

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

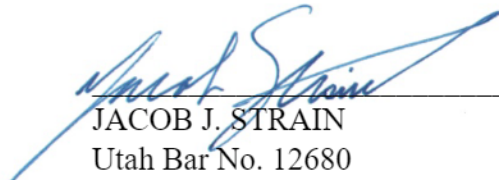
UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 1:21-cr-00453-JDB
	:	
SEAN MICHAEL MCHUGH,	:	
	:	
Defendant.	:	

NOTICE OF FILING

The Government requests that the attached discovery letter, dated January 27, 2022, be made part of the record in the above-captioned case.

Respectfully submitted,

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January 27, 2022

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RE: U.S. v. SEAN MICHAEL MCHUGH (1:21-cr-00453-JDB)

Dear Counsel,

Pursuant to our discovery obligations, we have provided the following files via USAfx on January 27, 2022. Note that many of these files and their related physical attachments are currently being formally processed for discovery by the discovery team assigned to the Capitol Riots cases. As such, some of the same files will be re-produced with bates-stamps at a later date. Files #1-3 are designated as "Highly Sensitive" pursuant to the terms of the Protective Order. File #4-8 are designated as "Sensitive." These files consist of recently discovered video of the incident with the large metal sign. The produced files are named as follows:

1. 0903_USCD_LA_Dome_West_-_2021-01-06_18h32min36s.mp4
2. 0943_USCH_RF_West_Roof_-_2021-01-06_18h39min17s.mp4
3. 0944_USCS_RF_West_Roof_-_2021-01-06_18h39min40s.mp4

4. vlc-record-2022-01-26-17h53m37s-IMG_0753.MOV-.mp4
5. _Axon_Body_3_Video_2021-01-06_1319.mp4
6. Video of Assault with Sign.mp4
7. VIDEO4 sign from front and side.mp4
8. View from behind sign push.mp4

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

This material is subject to the terms of the Protective Order issued in this case.

I recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio, Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

I 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. I 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). I 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, I 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.

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

By: /s/ Jacob J. Strain
JACOB J. STRAIN
Assistant United States Attorney