

Inner City Press

August 23, 2021

By E-mail to Chambers

Hon. Amit P. Mehta, United States District Judge
E. Barrett Prettyman Courthouse
333 Constitution Avenue N.W., Washington D.C. 20001

Re: Application for PUBLIC Access to videos in US v. JOSHUA A. JAMES, 21-cr-28-12 (APM)

Dear Judge Mehta:

This is an application for access to videos used as judicial documents in the above captioned case, which I have been reporting on for Inner City Press. This separate application should not be needed, given the Court's order earlier today (Dkt 360). But, citing this Court's order only last week in US v. Harrelson <https://www.documentcloud.org/documents/21037354-capitolcases5pressaccessvideoharrelsonmotionmehtaicp080521> I asked the US Attorney's Office for access to Joshua James video and was told:

"The judge's order limited dissemination to the Press Coalition."

So, this application (and request that this two step process for public access to judicial documents)

As previously noted, DOJ interprets your Orders as ONLY requiring or even allowing them to release these judicial documents to the "Coalition." This seems absurd, given the case law about the availability of judicial documents to the public, not to a subset thereof.

I received a response from your Law Clerk, saying to apply under DDC Local Criminal Rule 57.6

"Any news organization ... shall file an application for such relief with the Court. The application shall include a statement of the applicant's interest in the matter as to which relief is sought, a statement of facts, and a specific prayer for relief."

Interest in the matter: Inner City Press covers dozens of the January 6 cases, its reporting has been cited in numerous other media. There is no reason for it to have access denied or delayed to videos this Court has provided to other media outlets.

Statement of facts: The video was used as a judicial document in this Court and must be made available, to all and not just some.

Specific prayer for relief: Make the video publicly available. In the interim, instruct the Office of the US Attorney to make it available.

This is being emailed to Chambers, and the same AUSA and defense & Coalition counsel, and should as before be docketed: I do not have filing privileges in DDC, and that should not be required for the press to have access to exhibits released to other media. This needless two-tier process should be fixed, asap.

Thank you.

Matthew Russell Lee

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