

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00377-BAH-1**

Case title: USA v. WILLIAMS

Magistrate judge case number: 1:21-mj-00335-GMH

Date Filed: 05/26/2021

Assigned to: Chief Judge Beryl A.
Howell

Defendant (1)

**ANTHONY ROBERT
WILLIAMS**

represented by **Benton C. Martin**
FEDERAL COMMUNITY DEFENDER
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Detroit, MI 48226
313-967-5832
Email: benton_martin@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

James Gerometta
FEDERAL COMMUNITY DEFENDER
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ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

18:1512(c)(2) and 2;
TAMPERING WITH A
WITNESS, VICTIM OR
INFORMANT; Obstruction of an
Official Proceeding and Aiding
and Abetting
(1)

Disposition

Defendant sentenced to serve a term of sixty (60) months imprisonment followed by a term of thirty-six (36) months of supervised release, all terms to be served concurrently with the terms imposed on Counts 2, 3, 4, and 5. A special assessment in the amount \$100.00, a fine of \$5,000.00, and restitution to the Architect of the Capitol in the amount of \$2,000.00 ordered.

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (2)

Defendant sentenced to serve a term of twelve (12) months imprisonment followed by a term of twelve (12) months of supervised release, all terms to be served concurrently with the terms imposed on Counts 1, 3, 4, and 5. A special assessment in the amount \$25.00 ordered.

18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (3)

Defendant sentenced to serve a term of twelve (12) months imprisonment followed by a term of twelve (12) months of supervised release, all terms to be served concurrently with the terms imposed on Counts 1, 2, 4, and 5. A special assessment in the amount \$25.00 ordered.

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building (4)

Defendant sentenced to serve a term of six (6) months imprisonment to be served concurrently with the terms imposed on Counts 1, 2, 3, and 5. A special assessment in the amount \$10.00 ordered.

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building (5)

Defendant sentenced to serve a term of six (6) months imprisonment to be served concurrently with the terms imposed on Counts 1, 2, 3, and 4. A special assessment in the amount \$10.00 ordered.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. § 1512(c)(2); 40 U.S.C. §§ 5104(e)(2)(D) and (G); 18 U.S.C. §§ 1752(a)(1) and (2)

Disposition

Plaintiff

USA

represented by **Anthony L. Franks**
DOJ-USAO

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Date Filed	#	Page	Docket Text
03/24/2021	<u>1</u>		SEALED COMPLAINT as to ANTHONY ROBERT WILLIAMS (1). (Attachments: # <u>1</u> Statement of Facts) (zltp) [1:21-mj-00335-GMH] (Entered: 03/25/2021)
03/24/2021	<u>3</u>		MOTION to Seal Case by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(zltp) [1:21-mj-00335-GMH]

		(Entered: 03/25/2021)
03/24/2021	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to ANTHONY ROBERT WILLIAMS (1). Signed by Magistrate Judge G. Michael Harvey on 3/24/2021. (zltf) [1:21-mj-00335-GMH] (Entered: 03/25/2021)
03/26/2021	<u>6</u>	Arrest Warrant Returned Executed on 3/26/2021 in Detroit, Michigan as to ANTHONY ROBERT WILLIAMS. (bb) [1:21-mj-00335-GMH] (Entered: 04/01/2021)
03/26/2021		Case unsealed as to ANTHONY ROBERT WILLIAMS (bb) [1:21-mj-00335-GMH] (Entered: 04/01/2021)
03/26/2021		Arrest of ANTHONY ROBERT WILLIAMS. (ztl) [1:21-mj-00335-GMH] (Entered: 04/27/2021)
03/31/2021		ORAL MOTION to Appoint Counsel by ANTHONY ROBERT WILLIAMS. (ztl) [1:21-mj-00335-GMH] (Entered: 04/27/2021)
03/31/2021		JOINT ORAL MOTION for Speedy Trial by USA, ANTHONY ROBERT WILLIAMS as to ANTHONY ROBERT WILLIAMS. (ztl) [1:21-mj-00335-GMH] (Entered: 04/27/2021)
03/31/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to ANTHONY ROBERT WILLIAMS held on 3/31/2021. Defendant present by video. Due Process Order given to the Government. Oral Motion to Appoint Counsel by ANTHONY ROBERT WILLIAMS (1); heard and granted. Defendant placed on Standard Conditions of Release. Joint Oral Motion for Speedy Trial as to ANTHONY ROBERT WILLIAMS (1); heard and granted. Speedy Trial Excluded from 3/31/2021 to 6/2/2021 in the Interest of Justice (XT). Defendant waives the right to Preliminary Hearing in 21 days. Preliminary Hearing set for 6/2/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Benton Martin; US Attorney: Jacob Steiner for Anthony Franks; Pretrial Officer: John Copes. (ztl)[1:21-mj-00335-GMH] (Entered: 04/27/2021)
03/31/2021	<u>11</u>	ORDER Setting Conditions of Release as to ANTHONY ROBERT WILLIAMS (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/31/2021. (ztl) [1:21-mj-00335-GMH] (Entered: 04/27/2021)
04/01/2021	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE: Benton C. Martin appearing for ANTHONY ROBERT WILLIAMS (Martin, Benton) [1:21-mj-00335-GMH] (Entered: 04/01/2021)
04/02/2021	<u>8</u>	Unopposed MOTION for Protective Order <i>Governing Discovery</i> by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Franks, Anthony) [1:21-mj-00335-GMH] (Entered: 04/02/2021)
04/05/2021	<u>9</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to ANTHONY ROBERT WILLIAMS (1). Signed by Magistrate Judge G. Michael Harvey on 4/5/2021. (zpt) [1:21-mj-00335-GMH] (Entered: 04/06/2021)
04/21/2021	<u>10</u>	

		Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Franks, Anthony) [1:21-mj-00335-GMH] (Entered: 04/21/2021)
04/21/2021		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, granting the government's <u>10</u> Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), to provide to defendant, and any co-defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on April 21, 2021. (lcbah2) [1:21-mj-00335-GMH] (Entered: 04/21/2021)
05/14/2021	<u>12</u>	NOTICE of Filing Discovery Correspondence by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Discovery Letter)(Franks, Anthony) [1:21-mj-00335-GMH] (Entered: 05/14/2021)
05/26/2021	<u>13</u>	INDICTMENT as to ANTHONY ROBERT WILLIAMS (1) count(s) 1, 2, 3, 4, 5. (bb) (Entered: 05/26/2021)
05/27/2021	<u>15</u>	STANDING ORDER as to ANTHONY ROBERT WILLIAMS. Signed by Chief Judge Beryl A. Howell on May 27, 2021. (lcbah3) (Entered: 05/27/2021)
06/02/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Arraignment as to ANTHONY ROBERT WILLIAMS (1) held on 6/2/2021 as to Counts 1,2,3,4,5. Plea of Not Guilty entered as to all counts. Speedy Trial Excluded from 6/2/2021 to 6/4/2021 in the Interest of Justice (XT). Defense did not object. Status Hearing set for 6/4/2021 at 9:15 AM by Telephonic/VTC before Chief Judge Beryl A. Howell. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4 [1:06:47-1:13:48];Defense Attorney: Benton Martin; US Attorney: Anthony Franks; Pretrial Officer: John Copes. (ztl) (Entered: 06/02/2021)
06/02/2021	<u>16</u>	Unopposed MOTION to Continue <i>and</i> , MOTION to Exclude Time Under the Speedy Trial Act by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Franks, Anthony) (Entered: 06/02/2021)
06/02/2021		MINUTE ORDER granting <u>16</u> United States' Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act as to ANTHONY ROBERT WILLIAMS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for June 4, 2021, shall be CONTINUED to July 16, 2021, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from June 4, 2021 through July 16, 2021, pursuant to 18 U.S.C 3161(h)(7)(A) and the reasons set out in the unopposed motion. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 6/2/2021. (ztg) (Entered: 06/02/2021)
07/16/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to ANTHONY ROBERT WILLIAMS held via videoconference on

