

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00037-TNM-1**

Case title: USA v. HALE-CUSANELLI

Magistrate judge case number: 1:21-mj-00075-RMM

Date Filed: 01/29/2021

---

Assigned to: Judge Trevor N.  
McFadden

Appeals court case number:  
21-3029

**Defendant (1)**

**TIMOTHY LOUIS  
HALE-CUSANELLI**

represented by **Jonathan W. Crisp**  
CRISP AND ASSOCIATES, LLC  
4031 North Front Street  
Harrisburg, PA 17110  
(717) 412-4676  
Email: [jcrisp@crisplegal.com](mailto:jcrisp@crisplegal.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Jonathan Seth Zucker**  
LAW OFFICES OF JONATHAN ZUCKER  
37 Florida Avenue, NE  
Suite 200  
Washington, DC 20002  
(202) 624-0784  
Fax: (202) 609-9653  
Email: [jonathanzuckerlaw@gmail.com](mailto:jonathanzuckerlaw@gmail.com)  
*TERMINATED: 06/01/2021*  
*LEAD ATTORNEY*  
*Designation: CJA Appointment*

**Nicholas D. Smith**  
DAVID B. SMITH PLLC  
1123 Broadway  
Townsend Building  
Suite 909  
New York, NY 10010  
917-902-3869  
Email: [nds@davidbsmithpllc.com](mailto:nds@davidbsmithpllc.com)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Retained*

**Pending Counts**

18 U.S.C. 231(a)(3) and 2; CIVIL  
DISORDER; Civil Disorder and  
Aiding and Abetting  
(1)

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  
(1s)

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  
(2)

18 U.S.C. 1752(a)(1);  
TEMPORARY RESIDENCE OF  
THE PRESIDENT; Entering and  
Remaining in a Restricted Building  
or Grounds  
(2s)

18 U.S.C. 1752(a)(1);  
TEMPORARY RESIDENCE OF  
THE PRESIDENT; Entering and  
Remaining in a Restricted Building  
or Grounds  
(3)

18 U.S.C. 1752(a)(2);  
TEMPORARY RESIDENCE OF  
THE PRESIDENT; Disorderly and  
Disruptive Conduct in a Restricted  
Building or Grounds  
(3s)

18 U.S.C. 1752(a)(2);  
TEMPORARY RESIDENCE OF  
THE PRESIDENT; Disorderly and  
Disruptive Conduct in a Restricted  
Building or Grounds  
(4)

**Disposition**

Defendant sentenced to a term of Forty-Eight (48) Months of Incarceration, to run concurrently with Counts 2s, 3s, 4s, 5s, followed by a term of Thirty-Six (36) Months of Supervised Release, to run concurrently with Counts 2s and 3s. \$100 Special Assessment imposed. Restitution in the amount of \$2,000.00.

Defendant sentenced to a term of Twelve (12) Months of Incarceration, to run concurrently with Counts 1s, 3s, 4s, 5s, followed by a term of Twelve (12) Months of Supervised Release, to run concurrently with Counts 1s and 3s. \$25 Special Assessment imposed. Restitution in the amount of \$2,000.00.

Defendant sentenced to a term of Twelve (12) Months of Incarceration, to run concurrently with Counts 1s, 2s, 4s, 5s, followed by a term of Twelve (12) Months of Supervised Release, to run concurrently with Counts 1s and 2s. \$25 Special Assessment imposed. Restitution in the amount of \$2,000.00.

40 U.S.C. 5104(e)(2)(D);  
VIOLENT ENTRY AND  
DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Disorderly  
Conduct in a Capitol Building  
(4s)

Defendant sentenced to a term of Six (6) Months of  
Incarceration, to run concurrently with Counts 1s,  
2s, 3s, 5s. \$10 Special Assessment imposed.  
Restitution in the amount of \$2,000.00.

18 U.S.C. 1752(a)(3);  
TEMPORARY RESIDENCE OF  
THE PRESIDENT; Impeding  
Ingress and Egress in a Restricted  
Building or Grounds  
(5)

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

Defendant sentenced to a term of Six (6) Months of  
Incarceration, to run concurrently with Counts 1s,  
2s, 3s, 4s. \$10 Special Assessment imposed.  
Restitution in the amount of \$2,000.00.

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

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

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

**Disposition**

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

---

**Interested Party**

**PRESS COALITION**

represented by **Charles D. Tobin**  
BALLARD SPAHR LLP  
1909 K Street, NW  
12th Floor  
Washington, DC 20006  
202-661-2218  
Fax: 202-661-2299  
Email: [tobinc@ballardspahr.com](mailto:tobinc@ballardspahr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Lauren Russell**  
BALLARD SPAHR LLP  
1909 K Street, NW  
12th Floor  
Washington, DC 20006  
202-661-2200  
Fax: 202-661-2299  
Email: [russelll@ballardspahr.com](mailto:russelll@ballardspahr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Maxwell S. Mishkin**  
BALLARD SPAHR LLP  
1909 K Street, NW  
12th Floor  
Washington, DC 20006  
(202) 508-1140  
Fax: (202) 661-2299  
Email: [mishkinm@ballardspahr.com](mailto:mishkinm@ballardspahr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

---

**Plaintiff**

**USA**

represented by **James B. Nelson**  
U.S. ATTORNEY'S OFFICE FOR  
DISTRICT OF COLUMBIA  
555 4th Street NW  
Room 4112  
Washington, DC 20001  
(202) 252-6986  
Email: [james.nelson@usdoj.gov](mailto:james.nelson@usdoj.gov)  
*TERMINATED: 04/14/2021*  
*LEAD ATTORNEY*  
*Designation: Assistant U.S. Attorney*



**Karen Patricia Seifert**

U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 4th Street, NW  
Washington, DC 20530  
(202) 252-7527  
Email: [karen.seifert@usdoj.gov](mailto:karen.seifert@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant U.S. Attorney*

**Kathryn E. Fifield**

DOJ-CRM  
1301 New York Avenue NW  
Suite 1000  
Washington, DC 20530  
202-320-0048  
Email: [kathryn.fifield@usdoj.gov](mailto:kathryn.fifield@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant U.S. Attorney*

**James Pearce**

U.S. DEPARTMENT OF JUSTICE  
CRIMINAL DIVISION APPELLATE  
SECTION  
Department of Justice, Criminal Division  
950 Pennsylvania Ave NW  
Suite 1250  
Washington, DC 20530  
(202) 532-4991  
Fax: (202) 305-2121  
Email: [james.pearce@usdoj.gov](mailto:james.pearce@usdoj.gov)  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Page	Docket Text
01/15/2021	<u>1</u>		COMPLAINT as to TIMOTHY LOUIS HALE-CUSANELLI (1). (Attachments: # <u>1</u> Statement of Facts) (zltp) (Main Document 1 replaced on 1/15/2021) (zltp). (Attachment 1 replaced on 1/16/2021) (bb). [1:21-mj-00075-RMM] (Entered: 01/15/2021)
01/15/2021			Arrest of TIMOTHY LOUIS HALE-CUSANELLI in the district of New Jersey. (hmc) (Entered: 02/03/2021)
01/19/2021	<u>3</u>		Emergency MOTION for Emergency Stay and For Review of Release Order by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, James) [1:21-mj-00075-RMM] (Entered: 01/19/2021)
01/19/2021	<u>4</u>		

