

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

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UNITED STATES OF AMERICA	:	No.: 21-CR-103 (CJN)
	:	
v.	:	
	:	
ROBERT PACKER,	:	
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 April 14, 2021 discovery letter, memorializing discovery sent on April 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/ 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) 213-7420
Kansas Bar Number 13162
Mona.Furst@usdoj.gov

CERTIFICATE OF SERVICE

On this 14th day of April, 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

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

April 14, 2021

Stephen F. Brennwald
Brennwald & Robertson, LLP
VIA E-mail

Re: *United States v. Robert Packer*
Case No. 21-cr-103-CJN

Dear Counsel:

Included with this letter is preliminary discovery 4 which is available via USAFX:

Serial 2: redacted Face Comparison report;
Serial 8: redacted tip;
Serial 16 and 16_1A_10_1(redacted): interview of a witness and 302 indicating notes are saved;
Serial 17 (redacted): interview of a witness. There are handwritten notes which will be redacted later and sent to you in the more formal discovery;
Serial 25_013_01: The search warrant for your client's house, vehicle and telephone;
Link to itv News January 6, 2021 report by Robert Moore on YouTube. Your client is seen inside the Capitol at approximately 2:48 to 2:51.

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 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(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: