

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00006-TJK All Defendants**

Case title: USA v. JENSEN

Magistrate judge case number: 1:21-mj-00025-GMH \*SEALED\*

Date Filed: 01/11/2021

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Assigned to: Judge Timothy J. Kelly

**Defendant (1)**

**DOUGLAS AUSTIN JENSEN**

represented by **Christopher Michael Davis**  
DAVIS & DAVIS  
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Suite 202  
Washington, DC 20036  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1)

18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder  
(1s)

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1ss)

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1sss)

18:111(a)(1);  
ASSAULTING/RESISTING/IMPEDING

**Disposition**

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

JURY VERDICT OF GUILTY. Defendant sentenced to sixty (60) months of Incarceration on Count 1sss to run concurrently with counts 2sss – 7sss, followed by thirty-six (36) months of Supervised Release (with conditions) on Count 1sss to run concurrently with Counts 2sss – 5sss. \$100 Special Assessment.

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

OFFICERS/EMPLOYEES; Assaulting,  
Resisting, or Impeding Certain Officers or  
Employees  
(2)

18 U.S.C. 1512(c)(2) and 2; TAMPERING  
WITH A WITNESS, VICTIM OR  
INFORMANT; Obstruction of an Official  
Proceeding and Aiding and Abetting  
(2s)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

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

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

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

JURY VERDICT OF GUILTY. Defendant  
sentenced to sixty (60) months of  
Incarceration on Count 2sss to run  
concurrently with counts 1sss and 3sss –  
7sss, followed by thirty–six (36) months of  
Supervised Release (with conditions) on  
Count 2sss to run concurrently with Counts  
1sss and 3sss – 5sss. \$100 Special  
Assessment.

18:1752(a)(1); TEMPORARY  
RESIDENCE OF THE PRESIDENT;  
Entering and Remaining in a Restricted  
Building  
(3)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18 U.S.C. 111(a)(1);  
ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting,  
Resisting, or Impeding Certain Officers  
(3s)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:111(a)(1);  
ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting,  
Resisting, or Impeding Certain Officers  
(3ss)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:111(a)(1);  
ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting,  
Resisting, or Impeding Certain Officers  
(3sss)

JURY VERDICT OF GUILTY. Defendant  
sentenced to sixty (60) months of  
Incarceration on Count 3sss to run  
concurrently with counts 1sss, 2sss, and 4sss  
– 7sss, followed by thirty–six (36) months  
of Supervised Release (with conditions) on  
Count 3sss to run concurrently with Counts  
1sss, 2sss, 4sss, and 5sss. \$100 Special  
Assessment.

18:1752(a)(2); TEMPORARY  
RESIDENCE OF THE PRESIDENT;  
Disorderly and Disruptive Conduct in a  
Restricted Building  
(4)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18 U.S.C. 1752(a)(1) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Entering and Remaining in a  
Restricted Building or Grounds with a  
Deadly or Dangerous Weapon  
(4s)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:1752(a)(1) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Entering and Remaining in a  
Restricted Building or Grounds with a  
Deadly or Dangerous Weapon  
(4ss)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:1752(a)(1) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Entering and Remaining in a  
Restricted Building or Grounds with a  
Deadly or Dangerous Weapon  
(4sss)

JURY VERDICT OF GUILTY. Defendant  
sentenced to sixty (60) months of  
Incarceration on Count 4sss to run  
concurrently with counts 1sss – 3sss and  
5sss – 7sss, followed by thirty-six (36)  
months of Supervised Release (with  
conditions) on Count 4sss to run  
concurrently with Counts 1sss – 3sss and  
5sss. \$100 Special Assessment.

40:5104(e)(2)(A); FEDERAL STATUTES,  
OTHER; Violent Entry and Disorderly  
Conduct in a Capitol Building  
(5)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18 U.S.C. 1752(a)(2) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Disorderly and Disruptive  
Conduct in a Restricted Building or  
Grounds with a Deadly or Dangerous  
Weapon  
(5s)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:1752(a)(2) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Disorderly and Disruptive  
Conduct in a Restricted Building or  
Grounds with a Deadly or Dangerous  
Weapon  
(5ss)

DISMISSED ON ORAL MOTION OF THE  
GOVERNMENT

18:1752(a)(2) and (b)(1)(A);  
TEMPORARY RESIDENCE OF THE  
PRESIDENT; Disorderly and Disruptive  
Conduct in a Restricted Building or  
Grounds with a Deadly or Dangerous

JURY VERDICT OF GUILTY. Defendant  
sentenced to sixty (60) months of  
Incarceration on Count 5sss to run  
concurrently with counts 1sss – 4sss and  
6sss – 7sss, followed by thirty-six (36)

Weapon  
(5sss)

months of Supervised Release (with conditions) on Count 5sss to run concurrently with Counts 1sss – 4sss. \$100 Special Assessment.

40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building  
(6)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building  
(6s)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building  
(6ss)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building  
(6sss)

JURY VERDICT OF GUILTY. Defendant sentenced to six (6) months of Incarceration on Count 6sss to run concurrently with counts 1sss – 5sss and 7sss. \$20 Special Assessment.

40 U.S.C. 5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building  
(7s)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building  
(7ss)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building  
(7sss)

JURY VERDICT OF GUILTY. Defendant sentenced to six (6) months of Incarceration on Count 7sss to run concurrently with counts 1sss – 6sss. \$20 Special Assessment.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in VIOLATION of 18 U.S.C. 1752(a)(1); 18 U.S.C. 1752(a)(2); 40 U.S.C. 5104(e)(2)(A); 40 U.S.C. 5104(e)(2)(G); 18 U.S.C. 231(A)(3)

**Disposition**

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**Interested Party**

**PRESS COALITION**

represented by **Charles D. Tobin**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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**Plaintiff**

**USA**

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TERMINATED: 04/12/2021  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
Designation: Assistant U.S. Attorney

Date Filed	#	Page	Docket Text
01/08/2021	<u>1</u>		SEALED COMPLAINT as to DOUGLAS AUSTIN JENSEN (1). (Attachments: # <u>1</u> Statement of Facts) (zltf)[1:21-mj-00025-GMH *SEALED*] (Main Document 1 replaced on 2/9/2021) (zltf). (Attachment 1 replaced on 2/9/2021) (zltf). (Entered: 01/11/2021)
01/08/2021			Case unsealed as to DOUGLAS AUSTIN JENSEN (bb) (Entered: 01/21/2021)
01/08/2021			Arrest of DOUGLAS AUSTIN JENSEN in US District Court for the Southern District of Iowa. (bb) (Entered: 02/18/2021)
01/11/2021	<u>3</u>		INDICTMENT as to DOUGLAS AUSTIN JENSEN (1) count(s) 1, 2, 3, 4, 5, 6. (bb) (Entered: 01/12/2021)
01/22/2021	<u>5</u>		Emergency MOTION Stay and Review Release Order by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, James) Modified relief on 1/25/2021 (znmw). (Entered: 01/22/2021)
01/22/2021	<u>6</u>		Emergency MOTION for Transport Order <i>Transport Defendant to the District of Columbia</i> by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, James) Modified relief on 1/25/2021 (znmw). (Entered: 01/22/2021)
01/22/2021	<u>7</u>		ORDER granting <u>6</u> Motion for Transport as to DOUGLAS AUSTIN JENSEN (1). See order for details. Signed by Judge Timothy J. Kelly on 1/22/21.(lctjk2) (Entered: 01/22/2021)
01/22/2021	<u>8</u>		ORDER granting <u>5</u> Motion for Stay as to DOUGLAS AUSTIN JENSEN (1). See Order for Details. Signed by Judge Timothy J. Kelly on 1/22/21. (lctjk2) (Entered: 01/22/2021)
01/22/2021	9		Emergency MOTION to Review <i>Release Order</i> by USA as to DOUGLAS AUSTIN JENSEN. (See Docket Entry <u>5</u> to view document). (znmw) (Entered: 01/25/2021)
01/25/2021	<u>14</u>		Rule 5(c)(3) Documents Received as to DOUGLAS AUSTIN JENSEN from US District Court for the Southern District of Iowa Case Number 4:21-mj-11-HCA (Attachments: # <u>1</u> Complaint, # <u>2</u> Statement of Facts)(bb) (Entered: 02/18/2021)
02/10/2021	<u>12</u>		SUPERSEDING INDICTMENT as to DOUGLAS AUSTIN JENSEN (1)

