

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA	:	No.: 21-CR-114 (TJK)
	:	
v.	:	
	:	
KEVIN STRONG,	:	
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 March 17th discovery letters, memorializing discovery sent on March 1st, March 14th and March 17th, 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 17th day of March, 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*

March 17, 2021

Ubong Akpan
Assistant Federal Public Defender
VIA E-mail

Re: *United States v. Kevin Strong*
Case No. 21-cr-114-TJK

Dear Counsel:

This is to memorialize the following initial discovery sent you on March 1, 2021:
U_Interview_of_Kevin_Strong: the agent's report of your client's interview in California.

A second email with discovery was sent you on March 14, 2021, consisting of:

"Signed_photos_16JAN21": a file with the photos your client identified during his interview entitled

Serial 17_1A_0014_001, which is the receipt to your client for the QAnon flag taken from his storage unit. Also part of this file is his written permission to search the unit and his statement that he gave the key to the officers to open the unit.

Serials 17_1A_0014_002 through _007 are the diagram, evidence collection log, administrative worksheet, sign in log, log with names of which agent(s) searched which rooms, and the photo log, which is concluded in *Serial 18_1A_0015_001*.

Serial 26_1A_0021_001 is the return on the search warrant.

You and I have also had several emails about releasing the sole computer taken from your client's uncle's home, where Mr. Strong was staying at the time the search warrant was executed. That computer, as I emailed you, is the property of the FAA, and will be returned only to that agency.

Your client emailed the agent directly about obtaining his cell phone back, and I sent that email to you with the email, noting the agent did not respond. You and I have had no emails about his cellular telephone or its return.

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:



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*

March 17, 2021

Ubong Akpan
Assistant Federal Public Defender
625 Indiana Ave. N.W, Suite 550
Washington, D.C. 20004

Re: *United States v. Kevin Strong*
Case No. 21-cr-114-TJK

Dear Counsel:

This is to memorialize the following initial discovery 2 mailed to you on March 17, 2021:
Audio of interview of Kevin Strong: recording of your client's interview in California.

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.

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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: