

determining whether the common-law right of access to judicial records requires those records to be made available to the public for copying and inspection. Applied in the general context of video exhibits admitted into evidence in court hearings involving defendants charged with criminal offenses related to the January 6, 2021 breach of the U.S. Capitol, and absent order of the court, that test generally weighs in favor of allowing public access to these exhibits.

The petitioners' filing seeks video exhibits from the detention hearing held in this matter in the Middle District of Tennessee on August 26, 2021 and September 8, 2021. *See* Petitioners' Memorandum of Points and Authorities in Support of Motion (ECF No. 115), at 2. The government submitted four videos to the Middle District of Tennessee at the hearing. The defense did not submit any videos into evidence. Neither party sought a sealing order for the videos upon their submission.

Therefore, because the videos were used in the Middle District of Tennessee decision on detention, and they were not subject to a sealing order, the parties do not object to their disclosure, including their release for recording, copying, downloading, retransmitting or further broadcasting.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the Response to Minute Order Regarding Video Exhibit Release was served on all counsel of record via the Court's electronic filing service.

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