

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-197 (DLF)
	:	
JACKSON KOSTOLSKY,	:	
	:	
Defendant.	:	

**GOVERNMENT’S NOTICE OF FILING OF EXHIBITS PURSUANT
TO LOCAL CRIMINAL RULE 49 AND STANDING ORDER 21-28**

The United States hereby gives notice, pursuant to Local Criminal Rule 49 and Standing Order 21-28, of the following additional exhibits provided to the Court per the minute order entered January 5, 2022. Counsel was previously provided the full versions of these two exhibits. There will be used by the government in the sentencing in this matter. The exhibits are two snippets of United States Capitol Police surveillance footage. The exhibits are:

1. Government Exhibit D is a video approximately one minute 24 seconds in length that portrays the Parliamentarian Doors near Senate office 131 by the West Stairs. This video depicts Mr. Kostolsky coming into view about 59 seconds into the video. The beginning of the full video showed only an empty hallway for several minutes. Mr. Kostolsky’s entry into the building at 2:16 pm was determined by U.S. Capitol Police Surveillance footage.
2. Government Exhibit E is a video approximately two minutes 18 seconds in length that portrays the Parliamentarian Doors near Senate office 132 by the Senate Fire Door. Mr. Kostolsky comes into view about one minute 53 seconds into the video and leaves about two minutes and seven seconds and shows contact with an officer.

3. The Government is not aware of any video to support the assertion made by Mr. Kostolsky that he was tear gassed or shot by a rubber bullet.

Respectfully submitted,

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D.C. Bar No. 481052

By: /s/ Mona Lee M. Furst
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CERTIFICATE OF SERVICE

On this 6th day of January, 2022, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/Mona Lee M. Furst
Mona Lee M. Furst
Assistant United States Attorney