

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,  
*Plaintiff,*

v.

JONATHAN J. MUNAFO,  
*Defendant.*

**Criminal Case. No.: 21-330 (JEB)**

**JOINT STATUS REPORT**

The parties jointly report the following under the Court's May 11, 2021 order to submit a joint status report by today.

**Status of Mr. Munafo's Custody and W.D. Michigan Matter**

1. While this Court ordered Mr. Munafo's transfer to Michigan stayed pending a detention hearing in this case, the U.S. Marshals began his transfer on May 12, 2021.

2. On May 12, 2021 the Marshals sent Mr. Munafo from Orlando, Florida to Grady County Jail in Chickasa, Oklahoma, where he remained until around June 9, 2021.

3. On or about June 9, 2021, Mr. Munafo was transferred to the Western District of Michigan, where he was held at Newyago County Jail in White Cloud, Michigan.

4. On June 15, 2021, Magistrate Judge Ray Kent *sua sponte* ordered Mr. Munafo "committed for evaluations regarding competency and sanity." W.D. Mich. Case No. 21-cr-99-JTN, ECF No. 14.

5. The court's June 15, 2021 order for "medical, psychiatric and/or psychological examinations" requires the Attorney General to have Mr. Munafo observed and evaluated within forty-five days. *Id.*, ECF No. 15 at 2. If good cause is shown for delay, the court will allow an additional thirty days. *Ibid.*

6. On July 6, 2021, the court ordered Mr. Munafo transferred to FDC SeaTac where Mr. Munafo will undergo the observation and examination ordered. *Id.*, ECF No. 16.

#### **Status of Efforts by Mr. Munafo's Defense Team**

7. On May 12, 2021, the U.S. District Court for the Western District of Michigan appointed the Federal Public Defender of that region to represent Mr. Munafo.

8. Since then, Mr. Munafo's defense team in this case has been in contact with Mr. Munafo's Michigan attorney.

9. Mr. Munafo's defense team has had communication with him in Florida, Oklahoma, and Michigan, and will attempt to visit him in person now that he has been designated to FDC SeaTac.

10. The defense team has also researched anticipated pre-trial issues, sought investigatory assistance, and begun looking into Mr. Munafo's social history by reaching out to his friends and family.

#### **Status of Discovery**

11. On May 10, 2021, the Court apprised the government of its disclosure obligations. On July 2, 2021, Mr. Munafo sent the government a written demand under these obligations.

### **Status of Efforts by the Government**

12. As discussed by defense counsel in greater detail above, the defendant's primary case is out of the Western District of Michigan (21-CR-99 (JTN) (W.D.M.I)). In that case, on May 18, 2021, a Grand Jury sitting in the Western District of Michigan issued a three-count indictment against the defendant charging him with two violations of 18 U.S.C. § 857(c) (transmitting in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another) and one violation of 47 U.S.C. § 223(a)(1)(E) (making repeated telephone calls or repeatedly initiating communication with a telecommunications device, during which conversation or communication ensues solely to harass any specific person). W.D. Mich., Case No. 21-CR-99 (JTN), ECF No. 7.

13. As pointed out by defense counsel, On June 15, 2021, the Court *sua sponte* ordered defendant committed for evaluations regarding competency and sanity. W.D. Mich., Case No. 21-CR-99 (JTN), ECF No. 14. On July 6, 2021, the Court issued its Order of transportation for the defendant. *Id.* at ECF No. 15. There can be no further proceedings in this case until the defendant's competency and sanity evaluation is complete and both parties have had a chance to review its findings.

14. So that this case may proceed with all expediency once the W.D. Michigan case is resolved, and in order to facilitate a potential global plea agreement, the government has been compiling and preparing as much discovery as possible that may be provided to the defendant through his counsel. The government will continue to do so. The government expects to provide counsel with a preliminary discovery package today.

15. Today, defense counsel was offered via email the opportunity to take part in a crime scene viewing that is currently scheduled for August 14, 2021.


**Joint Recommendation by the Parties**

16. The parties jointly request that this Court continue the above-captioned proceeding for sixty days, until Friday, September 10, 2021. During this time, the parties request that the Speedy Trial Act, if applicable, be tolled.

**RESPECTFULLY SUBMITTED.**

Date: July 12, 2021.

**For the United States:**

  
Sean P. Murphy  
Assistant U.S. Attorney  
Detailee, Capitol Riot Prosecutions  
D.C. Bar No. 1187821  
Torre Chardón - Suite 1201  
350 Chardón Avenue  
San Juan, PR 00918  
Tel. 787-766-5656  
[sean.murphy@usdoj.gov](mailto:sean.murphy@usdoj.gov)

**For Jonathan Munafó:**

**Eric Alexander Vos**  
Federal Public Defender,  
District of Puerto Rico  
**Franco Pérez-Redondo**  
Assistant Federal Public Defender,  
District of Puerto Rico

**/s/ Kevin E. Lerman\***  
Research & Writing Attorney  
241 F.D. Roosevelt Ave.  
San Juan, PR 00918-2441  
Tel. (787) 281-4922, Fax (787) 281-4899  
E-mail: Kevin\_Lerman@fd.org

**\* I HEREBY CERTIFY** that on this date I e-filed this Notice using the CM/ECF system, which will send notification to all parties of record.