IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

:

v. : Case No. 22-cr-15 (APM)

:

ELMER STEWART RHODES III,

KELLY MEGGS,

KENNETH HARRELSON, JESSICA WATKINS, and

THOMAS CALDWELL,

:

Defendants.

GOVERNMENT'S NOTICE REGARDING EXHIBITS FORMALLY MOVED INTO EVIDENCE AT THE CONCLUSION OF THE GOVERNMENT'S CASE AT TRIAL

On November 2, 2022, prior to the government resting its case, the government notified the Court and counsel of the following items of evidence that the government had either inadvertently forgotten to move into evidence when the exhibits were identified and/or published during trial, or that were admitted but the record failed to capture their admission:

- Exhibits 1007.1 through 1007.4;
- Exhibit 1056.7029.<u>3</u>14 (this exhibit was inadvertently read into the record as Exhibit 1056.7029.<u>2</u>14);
- Exhibit 1056.7029.258 (this exhibit was inadvertently read into the record as Exhibit 1056.7209.258);
- Exhibit 1092.1;
- Exhibit 1097.1;
- Exhibit 1099.1;
- Exhibits 1103.1 and 1103.2;
- Exhibit 1532;

- Exhibit 2002 (this exhibit was inadvertently moved into evidence in its entirety; the government seeks to admit only those excerpts published at trial, namely:
 - o 2002.T.79A-79.B (part of Exhibit 6623);
 - o 2002.T.61; and
 - o 2002.T.83E (part of Exhibit 6734));
- Exhibit 2010.2
- Exhibits 3000.A 3000.H;
- Exhibit 3001;
- Exhibits 3003-3017;
- Exhibits 3019-3022;
- Exhibits 3024-3026;
- Exhibits 4807.1-4807.3;
- Exhibit 6623;
- Exhibit 6923;
- Exhibits with transcripts:
 - o Exhibits 1000.1.Tr 1000.11.Tr;
 - o Exhibit 1004.1;
 - o Exhibits 1052.1.Tr 1052.9.Tr;
 - o Exhibits 1202.2.Tr 1202.5.Tr;
 - o Exhibits 1500, 1502, 1504, 1505, 1515;
 - o Exhibits 6745Tr, 6746Tr, 6747Tr; and
 - o Exhibit 1088.1.

Counsel for Defendant Meggs asked for additional time to consider this list. To date, counsel have not lodged any objections.

WHEREFORE, the United States respectfully requests that the record reflect the admission of the above-listed of items of evidence during the government's case at trial.

Respectfully submitted,

MATTHEW M. GRAVES UNITED STATES ATTORNEY D.C. Bar No. 481052

By:

Kathryn L. Rakoczy

Assistant United States Attorney

D.C. Bar No. 994559

Ahmed M. Baset

/s/

Troy A. Edwards, Jr.

Jeffrey S. Nestler

Assistant United States Attorneys

Louis Manzo

Special Assistant United States Attorney

U.S. Attorney's Office for the District of Columbia

555 4th Street, N.W.

Washington, D.C. 20530

<u>/s</u>/

Alexandra Hughes
Justin Sher
Trial Attorneys
National Security Division
United States Department of Justice
950 Pennsylvania Avenue
NW Washington, D.C. 20004

3