		7/16/2021. The Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 9/17/2021, at 10:15 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from 7/16/2021 through 9/17/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to respond to a specific request made by the Defendant and to give the Defendant time to review the discovery and decide how to proceed in this case. Bond Status of Defendant: personal recognizance. Present via videoconference: Defense Attorney: Benton C. Martin; US Attorney: Anthony L. Franks; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 07/16/2021)
08/31/2021	<u>18</u>	NOTICE of <i>United States' Memorandum Regarding Status of Discovery as of August 23, 2021</i> by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 08/31/2021)
09/14/2021	<u>19</u>	NOTICE of <i>Filing Discovery Correspondence</i> by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Discovery Letter)(Franks, Anthony) (Entered: 09/14/2021)
09/14/2021	<u>20</u>	Joint MOTION to Continue <i>September 17, 2021 Status Conference For 60 days Filed Out of Time</i> by USA as to ANTHONY ROBERT WILLIAMS. (Franks, Anthony) (Entered: 09/14/2021)
09/14/2021		MINUTE ORDER granting <u>20</u> Joint Motion to Continue September 17, 2021 Status Conference for 60 Days as to ANTHONY ROBERT WILLIAMS. Upon consideration of the joint motion, it is hereby ORDERED that the Status Hearing currently scheduled for September 17, 2021, shall be CONTINUED to November 19, 2021, at 9:15 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that for the reasons outlined in the motion and with the agreement of the parties, time under the Speedy Trial Act shall be excluded from September 17, 2021 through November 19, 2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 9/14/2021. (ztg) (Entered: 09/14/2021)
09/28/2021	<u>21</u>	NOTICE by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Franks, Anthony) (Entered: 09/28/2021)
10/04/2021	<u>22</u>	NOTICE of <i>Filing Discovery Correspondence</i> by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Discovery Letter)(Franks, Anthony) (Entered: 10/04/2021)
10/25/2021	<u>23</u>	NOTICE of <i>United States' Memorandum Regarding Status of Discovery as of October 21, 2021</i> by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 10/25/2021)
10/25/2021	<u>24</u>	NOTICE OF <i>FILING</i> by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Exhibit 1A, # <u>3</u> Attachment 2)(Franks, Anthony) (Entered: 10/25/2021)
11/08/2021	<u>25</u>	NOTICE of <i>United States' Memorandum Regarding Status of Discovery as of November 5, 2021</i> by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 11/08/2021)

11/19/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to ANTHONY ROBERT WILLIAMS held via videoconference on 11/19/2021; the Defendant agreed to participate via videoconference after consultation with counsel; a further Status Hearing is scheduled for 1/21/2022, at 10:15 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from 11/19/2021 through 1/21/2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the parties to complete discussions about a disposition short of trial and to complete the review of discovery. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Benton C. Martin; US Attorney: Anthony L. Franks; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 11/19/2021)
12/20/2021	<u>27</u>	Rule 5(c)(3) Documents Received as to ANTHONY ROBERT WILLIAMS from US District Court for the Eastern District of Michigan Case Number 21-mj-30147 (bb) (Entered: 12/20/2021)
01/06/2022	<u>28</u>	MOTION to Travel by ANTHONY ROBERT WILLIAMS. (Martin, Benton) (Entered: 01/06/2022)
01/06/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DENYING defendant's opposed <u>28</u> Motion for Permission to Travel ("Def.'s Mot."). Defendant, while on pretrial release and facing charges including a serious felony offense, stemming from his alleged actions on January 6, 2021, wishes to leave the Michigan winter to spend ten days in the warmer climes of Jamaica to meet the family of a woman with whom defendant has been in a committed relationship for "more than a year." Def.'s Mot. at 2. Although such a meeting may be an important step in defendant's personal relationship, defendant surrendered his entitlement to unfettered international travel when, also "more than a year" ago, on December 30, 2020, he allegedly announced his intent to "Storm the Swamp," [1-1] Statement of Facts at 7, and one week later, on January 6, 2021, followed through by joining a mob at the Capitol that, in his words, "took [that] fucking building," <i>id.</i> at 6, an event he allegedly viewed as the "proudest day of [his] life," <i>id.</i> at 7. This Court will not commemorate the one-year anniversary of this attack on the Capitol by granting defendant's request for non-essential foreign travel when he is awaiting judgment for his actions on that day. Signed by Chief Judge Beryl A. Howell on January 6, 2022. (lcbah3) (Entered: 01/06/2022)
01/17/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING the parties to inform the Court by January 19, 2022, at 5:00 PM, whether any outstanding plea offer will have expired by January 21, 2022, and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule, so that the Court may set a trial schedule at the January 21, 2022 hearing. Signed by Chief Judge Beryl A. Howell on January 17, 2022. (lcbah3) (Entered: 01/17/2022)
01/18/2022		Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Response to Order of the Court due by 5:00 PM on 1/19/2022. (ztg) (Entered: 01/18/2022)
01/18/2022		NOTICE OF RESCHEDULED TIME OF HEARING as to ANTHONY ROBERT WILLIAMS. The parties shall take notice that the Status Hearing currently scheduled to be heard at 10:15 AM on 1/21/2022, is

		RESCHEDULED for 1/21/2022, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) (Entered: 01/18/2022)
01/18/2022	<u>29</u>	STATUS REPORT by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 01/18/2022)
01/21/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to ANTHONY ROBERT WILLIAMS held via videoconference on 1/21/2022; the Defendant agreed to participate via videoconference after consultation with counsel. Jury Selection/Jury Trial scheduled for 6/27/2022, at 9:00 AM before Chief Judge Beryl A. Howell; pretrial motions due by 4/18/2022; oppositions due by 4/29/2022; replies due by 5/6/2022; Pretrial Statement due by 5/18/2022; Pretrial Conference scheduled for 6/10/2022, at 10:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Time under the Speedy Trial Act excluded with the parties consent from 1/21/2022 through 6/27/2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the defendant time to review all the evidence, and the parties time to prepare for trial. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Benton C. Martin; US Attorney: Anthony L. Franks; Pretrial Officer: John Copes (telephonically); Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 01/21/2022)
02/11/2022	<u>31</u>	NOTICE of <i>United States' Memorandum Regarding Status of Discovery as of February 9, 2022</i> by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 02/11/2022)
02/28/2022	<u>32</u>	Unopposed MOTION to Strike by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit A–1, # <u>3</u> Exhibit Exhibit B)(Franks, Anthony) (Entered: 02/28/2022)
02/28/2022	<u>33</u>	ORDER, as to ANTHONY ROBERT WILLIAMS, GRANTING the government's <u>32</u> Unopposed Motion to Strike Portions of the Indictment. Signed by Chief Judge Beryl A. Howell on February 28, 2022. (lcbah3) (Entered: 02/28/2022)
03/24/2022	<u>34</u>	NOTICE OF ATTORNEY APPEARANCE Grace Albinson appearing for USA. (Albinson, Grace) (Entered: 03/24/2022)
04/18/2022	<u>35</u>	MOTION in <i>Limine Regarding USCP Camera Map and Positions</i> by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Albinson, Grace) (Entered: 04/18/2022)
04/18/2022	<u>36</u>	Unopposed MOTION in <i>Limine Regarding Limiting Cross–Examination of Secret Service Witness</i> by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Albinson, Grace) (Entered: 04/18/2022)
04/18/2022	<u>37</u>	MOTION in <i>Limine Regarding Impermissible Argument and Evidence</i> by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Albinson, Grace) (Entered: 04/18/2022)
04/18/2022	<u>38</u>	MOTION in <i>Limine Opposing Admission of Other–Crimes Evidence</i> by ANTHONY ROBERT WILLIAMS. (Martin, Benton) (Entered: 04/18/2022)
04/18/2022	<u>39</u>	

		MOTION to Dismiss Count <i>One, Two, and Three</i> by ANTHONY ROBERT WILLIAMS. (Martin, Benton) (Entered: 04/18/2022)
04/18/2022	<u>40</u>	MOTION to Change Venue by ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Exhibit 1, Juror Survey)(Martin, Benton) (Entered: 04/18/2022)
04/27/2022	<u>47</u>	Unopposed MOTION for Leave to File Excess Pages by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Albinson, Grace) (Entered: 04/27/2022)
04/28/2022		MINUTE ORDER granting <u>47</u> Government's Unopposed Motion for Leave to Exceed Page Limitation as to ANTHONY ROBERT WILLIAMS. Upon consideration of the unopposed motion, it is hereby ORDERED that the government shall be allowed to file an opposition that is approximately 50 pages to defendant's motion to dismiss counts one through three of the indictment (ECF No. 39). Signed by Chief Judge Beryl A. Howell on 4/28/2022. (ztg) (Entered: 04/28/2022)
04/29/2022	<u>48</u>	RESPONSE by ANTHONY ROBERT WILLIAMS re <u>35</u> MOTION in Limine <i>Regarding USCP Camera Map and Positions</i> (Martin, Benton) (Entered: 04/29/2022)
04/29/2022	<u>49</u>	RESPONSE by ANTHONY ROBERT WILLIAMS re <u>37</u> MOTION in Limine <i>Regarding Impermissible Argument and Evidence</i> (Martin, Benton) (Entered: 04/29/2022)
04/29/2022	<u>51</u>	RESPONSE by USA as to ANTHONY ROBERT WILLIAMS re <u>39</u> MOTION to Dismiss Count <i>One, Two, and Three</i> (Attachments: # <u>1</u> Text of Proposed Order)(Albinson, Grace) (Entered: 04/29/2022)
04/29/2022	<u>52</u>	Memorandum in Opposition by USA as to ANTHONY ROBERT WILLIAMS re <u>38</u> MOTION in Limine <i>Opposing Admission of Other-Crimes Evidence</i> (Attachments: # <u>1</u> Exhibit Exhibit 2)(Franks, Anthony) (Entered: 04/29/2022)
04/29/2022	<u>53</u>	NOTICE of filing of items incompatible with CM/ECF Filing by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 04/29/2022)
04/29/2022	<u>54</u>	Memorandum in Opposition by USA as to ANTHONY ROBERT WILLIAMS re <u>40</u> MOTION to Change Venue (Franks, Anthony) (Entered: 04/29/2022)
05/05/2022	<u>57</u>	NOTICE OF ATTORNEY APPEARANCE: James Gerometta appearing for ANTHONY ROBERT WILLIAMS (Gerometta, James) (Entered: 05/05/2022)
05/06/2022	<u>58</u>	REPLY in Support by ANTHONY ROBERT WILLIAMS re <u>38</u> MOTION in Limine <i>Opposing Admission of Other-Crimes Evidence</i> (Martin, Benton) (Entered: 05/06/2022)
05/06/2022	<u>59</u>	REPLY in Support by ANTHONY ROBERT WILLIAMS re <u>39</u> MOTION to Dismiss Count <i>One, Two, and Three</i> (Martin, Benton) (Entered: 05/06/2022)
05/06/2022	<u>60</u>	REPLY in Support by ANTHONY ROBERT WILLIAMS re <u>40</u> MOTION to Change Venue (Attachments: # <u>1</u> Exhibit 1, In Lux Survey, # <u>2</u> Exhibit 2, Zagby Survey)(Martin, Benton) (Entered: 05/06/2022)
05/10/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING, in light of the government's representation that "defendant does

