

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-429-CRC
	:	
NOLAN KIDD,	:	
	:	
Defendant.	:	

GOVERNMENT’S NOTICE OF FILING OF VIDEOS
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 videos that were provided to the Court and defense counsel on May 2, 2022, via USAfx, relating to the sentencing hearing scheduled for May 9, 2022. As video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The videos are as follows:

1. A file entitled Exhibit 2, which is a video collected from defendant Nolan Kidd’s (“Kidd”) mobile telephone, shows the assault of police officers on the Upper West Terrace Staircase of the United States Capitol. In particular, the video shows rioters pushing past the police line while Kidd exclaims, “this has never happened before, they just broke through, the police had to retreat, they just broke the line.”

2. A file entitled “Exhibit 3,” which is a video taken by the United States Capitol Police (USCP) Closed Circuit Video (CCV) system starting at 2:08:57 p.m., shows the assault of police officers on the Upper West Terrace Staircase of the United States Capitol. In particular, the video shows rioters pelting officers with various objects and pushing through the police line at 0:48. The video also shows Kidd across that line at 5:01.

3. A file entitled “Exhibit 4,” which is a video collected from Kidd’s mobile telephone, shows Kidd as he climbs the Upper West Terrace Staircase of the United States Capitol and states, “we broke through the line, policemen shooting, tear gassing, but we got it, we got it, we’re in.”

4. A file entitled “Exhibit 5,” which is a video collected from Kidd’s mobile telephone, shows rioters entering through the Senate Wing Door of the United States Capitol. In the video Kidd states, “they broke all the way through the door... they’re goin’ in, look ... you want to.”

5. A file entitled “Exhibit 7,” which is a video taken by the USCP CCV system starting at 2:11:58 p.m., shows rioters breaking into the Capitol Building through the Senate Wing Door as well as Kidd approaching that entrance at 3:18 in the video.

6. A file entitled “Exhibit 8,” which is a video taken by the USCP CCV system starting at 2:14:58 pm, shows rioters forcing open the Senate Fire Door from the inside at approximately 1:02 in the video and Kidd entering the Capitol at approximately 1:16.

7. A file entitled “Exhibit 9,” which is a video collected from Kidd’s mobile telephone, depicts the scene from inside the Capitol as Kidd states, “this is the place very few Americans ever get to see, we broke in, we own this building, this is our house, they can tear gas us all they want, we own it.”

8. A file entitled “Exhibit 10,” which is a video collected from Kidd’s mobile telephone, shows officers directing rioters to exit through the Senate Carriage Door and Kid yelling at rioters to “turn it around.”

9. A file entitled “Exhibit 11,” which is a video taken by the USCP CCV system starting at 2:16:59 pm, shows officers directing rioters to exit through the Senate Carriage Door and shows Kidd turning around at 0:57 in the video.

10. A file entitled “Exhibit 12,” which is a video taken by the USCP CCV system starting at 2:19:59 pm, shows an officer on the third floor of the Capitol directing Kidd to leave at 0:20 in the video.

11. A file entitled “Exhibit 14,” which is a video collected from Kidd’s mobile telephone, captures Kidd in a Senate hallway mocking police officers for saying the Capitol had been shut down due to COVID concerns and saying that he had been tear gassed three times.

12. A file entitled “Exhibit 15,” which is a video collected from Kidd’s mobile telephone, captures Kidd and co-defendant Savannah McDonald in a Senate hallway bragging that McDonald was “the only girl who made it into the Senate.”

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.

Respectfully submitted,

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