

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

**UNITED STATES OF AMERICA**

**v.**

**DARYL JOHNSON and  
DANIEL JOHNSON,**

**Defendants.**

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**Criminal No. 21-cr-407 (DLF)**

**UNITED STATES' NOTICE OF FILING**

The United States requests that the attached discovery letter, dated August 20, 2021, be made a part of the record in this case.

Respectfully submitted,

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

By:



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Laura E. Hill  
Trial Attorney, detailed to the  
U.S. Attorney's Office  
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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 20, 2021

Allen Orenberg  
The Orenberg Law Firm, P.C.  
12505 Park Potomac Avenue  
6th Floor  
Potomac, MD 20854

Thomas Abbenante  
888 17th Street, NW  
Suite 1200  
Washington, D.C. 20006

Re: *United States v. Daryl Johnson and Daniel Johnson*  
Case No. 21-cr-407

Dear Counsel:

Discovery in this case is now available on USAFx and contains the following materials:

- File folder named First Production. This folder includes a total of 104 files. This folder contains three subfolders:
  - 1) Highly Sensitive, which contains the following 7 files that are Highly Sensitive pursuant to the terms of the Protective Order;

File Name
0176-OM-2404785_0000034_1A0000024_0000001_PHYSICAL.pdf
0176-OM-2404785_0000040_1A0000027_0000001.asf
0176-OM-2404785_0000040_1A0000027_0000002.asf
0176-OM-2404785_0000040_1A0000027_0000003.asf
0176-OM-2404785_0000040_1A0000027_0000004.mp4
0176-OM-2404785_0000040_1A0000027_0000005.asf

0176-OM-2404785_0000040_1A0000027_0000006.asf
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2) Sensitive, which contains the following 10 files that are Sensitive pursuant to the terms of the Protective Order; and

File Name
0176-OM-2404785_0000001.pdf
0176-OM-2404785_0000007.pdf
0176-OM-2404785_0000007_1A0000004_0000001.docx
0176-OM-2404785_0000014.pdf
0176-OM-2404785_0000025.pdf
0176-OM-2404785_0000025_1A0000021_0000001_Redacted v2.pdf
0176-OM-2404785_0000025_1A0000021_0000002_Redacted.pdf
0176-OM-2404785_0000025_1A0000021_0000003.pdf
0176-OM-3404785_0000031.pdf
0176-OM-3404785_0000031_Import_Redacted.pdf

3) No Sensitivity Designation, contains the following 87 files.

File Name
0176-OM-3404785_0000002.pdf
0176-OM-3404785_0000002_Import_Redacted.pdf
0176-OM-3404785_0000003.pdf
0176-OM-3404785_0000003_1A0000001_0000001.PNG
0176-OM-3404785_0000003_1A0000001_0000002.PNG
0176-OM-3404785_0000003_1A0000001_0000003.PNG
0176-OM-3404785_0000003_1A0000001_0000004.PNG
0176-OM-3404785_0000003_1A0000001_0000005.PNG
0176-OM-3404785_0000003_1A0000001_0000006.PNG
0176-OM-3404785_0000003_1A0000001_0000007.PNG
0176-OM-3404785_0000003_1A0000001_0000008.PNG
0176-OM-3404785_0000004_Redacted v2.pdf
0176-OM-3404785_0000005_Redacted.pdf
0176-OM-3404785_0000005_1A0000002_0000001.pdf
0176-OM-3404785_0000005_1A0000002_0000002_Redacted.pdf
0176-OM-3404785_0000006.pdf
0176-OM-3404785_0000006_1A0000003_0000001_PHYSICAL.pdf
0176-OM-3404785_0000008.pdf
0176-OM-3404785_0000008_1A0000005_0000001.zip
0176-OM-3404785_0000009.pdf

0176-OM-3404785_000009_1A0000006_0000001.docx
0176-OM-3404785_000010.pdf
0176-OM-3404785_000010_1A0000007_0000001.docx
0176-OM-3404785_000010_1A0000007_0000002.docx
0176-OM-3404785_000013.pdf
0176-OM-3404785_000013_1A0000008_0000001.docx
0176-OM-3404785_000016.pdf
0176-OM-3404785_000016_1A0000001_Redacted.pdf
0176-OM-3404785_000017.pdf
0176-OM-3404785_000017_1A0000001.pdf
0176-OM-3404785_000017_1A0000002.pdf
0176-OM-3404785_000017_1A0000003.pdf
0176-OM-3404785_000017_1A0000004.pdf
0176-OM-3404785_000017_1A0000005.pdf
0176-OM-3404785_000017_1A0000006.pdf
0176-OM-3404785_000019.pdf
0176-OM-3404785_000019_1A0000014_0000001.pdf
0176-OM-3404785_000021.pdf
0176-OM-3404785_000021_Import_Redacted.pdf
0176-OM-3404785_000022.pdf
0176-OM-3404785_000022_1A0000015_0000001.txt
0176-OM-3404785_000023.pdf
0176-OM-3404785_000023_1A0000016_0000001_PHYSICAL.pdf
0176-OM-3404785_000023_1A0000017_0000001.pdf
0176-OM-3404785_000023_1A0000017_0000002.pdf
0176-OM-3404785_000023_1A0000017_0000003.pdf
0176-OM-3404785_000023_1A0000017_0000004_Redacted v2.pdf
0176-OM-3404785_000023_1A0000017_0000005.pdf
0176-OM-3404785_000023_1A0000018_0000001.pdf
0176-OM-3404785_000023_1A0000019_0000001.pdf
0176-OM-3404785_000024.pdf
0176-OM-3404785_000024_1A0000020_0000001.pdf
0176-OM-3404785_000026_Redacted.pdf
0176-OM-3404785_000027.pdf
0176-OM-3404785_000028.pdf
0176-OM-3404785_000029.pdf
0176-OM-3404785_000030_1A0000022_0000001.pdf
0176-OM-3404785_000030_Redacted.pdf
0176-OM-3404785_000033.pdf

0176-OM-3404785_0000033_1A0000023_0000001_PHYSICAL.pdf
0176-OM-3404785_0000033_Import_Redacted.pdf
0176-OM-3404785_0000034.pdf
0176-OM-3404785_0000035.pdf
0176-OM-3404785_0000037.pdf
0176-OM-3404785_0000037_1A0000025_0000001_Redacted.pdf
0176-OM-3404785_0000038.pdf
0176-OM-3404785_0000040.pdf
0176-OM-3404785_0000040_1A0000028_0000001.mp4
0176-OM-3404785-GJ_0000002_Import.zip
0176-OM-3404785-GJ_0000004_Import.zip
0176-OM-3404785-INTELPRODS__0000001_1A0000003_000001.jpg
0176-OM-3404785-INTELPRODS__0000001_1A0000003_000002(84)_Redacted.pdf
0176-OM-3404785-INTELPRODS__0000002.pdf
0176-OM-3404785-INTELPRODS__0000002_1A0000007_0000001.pdf
0176-OM-3404785-INTELPRODS__0000003.pdf
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000001.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000002.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000003.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000004.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000005.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000006.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000007.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000008.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000009.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000010.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000011.jpg
0176-OM-3404785-INTELPRODS__0000003_1A0000008_0000012.jpg

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.

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,

A handwritten signature in black ink, appearing to read 'Laura E. Hill', written in a cursive style.

Laura E. Hill  
Trial Attorney, detailed to the  
District of Columbia