

6/8/2022

To the Honorable Judge B. Howell,

Hello, my name is Andrea Evert. I am a licensed practical nurse specializing in geriatric care and skilled nursing, and I am the mother of Cody James Mattice. My son is scheduled to appear in front of you in your courtroom on 7/15 for sentencing due to his involvement in the January 6th, 2021 Capital riots.

Please allow me to begin by saying how shocked I was upon hearing the charges my son was facing. I was aware my son was planning to attend the former President Donald Trump's speech, and I had no concerns regarding my son's attendance, as neither of us had any idea of the impending magnitude of the rally-turned protest. We discussed briefly the concept that protests have the potential to become intense.

As a mother and as a nurse, I urged Cody to wear protective gear on his head, as I anticipated the possibility of hate groups in attendance becoming violent toward the crowd. At no time did my son express to me that he expected to

interact negatively with law enforcement, and to do so would be out of character for Cody. Hence my disbelief when he was charged with his crimes.

I would like to take the time to shed some light on the true character of my son. Cody is my firstborn, the eldest of my four children. Cody was born in 1992, followed in 1993 by his brother and best friend Casey. My sons' father was a violent man, with a multitude of substance abuse issues. Those addictions ultimately led to his demise in 2020. In spite of being emotionally + financially absent, his death had a profound impact on my boys.

I made the decision when my sons were 3 and 2 years of age to remove ourselves from the toxicity of their father's presence. I went on to marry, have 2 more children (daughters) and was divorced. I raised my four children as a single mother and much responsibility was placed onto my 2 sons, as they were the oldest. All of us worked together to push through hardships, including immense financial strain while I went back to school to obtain my nursing education. My children's childhood and upbringing built a tremendous bond among them,



with Cody falling naturally into the role of the protector of our family.

Cody has a natural appreciation for wildlife, and from a very young age, would be known to rescue injured animals and gently nurture them back to health. Cody's family nickname has been "Nature Nut" from the age of 3 years old and still to this day. His love and respect for nature and wildlife has been passed down to both of his children: 12 year old daughter Kylie and 5 year old son Titus.

My son has a huge heart, which he wears on his sleeve. Cody is very loving and gives the biggest, warmest bear hugs of anyone I know. These hugs are missed by me terribly. Cody is the type of person who, if he were to see a stranger being assaulted on the street, would intervene without giving a second thought to his own safety. Cody has a strong, empathetic nature.

Cody's love for his family cannot be matched. He is the most loyal person I have ever known, and Cody is quick to forgive. His absence leaves a huge, black hole within our family. Cody's 2 children have been separated from each other as a result of his incarceration. They are each other's only

Siblings. Monroe County (NYS) Family Court awarded physical custody of Cody's now 12 year old daughter Kylie to Cody 6 years ago, due to her mother's neglect and incompetence. Since the day of Cody's arrest, Kylie has been living in a rental duplex with her mother and several of her mother's friends, including people who "couch-hop." Many of these people are alleged to have addiction issues. Meanwhile, Cody's fiancé Ashley, the mother of his now 5 year old little boy, has been thrown into single motherhood unexpectedly. I know this situation has been severely painful for Cody, as he has always taken pride in being the involved father he himself never had, but always wanted. Cody is extremely guilt-ridden over these outcomes of his actions. The consequences of Cody's participation on January 6, 2021 are hitting especially hard now, with his son heading into Kindergarten this coming September. It will be the first major milestone of either of his children's that he will miss.

Cody is not the type of young guy to "bar-hop", "party", or run the streets. Cody's idea of a good time is taking his children fishing, going



tent camping with his family, and hosting a bon fire on Saturday nights with his siblings and cousins. My son has always been a "home body" and a family man. For the past 3 years, Cody has lived next door to my father on his property.

At 72 years of age and with cardiac issues, my father valued the assistance in maintaining his property, offered by Cody, not to mention time together to bond with his firstborn grandchild.

I could go on forever telling you how proud I am of my son and why, but I do not want to take advantage of your time. So now I would like to close by stating that Cody has repeatedly expressed genuine remorse and guilt for his part at the Capitol riot. Making it especially painful is the cruel irony that Cody has never been political before and has not been since. Our country's most recent presidential election unleashed passionate emotion, the likes of which our country has never seen. It is my opinion that many, many Americans acted out of character that day, including my son. I fully trust that Cody will not only refrain from participating in any such event again, I wholeheartedly believe Cody

will never do anything to jeopardize his freedom again. He has exhibited accountability multiple times and would just like to move forward from here. Cody has strong Christian faith, and has utilized his time these past 9 months to self reflect and to work on himself spiritually. As a mother, I am begging you to show mercy. Cody's presence is painfully missed by his fiancée, his children, his siblings, nieces, nephews, cousins, aunts, grandfather, and mother. I thank you for your valuable time.

