

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

UNITED STATES OF AMERICA

v.

MATTHEW RYAN MILLER,

Defendant.

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Case No. 21-cr-75 (RDM)

**UNITED STATES' SUPPLEMENTAL OPPOSITION TO DEFENANT'S AMENDED
MOTION FOR MODIFICATION OF PRETRIAL DETENTION ORDER**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this supplemental opposition to the defendant's Amended Motion for Modification of Pretrial Detention Order (ECF No. 12).

Since the filing of its initial Opposition (ECF No. 14), the government has located additional video evidence of the defendant's participation in the riots on January 6, 2021. The video depicts the defendant pushing with a large crowd against the same entrance to the U.S. Capitol that was guarded by members of the U.S. Capitol Police and the Metropolitan Police Department that the defendant was photographed deploying a fire extinguisher into. In the video, the crowd appears to be chanting "Heave! Ho!" as it rocks back and forth in the direction of the entrance. Screenshots of this video are posted below (the defendant is circled on the bottom right hand of the photos). In the first screenshot, the defendant is captured facing away from the tunnel, waiving his hand, and appears to say, "Come on," though you cannot hear the words over the crowd.



In the second screenshot, the defendant is further observed putting up his fingers and yelling at the same time what appears to be, “one, two, three, push!”



Contrary to the defendant's argument that he was only "protesting" and "left soon after he saw that other protestors were engaging in violent and dangerous behavior" (ECF No. 12 at 6), the defendant was not only calling for others to assist in pushing through law enforcement, but he encouraged others and repeatedly attempted to push through with the crowd himself.

The government submits that the Bail Reform Act factors continue to weigh in favor of detention and that there is no condition, or combination of conditions, that would ensure the safety of the community if the defendant was released. The government respectfully requests that the Court deny the defendant's Amended Motion for Modification of Pretrial Detention Order (ECF No. 12).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of this pleading to be served upon counsel of record, this 14th day of February, 2021.

/s/
Kaitlin A. Vaillancourt
Assistant United States Attorney