		count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s. (zltf) Modified on 2/17/2021 to add superseding.(ztnr) (Entered: 02/16/2021)
02/14/2021	<u>11</u>	NOTICE OF ATTORNEY APPEARANCE: Christopher Michael Davis appearing for DOUGLAS AUSTIN JENSEN (Davis, Christopher) (Entered: 02/14/2021)
02/16/2021		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN. VTC Arraignment and Detention Hearing set for 2/23/2021 at 2:45 PM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. (zkh) (Entered: 02/16/2021)
02/23/2021	<u>15</u>	ORDER as to DOUGLAS JENSEN granting the Government's <u>5</u> Motion to Review Release Order. See order for details. Signed by Judge Timothy J. Kelly on 2/23/21. (lctjk2) (Entered: 02/23/2021)
02/23/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Detention Hearing as to DOUGLAS AUSTIN JENSEN as to Counts 1s, 2s, 3s, 4s, 5s, 6s, and 7s held on 2/23/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to Counts 1s, 2s, 3s, 4s, 5s, 6s, and 7s. Defendant concedes detention. Order to be entered by the court. Speedy Trial Excludable (XT) started 2/23/2021 through 3/25/2021, in the interest of justice. VTC Status Conference set for 3/25/2021 at 10:00 AM Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Jason McCullough; Pretrial Officer: Takeysa Robinson. (zkh) (Entered: 02/23/2021)
02/26/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 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. Signed by Judge Timothy J. Kelly on 2/26/21. (lctjk2) (Entered: 02/26/2021)
03/25/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOUGLAS AUSTIN JENSEN held on 3/25/2021. Defendant appeared by video. Order to be entered by the court. Speedy Trial Excludable (XT) started 3/25/2021 through 5/6/2021, in the interest of justice. VTC Status Conference set for 5/6/2021 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: James B. Nelson. (zkh) (Entered: 03/25/2021)
03/25/2021	<u>16</u>	TRANSCRIPT OF STATUS CONFERENCE in case as to DOUGLAS AUSTIN JENSEN before Judge Timothy J. Kelly held on 3-25-21; Page Numbers: 1-8; Date of Issuance: 3-25-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a>

		<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><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 4/15/2021. Redacted Transcript Deadline set for 4/25/2021. Release of Transcript Restriction set for 6/23/2021.(Miller, Timothy) (Entered: 03/25/2021)</p>
03/26/2021		<p>MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: It is ORDERED that if the parties intend to proceed with a plea hearing on May 6, 2021, they shall, by April 30, 2021, submit the following materials to the Court at <a href="mailto:Kelly_Chambers@dcd.uscourts.gov">Kelly_Chambers@dcd.uscourts.gov</a>: (1) any written plea agreement; (2) any superseding indictment or information; (3) for each count to which Defendant intends to plead guilty, (a) the elements of the offense, (b) the factual proffer Defendant is prepared to acknowledge, (c) the applicable statutory minimum and maximum penalty, and (d) the estimated Guidelines offense level and range; and (4) if Defendant is not a United States citizen, written notice as to whether Defendant will be pleading guilty to an "aggravated felony" as defined by 8 U.S.C. § 1101(a), which would subject him to mandatory deportation. Signed by Judge Timothy J. Kelly on 3/26/21. (lctjk2) (Entered: 03/26/2021)</p>
04/09/2021	<u>17</u>	<p>SUPERSEDING INDICTMENT as to DOUGLAS AUSTIN JENSEN (1) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss. (zstd) (Main Document 17 replaced on 4/12/2021) (zstd). (Entered: 04/10/2021)</p>
04/12/2021	<u>19</u>	<p>NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Mirell, Hava Arin Levenson added. Substituting for attorney James B. Nelson (Mirell, Hava) (Entered: 04/12/2021)</p>
04/19/2021	<u>20</u>	<p>Consent MOTION to Continue <i>Status Hearing</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 04/19/2021)</p>
04/21/2021		<p>MINUTE ORDER granting <u>20</u> Motion to Continue as to DOUGLAS AUSTIN JENSEN. It is hereby ORDERED, for good cause shown, that the status conference currently scheduled for May 6, 2021, shall be CONTINUED until June 8, 2021 at 10:00 a.m. It is further ORDERED that if the parties intend to proceed with a plea hearing on June 8, 2021, they shall, by June 1, 2021, submit the following materials to the Court at <a href="mailto:Kelly_Chambers@dcd.uscourts.gov">Kelly_Chambers@dcd.uscourts.gov</a>: (1) any written plea agreement; (2) any superseding indictment or information; (3) for each count to which Defendant intends to plead guilty, (a) the elements of the offense, (b) the factual proffer Defendant is prepared to acknowledge, (c) the applicable statutory minimum and maximum penalty, and (d) the estimated Guidelines offense level and</p>



		range; and (4) if Defendant is not a United States citizen, written notice as to whether Defendant will be pleading guilty to an "aggravated felony" as defined by 8 U.S.C. § 1101(a), which would subject him to mandatory deportation. Finally, it is ORDERED that the time period from May 6, 2021, to June 8, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq., by consent of the parties. The Court finds that, in light of the motions representation that the parties wish to continue negotiations regarding resolution of this matter, the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 4/21/21.(lctjk2) (Entered: 04/21/2021)
04/22/2021		Set/Reset Deadlines as to DOUGLAS AUSTIN JENSEN: Written Plea Agreement materials due by 6/1/2021. (zkh) (Entered: 04/22/2021)
06/02/2021		Set/Reset Hearings as to DOUGLAS AUSTIN JENSEN: VTC Arraignment set for 6/8/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 06/02/2021)
06/07/2021	<u>21</u>	First MOTION for Bond by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Davis, Christopher) (Entered: 06/07/2021)
06/08/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Status Conference as to DOUGLAS AUSTIN JENSEN as to Counts 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, and 7ss held on 6/8/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to Counts 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, and 7ss. Speedy Trial Excludable (XT) started 6/8/2021 through 6/24/2021, in the interest of justice. Government's Response to <u>21</u> First MOTION for Bond due by 6/17/2021. Defendant's Reply due by 6/21/2021. VTC Bond Hearing set for 6/24/2021 at 3:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell. (zkh) (Entered: 06/08/2021)
06/16/2021	<u>22</u>	Unopposed MOTION for Protective Order by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Proposed Protective Order)(Mirell, Hava) (Entered: 06/16/2021)
06/17/2021	<u>23</u>	ORDER granting <u>22</u> Motion for Protective Order as to DOUGLAS AUSTIN JENSEN. See order for details. Signed by Judge Timothy J. Kelly on 6/17/21. (lctjk2) (Entered: 06/17/2021)
06/17/2021	<u>24</u>	Memorandum in Opposition by USA as to DOUGLAS AUSTIN JENSEN re <u>21</u> First MOTION for Bond (Mirell, Hava) (Entered: 06/17/2021)
06/21/2021	<u>25</u>	REPLY TO OPPOSITION to Motion by DOUGLAS AUSTIN JENSEN re <u>21</u> First MOTION for Bond (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Davis, Christopher) (Entered: 06/21/2021)
06/24/2021		MINUTE ORDER as to DOUGLAS JENSEN. It is hereby ORDERED that the government is directed to comply with LCrR 49(e)(1) and submit promptly notice of filing regarding video evidence marked as government's Exhibits A, B, and C, which notice shall describe (a) the length of the video exhibits and (b) the date and time stamps, if any, on the video exhibits. See LCrR 49(e)(1) ("Any document, exhibit, or attachment... that... is not in a format that readily