Very Sincerely,  
Andrea Evert  
Andrea Evert



Ashley Choate

06/06/2022

To: The Honorable Judge Howell

Hello,

My name is Ashley Choate, a Clinical Trials Project Manager at the University of Rochester. I am aware that Mr. Cody Mattice faces criminal sentencing on July 15<sup>th</sup> before your court. I have known Cody for 14 years, being in a relationship with him for the last 10 years, engaged for the last 4. Cody is known for being a dedicated father and partner in my life. Based on this, these charges have hit unexpectedly and as a great surprise.

I have gotten to know Cody well over the past 10 years and I believe it puts me in a suitable position to provide you with a unique and reliable personal assessment of him as a person.

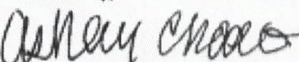
As a partner, I could not ask for someone better than Cody. We got together at a rather young age (19) and have grown for the better together. Without Cody I would not have been able to move up in my career and apply for better things for us as a family without his forever support to help me reach my goals. Not only has he helped me succeed in my career, he makes me feel safe, loved, and appreciated every day. He is honest, loyal, nurturing, an amazing father and partner, and above all else a protector. Cody would give the shirt off of his back (which he has done for our kids and myself multiple times) to make sure someone is comfortable. Cody also ensures that nobody is left behind or feels unloved/cared for. This goes not only for our immediate family, but his large family of cousins, aunts, uncles, siblings, etc.

Cody has a 12-year-old daughter (Kylie) that I have gladly taken on the role of 'step mom', and a 5-year-old son (Titus) with me. Before being incarcerated, and during the height of the pandemic, Cody and I made the choice for Cody to step down as a mechanic and become a stay at home dad to take care of our then 3-year-old Titus and Kylie (10) being fully remote in school. During this time, he was able to thrive and support both of the kids in a way that was beautiful to watch. His bond with his kids is amazing, and it breaks mine and his heart to know that he is missing out on this precious time.

We understand that Cody needs to take responsibility for his actions. I am asking, pleading, the court to show leniency for Cody. One day, a mistake, has changed our whole lives and he shows remorse every day, and will continue to for his whole life for that day. The crowd mentality was strong, and he is owning up to what he did.

Thank you for taking the time to read this, I truly appreciate any consideration this may have provided.

Sincerely,

  
Ashley Choate



Michaela Beikirch-Evert

06/22/2022

To The Honorable Judge Howell,

My name is Michaela Beikirch-Evert. I am a Certified Nurse Assistant at Elderwood of Lakeside at Brockport. I am 20 years old and the youngest of four children. My oldest brother, Cody Mattice, is scheduled to appear in front of you and your court on July 15<sup>th</sup>, 2022.

Growing up with a single mother of four, Cody, being the oldest, naturally assumed the role of the protector in our family. My entire life I have always known Cody as a safe space; he only wants to help people, never hurt them. So, I am sure you can understand my surprise at the crimes my brother is being charged with. The only way I can make it make sense to myself is to understand that Cody went somewhere with good intentions and got carried away with the wild crowd and crazy atmosphere. I believe it is clear that he was not thinking clearly and was letting the adrenaline rush get the best of him. It is a shame that the situation resulted in Cody making some mistakes that have landed him where he is right now. I know this is a situation Cody never wanted nor expected to be in, and I know in my heart that he would never do anything to possibly put himself in this place again. This is depressing for him, and I have seen him express remorse and shame on several occasions. If he were to come home, he would never do anything again to jeopardize his freedom and mental well-being. Cody has always been a selfless person who makes sure to put others before himself. Cody has consistently been known as a generous helper who is willing to help even a stranger in times of need, simply out of the kindness of his heart.

