

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 21-cr-00079-BAH
	:	
v.	:	
	:	
KEVIN JAMES LYONS,	:	
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 May 4, 2021 discovery letter, memorializing discovery sent on this same day, 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
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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*

May 4, 2021

VIA EMAIL

Lawrence Wolf Levin
Law Office of Lawrence Wolf Levin

Re: *United States v. Lyons*
Case No. 21-cr-79-BAH

Dear Mr. Levin:

This is to memorialize the following preliminary discovery sent you via email on **May 4, 2021** via USAFX which contained the following materials:

Serial 1	Case Initiation
Serial 2	Report of interview of K. Lyons
Serial 2_1A_01-05	Photographs Speaker of the House, group screen shot, interview notes, K. Lyons 1 image, and K. Lyons 2 image
Serial 3	K. Lyons Youtube video links
Serial 3_1A_02-1 and 03-1	Youtube videos
Serial 4 and 1A_01 through 05	Report documenting thumb drive discovery and five photographs of thumb drive
Serial 5 and 1A_02_01 through 02_04	Arrest warrant, complaint, statement of facts, arrest warrant, and complaint redacted
Serial 6 and 1A_03_01 through 03_04	Arrest Log (1/13/2021), Lyons DNA, Lyons BOP, Lyons USMS, and Lyons processing forms
Serial 7	Removal of warrant
Serial 8, 1A_013_01 through_04, and 1A_014_01	Arrest of Lyons, statement of facts, complaint, arrest warrant, complaint redacted and BOP memo
Serial 9	Warrants for person, cars, and house

Serial 11, 1A_07_01, 08_01, 09_01, 1A_012_01 through 012_03	Search warrant report, casebook, FD-597, sketch, Ford photo log, photo log, and Chevy photo log
Serial 12 and 13	Lists of seized items
Serial 14	File System Extraction
Serial 15	Hard Drive of Cell Phones
Serial 16 and 1A_06_01	Cell Phone extraction analysis (Samsung) and seized information
Serial 17 1A_08_03	Social media video
Serial 19 and 1A_10_01	Criminal history records;
Serial 21 and 21_Import (SENSITIVE):	Records check on defendant, including addresses associated
Serial 22_1A_0615_01 through 07, 0615_09, 0615_010, and 0615_012 (SENSITIVE) through 0615_018	Images and screenshots related to K. Lyons on social media
Serial 23	Notes entered
Serial 24	Serials 1-22
Serial 25	Derivative Evidence
Serial 27 and 1A_04_01 through 04_04	Form letter for entering warrant, arrest warrant. Complaint, complaint redacted and statement of facts Video Clips 20210106_141309.mp4 and 20210106_140937.mp4 from Lyons' phone

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)