		permits electronic filing... must be identified in a Notice of Filing filed with the Court."); see Standing Order No. 21-28 (BAH), In re: Media Access to Video Exhibits in Pretrial Hearings During the COVID-19 Pandemic, D. The parties should be prepared to provide their positions regarding prompt public release of the video evidence marked as government's Exhibit A, B, and C at today's hearing. Signed by Judge Timothy J. Kelly on 6/24/21. (lctjk2) (Entered: 06/24/2021)
06/24/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Bond Hearing as to DOUGLAS AUSTIN JENSEN held on 6/24/2021. Defendant appeared by video. Oral argument heard on Defendant's <u>21</u> First MOTION for Bond, and taken under advisement. Speedy Trial Excludable (XT) started 6/24/2021 through 7/27/2021, in the interest of justice. VTC Status Conference set for 7/27/2021 at 3:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell; Pretrial Officers: Da'Shanta' Valentine Lewis and Masharia Holman. (zkh) (Entered: 06/24/2021)
06/25/2021	<u>26</u>	MOTION for Leave to File <i>SUPPLEMENT</i> by DOUGLAS AUSTIN JENSEN re <u>25</u> Reply to opposition to Motion to Review Detention Order (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Davis, Christopher) Modified event title on 7/28/2021 (znmw). (Entered: 06/25/2021)
07/01/2021	<u>27</u>	NOTICE of Filing of Exhibits Pursuant to Rule 49 by USA as to DOUGLAS AUSTIN JENSEN (Mirell, Hava) (Entered: 07/01/2021)
07/02/2021	<u>28</u>	Application for Access to Video Exhibits by Counsel for the Press Coalition as to DOUGLAS AUSTIN JENSEN. (bb) (Entered: 07/02/2021)
07/06/2021		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN. VTC Bond Hearing set for 7/8/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 07/06/2021)
07/06/2021		MINUTE ORDER: It is hereby ORDERED that the United States and Defendant shall, by July 9, 2021, respond to the Press Coalition's <u>28</u> Application for Access to Video Exhibits, including their request for "permission to record, copy, download, retransmit, and otherwise further publish the[] Video Exhibits." See ECF No. 28 at 3. Signed by Judge Timothy J. Kelly on 7/6/21. (lctjk2) (Entered: 07/06/2021)
07/06/2021	<u>29</u>	RESPONSE by USA as to DOUGLAS AUSTIN JENSEN re <u>28</u> MOTION Application for Access to Video Exhibits (Mirell, Hava) (Entered: 07/06/2021)
07/08/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: It is hereby ORDERED that the bond hearing scheduled for July 8, 2021, at 10:00 a.m. is VACATED and will be rescheduled promptly. Signed by Judge Timothy J. Kelly on 7/8/21. (lctjk2) (Entered: 07/08/2021)
07/12/2021		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN. VTC Bond Hearing set for 7/13/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 07/12/2021)
07/12/2021		MINUTE ORDER granting <u>28</u> Application for Access to Video Exhibits. Upon consideration of the motion, the United States' representation in its <u>29</u>

		Response that it consents, and the lack of opposition from Defendant, it is hereby ORDERED that the motion is GRANTED. The United States shall promptly provide to Petitioners via the procedures set forth in Standing Order No. 21-28, <i>In re: Media Access to Video Exhibits in Pretrial Hearings During the Covid-19 Pandemic</i> , the video submitted to the Court and noticed in ECF No. 27. It is further ORDERED that Petitioners are permitted to record, copy, download, retransmit, and otherwise further publish the videos. Signed by Judge Timothy J. Kelly on 7/12/21. (lctjk2) (Entered: 07/12/2021)
07/13/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Bond Hearing as to DOUGLAS AUSTIN JENSEN held on 7/13/2021. Defendant appeared by video. For the reasons stated on the record, Defendant's <u>21</u> MOTION for Bond, is GRANTED. Defendant to be released to a 3rd Party Custodian on Personal Recognizance Bond in the High Intensity Supervision Program. Bond Status of Defendant: Released on Personal Recognizance in the High Intensity Supervision Program/Release to be issued; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell; Prob Officer (Southern District of Iowa): Branden Brown; Pretrial Officer: Masharia Holman. (zkh) (Entered: 07/13/2021)
07/13/2021	<u>30</u>	ORDER Setting Conditions for High Intensity Supervision Program as to DOUGLAS AUSTIN JENSEN. Defendant will be released to a 3rd Party Custodian on Personal Recognizance/HISP. Signed by Judge Timothy J. Kelly on 7/13/2021. (Attachments: # <u>1</u> Appearance Bond) (zkh) (Entered: 07/13/2021)
07/13/2021	<u>31</u>	ORDER as to DOUGLAS AUSTIN JENSEN. Signed by Judge Timothy J. Kelly on 7/13/21.(lctjk2) (Entered: 07/13/2021)
07/27/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOUGLAS AUSTIN JENSEN held on 7/27/2021. Defendant appeared by video. Speedy Trial Excludable (XT) started 7/27/2021 though 9/24/2021, in the interest of justice. VTC Status Conference set for 9/24/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance/HISP; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell. (zkh) (Entered: 07/27/2021)
08/09/2021		MINUTE ORDER: It is hereby ORDERED that the government, without opposition from the parties, see Minute Order of July 12, 2021 promptly make the video exhibits submitted to the Court and noticed in ECF No. 27, publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order No. 21-28, <i>In re: Media Access to Video Exhibits in Pretrial Hearings During the Covid-19 Pandemic</i> . Signed by Judge Timothy J. Kelly on 8/9/21. (lctjk2) Modified to correct grammatical errors on 8/16/2021 (zkh). (Entered: 08/09/2021)
08/17/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Upon consideration of the <u>32</u> Pretrial Violation Report, it is hereby ORDERED that the Government shall file any motion relating to Defendant's conditions of release by August 19, 2021, and Defendant shall respond to any motion filed by August 23, 2021. Signed by Judge Timothy J. Kelly on 8/17/21. (lctjk2) (Entered: 08/17/2021)
08/19/2021	<u>33</u>	

		<p>TRANSCRIPT OF BOND HEARING in case as to DOUGLAS AUSTIN JENSEN before Judge Timothy J. Kelly held on 7-13-21; Page Numbers: 1-42; Date of Issuance: 8-19-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></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><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 9/9/2021. Redacted Transcript Deadline set for 9/19/2021. Release of Transcript Restriction set for 11/17/2021.(Miller, Timothy) (Entered: 08/19/2021)</p>
08/19/2021	<u>34</u>	MOTION to Revoke <i>Defendant's Pretrial Release</i> by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Exhibit 1)(Mirell, Hava) (Entered: 08/19/2021)
08/22/2021	<u>35</u>	RESPONSE by DOUGLAS AUSTIN JENSEN re <u>34</u> MOTION to Revoke <i>Defendant's Pretrial Release</i> (Davis, Christopher) (Entered: 08/22/2021)
08/31/2021		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN: VTC Motion Hearing set for 9/2/2021 at 10:30 AM before Judge Timothy J. Kelly. (zkh) (Entered: 08/31/2021)
09/01/2021		MINUTE ORDER as to DOUGLAS JENSEN: It is hereby ORDERED that Defendant shall appear at Room 460 of the U.S. District Courthouse at 123 East Walnut Street, Des Moines, IA, to attend tomorrow's hearing. Counsel shall promptly inform Defendant of this order. Signed by Judge Timothy J. Kelly on 9/1/21. (lctjk2) (Entered: 09/01/2021)
09/01/2021	<u>36</u>	WITHDRAWN PURSUANT TO NOTICE FILED 10/18/2021.....Motion to Seal Video Exhibit by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Declaration of Thomas A. DiBiase and Attachments, # <u>2</u> Text of Proposed Order)(Mirell, Hava) Modified text and event on 9/15/2021 (zntp). Modified on 10/25/2021 (znmw). (Entered: 09/01/2021)
09/02/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to DOUGLAS AUSTIN JENSEN held on 9/2/2021. Defendant appeared by video. For the reasons stated on the record, Government's <u>34</u> MOTION to Revoke <i>Defendant's Pretrial Release</i> heard and GRANTED. Defendant's Pretrial Release REVOKED and the defendant REMANDED. Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Nancy Meyer; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell; Prob Officer: Ashley Knight (SD