		not oppose" the motion and the absence of any timely filed opposition by defendant, the government's <u>36</u> Unopposed Motion <i>In Limine</i> to Limit Cross-Examination of Secret Service Witnesses. Defendant shall be precluded at trial from questioning witnesses from the United States Secret Service ("USSS") about the following topics: (1) USSS protocols related to the locations where protectees or their motorcades are taken at the Capitol or other government buildings when emergencies occur; and (2) details about the nature of USSS protective details, such as the number and type of agents the USSS assigns to protectees. Signed by Chief Judge Beryl A. Howell on May 10, 2022. (lcbah3) (Entered: 05/10/2022)
05/10/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING the government to submit a filing, by May 12, 2022 at 3:00 PM, clarifying, in light of its decision not to file replies in support of its opposed <u>35</u> Motion <i>In Limine</i> Regarding Evidence About the Specific Locations of U.S. Capitol Police Surveillance Cameras, <u>37</u> Motion <i>In Limine</i> to Preclude Improper Defense Arguments and Evidence, and <u>45</u> <u>46</u> two sealed motions to exclude certain other evidence, whether the government is conceding the arguments asserted by defendant in his respective <u>48</u> <u>49</u> <u>55</u> <u>56</u> Responses to the government's four motions; and, if the government asserts it is not so conceding, explaining why the absence of replies should not be so construed. Signed by Chief Judge Beryl A. Howell on May 10, 2022. (lcbah3) (Entered: 05/10/2022)
05/11/2022		Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Government's response to Order of the Court due by 3:00 PM on 5/12/2022. (ztg) (Entered: 05/11/2022)
05/11/2022	<u>61</u>	REPLY in Support by USA as to ANTHONY ROBERT WILLIAMS re <u>37</u> MOTION in <i>Limine Regarding Impermissible Argument and Evidence</i> (Albinson, Grace) (Entered: 05/11/2022)
05/11/2022	<u>62</u>	REPLY in Support by USA as to ANTHONY ROBERT WILLIAMS re <u>35</u> MOTION in <i>Limine Regarding USCP Camera Map and Positions</i> (Albinson, Grace) (Entered: 05/11/2022)
05/12/2022	<u>65</u>	Unopposed MOTION for Leave to File <i>Sur-Reply To Defendant's Motion To Transfer Venue</i> by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Franks, Anthony) (Entered: 05/12/2022)
05/12/2022	<u>66</u>	MOTION in <i>Limine OPPOSING ADMISSION OF YOUTUBE VIDEO</i> by ANTHONY ROBERT WILLIAMS. (Martin, Benton) (Entered: 05/12/2022)
05/12/2022	<u>67</u>	NOTICE of Errata by USA as to ANTHONY ROBERT WILLIAMS re <u>65</u> Unopposed MOTION for Leave to File <i>Sur-Reply To Defendant's Motion To Transfer Venue</i> (Attachments: # <u>1</u> Governments Sur-Reply in Opposition to Defendants Motion to Transfer Venue)(Franks, Anthony) (Entered: 05/12/2022)
05/13/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING the government's <u>65</u> Unopposed Motion for Leave to File [67-1] <i>Sur-Reply to Defendant's Motion to Transfer Venue</i> . Signed by Chief Judge Beryl A. Howell on May 13, 2022. (lcbah3) (Entered: 05/13/2022)

05/13/2022	<u>70</u>		SURREPLY by USA as to ANTHONY ROBERT WILLIAMS re <u>40</u> MOTION to Change Venue <i>Sur-Reply In Opposition</i> (Franks, Anthony) Modified event title on 5/16/2022 (znmw). (Entered: 05/13/2022)
05/16/2022	<u>71</u>		Memorandum in Opposition by USA as to ANTHONY ROBERT WILLIAMS re <u>66</u> MOTION in Limine <i>OPPOSING ADMISSION OF YOUTUBE VIDEO</i> (Franks, Anthony) (Entered: 05/16/2022)
05/18/2022	<u>72</u>		STIPULATION <i>of the parties regarding Audio and Video Footage</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>73</u>		STIPULATION <i>of the parties regarding the CCTV Montage Video</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>74</u>		STIPULATION <i>of the parties regarding Defendant's Cellphone and Email (redacted)</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>75</u>		STIPULATION <i>regarding Closed Circuit Video Monitoring</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>76</u>		STIPULATION <i>regarding Computer Files and Forensic Examination</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>77</u>		STIPULATION <i>of the parties regarding defendant's Facebook Account and Posts</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>78</u>		STIPULATION <i>of the parties regarding the House and Senate Compilation Video</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>79</u>		STIPULATION <i>of the parties regarding Defendant's Identity</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>80</u>		STIPULATION <i>of the parties regarding Defendant's Patroits.win account and post</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>81</u>		STIPULATION <i>of the parties regarding Physical Items and Photographs Obtained in Execution of Search Warrant</i> by USA (Franks, Anthony) (Entered: 05/18/2022)
05/18/2022	<u>82</u>		PRETRIAL MEMORANDUM <i>Joint Pretrial Statement</i> by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Albinson, Grace) (Entered: 05/18/2022)
05/19/2022	<u>83</u>		REPLY TO OPPOSITION to Motion by ANTHONY ROBERT WILLIAMS re <u>66</u> MOTION in Limine <i>OPPOSING ADMISSION OF YOUTUBE VIDEO</i> (Martin, Benton) (Entered: 05/19/2022)
05/31/2022			MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING the government, by 2:00 PM on June 3, 2022, to file a notice addressing the following about its <u>45</u> Motion in Limine to Exclude Assembly or Demonstration Reportable Force Report ("MPD Report Motion") and <u>46</u> Motion in Limine to Exclude Office of Professional Responsibility and Use of Force Investigations ("USCP Investigation Motion"): (1) whether the existence of the report discussed in the MPD Report Motion indicates that any MPD officers' conduct was investigated or whether the issuance of this type of report is triggered by any particular kind of event or incident; (2) whether the

		<p>government believes defendant to have been in any location, at the appropriate time, so as to have afforded him any opportunity to observe the officer conduct detailed in the two [46–2] [46–3] U.S. Capitol Police Reports of Investigation attached to the USCP Investigation Motion; (3) an explanation of the differences between the two different types of report attached to the USCP Investigation Motion; and (4) whether, in lieu of introducing the USCP reports, the government is able to stipulate to "the timing of when officers were notified of breaches of one of the doors of the Capitol, and the timing of when the officers were in the Crypt and Rotunda," <i>see</i> <u>56</u> Defendant's Response. Signed by Chief Judge Beryl A. Howell on May 31, 2022. (lcbah3) (Entered: 05/31/2022)</p>
06/01/2022		<p>Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Government's response to Order of the Court due by 2:00 PM on 6/3/2022. (ztg) (Entered: 06/01/2022)</p>
06/03/2022		<p>MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, directing defendant to file under seal, by 1 PM on June 6, 2022, a notice informing the Court, in light of the government's proposed stipulation regarding the timeline of activities involving U.S. Capitol Police officers, <i>see</i> [84–2] Notice to the Court at 3, whether defendant continues to oppose the government's <u>46</u> Motion in Limine to Exclude Office of Professional Responsibility and Use of Force Investigations, and if so, providing an explanation of how the proposed stipulation is inadequate. Signed by Chief Judge Beryl A. Howell on June 3, 2022. (lcbah3) (Entered: 06/03/2022)</p>
06/03/2022		<p>Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Defendant's response to Order of the Court due by 1:00 PM on 6/6/2022. (ztg) (Entered: 06/03/2022)</p>
06/08/2022		<p>MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING the government's <u>35</u> Motion in Limine Regarding Evidence About the Specific Locations of U.S. Capitol Police Surveillance Cameras ("Gov't's Mot."). Defendant shall be presumptively barred from "probing, during cross-examination, the exact locations of Capitol Police surveillance cameras or from using" maps of Capitol camera locations at trial. Gov't's Mot. at 2. If at trial defendant identifies a specific context where any such evidence is relevant and necessary to his defense, defendant may raise the matter outside the presence of the jury for further consideration, and possible <i>in camera</i> review, in light of the actual proceedings at trial. To be clear, nothing in this order precludes defendant from "prob[ing] what Capitol Police's cameras show, and what they don't, by asking about the general location of each camera." <i>Id.</i> at 4.</p> <p>The government characterizes exact Capitol camera locations as sensitive principally because such information risks revealing to the public details about what cameras <i>cannot</i> see in and around the Capitol, presenting obvious security concerns. <i>See</i> Gov't's Mot. at 5. Defendant concedes that it "might be true" that "general locations of the cameras will suffice" when asking a witness about what is and is not in view in particular camera footage, but speculates that this could vary "depend[ing] on the content of the witness's testimony." <u>48</u> Defendant's Response to Government Motion ("Def.'s Opp'n") at 2. Defendant does not, however, identify any video (or camera) about which a more precise</p>

