

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA	:	Case No.: 21-cr-417-PLF
	:	
v.	:	
	:	
DANIEL WARMUS,	:	
Defendant.	:	

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**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 July 14, 2021, discovery letter, memorializing discovery sent on this same day and July 11, 2021, which is served as an attachment via ECF on counsel for Defendant.

Respectfully submitted,

CHANNING D. PHILLIPS  
Acting United States Attorney  
D.C. Bar No. 415793

By: *s/ Monica A. Stump*  
MONICA A. STUMP  
PA Bar No. 90168  
Assistant United States Attorney  
District of Columbia  
Capitol Riot Detailee  
Nine Executive Drive  
Fairview Heights, IL 62208  
Telephone No. (618) 622-3860  
[Monica.stump@usdoj.gov](mailto:Monica.stump@usdoj.gov)



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*

July 15, 2021

**VIA EMAIL**

Dan DuBois  
DuBois Law

Re: *United States v. Warmus*  
Case No. 21-cr-417-PLF

Dear Mr. DuBois:

This is to memorialize the following preliminary discovery sent you via email on **July 11, 2021**, and **July 14, 2021**, via USAFX which contained the following materials:

- Serial 1: case initiation;
- Serial 2 and 1A\_5754\_01 SENSITIVE: Identification of Daniel Warmus
- Serial 3 and 1A\_5799\_01: Google preservation request
- Serial 4 and 1A\_02\_01: Verizon preservation request
- Serial 5 and 1A\_01\_01: DMV records check and information
- Serial 6 SENSITIVE and 1A\_02\_02: Warmus match report and photograph at Washington Monument
- Serial 7 and 1A\_03\_01-04: Utility checks, police reports and criminal history report
- Serial 8 and 1A\_04\_01-04: Employment information and photographs
- Serial 9 and 1A\_05\_01: Call detail records and review
- Serial 10: Request for footage
- Serial 11 and 1A\_07\_01-02: Weapons checks
- Serial 12: Military history check
- Serial 13\_1A\_08\_01-08 HIGHLY SENSITIVE: 8 photographs of Warmus inside the Capitol
- Serial 14 and 1A\_09\_01 HIGHLY SENSITIVE: Reports documenting receipt of video footage and CD of video footage
- Serial 15 and 1A\_10\_01-02: Social Media Checks
- Serial 16 and 1A\_06\_01-11: Report documenting photographs of Warmus' residence and 11 photographs

Serial 17 and 1A\_07\_01-16: Warmus' employment information, 15 photographs and registration materials

Serial 18, 1A\_11\_01-04 and 1A\_12\_01: Surveillance report, 4 photographs, and registration materials

Serial 19 and 1A\_13\_01: Utilities confirmation and record for Warmus' residence

Serial 21 SENSITIVE, 1A\_15\_02, 1A\_15\_03, 1A\_15\_06, and 1A\_15\_08: Searches for Warmus, passport and driver's license photographs, and photograph at Washington Monument

Serial 22 and 1A\_17\_01: Report documenting requisition of and CD containing homemade video

Serial 24 SENSITIVE: License plate checks

Serial 25: Report documenting Warmus' YouTube Channel

Serial 27 and 1A\_04\_01 through 04\_04: Form letter for entering warrant, arrest warrant.

Complaint, complaint redacted and statement of facts

Serial 28 and 1A\_20\_01: Preservation letter to YouTube (Google)

