

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

<b>UNITED STATES OF AMERICA,</b>	:	<b>Crim. No. 21-CR-246-1 (ABJ)</b>
	:	
<b>v.</b>	:	
	:	
<b>DANIEL RODRIGUEZ</b>	:	
	:	
<b>Defendant.</b>	:	

**GOVERNMENT’S NOTICE OF RESPONSE TO DECEMBER 3, 2021 MINUTE ORDER**

On December 3, 2021, in a Minute Order, the Court ordered the parties to inform the Court of their positions on whether pages 37-38 of the transcript of the FBI interview of the defendant are accurate when compared with the video of the interview supplied to the Court, Disc 1, VTS\_01.3.VOB at 7:54-7:55 – specifically, the precise words used by Special Agent Armenta, and whether the defendant said the word “no” when shaking his head. The government respectfully responds herein.

It is the government’s position that in the exhibit and at the time identified by the Court, Special Agent Armenta appears to say “and do you want to talk about that?” The defendant then appears to shake his head and softly mumble a word that starts with “n.” Special Agent Elias then states “Because I tell you what. Everybody else is going to talk about that.” The defendant responds immediately with “yeah, I’m pretty ashamed.” Accordingly, in this regard, it is the government’s position that the transcript is not accurate when compared with the video of the interview admitted at the motions hearing on November 16, 2021 as Government’s Exhibit 3.

Respectfully submitted,

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