

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

_____)	
UNITED STATES,)	
)	
v.)	Crim. No. 21cr268-CJN
)	
JEFFREY MCKELLOP,)	
Defendant.)	
_____)	

**DEFENDANT’S REPLY TO GOVERNMENT OPPOSITION TO
MOTION TO COMPEL DISCOVERY**

Defendant Jeffrey McKellop, by counsel, hereby replies to the Government’s Opposition (Doc 131, “Opp”) to his Motion to Compel Discovery regarding the presence of undercover officers or their confederates during the events subject of the instant charges (Doc 123).

Neither the quantity of discovery disclosed to this point, (3.86M files [Opp at n. 1]), nor the medium, (“results of searches of digital devices, FBI Memoranda, subject interviews, tips, and camera footage,” [Opp at n. 1]), addresses the very specific issue presented in Defendant’s motion – whether and how the unlawful conduct on January 6th was impelled by individuals acting at the behest of or subject to the control of law enforcement.

“Informant’s privilege” (Opp at 2) presents no impediment to the disclosure Defendant seeks. The extent of the covert presence of law enforcement and its proxies can be revealed without identifying any confidential informants. Should identification become necessary on a more focused basis, the Court can implement appropriate safeguards.

The covert law enforcement presence referenced by Defendant is hardly a matter of “mere speculation” (Opp at 3). The New York Times reported at least one Proud Boy FBI

