

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

**UNITED STATES OF AMERICA**

**v.**

**ETHAN C. SEITZ,**

**Defendant.**

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**Case No.: 21-cr-279-DLF**

**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 25, 2021 discovery letter in this case, which was served as an attachment via ECF on counsel for the defendant.

Respectfully submitted,

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

By: /s/ Alexis J. Loeb  
Alexis J. Loeb  
California Bar No. 269895  
Assistant United States Attorney  
Detailee  
450 Golden Gate Avenue, 11<sup>th</sup> Floor  
San Francisco, CA 94102  
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**CERTIFICATE OF SERVICE**

On this 25th day of May, 2021, a copy of the foregoing was served upon all parties listed on the Electronic Case Filing (ECF) System.

/s/ Alexis J. Loeb  
Alexis J. Loeb  
Assistant United States Attorney  
Detailee



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*

May 25, 2021

Jose German, Assistant Federal Public Defender  
Federal Public Defender for the District of Columbia  
625 Indiana Avenue NW  
Washington, D.C. 20004  
*Via ECF*

Re: *United States v. Ethan Seitz*  
Case No. 21-cr-279-DLF

Dear Counsel:

I will be sharing a production of preliminary discovery in this case using the government's USAfx File Exchange System in the next few days. Although you may review the entire discovery on the shared drive, in order to retain access to the discovery, you must download it immediately. Once all uploaded materials are available for download, I will alert you via email. If you have any questions regarding the provided discovery or are missing something, feel free to call or email me. Please note that this discovery does include materials designated under the protective order entered in this case. The designations (Sensitive or Highly Sensitive) are part of the filenames of the applicable files.

This production of preliminary discovery contains the following:

- Video footage from U.S. Capitol CCTV and timelines describing Seitz's movement through the Capitol
- Warrants for the search of Seitz's residence and Facebook account
- Two documents from law-enforcement databases
- Items from the FBI's file, including photographs, reports, and items from law-enforcement databases (66 files, plus an index)
- Grand jury transcript and exhibits

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.

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/ Alexis Loeb

Alexis Loeb  
Assistant United States Attorney  
Detailee