

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : Case No. 21-CR-00123 (PLF)
 :
 :
 VITALI GOSSJANKOWSKI, :
 :
 Defendant. :

NOTICE OF FILING

The government requests that the attached discovery letter, dated August 11, 2021, be made part of the record in this case.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney

By: /s/ Cara A. Gardner

Cara A. Gardner
Assistant United States Attorney
D.C. Bar 1003793
U.S. Attorney's Office
555 4th Street, N.W.
Washington,
D.C. 20530
202-252-7009
Cara.Gardner@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*

August 11, 2021

VIA USAFX and Email
Celia Goetzl, Esq.
Celia_Goetzl@fd.org








Ubong Akpan, Esq.
Ubong_Akpan@fd.org

Re: *United States v. Vital GossJankowski, 21-CR-123 (PLF)*


Dear Counsel:


Pursuant to our discovery obligations, we are writing to provide the following items listed below, which include your client's full Facebook return; the results of your client's known identifiers against voluminous data such as tips, tower dumps, and geofence results; and Grand Jury material. Please note that the Grand Jury transcript is marked sensitive because it includes Officer M.M.'s name.


- With this letter, the government is provided the following files via USAfx:


-  871385013623589 Facebook PDF (11-2-2020 thru 2-2-2021).pdf
-  Gallaudet_email_Redacted.pdf
-  U_Dataset_Query.pdf
-  U_Phone_contact_with_WRC_NBC4_Security_Officer_Redacted.pdf
-  Vitali Gossjankowski Face Search 6092021_Redacted.pdf
-  Vitali Gossjankowski Face search_Redacted.pdf
-  Vitali Gossjankowski Name Search 6092021_Redacted.pdf


- **Grand Jury Materials**


-  EX 1_signed.pdf

-  EX 2A.png


-  EX 2B.jpg

-  EX 2C.jpg

-  EX 2D.png

-  EX 3.mp4

- **Sensitive (NOTE: this material is sensitive because it includes Officer M.M.'s name)**

-  Gossjankowski_Brown 2.17.21 Vaillancourt.pdf

(As with all files uploaded to USAfX, they may automatically delete after 60 days per the automatic retention policy in place. Please download the files before then.)

Note that all these files will be being formally processed for discovery by the discovery team assigned to the Capitol Riots cases. As such, the same files will be re-produced with bates-stamps at a later date. Nevertheless, we wanted to provide you what we can now as we wait for this processing to be finalized.

Upcoming Discovery

The government will continue to provide additional discovery on a rolling basis. Like the files being provided in connection with this letter, all the files will be re-disclosed once processed and bates-stamped by the discovery team.

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 us know if there are any categories of information that you believe are particularly relevant to your client.

Please contact us if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

We recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. We will provide timely disclosure if any such material comes to light. Consistent with *Giglio*, *Ruiz*, and 18 U.S.C. § 3500, we will provide information

about government witnesses prior to trial and in compliance with the court's trial management order.

We 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. We 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). We 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, we 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.

We will forward additional discovery as it becomes available. If you have any questions, please feel free to contact us.

/s/ Cara Gardner

Cara Gardner
Assistant United States Attorney
D.C. Bar 1003793
U.S. Attorney's Office
555 4th Street, N.W.
Washington, D.C. 20530
202-252-7009
Cara.Gardner@usdoj.gov

/s/ Michael J. Romano

Michael J. Romano
Trial Attorney / Detailee
IL Bar 6293658
U.S. Attorney's Office
555 4th Street, N.W.
Washington, D.C. 20530
202-262-7850
michael.romano@usdoj.gov