		Iowa); Pretrial Officer: Masharia Holman. (zkh) (Entered: 09/02/2021)
09/02/2021	<u>37</u>	ORDER as to DOUGLAS JENSEN. See order for details. Signed by Judge Timothy J. Kelly on 9/2/21. (lctjk2) (Entered: 09/02/2021)
09/20/2021		NOTICE OF HEARING ( <b>Time Change</b> ) as to DOUGLAS AUSTIN JENSEN: VTC Status Conference set for 9/24/2021 at <b>1:00 PM</b> before Judge Timothy J. Kelly. (zkh) (Entered: 09/20/2021)
09/21/2021	<u>38</u>	Unopposed MOTION to Continue <i>September 24, 2021 Status Conference for 30 Days</i> by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 09/21/2021)
09/21/2021	39	MOTION to Exclude Time Under the Speedy Trial Act by USA as to DOUGLAS AUSTIN JENSEN. (See docket entry <u>38</u> to view document.) (zltp) (Entered: 09/21/2021)
09/23/2021	<u>40</u>	Second MOTION to Access <i>Video Exhibits</i> by PRESS COALITION as to DOUGLAS AUSTIN JENSEN. (Tobin, Charles) (Entered: 09/23/2021)
09/23/2021	<u>41</u>	RESPONSE by DOUGLAS AUSTIN JENSEN re <u>40</u> Second MOTION to Access <i>Video Exhibits</i> (Davis, Christopher) (Entered: 09/23/2021)
09/23/2021		MINUTE ORDER as to DOUGLAS JENSEN granting <u>38</u> Motion to Continue Status Conference. It is hereby ORDERED that the <u>38</u> Motion is GRANTED and the telephonic status conference currently set for September 24, 2021 is CONTINUED until October 26, 2021, at 9:30 a.m. It is further ORDERED that the time period from September 24, 2021 to October 26, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). The Court so finds because of: (1) the public health reasons stated in Standing Order No. 21-47: <i>In Re: Updated Status of Court Operations, including Jury Trials, and CARES Act Extension for Remote Proceedings</i> , the findings of which the Court adopts after consideration of the specific circumstances of this case; (2) the government's ongoing production of voluminous discovery that defense counsel has not yet been able to review and discuss with the defendant due to his transit to the District of Columbia; and (3) the parties' ongoing plea negotiations, since defense counsel has not yet been able to discuss the terms of the government's most recent plea offer with the defendant for that same reason. Signed by Judge Timothy J. Kelly on 9/23/21. (lctjk2) (Entered: 09/23/2021)
09/26/2021	<u>42</u>	MOTION to Dismiss Count <i>Two</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 09/26/2021)
09/26/2021	<u>43</u>	MOTION to Reserve Right to File Additional Motions by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 09/26/2021)
10/07/2021	<u>44</u>	Joint PROPOSED BRIEFING SCHEDULE by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 10/07/2021)
10/11/2021		

		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Upon consideration of the parties' <u>44</u> Joint Proposed Briefing Schedule, it is hereby ORDERED that the United States shall file its opposition to Defendant's <u>42</u> Motion to Dismiss Count Two by November 5, 2021; and Defendant shall file his reply by November 19, 2021. Signed by Judge Timothy J. Kelly on 10/11/2021. (lctjk2) (Entered: 10/11/2021)
10/12/2021		Set/Reset Deadlines as to DOUGLAS AUSTIN JENSEN: Government Response due by 11/5/2021. Defendant's Reply due by 11/19/2021. (zkh) (Entered: 10/12/2021)
10/13/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Currently pending before the Court are the United States' <u>36</u> Motion to Seal, the Press Coalition's <u>40</u> Second Motion to Access Video Exhibits, and Defendant's <u>41</u> Response to the Press Coalition's <u>40</u> Motion. As noted in Chief Judge Howell's recent decision in <i>United States v. Torrens</i> , No. 21-cr-204, ECF No. 83 at 12, "many videos taken from the U.S. Capitol CCV system have been disclosed both through proceedings in the Capitol cases, and during former President Donald Trump's second impeachment proceedings." This Court therefore ORDERS the Government to file a status report by October 19, 2021, addressing whether the video at issue has been released, if other footage from the same camera has been released, if footage depicting the same area of the U.S. Capitol building has been released, and whether the Government still seeks to keep under seal the video exhibit in question. Signed by Judge Timothy J. Kelly on 10/13/2021. (lctjk2) (Entered: 10/13/2021)
10/13/2021	<u>45</u>	Unopposed MOTION to Continue <i>October 26, 2021 Status Conference for 30 Days</i> by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 10/13/2021)
10/13/2021	46	MOTION to Exclude Time Under the Speedy Trial Act by USA as to DOUGLAS AUSTIN JENSEN. (See docket entry <u>45</u> to view document.) (zltpt) (Entered: 10/13/2021)
10/13/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN granting <u>45</u> Motion to Continue October 26, 2021 Status Conference and 46 Motion to Exclude Time Under the Speedy Trial Act. It is hereby ORDERED that the <u>45</u> Motion to Continue is GRANTED, and the status conference currently set for October 26, 2021 is CONTINUED until November 30, 2021 at 2:00 p.m. It is further ORDERED that the 46 Motion to Exclude Time is GRANTED, and the time period from October 26, 2021 to November 30, 2021 is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). The Court so finds because of: (1) the public health reasons stated in Standing Order No. 21-47: <i>In Re: Updated Status of Court Operations, including Jury Trials, and CARES Act Extension for Remote Proceedings</i> , the findings of which the Court adopts after consideration of the specific circumstances of this case; (2) the Government's ongoing production of voluminous discovery that defense counsel has not yet been able to review and discuss with Defendant due to enhanced health monitoring measures at the D.C. Jail; and (3) the parties' ongoing plea negotiations, including that defense counsel has not yet been able to review and discuss with Defendant the terms of the Government's most

		recent plea offer, for the same reason. The Court also notes that time is excluded under the Speedy Trial Act so long as Defendant's <u>42</u> Motion to Dismiss, which will not be ripe until November 19, 2021, remains pending. <i>See</i> 18 U.S.C. § 3161(h)(1)(D). Signed by Judge Timothy J. Kelly on 10/13/2021. (lctjk2) (Entered: 10/13/2021)
10/15/2021		NOTICE OF HEARING ( <b>Time Change</b> ) as to DOUGLAS AUSTIN JENSEN: VTC Status Conference set for 11/30/2021 at <b>3:30 PM</b> before Judge Timothy J. Kelly. (zkh) (Entered: 10/15/2021)
10/18/2021	<u>47</u>	NOTICE re <u>36</u> of <i>Withdrawal of Motion to Seal Exhibit</i> by USA as to DOUGLAS AUSTIN JENSEN (Mirell, Hava) Modified to add link on 10/25/2021 (znmw). (Entered: 10/18/2021)
10/19/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN denying as moot the Government's <u>36</u> Opposed Motion to Seal Video Exhibit and granting the Press Coalition's <u>40</u> Second Application for Access to Video Exhibits. Upon consideration of the Government's <u>47</u> Notice of Withdrawal of Government's Motion to Seal Video Exhibit, it is hereby ORDERED that the Government's <u>36</u> Opposed Motion to Seal is denied as moot. It is further ORDERED that the Press Coalition's <u>40</u> Second Application is granted insofar as it requests access to the video exhibit at issue in the Government's <u>36</u> Opposed Motion to Seal. It is further ORDERED that the Government, after consultation with and consent of the parties, shall promptly make the video exhibit at issue in the Government's <u>36</u> Opposed Motion to Seal publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, <i>In re: Media Access to Video Exhibits in Pretrial Capitol Cases</i> . Signed by Judge Timothy J. Kelly on 10/19/2021. (lctjk2) (Entered: 10/19/2021)
10/24/2021	<u>48</u>	NOTICE of <i>Filing Discovery Memoranda</i> by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of 7/12/2021, # <u>2</u> Exh. A to 7/12/2021 Discovery Memorandum, # <u>3</u> Memorandum Regarding Status of Discovery as of 8/23/2021, # <u>4</u> Memorandum Regarding Status of Discovery as of 9/14/2021, # <u>5</u> Memorandum Regarding Status of Discovery as of 10/21/2021)(Mirell, Hava) (Entered: 10/24/2021)
11/02/2021	<u>49</u>	Joint PROPOSED BRIEFING SCHEDULE( <i>Modified</i> ) by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 11/02/2021)
11/03/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Upon consideration of <u>49</u> Joint Proposed Modified Briefing Schedule, and for good cause shown, it is hereby ORDERED that the Government shall file its Opposition to Defendant's <u>42</u> Motion to Dismiss by December 6, 2021 and that Defendant shall file his reply, if any, by December 20, 2021. Signed by Judge Timothy J. Kelly on 11/03/2021. (lctjk2) (Entered: 11/03/2021)
11/10/2021	<u>50</u>	SUPERSEDING INDICTMENT as to DOUGLAS AUSTIN JENSEN (1) count(s) 1sss, 2sss, 3sss, 4sss, 5sss, 6sss, 7sss. (zstd) (Entered: 11/10/2021)
11/15/2021		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN: VTC Arraignment set for 11/30/2021 at 3:30 PM before Judge Timothy J. Kelly. (zkh) (Entered: 11/15/2021)

