

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : Case No. 22-cr-38 (BAH)
 :
 JOLENE EICHER, :
 :
 Defendant. :

UNITED STATES' RESPONSE TO DEFENDANT'S ORAL MOTION

The United States submits this response to the defendant's June 12, 2023 oral motion regarding a document containing purported *Brady* information. The Court should deny the defendant's vague request.

First, the government produced the document into Capitol Siege global discovery in November 2021. The document has been available since before the defendant was charged in January 2022. The government simply re-provided it on June 7, 2023, as part of a supplemental *Jencks* production.

Second, the information described is publicly known. At least as early as January 15, 2021, news media reported on it—less than two weeks after January 6.¹

Third, the defendant has offered nothing to suggest that this conduct is actually relevant to her specific case. Indeed, the document indicates the conduct occurred on the east side of the Capitol. The defendant was present on the west side of the Capitol.

¹ See <https://nypost.com/2021/01/15/cop-in-maga-hat-at-capitol-riot-reportedly-wore-as-disguise/>.

More recently, this was reported on as part of the Oathkeepers trials. See <https://www.nbcnews.com/politics/justice-department/cop-maga-hat-oath-keeper-one-jan-6s-strangest-moments-rcna50242>

For those reasons, the Court should deny the defendant's oral motion.

Respectfully submitted,

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