

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

|  |   |                            |
|--|---|----------------------------|
| <b>UNITED STATES OF AMERICA,</b>         | ) | <b>CRIMINAL ACTION NO.</b> |
|  | ) |                            |
| <b>Plaintiff,</b>                        | ) | <b>1:21-CR-223 (APM)</b>   |
|  | ) |                            |
| <b>v.</b>                                | ) |                            |
|  | ) |                            |
| <b>Matthew Mark Wood</b>                 | ) |                            |
|  | ) |                            |
|  | ) |                            |
| <b>Defendant.</b>                        | ) |                            |
| <hr style="border: 0.5px solid black;"/> | ) |                            |

**DEFENDANT’S MOTION TO COMPEL ACCESS TO NON-PUBLIC  
AREAS OF THE CAPITOL**

Defendant Matthew Mark Wood, by and through undersigned counsel, requests that the government be compelled to allow his defense counsel access to several non-public areas of the Capitol building in order to inspect, photograph and videotape these areas for preparation in his defense. These areas are not available to the public and have not been made available to counsel for photographs on the prior tours of the Capitol designed for defense counsel.

In support of this motion the defendant asserts the following:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA,) CRIMINAL ACTION NO.) Plaintiff,) 1:21-CR-223 (APM)) v.) Matthew Mark Wood))) Defendant.) DEFENDANT'S MOTION TO COMPEL ACCESS TO NON-PUBLIC AREAS OF THE CAPITOL Defendant Matthew Mark Wood, by and through undersigned counsel, requests that the government be compelled to allow his defense counsel access to several non-public areas of the Capitol building in order to inspect, photograph and videotape these areas for preparation in his defense. These areas are not available to the public and have not been made available to counsel for photographs on the prior tours of the Capitol designed for defense counsel. In support of this motion the defendant asserts the following: 1. According to the Criminal Complaint filed against Mr. Wood in March of 2021, "An FBI review of video obtained from outside the House Speaker Nancy Pelosi's conference room shows that Weed did, in fact, enter that room." See Ex. 1 Criminal Complaint. 2. On prior defense counsel walkthrough tours, counsel has not been permitted in the Speaker's conference room or allowed to take pictures of this room or the hallway leading to the room. Additionally, this room has not been made public for the next tour scheduled for May 14, 2022. 3. Defense counsel requires access to this room to photograph it, the contents of the room, and the pathway to that room from the hallway. 4. Additionally, counsel has not been permitted to take pictures of the outside of the Capitol facing the direction of the Washington monument during any previous tours. 5. Defendant Wood is alleged to have approached the Capitol from the West side and entered through a broken window at the Senate Wing Doors. In order to prepare and investigate for trial, it is necessary for counsel to take pictures and video the pathway to those doors and the doors themselves (both from the inside and outside) and measure certain distances. The government, however, has designated this area as non-public and has forbidden photographs or video of these areas. See Ex. 2 Defense Counsel Walkthrough Locations. 6. The government "Viewing letter" accompanying the invitation for the most recent tour for defense counsel to be held on May 14, 2022 states that "[t]he public/non-public areas are identified on the attached list. Photos are only allowed in the public areas. Any person who takes photos in non-public areas will be asked to leave the tour and be banned from further tours." See Ex. 3, Viewing letter 5.14.2022. 7. According to the email sent to defense counsel, "[p]hotos are allowed only in the public areas" and the officers leading the walkthroughs "are not there to answer specific questions about the case or to answer general questions." See Ex. 4, email from Emily Miller, April 27, 2022. 8. Given the government's arbitrary and inflexible position regarding access to these areas, defendant Wood respectfully requests he be given access to these non-public areas of the Capitol for the purpose of photographing and viewing them to prepare for his defense on the trial. Respectfully Submitted, /s/ Kira Anne West, Esq. DC Bar No. 993523 712 H. Street N.E., Unit 509 Washington, D.C. 20002 (202)-236-2042 kiraannewest@gmail.com 3 Attorney for Mr. Matthew Wood Certificate of Service I certify that a copy of the foregoing was filed electronically for all parties of record on the 27th day of April, 2022. /s/ \_\_\_\_\_ Kira Anne West, Esq. Attorney for Mr. Matthew Wood 4

4. Additionally, counsel has not been permitted to take pictures of the outside of the Capitol facing the direction of the Washington monument during any previous tours.
5. Defendant Wood is alleged to have approached the Capitol from the West side and entered through a broken window at the Senate Wing Doors. In order to prepare and investigate for trial, it is necessary for counsel to take pictures and video the pathway to those doors and the doors themselves (both from the inside and outside) and measure certain distances. The government, however, has designated this area as non-public and has forbidden photographs or video of these areas. See Ex. 2. Defense Counsel Walkthrough Locations.

6. The government “Viewing letter” accompanying the invitation for the most recent tour for defense counsel to be held on May 14, 2022 states that “[t]he public/non-public areas are identified on the attached list. Photos are only allowed in the public areas. Any person who takes photos in the non-public areas will be asked to leave the tour and be banned from further tours.” See Ex. 3, Viewing letter 5.14.2022 .
7. According to the email sent to defense counsel, “[p]hotos are allowed only in the public areas” and the officers leading the walkthroughs “are not there to answer specific questions about your cases but can answer general questions.” See Ex. 4, email from Emily Miller, April 27, 2022.
8. Given the government’s arbitrary and inflexible position regarding access to these areas, defendant Wood respectfully requests he be given access to these non-public areas of the Capitol for the purpose of photographing, measuring and viewing them to prepare for his defense and trial in this matter.

Respectfully Submitted,

/s/  
Kira Anne West, Esq.  
DC Bar No. 993523  
712 H. Street N.E., Unit 509  
Washington, D.C. 20002  
(202)-236-2042  
[kiraannewest@gmail.com](mailto:kiraannewest@gmail.com)

Attorney for Mr. Matthew Wood

Certificate of Service

I certify that a copy of the forgoing was filed electronically for all parties of record on this 27<sup>th</sup> day of April, 2022.

\_\_\_\_\_/s/\_\_\_\_\_  
Kira Anne West, Esq.  
Attorney for Mr. Matthew Wood