I would describe Cody as a teddy bear. He may look big and intimidating to some people, but he is warm and fuzzy on the inside with a huge heart. Plus, Cody does give the best hugs out of anyone I know! Above anything else, Cody is a family man. There has never been a time where any member of our family could not turn to him. Anyone who knows Cody would say they feel safe around him. In fact, we all feel so safe in Cody's presence that we were able to sleep peacefully on a camping trip with several bears around us. Cody would stay up all night and gently say, "Go on, bear" any time a bear came near our campsite. That alone was enough to make his family feel secure and comfortable in the middle of the woods. The best word I could use to describe how I feel around Cody is SAFE. This is a huge part in my wishing he was home. If anything were ever to happen, I know Cody would be right there to protect myself and the rest of his family, especially his children. Cody has a twelve-year-old daughter and a five-year-old son. As a child who grew up without a father figure around, I understand just how important it is for children to have their fathers at home with them. Cody's children need him, and they miss him dearly. It hurts my heart to hear, "I miss Dad" from Titus, my five-year-old nephew, with tears in his eyes. And I know that would break Cody to hear. Cody's children are the number one thing on his mind at all times. It pains him to think about all the time he is missing out on with them. Cody just wants to be home to create memories with his growing children.

I truly appreciate you taking the time out of your day to read this letter and take it into consideration. I sincerely hope it sheds some light on who Cody really is: a sweet, humble, generous man. I hope, after reading this, you can see him as the family man we all know and love, rather than as a criminal.





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## Letter for Cody Mattice from Aunt April.

1 message

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Wed, Jun 22, 2022 at 6:49 PM

### To the Honorable Judge Howell:

Hello , I am Cody James Mattice's Aunt April (Evert) He is scheduled to appear before you in your court room July 15, 2022. I would like to take the opportunity to write to you to tell you a little bit about him.

Cody is first and foremost a family man. He has an undying love and devotion to his Fiancé Ashley Choate, his daughter Kylie, and son Titus. Cody grew up in a single parent home with his mom and three siblings. He is the oldest and has helped his mom throughout his childhood by stepping into the father figure role. Cody witnessed how much his mother struggled over the years and would never wish this upon his own children and fiancé. He still assumes this role to this day. His Mom and siblings always know they can go to him and depend on him whenever they need anything. He is a present, involved, loving and proud father and supportive partner to Ashley. Cody has expressed remorse and has nothing but regret over his decision to attend the rally and his actions on January 6th that left his own family without him.

I was shocked to hear about the charges because it is so out of character for Cody and he is not a political person. He's an easy going, empathetic and jovial person and loyal to family and friends. He went with the intention of attending a rally with some friends. The crowd mentality took over the minds and actions of many people that day including my nephew.

If there is one thing in this world Cody could take back it would be leaving the house that day. He has had time to think about his decisions and wishes for nothing more than to be home again with them watching his children grow and change and being a supportive partner to Ashley as he always has been. Cody wholeheartedly regrets his actions on January 6th. Thank you for taking the time to read my letter.

Sincerely,  
April Evert

Sent from my iPhone



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## Cody Mattice

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Thu, Jun 23, 2022 at 11:13 PM

Shaelyn B. Whitten  
06/22/22

Dear Honorable Judge Howell,

My name is Shaelyn Whitten. I am 24 years old and a stay-at-home mother of two little girls, ages 4 years and 11 months. My brother, Cody Mattice, will be sentenced by you on July 15th for his participation in the events of January 6, 2021.

I am writing this letter to tell you who Cody truly is, as all you know of him is from footage caught on one day of his life, footage that portrays him at his absolute worst and completely out of character for him.

Cody is my oldest brother. I am the second-youngest in a family of four children raised by our single mother. To remain financially functional, our mother often worked split shifts, overtime, and two jobs at a time prior to her becoming a nurse. During those financially strained years, Cody was often left in charge, as he was the oldest. As young as we all were, my siblings and I all felt safe when Cody was with us. Cody has a fearlessness about him and a naturally protective nature that all of us found, and still find, to be comforting.

Cody and I share a penchant for rescuing injured animals. Throughout our childhood, he and I would often take in hurt or abandoned animals and Cody would help me to nurture them back to health. I have a vivid memory of myself at around the age of 5, watching my brother rescue a chipmunk from the mouth of a cat. This compassion to rescue helpless animals has carried into adulthood, as Cody recently tried to help me save a baby bird. Months before his arrest, Cody found an injured baby bunny that he called "Redfoot". He wrapped that tiny bunny in a blanket and even took it to work with him until it finally succumbed to its injuries.

My brother is our family mechanic. We can call him anytime for anything from oil changes to brake jobs, and Cody expects nothing from any of us. All he does, he does out of love for his family. Cody is one of the most selfless human beings I know.

