

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **Case No. 21-CR-692 (CKK)**  
 :  
**THOMAS FASSELL,** :  
**MARILYN FASSELL** :  
 :  
**Defendant.** :

**NOTICE OF FILING OF VIDEO  
PURUSANT TO LOCAL CRIMINAL RULE 49**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby notifies the Court of the submission of video exhibits in support of sentencing in the above-captioned matter. As video clips, they are not in a format that readily permits electronic filing on CM/ECF. Video exhibits have been submitted to the Court and made available to defense counsel via the government’s file-sharing site, USAfx. Each exhibit is identified and briefly described below. Unless otherwise noted, the video footage was recorded by Marilyn Fassell using Thomas Fassell’s phone.

- Exhibit 1: Video recording of crowd on West Front of Capitol
- Exhibit 2: Video recording of officers on top of steps leading to the Northwest Terrace
- Exhibit 3: Video recording showing reaction to tear gas
- Exhibit 4: Video recording of Marilyn Fassell encouraging crowd forward
- Exhibit 5: Video recording at top of steps to Upper West Terrace
- Exhibit 6: Surveillance footage showing Fassells’ entry through Senate Wing Doors
- Exhibit 7: Video recording of entry into Crypt
- Exhibit 8: Surveillance footage showing Fassells in Pelosi Office Suite

- Exhibit 9: Video recording from inside Senator Jeff Merkley's hideaway office
- Exhibit 10: Video recording of Fassells exiting Capitol
- Exhibit 11: Video recording outside after exiting Capitol

If the Court accepts these proposed video exhibits into evidence, the United States takes the position that the entered exhibit should be released to the public.

Respectfully submitted,

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