

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

UNITED STATES OF AMERICA

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v.

Case No. 21-cr-00083-TNM

BRANDON FELLOWS,

Defendant

MOTION FOR SUBPOENAS

Unsealed Witness/ Subpoena Related Notices, Motions, And Information

Part A: Intro/ Notes/ Information (For Both Sealed And Unsealed Versions)

Part B: Witness Related Motions (Unsealed Version)

Part C: Subpoena Related Motions (Unsealed Version)

Part A: Some Quick Notes And Information (For Both Sealed And Unsealed Versions):

1)

Due to the discovery opening issues I tried to resolve with this court (4/11/23) and I wasn't able to view the contact information nor the messages that the government had with these people until recently. I tried to get these sort of issues (receiving discovery and having all of the discovery open when I finally received it) resolved in 2021, 2022, and 2023, but this court didn't care to help... Additionally, I was as of this week given paper copies from the government where I was able to access what I assume is all of my contact lists. I've gathered a lot of information from it that should've been able to be viewed long ago for these exact reasons... I again ask for a continuance because of huge issues like this... You know I've been very annoying about these issues and have documented things like this many times. I've continuously asked for the courts' intervention to no avail.

2)

Contrary to the governments' false assertions that "[I] shared I was ready for trial in November 2022", that was Bill, who lied to this court about being ready against my wishes. He didn't even know the circumstances of my case nor had he even spoken with me about the details of my case (aside from bond related matters). I did share my objections with Bill. The only reason I didn't speak up when Bill shared this was because I immediately asked to go into a break out room when Bill shared this to the court. In the breakout room Bill shared that it was no big deal, that we would be able to ask for continuances as long as we needed them. Additionally, Bill knew that I wasn't taking him to trial months prior, I made that very clear, he was simply here for the pre-trial stage, and even in that, he knew it was potentially temporary. Because Bill knew I was not bringing him to represent me at trial, he had no business telling the court that he was ready, nor in assuming how long the defence would need as he knew nothing about my defence at that time. Bill clearly lied to me and was hoping to get my case over with asap. This was shown as Bill later shared with me during an angry outburst over the phone "I don't want to remain as stand-by counsel if you won't give me 10,000 more dollars, I wanted this to be over in February 2023! I'm too busy with trials to keep working for you(even though he was not even living up to our agreements of expected work and even causing issues for me in the case more than helping me)!"

Proof that Bill knew that he and Ryan were not going to defend me at trial (it also is supportive evidence that Bill and Ryan knew that the agreed upon price was 10,000 dollars, though he continues to lie and say I owe him a separate 10,000 dollar payment):

May 21, 2022 (US/Eastern)

RM (52)

Ryan Marshall

12:35 PM

Is it true that you plan on setting us as standby counsel again once your bond petition is done.

BF (53)

You

3:32 PM

If that and the 1512 motion fail then yes, as mentioned, i would see how having Bill and you represent me for 60 days or so would go. If you succeed then as mentioned id be more open to keeping you both until trial, however, I will be representing myself at trial whether it has been successful or not. You and Bill said this would be an option if I was not happy or pleased with full representation, as Bill expressed, he expects you to have your legal problems taken care of by then. We already agreed at full representation at 10k, then we negotiated to allow for full representation, with the ability to switch back after a test run if necessary.

This should not be news as I already expressed that was a major concern of mine, losing the potential to habe a standby counsel I trust if things don't go as I want them/ it is better that i lead the defence.

3)

I'll be providing a separate Sealed-Ex-Parte version that shares all I know about these contacts (address, phone numbers, and what information these witnesses would provide if not already specified here). I do not want the government to have access to the witness information unless they are approved, and even then, I don't want them to know why certain witnesses should be approved. I'm sending them to you only so you can see why they should be called as a witness/ subpoenaed.

4)

Some of this information/ motions were previously written or typed up at previous jails. Obviously I was unable to finish or send them prior to be being moved. Some of the information was taken from me and recently given back. I now have typed this information up again so I could share it with the court. Had the government given me full and fully working access to discovery, along with not stealing my preparations/ destroying my preparations, the court would've had these sorts of things much earlier. Again, I did bring this up to the court.

Part B: Witness Related Motions (Unsealed Version):

1) To have an ex-parte hearing regarding my subpoena requests.

1.1) If the court wants to know the witness contact information or why the witnesses should be called (if not already specified, or if you'd like the additional reasons I'd like to call them) or to know why they are necessary for my defence, I'd request that the court do this outside of the governments' presence so they don't gain an unfair advantage on what would be presented at trial.

2) To be able to speak to or call witnesses/potential witnesses privately on an unrecorded line.

2.1) The government would be able/ may have already done this with their witnesses, I'd like to as well. I'm asking for the court to order this because I've been attempting to get ahold of my mother (witness) since March 2022, my standby counsels have failed to even do that... If my standby counsels have failed to get me a private call with just 1 witness for over a year, I don't expect them to all of the sudden be able to get me in contact with the other witnesses in time... I need the court to act/ help...Perhaps a court order would help...

