

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

MICHAEL T. FLYNN,

Defendant.

Criminal Action No. 17-232-EGS

**FOURTH SUPPLEMENT IN SUPPORT OF AGREED DISMISSAL**

On May 7, 2020, the Government moved to dismiss the prosecution of General Flynn. ECF No. 198. Until this case is dismissed with prejudice, the Government has a continuing obligation to provide to the defense all evidence that is exculpatory of General Flynn, establishes misconduct by the Government in its many capacities that contributed to this wrongful prosecution, or otherwise is favorable to the defense. *Brady v. Maryland*, 373 U.S. 83 (1963). The defense has a continuing obligation to make a record that mandates this dismissal. Consequently, General Flynn is supplementing the record in support of the Government's Rule 48(a) motion and his consent to dismiss with a production he received from the Government last night, which is attached hereto as Exhibit A. The Government consents to the filing of the exhibit, as produced.

Dated: September 28, 2020

Respectfully submitted,

/s/ Jesse R. Binnall

Jesse R. Binnall  
Abigail C. Frye  
Harvey & Binnall, PLLC  
717 King Street, Suite 300  
Alexandria, VA 22314  
Tel: (703) 888-1943  
Fax: (703) 888-1930  
jbinnall@harveybinnall.com  
afrye@harveybinnall.com  
Admitted *Pro Hac Vice*

/s/ Sidney Powell

Sidney Powell  
Molly McCann  
Sidney Powell, P.C.  
2911 Turtle Creek Blvd.,  
Suite 300  
Dallas, Texas 75219  
Tel: 214-707-1775  
sidney@federalappeals.com  
Admitted *Pro Hac Vice*  
molly@federalappeals.com  
Admitted *Pro Hac Vice*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2020, I electronically filed the foregoing Supplement with the Clerk of Court using the CM/ECF system. I further certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the court's CM/ECF system.

Respectfully submitted,

/s/ Jesse R. Binnall  
Jesse R. Binnall, VSB# 79272  
Harvey & Binnall, PLLC  
717 King Street, Suite 300  
Alexandria, VA 22314  
Tel: (703) 888-1943  
Fax: (703) 888-1930  
jbinnall@harveybinnall.com