

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

UNITED STATES OF AMERICA :
 :
 v. : **CASE NO. 21-CR-741 (DLF)**
 :
 MATTHEW JAY WEBLER, :
 :
 Defendant. :

NOTICE OF FILING OF ITEMS INCOMPATIBLE WITH CM/ECF FILING

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, in accordance with Local Rule 49(e)(1), hereby files this notice of filing of the following exhibits that are incompatible with CM/ECF filing pursuant to the Court’s February 1, 2022 Minute Order directing the government to submit certain video evidence. The items are six videos that are Exhibits 1 through 6. The government has no objection to the public release of these exhibits. The government will make the following video exhibits available to the Court electronically:

1. Exhibit 1 is a video obtained from the Defendant’s Facebook account that is 1 minute and 35 seconds long. The person taking the video is seen entering the Capitol building by climbing through a window. The broken windowpane in the nearby door is visible at approximately timestamp 00:40-00:42. Broken glass on the windowsill is visible at approximately timestamp 00:45-00:58. Chants of “USA” over the sound of an alarm can be heard, including at approximately timestamp 01:07-01:21.

2. Exhibit 2 is Closed Circuit Video (CCV) from the U.S. Capitol Police at 2:22 p.m. that is 1 minute long. The Defendant is seen at approximately timestamp 00:19-00:34 climbing through a window.

3. Exhibit 3 is a video obtained from the Defendant’s Facebook account that is 2 minutes and 46 seconds long. At approximately timestamp 01:01-01:10 the Defendant can be heard singing, “Happy birthday to me, happy birthday to me.” At approximately timestamp 01:30-01:34, the Defendant can be heard stating to another rioter who was knocking down a rope barrier words to the effect of, “There’s no sense in destroying it dude. It’s our property. We don’t destroy our own property.”

4. Exhibit 4 is Closed Circuit Video (CCV) from the U.S. Capitol Police at 2:32 pm that is 16 seconds long. The Defendant can be seen toward the bottom of the screen taking video with his cell phone.

5. Exhibit 5 is a video obtained from the Defendant's Facebook account that is 1 minute and 33 seconds long. The person taking the video can be seen exiting the U.S. Capitol building at approximately timestamp 0:48-0:58 as the sound of an alarm can be heard. At approximately timestamp 01:02, the Defendant can be heard shouting, "Woo! 1776! 1776!" At approximately timestamp 01:22, the Defendant can be heard speaking to another individual about entering the Capitol building.

6. Exhibit 6 is a video obtained from the Defendant's Facebook account that is 3 minutes and 43 seconds long during which the Defendant filmed himself speaking. The Defendant can be heard describing his entry into the Capitol building on January 6, 2022.

Respectfully Submitted,

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