11/17/2021	<u>52</u>	Consent MOTION for Return of Property/PreTrial <i>iPhone</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 11/17/2021)
11/18/2021		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN granting <u>52</u> Consent Motion for Return of Property. It is hereby ORDERED that the <u>52</u> Consent Motion is GRANTED. Pretrial services is directed to return Defendant's iPhone to his wife, April Jensen. Signed by Judge Timothy J. Kelly on 11/18/2021. (lctjk2) (Entered: 11/18/2021)
11/24/2021	<u>53</u>	NOTICE of Filing Discovery Memorandum by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of November 5, 2021)(Mirell, Hava) (Entered: 11/24/2021)
11/30/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Status Conference as to DOUGLAS AUSTIN JENSEN as to Counts 1sss, 2sss, 3sss, 4sss, 5sss, 6sss, and 7sss held on 11/30/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to ALL counts. Current briefing scheduled modified as follows: Government's Opposition to Defendant's <u>42</u> Motion to Dismiss due by 1/21/2022. Defendant's reply, if any, due by 2/4/2022. VTC Motion Hearing set for 2/11/2022 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell. (zkh) (Entered: 11/30/2021)
12/06/2021	<u>54</u>	MOTION for Reconsideration re <u>37</u> Order on Motion to Revoke <i>Bond</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 12/06/2021)
12/21/2021	<u>55</u>	Memorandum in Opposition by USA as to DOUGLAS AUSTIN JENSEN re <u>54</u> MOTION for Reconsideration re <u>37</u> Order on Motion to Revoke <i>Bond</i> (Mirell, Hava) (Entered: 12/21/2021)
01/12/2022	<u>56</u>	ORDER as to DOUGLAS AUSTIN JENSEN denying <u>54</u> Motion for Reconsideration. See Order for details. Signed by Judge Timothy J. Kelly on 01/12/2022. (lctjk2) (Entered: 01/12/2022)
01/21/2022	<u>57</u>	RESPONSE by USA as to DOUGLAS AUSTIN JENSEN re <u>42</u> MOTION to Dismiss Count <i>Two</i> (Mirell, Hava) (Entered: 01/21/2022)
01/31/2022	<u>58</u>	REPLY TO OPPOSITION to Motion by DOUGLAS AUSTIN JENSEN re <u>42</u> MOTION to Dismiss Count <i>Two</i> (Davis, Christopher) (Entered: 01/31/2022)
02/11/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to DOUGLAS AUSTIN JENSEN held on 2/11/2022. Defendant appeared by video. For the reasons stated on the record, defendant's <u>42</u> MOTION to Dismiss Count <i>Two</i> is DENIED. Speedy Trial Excludable (XT) started 2/11/2022 through 3/11/2022, in the interest of justice. Government's 404(b) Disclosure due by 3/4/2022. Defendant's Pretrial Motion(s) due by 3/11/2022. Government's Response due by 4/1/2022. Defendant's Reply due by 4/8/2022. Government's Pretrial Motion(s) due by 5/27/2022. Defendant's Response due by 6/17/2022. Government's Reply due by 6/24/2022. Joint Pretrial Statement due by 8/10/2022. Pretrial Conference/Motion Hearing set for 8/24/2022 at 2:00 PM in Courtroom 11



		before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 9/19/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Order to be entered by the court. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Hava Arin Levenson Mirell. (zkh) (Entered: 02/11/2022)
02/11/2022	<u>59</u>	SCHEDULING ORDER as to DOUGLAS AUSTIN JENSEN. See Order for details. Signed by Judge Timothy J. Kelly on 02/11/2022. (lctjk2) (Entered: 02/11/2022)
02/11/2022		Set/Reset Deadlines/Hearings as to DOUGLAS AUSTIN JENSEN: Government's Pretrial Motion(s) due by 5/27/2022. (zkh) (Entered: 02/11/2022)
02/25/2022	<u>60</u>	NOTICE of Filing Discovery Memorandum by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of February 9, 2022)(Mirell, Hava) (Entered: 02/25/2022)
03/02/2022	<u>61</u>	NOTICE OF ATTORNEY APPEARANCE Emily W. Allen appearing for USA. (Allen, Emily) (Entered: 03/02/2022)
03/11/2022	<u>62</u>	ENTERED IN ERROR.....MOTION to Suppress <i>Statements and Derivative Evidence</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Exhibit Video Clips, # <u>2</u> Exhibit Complaint & Affidavit, # <u>3</u> Text of Proposed Order)(Davis, Christopher) Modified on 3/11/2022 (zhsj). (Entered: 03/11/2022)
03/11/2022	<u>63</u>	MOTION to Dismiss Count <i>One</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 03/11/2022)
03/11/2022	<u>64</u>	MOTION to Change Venue by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) Modified text on 3/15/2022 (znmw). (Entered: 03/11/2022)
03/11/2022	<u>65</u>	Amended MOTION to Suppress <i>Statements and Derivative Evidence</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Exhibit Video Clips, # <u>2</u> Exhibit Complaint & Affidavit, # <u>3</u> Text of Proposed Order)(Davis, Christopher) (Entered: 03/11/2022)
03/25/2022	<u>66</u>	RESPONSE by USA as to DOUGLAS AUSTIN JENSEN re <u>63</u> MOTION to Dismiss Count <i>One</i> (Allen, Emily) (Entered: 03/25/2022)
03/25/2022	<u>67</u>	RESPONSE by USA as to DOUGLAS AUSTIN JENSEN re <u>64</u> MOTION to Change Venue (Allen, Emily) (Entered: 03/25/2022)
03/30/2022	<u>68</u>	Joint PROPOSED BRIEFING SCHEDULE ( <i>Amended</i> ) by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Text of Proposed Order)(Allen, Emily) (Entered: 03/30/2022)
03/31/2022		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: Upon consideration of the <u>68</u> Joint Proposed Revision to Briefing Schedule, it is hereby ORDERED that the briefing schedule set forth in the Court's <u>59</u> Scheduling Order is modified as follows: the Government shall file its opposition to Defendant's <u>65</u> Motion to Suppress by April 8, 2022; and Defendant shall file a reply, if any, by April 15, 2022. Signed by Judge Timothy J. Kelly on 03/31/2022. (lctjk2) (Entered: 03/31/2022)