		Emergency MOTION for Transport Order by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, James) [1:21-mj-00075-RMM] (Entered: 01/19/2021)
01/19/2021	<u>5</u>	ORDER, as to TIMOTHY LOUIS HALE-CUSANELLI, GRANTING the government's <u>3</u> Motion to Stay. Signed by Chief Judge Beryl A. Howell on January 19, 2021. (lcbah2) [1:21-mj-00075-RMM] (Entered: 01/19/2021)
01/19/2021	<u>6</u>	ORDER, as to TIMOTHY LOUIS HALE-CUSANELLI, GRANTING the government's <u>4</u> Motion to Transport. Signed by Chief Judge Beryl A. Howell on January 19, 2021. (lcbah2) [1:21-mj-00075-RMM] (Entered: 01/19/2021)
01/19/2021	<u>7</u>	MOTION to Review <i>Release Order</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (See Docket Entry <u>3</u> to view document). (znmw) [1:21-mj-00075-RMM] (Entered: 01/25/2021)
01/29/2021	<u>9</u>	INDICTMENT as to TIMOTHY LOUIS HALE-CUSANELLI (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zltp) (Main Document 9 replaced on 2/2/2021) (zltp). (Entered: 02/02/2021)
02/08/2021	<u>11</u>	NOTICE OF ATTORNEY APPEARANCE: Jonathan Seth Zucker appearing for TIMOTHY LOUIS HALE-CUSANELLI (Zucker, Jonathan) (Entered: 02/08/2021)
03/01/2021		MINUTE ORDER granting Defendant TIMOTHY LOUIS HALE-CUSANELLI's <u>12</u> Sealed Motion for Leave to File Document under Seal. The Clerk of the Court is directed to docket ECF No. 12-1 under seal. It is further ORDERED that Defendant TIMOTHY LOUIS HALE-CUSANELLI shall file a redacted version of ECF No. 12-1 on the public record by March 8, 2021. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/1/2021. (lctnm3) (Entered: 03/01/2021)
03/02/2021		Set/Reset Deadlines as to TIMOTHY LOUIS HALE-CUSANELLI: Redacted version due by 3/8/2021. (hmc) (Entered: 03/02/2021)
03/02/2021	<u>13</u>	MOTION to Modify <i>Bond to Place the Defendant on Conditional Release Pending Trial REDACTED</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Zucker, Jonathan) (Entered: 03/02/2021)
03/02/2021	<u>14</u>	MOTION to Amend/Correct <i>Defendant's Motion for Modification of Bond to Place the Defendant on Conditional Release Pending Trial</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Zucker, Jonathan) (Entered: 03/02/2021)
03/03/2021		MINUTE ORDER. The Government is hereby ORDERED to file any response to Defendant TIMOTHY LOUIS HALE-CUSANELLI's <u>13</u> , <u>14</u> , <u>15</u> Motion to Modify Bond by March 8, 2021. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/3/2021. (lctnm3) (Entered: 03/03/2021)
03/04/2021		Set/Reset Deadlines as to TIMOTHY LOUIS HALE-CUSANELLI: Government's response due by 3/8/2021. (hmc) (Entered: 03/04/2021)
03/07/2021	<u>16</u>	SUPPLEMENT by TIMOTHY LOUIS HALE-CUSANELLI re <u>13</u> MOTION to Modify <i>Bond to Place the Defendant on Conditional Release Pending Trial REDACTED</i> (Attachments: # <u>1</u> Exhibit Letter)(Zucker, Jonathan) (Entered: 03/07/2021)

