

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :  
 :  
 v. : **Crim. No. 21-MJ-141**  
 :  
 ANDREW RYAN BENNETT, :  
 *Defendant.* :

**NOTICE OF FILING DISCOVERY CORRESPONDENCE**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby files February 5, 2021, and March 17, 2021, preliminary-discovery letters in this case, which were served as attachments to this notice, via the Court's electronic filing system (ECF), on counsel for the defendant.

Respectfully submitted,

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

By: /s/ Seth Adam Meinero  
SETH ADAM MEINERO  
Trial Attorney  
Detailee  
D.C. Bar No. 976587  
United States Attorney's Office  
for the District of Columbia  
Federal Major Crimes Section  
555 4th Street, N.W.  
Washington, D.C. 20530  
202-252-5847  
Seth.Meinero@usdoj.gov

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 17, 2021, I served a copy of this pleading on defendant's counsel through ECF.

/s/ Seth Adam Meinero

SETH ADAM MEINERO

Trial Attorney

Detaillee

United States Attorney's Office

for the District of Columbia



U.S. Department of Justice

Michael R. Sherwin  
Acting United States Attorney

*District of Columbia*

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

February 5, 2021

Carlos J. Vanegas  
FPDS  
625 Indiana Ave, NW, Suite 500  
Washington, DC 20004

Dear Counsel,

RE: *U.S. v. Andrew Bennett*  
Case No. 21-mj-141 (RMM)

Pursuant to your discovery request in the above-referenced case, the following materials are being provided to you via the USAfx file-sharing system:

1. Criminal complaint, dated 1/21/2021, 1 page;
2. Arrest warrant, dated 1/21/2021, 2 pages;
3. Statement of facts, dated 1/21/2021, 4 pages;
4. FBI 302 re: interview of Andrew Bennett, dated 1/15/2021, 4 pages;
5. Cellebrite extraction report of Andrew Bennett's phone, 12,038 pages;
6. Facebook emergency search warrant return:
  - Facebook business records, 4 pages;
  - Facebook business records, 60 pages;
  - Zip file containing 54 files of photos and videos;





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*

March 17, 2021

**VIA EMAIL @ carlos vanegas@fd.org**

Carlos Vanegas, Esq.  
625 Indiana Ave, NW  
Suite 500  
Washington, DC 20004

Re: *United States v. Andrew Ryan Bennett, 21-MJ-141*

Dear Counsel:

This memorializes that the United States Attorney's Office for the District of Columbia provided you preliminary discovery comprising the following materials transmitted on the following date:

March 17, 2021 (via USAfx)

- One folder containing 822MB of data, comprising:
  - 18 zip files of photos and videos of content from iPhone 11 (serial number [REDACTED])
  - 13 .pdfs (FBI 302s and paperwork related to recovery of evidence from iPhone, arrest of Mr. Bennett, execution of search warrants, evidence collected from premises search, diagram of premises searched)
  - 49 .jpgs of photos from premises search

Due to the extraordinary nature of the January 6, 2021 Capitol Attack, the government anticipates that a large volume of materials may contain information relevant to this prosecution. These materials may include, but are not limited to, surveillance video, statements of similarly situated defendants, forensic searches of electronic devices and social media accounts of similarly situated defendants, and citizen tips. The government is working to develop a system that will facilitate access to these materials. In the meantime, please let me know if there are any categories of information that you believe are particularly relevant to your client.

The preliminary discovery provided 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.

Additional materials will be provided after the entry of a Protective Order in this case.

I recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio, Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

I request reciprocal discovery to the fullest extent provided by Rule 16 of the Federal Rules of Criminal Procedure, including results or reports of any physical or mental examinations, or scientific tests or experiments, and any expert witness summaries. I also request that defendant(s) disclose prior statements of any witnesses defendant(s) intends to call to testify at any hearing or trial. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 255 (1975). I request that such material be provided on the same basis upon which the government will provide defendant(s) with materials relating to government witnesses.

Additionally, pursuant to Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3, I request that the defense provide the government with the appropriate written notice if the defense plans to use one of the defenses referenced in those rules. Please provide any notice within the period required by the Rules or allowed by the Court for the filing of any pretrial motions.

I will forward additional discovery as it becomes available. If you have any questions, please feel free to contact me.

Sincerely,

/s/ Seth Adam Meinero

SETH ADAM MEINERO

*Trial Attorney*

Detailer

United States Attorney's Office

for the District of Columbia

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