04/08/2022	<u>69</u>		RESPONSE by USA as to DOUGLAS AUSTIN JENSEN re <u>65</u> Amended MOTION to Suppress <i>Statements and Derivative Evidence</i> (Attachments: # <u>1</u> Exhibit Transcript of Defendant's Interview with Law Enforcement)(Allen, Emily) (Entered: 04/08/2022)
05/17/2022			MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: It is hereby ORDERED that the parties shall appear for a status conference on May 24, 2022, at 3:30 p.m., via videoconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. Signed by Judge Timothy J. Kelly on 05/27/2022. (lctjk2) (Entered: 05/17/2022)
05/24/2022			Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOUGLAS AUSTIN JENSEN held on 5/24/2022. Defendant appeared by video. For the reasons stated on the record, the Pretrial Conference/Motion Hearing currently set for 8/24/2022 is <b>RESCHEDULED</b> for 8/26/2022 at 1:00 PM in Courtroom 11 before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: Christopher Michael Davis; US Attorney: Emily W. Allen. (zkh) (Entered: 05/24/2022)
05/27/2022	<u>70</u>		MOTION in Limine to Preclude Improper Evidence of Police Interactions with Others by USA as to DOUGLAS AUSTIN JENSEN. (Allen, Emily) (Entered: 05/27/2022)
05/27/2022	<u>71</u>		MOTION in Limine regarding Authentication of Third-Party Evidence by USA as to DOUGLAS AUSTIN JENSEN. (Allen, Emily) (Entered: 05/27/2022)
07/25/2022	<u>72</u>		MOTION to Continue Trial by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 07/25/2022)
07/26/2022			MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: It is hereby ORDERED that the Government shall file its response to Defendant's <u>72</u> Motion to Continue Trial Date by August 1, 2022; and Defendant shall file his reply by August 4, 2022. In the reply, counsel for Defendant shall explain why the trial date in this case should be continued to accommodate another trial, considering that this case has been pending since January 8, 2021; the trial date in this case was set in February 2022, <i>see</i> ECF No. 59; and Defendant in this case is detained pending trial. Signed by Judge Timothy J. Kelly on 07/26/2022. (lctjk2) (Entered: 07/26/2022)
07/27/2022	<u>73</u>		Memorandum in Opposition by USA as to DOUGLAS AUSTIN JENSEN re <u>72</u> MOTION to Continue Trial (Allen, Emily) (Entered: 07/27/2022)
07/28/2022	<u>74</u>		REPLY TO OPPOSITION to Motion by DOUGLAS AUSTIN JENSEN re <u>72</u> MOTION to Continue Trial (Attachments: # <u>1</u> Exhibit)(Davis, Christopher) (Entered: 07/28/2022)
08/02/2022	<u>75</u>		ORDER as to DOUGLAS AUSTIN JENSEN denying in part and holding in abeyance in part Defendant's <u>72</u> Motion to Continue Trial Date. See Order for details. Signed by Judge Timothy J. Kelly on 08/02/2022. (lctjk2) (Entered: 08/02/2022)
08/05/2022			

		NOTICE OF HEARING ( <b>Time Change</b> ) as to DOUGLAS AUSTIN JENSEN: Pretrial Conference/Motion Hearing set for 8/26/2022 at <b>2:00 PM</b> in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> (zkh) Modified to add additional language requested by chambers on 8/12/2022 (zkh). (Entered: 08/05/2022)
08/10/2022	<u>76</u>	PRETRIAL MEMORANDUM – <i>Joint Pretrial Statement</i> by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Joint Proposed Voir Dire, # <u>2</u> Joint Proposed Jury Instructions, # <u>3</u> Government's Exhibit List, # <u>4</u> Stipulations, # <u>5</u> Joint Proposed Verdict Form)(Allen, Emily) (Entered: 08/10/2022)
08/16/2022	<u>77</u>	MOTION to Withdraw Document <u>72</u> MOTION to Continue <i>Trial</i> by DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Christopher) (Entered: 08/16/2022)
08/17/2022		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN granting Defendant's <u>77</u> Motion to Withdraw Request for Short Term Continuance. It is hereby ORDERED that Defendant's <u>77</u> Motion is GRANTED. It is further ORDERED that Defendant's motion to continue the trial date from September 19, 2022 to September 21, 2022, <i>see</i> ECF No. 72 at 2; ECF No. 74 at 1, is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 08/17/2022. (lctjk2) (Entered: 08/17/2022)
08/25/2022	<u>78</u>	Court's Proposed Voir Dire. See document for details. Signed by Judge Timothy J. Kelly on 08/25/2022. (lctjk2) (Entered: 08/25/2022)
08/25/2022	<u>79</u>	Court's Proposed Preliminary Jury Instructions. See document for details. Signed by Judge Timothy J. Kelly on 08/25/2022. (lctjk2) (Entered: 08/25/2022)
08/26/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: Pretrial Conference/Motion Hearing as to DOUGLAS AUSTIN JENSEN held on 8/26/2022. For the reasons stated on the record, defendant's <u>63</u> MOTION to Dismiss is DENIED and defendant's <u>64</u> MOTION to Transfer is DENIED WITHOUT PREJUDICE. For the reasons stated on the record, the government's <u>70</u> MOTION in Limine and <u>71</u> MOTION in Limine are both GRANTED. Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorney: Emily W. Allen and Hava Arin Levenson Mirell; Government Witnesses: Special Agent Tyler Johnson and Task Force Officer Matthew Towers. (zkh) (Entered: 08/26/2022)
08/26/2022	<u>80</u>	EXHIBIT LIST by USA as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 08/29/2022)
08/31/2022		NOTICE OF HEARING as to DOUGLAS AUSTIN JENSEN: VTC Oral Ruling set for 9/7/2022 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 08/31/2022)
09/07/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Oral Ruling as to DOUGLAS AUSTIN JENSEN held on 9/7/2022. Defendant

		appeared by video. For the reasons stated on the record, defendant's <u>65</u> Amended MOTION to Suppress is DENIED. Government's Submission due by 9/9/2022. Defendant's Response due by 9/12/2022. Bond Status of Defendant: Remains Committed; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell. (zkh) (Entered: 09/07/2022)
09/09/2022	<u>81</u>	MOTION in Limine to Admit Government Exhibits 509 and 525 by USA as to DOUGLAS AUSTIN JENSEN. (Mirell, Hava) (Entered: 09/09/2022)
09/10/2022	<u>82</u>	NOTICE of Filing of Exhibits Pursuant to Rule 49 by USA as to DOUGLAS AUSTIN JENSEN (Mirell, Hava) (Entered: 09/10/2022)
09/10/2022	<u>83</u>	RESPONSE by DOUGLAS AUSTIN JENSEN re <u>81</u> MOTION in Limine to Admit Government Exhibits 509 and 525 (Davis, Christopher) (Entered: 09/10/2022)
09/10/2022	<u>84</u>	NOTICE of Filing of Exhibits Pursuant to Rule 49 by DOUGLAS AUSTIN JENSEN re <u>83</u> Response to motion (Davis, Christopher) (Entered: 09/10/2022)
09/12/2022	<u>85</u>	STIPULATION of the Parties by USA (Mirell, Hava) (Entered: 09/12/2022)
09/14/2022	<u>86</u>	<p>TRANSCRIPT OF PRETRIAL CONFERENCE/MOTION HEARING in case as to DOUGLAS AUSTIN JENSEN before Judge Timothy J. Kelly held on 8-26-22; Page Numbers: 1-118; Date of Issuance: 9-14-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></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><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 10/5/2022. Redacted Transcript Deadline set for 10/15/2022. Release of Transcript Restriction set for 12/13/2022.(Miller, Timothy) (Entered: 09/14/2022)</p>
09/17/2022	<u>87</u>	MOTION in Limine to Admit Government Exhibit 383 by USA as to DOUGLAS AUSTIN JENSEN. (Attachments: # <u>1</u> Exhibit 1)(Mirell, Hava) (Entered: 09/17/2022)
09/17/2022	<u>88</u>	RESPONSE by DOUGLAS AUSTIN JENSEN re <u>87</u> MOTION in Limine to Admit Government Exhibit 383 (Davis, Christopher) (Entered: 09/17/2022)
09/18/2022	<u>89</u>	MEMORANDUM ORDER as to DOUGLAS AUSTIN JENSEN granting the Government's <u>81</u> Motion in Limine to Admit Exhibits 509 and 525. See Memorandum Order for details. Signed by Judge Timothy J. Kelly on