03/07/2021	<u>17</u>		Joint MOTION for Extension of Time to File <i>Defendant's Motion for Pretrial Release</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Nelson, James) (Entered: 03/07/2021)
03/08/2021			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI granting the parties' <u>17</u> Joint Motion for Extension of Time to File Defendant's Motion for Pretrial Release. The Government shall file any response to Defendant TIMOTHY LOUIS HALE-CUSANELLI's <u>13</u> , <u>14</u> , <u>15</u> , <u>16</u> Motion to Modify Bond by March 12, 2021. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/8/2021. (lctnm3) (Entered: 03/08/2021)
03/08/2021			Set/Reset Deadlines as to TIMOTHY LOUIS HALE-CUSANELLI: Government's response due by 3/12/2021. (hmc) (Entered: 03/08/2021)
03/10/2021			NOTICE OF HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. The parties shall take notice that an Arraignment and Bond Review Hearing is set for 3/18/2021, at 2:00 PM, via video before Judge Trevor N. McFadden. Connection instructions will be emailed to the parties. (hmc) (Entered: 03/10/2021)
03/12/2021			NOTICE OF RESCHEDULED HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. Arraignment and Bond Review Hearing rescheduled to 3/23/2021, at 11:00 AM, via video, before Judge Trevor N. McFadden. (hmc) (Entered: 03/12/2021)
03/12/2021	<u>18</u>		Memorandum in Opposition by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>14</u> MOTION to Amend/Correct <i>Defendant's Motion for Modification of Bond to Place the Defendant on Conditional Release Pending Trial</i> , <u>13</u> MOTION to Modify Bond to Place the Defendant on Conditional Release Pending Trial REDACTED (Nelson, James) (Entered: 03/12/2021)
03/22/2021	<u>19</u>		REPLY TO OPPOSITION to Motion by TIMOTHY LOUIS HALE-CUSANELLI re <u>14</u> MOTION to Amend/Correct <i>Defendant's Motion for Modification of Bond to Place the Defendant on Conditional Release Pending Trial</i> , <u>13</u> MOTION to Modify Bond to Place the Defendant on Conditional Release Pending Trial REDACTED (Zucker, Jonathan) (Entered: 03/22/2021)
03/23/2021			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI. Pursuant to the Due Process Protections Act, the Court 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. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/23/2021. (lctnm3) (Entered: 03/23/2021)
03/23/2021	<u>20</u>		ORDER as to TIMOTHY HALE-CUSANELLI. For the reasons stated at the hearing and in the attached Order, the Defendant's <u>13</u> Motion to Modify Bond to Place the Defendant on Conditional Release Pending Trial is DENIED. See Order for details. Signed by Judge Trevor N. McFadden on 3/23/2021. (lctnm3) (Entered: 03/23/2021)



03/23/2021			Minute Entry for proceedings held before Judge Trevor N. McFadden: Arraignment and Bond Review Hearing as to TIMOTHY LOUIS HALE-CUSANELLI held via video on 3/23/2021. Defendant agreed to proceed via video. Due Process Protections Act Order read into the record by the Court. TIMOTHY LOUIS HALE-CUSANELLI arraigned on Counts 1, 2, 3, 4, 5, 6, 7. Plea of Not Guilty entered as to all counts. Defendant's <u>13</u> Motion to Modify Bond to Place the Defendant on Conditional Release Pending Trial, DENIED for reasons stated on the record. A further Status Conference is set for 4/28/2021, at 10:00 AM, via video, before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 3/23/2021 to 4/28/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorney: Jonathan S. Zucker; US Attorney: James B. Nelson; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 03/23/2021)
03/23/2021	<u>22</u>		Arrest Warrant, dated 1/15/2021, returned executed in the U.S. District Court for the District of Columbia on 3/23/2021 as to Defendant TIMOTHY LOUIS HALE-CUSANELLI. (kk) (Entered: 04/06/2021)
04/02/2021	<u>21</u>		MOTION for Reconsideration re <u>20</u> Order on Motion for Review,, Order on Motion to Modify,, Order on Motion to Amend/Correct,, Order on Sealed Motion, by TIMOTHY LOUIS HALE-CUSANELLI. (Zucker, Jonathan) (Entered: 04/02/2021)
04/05/2021			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI. The government shall respond to the Defendant's <u>21</u> Motion for Reconsideration by 4/16/2021. Signed by Judge Trevor N. McFadden on 4/5/2021. (hmc) (Entered: 04/05/2021)
04/10/2021	<u>23</u>		MOTION for Criminal History Report by TIMOTHY LOUIS HALE-CUSANELLI. (Zucker, Jonathan) (Entered: 04/10/2021)
04/11/2021			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI (1) denying <u>23</u> Motion for Criminal History Report given the United States Probation Office's heavy workload currently. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/11/2021. (lctnm3) (Entered: 04/11/2021)
04/14/2021	<u>24</u>		NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Fifield, Kathryn E. added. (Fifield, Kathryn) (Entered: 04/14/2021)
04/14/2021	<u>25</u>		SUPPLEMENT by TIMOTHY LOUIS HALE-CUSANELLI re <u>21</u> MOTION for Reconsideration re <u>20</u> Order on Motion for Review,, Order on Motion to Modify,, Order on Motion to Amend/Correct,, Order on Sealed Motion, (Zucker, Jonathan) (Entered: 04/14/2021)
04/16/2021	<u>26</u>		RESPONSE by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>21</u> MOTION for Reconsideration re <u>20</u> Order on Motion for Review,, Order on Motion to Modify,, Order on Motion to Amend/Correct,, Order on Sealed Motion, (Fifield, Kathryn) (Entered: 04/16/2021)
04/26/2021	<u>27</u>		REPLY TO OPPOSITION to Motion by TIMOTHY LOUIS HALE-CUSANELLI re <u>21</u> MOTION for Reconsideration re <u>20</u> Order on Motion for Review,, Order on Motion to Modify,, Order on Motion to Amend/Correct,, Order on Sealed Motion, (Zucker, Jonathan) (Entered: 04/26/2021)

