

Date↑

Description

01/20/2021	SEALED COMPLAINT as to ROBERT BALLESTEROS (1).	<u>1</u>
		1 Attachment ▼
01/20/2021	MOTION to Seal Case by USA as to ROBERT BALLESTEROS.	<u>3</u>
		1 Attachment ▼
01/20/2021	ORDER granting 3 Motion to Seal Case as to ROBERT BALLESTEROS (1). Signed by Magistrate Judge Robin M. Meriweather on 1/20/2021. (zstd)	<u>4</u>
03/15/2021	Arrest Warrant Returned Executed on 3/15/2021 in Rye, NY as to ROBERT BALLESTEROS.	<u>5</u>
03/15/2021	Case unsealed as to ROBERT BALLESTEROS (Text entry; no document attached.)	
03/15/2021	Arrest of ROBERT BALLESTEROS. (Text entry; no document attached.)	
03/25/2021	ORAL MOTION to Appoint Counsel by ROBERT BALLESTEROS. (Text entry; no document attached.)	
03/25/2021	ORAL MOTION for Speedy Trial by USA as to ROBERT BALLESTEROS. (Text entry; no document attached.)	
03/25/2021	Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to ROBERT BALLESTEROS held on 3/25/2021. Defendant present by video. Due Process Order given to the Government. Oral Motion to Appoint Counsel by ROBERT BALLESTEROS (1); heard and granted. Defendant placed on Standard Conditions of Release. Oral Motion by the Government for Speedy Trial as to ROBERT BALLESTEROS (1); heard and granted. Defense did not object. Speedy Trial Excluded from 3/25/2021 to 6/1/2021 in the Interest of Justice (XT). Defendant waives right to Preliminary Hearing in 21 days. Preliminary Hearing set for 6/1/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Nancy Meyer; Defense Attorney: Carlos Vanegas; US Attorney: Jacob Steiner for April Russo; Pretrial Officer: Masharia Holman. (Text entry; no document attached.)	<u>8</u>
03/25/2021		

ORDER Setting Conditions of Release as to ROBERT BALLESTEROS (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/25/2021.

[9](#)

05/31/2021

Consent MOTION to Continue by USA as to ROBERT BALLESTEROS.

[10](#)

05/31/2021

MOTION for Excludable Delay by USA as to ROBERT BALLESTEROS. (See docket entry 9 to view document). (zstd)

[12](#)

06/02/2021

ORDER Granting 9 Motion to Continue by USA as to ROBERT BALLESTEROS (1) and Granting 10 Motion to Exclude by USA as to ROBERT BALLESTEROS (1). Time between 6/1/2021 and 7/27/2021 (56 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing continued to 7/27/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Signed by Magistrate Judge Robin M. Meriweather on 6/2/2021.

[13](#)

06/16/2021

Unopposed MOTION for Protective Order by USA as to ROBERT BALLESTEROS.

[1 Attachment](#) ▼

[14](#)

06/24/2021

PROTECTIVE ORDER GOVERNING DISCOVERY : granting 13 Unopposed Motion by USA for Protective Order as to ROBERT BALLESTEROS; signed by Magistrate Judge Zia M. Faruqui on 6/24/2021.

[16](#)

07/26/2021

Consent MOTION to Continue Preliminary Hearing and Excludable Delay by USA as to ROBERT BALLESTEROS.

[17](#)

07/26/2021

MOTION to Excludable Delay by USA as to ROBERT BALLESTEROS. (See docket entry 16 to view document). (zstd)

[18](#)

07/27/2021

ORDER granting 16 Motion to Continue Preliminary Hearing as to ROBERT BALLESTEROS (1). Preliminary Hearing continued to 9/2/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Signed by Magistrate Judge G. Michael Harvey on 7/27/2021.

[19](#)

08/27/2021

Consent MOTION to Continue Preliminary Hearing and for Excludable Delay by USA as to ROBERT BALLESTEROS.

