

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-75 (RDM)
	:	
MATTHEW RYAN MILLER,	:	
	:	
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 exhibits provided to the Court and counsel to be used by the government in the sentencing in this matter.

The following video and photographic evidence available to the Court electronically:

Exhibit Number	File Name	Source	Description
1	Exb 1. Open-Source Rendering of Capitol Building and Grounds as they appeared on January 6, 2021.png	Open Source Twitter users @ne0ndistracton and @sansastark525	Open-Source Rendering of Capitol Building and Grounds as they appeared on January 6, 2021
2	Exb 2A-D. Still from USCP security footage of the West Lawn	USCP security footage	Stills from USCP security footage showing the progression of the crowd, from the outer barricades (2A), to the first manned police barricade (2B), to engaging with USCP at the second manned police barricade (2C), and beginning to fill the Lower West Plaza (2D).
3	Exb 3A-D. West Plaza Breach on Jan 6.jpg	USCP security footage	The breach of the West Plaza barricades (3A) was followed by the formation of a USCP officer wall (3B)

			until MPD officers arrived with bike rack barriers for a defensive line at the top of the West Plaza stairs (3C). In the photo of the nearly completed bicycle rack barrier line as of 1:39 pm, a large Trump billboard which would later be used against the police line like a battering ram is visible (3D).
4	Exb 4A-C. Breach of Police Line on West Plaza	USCP security footage	Breakthroughs in the defensive line on both the left and right flanks (4A) caused the entire police line to collapse and individual officers were swallowed by the crowd (4B) and many officers were assaulted as they waited in a group to retreat through doors and stairwells up onto the inaugural stage (4C).
5	Exhibit 5. Inauguration at the U.S. Capitol.jpg	Architect of the Capitol, https://www.aoc.gov/what-we-do/programs-ceremonies/inauguration	West Front of the Capitol on Inauguration Day.
6	Exb 6 video. Miller encouraging people over the wall.mp4	Open-Source Video Titled, "My DC Experience - Capitol" found at https://www.youtube.com/watch?v=tNl8-SKNrPA&t=276s	26-second segment of video from "My DC Experience - Capitol" where Miller can be seen encouraging people over a wall.
6A	Exb 6A. Wall 1.png	"My DC Experience - Capitol"	Still from Exhibit 6
6B	Exb 6B. Wall 2.png	"My DC Experience - Capitol"	Still from Exhibit 6
6C	Exb 6C. Wall 3.png	"My DC Experience - Capitol"	Still from Exhibit 6

6D	Exb 6D. Wall 4.png	“My DC Experience - Capitol”	Still from Exhibit 6
7	Exb 7. Miller Throwing Something While Wearing Conf Flag.MOV	Open-Source Video Titled, “My DC Experience - Capitol” found at https://www.youtube.com/watch?v=tNl8-SKNrPA&t=276s	15 second segment of video from “My DC Experience - Capitol” where Miller can be seen throwing something in the direction of the Capitol.
7A	Exb 7A. Throwing Object Wearing Confederate Flag 1.png	Open Source	Still from Exhibit 7
7B	Exb 7B. Throwing Object Wearing Confederate Flag 2.png	YouTube - Mark Swedberg (swedy13) My DC Experience – Capitol https://www.youtube.com/watch?v=tNl8-SKNrPA&t=276	Still from Exhibit 7 at 4:45 into video
7C	Exb 7C. Throwing Object Wearing Confederate Flag 3.png	YouTube - Mark Swedberg (swedy13) My DC Experience – Capitol https://www.youtube.com/watch?v=tNl8-SKNrPA&t=276	Still from Exhibit 7 at 4:45 into video
7D	Exb 7D. Throwing Object Wearing Confederate Flag 4.png	YouTube - Mark Swedberg (swedy13) My DC Experience – Capitol https://www.youtube.com/watch?v=tNl8-SKNrPA&t=276	Still from Exhibit 7 at 4:45 into video
8	Exb 8. Miller helping move board and then uses barrier as a ladder.MOV	Open-Source Video, found at https://archive.org/details/RtmsDNqrfyvMzceKF	Approximately 15 second video of Miller using a barrier as a ladder.
8A	Exb 8A. Using Barrier to Climb Wall 1	Open-Source Video, found at https://archive.org/details/RtmsDNqrfyvMzceKF	Still from Exhibit 8
8B	Exb 8B. Using Barrier to Climb Wall 2	Open-Source Video, found at	Still from Exhibit 8

		https://archive.org/details/RtmsDNqrfyvMzceKF	
8C	Exb 8C. Helping move a board	Open-Source Video, found at https://archive.org/details/RtmsDNqrfyvMzceKF	Still from Exhibit 8
9	Exb 9. Miller on the Lower West Terrace	Open-source video found at https://archive.org/download/qJkwSv4NDuuY7k9MB/qJkwSv4NDuuY7k9MB.mpeg4	Still from video found at https://archive.org/download/qJkwSv4NDuuY7k9MB/qJkwSv4NDuuY7k9MB.mpeg4 at timestamp 9:39
10	Exb 10. Miller near opening of tunnel circled in blue.png	Open-source	Photograph
11	Exb 11. Miller 123Push GreenSquare.from FULL FOOTAGE.mp4	Open-source video titled, "FULL FOOTAGE: Patriots STORM U.S. Capitol" (4K60fps)	1 minute 20 second video segment from FULL FOOTAGE
11A	Exb 11A. 123 push at tunnel from FULL FOOTAGE.png	FULL FOOTAGE: Patriots STORM U.S. Capitol (4K60fps)	Still from Exhibit 11
11B	Exb 11B. 123 push at tunnel from FULL FOOTAGE.png	FULL FOOTAGE: Patriots STORM U.S. Capitol (4K60fps)	Still from Exhibit 11
12	Exb 12. Video of Miller throwing Batteries	YouTube - ABQ RAW (rawabq) People Storm the US Capitol on January 6th, 2021!!! https://www.youtube.com/watch?v=cRC_EMN-lq_o&t=810	YouTube - ABQ RAW (rawabq) People Storm the US Capitol on January 6th, 2021!!! at 13:29
12A	Exb 12A. Miller throwing Batteries into LWT Tunnel	YouTube - ABQ RAW (rawabq) People Storm the US Capitol on January 6th, 2021!!! https://www.youtube.com/watch?v=cRC_EMN-lq_o&t=810	Still from Exhibit 12 at 13:29

		.com/watch?v=cRC-EMN-lq_o&t=810	
12B	Exb 12B. Miller throwing Batteries into LWT Tunnel	YouTube - ABQ RAW (rawabq) People Storm the US Capitol on January 6th, 2021!!! https://www.youtube.com/watch?v=cRC-EMN-lq_o&t=810	Still from Exhibit 12 at 13:29
12C	Exb 12C. Miller throwing Batteries into LWT Tunnel	YouTube - ABQ RAW (rawabq) People Storm the US Capitol on January 6th, 2021!!! https://www.youtube.com/watch?v=cRC-EMN-lq_o&t=810	Still from Exhibit 12 at 13:29
13	Exb 13. Miller spraying fire extinguisher.MOV	Video obtained from the contents of defendant Jacob Lang phone.	32 second video of Miller spraying fire extinguisher.
13A	Exb 13A. Miller spraying Fire Extinguisher from Getty Image.jpg	Open-Source Getty Image	Still of Miller using Fire Extinguisher
14	Exb 14. BWC Miller sprays fire extinguisher at 4.55pm BWC J.Park.mp4	BWC MPD Officer J. Park	BWC video
14A	Exb 14A. officers just before Miller uses fire extinguisher from BWC.png	BWC MPD officer J. Park	Still from Exhibit 14
14B	Exb 14B. fire extinguisher spray into tunnel from BWC vantage at 4.55.14pm.png	BWC MPD officer J. Park	Still from Exhibit 14
15A	Exb 15A. USCP Helmet 1	U.S. Capitol Police Officer J. Collins	U.S. Capitol Police Officer J. Collins Helmet Post-Riot
15B	Exb 15B. USCP Helmet 2	U.S. Capitol Police Officer J. Collins	U.S. Capitol Police Officer J. Collins Helmet Post-Riot

Respectfully submitted,

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

By: /s/ Jacqueline Schesnol
Jacqueline Schesnol
AZ Bar No. 016742
Capitol Riot Detailee
40 N. Central Ave., Suite 1800
Phoenix, AZ 85004-4449
(602) 514-7500
jacqueline.schesnol@usdoj.gov

CERTIFICATE OF SERVICE

On this 11th day of May, 2022, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/Jacqueline Schesnol
Jacqueline Schesnol
Assistant United States Attorney