

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

**UNITED STATES OF AMERICA** :

**v.** : **CASE NO. 22 Cr. 070 (RDM)**

**LUCAS DENNEY** :

**GOVERNMENT’S NOTICE OF FILING OF EXHIBITS**  
**PURUSANT TO LOCAL CRIMINAL RULE 49**

The United States of America, through the undersigned, hereby gives this notice pursuant to Local Criminal Rule 49, of the following exhibits that were provided to the Court and defense counsel on July 14, 2022 via USAfx, in relation its sentencing memorandum (ECF No. 46). These exhibits will be offered into evidence during the sentencing hearing scheduled for July 21, 2022. Because they are video clips, the exhibits are not in a format that readily permits electronic filing on CM/ECF.

The proposed exhibits are as follows:

1. Government Exhibit 9 is a clip from the body-worn camera video of Officer T.T. with the Metropolitan Police Department. The clip is approximately 31 seconds long. The events depicted in the exhibit occurred at approximately 1:37 p.m. EST on January 6, 2021.
2. Government Exhibit 10 is a clip from the body-worn camera video of Sgt. K.K. with the Metropolitan Police Department. The clip is approximately 23 seconds long. The events depicted in the exhibit occurred at approximately 1:39 p.m. EST on January 6, 2021.
3. Government Exhibit 11 is a clip from a video posted on YouTube, available at <https://www.youtube.com/watch?v=Dg4HAVjykXE>. The clip is approximately 4 minutes and

59 seconds long. The events depicted in the exhibit occurred at approximately 2:06 p.m. EST on January 6, 2021.

4. Government Exhibit 12 is a clip from the body-worn camera video of Officer D.P. with the Metropolitan Police Department. The clip is approximately 1 minute and 4 seconds long. The events depicted in the exhibit occurred at approximately 2:09-2:10 p.m. EST on January 6, 2021.

5. Government Exhibit 13 is a clip from the body-worn camera video of Sgt. K.K. with the Metropolitan Police Department. The clip is approximately 41 seconds long. The events depicted in the exhibit occurred at approximately 2:13-2:14 p.m. EST on January 6, 2021.

6. Government Exhibit 14 is a clip from a video obtained from the cellphone of an individual who was present on the Capitol Grounds on January 6, 2021. The clip is approximately 18 seconds long. The events depicted in the exhibit occurred between approximately 2:03 p.m. and 2:23 p.m. EST on January 6, 2021.

7. Government Exhibit 15 is a clip from a video posted on YouTube, available at <https://www.youtube.com/watch?app=desktop&v=9mt8YGpJ5vs>. The clip is approximately 3 minutes and 10 seconds long. The events depicted in the exhibit occurred The events depicted in the exhibit occurred between approximately 2:03 p.m. and 2:23 p.m. EST on January 6, 2021.

8. Government Exhibit 16 is a clip from the body-worn camera video of Sgt. K.K. with the Metropolitan Police Department. The clip is approximately 50 seconds long. The events depicted in the exhibit occurred at approximately 2:23-2:24 p.m. EST on January 6, 2021.

9. Government Exhibit 17 is a clip from a video posted on Vimeo, available at <https://vimeo.com/498659551/080427b8cf> The clip is approximately 31 seconds long. The

events depicted in the exhibit occurred between approximately 2:23 p.m. and 2:24 p.m. EST on January 6, 2021.

10. Government Exhibit 18 is a clip from a video that had been posted on YouTube, but has since been taken down. The clip is approximately 9 seconds long. The events depicted in the exhibit occurred at approximately 2:24 p.m. EST on January 6, 2021.

11. Government Exhibit 19 is a clip from closed circuit video footage from the United States Capitol Police. The clip is approximately 7 minutes and 9 second long. The events depicted in the exhibit occurred at approximately 3:12-3:19 p.m. EST on January 6, 2021.

12. Government Exhibit 20 is a clip from a video posted on YouTube, available at <https://www.youtube.com/watch?v=cJOgGsC0G9U>. The clip is approximately 3 minutes and 6 seconds long. The events depicted in the exhibit occurred The events depicted in the exhibit occurred between approximately 3:15 p.m. and 3:18 p.m. EST on January 6, 2021.

13. Government Exhibit 22 is a clip from a video posted on YouTube, available at <https://www.youtube.com/watch?v=9rOKpUkiOW4>. The clip is approximately 1 minute and 1 second long. The events depicted in the exhibit occurred The events depicted in the exhibit occurred between approximately 3:18 p.m. and 3:19 p.m. EST on January 6, 2021.

14. Government Exhibit 23 is a clip from a video by an individual who was present on the Capitol Grounds on January 6, 2021 using a Go-Pro device. The clip is approximately 1 minute and 10 seconds long. The events depicted in the exhibit occurred between approximately 3:18 p.m. and 3:19 p.m. EST on January 6, 2021.

15. Government Exhibit 25<sup>1</sup> is a video posted to TikTok by Lucas Denney on August 26, 2021. The video is approximately 1 minute and 56 seconds long.

If the Court accepts these proposed exhibits into evidence on July 21, 2022, the United States takes the position that the entered exhibits should be promptly released to the public.

Respectfully submitted,

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<sup>1</sup> In the Government's sentencing memorandum, two exhibits, including this one, were erroneously identified as Exhibit 24. See ECF No. 46 at 48, 55. For clarity, this exhibit has been renumbered as Exhibit 25.