

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

UNITED STATES OF AMERICA

v.

CHRISTOPHER W. ORTIZ,

Defendant.

:
:
:
:
:
:
:
:
:
:

Case No. 1:22-cr-00082 (JMC)

GOVERNMENT’S NOTICE OF FILING OF EXHIBITS
PURUSANT TO LOCAL CRIMINAL RULE 49

The United States of America, through the undersigned, hereby gives this notice pursuant to Local Criminal Rule 49, of the following exhibits that were provided to the Court and defense counsel on August 2, 2022, via USAfx, in support of the government’s Reply to Defendant’s Sentencing Memorandum in this case. Because the exhibits are video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The exhibits are as follows:

1. Government Exhibit 8 is a side-by-side video approximately 4 minutes in length that portrays the hall connecting the Rotunda Doors to the Rotunda from two different angles. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 3:22 p.m. Exhibit 8 combines the video footage captured in portions of Exhibits 2 and 3, which were submitted to the Court on July 26, 2022. An orange arrow spotlights the defendant for ease of reference. The video depicts the defendant as he walks in the direction of the Rotunda, joins a large group of rioters, and pushes against some of the rioters in front of him as law enforcement officers are attempting to clear the area.

2. Government Exhibit 9 is a side-by-side video approximately 1 minute 23 seconds in length that portrays (i) the area near the entrance to the Lower West Terrace tunnel depicted in Exhibit 6; and (ii) the exterior of the Lower West Terrace, through the tunnel that connected the West Front of the Capitol to the Lower West Terrace, depicted in Exhibit 7. The events depicted in Exhibit 9 occurred in the afternoon of January 6, 2021, starting at approximately 4:50 p.m. An orange arrow spotlights the defendant for ease of reference. The video captures (i) the defendant as he repeatedly shines a strobe flashlight in the direction of the tunnel, where law enforcement officers were responding to the attacks of the rioters near the entrance of the Lower West Terrace tunnel; and (ii) the blinding effect of the defendant's strobe flashlight.

If the Court accepts these proposed video exhibits into evidence, the United States takes the position that the entered exhibits should be released to the public.

August 2, 2022

Respectfully submitted,

MATTHEW M. GRAVES
UNITED STATES ATTORNEY
D.C. Bar No. 481052

By: /s/ Francesco Valentini
Francesco Valentini
D.C. Bar No. 986769
Trial Attorney
United States Department of Justice, Criminal Division
Detailed to the D.C. United States Attorney's Office
601 D Street NW
Washington, D.C. 20530
(202) 598-2337
francesco.valentini@usdoj.gov