UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA : Case No. 21-cr-151 (CKK)

:

v. :

:

BARTON WADE SHIVELY,

:

Defendant. :

NOTICE OF FILING

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully gives notice that undersigned counsel for the government has provided counsel for the defendant additional discovery in the above-mentioned case as outlined in the government's attached discovery letter dated September 28, 2021.

Respectfully submitted,

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

By: /s/ *Emory V. Cole*

EMORY V. COLE

Assistant United States Attorney

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CERTIFICATE OF SERVICE

On September 28, 2021, a copy of the foregoing notice and attached discovery letter were served on defendant's counsel through the Court's Electronic Filing System with the listed attachment provided to counsel through the means described in the discovery letter.

/s/ Emory V. Cole

Emory V. Cole

Assistant United States Attorney



U.S. Department of Justice

Channing D. Phillips
Acting United States Attorney

District of Columbia

September 28, 2021

By USAfx

Sarah Lockwood KILLIAN & GEPHART, LLP 218 Pine Street Harrisburg, PA 17101 717-232-1851 slockwood@killiangephart.com Counsel for Defendant

Terrence J. McGowan KILLIAN & GEPHART, LLP 218 Pine Street Harrisburg, PA 17101 717-232-1851 771-238-0592 (fax) tjmcgowan@killiangephart.com Counsel for Defendant

Re: *United States v. Barton Wade Shively*Criminal No.: 21-cr-151 (CKK)

Dear Counsel:

As part of our ongoing discovery production in this case, you will receive an invitation via USAFx to download reports from U.S. Capitol Police (USCP) investigations of alleged wrongdoing by USCP officers on January 6, 2021. Officer names, witness names, and complainant names have been redacted. We are working to produce a set of reports that replaces the redactions with unique identifiers for individuals whose names have been redacted. When that process is complete, we will reproduce the documents with the unique identifiers. Additional exhibits from these investigations are forthcoming. At this time, we understand that a small

number of investigations are still on-going, and we will provide reports of those investigations on a rolling basis as they are concluded.

If you have any questions about the information provided above, you may contact me by telephone, fax, or mail as provided below.

Emory V. Cole Assistant United States Attorney United States Attorney's Office for the District of Columbia 555 Fourth Street, N.W. Washington, D.C. 20530 (202) 252-7692 Emory.Cole@usdoj.gov

Respectfully,

CHANNING D. PHILLIPS
ACTING UNITED STATES ATTORNEY

By: <u>/s/ Emory V. Cole</u>

Emory V. Cole

Assistant United States Attorney