

1 GREGORY NICOLAYSEN (CA 98544)  
2 27240 Turnberry Lane, Suite 200  
3 Valencia, CA 91355  
4 Phone: (818) 970-7247  
5 Fax: (661) 252-6023  
6 Email: [gregnicolaysen@aol.com](mailto:gregnicolaysen@aol.com)

7 Attorney For Defendant,  
8 Cynthia Raygoza

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11 WESTERN DIVISION

13	UNITED STATES OF AMERICA,	)	2:25-CR-00780-SVW
14		)	
15	Plaintiff,	)	SECOND SUPPLEMENT FILED BY
16		)	DEFENDANT CYNTHIA RAYOZA
17	v.	)	IN SUPPORT OF MOTION TO
18	CYNTHIA RAYGOZA, et al.,	)	ADMIT VIDEO EVIDENCE AT
19		)	TRIAL
20	Defendants	)	Hearing Date: February 23, 2026
21		)	Time: 11:00 a.m.
		)	Ctrlm: The Hon. Stephen V. Wilson

22 TO: THIS HONORABLE COURT AND ASSISTANT U.S. ATTORNEYS  
23 LAUREN ELIZABETH BORDER AND CLIFFORD DANKWA MPARE, JR.:  
24 Defendant Cynthia Raygoza, by and through her CJA counsel of record,  
25 Gregory Nicolaysen, hereby submits her second supplement to her previously filed  
26 "Motion in Limine for Pretrial Order Admitting Videos and Photos Produced to  
27  
28

1 Defense by Government in Discovery” (Pacer #121), filed on January 27, 2026. The  
2 first supplemental was filed on February 3, 2026 (Pacer #130).

3  
4 The original motion lists by Bate number specific video files, as well as a  
5 screen shot of a video file, which Ms. Raygoza asks this Court to admit into  
6 evidence by pretrial order. That list is repeated below. All of the listed files below  
7 are taken from pretrial discovery materials.  
8

9 An external hard drive containing the videos and photo listed below has  
10 previously been lodged with this Court in advance of the prior hearing date of  
11 February 9, 2026.  
12

13 **Videos:**

14 USAO\_00000022  
15 USAO\_00000024  
16 USAO\_00000025  
17 USAO\_00000026  
18 USAO\_00000028  
19 USAO\_00000036  
20 USAO\_00000037  
21 USAO\_00000039  
22 USAO\_00000040  
23 USAO\_00000210  
24 USAO\_00000215

25 **Photo:**

26 USAO\_00000214  
27  
28

1           **Video evidence is the cornerstone of this case. The charges in the first**  
2  
3 **superseding indictment allege that on August 28, 2025, the defendants followed an**  
4 **agent employed by Immigration & Customs Enforcement (ICE) from downtown**  
5 **Los Angeles to the street where he resides in Baldwin Park and engaged in conduct**  
6 **that constitutes a conspiracy to publicly disclose private information of a federal**  
7 **agent, in violation 18 U.S.C. 119(a) [Count One]; and stalking, in violation of 18**  
8 **U.S.C. 2261A(2)(B). The heart of this case involves the incident on the residential**  
9 **street both prior to and subsequent to the arrival of the Baldwin Park police**  
10 **officers. It’s captured on video, and the jury should see it all.**

13           **Without question, the government will be relying on video evidence and will**  
14 **therefore be seeking to introduce videos, or portions thereof, into evidence.**  
15  
16 **However, to date, the government has not filed an exhibit list, nor disclosed a draft**  
17 **of such to defense counsel. Thus, defense counsel have no idea what video evidence**  
18 **the government will seek to introduce into evidence at trial, which commences on**  
19 **February 24, 2026, less than one week from now.**

21           **To streamline the process of evidence presentation, defense counsel have**  
22 **made efforts to coordinate a stipulation with the government to admit the video**  
23 **evidence that both parties want to introduce at trial, including the videos listed in**  
24 **this pending motion. However, the government has declined to enter into a**  
25 **stipulation. By declining, the government appears to signal an intention to**  
26  
27  
28

1 monopolize the video evidence at trial by cherry-picking portions of certain videos  
2 that the government believes supports its theory of the case, and offering them into  
3 evidence through the case agent as a foundational witness for those selected items.  
4

5 The government’s approach is nothing short of a plan to present the jury  
6 with a fragmented narrative that distorts the reality of what occurred on August  
7 28, 2025. Offering these isolated snippets through the case agent—without the  
8 necessary context of the full recordings—threatens to mislead the jury and bypass  
9 the Rule of Completeness under Fed.R.Evid. 106, which ensures that evidence is not  
10 presented in a vacuum.  
11  
12

