

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
: No.: 21-CR-184 (BAH)
: v. :
: JAMES ALLEN MELS, :
: 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 September 22, 2021 discovery letter, memorializing discovery sent on September 14 and 22, 2021, which is served as an attachment via ECF on counsel for the Defendant.

Respectfully submitted,

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

By: s/ Monica A. Stump
MONICA A. STUMP
PA Bar No. 90168
Assistant United States Attorney
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Telephone No. (618) 622-3860
Monica.stump@usdoj.gov

CERTIFICATE OF SERVICE

On this 22nd day of September, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/
Monica A. Stump
Assistant United States Attorney



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*

September 22, 2021

VIA EMAIL

Cara Halverson
Cara_Halverson@fd.org

Re: *United States v. Mels*
Case No. 21-cr-184-BAH
Letter No. 1

Dear Ms. Halverson:

This is to memorialize the following discovery sent you on **September 14, 2021** and **September 22, 2021** via USAFX. The disclosures contained the following information:

- Case opening report
- Surveillance reports and two photographs of Mr. Mels' truck
- Summary report of early developments in the investigation including 12 screenshots obtained from Mr. Mels' cellular telephone placing him inside the U.S. Capitol
- Driver's license photograph of Mr. Mels
- Preservation request to Google
- Interview report of Mr. Mels, notes, and photographs shared
- Records checks including criminal history checks, open source information, databases, and social media
- Three screenshots from Mr. Mels' profile on Cannabuzz
- Tipster reports
- Report describing the identification by Capitol Police of locations Mr. Mels entered inside the U.S. Capitol
- Facial image search
- Search warrant paperwork for Mr. Mels' cellular telephone, including documentation of the execution, return, receipt for property, and chain of custody
- Reports, emails, and documents showing return of cellular telephone to Mr. Mels, including documentation that Mr. Mels called the case agent twice

Arrest report, arrest warrant and complaint
Image report for Mr. Mels' cellular telephone
Relevant photographs, text messages, audio files, and contacts from Mr. Mels' phone
U.S. Capitol Police Internal Affairs Reports

The file names for these disclosures are listed in Attachment A to this letter.

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)

ATTACHMENT A

Within Folder Documents and Photographs

Serial 0000001 REDACTED.pdf
Serial 0000001_1A0000001_0000001.jpg
Serial 0000001_1A0000001_0000002.jpg
Serial 0000001_1A0000001_0000003.jpg
Serial 0000001_1A0000001_0000004.jpg
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Serial 0000014.pdf
Serial 0000015.pdf
Serial 0000015_1A0000015_0000001.pdf
Serial 0000015_1A0000016_0000001.msg
Serial 0000017.pdf
Serial 0000017_1A0000018_0000001_PHYSICAL.pdf
Serial 0000018 REDACTED.pdf

Within Folder Mels Cell Phone

Folder MELS Text Conversations (730 Files)
Folder MELS Case Photos (52 Files)
Folder Cell Contacts (1 File)

Within Folder DOJCB 001 2021.09.10 Capitol Breach Discovery:

DOJCB_001.zip
DOJCB_001_Index.zip

DOJCB_001_Index.xlsx