UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

Case No. 21-cr-736-JEB

MARK ANDREW MAZZA,

Sentencing Date: October 5, 2022

Defendant.

GOVERNMENT'S SUPPLEMENTAL SENTENCING MEMORANDUM

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this supplemental sentencing memorandum in connection with the above-captioned matter. As previously noted in the Government's initial Sentencing Memorandum in footnote 8 at page 15, the government has now obtained additional information from officers directly impacted and injured by defendant Mark Mazza and other rioters in the Lower West Terrace ("LWT") tunnel. The material is recent trial testimony from United States v. Patrick Edward McCaughey, III, et al., 21-cr-040 (TNM) from officers who were inside the LWT tunnel during the defendant's attack. The testimony is of: (1) Sgt. Jason Mastony of the Metropolitan Police Department (MPD) on August 29, 2022; (2) MPD Sgt. William Bogner on August 30, 2022; (3) MPD Ofc. Daniel Hodges on August 30, 2022; (4) Sgt. Aguilino Gonell of the U.S. Capitol Police on August 31, 2022; and (5) MPD Ofc. Henry Foulds on August 31, 2022, which is at Exhibits 6 (Mastony), 7 (Bogner and Hodges) and 8 (Gonell and Foulds) to the Government's Sentencing Memorandum (Attachments 1, 2, and 3 to this Memorandum). The government specifically points the Court to pages 67 to 95 of Exhibit 6 (Mastony); pages 20 to 49 (Bogner), and 87 to 108 (Hodges) of Exhibit 7, and pages 28 to 55 (Gonell), and pages 113 to 130 (Foulds) of Exhibit 8, where they testified about what they observed in the LWT tunnel between 2:30 and 5:00 p.m., and the impact that the various assaults (including heave-ho assaults) had on themselves and other officers. The government submits this information describes conduct made in concert with the defendant's relevant criminal conduct on January 6, 2021, and is material to sentencing and the factors in 18 U.S.C. § 3553(a).

Respectfully submitted,

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BY: /S/

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