

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA	:	No.: 21-CR-403 (RC)
	:	
v.	:	
	:	
NICOLE PRADO,	:	
Defendant.	:	
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**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 Notice of Discovery, memorializing discovery 4 and 5 sent via USAfx on July 20 and August 23, 2021, 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  
United States Attorney’s Office  
District of Columbia  
Cell No. (316) 269-6537  
Kansas Bar Number 13162  
*Mona.Furst@usdoj.gov*

**CERTIFICATE OF SERVICE**

On this 23<sup>rd</sup> 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/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*

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*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

August 23, 2021

Joni Robin  
Law Office of Joni C. Robin  
114 North Alfred Street  
Alexandria, VA 22314

Re: *United States v. Nicole Prado*  
Case No. 21-cr-403 (RC)

Dear Counsel:

This is to memorialize the following initial discovery 5 placed into USAFX for you on August 23, 2021. Six (6) Capitol Police videos received from the agent on August 17, 2021. These are designated HIGHLY SENSITIVE under the Protective Order:

- 6 – 1026 USCS 01
- 7 – 0181 USCH 01
- 8 – 0350 USCH 03
- 9 – 0352 USCH 03
- 10 – 0361 USCH 03
- 11 – 0960 USCS 01

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 entry of a Protective Order and Order to Disclose 6e and Sealed Materials are in place 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: