

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
<b>v.</b>	:	<b>Criminal No. 21-CR-35 (EGS)</b>
	:	
<b>JEFFREY SABOL,</b>	:	
<b>PETER FRANCIS STAGER,</b>	:	
<b>MICHAEL J. LOPATIC SR.,</b>	:	
<b>CLAYTON RAY MULLINS,</b>	:	
<b>JACK WADE WHITTON,</b>	:	
	:	
<b>Defendants.</b>	:	

**NOTICE OF DISCOVERY**

The United States of America, by and through its attorney, the Acting United States Attorney for the District of Columbia, hereby informs the Court and defense that the attached discovery letter of May 31, 2021, has been provided to the defense in this matter.

Respectfully submitted,

CHANNING D. PHILLIPS  
Acting United States Attorney  
DC Bar No. 415793

By:           /s/ Colleen D. Kukowski            
COLLEEN D. KUKOWSKI  
Assistant United States Attorney  
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CERTIFICATE OF SERVICE

I certify that a copy of the Government's Notice of Discovery was served on all counsel of record via the Court's electronic filing service.

/s/ Colleen D. Kukowski  
COLLEEN D. KUKOWSKI  
Assistant United States Attorney

Date: May 31, 2021



U.S. Department of Justice

Channing D. Phillips  
Acting United States Attorney

*District of Columbia*

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*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

May 31, 2021

*VIA Email and Download Links from USAO.Evidence.com*

JON NORRIS  
Counsel for Jeffrey Sabol

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PAT M. WOODWARD JR.  
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BEN ALPER  
Counsel for Jack Wade Whitton

Re: *United States v. Sabol et al*  
Case No. 21-CR-35 (EGS)

Dear Counsel:

We are writing to provide you with preliminary discovery in this case through USAFx. This material is subject to the terms of the Protective Order issued in this case. The discovery is unencrypted. Please contact me if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

*Officer Medical Records*

We are providing you with copies of Officers A.W., B.M. and C.M's medical records from the Police and Fire Clinic. **These records are classified as SENSITIVE pursuant to the Protective Order.** The files are available on USAfx and include the following:

- Officer A.W. PFC Medical Records (32 pages)
- Officer B.M. PFC Medical Records (12 pages)
- Officer C.M. PFC Medical Records (19 pages)

*Body Worn Camera from the U.S. Capitol Lower West Terrace*

Pursuant to our discovery obligations, we are providing download links to 111 body worn camera (BWC) files listed in the attached Excel spreadsheet. The links should last for a year, please download before then. This should include all the BWC videos mentioned in the discovery recently provided. This list is *over-inclusive*, as it includes all potentially relevant BWC videos that I have seen during the review for this and other Lower West Terrace related cases. Out of an abundance of caution, we are making all of these BWC videos accessible to the defense so that you can analyze whether they might be relevant to your defense.

We continue to identify additional BWC related to the Lower West Terrace and will provide an additional round of potentially relevant BWC shortly. To the extent you identify other officers with BWC that you believe might be relevant to the case, please let us know and we will do what we can to provide that BWC if it exists.

If you have any questions, please feel free to contact me.

/s/ Colleen D. Kukowski  
**COLLEEN D. KUKOWSKI**  
Assistant United States Attorney

**BENET KEARNEY**  
Assistant United States Attorney

Enclosures