ROYCE LAMBERTH NOT AS EASY TO FOOL AS TUCKER CARLSON'S "COUSIN-FUCKING" "TERRORIST" VIEWERS

Royce Lamberth just denied Q-Shaman Jacob Chansley's bid to vacate his conviction based off footage Tucker Carlson falsely claimed was new and hadn't been provided in discovery to Chansley.

The whole opinion is worth reading, both for Lamberth's explanation of what a hack Tucker Carlson is, and for the extent to which Lamberth substantiates Chansley's guilty verdict, again. For example, Lamberth complains at

> Finally, the Court would be remiss if it did not address the ill-advised television program of March 6, 2023. Not only was the broadcast replete with misstatements and misrepresentations regarding the events of January 6, 2021 too numerous to count, the host explicitly questioned the integrity of this Court-not to mention the legitimacy of the entire U.S. criminal justice systemwith inflammatory characterizations of cherry-picked videos stripped of their proper context. In so doing, he called on his followers to "reject the evidence of [their] eyes and ears," language resembling the destructive, misguided rhetoric that fueled the events of January 6 in the first place. 16 The Court finds it alarming that the host's viewers throughout the nation so readily heeded his command. But this Court cannot and will not reject the evidence before it. Nor should the public. Members of the public who are concerned about the

> evidence presented in Mr. Chansley's
> case and others like may view the public
> docket and even attend court proceedings
> in these cases. Those of us who have
> presided over dozens of cases arising
> from, listened to hundreds of hours of
> testimony describing, and reviewed
> thousands of pages of briefing about the
> attack on our democracy of January 6
> know all too well that neither the
> events of that day nor any particular
> defendant's involvement can be fully
> captured in a seconds-long video
> carelessly, or perhaps even cynically,
> aired in a television segment or
> attached to a tweet.

But a more important part of the opinion
pertains to this: the decision once again
vindicates DOJ's decision to give every January
6 defendant access to all the discovery in the
case.

Lamberth included a table showing when the
government had provided Chansley with each (but
one 10 second clip) of the videos Tucker showed
in his program.

Approximate Time on January 6, 2021	U.S. Capitol CCTV Camera[7]	Time Stamp in Television Segment	Government's Representation of Approximate Date Disclosed to Defense via Evidence.com
2:13 pm	Camera A	2:48	May 2021 or October 22, 2021[8]
2:49 pm	Camera E	2:06	October 22, 2021
2:51 pm	Camera E	3:09	October 22, 2021
2:56 pm	Camera F	4:31	October 22, 2021
2:56 pm	Camera F	5:14	October 22, 2021
2:57 pm	Camera D	3:35	October 22, 2021
2:57 pm	Camera D	5:21	October 22, 2021
2:57 pm	Camera E	4:12	October 22, 2021
2:57 pm	Camera E	5:00	October 22, 2021
2:57 pm	Camera H	3:40	October 22, 2021
2:57 pm	Camera H	5:25	October 22, 2021
2:59 pm	Camera B	3:28	October 22, 2021
2:59 pm	Camera C	4:01	October 22, 2021
2:59 pm	Camera G	3:48	February 21, 2023[9]

The opinion discusses the government's approach
to discovery in this case at length. Ultimately,
he credits the government's decision to make all
the video available to all the defendants —
something which created a significant delay in
these cases.

The vast majority of the CCTV footage aired on the program, which did not contain any new facts, was made discoverable through Evidence.com prior to Mr. Chansley's sentencing. Gov't Opp'n at 16-17.

[snip]

In alternative, Mr. Chansley argues that even if the videos were disclosed, the government provided too many videos too late because it would have been physically impossible for defense counsel to review the 4,800 hours of footage disclosed on October 22, 2021 before Mr. Chansley' s sentencing in mid-November 2021. Def.'s Mot. at 16 & n.3. Aside from the fact that "[Mr. Chansley] cite[s] no authority for the proposition that the government fails to meet its Brady [] obligations by providing too much discovery," United States v. Bingert, Nos. 21-cr-91-1, 21-cr91-2 (RCL), 2023 WL 3203092, at *6 (D.D.C. May 9, 2023) (emphasis in original), this argument is an obvious red herring.

[snip]

[I]t it is precisely the government's recognition of this District's exacting Brady standards that compelled the government to contract for, fund, and facilitate the introduction of a platform to disseminate massive amounts of discovery in cases related to January 6, 2021, and to equip defense teams with the tools necessary to digest the information made available on the platform. To be sure, this unprecedented prosecutorial effort places enormous disclosure burdens on the government and necessitates novel approaches to sharing discovery information with defendants. That said, Mr. Chansley has not demonstrated how the government's

> approach is inconsistent with Brady.

As with Dominic Pezzola's similar attempt to use the Tucker Carlson show to muck up his prosecution, this vindicates DOJ's decision to take the laborious and time-consuming effort to put this together.