

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
)
 v.) CRIMINAL CASE NO.
) 1:21-CR-00346-BAH-1
GLEN MITCHELL SIMON)

DEFENDANT’S RESPONSE TO THE COURT’S ORDER REGARDING THE
PUBLIC RELEASE OF VIDEO EVIDENCE

COMES NOW the Defendant, GLEN MITCHELL SIMON, by and through undersigned counsel and files this status report as directed by the Court. On Saturday, April 23, 2022, the Court entered a minute order, directing the parties to inform the Court of their positions regarding whether the video evidence described in the proposed Statement of Offense in support of Mr. Simon’s proffered guilty plea may be made publicly available without restriction. Mr. Simon requests that the Court not publicly release the video evidence.

The proffered Statement of Offense, executed by the parties and provided to the Court in advance of an anticipated change of plea hearing, describes three video recordings. These are Mr. Simon’s personal videos, obtained by the government through execution of a search warrant on Mr. Simon’s cell phone. Prior to the plea hearing held on October 15, 2021, the Court directed the parties to state their positions on making these videos publicly available without restriction, and both Mr. Simon and the government filed status reports setting forth their opposition. (Docs.

26, 28). At the hearing, the Court overruled the parties' objections and ordered that the government make the videos publicly available.

The government has informed defense counsel that it is providing videos to the Court, not specifically referenced in the statement of offense, in addition to the three videos previously provided. These videos were not obtained from Mr. Simon's phone or created by him.

For the reasons set forth in Mr. Simon's previously filed statement, (Doc. 26), and the reasons set forth in the government's statement, (Doc. 28), Mr. Simon objects to the video evidence being made publicly available. Mr. Simon understands the Court's position on this matter based upon its prior ruling, but nonetheless respectfully maintains his opposition to the video evidence being made publicly available without restriction while his case is still pending.

Dated: This 25th day of April, 2022.

Respectfully Submitted,

/s/ Rebecca Shepard

Rebecca Shepard

Georgia Bar No. 780692

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