

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

UNITED STATES OF AMERICA

Complainant,

v.

ZACHARY REHL

*(Styled as USA v. NORDEAN incorporating cases  
against four Defendants collectively)*

Accused

Criminal Case No.

1:21-cr-00175-TJK-3

**SUPPLEMENT TO MOTION FOR ISSUANCE OF A SUBPOENA  
TO THE U.S. CAPITOL POLICE**

Comes now the Accused ZACHARY REHL, by counsel, and hereby provides this supplement to his Motion that the Court, by the Clerk, issue a subpoena to the Custodian of Records of the U.S. Capitol Police, and for his reasons states as follows, by counsel:

1. The Court is asked to recall that in his Motion counsel for ZACHARY REHL noted that acting then for a news website “National File,” counsel Jonathon Moseley asked the U.S. Capitol Police Public Information Office (PIO) starting on February 4, 2021, for copies of any such permits issued for demonstrations at, near, or on the U.S. Capitol grounds on January 6, 2021, but – unlike the quick response from the U.S. Park Police regarding the Ellipse – was repeatedly ignored by the U.S. Park Police.

2. Likewise, on September 11, 2021, counsel for REHL inquired of the prosecution as to any such permits in the event that they had already been produced that counsel had not yet found in the mountain of information being processed or whether the prosecution would agree to

their production, including whether the U.S. Attorney's office would represent the U.S. Capitol Police on this matter.

3. In all of the flood of activity, either the prosecution did not get around to my letter or perhaps I did not see a response, especially if it was uploaded to the USAfx system.

4. However, in response to the filing of counsel's Motion, a news blog noticed the Motion and commented on it, and the blog entry was forwarded to me as counsel.

5. It seems that BUZZFEED filed suit for this information and the permits were released to the public on September 9, 2021. The documents produced are attached hereto.

6. One defendant's attorney in a related case believes that notice of these permits was provided to her on July 22, 2021, which is still after this Court decided to revoke bail on July 1, 2021, for ZACHARY REHL and would still be newly-discovered evidence for bail.

7. Counsel is not yet certain if the released documents cover all of the requested information, but it probably will satisfy the concerns.

8. Normally, counsel would be concerned about the difference between having a document and having a document authenticated by its source. But if there was litigation, then the source would appear to be confirmable and not subject to dispute.

THEREFORE, the Motion may be moot and counsel asks the Court to delay any consideration of the Motion until counsel can decipher these documents and determine if anything further is still needed.

Dated: September 28, 2021

RESPECTFULLY SUBMITTED

/s/ Jonathon Alden Moseley  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2021, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following CM/ECF participant(s), and also mailed a copy to the following by first class U.S. mail, postage prepaid, one single copy to the prosecution for distribution internally to all counsel involved for the prosecution. From my review of the PACER / ECF docket records for this case that the following attorneys will receive notice through the ECF system of the U.S. District Court for the District of Columbia.

**Mr. Luke Matthew Jones, Esq.**

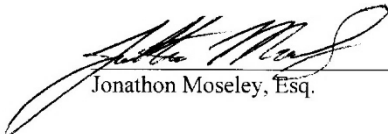
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