

| Date↓↑     | Description   | #                  |
|------------|---|--------------------|
| 04/15/2021 | SEALED COMPLAINT as to ESTHER SCHWEMMER (1). [1:21-mj-00377-RMM]  | <a href="#">1</a>  |
|            | <b>1 Attachment</b> ▼   |                    |
| 04/15/2021 | MOTION to Seal Case by USA as to ESTHER SCHWEMMER. [1:21-mj-00377-RMM]  | <a href="#">3</a>  |
|            | <b>1 Attachment</b> ▼   |                    |
| 04/15/2021 | ORDER granting 3 Motion to Seal Case as to ESTHER SCHWEMMER (1). Signed by Magistrate Judge Robin M. Meriweather on 04/15/2021. (zstd) [1:21-mj-00377-RMM]  | <a href="#">4</a>  |
| 04/23/2021 | MOTION to Unseal Case by USA as to ESTHER SCHWEMMER. [1:21-mj-00377-RMM]  | <a href="#">5</a>  |
|            | <b>1 Attachment</b> ▼   |                    |
| 04/23/2021 | Arrest of ESTHER SCHWEMMER in US District Court for the District of Kansas. (Text entry; no document attached.)   | <a href="#">6</a>  |
| 04/25/2021 | ORDER Granting MOTION to Unseal Case by USA as to ESTHER SCHWEMMER (1). Signed by Magistrate Judge G. Michael Harvey on 4/25/2021. (zpt) [1:21-mj-00377-RMM]  |                    |
| 04/25/2021 | Case unsealed as to ESTHER SCHWEMMER (zstd) [1:21-mj-00377-RMM] (Text entry; no document attached.)   | <a href="#">8</a>  |
| 05/10/2021 | NOTICE OF ATTORNEY APPEARANCE: Carmen D. Hernandez appearing for ESTHER SCHWEMMER [1:21-mj-00377-RMM]   | <a href="#">9</a>  |
| 05/14/2021 | INFORMATION as to ESTHER SCHWEMMER (1) count(s) 1, 2, 3, 4. (zhsj)  |                    |
| 05/18/2021 | NOTICE OF HEARING as to ESTHER SCHWEMMER. Arraignment set for 5/20/2021 at 2:00 PM via Video before Judge Dabney L. Friedrich. (zjch) (Text entry; no document attached.)   |                    |
| 05/19/2021 | MINUTE ORDER. Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. So Ordered by Judge Dabney L. Friedrich on May 19, 2021. (lcldf3) (Text entry; no document attached.)  |                    |
| 05/20/2021 | Minute Entry for Status and Arraignment as to ESTHER SCHWEMMER on Counts 1,2,3,4 held on 5/20/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 5/20/2021 through 6/30/2021 in the interest of justice. NOT GUILTY Plea entered by ESTHER SCHWEMMER on all counts. Status Conference set for 6/30/2021 at 11:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Carmen D. Hernandez; US Attorney: Anita Eve. (zjch) (Text entry; no document attached.)  |                    |
| 05/24/2021 | MINUTE ORDER as to ESTHER SCHWEMMER. Consistent with the discussion during the status conference and arraignment held on May 20, 2021, and for the reasons stated--namely the need for the defense to review forthcoming discovery and to determine how best to defend this case, see 18 U.S.C. § 3161(h)(7)(B)(iv)--the Court found that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the time from May 20, 2021 to June 30, 2021 was excluded in computing the date for a speedy trial in this case. A status conference is scheduled for June 30, 2021 via videoconference. So Ordered by Judge Dabney L. Friedrich on May 24, 2021. (lcldf3) (Text entry; no document attached.) | <a href="#">11</a> |

04/26/2021

Rule 5(c)(3) Documents Received as to ESTHER SCHWEMMER from US District Court for the District of Kansas Case Number 21-mj-8080-TJJ

05/05/2021

MINUTE ORDER as to Defendant ESTHER SCHWEMMER : It is hereby ORDERED that Defendant ESTHER SCHWEMMER appear for an initial appearance on Thursday, May 6, 2021 at 1:00 p.m. before Magistrate Judge Robin M. Meriweather. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3083; So Ordered by Magistrate Judge Robin M. Meriweather on 5/5/2021. (kk) [1:21-mj-00377-RMM] (Text entry; no document attached.)

12

05/06/2021

Arrest Warrant, dated 4/15/2021, returned executed on 5/6/2021 in the U.S. District Court for the District of Columbia as to Defendant ESTHER SCHWEMMER.

05/06/2021

JOINT ORAL MOTION by USA and Defendant ESTHER SCHWEMMER to Exclude Time Under the Speedy Trial Act from 5/6/2021 to 7/12/2021. (Text entry; no document attached.)

