

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CASE NO. 23-CR-153 (JDB)
 :
 DAVID BALL, :
 :
 Defendant. :

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 January 3rd and 4th, 2024 via USAfx, in relation its memorandum in aid of sentencing filed on January 3rd, 2024. These exhibits will be offered into evidence during the sentencing hearing scheduled for Jan. 9, 2024.

The proposed exhibits are as follows:

A. **Gov. Sent. Ex. 1:** A video 8 minutes and 52 seconds in length that was recorded by a third party on January 6, 2021 showing the defendant in the Crypt area of the U.S. Capitol building.

B. **Gov. Sent. Ex. 2:** A clip 5 minutes and 12 seconds in length excerpted from a video recorded by a third party on January 6, 2021 showing the defendant in the Crypt area of the U.S. Capitol building.

C. **Gov. Sent. Ex. 3:** A 31-second clip excerpted from a video recorded by a third party on January 6, 2021 showing the individuals in the Crypt area of the Capitol in approximately the same time and location as the defendant.

If the Court accepts these proposed exhibits into evidence on January 9, 2024, the United States takes the position that the entered exhibits should be promptly released to the public.

Respectfully submitted,

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