

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	<b>Case No. 21-cr-427 (CJN)</b>
	:	
<b>KURT PETERSON,</b>	:	
	:	
<b>Defendant.</b>	:	

NOTICE OF FILING

The government requests that the attached discovery letter, dated August 23, 2021, be made part of the record in this case.

Respectfully submitted,

CHANNING D. PHILLIPS  
ACTING UNITED STATES ATTORNEY  
D.C. Bar No. 415793

By: /s/ Alison B. Prout  
Alison B. Prout  
Georgia Bar No. 141666  
Assistant United States Attorney  
United States Attorney's Office  
75 Ted Turner Drive, SW  
Atlanta, Georgia 303030  
Phone: (404) 581-6100

CERTIFICATE OF SERVICE

On August 24, 2021, a copy of the foregoing notice and attached discovery letter were served on counsel for defendant through the Court's Electronic Filing System with the listed attachments provided to counsel through the means described in the discovery letter.

/s/ Alison B. Prout  
Alison B. Prout  
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*

August 23, 2021

VIA EMAIL

Laura Wyrosdick  
Federal Defender Program  
200 Theatre Building  
629 Fourth Avenue  
Louisville, KY 40202  
Laura\_Wyrosdick@fd.org

Re: *United States v. Kurt Peterson.*  
Case No. 21-cr-427

Dear Ms. Wyrosdick:

Enclosed please find additional discovery produced to you via email in the above-referenced case. The discovery is comprised of five transcripts of interviews of law enforcement officers who were present at or around the Speaker's Lobby of the U.S. Capitol building on January 6, 2021. The enclosed transcripts are designated SENSITIVE pursuant to the August 10, 2021 Protective Order (Doc. 15). The files provided are listed below:

<b>File Name</b>	<b>Sensitivity Designation</b>
C.L. Transcription_Redacted.pdf	SENSITIVE
J.G. Transcription_Redacted.pdf	SENSITIVE
K.Y. Transcription_Redacted.pdf	SENSITIVE
S.R. Transcript_Redacted.pdf	SENSITIVE
T.L. Transcription_Redacted.pdf	SENSITIVE

Some defense counsel in the Capitol Breach cases have requested information that they claim suggests a member (or members) of law enforcement allowed people to enter or remain in the Capitol or on restricted grounds, acted friendly or sympathetic to the rioters, or otherwise

failed to do their jobs. As an initial matter, we do not believe that such information is exculpatory as to guilt or punishment within the meaning of *Brady v. Maryland*, 373 U.S. 83 (1973). Nevertheless, the government possesses some information that arguably could be responsive to these requests. Out of an abundance of caution, the government will be making such information available to you, if it has not done so already.

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 the 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.

I will forward additional discovery as it becomes available. In the meantime, please let me know if there are any categories of information that you believe are particularly relevant to your client. If you have any questions, please feel free to contact me.

Sincerely,

/s/ Alison B. Prout

Alison B. Prout

Assistant United States Attorney

Enclosures