		<p>inquiry might be relevant, nor is any such scenario readily apparent. In any given video, defendant either is or is not visible, and the framing of the camera image should make generally clear the boundaries of the camera's field of view, without requiring further details as to the camera's exact position, aiming, characteristics, and appearance.</p> <p>Accordingly, evidence about the precise locations of Capitol surveillance cameras is presumptively inadmissible as irrelevant under Federal Rule of Evidence 401 and/or its probative value is substantially outweighed by the risk of wasting the jury's time and distracting from relevant issues under Rule 403, particularly in light of the government's reasonable interest in Capitol security. Defendant may attempt to rebut this presumption outside the presence of the jury if evidence at trial unfolds in such a way that any more detailed information would be probative.</p> <p>Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/08/2022	<u>87</u>	<p>MEMORANDUM AND ORDER, as to ANTHONY ROBERT WILLIAMS, GRANTING the government's <u>37</u> Motion <i>in Limine</i> to Preclude Improper Defense Arguments and Evidence. See Memorandum and Order for further details. Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/08/2022		<p>MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DENYING defendant's <u>38</u> Motion in Limine Opposing Admission of Other Crimes Evidence Pursuant to Federal Rules of Evidence 404(b) ("Def.'s Mot."). Defendant seeks to exclude at trial "video footage that purports to show [defendant] smoking marijuana in the Capitol Rotunda and stating, "Trump 2020," Def.'s Mot. at 1, arguing, first, that the evidence is not intrinsic to the charged conduct nor "probative of a material issue other than character" and, second, that any probative value is outweighed by the risk of unfair prejudice to defendant, <i>id.</i> Both arguments fail.</p> <p>First, defendant contends the video at issue is not intrinsic evidence of the charged offenses and therefore is subject to Rule 404(b)(1)'s prohibition on character evidence to show a defendant's propensity to commit the charged offense. <i>See</i> Def.'s Mot. at 45. To the contrary, as the government correctly explains, defendant "smoking marijuana while in the Rotunda" is "directly relevant" to the charged offenses including, <i>inter alia</i>, unlawfully entering and remaining in a restricted building. Government's <u>52</u> Opposition to Defendant's Motion ("Gov't's Opp'n") at 5. Even were this particular video, as defendant insists, not necessary to prove this offense, <i>see</i> Def.'s <u>58</u> Reply Regarding Motion in Limine ("Def.'s Reply") at 23, this video shows clearly defendant's <i>presence in the Rotunda</i>—and, thus, in a restricted building. Defendant cannot force the selective exclusion of the relevant portions of the video footage in which he happened to be simultaneously engaging in other conduct that he believes casts him in a negative light.</p> <p>Second, defendant objects to the government's alternate basis for admission, under Rule 404(b)(2), to show defendant's "motive, intent, plan, knowledge, identity, absence of mistake, or lack of accident," observing that his "smoking</p>

		<p>marijuana does not make it more likely that he" committed the charged offenses. Def.'s Mot. at 5. Defendant's decision to linger in the Rotunda, exclaiming "Trump 2020," in pointed objection to the task then before Congress that day to certify President Biden as the winner of the 2020 presidential election, and recreationally smoking marijuana with others, suggests that his presence in the Capitol was no accident, he was plainly aware of the relationship between the 2020 election and the matter before Congress that day, and he reveled in his participation in the events of the day. That defendant was boldly and openly smoking inside the Capitol, rather than that the substance in the video at issue was marijuana, bolsters evidence of his knowledge that law enforcement had been successfully overwhelmed and rendered for some period impotent to enforce applicable laws. Further, there is no indication the government seeks to invoke the federally unlawful status of marijuana as indicative of defendant's likelihood of committing other unrelated offenses. <i>See</i> Gov't's Opp'n at 12.</p> <p>Finally, defendant argues that the video should be excluded under Rule 403 as unfairly prejudicial because "[i]f jurors see it, they will make the unfortunate mental leap that if he violated the law by smoking marijuana, then he must have violated the law through the alleged crimes at issue in this case." Def.'s Mot. at 6. Defendant presents no logical reason to believe that a jury composed of citizens of the District of Columbia will infer that a single episode of marijuana use (which, but for the location, is not prohibited by District law) in any way correlates to the user's likelihood of seeking to disrupt the peaceful transfer of presidential power by participating in a mob that interrupts a constitutionally mandated activity of the Congresslet alone any reason to believe that this hypothetical prejudice could not be easily cured by a simple jury instruction, which defendant has ample opportunity to propose prior to trial.</p> <p>Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/08/2022	<u>88</u>	<p>MEMORANDUM AND ORDER, as to ANTHONY ROBERT WILLIAMS, DENYING IN PART defendant's <u>39</u> Motion to Dismiss Counts One, Two, and Three. Defendant's motion to dismiss Counts Two and Three is denied, while defendant's motion with respect to Count One is deferred until the pretrial conference scheduled on June 10, 2022. <i>See</i> Memorandum and Order for further details. Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/08/2022	<u>89</u>	<p>MEMORANDUM AND ORDER, as to ANTHONY ROBERT WILLIAMS, GRANTING IN PART AND DENYING IN PART the government's <u>45</u> Motion in Limine to Exclude Assembly or Demonstration Reportable Force Report. <i>See</i> Memorandum and Order for further details. Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/08/2022		<p>MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING IN PART AND DENYING IN PART the government's <u>46</u> Motion in Limine to Exclude Office of Professional Responsibility and Use of Force Investigations ("Gov't's Mot."). The government seeks "to exclude defense evidence or argument related to": (1) two reports issued by the U.S. Capitol Police Office of Professional Responsibility ("OPR") following</p>

separate investigations of two U.S. Capitol Police officers ("Subject USCP Officer A" and "Subject USCP Officer B"), which reports are docketed (under seal) as ECF Nos. [46-2] and [46-3] ("OPR Reports"); and (2) a Use of Force Report submitted by Subject USCP Officer B regarding an incident in the Crypt area of the U.S. Capitol Building at approximately 2:15 PM on January 6, 2021, [46-4] Gov't's Mot., Ex. 3 ("Use of Force Report") (under seal). Gov't's Mot. at 1. The government's motion in limine is DENIED to the extent that defendant is permitted to use the Use of Force Report for the limited purpose of impeachment on cross-examination of Subject USCP Officer B in the event this officer should testify and make a statement inconsistent with the Use of Force Report, but is otherwise GRANTED.

The two [46-2] [46-3] OPR Reports, Gov't's Mot., Exs. 12, are irrelevant to the case against this defendant because both concern only a specific time period of officer conduct in the vicinity of the Upper West Terrace doors from approximately 2:33 PM to 2:44 PM, a time window during which defendant is confirmed to have been in the Rotunda and therefore not in a position to have observed any of the conduct discussed in the OPR Reports. *See* 85 Gov't's Notice to the Court ("Gov't's Notice") at 2. Defendant has not objected to the government's description of his position at the relevant time, nor has he indicated that he was otherwise contemporaneously aware of the officer conduct described in the OPR Reports. Use of these OPR Reports in any way would therefore be irrelevant and confusing to the jury, particularly as the reports' existence could confuse jurors into believing that any investigation continues or that officers' conduct was found to be improper. Accordingly, the OPR Reports are excluded under Federal Rules of Evidence 401 and 403.

The [46-4] Use of Force Report, however, provides a brief narrative description by Subject USCP Officer B of his activity in the Crypt around 2:15 PM. The government acknowledges that because defendant was known to have been in the Crypt at around 2:20 PM, defendant possibly could have observed some of the activity discussed in this Use of Force Report. Gov't's Notice at 2. The government has offered no reason that this report is inappropriate impeachment material should Subject USCP Officer B testify about his activities in the Crypt in a manner inconsistent with his prior written account in the Use of Force Report.