04/28/2021			Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via video on 4/28/2021. Defendant agreed to proceed via video. Defendant's <u>21</u> Motion for Reconsideration, denied for the reasons stated on the record. A further VTC Status Conference is set for 5/12/2021 at 10:00 AM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 4/28/2021 to 5/12/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorney: Jonathan S. Zucker; US Attorneys: James B. Nelson and Kathryn E. Fifield; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 04/28/2021)
05/05/2021	<u>28</u>		NOTICE OF APPEAL (Interlocutory) by TIMOTHY LOUIS HALE-CUSANELLI re Order on Motion for Reconsideration,,, Status Conference,,, Set Hearings,, <u>20</u> Order on Motion for Review,, Order on Motion to Modify,, Order on Motion to Amend/Correct,, Order on Sealed Motion, Arraignment,,,, Bond Hearing,,,, Set Hearings,,,, Plea Entered,,,, Fee Status: No Fee Paid. Parties have been notified. (Zucker, Jonathan) (Entered: 05/05/2021)
05/06/2021	<u>29</u>		Unopposed MOTION for Protective Order <i>Governing Discovery</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Fifield, Kathryn) (Entered: 05/06/2021)
05/06/2021	<u>30</u>		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 TIMOTHY LOUIS HALE-CUSANELLI re <u>28</u> Notice of Appeal – Interlocutory (zltp) (Entered: 05/06/2021)
05/06/2021	<u>31</u>		ORDER granting <u>29</u> Unopposed Motion for Protective Order as to TIMOTHY LOUIS HALE-CUSANELLI (1). See attached Order for details. Signed by Judge Trevor N. McFadden on 5/6/2021. (lctnm3) (Entered: 05/06/2021)
05/07/2021			USCA Case Number as to TIMOTHY LOUIS HALE-CUSANELLI 21-3029 for <u>28</u> Notice of Appeal – Interlocutory, filed by TIMOTHY LOUIS HALE-CUSANELLI. (zltp) (Entered: 05/11/2021)
05/11/2021	<u>32</u>		NOTICE <i>Of Filing Discovery Correspondence</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Attachments: # <u>1</u> Notice to Counsel/Party)(Fifield, Kathryn) (Entered: 05/11/2021)
05/12/2021			Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via video on 5/12/2021. Defendant's oral motion to reconsider <u>23</u> Motion for Criminal History Report, heard and denied. A further VTC Status Conference is set for 5/28/2021 at 2:00 PM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 5/12/2021 to 5/28/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorneys: Jonathan S. Zucker and Peter Wright; US Attorney: Kathryn E. Fifield; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 05/13/2021)
05/22/2021	<u>33</u>		MOTION to Appoint Counsel <i>and Report Concerning Discovery and Plea Negotiations</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Zucker, Jonathan) (Entered: 05/22/2021)
05/25/2021			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI. The VTC Status Conference previously set for 5/28/2021 is RESCHEDULED to

		6/1/2021 at 3:30 PM before Judge Trevor N. McFadden. Time under the Speedy Trial Act will continue to toll from 5/28/2021 to 6/1/2021, in the interests of justice. Signed by Judge Trevor N. McFadden on 5/25/2021. (hmc) (Entered: 05/25/2021)
05/26/2021	<u>34</u>	RESPONSE by USA as to TIMOTHY LOUIS HALE–CUSANELLI re <u>33</u> MOTION to Appoint Counsel <i>and Report Concerning Discovery and Plea Negotiations</i> (Attachments: # <u>1</u> Notice to Counsel/Party Preliminary Discovery Letter 5–26–21)(Fifield, Kathryn) (Entered: 05/26/2021)
06/01/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE–CUSANELLI held via videoconference on 6/1/2021. Defendant's <u>33</u> Motion to Appoint Counsel, GRANTED. Attorney Jonathan S. Zucker is withdrawn from the case. Attorney Jonathan Crisp shall file his notice of appearance. A further VTC Status Conference is set for 7/16/2021 at 10:30 AM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 6/1/2021 to 7/16/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorneys: Jonathan S. Zucker, Peter Wright, Jonathan Crisp; US Attorney: Kathryn E. Fifield; Court Reporter: Crystal Pilgrim. (zhmc) (Entered: 06/01/2021)
06/21/2021	<u>35</u>	NOTICE OF ATTORNEY APPEARANCE: Jonathan W. Crisp appearing for TIMOTHY LOUIS HALE–CUSANELLI (Crisp, Jonathan) (Entered: 06/21/2021)
07/07/2021	<u>38</u>	JUDGMENT of USCA as to TIMOTHY LOUIS HALE–CUSANELLI re <u>28</u> Notice of Appeal – Interlocutory. The District Courts detention order appealed from in this cause be affirmed. USCA Case Number 21–3029. (Attachments: # <u>1</u> USCA Opinion of 7/7/21)(zltp) (Entered: 07/22/2021)
07/14/2021	<u>36</u>	NOTICE <i>Of Filing Discovery Correspondence</i> by USA as to TIMOTHY LOUIS HALE–CUSANELLI (Attachments: # <u>1</u> Notice to Counsel/Party Preliminary Discovery Letter)(Fifield, Kathryn) (Entered: 07/14/2021)
07/15/2021	<u>37</u>	NOTICE <i>Regarding Discovery</i> by USA as to TIMOTHY LOUIS HALE–CUSANELLI (Attachments: # <u>1</u> Exhibit Exhibit A)(Fifield, Kathryn) (Entered: 07/15/2021)
07/16/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE–CUSANELLI held via videoconference on 7/16/2021. Status Conference set for 7/30/2021 at 3:30 PM in Courtroom 2– In Person before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 7/16/2021 to 7/30/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorney: Jonathan W. Crisp; US Attorney: Kathryn E. Fifield; Court Reporter: Lisa Moreira. (hmc) (Entered: 07/16/2021)
07/30/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE–CUSANELLI held on 7/30/2021. Pretrial Conference set for 10/29/2021 at 10:00 AM in Courtroom 2– In Person before Judge Trevor N. McFadden. Jury Selection/Jury Trial set for 11/9/2021 at 9:00 AM in Courtroom 2– In Person before Judge Trevor N. McFadden. VTC Status Conference set for 8/24/2021 at 11:00 AM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 7/30/2021 to