Since my brother was arrested on October 7, 2021, I have taken over his role of caretaker for his 5 year old son, my nephew Titus. Cody was a stay at home dad once the pandemic hit and was with his little boy every day while Titus' mother Ashley was at work. Cody being abruptly removed from his home and family created a domino effect of issues, one of which being the question of who would provide care for Titus so Ashley could continue to work. I proudly took on that role for Cody and Ashley, in order to alleviate some of their constant stress. Titus is with me every weekday and expresses to me often of how much, "I miss Dad". Very recently, and for the first time since Cody's arrest, Titus recounted the events of the morning of October 7, 2021. Cody's son recalled the "loud boom" and "yelling", referring to the flash grenade and SWAT waking him from his sleep. Titus told me how scary it was, and how sad he was that "they took Dad." I know the fear and panic caused to his son that morning haunts Cody and that the guilt eats him alive. Cody's daughter, 12 year old Kylie, had spent the previous night at our mother's. So while she was spared the trauma of the arrest, she never got to say goodbye to her father.

I have never seen my brother cry until our first visit at the prison. Cody displays mental anguish over the effect his behavior on January 6, 2021, has had on his family; especially Ashley and his children. He expresses sincere remorse for contributing to the pain and distress caused to law enforcement and other professionals on 01/06/21. It is my opinion, based on my brother's true disposition, that he was caught up in the energy of the mob that day. I am confident Cody will never place himself in such a position again. I sincerely believe he has learned a painful lesson he will never forget. The love Cody has for his family is enough to prevent him from ever risking partaking in any action that would take him away from them again.

I thank you for your time.

Sincerely,

Shaelyn Brooke Whitten



To the honorable Judge Howell:

Hello, my name is Amir Smith, a science teacher in training,

I am writing on behalf of Cody Mattice, who is scheduled to appear in front of you and your court on July 15<sup>th</sup>, 2022. Cody has been a great brother-in-law as I plan on fully transitioning into his family, which he has been nothing but welcoming about. I've had the pleasure of growing closer with Cody and his family, and the first thing that stands out about him is how much he really cares about his family. He is a loving dad, first and foremost. He really enjoys spending time with his kids as he always has a smile on his face while doing so. I've also noticed he has assumed the role of protector/guardian for his whole family, as everyone can go to him in a time of need, no matter the avail of the task, and he's always willing to help. He has also been a loving partner to Ashley. Cody is the definition of a teddy bear, he may look intimidating, but he is one of the most genuine and caring men I've had the opportunity to spend time with. I wish for his family's sake your honor, he could be home just because I know how much he means to us, and what we mean to him. Never would I have seen something like this coming from Cody. This came completely out of left field and is nothing anyone could have foreseen. Cody has never been a politically charged person, not even one to really share his thoughts on politics even. I believe some of his misconduct can be attributed to "group thinking" as studies show people are more likely to participate in behaviors if they see many others doing the same, however, I understand Cody is still responsible for his actions. I kindly ask you to take all of this into consideration when deliberating on Cody's behalf.

Thank you,

Amir A. Smith

Leslie Cologgi  
06/22/2022

To The Honorable Judge Howell,

My name is Leslie Cologgi. I am a college student at Monroe Community College, majoring in Radiology. Cody Mattice, who is scheduled to stand before your court on July 15th 2022, is a close cousin to my significant other. I have known Cody for about 5 years and have had the opportunity to get to know him. It is to my great understanding that Cody will appear before you because of the events that took place on January 6th. My intention behind this letter is to shed some light on who Cody is outside the role he played that day.

Over the course of the last 5 years, I have been able to make the acquaintance of Cody, his two children, and his fiancée. If I could use one word to describe Cody it would be accepting. I came into this family at an awkward time but Cody always made me feel welcome. Cody is a loving son, treasured fiancée, and an amazing father of two. He takes great pride in the role he plays as a stay at home dad. I know he has been grateful to have the opportunity to stay home with his oldest daughter during the height of the pandemic. His presence in his home has made it possible for his fiancée to maintain her position as a supervisor at a hospital and for his brother, Casey, to work while he took care of his young son. Knowing how important his regard in their household was, I am sure you can imagine how taken back I was to hear he went to Washington to attend the protest. His involvement that day was unacceptable and truly affected everyone in his family. With him being held accountable for his actions, he has been given ample time to think about the consequences he faces. I have heard him express deep regret for going and participating that day. He wishes he could turn back time and grieves the loss of time with his children. The last thing Cody ever wanted to do was hurt his children, and I know he feels that pain when his two little ones express how much they miss their father. I genuinely believe Cody understands and accepts how wrongful, dangerous, and blatantly disrespectful his actions were; not only to his family but to the people attending and those watching over the protest.

