

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

UNITED STATES OF AMERICA :
 : **CRIMINAL NO. 1:21-cr-657-BAH**
 v. :
 :
 CODY MATTICE, and :
 JAMES PHILLIP MAULT, :
 :
 Defendants. :

**REVISED REPORT ON VIDEO EVIDENCE SUPPORTING
THE DEFENDANTS' STATEMENTS OF OFFENSE**

Pursuant to the Court's Minute Orders of April 4, 2022, and April 18, 2022, the United States hereby files this revised report on the video evidence supporting the defendants' Statements of Offense. The exhibit list, below, addresses the questions that the Court directed the government to answer. But some additional explanation is warranted.

Both defendants have signed statements of offense, and each statement contains paragraphs that the other does not. Paragraph 10 of the Mattice statement cites text messages between Mattice and his fiancée that do not involve Mault. Paragraph 12 of the Mattice Statement is based on a video that records Mattice's words as he, defendant Mault, and others marched to Capitol Hill. But in that video, it is not clear how close defendant Mault was standing to defendant Mattice, or whether he would have heard the things that defendant Mattice said.

Paragraph 16 of the Mault Statement is an excess paragraph, due to a drafting error by the government, which duplicates content from paragraphs 14 and 15. Paragraphs 19 and 20 of the Mault Statement detail defendant Mault's assault against Officer M.A. and others with chemical spray, which happened after defendant Mattice fell from the wooden arch which was built around the entry to the Lower West Terrace tunnel.

The chart below identifies the videos by exhibit number, file name, and source. Some items are confirmed as “open source” based on representations from other prosecutors and FBI agents, though the undersigned do not know the exact origins of these files. The chart further identifies which paragraphs in the Mattice and Mault Statements of Offense are supported by each video. Not all paragraphs are covered by this chart, and the remaining paragraphs are either of a summary nature (such as by summarizing background about the riot at the Capitol on January 6) and based on publicly available information, or are based on evidence specific to this case other than videos.

All of the exhibits below, except for exhibits 6 and 8, were made publicly available without restriction when the Court addressed defendant Mattice’s pretrial detention (ECF Nos. 7, 12, 17.) Those additional exhibits already are publicly available. Exhibit 6 is a compilation of U.S. Capitol Police video footage, and was used as a trial exhibit in several cases, including *United States v. Guy Reffitt*, 1:21-cr-00032-DLF, *United States v. Couy Griffin*, 1:21-cr-00092-TNM, and *United States v. Matthew Martin*, 1:21-cr-00394-TNM (Exhibit 300). Exhibit 8 is a publicly available on YouTube. The government has shared these videos with the Court through USAfx except for Exhibit 8; the government does not have a copy of that video downloaded.

Exhibit No.	File Name	Source	Length / Relevant Portion	Provides Support for These Paragraphs
1	HDV_0165.mp4	Mattice’s Camera	00:43 long, entire clip is relevant	Mault ¶ 10 Mattice ¶ 11
2	HDV_0166.mp4	Mattice’s Camera	00:57 long, entire clip is relevant	Mattice ¶ 12
3	HDV_0168.mp4	Mattice’s Camera	00:34 long, entire clip is relevant	Mault ¶ 11 Mattice ¶ 13
4	HDV_0171.mp4	Mattice’s Camera	12:44 long, Relevant footage from	Mault ¶ 13 Mattice ¶ 15

			07:40 to 07:46, 09:50 to 10:05	
5	HDV_0179.mp4 ¹	Mattice's Camera	00:47 long, entire clip is relevant	Mault ¶ 17 Mattice ¶ 18
6	USCP Video Montage	U.S. Capitol Police	22:12 long, relevant footage from 01:00 to 01:35, 05:49 to 06:17	Mault ¶ 12 Mattice ¶ 14
7	FULL FOOTAGE: Patriots STORM U.S. Capitol (4K60fps).mp4	Open Source (YouTube) ²	1:25:43 long, relevant footage from 31:45 to 32:10	Mault ¶ 14 Mattice ¶ 16
8	Chaos on Capitol Hill (Short Version)	Open Source (YouTube) ³	04:55 long, relevant footage from 01:00 to 01:36	Mault ¶ 14 Mattice ¶ 16
9	jan6phonerecovery.mov	Open Source	1:10:35 long, relevant footage from 33:00 to 36:30	Mault ¶¶ 17-21 Mattice ¶¶ 18-20
10	Cody from Rochester ⁴	Open Source	24:29 long, relevant footage from 08:25 to 12:25	Mault ¶ 14 Mattice ¶ 16
11	ANTIFA BLM at the Capitol Washington DC January 6, 2021 RAW footage (two guys let out, why).mp4	Open Source	04:31 long, relevant footage from 00:00 to 04:00	Mault ¶¶ 17-21 Mattice ¶¶ 18-20
12	0074USCHBALowerWTerraceDoor Exterior_2021-01- 06_15h57min42s260ms	U.S. Capitol Police	17:55 long, relevant footage from 5:45 to 9:20	Mault ¶¶ 17-21 Mattice ¶¶ 18-20
13	2020106_-_Felony Riots_-_ _100_D_St_NW.mp4	MPD Body- Worn Camera	14:52 long, relevant footage from 00:20 to 4:30	Mault ¶¶ 17-21 Mattice ¶¶ 18-20

¹ This video was not listed in the government's original submission (ECF No. 41). It shows Mattice and Mault preparing to climb to the Lower West Terrace tunnel.

² Available at <https://www.youtube.com/watch?v=iNFcdpZdkh0&t=1927s> (last accessed April 15, 2022)

³ Available at <https://www.youtube.com/watch?v=keFHTTeTMQ4> (last accessed April 14, 2022)

⁴ This video was not listed in the government's original submission, but generally corroborates that defendant Mattice was recovering from exposure to chemical spray after he and Mault worked with other rioters to breach the police line in the West Plaza at around 2:30 p.m.

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