

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

UNITED STATES OF AMERICA

v.

**ADAM MARK WEIBLING,
Defendant.**

:
:
:
:
:
:
:

CASE NO. 21-CR-644-RDM

JOINT STATUS REPORT

The United States of America, through undersigned counsel, and Defendant, by and through his attorney, Bruce H. Searby, Esquire (collectively, “the Parties”), respectfully submit this status report, as directed by the Court, and state as follows:

1. On October 26, 2021, the defendant, Adam Mark Weibling was charged by way of information with (Count One) Entering and Remaining in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(1); (Count Two) Disorderly and Disruptive Conduct in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(2); (Count Three) Disorderly Conduct in Capitol Building in violation of Title 18 U.S.C. § 40(e)(2)(D); and (Count Four) Parading, Demonstrating, or Picketing in a Capitol Building in violation of Title 18 U.S.C. § 40(e)(2)(G). ECF 20.

2. The defendant has been out on bond since his May 25, 2021 arrest and remains compliant with conditions of release.

3. Since the Initial Appearance on June 3, 2021, the Court has ordered the exclusion of time from Speedy Trial calculations through February 7, 2022, collectively. The Court has also ordered parties to file a joint status report on or before February 7, 2022.

4. Since the last Joint Status Report, the parties have discussed and reviewed the facts of this case and the pending plea offer. The government agrees to extend the expiration date of the current offer from February 8th to February 28th. Parties agree this additional time will allow for continued review and consideration of evidence and the pending plea offer.

5. Since January 7, 2022, the government has provided sensitive or highly sensitive discovery, termed Global Production No. 10, via USAF_x. This discovery includes: (1) 10 videos from the House Recording Studio including an authenticity certificate and a related FBI report interview; (2) files from the DC Metropolitan Police Department's (MPD's) Electronic Surveillance Unit including reports and videos; (3) MPD's report of a specific U.S. Capitol Police Officer's use of force and accompanying attachments; (4) attachments to MPD's Investigative Reports concerning use of force; and (5) 10 videos from the Sente Recording Studio including an authenticity certificate and a related FBI report interview. These materials (Global Production 10) along with previous productions (Global Productions 8, 9 and portions of No. 2) have also been shared to the defense Relativity workplace. The government is in the process of transferring Global Productions Nos. 1 through 7 (previously provided via USAF_x) to the defense Relativity workspace.

6. In addition to Global Production materials, on January 28, 2022, the following items among others were produced to the defense Relativity workspace: 8 Capitol Police sensitive audio files of Capitol Police radio communications and redacted transcripts; a spreadsheet listing start times of Arlington County Police pole camera videos; 18,484 anonymous tip files and related documentation to the MPD Tipline; 3 interview reports and 4 related files regarding Safeway Grocery stores and interstate commerce; and 3 sensitive files regarding the

security of Vice President Pence. Defense counsel has been offered access to this defense Relativity workspace via the Federal Public Defender's (FPD's) office in DC. Through the FPD office, defense counsel also has access to evidence.com to access voluminous video files. Note, pursuant to protective order in this case (ECF 11), parties remain complaint with discovery designated as Sensitive or Highly Sensitive.

7. Parties are agreed to a 30-day continuance of this matter and to excluding the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Parties believe this time will allow for further production and review of discovery and facilitate resolution of this case short of trial.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

/s/
GRACIELA R. LINDBERG
Assistant United States Attorney
Texas Bar No. 00797963
11204 McPherson Road, Suite 100A
Laredo, Texas 78045
956-754-9350
graciela.lindberg@usdoj.gov

/s/
BRUCE H. SEARBY
1627 Connecticut Avenue, NW, Suite 4
Washington, DC 20009
202-849-2122
bsearby@searby.law