

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	No.: 21-CR-334 (TJK)
	:	
v.	:	
	:	
DALE JEREMIAH SHALVEY,	:	
Defendant.	:	

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 June 16th discovery letter, memorializing discovery sent in this case on May 4, 2021 and June 16, 2021, 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/ *Anthony L. Franks*
ANTHONY L. FRANKS
Missouri Bar No. 50217MO
Assistant United States Attorney
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CERTIFICATE OF SERVICE

On this 17th day of June, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/

Anthony L. Franks
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*

June 16, 2021

Danielle Courtney Jahn

Assistant Federal Public Defender for the District of Columbia
625 Indiana Ave, NW, Suite 500
Washington, DC 20004

Re: *United States v. Dale Jeremiah Shalvey*
Case No. 1:21-cr-00334 TJK







Dear Ms. Jahn:

This letter summarizes the preliminary discovery that has been served by USAFx in this case:

- a. Defendant's interview with the FBI
 - i. produced on May 4, 2021
- b. Body worn camera of Officer McAllister that captures defendant throwing an object at law enforcement on January 6, 2021
 - i. produced on May 4, 2021;
- c. Body worn camera of Officer Farley that captures defendant throwing an object at law enforcement on January 6, 2021
 - i. produced on May 4, 2021
- d. Image of Senator Mitt Romney's letter to former Vice President Pence
 - i. Produced on May 4, 2021
- e. Image of defendant riffling through a desk of a Senator on the Senate floor
 - i. Produced on May 4, 2021
- f. Criminal Complaint
 - i. Produced on May 4, 2021

- g. 5 videos of the Senate Floor on January 6, 2021, some of which capture defendant on camera
 - i. produced on June 16, 2021;
 - ii. Those file names are shown below --

All Files > U.S. v. Dale Jeremiah Shalvey Defense Counsel Discovery

Name	Updated ▾	Size
 SENATE_FLOOR_010621_1329P_1414P.mp4	Today by Anthony Franks	1.9 GB
 2021_01_06_ISOCAM8_SENFL.mp4	Today by Anthony Franks	2.3 GB
 2021_01_06_ISOCAM6_SENFL_1.mp4	Today by Anthony Franks	3.1 GB
 2021_01_06_ISOCAM5_SENFL_1.mp4	Today by Anthony Franks	3.1 GB
 2021_01_06_ISOCAM4_SENFL_2.mp4 	Today by Anthony Franks	3.1 GB

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.

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.

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 disclose prior statements of any witnesses defendant 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 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/ Anthony L. Franks
Anthony L. Franks
Assistant United States Attorney