Serial 29 and 1A\_21\_01: Criminal history checks and report

Serial 30 and 1A\_22\_01: Records checks

Serial 32 and 1A\_25\_01: Criminal history check and record

Serial 33: Police contact

Serial 34: Review of Warmus' YouTube videos

Serial 35: Search and seizure report of Warmus' residence

Serial 36: Search and seizure report of Warmus' vehicle

Serial 38: Report documenting interview of Warmus

Serial 39 and 1A\_27\_01-06: Firearm Surrender and receipts

Serial 40 and 1A\_28\_02-05: Arrest and Complaint documents

Serial 41 and 1A\_29\_01, and 1A\_29\_03-04: Search warrant documents

Serial 42 and 1A\_30\_01-02: Documenting arrest and removing warrant

Serial 43 and 1A\_31\_01-02: Forensic examination of cell phone and receipts

Serial 44, 1A\_32\_01, 1A\_33\_01, 1A\_34\_01, 1A\_35\_01, 1A\_36\_01, 1A\_37\_01-03, 1A\_38\_01, 1A\_39\_01, 1A\_40\_01, 1A\_41\_01-03, and 1A\_42\_01: Search of Warmus' residence, search warrants, vehicle photo logs, sketches, evidence logs, agent information, and property receipts

Serial 45: Comments by B. Frost

Serial 46: Report documenting hard drive of surveillance video

Serial 47, 1A\_43\_01 and 1A\_44\_01: Arrest of Warmus and notes

Serial 48 and 1A\_45\_01: Business reviews

Serial 50 and 1A\_46\_01-02: Search warrant returns

Serial 51, 1A\_47\_01, and 1A\_47\_03: Google Search warrant

Serial 52 and 1A\_48\_02-34: Verizon search warrant returns

Serial 53: Video of Warmus

Serial 54 and 54 Import: Newspaper reporting of arrest

Serial 55 and 1A\_49\_01: Google preservation

Serial 56 and 1A\_50\_01-02: Verizon search warrant

Serial 58 and 1A\_52\_01 SENSITIVE: Verizon Location information

Serial 59 and 59 Import: Cellbrite report

Serial 60 and 1A\_53\_01-02: Google Search warrant returns  
Serial 61: Google search warrant return  
Serial FIS 1 and 1\_1A\_01 and 02: Surveillance report, notes, and registration information  
Serial FIS 2 and 2\_1A\_02\_01: Surveillance report and notes  
Serial FIS 3 and 3\_1A\_03\_01: Surveillance report  
Serial FIS 4 and 4\_1A\_04\_01-02: Surveillance report and notes  
Serial FIS 5 and 5\_1A\_05\_01: Surveillance report and notes  
Serial FIS 6 and 6\_1A\_06\_01-11: Surveillance report and 11 photographs  
Serial FIS 7 and 7\_1A\_06\_01-11: Surveillance report, registration materials, and 15 photographs  
Serial FIS 8 and 8\_1A\_11\_01-04 and 1A\_12\_01: Surveillance report, 4 pictures and registration information  
Serial FIS 11 and 11\_1A\_08\_01-03: Surveillance report, notes, and registration materials  
Serial FIS 12 and 12\_1A\_09\_01: Surveillance report and notes  
Serial FIS 13 and 13\_1A\_10\_01: Surveillance report and notes  
Serial FIS 14 and 14\_1A\_11\_01: Surveillance report and notes  
Serial FIS 15 and 15\_1A\_12\_01-03: Surveillance report, notes, and photograph  
Serial FIS 16 and 16\_1A\_13\_01: Surveillance report and notes  
Serial FIS 17 and 17\_1A\_14\_01: Surveillance report and notes  
Serial GJ 01 and 01\_1A\_5799\_01: Google preservation information  
Serial GJ 02 and 01\_1A\_01\_01: Records request to Google  
Serial GJ 03 and 01\_1A\_02\_01: Verizon preservation request  
Serial GJ 04: Verizon records request  
Serial GJ 05 and 05\_1A\_04\_01-02: Google records  
Serial GJ 06 and 06\_1A\_05\_01: Verizon records  
Serial GJ 07: Utility records  
Serial ELA 2: CCTV of residence  
Video Capitol Grounds during January 6 Insurrection

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.

The discovery is unencrypted. 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.

This material is subject to the terms of the Protective Order issued 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(s) disclose prior statements of any witnesses defendant(s) 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(s) 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/ *Monica A. Stump*

Monica A. Stump  
Assistant United States Attorney

Enclosure(s)