Defendant's argument that these three reports are relevant to establishing potential bias of the Subject USCP Officers, *see* 56 Def.'s Response at 2, however, is unfounded, since by defendant's later admission "the officers were cleared of wrongdoing, and it does not appear the U.S. Attorney's Office is pursuing any investigation into them," 86 Def.'s Notice to the Court at 2.

Finally, along with its supplemental notice, the government filed an unsolicited *additional* [85-2] Use of Force Report, this one submitted by Subject USCP Officer A. While the government offered commentary about defendant's likely lack of proximity to the actions discussed in this additional report, *see* Gov't's Notice at 2, the government has made no motion concerning this report and accordingly this Minute Order takes no action thereon.

Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)

06/08/2022

MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING IN PART and DENYING IN PART defendant's 66 Motion in Limine Opposing Admission of YouTube Video ("Def.'s Mot."). Specifically, the government's proposed abbreviated segment of the subject video starting at 9:37 minutes and ending at 10:24 minutes, *see* 71 Government's Response in Opposition ("Gov't's Opp'n") at 2, may be introduced at trial as the government intends: through a law enforcement witness competent to verify that the depiction on the video is consistent with actual events at the time and place shown, *see id.* at 1516. The extended portion from 10:24 minutes to 13:00 minutes will not be admitted. Accordingly, the motion is DENIED with respect to the abbreviated segment from 9:37 to 10:24 and GRANTED AS CONCEDED for the remainder.

Defendant seeks to preclude the government's use of any portion of a particular YouTube video, dated January 14, 2021, apparently sourced from "an amateur videographer who entered the Capitol," noting that the video "is edited and jumps in time." Def.'s Mot. at 1. Defendant asserts that "the video cannot be properly authenticated," absent testimony from its creator, given the uncertainty about the extent of the edits involved. *Id.* at 2. The government's alternate proposal to introduce only one continuous 47-second clip from the video, at timestamp 9:37 to 10:24, however, obviates the concern about "jumps in time." Notably, defendant's reply brief does not even mention this alternate proposal. *See* Def.'s 83 Reply Regarding Motion in Limine ("Def.'s Reply"). Review of the videotape at issue reveals no point during those 47 seconds where the video appears to "jump" in time, particularly as contrasted to the points of discontinuity immediately before and after this segment, at approximately 9:36 and 10:25. Nothing prevents defendant from cross-examining the witness as to the video's authenticity and testing the limits of the witness's knowledge of its contents.

Finally, while defendant observes that "deep fake" technology has the potential in some circumstances to enable the creation of misleading video, *see* Def.'s Reply at 23, in the instant context this argument is a red herring. First, other than the officer's potential identification of himself in the video, Def.'s Mot. at 2, nothing about this video centers on the presence, absence, or statements of *any particular person* on the Capitol staircase as might be implicated by a "deep fake" edit. Further, a law enforcement officer is competent to testify about what he directly saw and whether his own memory is consistent with what the video shows. Additionally, contrary to defendant's suggestion, Def.'s Reply at 2, the mere screen presence of the "@BGOOnTheScene" watermark neither suffices to brand this continuous segment of video as "edited" nor presents, without more, any reason to suspect the videographer of having either the motive or the skills to materially change the underlying video content shown.

In the end, Federal Rule of Evidence 901 provides no basis for excluding this continuous 47-second clip, so long as the anticipated officer's authenticating testimony is "sufficient to support a finding that the item is what the [government] claims it is." Fed. R. Evid. 901(a). The jury is capable of viewing the video, hearing the testimony, listening to any defense hypotheses questioning authenticity, invoking common sense and the wisdom of its own experiences, and reaching a sound conclusion as to whether a crowd in fact

		<p>ascended a particular staircase as shown by the video. Accordingly, defendant's motion in limine to preclude admission of the subject YouTube video is denied to the extent that the government may introduce the segment of this video from timestamp 9:37 to 10:24, but is granted with respect to the remainder of the video.</p> <p>Signed by Chief Judge Beryl A. Howell on June 8, 2022. (lcbah3) (Entered: 06/08/2022)</p>
06/09/2022	<u>91</u>	NOTICE OF ATTORNEY APPEARANCE James Pearce appearing for USA. (Pearce, James) (Entered: 06/09/2022)
06/10/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING defendant to file, by June 14, 2022, any response to the government's <u>93</u> Motion in Limine to Exclude Use of Force Investigation; and DIRECTING the government to file any reply by June 15, 2022. Signed by Chief Judge Beryl A. Howell on June 10, 2022. (lcbah3) (Entered: 06/10/2022)
06/10/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, ISSUING the following SCHEDULING ORDER for filings pertaining to items discussed at the pretrial conference: (1) the parties jointly shall file, by June 14, 2022 at 5 PM, any proposed changes or additions to the voir dire questions or jury instructions, including an explanation of any points of disagreement between the parties; (2) defendant shall file, also by June 14, 2022 at 5 PM, any objections to the admission as evidence of the government's "highlighted" versions of videos, with the government's response due by June 16, 2022 at noon, and defendant's reply by June 17, 2022 at 2 PM; and (3) the government shall provide to defendant and file with the Court, by June 21, 2022, its final witness list. Signed by Chief Judge Beryl A. Howell on June 10, 2022. (lcbah3) (Entered: 06/10/2022)
06/10/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell:Pretrial Conference as to ANTHONY ROBERT WILLIAMS held on 6/10/2022. Defendant's <u>40</u> MOTION to Change Venue, heard and DENIED; Defendant's <u>39</u> MOTION to Dismiss Count One, heard and DENIED. Order for filings directed by the Court entered separately. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Benton C. Martin and James Gerometta; US Attorneys: Anthony L. Franks and Grace Albinson; Special Agent M. Huges. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 06/10/2022)
06/13/2022	<u>94</u>	NOTICE <i>in Response to Minute Order dated June 10, 2022</i> by ANTHONY ROBERT WILLIAMS (Martin, Benton) (Entered: 06/13/2022)
06/14/2022	<u>95</u>	ENTERED IN ERROR.....MOTION for Leave to File <i>Response Under Seal</i> by ANTHONY ROBERT WILLIAMS. (Martin, Benton) Modified on 6/14/2022 (ztg). Modified on 6/15/2022 (znmw). (Entered: 06/14/2022)
06/14/2022		NOTICE OF ERROR as to ANTHONY ROBERT WILLIAMS regarding <u>95</u> MOTION for Leave to File Response Under Seal. Counsel will properly refile. (ztg) (Entered: 06/14/2022)
06/14/2022	<u>98</u>	NOTICE <i>to the Court in Response to the June 10, 2022 Order by Defense Counsel and by USA</i> as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 06/14/2022)

06/15/2022		<p>MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, GRANTING IN PART AND DENYING IN PART the government's <u>93</u> Motion in Limine to Exclude Use of Force Investigation ("Gov't's Mot.") (under seal). The government seeks "to exclude defense evidence or argument related to" a Use of Force Report submitted by a certain U.S. Capitol Police officer ("Subject USCP Officer A") regarding an incident in the West Front area of the U.S. Capitol Building at approximately 12:00 PM on January 6, 2021, [93–1] Gov't's Mot., Ex. 1 ("Report") (under seal). Gov't's Mot. at 1. The government's motion in limine is DENIED to the extent that defendant is permitted to use the Report for the limited purpose of impeachment on cross–examination of Subject USCP Officer A in the event this officer should testify and make a statement inconsistent with the Report, but is otherwise GRANTED.</p> <p>The Court previously considered, and also granted in part and denied in part, a previous government <u>46</u> Motion in Limine to Exclude Office of Professional Responsibility and Use of Force Investigations, part of which is analogous to the instant motion. <i>See</i> Min. Order re Motion #46 (June 8, 2022) ("Previous Order").</p> <p>Here, the [93–1] Report provides a brief narrative description by Subject USCP Officer A of his activity in the West Front area of the Capitol around 12:00 PM on January 6, 2021. Acknowledging the Court's decision in the Previous Order, the government concedes that Subject USCP Officer A "can be cross–examined regarding any prior inconsistent statement of his own," including his Use of Force Report. [99–1] Gov't's Reply at 1 (under seal).</p> <p>For all other purposes, the government asserts that defendant was likely not in a position to have witnessed the activities described in the report, Gov't's Mot. at 23, and moves to exclude the Report as irrelevant under Federal Rule of Evidence 401 and unduly confusing and prejudicial under Rule 403, <i>id.</i> at 35. For the same reasons articulated in the Previous Order with respect to the analogous report for Subject USCP Officer B, the Court agrees. Defendant argues for the record that the Report should be allowed to show potential bias on the part of Subject USCP Officer A, but recognizes that the Court rejected this argument in the Previous Order, <u>97</u> Def.'s Opp'n at 1 (under seal), and the result is the same here.</p> <p>Signed by Chief Judge Beryl A. Howell on June 15, 2022. (lcbah3) (Entered: 06/15/2022)</p>
06/15/2022	<u>101</u>	NOTICE of Stipulation of the Parties Regarding Audio and Video Footage by USA as to ANTHONY ROBERT WILLIAMS re <u>72</u> Stipulation (Attachments: # <u>1</u> Exhibit)(Albinson, Grace) (Entered: 06/15/2022)
06/20/2022	<u>102</u>	MOTION to Continue Trial by ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Exhibit 1, Nordean Consent to Continue Trial & Letter)(Martin, Benton) (Entered: 06/20/2022)
06/20/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING the government to file, by June 22, 2022 at noon, a response to defendant's <u>102</u> Motion to Continue Trial; and DIRECTING defendant to file, by June 23, 2022 at noon, any reply in support of his <u>102</u> Motion. Signed by

