

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CRIMINAL DIVISION—FELONY BRANCH**

THE UNITED STATES OF AMERICA	:	Criminal Nos.	2017CF2001149
	:		2017CF2001160
v.	:		2017CF2001155
	:		2017CF2001206
GABRIEL MIELKE, et al.	:		2017CF2001204
	:		2017CF2001338
	:		2017CF2001272
	:		2017CF2001224
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good cause exists for the issuance of an amended protective order, but concludes that the October 19, 2017 protective order should be vacated and reissued in modified form.

Accordingly, it hereby is, this 15<sup>th</sup> day of November 2017,

**ORDERED** that the August 18, 2017, protective order is **VACATED**; and it further is

**ORDERED** that no personal identifying information of any individual (e.g., social security numbers, date of birth, phone numbers, or any personal or confidential information) found within materials produced in discovery in this case, may be disseminated, copied or reproduced to any third party, and materials containing such personal information may not be disseminated, copied or reproduced to any third party, without full redaction of the personal identifying information; and it further is

**ORDERED** that no video footage (to include body worn camera footage) or photographs that capture any part of the arrest processing of any individual on January 20, 2017, and no audio recordings of statements made by any individual charged in this case during processing, produced in discovery in this case, may be disseminated, copied or reproduced to any third party; and it further is

**ORDERED** that no audio on any body worn camera footage produced as part of discovery in this case, may be disseminated, copied or reproduced to any third party in any manner, including but not limited to disseminating the audio itself, or any translation or transcription of the audio; and it further is

**ORDERED** that no image of any alleged victim of any offense charged in the indictment, in any nonpublic material produced in discovery in this case, may be disseminated, copied or reproduced to any third party; and it further is

**ORDERED** that any internal investigative documents from the Metropolitan Police Department or any other law enforcement agency, including the document titled “Incident Report.pdf” located on the main page of the USAfX discovery page, the document titled “MPD injury lost or damaged property reports.pdf” contained in the “September 14 Uploads” folder on USAfX, and all reports and attachments contained in the USAfX file folder titled “MPD Use of Force Investigation” (which contains a use of force report, multiple attachments, and multiple additional investigative reports and documents) may not be disseminated, copied or reproduced to any third party in any manner; and it further is

**ORDERED** that any internal training materials from the Metropolitan Police Department or any other law enforcement agency produced as part of discovery in this case, including all documents and attachments contained in the USAfx file folder titled “Training Materials” may not be disseminated, copied or reproduced to any third party in any manner; and it is further

**ORDERED** that the term “third party” (as used in this Order) is defined as an individual or entity that is not a party to this proceeding, or a member of the defense team, or a witness or prospective witness for the defense team; and it further is

**ORDERED** that the term “defense team” (as used in this Order) is defined as any counsel of record, any individual employed by the lawyer or the lawyer’s law firm (to include other lawyers, paralegal, investigator, secretary, or legal assistant), or any other individual (to include expert, investigator, or lawyer) who has been engaged by counsel of record to provide services in this criminal proceeding.



JUDGE LYNN LEIROVITZ

cc: Jennifer A. Kerkhoff  
Assistant United States Attorney

All Defense Counsel of Record