[20](#)

08/27/2021

MOTION to Excludable Delay by USA as to ROBERT BALLESTEROS. (See docket entry 19 to view document.) (zstd)

[21](#)

08/28/2021

ORDER Granting 19 Consent MOTION to Continue Preliminary Hearing and for Excludable Delay by USA as to ROBERT BALLESTEROS (1) and Granting 20 MOTION to Excludable Delay by USA as to ROBERT BALLESTEROS (1). Time between 9/2/2021 and 10/12/2021 (40 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing continued to 10/12/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Signed by Magistrate Judge Robin M. Meriweather on 8/28/2021.

09/15/2021

Magistrate case closed for defendant ROBERT BALLESTEROS, pending deadlines, motions, and excludables. Merged Criminal Number 21-580 (DLF). (zhsj) (Text entry; no document attached.)

END OF MAGISTRATE CASE #21-mj-132 DOCKET//BEGINNING of NEW CASE #21-cr-580 BELOW

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Date↑

Description

[22](#)

09/15/2021

INFORMATION as to ROBERT BALLESTEROS (1) count(s) 1. (zhsj)

09/17/2021

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 September 17, 2021. (lcldf1) (Text entry; no document attached.)

[25](#)

10/12/2021

STIPULATION Seeking Continuance and Proposed Order by USA

10/13/2021

Set/Reset Hearings as to ROBERT BALLESTEROS: Plea Agreement Hearing set for 10/28/2021 at 11:30 AM via video before Judge Dabney L. Friedrich. (zjch,) (Text entry; no document attached.)

10/13/2021

MINUTE ORDER. Upon consideration of the parties' [25] Stipulation Seeking Continuance, a status conference or plea hearing is scheduled for October 28, 2021 at 11:30am by videoconference. In addition, for the reasons stated in that stipulation--namely the need for the defense to review voluminous and forthcoming discovery and to determine how to best defend its 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 October 13, 2021, through October 28, 2021, shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on October 13, 2021. (lcldf1) (Text entry; no document attached.)

10/28/2021

Minute Entry for Arraignment and Plea Hearing as to ROBERT BALLESTEROS on Count 1 held on 10/28/2021 before Judge Dabney L. Friedrich. Guilty Plea entered by ROBERT BALLESTEROS as to Count 1. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to ROBERT BALLESTEROS. Sentencing set for 1/27/2022 at 10:00 AM via video before Judge Dabney L. Friedrich. Sentencing Memorandum due by 1/20/2022. Responses to Sentencing memorandum due by 1/24/2022. Bond Status of Defendant: Personal Recognizance; Defense Attorney: Carlos Vanegas and Compton Spain; US Attorney: April Nicole Russo. (zjch,) (Text entry; no document attached.)

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10/28/2021

PLEA AGREEMENT as to ROBERT BALLESTEROS (zjch,)

[28](#)

10/28/2021

STATEMENT OF OFFENSE by USA, ROBERT BALLESTEROS as to ROBERT BALLESTEROS (zjch,)

[29](#)

11/19/2021

NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Reed, Brittany LaShaune added. Substituting for attorney April Russo

[31](#)

12/30/2021

NOTICE OF ATTORNEY APPEARANCE: Maria Jacob appearing for ROBERT BALLESTEROS

01/07/2022

Set/Reset Deadlines as to ROBERT BALLESTEROS: due by 1/20/2022. (zjch,) (Text entry; no document attached.)

01/07/2022

MINUTE ORDER as to ROBERT BALLESTEROS. On or before January 20, 2022, the government (and the defense, if it so chooses) shall provide the Court with video footage that shows defendant BALLESTEROS' actions on January 6, 2021. The parties shall make their footage publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. 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 January 7, 2022. (lcldf1) (Text entry; no document attached.)

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01/14/2022

MOTION to Continue SENTENCING HEARING, MOTION to Vacate SENTENCING RELATED DEADLINES by USA as to ROBERT BALLESTEROS.

[1 Attachment ▼](#)

01/19/2022

Set/Reset Deadlines/Hearings as to ROBERT BALLESTEROS: Sentencing set for 3/22/2022 at 11:00 AM via video before Judge Dabney L. Friedrich. Sentencing Memorandum due by 3/14/2022 Responses to Sentencing due by 3/18/2022. (zjch,) (Text entry; no document attached.)