I would like to thank you for your time and for considering the notes in this letter. I hope I was able to contribute a point of view that you find helpful. Cody, as well as all of his family, know the effect his actions had on everyone involved that tragic day. I believe, without a doubt, that he would never do anything so ill-mannered again, if afforded the opportunity.

Sincerely, Leslie DM Cologgi



Kyle Burgio  
06/20/22

To The Honorable Judge Howell,

My name is Kyle Burgio. I am the owner of KC Seamless Gutters LLC based out of Rochester, New York. Cody Mattice, who is scheduled to stand before you on July 15th, is my cousin.

Cody, his brother Casey, and myself grew up with one another. I remember looking forward to spending weekends at his house when I was little and the strong bond continued into adulthood. Having known Cody for an extensive amount of time I feel as though I can offer some insight as to who Cody is as a person outside of the appalling acts he committed on January 6th. Growing up I always looked up to Cody, from his sense of humor to his ability to take on the leadership role. I always knew we were going to have fun together. With me living so far away, Cody in Brockport and me in Greece, Cody always made sure to make me feel included and loved. At a young age Cody began working and we were given the opportunity to work together on multiple occasions. When I decided to start my own business I needed reliable, hardworking, strong willed employees to help me. I knew, without a doubt, that Cody would be perfect for the role. Reliable is one of the best ways to describe Cody. Seeing how highly I view Cody, I'm sure you can understand how floored I was when I heard about the events that happened. Knowing how much he dislikes being away from his fiance and two young children, I was surprised he went to the protest in the first place. Since the prosecution began and on more than one occasion, I've heard Cody profess great regret in the role he played. He sees the wrongfulness and extreme disregard his behavior demonstrated. I genuinely believe he fully recognizes how his actions were unwarranted and feels great remorse. I know he misses his family dearly and would not do anything to jeopardize his ability to be with them ever again.

I deeply appreciate your time and for giving me the ability to give you a better perspective of who Cody is. I hope you are able reference the information disclosed in this letter when making your decision on this case.

Sincerely, Kyle U Burgio

Suzie O'Brien  
2076 Stennis Dr  
Pensacola, FL

06/24/2022

To: The Honorable Judge Howell

Hello,

My name is Suzie O'Brien, a current waitress and resident in Florida for the last 5-6 years. I am also Ashley Choate's mother, Cody Mattice is my future Son-In-Law. I personally have known Cody for just as long as Ashley (14+ years). I understand that Cody will be before you for sentencing on July 15<sup>th</sup>. To me Cody is one of the most devoted and loving men for his family and friends that I have ever met. I will go on to explain why these charges are out of character for Cody.

Cody and Ashley got together right into "adulthood", 19 is young but they were technically adults. With them getting into a relationship my now deceased husband and I challenged Cody to ensure he was the right man for our girl. Within this time Cody was able to help our family grow and have us personally watch him move into an amazing man who more than loves his family. Cody was the first person to drop whatever he was doing personally to go help anyone who called him, taking the shirt off his own back at times for them. This was my favorite knowing that he was willing to do whatever for someone who was down and needed it more.

I will speak for my husband, as I know he would feel the same exact way, that we are so blessed and privileged to have Cody in our family. Sundays were our day for family dinner, every week and Cody was always the first there and the first to offer any help. Whether it was with dinner, or any work outside that my husband may have needed help with.

My understanding, when talking with Cody is his intentions were to go to DC and watch a speech. In all the previous years, Cody never truly followed politics or anything of that nature. When former President Trump was in office Cody was starting to look into it a little further and just wanted to see more of what it was about. There was no way he went down with any intention of wrong doing, and if he did any I know he feels nothing but guilt and hate towards himself that he did it. As well as being away from his family that he desperately loves and cares for.

I hope you can understand that Cody is an essential piece to our family, especially his own. My daughter works full time and Cody takes care of the home, not the "normal" dynamic but they wouldn't have it any other way and could not make me any prouder. They are an amazing team and crucial part to our family well-being. Without Cody physically home it is like a piece of our puzzle is forever missing.

Thank you for taking the time to read this, any insight this has provided you I greatly appreciate you taking the time to consider it.

Thank you,  
Suzie O'Brien