

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

UNITED STATES OF AMERICA :
 : **Case No. 1:21-cr-142 (CJN)**
 v. :
 :
SAMUEL FISHER, :
 :
 Defendant :

GOVERNMENT’S NOTICE OF FILING OF EXHIBITS
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 exhibits that were provided to the Court and defense counsel on September 30, 2022, via USAfx, in support of the government’s Sentencing Memorandum in this case. Because the exhibits are video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The exhibits are as follows:

1. Government Exhibit 13 is a video that is approximately 21 seconds in length and portrays the exterior of the Capitol Building’s Memorial Door, on the east side of the Capitol. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:37 p.m. The video captures the defendant as he arrives at the door and then walks through it.

2. Government Exhibit 14 is a video that is approximately 54 seconds in length and portrays the interior of the Capitol Building’s Memorial Door, on the east side of the Capitol. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:37 p.m. The video captures the defendant as he walks through the door and into the building, starting at approximately 2:37:24.

3. Government Exhibit 15 is a video that is approximately 1 minute 47 seconds in length and portrays the Rotunda of the Capitol, from a vantage point on the north side of the Rotunda. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:39 p.m. At approximately 2:41:15 p.m., the defendant can be seen in the bottom right corner of the frame as he gesticulates theatrically.

4. Government Exhibit 16 is a video that is approximately 1 minute 47 seconds in length and portrays the Rotunda of the Capitol, from a vantage point on the south side of the Rotunda. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:39 p.m. The video captures the defendant as he walks through the Rotunda among a large crowd.

5. Government Exhibit 17 is a video that is approximately 1 minute in length and portrays the Rotunda of the Capitol, from a vantage point on the south side of the Rotunda. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:52 p.m. The video captures the defendant as he walks through the Rotunda among a large crowd.

6. Government Exhibit 18 is a video that is approximately 59 seconds in length and portrays the Rotunda of the Capitol, from a vantage point on the north side of the Rotunda. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:52 p.m. The video captures the defendant as he walks through the Rotunda among a large crowd.

7. Government Exhibit 19 is a video that is approximately 2 minutes 1 second in length and portrays the lobby that connects the Rotunda Doors to the Rotunda, looking in the direction of the Rotunda. The events depicted in the exhibit occurred in the afternoon of January

6, 2021, starting at approximately 2:53 p.m. Starting at approximately 2:53:40 p.m., the video captures the defendant as he slowly walks from the Rotunda to the Rotunda Doors lobby, stays in that area for approximately one minute, and then continues in the direction of the Rotunda Doors.

8. Government Exhibit 20 is a video that is approximately 2 minutes 22 seconds in length and portrays the lobby that connects the Rotunda Doors to the Rotunda, looking in the direction of the Rotunda Doors. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:53 p.m. Starting at approximately 2:53:44 p.m., the video captures the defendant as he slowly walks from the Rotunda to the Rotunda Doors lobby, stays in that area for approximately one minute, and then prepares to exit the building through the Rotunda Doors.

9. Government Exhibit 22 is a video approximately 5 minutes 27 seconds in length that the defendant recorded on or about January 7, 2021. In the video, the defendant discusses his activities on January 6, 2021. The defendant later shared the video with others on social media.

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.

September 30, 2022

Respectfully submitted,

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