05/06/2021

ORAL MOTION by Defendant ESTHER SCHWEMMER to Appoint Counsel. (Text entry; no document attached.)

05/06/2021

Minute Entry for Initial Appearance as to ESTHER SCHWEMMER held by video before Magistrate Judge Robin M. Meriweather on 5/6/2021 : The Court advised the Government of its due process obligations under Rule 5(f). The defendant agrees to appear by video. Oral Motion by Defendant to Appoint Counsel. The Court finds the defendant eligible for court-appointed counsel, grants the defendant's motion and appoints Carmen Hernandez under the Criminal Justice Act to represent ESTHER SCHWEMMER. The defendant waives holding a Preliminary Hearing until 7/12/2021 at 1:00 PM by telephonic/VTC before Magistrate Judge G. Michael Harvey. Joint Oral Motion by USA and Defendant to Exclude Time Under the Speedy Trial Act from 5/6/2021 to 7/12/2021, heard and granted in the interest of justice. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frames: 1:43:00 - 2:05:11 and 2:59:09 - 3:09:23. Defense Attorney: Carmen Hernandez; U.S. Attorney: Jacob Steiner standing in for Anita Eve; Pretrial Officer: Shay Holman. (Text entry; no document attached.)

13

05/12/2021

ORDER Setting Conditions of Release : Defendant ESTHER SCHWEMMER placed on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather, nunc pro tunc to 5/6/2021. (Attachment: Appearance Bond)

15

06/23/2021

TRANSCRIPT OF PROCEEDINGS in case as to ESTHER SCHWEMMER before Magistrate Judge Robin M. Meriweather held on 05/06/2021. Page Numbers: 1-21. Date of Issuance: 06/16/2021. Transcribing Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. Transcripts may be ordered by submitting the Transcript Order Form 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. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 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](http://www.dcd.uscourts.gov). Redaction Request due 7/14/2021. Redacted Transcript Deadline set for 7/24/2021. Release of Transcript Restriction set for 9/21/2021.

06/30/2021

Minute Entry for Status Conference as to ESTHER SCHWEMMER held on 6/30/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 6/30/2021 through 8/9/2021 in the interest of justice. Plea Agreement Hearing set for 8/23/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Status Conference set for 8/9/2021 at 11:30 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Lisa Bankins; Defense Attorney: Carmen D. Hernandez; US Attorney: Anita Eve. (zjch) (Text entry; no document attached.)

06/30/2021

MINUTE ORDER as to ESTHER SCHWEMMER. A status conference is scheduled for August 9, 2021 at 11:30 a.m. via videoconference. Consistent with the discussion during the status conference held on June 30, 2021, and for the reasons stated--namely, the need for the defense to review discovery and determine how best to defend this case, see 18 U.S.C. § 3161(h)(7)(B)(iv)--the Court finds that the "ends of justice outweigh the best interest of the public and

the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the time from June 30, 2021 through August 9, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on June 30, 2021. (lcldf3) (Text entry; no document attached.)

07/09/2021

MINUTE ORDER as to Defendant ESTHER SCHWEMMER : vacating the Preliminary Hearing scheduled for 7/12/2021 before Magistrate Judge G. Michael Harvey as the defendant has now been charged by Information and arraigned on those charges; So Ordered by Magistrate Judge G. Michael Harvey on 7/9/2021. (Text entry; no document attached.)

[17](#)

07/15/2021

First MOTION for Protective Order UNOPPOSED by USA as to ESTHER SCHWEMMER.

[1 Attachment](#) ▼

[18](#)

07/15/2021

ORDER granting the 17 Unopposed Motion for Protective Order as to ESTHER SCHWEMMER. See text for details. Signed by Judge Dabney L. Friedrich on July 15, 2021. (lcldf3)

08/09/2021

Minute Entry for Status Conference as to ESTHER SCHWEMMER held on 8/9/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 8/9/2021 through 9/9/2021 in the interest of justice. Plea Agreement and Status Conference set for 9/9/2021 at 1:00 PM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Carmen D. Hernandez; US Attorney: Anita Eve. (zjch) (Text entry; no document attached.)

[20](#)

09/09/2021

MOTION to Continue Hearing by ESTHER SCHWEMMER.

[1 Attachment](#) ▼

09/09/2021

MINUTE ORDER as to ESTHER SCHWEMMER. Upon consideration of defendant's 20 Motion to Continue Hearing, it is hereby ORDERED that the motion is GRANTED. Defendant's plea hearing is continued until September 21, 2021. For the reasons stated in the motion--namely the need for defense counsel to adequately prepare by reviewing the plea agreement and resolve remaining concerns--the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A), (B)(iv). Accordingly, pursuant to the Speedy Trial Act, the time from September 9, 2021, until September 21, 2021, shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on September 9, 2021. (lcldf3) (Text entry; no document attached.)