		Chief Judge Beryl A. Howell on June 20, 2022. (lcbah3) (Entered: 06/20/2022)
06/21/2022		Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Government's response to defendant's <u>102</u> Motion to Continue Trial due by noon on 6/22/2022; Defendant's reply due by noon on 6/23/2022. (ztg) Modified on 6/21/2022 (ztg). (Entered: 06/21/2022)
06/21/2022	<u>103</u>	WITNESS LIST by USA as to ANTHONY ROBERT WILLIAMS (Franks, Anthony) (Entered: 06/21/2022)
06/22/2022	<u>104</u>	Memorandum in Opposition by USA as to ANTHONY ROBERT WILLIAMS re <u>102</u> MOTION to Continue <i>Trial</i> (Franks, Anthony) (Entered: 06/22/2022)
06/22/2022	<u>105</u>	ENTERED IN ERROR.....MOTION to Continue by ANTHONY ROBERT WILLIAMS re <u>102</u> MOTION to Continue Trial. (Martin, Benton) Modified on 6/23/2022 (znmw). (Entered: 06/22/2022)
06/22/2022		NOTICE OF ERROR as to ANTHONY ROBERT WILLIAMS regarding <u>105</u> Reply in Support by ANTHONY ROBERT WILLIAMS re <u>102</u> MOTION to Continue Trial. The following error(s) need correction: Incorrect event. Please refile and Title your Document as a Reply. (zhsj) (Entered: 06/23/2022)
06/23/2022	<u>106</u>	REPLY in Support by ANTHONY ROBERT WILLIAMS re <u>102</u> MOTION to Continue <i>Trial</i> (Martin, Benton) (Entered: 06/23/2022)
06/23/2022	<u>107</u>	NOTICE OF ATTORNEY APPEARANCE William Glaser appearing for USA. (Glaser, William) (Entered: 06/23/2022)
06/23/2022	<u>108</u>	ORDER, as to ANTHONY ROBERT WILLIAMS, DENYING defendant's <u>102</u> Motion to Continue Trial. See Order for further details. Signed by Chief Judge Beryl A. Howell on June 23, 2022. (lcbah3) (Entered: 06/23/2022)
06/23/2022	<u>109</u>	FINAL TRIAL ORDER as to ANTHONY ROBERT WILLIAMS. Signed by Chief Judge Beryl A. Howell on June 23, 2022. (lcbah3) (Entered: 06/23/2022)
06/27/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 6/27/2022 as to ANTHONY ROBERT WILLIAMS on Count 1, 2, 3, 4, 5; Jury Selection began and concluded, 12 jurors and 2 alternates selected and sworn; Juror #7 excused for cause; Jury Trial held and continued to 6/28/2022, at 9:15 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Benton C. Martin and James Gerometta; US Attorneys: Anthony L. Franks, Grace Albinson, and William Glaser. Court Reporters: Elizabeth Saint–Loth (morning) and Janice Dickman (afternoon). (ztg) (Entered: 06/27/2022)
06/27/2022		MINUTE ORDER: The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. Signed by Chief Judge Beryl A. Howell on 6/27/2022. (ztg) (Entered: 06/27/2022)
06/28/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 6/28/2022 as to ANTHONY ROBERT WILLIAMS on Count 1, 2, 3, 4, 5; Jury Trial resumed and held with the same jury of 12 and 1 alternate; Jury Trial continued to 6/29/2022, at 9:16 AM in Courtroom 22A– In Person

		before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Benton C. Martin and James Gerometta; US Attorneys: Anthony L. Franks and Grace Albinson; Government's Witnesses: 1) U.S. Capitol Police Captain Matthew Tighe, 2) FBI Special Agent Matthew Hughes. (ztg) (Entered: 06/28/2022)
06/29/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 6/29/2022 as to ANTHONY ROBERT WILLIAMS on Count 1, 2, 3, 4, 5; Jury Trial resumed and held with the same jury of 12 and 1 alternate; Jury Trial continued to 6/30/2022, at 9:15 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. The parties rested their cases; Oral motion by the Defendant for acquittal under Rule 29, denied. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Anthony L. Franks and Grace Albinson; US Attorneys: Benton C. Martin and James Gerometta; Government's Witnesses: 3) U.S. Capitol Police Captan Ronald Ortega; 4) U.S. Capitol Police Officer Juan Lopez; 5) Former General Counsel to the Secretary of the Senate, Daniel Schwager; 6) Paul Wade, U.S. Secret Service Assistant to the Special Agent in Charge. Defendant's Witnesses: 1) FBI Special Agent Matthew Hughes (recalled); Anthony Robert Williams. Court Reporters: Elizabeth Saint–Loth (morning) and Janice Dickman (afternoon). (ztg) (Entered: 06/29/2022)
06/30/2022	<u>112</u>	JURY INSTRUCTIONS as to ANTHONY ROBERT WILLIAMS. Signed by Chief Judge Beryl A. Howell on June 30, 2022. (lcbah3) (Entered: 06/30/2022)
06/30/2022	<u>113</u>	ATTORNEYS' JOINT ACKNOWLEDGMENT OF TRIAL EXHIBITS as to ANTHONY ROBERT WILLIAMS. (ztg) (Entered: 06/30/2022)
06/30/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 6/30/2022 as to ANTHONY ROBERT WILLIAMS on Count 1, 2, 3, 4, 5; Jury Trial resumed and concluded with the same jury of 12 and 1 alternate; 1 alternate juror excused. Jury deliberations began and concluded with the same Jury of 12; JURY VERDICT rendered as to ANTHONY ROBERT WILLIAMS, Defendant found guilty on all Counts; Jury of 12 polled and discharged. Jury notes (3). Case referred to the Probation Office for presentence investigation; Sentencing Hearing scheduled for 9/16/2022, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. The Defendant will remain released on his own personal recognizance pending sentencing under the same conditions of release imposed by the Court; Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Benton C. Martin and James Gerometta; US Attorneys: Anthony L. Franks and Grace Albinson. (ztg) (Entered: 06/30/2022)
06/30/2022	<u>114</u>	Jury Notes (3) as to ANTHONY ROBERT WILLIAMS. (ztg) (Entered: 06/30/2022)
06/30/2022	<u>115</u>	Signature Page of Foreperson as to ANTHONY ROBERT WILLIAMS in Jury Notes. (Access to the PDF Document is restricted pursuant to the E–Government Act. Access is limited to Counsel of Record and the Court.) (ztg) (Entered: 06/30/2022)
06/30/2022	<u>116</u>	VERDICT FORM as to ANTHONY ROBERT WILLIAMS. (ztg) (Entered: 06/30/2022)

