

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CASE NO. 21-CR-704 (CRC)
 :
 TIMOTHY EARL O’MALLEY, :
 :
 Defendant. :

NOTICE OF FILING OF VIDEO EXHIBITS PURSUANT TO LCrR 49

Pursuant to LCrR 49(e)(1) and Standing Order No. 21-28 (BAH), the government hereby gives notice of the following video exhibit in support of the government’s sentencing memorandum (ECF No. 30). This video will be provided to the Court and all counsel via a secure filesharing platform. The government anticipates showing this video at the sentencing hearing that is to be held April 12, 2022. The government has no objection to the public release of this video.

GOV’T EXHIBIT 01

Type: Video
File Type: .mp4
Length: 1 min 10 seconds
Source: Defendant’s Cellphone
Description: The single video is a compilation of four videos O’Malley recorded while in Washington, D.C., on January 6, 2021, the latter three of which are referenced in the government’s sentencing memorandum (ECF No. 30).

The first is a 25-second video that was recorded earlier in the day in the vicinity of the Washington Monument.

The second is an 11-second video that appears to have been recorded in the Senate Reception Room, which is just outside the entrance to the floor of the Senate Chamber.

The third is a 19-second video that was recorded after O’Malley left the Capitol, and he appears to be just outside the Senate Carriage Door at the northeast corner of the Capitol.

The fourth is a 10-second video that appears to have been filmed later in the day, just outside the East Rotunda Doors of the Capitol. The government has no evidence that the defendant reentered the Capitol through those doors, but a significant number of rioters remained outside the East Rotunda Doors chanting and shouting long after the breach point was secured by police.

Respectfully submitted,

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By:



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