		09/18/2022. (lctjk2) (Entered: 09/18/2022)
09/18/2022	<u>90</u>	<p>TRANSCRIPT OF PROCEEDINGS in case as to DOUGLAS AUSTIN JENSEN before Judge Timothy J. Kelly held on 9/7/22; Page Numbers: 1–37. Court Reporter/Transcriber tammy_nestor@dcd.uscourts.gov, Telephone number 2023543127, Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></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><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 10/9/2022. Redacted Transcript Deadline set for 10/19/2022. Release of Transcript Restriction set for 12/17/2022.(Nestor, Tammy) (Entered: 09/18/2022)</p>
09/18/2022		<p>MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: To avoid any confusion, it is hereby ORDERED that jury selection and trial shall commence on September 19, 2022, at 9:00 a.m. in Courtroom 11, and not in the Ceremonial Courtroom, as reflected in the Court's original <u>59</u> Scheduling Order. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Signed by Judge Timothy J. Kelly on 09/18/2022. (lctjk2) (Entered: 09/18/2022)</p>
09/19/2022		<p>Minute Entry for proceedings held before Judge Timothy J. Kelly: Jury Selection as to DOUGLAS AUSTIN JENSEN held on 9/19/2022 as to Count 1sss – 7sss. Jury Selection begun and continued to 9/20/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell. (zkh) (Entered: 09/19/2022)</p>
09/19/2022	<u>91</u>	<p>NOTICE <i>re: Proposed Limiting Instruction Regarding Government Exhibit 383</i> by USA as to DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Exhibit A)(Mirell, Hava) (Entered: 09/19/2022)</p>
09/20/2022		<p>Minute Entry for proceedings held before Judge Timothy J. Kelly: Jury Selection/Trial as to DOUGLAS AUSTIN JENSEN resumed and held on 9/20/2022 as to Counts 1sss – 7sss. Twelve (12) jurors and two (2) alternates</p>

		selected and sworn. Jury Trial begun and continued to 9/21/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell. (zkh) (Entered: 09/20/2022)
09/20/2022		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. Approved by Judge Timothy J. Kelly on 9/20/2022. (zkh) (Entered: 09/22/2022)
09/21/2022	<u>93</u>	MEMORANDUM ORDER as to DOUGLAS AUSTIN JENSEN granting the Government's <u>87</u> Motion in Limine to Admit Exhibit 383. See Memorandum Order for details. Signed by Judge Timothy J. Kelly on 09/21/2022. (lctjk2) (Entered: 09/21/2022)
09/21/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: Jury Trial as to DOUGLAS AUSTIN JENSEN held on 9/21/2022 as to Counts 1sss – 7sss, with same twelve (12) jurors and two (2) alternates. Jury Trial continued to 9/22/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell; Witnesses: USCP Inspector Thomas Loyd (testimony begun and concluded), USCP Officer Mark Gazelle (testimony begun and concluded), USCP Officer Eugene Goodman (testimony begun and concluded), and USCP Officer Brian Morgan (testimony begun and continued). (zkh) (Entered: 09/21/2022)
09/21/2022	<u>94</u>	NOTICE of exhibits published during opening statements by USA as to DOUGLAS AUSTIN JENSEN (Allen, Emily) (Entered: 09/21/2022)
09/22/2022	<u>95</u>	Court's Proposed Final Jury Instructions. See document for details. Signed by Judge Timothy J. Kelly on 09/22/2022. (lctjk2) (Entered: 09/22/2022)
09/22/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: Jury Trial as to DOUGLAS AUSTIN JENSEN held on 9/22/2022 as to Counts 1sss – 7sss, with same twelve (12) jurors and two (2) alternates. Defendant's oral motion for Judgment of Acquittal, HEARD and ruling RESERVED by the Court. Jury Trial continued to 9/23/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell; Witnesses: USCP Officer Brian Morgan (testimony

		resumed and concluded), FBI Agent Tyler Johnson (testimony begun and concluded), USSS Agent Elizabeth Glavey (testimony begun and concluded), and MPD Officer Paul Weiss (testimony begun and concluded). (zkh) (Entered: 09/22/2022)
09/23/2022	<u>96</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 09/23/2022)
09/23/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: Jury Trial as to DOUGLAS AUSTIN JENSEN resumed and held on 9/23/2022 as to Counts 1sss – 7sss, with same twelve (12) jurors and two (2) alternates. Two (2) alternate jurors discharged. Jury deliberations begun and concluded. <b>JURY VERDICT of GUILTY on Counts 1sss – 7sss.</b> Jury panel of Twelve (12) discharged. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Defendant's Post-Conviction Motions due by 10/14/2022. Government Responses due by 10/28/2022. Defendant's Replies due by 11/4/2022. Sentencing set for 12/16/2022 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. <b>Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC.</b> Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell. (zkh) (Entered: 09/23/2022)
09/23/2022	<u>97</u>	FINAL Jury Instructions as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 09/23/2022)
09/23/2022	<u>98</u>	GOVERNMENT EXHIBIT LIST as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 09/26/2022)
09/23/2022	<u>99</u>	Jury Notes (6) as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 09/26/2022)
09/23/2022	<u>100</u>	<b>Signature Page of Foreperson</b> as to DOUGLAS AUSTIN JENSEN in Jury Notes (6). (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zkh) (Entered: 09/26/2022)
09/23/2022	<u>101</u>	VERDICT FORM as to DOUGLAS AUSTIN JENSEN. (zkh) (Entered: 09/26/2022)
09/23/2022	<u>102</u>	<b>Signature Page of Foreperson</b> as to DOUGLAS AUSTIN JENSEN 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.) (zkh) (Entered: 09/26/2022)
09/28/2022		MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: During trial, at the close of the Government's case in chief, Defendant orally moved for a judgment of acquittal on each of the seven counts with which he was charged. <i>See</i> ECF No. 50; Fed. R. Crim P. 29(a). At that time, the Court reserved decision on the motion, and the jury subsequently found Defendant guilty on each of those seven counts. <i>See</i> ECF No. 101; Fed. R. Crim. P. 29(b). The