06/30/2022	<u>117</u>	<p>Signature Page of Foreperson</p> <p>as to ANTHONY ROBERT WILLIAMS in Jury Verdict. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (ztg) (Entered: 06/30/2022)</p>
08/14/2022	<u>118</u>	<p>TRANSCRIPT OF Pretrial Conference/Motion Rulings, in case as to ANTHONY ROBERT WILLIAMS, before Chief Judge Beryl A. Howell, held on 6-10-2022. Page Numbers: 1 – 136. Date of Issuance: 8-14-2022. Court Reporter: Elizabeth Saint-Loth, Telephone number: 202-354-3242. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 9/4/2022. Redacted Transcript Deadline set for 9/14/2022. Release of Transcript Restriction set for 11/12/2022.(Saint-Loth, Elizabeth) (Entered: 08/14/2022)</p>
09/01/2022	<u>120</u>	<p>SENTENCING MEMORANDUM by USA as to ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Exhibit Gov't Trial Exhibit 9.3, # <u>2</u> Exhibit Gov't Trial Exhibit 9.0, # <u>3</u> Exhibit Gov't Trial Exhibit 9.1, # <u>4</u> Exhibit Gov't Trial Exhibit 9.33, # <u>5</u> Exhibit Gov't Trial Exhibit 9.4, # <u>6</u> Exhibit Gov't Trial Exhibit 9.6, # <u>7</u> Exhibit Gov't Trial Exhibit 9.9, # <u>8</u> Exhibit Gov't Trial Exhibit 9.10, # <u>9</u> Exhibit Gov't Trial Exhibit 9.11, # <u>10</u> Exhibit Gov't Trial Exhibit 9.12, # <u>11</u> Exhibit Gov't Trial Exhibit 9.13, # <u>12</u> Exhibit Gov't Trial Exhibit 9.14, # <u>13</u> Exhibit Gov't Trial Exhibit 9.15, # <u>14</u> Exhibit Gov't Trial Exhibit 9.21, # <u>15</u> Exhibit Gov't Trial Exhibit 10.2, # <u>16</u> Exhibit Gov't Trial Exhibit 10.4, # <u>17</u> Exhibit Gov't Trial Exhibit 10.5, # <u>18</u> Exhibit Gov't Trial Exhibit 10.8, # <u>19</u> Exhibit Gov't Trial Exhibit 10.3, # <u>20</u> Exhibit Gov't Trial Exhibit 10.7, # <u>21</u> Exhibit Gov't Trial Exhibit 9.7, # <u>22</u> Exhibit Gov't Trial Exhibit 9.8, # <u>23</u> Exhibit Gov't Trial Exhibit 9.17, # <u>24</u> Exhibit Gov't Trial Exhibit 9.18, # <u>25</u> Exhibit Gov't Trial Exhibit 10.6, # <u>26</u> Exhibit Gov't Trial Exhibit 9.22, # <u>27</u> Exhibit Gov't Trial Exhibit 9.23, # <u>28</u> Exhibit Gov't Trial Exhibit 9.25, # <u>29</u> Exhibit Gov't Trial Exhibit 9.26, # <u>30</u> Exhibit Gov't Trial Exhibit 3.3A, # <u>31</u> Exhibit Gov't Trial Exhibit 2.3A, # <u>32</u> Exhibit Gov't Trial Exhibit 10.19, # <u>33</u> Exhibit Gov't Trial Exhibit 9.32A, # <u>34</u> Exhibit Gov't Trial Exhibit 9.34, # <u>35</u> Exhibit Gov't Trial Exhibit 10.14, # <u>36</u> Exhibit Gov't Trial Exhibit 10.16, # <u>37</u> Exhibit Gov't Trial Exhibit 10.17, # <u>38</u> Exhibit Gov't Trial Exhibit 10.18, # <u>39</u> Exhibit Gov't Trial Exhibit 10.13)(Franks, Anthony) (Entered: 09/01/2022)</p>
09/05/2022	<u>121</u>	<p>SENTENCING MEMORANDUM by ANTHONY ROBERT WILLIAMS (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, Fisher Letter, # <u>3</u> Exhibit 2,</p>

		D. Dengel Letter, # <u>4</u> Exhibit 3, E. Dengel Letter, # <u>5</u> Exhibit 4, Green Letter)(Martin, Benton) (Entered: 09/05/2022)
09/05/2022	<u>122</u>	Unopposed MOTION for Leave to File <i>Sentencing Memorandum Instanter</i> by ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Martin, Benton) (Entered: 09/05/2022)
09/06/2022		MINUTE ORDER granting <u>122</u> Unopposed Motion to File Sentencing Memorandum Instanter as to ANTHONY ROBERT WILLIAMS. Signed by Chief Judge Beryl A. Howell on 9/6/2022. (ztg) (Entered: 09/06/2022)
09/07/2022	<u>125</u>	RESPONSE to Defendant's <u>121</u> SENTENCING MEMORANDUM by USA as to ANTHONY ROBERT WILLIAMS. (Attachments: # <u>1</u> Exhibit Exhibit 1) (Franks, Anthony) Modified Text on 9/8/2022 linking to Defendant's Sentencing Memorandum) (zhsj). (Entered: 09/07/2022)
09/08/2022		MINUTE ORDER (paperless), as to ANTHONY ROBERT WILLIAMS, DIRECTING the government, by 5 PM on September 9, 2022, to (1) submit a report describing, for all photo and video evidence relied upon as support for the government's <u>120</u> Sentencing Memorandum, the source, length, relevant timestamps, and location depicted, (2) make such photo and video evidence available for the Court's review in one central location, and (3) make such photo and video evidence publicly available. Signed by Chief Judge Beryl A. Howell on September 8, 2022. (lcbah3) (Entered: 09/08/2022)
09/09/2022		Set/Reset Deadlines as to ANTHONY ROBERT WILLIAMS: Government's response to Order of the Court due by 5:00 PM on 9/9/2022. (ztg) (Entered: 09/09/2022)
09/09/2022	<u>128</u>	NOTICE <i>Report on Photo and Video Evidence Supporting The Government's Sentencing Memorandum</i> by USA as to ANTHONY ROBERT WILLIAMS re <u>125</u> Sentencing Memorandum, <u>120</u> Sentencing Memorandum,,,,,, (Franks, Anthony) (Entered: 09/09/2022)
09/16/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 9/16/2022 as to ANTHONY ROBERT WILLIAMS. Defendant sentenced to serve a term of sixty (60) months imprisonment on Count 1, a term of twelve (12) months on each of Counts 2 and 3, and a term of six (6) months on each of Counts 4 and 5, with all terms to run concurrently; following incarceration the Defendant shall serve a term of thirty–six (36) months of supervised release on Count 1 and a term of twelve (12) months on each of Counts 2 and 3, all terms to run concurrently. Defendant ordered to pay to the Clerk of Court for the U.S. District Court for the District of Columbia a special assessment in the amount \$100.00 for Count 1, \$25.00 for each of Counts 2 and 3, and \$10.00 for each of Counts 4 and 5 for a total of \$170.00; a fine in the amount of \$5,000.00, and restitution to be disbursed to the Architect of the Capitol in the amount of \$2,000.00. The Court will recommend incarceration at a prison facility nearest the State of Michigan. The Defendant will be allowed to self–surrender and shall remain released on his own personal recognizance under the same conditions of release imposed by the Court. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Benton D. Martin; US Attorneys: Anthony L. Franks and Grace Albinson; Probation Officer: Kelly Kraemer–Soares (via videoconference); Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth

		Saint-Loth. (ztg) (Entered: 09/16/2022)
09/16/2022	<u>131</u>	JUDGMENT as to ANTHONY ROBERT WILLIAMS. Statement of Reasons Not Included. Signed by Chief Judge Beryl A. Howell on 8/16/2022. (zhsj) (Entered: 09/16/2022)
09/16/2022	<u>132</u>	STATEMENT OF REASONS as to ANTHONY ROBERT WILLIAMS re <u>131</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Chief Judge Beryl A. Howell on 8/16/2022. (zhsj) (Entered: 09/16/2022)
09/16/2022	<u>133</u>	NOTICE OF APPEAL – Final Judgment by ANTHONY ROBERT WILLIAMS re <u>131</u> Judgment. Fee Status: No Fee Paid. Parties have been notified. (Martin, Benton) (Entered: 09/16/2022)

~~Notice of Appeal Criminal~~

United States District Court for the District of Columbia

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal No. <u>21-377</u>
)	
<u>Anthony Robert Williams</u>)	

NOTICE OF APPEAL

Name and address of appellant: **Anthony Robert Williams**
 Southgate, Michigan

Name and address of appellant’s attorney: **Benton C. Martin**
 Federal Community Defender
 Eastern District of Michigan
 613 Abbott St., Suite 500
 Detroit, Michigan 48226

Offense: 18:1512(c)(2) and 2; 18:1752(a)(1); 18:1752(a)(2); 40:5104(e)(2)(D); 40:5104(e)(2)(G)

Concise statement of judgment or order, giving date, and any sentence:

Judgment imposed and entered September 16, 2022, imposing a total prison sentence of 60 months, a total of 36 months of supervised release, restitution of \$2,000, and a fine of \$5,000.

Name and institution where now confined, if not on bail: **On bail.**

I, the above named appellant, hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the above-stated judgment.

<u>9/16/2022</u>	<u>/s/ Anthony Robert Williams</u>
DATE	APPELLANT
	<u>/s/ Benton C. Martin</u>
	ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE
 CJA, NO FEE
 PAID USDC FEE
 PAID USCA FEE

Does counsel wish to appear on appeal?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Has counsel ordered transcripts?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Is this appeal pursuant to the 1984 Sentencing Reform Act?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

FILED

SEP 16 2022

Clerk, U.S. District and Bankruptcy Courts

UNITED STATES DISTRICT COURT

District of Columbia



UNITED STATES OF AMERICA

v.