13 To avoid such prejudice to the defense, the Court should conduct a pretrial  
14 hearing under Fed. R. Evid. 104(a) for the purpose of establishing foundation for  
15 the admission of all videos both parties seek to introduce, thereby allowing counsel  
16 to refer to the videos in opening statement and to enable defense counsel to present  
17 videos to government witnesses during cross-examination without interrupting  
18 witness testimony to resolve foundational issues.  
19  
20

21 DATED: February 19, 2026

Respectfully Submitted,

22  
23  
24 \_\_\_\_\_/S/\_\_\_\_\_  
25 GREGORY NICOLAYSEN  
26 Attorney for Defendant,  
27 Cynthia Raygoza  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF GREGORY NICOLAYSEN**

1. I am an attorney duly licensed to practice in the state of California and in the U.S. District Court for the Central District of California. I am CJA counsel for defendant Cynthia Raygoza in the prosecution entitled, United States vs. Cynthia Raygoza, et. al., Case No. 2:25-CR-00780 SVW. All of the statements contained herein are made and based on my own personal knowledge, and if called as a witness, I would testify competently thereto.

2. The First Superseding Indictment (FSI) charges two counts against all three defendants. Count One alleges that the defendants conspired to publicly disclose the personal information of a federal agent, in violation of 18 U.S.C. 119(a). Count Two charges the defendants with the substantive offense of stalking the agent, in violation of 18 U.S.C. 2261A(2)(B). The FSI alleges that on a single date -- August 28, 2025 -- the defendants followed an ICE agent from downtown Los Angeles to the residential street where he lives, while live-streaming the event to an Instagram account that drew followers to the scene.

3. The events of this case were captured on video, comprised of a combination of cell phone video generated by the defendants while live-streaming; and body cam video of the Baldwin Park police officers who responded to the scene. In short, video tells the story of this case. While the government will be calling the agent and his wife to testify in its case-in-chief, the defense intends to challenge the

1 testimony of both witnesses to the degree it deviates from the actions depicted on  
2 the videos. Use of video evidence during cross examination is therefore critical to  
3 giving the jury an accurate depiction of the events at issue, as well as a proper  
4 context in which to evaluate witness credibility. If the jury is not allowed to view  
5 the video files listed in the pending motion, then the jury will be improperly denied  
6 accurate and reliable evidence showing what exactly happened on the date in  
7 question. For this purpose, the admission of videos into evidence prior to trial is  
8 essential.

9  
10  
11  
12 4. All of the videos that I am seeking to introduce into evidence at trial  
13 by this pending motion were produced to the defense by the government in pretrial  
14 discovery. The government obtained the videos from the defendants' cell phones  
15 and / or by downloading the videos directly from the online Instagram accounts to  
16 which the defendants were live-streaming on August 28, 2025. Accordingly, there is  
17 no issue regarding authenticity as to any of the videos I am seeking to introduce  
18 into evidence by this motion.

19  
20  
21 5. In order to streamline the trial process, counsel for the co-defendants  
22 and I have separately reached out to government counsel requesting a stipulation to  
23 admit video evidence at trial. By email to AUSA Lauren Border on February 18,  
24 2026, I listed the video files that are listed in this motion and requested that the  
25 government stipulate to their admission at trial. Ms. Border responded by email the  
26  
27  
28

1 same date stating that “the government does not anticipate entering a stipulation.”

2 The government has likewise declined requests by other defense counsel.  
3

4 6. Both the visual and audio portions of the video files are of critical  
5 importance to the defense. To the extent the government objects to the admission of  
6 statements on the videos that are critical of / speak negatively about ICE, I  
7 recommend that any such objections be resolved by giving a limiting instruction to  
8 the jury that it shall consider statements on the video only in regard to the specific  
9 charges against the defendants and for no other purpose.  
10

11 7. For the reasons stated herein, I respectfully request that the Court  
12 conduct a pretrial hearing under Fed. R. Evid. 104(a) for the purpose of  
13 establishing foundation for the admission of all videos both parties seek to  
14 introduce at trial.  
15  
16

17  
18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed on February 19, 2026, at Valencia, California.  
20

21  
22  
23 \_\_\_\_\_/S/\_\_\_\_\_  
24 GREGORY NICOLAYSEN  
25  
26  
27  
28