		<p>Court must decide Defendant's motion based on the evidence at the time the Court reserved ruling on it, and in doing so it must "view the evidence in the light most favorable to the Government giving full play to the right of the jury to determine credibility, weigh evidence and draw justifiable inferences of fact." <i>See United States v. Bowser</i>, 318 F. Supp. 3d 154, 160 (D.D.C. 2018) (internal quotation marks omitted). Considering Defendant's motion under these standards, but without the benefit at this time of any briefing or citation to evidence in the record, the Court concludes that a reasonable jury could have found that the Government met its burden of proving each element of each count beyond a reasonable doubt, so it will deny the motion. <i>See id.</i> That said, the Court has set a post-conviction motions schedule, by which Defendant may once again move for a judgment of acquittal. <i>See</i> Minute Entry of September 23, 2022; Fed. R. Crim. P. 29(c)(1). Thus, it is hereby ORDERED that Defendant's oral motion for a judgment of acquittal is DENIED WITHOUT PREJUDICE to renewal in a post-conviction motion. Signed by Judge Timothy J. Kelly on 09/28/2022. (lctjk2) (Entered: 09/28/2022)</p>
09/28/2022		<p>MINUTE ORDER as to DOUGLAS AUSTIN JENSEN: It is hereby ORDERED that the Government shall file its sentencing memorandum by December 6, 2022; Defendant shall file his sentencing memorandum by December 9, 2022; and the Government shall file a responsive memorandum, if any, by December 13, 2022. Signed by Judge Timothy J. Kelly on 09/28/2022. (lctjk2) (Entered: 09/28/2022)</p>
10/18/2022	<u>103</u>	<p>LEAVE TO FILE DENIED- Mark Marvin; Petition for Writ of Habeas Corpus as to DOUGLAS AUSTIN JENSEN This document is unavailable as the Court denied its filing. "This filer is not a party to this case, nor may he file a writ of habeas corpus" Signed by Judge Timothy J. Kelly on 10/18/2022. (zltf) (Entered: 10/18/2022)</p>
12/06/2022	<u>107</u>	<p>SENTENCING MEMORANDUM by USA as to DOUGLAS AUSTIN JENSEN (Mirell, Hava) (Entered: 12/06/2022)</p>
12/09/2022	<u>110</u>	<p>SENTENCING MEMORANDUM by DOUGLAS AUSTIN JENSEN (Attachments: # <u>1</u> Exhibit)(Davis, Christopher) (Entered: 12/09/2022)</p>
12/13/2022	<u>113</u>	<p>SUPPLEMENT by USA as to DOUGLAS AUSTIN JENSEN re <u>107</u> Sentencing Memorandum (Allen, Emily) (Entered: 12/13/2022)</p>
12/16/2022		<p>Minute Entry for proceedings held before Judge Timothy J. Kelly: Sentencing held on 12/16/2022 as to DOUGLAS AUSTIN JENSEN as to Counts 1sss – 7sss. <b>Count 1sss:</b> Defendant sentenced to sixty (60) months of Incarceration on Count 1sss to run concurrently with counts 2sss – 7sss, followed by thirty-six (36) months of Supervised Release (with conditions) on Count 1sss to run concurrently with Counts 2sss – 5sss. \$100 Special Assessment; <b>Count 2sss:</b> Defendant sentenced to sixty (60) months of Incarceration on Count 2sss to run concurrently with counts 1sss and 3sss – 7sss, followed by thirty-six (36) months of Supervised Release (with conditions) on Count 2sss to run concurrently with Counts 1sss and 3sss – 5sss. \$100 Special Assessment; <b>Count 3sss:</b> Defendant sentenced to sixty (60) months of Incarceration on Count 3sss to run concurrently with counts 1sss, 2sss, and 4sss – 7sss, followed by thirty-six (36) months of Supervised Release (with conditions) on Count 3sss to run concurrently with Counts 1sss, 2sss, 4sss, and 5sss. \$100 Special Assessment. <b>Count 4sss:</b> Defendant sentenced to sixty (60) months of</p>



		<p>Incarceration on Count 4sss to run concurrently with counts 1sss – 3sss and 5sss – 7sss, followed by thirty–six (36) months of Supervised Release (with conditions) on Count 4sss to run concurrently with Counts 1sss – 3sss and 5sss. \$100 Special Assessment. <b>Count 5sss:</b> Defendant sentenced to sixty (60) months of Incarceration on Count 5sss to run concurrently with counts 1sss – 4sss and 6sss – 7sss, followed by thirty–six (36) months of Supervised Release (with conditions) on Count 5sss to run concurrently with Counts 1sss – 4sss. \$100 Special Assessment. <b>Count 6sss:</b> Defendant sentenced to six (6) months of Incarceration on Count 6sss to run concurrently with counts 1sss – 5sss and 7sss. \$20 Special Assessment. <b>Count 7sss:</b> Defendant sentenced to six (6) months of Incarceration on Count 7sss to run concurrently with counts 1sss – 6sss. \$20 Special Assessment. Counts 1, 1s, 1ss, 2, 2s, 2ss, 3, 3s, 3ss, 4, 4s, 4ss, 5, 5s, 5ss, 6, 6s, 6ss, 7s, 7ss, DISMISSED ON ORAL MOTION OF THE GOVERNMENT. Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Timothy Miller; Defense Attorney: Christopher Michael Davis; US Attorneys: Emily W. Allen and Hava Arin Levenson Mirell; Prob Officer: Hana Field; Government Witness: USCP Inspector Thomas Loyd. (zkh) (Entered: 12/16/2022)</p>
12/16/2022	<u>115</u>	<p>NOTICE OF APPEAL – Final Judgment by DOUGLAS AUSTIN JENSEN Fee Status: No Fee Paid. Parties have been notified. (Davis, Mary) (Entered: 12/16/2022)</p>
12/18/2022	<u>116</u>	<p>JUDGMENT as to DOUGLAS AUSTIN JENSEN. Statement of Reasons Not Included. Signed by Judge Timothy J. Kelly on 12/18/2022. (zltpt) (Entered: 12/20/2022)</p>
12/18/2022	<u>117</u>	<p>STATEMENT OF REASONS as to DOUGLAS AUSTIN JENSEN. re <u>116</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 Judge Timothy J. Kelly on 12/18/2022. (zltpt) (Entered: 12/20/2022)</p>
12/20/2022	<u>118</u>	<p>Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by a CJA appointed attorney as to DOUGLAS AUSTIN JENSEN re <u>115</u> Notice of Appeal – Final Judgment. (zltpt) (Entered: 12/20/2022)</p>



DEFENDANT: DOUGLAS AUSTIN JENSEN  
CASE NUMBER: 21-CR-006 (TJK)

### ADDITIONAL COUNTS OF CONVICTION

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 111(a)(1)	Assaulting, Resisting, or Impeding Certain Officers	1/6/2021	3sss
18 U.S.C. § 1752(a)(1)...	Entering and Remaining in a Restricted Building or	1/6/2021	4sss
...and (b)(1)(A)	Grounds with a Deadly or Dangerous Weapon		
18 U.S.C. § 1752(a)(2)...	Disorderly and Disruptive Conduct in a Restricted	1/6/2021	5sss
...and (b)(1)(A)	Building or Grounds with a Deadly or Dangerous		
	Weapon		
40 U.S.C. § 5104(e)(2)...	Disorderly Conduct in a Capitol Building	1/6/2021	6sss
...(D)			
40 U.S.C. § 5104(e)(2)...	Parading, Demonstrating, or Picketing in a Capitol	1/6/2021	7sss
...(G)	Building		

DEFENDANT: DOUGLAS AUSTIN JENSEN  
CASE NUMBER: 21-CR-006 (TJK)

**IMPRISONMENT**

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

An aggregate sentence of Sixty (60) months as follows: Concurrent terms of Sixty (60) months as to Counts 1sss through 5sss and Six (6) months as to Counts 6sss and 7sss.

The court makes the following recommendations to the Bureau of Prisons:

Defendant be evaluated for mental health treatment and placed in an appropriate facility.

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: DOUGLAS AUSTIN JENSEN  
CASE NUMBER: 21-CR-006 (TJK)

### SUPERVISED RELEASE

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

Thirty-six (36) months as to Counts 1sss through 5sss. All counts 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.
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: DOUGLAS AUSTIN JENSEN  
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### 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](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: DOUGLAS AUSTIN JENSEN  
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### **SPECIAL CONDITIONS OF SUPERVISION**

Restitution Obligation – You must pay the balance of any restitution owed at a rate of no less than \$100 each month.

Financial Information Disclosure - You 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.

Financial Restrictions - You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

Substance Abuse Testing - You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods.

Substance Abuse Treatment -You must participate in an inpatient and/or outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Mental Health Treatment - You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Re-entry Progress Hearing - Within sixty days of release from incarceration or placement on supervision, you will appear before the Court for a re-entry progress hearing. Prior to the hearing, the probation officer will submit a report summarizing your status and compliance with release conditions. If you are supervised by a district outside of the Washington DC metropolitan area, the United States Probation Office in that district will submit a progress report to the court within 60 days of the commencement of supervision; upon receipt of the progress report, the Court will determine if your appearance is required.

DEFENDANT: DOUGLAS AUSTIN JENSEN  
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**CRIMINAL MONETARY PENALTIES**

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

<b>TOTALS</b>	<u>Assessment</u> \$ 520.00	<u>Restitution</u> \$ 2,000.00	<u>Fine</u> \$	<u>AVAA Assessment*</u> \$	<u>JVTA Assessment**</u> \$
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- 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			
Ford House Office Building			
Room H2-205B			
Washington, DC 20515			

<b>TOTALS</b>	\$ _____	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.



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**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 \$ 520.00 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 financial obligations are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, you shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

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) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.