

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
<b>v.</b>	:	<b>Case No. 21-CR-224-TSC</b>
	:	
<b>KENNETH GRAYSON,</b>	:	
	:	
<b>Defendant.</b>	:	

**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 2, 2021 discovery letter in this case, which is hereby 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/ Frances E. Blake  
FRANCES E. BLAKE  
Texas Bar No. 24089236  
Assistant United States Attorney  
Detailee  
United States Attorney’s Office  
for the District of Columbia  
[Frances.Blake@usdoj.gov](mailto:Frances.Blake@usdoj.gov)

**CERTIFICATE OF SERVICE**

On June 2, 2021, a copy of the foregoing was served on counsel of record for the Defendant via the Court’s Electronic Filing System.

*/s/ Frances E. Blake*  
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FRANCES E. BLAKE  
Assistant United States Attorney



U.S. Department of Justice

Channing D. Phillips  
Acting United States Attorney

*District of Columbia*

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*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

June 2, 2021

Mr. David Bos, Esq.  
Attorney for Kenneth Grayson  
Email: [David\\_Bos@fd.org](mailto:David_Bos@fd.org)

Re: *United States v. Kenneth Grayson*  
Case No. 1:21-CR-224-TSC

Dear Counsel:

In accordance with Rule 16 of the Federal Rules of Criminal Procedure and as otherwise required by law (e.g., *Brady v. Maryland*, 373 U.S. 63 (1963), *United States v. Giglio*, 405 U.S. 150 (1972)), on March 23, 2021 and on June 2, 2021, the government produced the following items of preliminary discovery through USAfx:

- (1) Video Part 1 of Kenneth Grayson Interview
- (2) Video Part 2 of Kenneth Grayson Interview
- (3) FBI Report Opening EC
- (4) FBI Report Intake
- (5) FBI Report Baselines
- (6) FBI Report Interview
- (7) FBI Report Intake 2
- (8) FBI Report FB Warrant
- (9) FBI Report Face Match

The government will continue to supplement discovery in this case. 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.

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 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 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 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/Frances E. Blake

Frances E. Blake

Assistant United States Attorney