2.2) As a pre-trial detainee, I'm supposed to be held for merely security reasons. I should be able to conduct/ prepare a defence and shouldn't be stopped from talking to potential witnesses in private. If no court order is issued, then I'd ask for the court to subpoena the DC, Northern Neck, and Lewisberg jails to see that for over 1 year my standby counsels have failed to set up a private call with the first witness I knew I wanted to call, I want it on the court record. If the court subpoenas these and gives them to me, I can show the court the proof for this.

3) For private investigator funds to track down some of the witnesses OR temporary release to find them myself.

3.1) I asked for this second part in the past, I would need less funds now/ less time than I previously thought I'd need since I have more of these witnesses information. I may not need the funds if I was released to do the either online or physical investigating myself. Though in a better position, my witness situation can be described in 3.2.

3.2) I don't have addresses for the super majority of these people. I have phone numbers for most of these people, but not all. Some I only have their first names and number. Some I don't even have their names, but I have their numbers. Some I don't have their name or number, but I know what church they went to/ worked at and could find them on my own or by assisting a private investigator (that doesn't suck/ isn't lazy).

3.3) As the law books share: The prosecution has access to police officers, federal law enforcement officers, and other investigators. Defence can only investigate to the extent that their are available funds. The defendant must offer facts in support of such an application, explaining why the need for an investigator is more than speculative... I provide such information on the Sealed-Ex-Parte version of this motion.

- 4) To bring Micheal Kimmer in as a witness.
- 5) To bring Heath Ellerup in as a witness.
- 6) To bring Peter Fobare in as a witness.
- 7) To bring in the couple I met on the subway while leaving DC/ who I hung out with on 1/7/21 as witnesses.
- 8) To bring Davida Chuckrow in as a witness.
- 9) To bring the White house staffer I met and spent the evening/ night with on 1/8/21 in as a witness.
- 10) To bring the 3 campaign staffers and 1 secret service agent in as witnesses.
- 10.1) I met and hung out with these people the morning and early afternoon of 1/6/21. They helped ensure I was the first civilian inside the rally, and ensured I was allowed into the VIP section of the Rally despite not having an official invitation.
- 11) To bring the Asian woman I met and hung out with in the Ellipse/ Rally from 7am until around 2pm on 1/6/21 in as a witness.
- 12) To bring in the secret service agent who got me into VIP (boyfriend of the campaign staffer I'd hung out with outside and inside the Ellipse/ Rally.
- 13) To bring William Turton in as a witness.
- 14) To bring in Karissa as a witness.
- 15) To bring in Jack as a witness.
- 16) To bring in the Dr. I met in Northern Neck Jail as an expert witness for my mental disabilities/ abilities to help describe to the jury how these could've effected me on 1/6/21 and after 1/6/21.
- 16.1) I have his name written down on my stolen (by the jail) papers that are now with my stand-by counsels (who failed at least 8 separate times to get them to me).
- 17) To call Micheal Fanone to the stand as a witness.
- 17.1) Ex- MPD officer, the most well known officer of the day. He was in the Crypt at the same time as me. Id love to question him about his experience on 1/6/21. He loves showing up to peoples hearings voluntarily, so I'd like to personally welcome him to come and speak under oath. His testimony would be very eye opening for the jury.

18) To have the watch commanders of the MPD and the Capitol Police called as witnesses.

18.1) It's more important that I have the Capitol Police Watch Commander present, but I'd prefer both since I was around both agencies.

19) To have the officer that I spoke to in one of my recording about not having a helmet identified and brought in as a witness. This man is one of the officers i interacted with on my voluntary way outside of the building.

20) To bring in the 2 officers I received rules from/ got directions from.

20.1) See Part E, # 1.

21) To bring in the Alaskan Couple I met in the Ellipse. We spoke and were in videos/ photos together.

Part C: Subpoena Related Motions (Unsealed Version)

Reasons for the subpoenas and the relevant/ helpful information that would be presented from subpoenaing these places/ people are provided in the Sealed-Ex-Parte version of these motions. I do not want the government or public to view that version.

1) For the government to identify the 2 officers I received rules from/ got directions from and to subpoena them so I can ask them some questions.

1.1) They both can be seen on video. The first is seen right before I hop on top of the desk and wave the flag (CCTV). The second is seen from my video recording right before I enter the Crypt.

2) To subpoena Mount Pleasant Middle School records (2005-2008).

3) To subpoena Brown School Elementary (1999-2000) records.

4) To subpoena Van Corlear Elementary School records (2000-2005).

6) To subpoena the Schenectady New York probation office records (2009-2010):

7) To subpoena NY CPS (Child Protective Services) records (2000-2008).

7) To subpoena Niskayuna High School records (2009-2012).