

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-361-TNM
	:	
MICHAEL TIMBROOK,	:	
	:	
Defendant.	:	

**GOVERNMENT’S NOTICE OF FILING OF VIDEOS
PURUSANT TO LOCAL CRIMINAL RULE 49**

The United States of America, through the undersigned, hereby gives this notice pursuant to Local Criminal Rule 49, of the following videos that were provided to the Court and defense counsel on May 13, 2022, via USAfx, relating to the sentencing hearing scheduled for May 20, 2022. As video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The videos are as follows:

1. A file entitled Exhibit 6, which is a 3 minute and 44 second clip from a video taken on January 6 with a “Insurgence USA” watermark on the video.¹ The video shows the breach of a police line at the entrance to scaffolding along the Upper West Terrace Staircase.

2. A file entitled Exhibit 9, which is a video taken by the United States Capitol Police (USCP) Closed Circuit Video (CCV) system starting at 2:08:57 p.m., shows the assault of police officers on the Upper West Terrace Staircase of the United States Capitol. In particular, the video shows rioters pelting officers with various objects and pushing through the police line at 0:48. The video also shows Timbrook cross that line at 1:03.

¹ The entire video, which is 1 hour and 26 minutes long, was originally posted to <https://www.youtube.com/watch?v=P34tO5eaLhg&t=1900>, and is now available at https://www.dropbox.com/s/ijqdxbkpx5i5466/Full%20Video_%20The%20Seige%20On%20United%20States%20Capitol.mp4?dl=0.

3. A file entitled Exhibit 10, which is a 40 second clip from the Insurgence USA video, shows Timbrook turning to follow rioters up the Upper West Terrace Staircase as rioters collapse a police line.

4. A file entitled Exhibit 11, which is a 1 minute and 12 second clip from the Insurgence USA video, shows Timbrook approaching another police line at the top of the Upper West Terrace Staircase and crossing that line shortly after the breach.

5. A file entitled Exhibit 12, which is a video taken by the USCP CCV system starting at 2:11:55 p.m., shows Timbrook as he crosses the Upper West Terrace and then returns to enter through the Senate Wing Door.

6. A file entitled Exhibit 13, which is a 1 minute and 38 second clip from a video taken on January 6 commonly referred to as the Insurgence USA video, shows Timbrook approaching another police line at the top of the Upper West Terrace Staircase and crossing that line shortly after the breach.

7. A file entitled Exhibit 14, which is a video taken by the USCP CCV system starting at 2:12:50 p.m., shows the breach of the Senate Wing Door, including Timbrook entering the Capitol Building at 3:24 in the video.

8. A file entitled Exhibit 15, which is a video taken by the USCP CCV system starting at 2:16:59 p.m., shows officers directing rioters to exit through the Senate Carriage Door and shows Timbrook stopping and turning around at 0:43 in the video.

9. A file entitled Exhibit 16, which is a video taken on January 6 and collected from the mobile device of another rioter, shows officers directing rioters to exit through the Senate Carriage Door and Timbrook stopping and moving toward an elevator at 0:27 in the video .

10. A file entitled Exhibit 17, which is a 2 minute and 36 second clip from the Insurgence USA video, shows Timbrook at the front as rioters push through a police officer line near the Senate Carriage Door at 2:20 in the video.

11. A file entitled Exhibit 18, which is a video taken by the USCP CCV system starting at 2:26:06 p.m., shows Timbrook watching as rioters assault officers near the Columbus Door.

12. A file entitled Exhibit 19, which is a video taken by the USCP CCV system starting at 2:33:20 p.m., shows Timbrook walking down a hallway and entering a restricted access office at 0:27 in the video.

If the Court accepts these proposed video exhibits into evidence, the United States takes the position that the entered exhibits should be released to the public.

Respectfully submitted,

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