

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

UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 1:21-cr-00181-CKK**
 :
DANIEL RAY CALDWELL, :
 :
 Defendant. :

NOTICE OF FILING

The Government requests that the attached discovery letter, dated **April 17, 2021**, be made part of the record in the above-captioned case.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney

By: /s/ Puja Bhatia
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555 Fourth St. N.W.
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April 17, 2021

DISCOVERY LETTER #1

John Hunter Smith, Esq.
Defense Counsel

Re: *United States v. Daniel Ray Caldwell*
21-CR-181

Dear Counsel:

Pursuant to our discovery obligations, we have provided the following files via USAfx on April 17, 2021. **Note that USAfx only keeps files it's the shared drive for 60 days so please download them before they are deleted:**

- Search Warrant Pictures:
 - Residence Boca Return (314)
 - Vehicle (104)

We have provided the following files via USAfx on April 8, 2021:

- Bodyworn Camera Videos (16):
 - 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX Naticchione
 - Axon_Body_3_Video_2021-01-06_1320
 - 20210106-FIRST_AMENDMENT_ASSEMBLY-US_CAPITOL
 - 20210106_-_Riot_-_US_Capitol_
 - 20210106_-_FIRST_AMENDMENT_-_US_CAPITOL
 - Axon_Body_3_Video_2021-01-06_1312
 - 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX
 - 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (2)
 - 20210106_-_RIOTOUS_ACTS_-_US_CAPITOL_COMPLEX
 - 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (5)
 - 20210106-FELONY_RIOT-100_1ST_ST_NW
 - 20210106-_RIOTOUS_ACTS-_US_CAPITOL_COMPLEX

- 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (1)
- 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (3)
- 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (4)
- 20210106-RIOTOUS_ACTS-US_CAPITOL_COMPLEX (6)

Also, many of these files and their related physical attachments are currently being formally processed for discovery by the discovery team assigned to the Capitol Riots cases. As such, some of the same files will be re-produced with bates-stamps at a later date.

We recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. We will provide timely disclosure if any such material comes to light. Consistent with *Giglio, Ruiz*, and 18 U.S.C. § 3500, we will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

We 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. We 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). We 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, we 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.

We will forward additional discovery as it becomes available. If you have any questions, please feel free to contact us.

By: /s/ Puja Bhatia
PUJA BHATIA
Assistant United States Attorney