

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **CRIMINAL NO. 21cr0006 (TJK)**  
 :  
**DOUGLAS AUSTIN JENSEN,** :  
 **Defendant.** :

**MOTION TO SUBMIT SUPPLEMENTAL DEFENSE EXHIBIT**

The defendant, by and through his attorney, Christopher M. Davis, respectfully requests permission to file this supplemental defense exhibit.

1. The defense came across this photograph published by the Associated Press on the evening of June 24, 2021, after the bond hearing held in this case. This was not disclosed in discovery, although the defense has no information that it is even in possession of the United States. As argued in his pleadings, this incident at the Capitol was photographed, videotaped, and “televised.”

2. In the government’s response, it argued that “Jensen appears to be reaching toward his pocket, which we now know contained the below-pictured knife.” Dkt. 24 at 16. Clearly, the government was suggesting that he was armed, dangerous, and prepared to use a knife. This photograph establishes that this was not the case.

3. This photograph is of a bottle of water that was in Mr. Jensen’s front right pocket, the pocket he patted in the video. It was obscured by the angle of the camera and the placement of his “silly shirt” during his advancement up the steps

in the Capitol that day. See, Dkt. 25 at Ex. 1.

WHEREFORE, Mr. Jensen respectfully moves this Honorable Court to accept and consider this supplemental exhibit in deciding whether he poses a danger to the community.

Respectfully submitted,

\_\_\_\_\_  
/s/

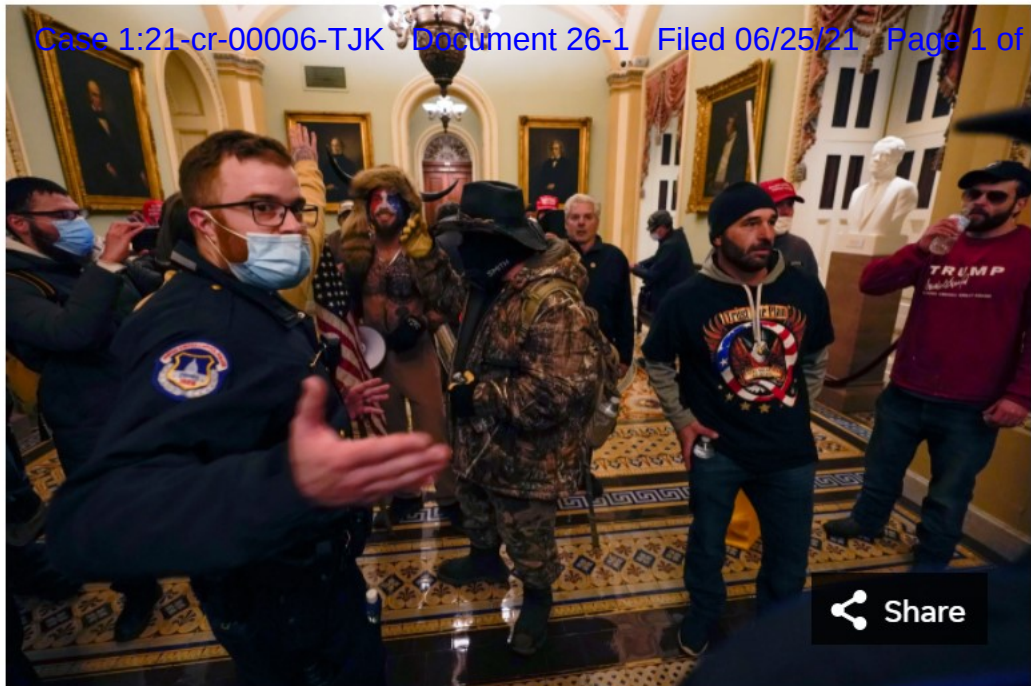
Christopher M. Davis #385582  
Counsel for Douglas Jensen  
Davis & Davis  
1350 Connecticut Avenue, NW  
Suite 202  
Washington, DC 200  
202.234.7300

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion was served upon all counsel of record via the Court's CM/ECF System on this 25<sup>th</sup> day of June 2021.

\_\_\_\_\_  
/s/

Christopher M. Davis



Protesters walk as U.S. Capitol Police officers watch in a hallway near the Senate chamber at the Capitol in Washington, Wednesday, Jan. 6, 2021, near the Ohio Clock.

MANUEL BALCE CENETA, AP

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**ORDER**

Upon consideration of the defendant's Motion to Submit Supplemental Defense Exhibit, and any opposition to or lack thereof, it is this 25<sup>th</sup> Day of June, 2021 hereby

**ORDERED** that the proffered exhibit be accepted and filed the above captioned matter.

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The Honorable Timothy J. Kelly  
United States District Court Judge