01/19/2022

MINUTE ORDER. Upon consideration of the government's [32] Unopposed Motion to Continue, the sentencing hearing that was previously scheduled for January 27, 2022 is continued until 11:00am on March 22, 2022. The parties shall file sentencing memoranda on or before March 14, 2022 and may file any responses to those memoranda on or before March 18, 2022. So Ordered by Judge Dabney L. Friedrich on January 19, 2022. (lcdf1) (Text entry; no document attached.)

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02/10/2022

NOTICE OF FILING OF UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF FEBRUARY 9, 2022 by USA as to ROBERT BALLESTEROS

[36](#)

03/14/2022

SENTENCING MEMORANDUM by USA as to ROBERT BALLESTEROS

[1 Attachment ▼](#)

[37](#)

03/14/2022

RESPONSE TO ORDER OF THE COURT by USA as to ROBERT BALLESTEROS re Order, UNITED STATES REPORT AND POSITION REGARDING PUBLIC RELEASE OF VIDEO AND PHOTOGRAPHIC EVIDENCE RE: BRIAN E. STENZ PLEA

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03/14/2022

SENTENCING MEMORANDUM by ROBERT BALLESTEROS

03/17/2022

Set/Reset Deadlines/Hearings as to ROBERT BALLESTEROS: Sentencing set for 4/26/2022 at 11:00 AM via video before Judge Dabney L. Friedrich. (lcdf1) (Text entry; no document attached.)

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03/25/2022

NOTICE OF WITHDRAWAL OF APPEARANCE for April N. Russo by USA as to ROBERT BALLESTEROS

04/19/2022

NOTICE OF HEARING as to ROBERT BALLESTEROS Sentencing set for 4/28/2022 at 11:00 AM via video before Judge Dabney L. Friedrich. (zjch,) (Text entry; no document attached.)

04/28/2022

Minute Entry for Sentencing held on 4/28/2022 as to ROBERT BALLESTEROS on Count 1 before Judge Dabney L. Friedrich. Defendant sentenced to thirty-six (36) months of probation, restitution of \$500 and special assessment of \$10. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: Maria Jacob; US Attorney: Brittany Reed and Compton Spain; Prob Officer: Hana Field. (zjch.) (Text entry; no document attached.)

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05/03/2022

JUDGMENT as to ROBERT BALLESTEROS. Statement of Reasons Not Included. Signed by Judge Dabney L. Friedrich on 4/28/2022. (zhsj)

[46](#)

06/30/2022

Unopposed MOTION to Permit Travel by ROBERT BALLESTEROS.

[1 Attachment](#) ▼

07/01/2022

MINUTE ORDER. Upon review of the defendant's [46] Motion to Permit Travel, and considering that neither government counsel nor the defendant's probation officer oppose it, the motion is GRANTED. Accordingly, the defendant may travel outside the continental United States from August 13, 2022 through August 21, 2022 in the manner that his [46] Motion describes. The defendant must also provide and requested documentation regarding his travel to his probation officer. Going forward, the defendant is advised that his conditions of release do not require him to obtain this Court's approval before traveling outside the federal judicial district in which he resides. See Judgment at 3, Dkt. 45. Rather, approval by his probation officer is sufficient. See id. So Ordered by Judge Dabney L. Friedrich on July 1, 2022. (lcdf1) (Text entry; no document attached.)

07/01/2022

MINUTE ORDER. Upon review of the defendant's 46 Motion to Permit Travel, and considering that neither government counsel nor the defendant's probation officer oppose it, the motion is GRANTED. Accordingly, the defendant may travel outside the continental United States from August 13, 2022 through August 21, 2022 in the manner that his 46 Motion describes. The defendant must also provide and requested documentation regarding his travel to his probation officer. Going forward, the defendant is advised that his conditions of release do not require him to obtain this Court's approval before traveling outside the federal judicial district in which he resides. See Judgment at 3, Dkt. 45. Rather, approval by his probation officer is sufficient. See id. So Ordered by Judge Dabney L. Friedrich on July 1, 2022. (lcdf1) (Text entry; no document attached.)