

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 July 12, 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
PA Bar No. 90168
Assistant United States Attorney
District of Columbia
Capitol Riot Detailee
555 4th Street, NW,
Washington, D.C. 20530
Telephone No. (618) 622-3860
Monica.stump@usdoj.gov



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*

July 12, 2021

VIA EMAIL

Lawrence Wolf Levin
Law Office of Lawrence Wolf Levin

Re: *United States v. Lyons*
Case No. 21-cr-79-BAH
Discovery Letter No. 3

Dear Mr. Levin:

This is to memorialize the following preliminary discovery sent you on **June 8, 2021, June 30, 2021, July 3, 2021, and July 9, 2021**, via USAFX which contained the following materials:

Contents of Lyons' Work Phone – Serial 16_1A_07_01
Contents of Lyons' Personal Phone Samsung 10
Contents of Lyons' Garmin 1B_19
Video clip entitled TheResistance.video long
Report of tipster information-- Serials 26 and 1A_01943 Redacted
Opening document, Serial 20,
Tipster information Serials 22 and 22 1A_0615_11 Redacted
Interview of Witness saw Lyons carrying framed photograph --Serial 38 Redacted
Report of search for Lyons within the Capitol Grounds marked as Serial 17_1A_08_01 and 02 Redacted
Tipster information -- Intake 297_Redacted
Lead report -- Lead 291_Redacted
Police report containing stolen items from Speaker of House Nancy Pelosi's Office--
HIGHLY SENSITIVE
Photograph 20210106_155641, which depicts Lyons holding a framed photograph
Photographs of clothing seized from Kevin Lyons' home, including a Green Sweatshirt (1), a Blue Sweatshirt (2 pictures), and an American flag cloth (marked Pic 1)

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)