

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

UNITED STATES OF AMERICA :
 :
 v. : **Case No. 1:21-cr-225 (DLF)**
 :
 TRENISS JEWELL EVANS III, :
 :
 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 May 16, 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 5 is an open source video originally livestreamed on DLive.tv by a participant in the Capitol siege. The video is approximately 27 minutes 5 seconds in length, and the events depicted in the exhibit occurred in the early afternoon of January 6, 2021. The video captures the defendant as he (i) enters the Capitol building through a broken window and then tells other rioters outside to “Bring ‘em in” (at 9:45 – 10:10); and (ii) walks into a Congressional conference room, addresses other rioters with a megaphone, climbs on the inside sill of a window, and gestures triumphantly in the direction of rioters outside (at 21:20 – 21: 50).

2. Government Exhibit 6 is a video approximately 1 minutes 56 seconds in length that portrays the Senate Wing Door area near room S139. The events depicted in the exhibit occurred

in the early afternoon of January 6, 2021, starting at approximately 3:00:15 p.m. The video captures defendant as he enters the Capitol building through a broken window and subsequently speaks to other rioters, who are standing outside, using a megaphone.

3. Government Exhibit 7 is a video approximately 6 minutes 54 seconds in length that portrays the north side of the Crypt of the Capitol. The events depicted in the exhibit occurred in the early afternoon of January 6, 2021, starting at approximately 3:05:03 p.m. The video captures the defendant as he wanders around the Crypt and repeatedly addresses other rioters using a megaphone (at 3:07:40 – 3:08:31; 3:10:50 – 3:11:54).

4. Government Exhibit 8 is a video approximately 1 minute 37 seconds in length that was recorded using the defendant's cell phone as the defendant was inside the Capitol building. The events depicted in the exhibit occurred in the early afternoon of January 6, 2021. The video captures the defendant as he addresses other rioters through a megaphone and then speaks to a Capitol Police officer.

5. Government Exhibit 9 is a video approximately 59 seconds in length that was recorded inside a Congressional conference room using the defendant's cell phone. The events depicted in the exhibit occurred in the early afternoon of January 6, 2021. The video captures the defendant as he makes declarations about "hang[ing] out" in a Congressional conference room and then drinks celebratory shots of whiskey.

6. Government Exhibit 10 is a video approximately 1 minutes 22 seconds in length that portrays the Senate Wing Door area near room S139. The events depicted in the exhibit occurred in the early afternoon of January 6, 2021, starting at approximately 3:14:52 p.m. The video captures defendant as he addresses other rioters with a megaphone and then exits the Capitol building through a broken window.

The United States takes the position that these exhibits should be promptly released to the public.

May 16, 2022

Respectfully submitted,

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