

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Criminal Division**

UNITED STATES OF AMERICA	:	Case No. 2026 CF2 010237
	:	
v.	:	Hon. Todd Edelman
	:	
DAVID CARTER HEARN,	:	Status Conference: August 4, 2026
	:	
Defendant.	:	

NOTICE OF FILING

The defense requests that the attached discovery letter dated July 27, 2026, be made part of the record in this case.

Respectfully submitted,

/s/ Mary L. Dohrmann

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Dated: July 28, 2026

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July 27, 2026

Via EMAIL AND FIRST-CLASS MAIL

Kevin Reddington, Esq.
Kadian Carter, Esq.
Assistant United States Attorneys
U.S. Attorney's Office for the District of Columbia
Superior Court Division
601 D Street, N.W.
Washington, D.C. 20530

Re: *United States v. David Carter Hearn*, Case No. 2026 CF2 010237 (D.C. Super. Ct.) - Third Request for Discovery

Dear AUSAs Reddington and Carter,

In response to your July 27, 2026 email seeking to confirm whether we “received the pictures of the Reflecting Pool with metadata,” we note that the Government has not in fact produced the photographs of the Reflecting Pool with their underlying data.

At USAO-241 through USAO-246, the Government produced screenshots depicting portions of certain on-device application screens—namely, Google Photos “Details” panes, an iOS Messages thread, and photo-detail views—from what appear to be at least two different devices: a Google Pixel 7a and an Apple iPhone 14. But screenshots of an application display are not the images’ underlying metadata and cannot, by themselves, be authenticated or independently verified. They contain no embedded EXIF or XMP data, file-system timestamps, hash values, or reliable identification of the device owner or user. Accordingly, although the Government has produced screenshots purporting to display metadata, it has not produced the relevant metadata itself.

Moreover, even assuming the accuracy of the dates and times displayed in the screenshots, the information they provide is insufficient to establish the information material to the defense. Several items—for example, USAO-242 and USAO-246, which are labeled “image000” and reflect “No camera information” and “No lens information”—contain no apparent captured metadata. In addition, the Messages thread produced by the Government indicates that at least one image was

taken by a third party and transmitted to the device from which the screenshot was later created. For such images, the date and time displayed may reflect when the image was received, downloaded, saved, or otherwise added to the device, rather than when it was originally captured on the source device. The screenshots supplied do not permit the defense to determine which date or event is being reflected.

Accordingly, Mr. Hearn requests production of the following, to the extent within the Government's possession, custody, or control:

1. Native files for every photograph previously produced by the Government, including the original file from the device that captured the photograph, with all available metadata intact;
2. Forensic-extraction reports or other forensic records for these photographs, reflecting available metadata fields, including but not limited to date taken, date created, date added, date modified, GPS/location data, source application, device identifier, file path, and transmission or download history;
3. Hash values for each native image file, together with information sufficient to identify the file to which each hash corresponds;
4. Identification of the source device and account associated with each photograph, including whether the image was captured on the device, received from another device or person, downloaded, saved from a messaging application, edited, exported, or otherwise modified;
5. All relevant photographs from the devices reflected in USAO-241 through USAO-246—including the apparent Google Pixel 7a and Apple iPhone 14—whether or not previously identified by the Government as photographs of the Reflecting Pool; and
6. All relevant communications from those devices, including text messages, iMessages, messages sent through third-party applications, emails, photo-sharing communications, attachments, and associated message metadata, that concern, transmit, reference, or contextualize the photographs at issue, the Reflecting Pool, or the events under investigation.

The Government should also identify any responsive materials that are unavailable, were not collected, were deleted, cannot be accessed, or are otherwise not within its possession, custody, or control.

Mr. Hearn renews his request for the completion of discovery production and for the return of his cellular telephone. Please advise when the Government expects to provide these items, particularly in light of its representation to the Court that it anticipated doing so last week.

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Mr. Hearn reserves all objections regarding the completeness, authenticity, provenance, reliability, and admissibility of the Government's productions. Mr. Hearn does not stipulate to the accuracy or significance of the dates and times depicted in USAO-241 through USAO-246.

Best,

/s/

Steve Levin
Steptoe LLP
Counsel for David Carter Hearn

cc: Norman L. Eisen, Esq.; Mary Dohrmann, Esq. (co-counsel)