

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

UNITED STATES OF AMERICA

v.

**JONATHANPETER ALLEN KLEIN and
MATTHEW LELAND KLEIN,**

Defendants.

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Case No. 21-CR-237 (RDM)

JOINT STATUS REPORT

The United States of America, by and through its attorney the Acting United States Attorney for the District of Columbia, defendant Jonathanpeter Allen Klein, by and through his attorney Michelle M. Sweet, Esq., and defendant Matthew Leland Klein, by and through his attorney Eugene Gorokhov, Esq., provide this Joint Status Report to the Court.

1. On August 3, 2021, the Court held a status conference and directed the parties to file a Joint Status Report on or before October 1, 2021, by 12:00 p.m. The Court also tolled the defendants' Speedy Trial rights in the interest of justice from August 3, 2021, to October 1, 2021.

2. Since the status conference, the government has continued to provide voluminous discovery to the defendants. *See* Dkt. 100. Such discovery has included materials specific to the defendants' own cases, as well as general discovery items being made available to other defendants in case relating to the events of January 6, 2021. The government has also undertaken significant steps towards implementation of its discovery plan in relation to the voluminous sets of data the government collected in its investigation of the Capitol Breach cases, as described in the government's Memorandum Regarding Status of Discovery as of September 14, 2021. *See* Dkt. 96; *see also* Dkt. 100 at Exhibit 4.

3. It is the government's position that, at present, almost all the case specific materials, discoverable at this time, have been tendered and/or made available to the defendants. The government will continue to produce such items as they become available.

4. As described in its September 27, 2021 discovery correspondence, in the near future, the government anticipates providing counsel with tools to assist with viewing the voluminous video footage it has and will produce, including: (1) camera maps for U.S. Capitol Police Closed Circuit Video; (2) government work product, consisting of a spreadsheet and related zone maps, identifying body-worn-camera footage by agency, officer, video start time, a summary of events, and location of the camera in 15-minute increments; and (3) Global Positioning Satellite information for Metropolitan Police Department radios, which may be of some assistance in identifying officers whose body-worn-cameras were recording at a particular time and location. *See* Dkt. 100 at Exhibit 4. Furthermore, as described in its September 14th Memorandum, the government anticipates being able to provide defense counsel with access to the Relativity database by October 2021. *See* Dkt. 96 at 4-6.

5. Given the volume of discovery that has been and is expected to be produced, the defendants need additional time to meaningfully review such discovery and determine how best to proceed in this matter, including making decisions regarding the filing of pretrial motions.

6. The parties request that the Court set this matter for an additional Joint Status Report to be filed on or before December 3, 2021, by 12:00 p.m.

7. The parties agree that time should be excluded under the Speedy Trial Act from October 1, 2021, through December 3, 2021, in the interest of justice for the reasons previously provided by the Court.

8. The undersigned Assistant U.S. Attorney has received permission from counsel for both defendants to file this Joint Status Report.

Respectfully submitted,

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