01: Report that photo log created for storage unit search, and the photo log;
Serial 26 and 26_1A_021_01: Report and the Search warrant return

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 unencrypted. 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.

Additional materials will be provided after the entry of a Protective Order 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/ Mona Lee M. Furst

Mona Lee M. Furst
Assistant United States Attorney

Enclosure(s)

cc: