

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	:	
UNITED STATES OF AMERICA	:	No.: 21-mj-383
	:	
v.	:	
	:	
MICHAEL TIMBROOK,	:	
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 May 14th discovery letter, memorializing discovery sent on May 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/ Lucy Sun*  
Lucy Sun  
Assistant United States Attorney  
Detailee – Federal Major Crimes  
United States Attorney’s Office  
District of Columbia  
Cell No. (617) 590-9468  
Lucy.Sun@usdoj.gov

**CERTIFICATE OF SERVICE**

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

*/s/Lucy Sun*  
\_\_\_\_\_  
Lucy Sun  
Assistant United States Attorney



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*

May 14, 2021

Maria Jacob  
Assistant Federal Public Defender  
Office of the Federal Public Defender  
for the District of Columbia  
625 Indiana Avenue, N.W. Suite 550  
Washington, D.C. 20004

Re: *United States v. Michael Timbrook*  
Case No. 21-mj-383

Dear Counsel:

This is to memorialize the following preliminary discovery, sent you in one folder titled "Preliminary Discovery" within USAFx, that contains the following materials:

- The defendant Michael Timbrook's Facebook search warrant return;
- Photographs of the defendant inside of the U.S. Capitol;
- Federal Bureau of Investigation 302 Report of the defendant's statements and accompanying attachments; and
- The defendant's Verizon Wireless cellular phone number subpoena 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.

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 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/ Lucy Sun

Lucy Sun

Assistant United States Attorney