ANTHONY ROBERT WILLIAMS
a/k/a Anthony Havokk,
Anthony R. Havokk, John Doe

JUDGMENT IN A CRIMINAL CASE

Case Number: 21CR377-01 (BAH)

USM Number: 36613-509

Benton C. Martin and James Gerometta

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) _____

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) 1, 2, 3, 4, 5
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1512(c)(2)	Obstruction of an Official Proceeding and Aiding and	1/6/2021	1
and 2	Abetting		

The defendant is sentenced as provided in pages 2 through 9 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

9/16/2022

Date of Imposition of Judgment

Signature of Judge

Beryl A. Howell, Chief U.S. District Judge

Name and Title of Judge

August 16, 2022

Date

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
CASE NUMBER: 21CR377-01 (BAH)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	2
18 USC 1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted Building or Grounds	1/6/2021	3
40 USC 5104(e)(2)(D)	Disorderly Conduct in a Capitol Building	1/6/2021	4
40 USC 5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building	1/6/2021	5

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
CASE NUMBER: 21CR377-01 (BAH)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: SIXTY (60) MONTHS on Count 1; TWELVE (12) MONTHS on each of Counts 2 and 3; and SIX (6) MONTHS on each of Counts 4 and 5, with all terms imposed on Counts 2, 3, 4 and 5 to run concurrently with each other and with the term of imprisonment imposed on Count 1.

The court makes the following recommendations to the Bureau of Prisons:
That the Bureau of Prisons designate incarceration at a correctional institution closest to Michigan.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
CASE NUMBER: 21CR377-01 (BAH)

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

THIRTY-SIX (36) MONTHS on Count 1, and a term of TWELVE (12) MONTHS on each of Counts 2 and 3, with all such terms to run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance, including marijuana.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Ha
CASE NUMBER: 21CR377-01 (BAH)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
CASE NUMBER: 21CR377-01 (BAH)

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

While on supervision the defendant is also required to abide by the following standard discretionary conditions of supervision, as set out in 18 U.S.C. 3563(b), which are imposed to establish the basic expectations for his conduct while on supervision.

- (b)(2) - make restitution payments as required;
- (b)(4) work conscientiously at suitable employment or pursue conscientiously a course of study or vocational training that will equip him for suitable employment;
- (b)(7) refrain from any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), without a prescription by a licensed medical practitioner;
- (b)(8) refrain from possessing a firearm, destructive device, or other dangerous weapon;
- (b)(9) undergo available medical, psychiatric, or psychological treatment, including treatment for drug or alcohol dependency, as specified by the court;
- (b)(15) report to a probation officer as directed by the court or the probation officer;
- (b)(16) permit a probation officer to visit him at his home or elsewhere as specified by the court;
- (b)(17) answer inquiries by a probation officer and notify the probation officer promptly of any change in address or employment;
- (b)(18) notify the probation officer promptly if arrested or questioned by a law enforcement officer; and
- (b)(22) satisfy such other conditions as the court may impose.

Special Assessment - The defendant is ordered to pay a special assessment of \$100.00 for Count 1; \$25.00 for each of Counts 2 and 3; and \$10.00 for each of Counts 4 and 5, for a total of \$170.00, in accordance with 18 USC 3013.

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Ha
CASE NUMBER: 21CR377-01 (BAH)

SPECIAL CONDITIONS OF SUPERVISION

Substance Abuse Testing - The defendant must submit to substance abuse testing to determine if he has used a prohibited substance. He must not attempt to obstruct or tamper with the testing methods.

Financial Information Disclosure - The defendant must provide the probation officer access to any requested financial information and authorize the release of any financial information. The Probation Office may share financial information with the United States Attorney's Office.

Re-entry Progress Hearing - Within 45 days of release from incarceration the defendant will appear before this Court for a re-entry progress hearing. The United States Probation Office in the district in which he is supervised will submit a progress report to the court within thirty days of the commencement of supervision; upon receipt of the progress report, the Court will determine if the defendant's appearance is required.

The defendant is ordered to make restitution in the amount of \$2,000.00 to the Architect of the Capitol. The Court determined that he does not have the ability to pay interest and therefore waives any interest or penalties that may accrue on the balance. Restitution payments shall be made to the Clerk of the Court for the United States District Court, District of Columbia, for disbursement to the following victim: Architect of the Capitol, Office of the Chief Financial Officer, Attn: Kathy Sherrill, CPA, Ford House Office Building, Room H2-205B, Washington, DC 20515.

Criminal Fine: THE COURT FINDS that the defendant has the ability to pay a criminal fine and, therefore, a fine is imposed in the amount of \$5,000.00.

The financial obligations are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Avenue, NW, Washington, DC 20001. Within 30 days of any change of address, the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

The Probation Office shall release the presentence investigation report to all appropriate agencies, which includes the United States Probation Office in the approved district of residence, in order to execute the sentence of the Court. Treatment agencies shall return the presentence report to the Probation Office upon the defendant's completion or termination from treatment.

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
 CASE NUMBER: 21CR377-01 (BAH)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 170.00	\$ 2,000.00	\$ 5,000.00	\$ 0.00	\$ 0.00

The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Architect of the Capitol		\$2,000.00	
Office of the Chief Financial Officer			
Attn: Kathy Sherrill, CPA			
Ford House Office Building,			
Room H2-205B			
Washington, DC 20515			

TOTALS	\$ _____	0.00	\$ _____	2,000.00
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Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ANTHONY ROBERT WILLIAMS a/k/a Anthony Hav
CASE NUMBER: 21CR377-01 (BAH)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 170.00 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
The defendant shall pay a \$170 special assessment, a \$5,000.00 fine, and \$2,000.00 restitution. These amounts are due and payable to the Clerk of the U.S. District Court for the District of Columbia.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
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- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

MIME-Version:1.0

From:DCD_ECFNotice@dcd.uscourts.gov

To:DCD_ECFNotice@localhost.localdomain

Bcc:

--Case Participants: James Pearce (james.pearce@usdoj.gov, pin.ecf@usdoj.gov), Anthony L. Franks (anthony.franks@usdoj.gov, geoffrey.gorup@usdoj.gov), Benton C. Martin (benton_martin@fd.org, jennifer_mellas@fd.org), William Glaser (william.glaser@usdoj.gov), James Gerometta (james_gerometta@fd.org), Grace Albinson (grace.e.albinson@usdoj.gov), Chief Judge Beryl A. Howell (bah_dcdecf@dcd.uscourts.gov, teresa_gumiel@dcd.uscourts.gov)
--Non Case Participants: Roger Parloff (rparloff@gmail.com), Joshua A. Gerstein (jagalerts@yahoo.com), Jacqueline E. Thomsen (jacqueline.thomsen@thomsonreuters.com), Kyle Cheney (kcheney@politico.com), Zoe M. Tillman (ztillman2@bloomberg.net), Marcy Wheeler (emptywheel@gmail.com), AUSA Document Clerk (adavis@usa.doj.gov, carolyn.carter-mckinley@usdoj.gov, usadc.criminaldocket@usdoj.gov, usadc.ecfhov@usdoj.gov), Pretrial Notification (psadistrictcourtgroup@psa.gov), Probation Court Notices (dcpdb_probation_court_notices@dcp.uscourts.gov)
--No Notice Sent:

Message-Id:7926030@dcd.uscourts.gov

Subject:Activity in Case 1:21-cr-00377-BAH USA v. WILLIAMS Sentencing

Content-Type: text/html

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 9/16/2022 at 3:03 PM and filed on 9/16/2022

Case Name: USA v. WILLIAMS
Case Number: 1:21-cr-00377-BAH
Filer:
Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 9/16/2022 as to ANTHONY ROBERT WILLIAMS. Defendant sentenced to serve a term of sixty (60) months imprisonment on Count 1, a term of twelve (12) months on each of Counts 2 and 3, and a term of six (6) months on each of Counts 4 and 5, with all terms to run concurrently; following incarceration the Defendant shall serve a term of thirty-six (36) months of supervised release on Count 1 and a term of twelve (12) months on each of Counts 2 and 3, all terms to run concurrently. Defendant ordered to pay to the Clerk of Court for the U.S. District Court for the District of Columbia a special assessment in the amount \$100.00 for Count 1, \$25.00 for each of Counts 2 and 3, and \$10.00 for each of Counts 4 and 5 for a total of \$170.00; a fine in the amount of \$5,000.00, and restitution to be disbursed to the Architect of the Capitol in the amount of \$2,000.00. The Court will recommend incarceration at a prison facility nearest the State of Michigan. The Defendant will be allowed to self-surrender and shall remain released on his own personal recognizance under the same conditions of release imposed by the Court. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Benton D. Martin; US Attorneys: Anthony L. Franks and Grace Albinson; Probation Officer: Kelly Kraemer-Soares (via videoconference); Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg)

1:21-cr-00377-BAH-1 Notice has been electronically mailed to:

James Pearce james.pearce@usdoj.gov, PIN.ECF@usdoj.gov

Anthony L. Franks anthony.franks@usdoj.gov, geoffrey.gorup@usdoj.gov

Benton C. Martin benton_martin@fd.org, Jennifer_Mellas@fd.org

James Gerometta james_gerometta@fd.org

Grace Albinson grace.e.albinson@usdoj.gov

William Glaser william.glaser@usdoj.gov

1:21-cr-00377-BAH-1 Notice will be delivered by other means to::