09/09/2021

Set/Reset Hearings as to ESTHER SCHWEMMER: Plea Agreement Hearing set for 9/21/2021 at 11:00 AM via video before Judge Dabney L. Friedrich. (zjch) (Text entry; no document attached.)

[21](#)

09/20/2021

Consent MOTION to Continue Hearing, Consent MOTION for Speedy Trial to Exclude Time by ESTHER SCHWEMMER.

[1 Attachment](#) ▼

09/20/2021

MINUTE ORDER as to ESTHER SCHWEMMER. Upon consideration of the defendant's 21 Consent Motion to Continue Hearing and Exclude Time, it is hereby ORDERED that the plea hearing scheduled for September 21, 2021, at 11 a.m. is VACATED and the matter is CONTINUED until September 28, 2021, at 1 p.m. For the reasons stated in the motion--namely the need for defense counsel to adequately prepare by reviewing the plea agreement and resolve remaining concerns--the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A), (B)(iv). Accordingly, pursuant to the Speedy Trial Act, the time from September 20, 2021, until September 28, 2021, shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on September 20, 2021. (lcldf3) (Text entry; no document attached.)

09/28/2021

Minute Entry for Plea Agreement Hearing as to ESTHER SCHWEMMER held on 9/28/2021 before Judge Dabney L. Friedrich. GUILTY Plea entered by ESTHER SCHWEMMER as to Count 4. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing Memorandum due by 12/14/2021. Responses due by 12/17/2021. Sentencing set for 12/21/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Carmen D. Hernandez; US Attorney: Anita Eve. (zjch,) (Text entry; no document attached.)

|   |                                 |
|---|---------------------------------|
| 09/29/2021<br>PLEA AGREEMENT as to ESTHER SCHWEMMER (zjch,)   | <a href="#"><u>22</u></a>       |
| 09/29/2021<br>STATEMENT OF OFFENSE by USA, ESTHER SCHWEMMER as to ESTHER SCHWEMMER (zjch,)  | <a href="#"><u>23</u></a>       |
| 12/07/2021<br>MINUTE ORDER as to ESTHER SCHWEMMER. Under 18 U.S.C. § 3553(a), the Court is required, among other things, to consider "the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct." Id. § 3553(a)(6). Accordingly, each party shall include in its forthcoming sentencing memoranda due on December 14, 2021, similar cases in this district or others that demonstrate that the recommended sentence is "sufficient but not greater than necessary to comply with the purposes [of sentencing]." Id. § 3553(a). So Ordered by Judge Dabney L. Friedrich on December 7, 2021. (lcldf3) (Text entry; no document attached.)   |                                 |
| 12/13/2021<br>MINUTE ORDER as to ESTHER SCHWEMMER. On or before December 16, 2021, the government (and the defense, if it so chooses) shall provide the Court with a video that show defendant SCHWEMMER's actions on January 6, 2021. The Court is not requesting to view all video footage of the defendant, simply a representative sample that captures the conduct that formed the basis of this criminal prosecution. So Ordered by Judge Dabney L. Friedrich on December 13, 2021. (lcldf3) (Text entry; no document attached.)  |                                 |
| 12/13/2021<br>Set/Reset Deadlines as to ESTHER SCHWEMMER:Provide Court with video footage of defendant by 12/16/2021. (zjch,)   |                                 |
| 09/28/2021<br>WAIVER of Trial by Jury as to ESTHER SCHWEMMER. Approved by Judge Dabney L. Friedrich on 9/28/2021. (zjch,)   | <a href="#"><u>24</u></a>       |
| 12/17/2021<br>Consent MOTION to Continue Sentencing, Consent MOTION to Exclude Speedy Trial Time by ESTHER SCHWEMMER.   | <a href="#"><u>28</u></a>       |
|   | <a href="#">1 Attachment ▼</a>  |
| 12/17/2021<br>MINUTE ORDER as to ESTHER SCHWEMMER. Upon consideration of the defendant's 28 Consent Motion to Continue Sentencing and Exclude Time, it is hereby ORDERED that the motion is GRANTED. The sentencing hearing scheduled for December 21, 2021, at 10:00 a.m. via videoconference is CONTINUED to January 10, 2022, at 10 a.m. via videoconference. Furthermore, the Court finds that--so the parties have time to review the video discovery and submit sentencing memoranda, see 18 U.S.C. § 3161(h)(7)(B)(iv)--the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the Court excludes time from December 17, 2021, to January 10, 2022, in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on December 17, 2021. (lcldf3) (Text entry; no document attached.) |                                 |
| 12/17/2021<br>Set/Reset Hearings as to ESTHER SCHWEMMER: Sentencing set for 1/10/2022 at 10:00 AM in via video before Judge Dabney L. Friedrich. (zjch,)  |                                 |
| 12/31/2021<br>SENTENCING MEMORANDUM by USA as to ESTHER SCHWEMMER   | <a href="#"><u>29</u></a>       |
|   | <a href="#">1 Attachment ▼</a>  |
| 01/07/2022<br>SENTENCING MEMORANDUM by ESTHER SCHWEMMER   | <a href="#"><u>30</u></a>       |
|   | <a href="#">4 Attachments ▼</a> |
| 01/07/2022<br>NOTICE of Filing Allocution Statement for Sentencing by ESTHER SCHWEMMER re 30 Sentencing Memorandum  | <a href="#"><u>31</u></a>       |
|   | <a href="#">1 Attachment ▼</a>  |
| 01/10/2022<br>Minute Entry for Sentencing held on 1/10/2022 as to ESTHER SCHWEMMER on Count 4 before Judge Dabney L. Friedrich. Defendant sentenced to two (2) years of probation, \$500 restitution and \$10 special assessment. Bond  |                                 |

Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Carmen D. Hernandez; US Attorney: Anita Eve; Prob Officer: Hana Field. (zjch,) (Text entry; no document attached.)

[34](#)

01/21/2022

JUDGMENT as to ESTHER SCHWEMMER. Statement of Reasons Not Included. Signed by Judge Dabney L. Friedrich on 1/21/2022. (zhsj)

[36](#)

01/27/2022

Probation Jurisdiction Transferred to United States District Court for the District of Kansas as to ESTHER SCHWEMMER Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. Ordered by Judge Dabney L. Friedrich on 1/10/2022.

[2 Attachments](#) ▼

01/27/2022

Notice to United States District Court for the District of Kansas of a Transfer of Jurisdiction as to ESTHER SCHWEMMER. Your case number is: N/A. The clerk will transmit any restricted document via email. Using your PACER account, you may retrieve the docket sheet and any text-only entry via the case number link. The following document link(s) is also provided: [34] Judgment, [36] Transfer Out/Probationer, [9] Information - Felony. (If you require certified copies of any documents, please send a request to dcd\_cmecf\_cr@dcd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer\_TXND@txnd.uscourts.gov.) (zhsj) (Text entry; no document attached.)

01/27/2022

Notice to United States District Court for the District of Kansas of a Transfer of Jurisdiction as to ESTHER SCHWEMMER. Your case number is: N/A. The clerk will transmit any restricted document via email. Using your PACER account, you may retrieve the docket sheet and any text-only entry via the case number link. The following document link(s) is also provided: 34 Judgment, 36 Transfer Out/Probationer, 9 Information - Felony. (If you require certified copies of any documents, please send a request to dcd\_cmecf\_cr@dcd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer\_TXND@txnd.uscourts.gov.) (zhsj) (Text entry; no document attached.)

[37](#)

01/21/2022

AMENDED JUDGMENT as to ESTHER SCHWEMMER. Signed by Judge Dabney L. Friedrich on 1/21/2022. (zhsj)

[38](#)

04/12/2022

Consent MOTION to Alter Judgment, Consent MOTION to Modify Conditions of Release by ESTHER SCHWEMMER.

04/13/2022

MINUTE ORDER as to ESTHER SCHWEMMER. Upon consideration of the defendant's 38 Consent Motion to Correct the Amended Judgment and Modify the Conditions of Probation, it is hereby ORDERED that the motion is GRANTED IN PART and DENIED IN PART. During the Sentencing Hearing of January 10, 2022, the Court declined to impose a condition restricting the defendant's travel to the District of Kansas. Accordingly, the Amended Judgment should be corrected to reflect that the Court did not impose Standard Condition 3 on the defendant. Furthermore, at the time of sentencing, the Court was aware that the defendant was retired and planned to travel across the country and had no objection to her remaining retired and traveling the country. But the Court did not address the imposition of Standard Conditions 5 and 7, and therefore any request to remove them must be done through a modification, rather than a correction of an error. Because this Court transferred jurisdiction to the U.S. District Court for the District of Kansas, see Dkts. 35, 36, this Court does not have jurisdiction to modify the defendant's conditions of release. Accordingly, the defendant's request to modify the conditions of release should be directed to the U.S. District Court for the District of Kansas. So Ordered by Judge Dabney L. Friedrich on April 13, 2022. (lcldf3) (Text entry; no document attached.)