

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<hr/>		
UNITED STATES OF AMERICA	:	No.: 21-CR-140-JDB
	:	
v.	:	
	:	
LARRY BROCK,	:	
	:	
Defendant.	:	
<hr/>		

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 August 25, 2021 discovery letter in this case, in reference to discovery produced in June through August of 2021, which is hereby served as an attachment via ECF to counsel for the Defendant.

Respectfully submitted,

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

By: /s/ April H. Ayers-Perez
APRIL H. AYERS-PEREZ
Texas Bar No.: 24090975
Assistant United States Attorney
Detailee – Federal Major Crimes
United States Attorney’s Office
for the District of Columbia
Telephone No . (956) 754-0946
April.Perez@usdoj.gov

CERTIFICATE OF SERVICE

On this 25th day of August, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court’s Electronic Filing System.

/s/ April H. Ayers-Perez
April H. Ayers-Perez
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*

August 25, 2021

Charles Burnham
BURNHAM & GOROKHOV PLLC
1424 K Street, NW
Suite 500
Washington, DC 20005

Re: *United States v. Larry Brock*
Case No. 1:21-cr-00140-JDB

Dear Mr. Burnham:

In accordance with Rule 16 of the Federal Rules of Criminal Procedure, and as otherwise required by law (*e.g.*, *Brady v. Maryland*, 373 U.S. 63 (1963), *United States v. Giglio*, 405 U.S. 150 (1972)), the Government has produced preliminary discovery through USAfx File no. 134638468690, which contains discovery divided into files named: Brock HIGHLY SENSITIVE Materials, Brock SENSITIVE Materials, Brock Reports, Brock Facebook SW Return, Brock Screenshots, Brock Court Documents, and Brock Capitol Video. This is all contained within a larger folder entitled Brock Discovery 21CR140. Preliminary discovery was originally uploaded to USAfx in this case on March 31, 2021, and was subsequently supplemented on May 16-27, 2021, June 2021, and August 2021.

The following documents have been shared via USAfx in the June and August 2021 batches of preliminary discovery:

Serial No.	Document/Video/Photo
	Brock Entry into Capitol Video 10:00 (HIGHLY SENSITIVE)
	Brock Exit Capitol 06:59 (HIGHLY SENSITIVE)
	Body Worn Camera (BWC) Video 24:48 Capitol Senate
	Brock Lower West Terrace 14:17 (HIGHLY SENSITIVE)
	Brock Upper West Terrace 19:51 (HIGHLY SENSITIVE)
	Brock Upper West Terrace Part 2 19:58 (HIGHLY SENSITIVE)

57	Brock TTK Review (SENSITIVE)
57	Brock TTK Review Report (Redacted) (SENSITIVE)
58	Brock TTK Review (SENSITIVE)
58	Brock TTK Review Report (Redacted) (SENSITIVE)
62	Brock TTK Review (SENSITIVE)
62	Brock TTK Review Report (Redacted) (SENSITIVE)
63	Brock TTK Review (SENSITIVE)
63	Brock TTK Review Report (Redacted) (SENSITIVE)
68	Brock TTK Review (SENSITIVE)
68	Brock TTK Review Report (Redacted) (SENSITIVE)
69	Brock TTK Review (SENSITIVE)
69	Brock TTK Review Report (Redacted) (SENSITIVE)

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.

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.

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 disclose prior statements of any witnesses defendant 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 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/ April H. Ayers-Perez

April H. Ayers-Perez

Assistant United States Attorney