

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

UNITED STATES OF AMERICA

v.

**ERIC MUNCHEL and
LISA EISENHART,**

Defendants.

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Case No. 1:21-cr-00118-RCL

GOVERNMENT'S NOTICE OF FILING

The United States of America, through its attorney, the United States Attorney for the District of Columbia, respectfully files a copy of the Government's sixth informal discovery letter (without attachments) provided to defense counsel on September 13, 2021.

Respectfully submitted,

Channing D. Phillips
Acting U.S. Attorney
D.C. Bar No. 415793

By: /s/ Leslie A. Goemaat
LESLIE A. GOEMAAT
MA Bar No. 676695
Assistant United States Attorney
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Office: 202-803-1608
Email: Leslie.Goemaat@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have caused a copy of the foregoing notice to be served by electronic means, through the Court's CM/ECF system, upon all parties of record.

/s/ Leslie A. Goemaat

LESLIE A. GOEMAAT

Assistant United States Attorney



U.S. Department of Justice

Channing Phillips
Acting United States Attorney

District of Columbia

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

September 13, 2021

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BY EMAIL

Re: *United States v. Eric Munchel and Lisa Eisenhart*
Case No. 21-cr-118
Volume 6 of Informal Discovery, USCP materials

Dear Counsel:

As part of our ongoing discovery production in this case, you or your designee will receive an invitation via USAFx to download reports from U.S. Capitol Police (USCP) investigations of alleged wrongdoing by USCP officers on January 6, 2021. Officer names, witness names, and complainant names have been redacted.¹ We are working to produce a set of reports that replaces the redactions with unique identifiers for individuals whose names have been redacted. When that process is complete, we will reproduce the documents with the unique

¹ Please note that significant efforts have been made to redact officers' names. If an officer's name was inadvertently not redacted and that officer is a subject of or witness to an allegation of misconduct, please treat that information as highly sensitive under the protective order.

identifiers. Additional exhibits from these investigations are forthcoming. At this time, we understand that a small number of investigations are still on-going, and we will provide reports of those investigations on a rolling basis as they are concluded.

Summary of Prior Productions

For your convenience, I am summarizing the prior discovery productions in this matter:

Production	Date	Number of Items
Production of Detention Appeal Materials	March 3, 2021	12 items
Informal Discovery Volume 1	March 4, 2021	40 items seized from Mr. Munchel's cell phone
Informal Discovery Volume 2	March 9, 2021	147 search warrant photos
Image of Munchel's cell phone (offered to both counsel and provided to Federal Defenders Office)	March 29, 2021	1 image of cell phone seized from Mr. Munchel
Informal Discovery Volume 3	April 7, 2021	73 items
Fast Track Discovery Volume 1	May 24, 2021	5,461 items
Viewing Letter	July 13, 2021	Regarding 42 physical items
Informal Discovery Volume 4	July 30, 2021	88 items
Fast Track Discovery Volume 2	<i>In Production</i>	<i>Approximately 74 items</i>
Fast Track Discovery Volume 3	<i>In Production</i>	Will include January 5, 2021 BWC, TIES media objects, and comprehensive TIES reports
Informal Discovery Volume 5	August 21, 2021	Contains January 5, 2021 BWC, Apple records, Apple search warrant materials, and media objects from FBI TIES/TTK reports.
Informal Discovery Volume 6	September 13, 2021	275 MB zip file containing records Bates-stamped CAPD_000000001 to CAPD_000000848, index in PDF format, and index in Excel format.

The materials are provided to you pursuant to the protective order entered in this case, ECF No. 68.

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 defendant(s) provide the government with the appropriate written notice if defendant(s) plans to use one of the defenses referenced in those rules. Please provide any notice within the time 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. As always, if you have any questions, please feel free to contact me.

Sincerely,

/s/ Leslie A. Goemaat
Leslie A. Goemaat
Assistant United States Attorney

Enclosure(s)

Cc: Shirley Lewis, Federal Defender's Office