

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

UNITED STATES OF AMERICA :
 : **Case No. 1:21-cr-184 (BAH)**
 v. :
 :
JAMES ALLEN MELS, :
 :
 Defendant :

GOVERNMENT’S NOTICE OF FILING OF EXHIBITS
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 exhibits that were provided to the Court and defense counsel on October 5, 2022, via USAfx, in support of the government’s Sentencing Memorandum in this case. Because the exhibits are video clips, they are not in a format that readily permits electronic filing on CM/ECF.

The exhibits are as follows:

1. Government Exhibit 19 is an open-source video that is approximately 11 minutes 31 seconds in length. The events depicted in the video occurred on the Upper West Terrace, outside the Senate Wing Door, and in the surrounding areas in the afternoon of January 6, 2021, shortly before the Senate Wing Door was breached for a second time at approximately 2:48 p.m. At various points between time mark 4:58 and time mark 6:50, the defendant can be seen standing immediately outside the Senate Wing Door, in between a smashed-in window and a door whose glass inset had been shattered.

2. Government Exhibit 20 is a closed-circuit surveillance video that is approximately 15 minutes in length and portrays the Senate Wing Door area near room S139. The events depicted in the exhibit occurred in the early afternoon of January 6, 2021, starting at approximately 2:47

p.m. The video captures rioters as they overrun a line of police officers trying to protect the area and, shortly thereafter, the defendant as he enters the Capitol building, approaches a group of Capitol Police officers, and addresses them while waiving a document or booklet in his hand.

3. Government Exhibit 21 is an open-source video that is approximately 55 seconds in length. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting shortly after the Senate Wing Door was breached for a second time at 2:48 p.m. The video captures the defendant as he addresses a group of uniformed Capitol Police officers in the lobby near the Senate Wing Door.

4. Government Exhibit 22 is a closed-circuit surveillance video that is approximately 3 minutes in length and portrays the Crypt of the Capitol, from a north vantage point. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 2:59 p.m. At approximately 3:00 p.m., the video captures the defendant as he walks through the Crypt of the Capitol on his way to the House side of the Capitol building.

5. Government Exhibit 23 is a closed-circuit surveillance video that is approximately 3 minutes in length and portrays the lobby area near the House Wing Door. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 3:00 p.m. Between 3:01:15 p.m. and 3:01:30 p.m., the video captures the defendant as he walks by the House Wing Door in a southern direction.

6. Government Exhibit 24 is a closed-circuit surveillance video that is approximately 3 minutes in length and portrays the Hall of Columns, on the east side of the Capitol building. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 3:01 p.m. Starting at approximately 3:01:45 p.m., the video captures the defendant

as he walks in a southern direction, stops, backtracks momentarily, stops again, and then continues in the direction of the South Door of the Capitol building.

7. Government Exhibit 25 is a closed-circuit surveillance video that is approximately 3 minutes in length and portrays the screening area near the South Door of the Capitol building. The events depicted in the exhibit occurred in the afternoon of January 6, 2021, starting at approximately 3:01 p.m. At approximately 3:02:40 p.m., the video captures the defendant as he walks past the screening area on his way to the South Door.

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.

October 5, 2022

Respectfully submitted,

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