		8/24/2021, in the interest of justice. Bond Status of Defendant: committed/commitment issued. Defense Attorney: Jonathan W. Crisp; US Attorney: Kathryn E. Fifield; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 07/30/2021)
08/17/2021		NOTICE OF CHANGE OF TIME OF HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. The parties shall take notice that the Status Conference originally scheduled for 8/24/2021, at 11:00 AM is RESCHEDULED for 8/24/2021, at 3:30 PM via videoconference before Judge Trevor N. McFadden. (ztg) Modified on 8/22/2021 to correct date from 9/24/2021 to 8/24/2021 (hmc). (Entered: 08/17/2021)
08/22/2021		Set/Reset Hearings as to TIMOTHY LOUIS HALE-CUSANELLI: VTC Status Conference set for 8/24/2021 at 3:30 PM before Judge Trevor N. McFadden. (hmc) (Entered: 08/22/2021)
08/24/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via videoconference on 8/24/2021. The government is directed to turn over any information that it will look to admit at trial in its case in chief on or before 9/3/2021. Motions to Suppress, Motions in Limine, or other preliminary motions due by 9/24/2021, including any expert witness notifications. Oppositions to Motions to Suppress, Motions in Limine, or other preliminary motions due by 10/15/2021. Replies to Motions to Suppress, Motion in Limine, or other preliminary motions due by 10/22/2021. Joint Proposed Voir Dire and Joint Proposed Final Jury Instructions due by 10/22/2021. Time under the Speedy Trial Act is tolled from 8/24/2021 to 10/29/2021, in the interests of justice. Bond Status of Defendant: Defendant remains committed. Defense Attorney: Jonathan W. Crisp; US Attorney: Kathryn E. Fifield; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 08/24/2021)
08/24/2021	<u>39</u>	NOTICE of Memorandum Regarding Status of Discovery as of August 23, 2021 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Fifield, Kathryn) (Entered: 08/24/2021)
08/31/2021	<u>45</u>	MANDATE of USCA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>28</u> Notice of Appeal – Interlocutory. In accordance with the judgment of 7/7/2021, the District Court's detention ordered appealed from in this case be affirmed. USCA Case Number 21-3029. (Attachments: # <u>1</u> USCA Judgment of 7/7/2021)(zltp) (Entered: 09/27/2021)
09/08/2021	<u>40</u>	MOTION to Vacate TRIAL DATE AND CONTINUE TRIAL, AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Fifield, Kathryn) (Entered: 09/08/2021)
09/08/2021	41	MOTION to Continue Trial, MOTION to Exclude Time Under the Speedy Trial Act by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (See docket entry <u>40</u> to view document.) (zltp) (Entered: 09/08/2021)
09/08/2021		MINUTE ORDER. Upon consideration of the Government's <u>40</u> Motion to Vacate Trial and 41 Motion to Continue Trial and Motion to Exclude Time Under the Speedy Trial Act, opposition briefing is due on or before 9/17/2021. Reply briefing is due on or before 9/22/2021. A motion hearing is scheduled for 9/24/2021 at 2:00 p.m. via videoconference before Judge Trevor N.



		McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/8/2021. (lctnm3) (Entered: 09/08/2021)
09/08/2021		Set/Reset Deadlines as to TIMOTHY LOUIS HALE-CUSANELLI: Opposition to Government's 41 Motion due by 9/17/2021. Reply due by 9/22/2021. (hmc) (Entered: 09/08/2021)
09/17/2021	<u>42</u>	NOTICE OF UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF SEPTEMBER 14, 2021 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Fifield, Kathryn) (Entered: 09/17/2021)
09/17/2021	<u>43</u>	RESPONSE by TIMOTHY LOUIS HALE-CUSANELLI re 41 MOTION to Continue MOTION to Exclude (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Crisp, Jonathan) (Entered: 09/17/2021)
09/22/2021	<u>44</u>	REPLY in Support by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>40</u> MOTION to Vacate TRIAL DATE AND CONTINUE TRIAL, AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT (Fifield, Kathryn) (Entered: 09/22/2021)
09/23/2021		MINUTE ORDER. The motion hearing scheduled for 9/24/2021 at 2:00 p.m. is rescheduled for 10/6/2021 at 4:00 p.m. via videoconference before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/23/2021. (lctnm3) (Entered: 09/23/2021)
09/23/2021		Set/Reset Hearings as to TIMOTHY LOUIS HALE-CUSANELLI: VTC Motion Hearing rescheduled for 10/6/2021 at 4:00 PM before Judge Trevor N. McFadden. (hmc) (Entered: 09/23/2021)
10/05/2021	<u>46</u>	NOTICE OF ATTORNEY APPEARANCE Karen Patricia Seifert appearing for USA. (Seifert, Karen) (Entered: 10/05/2021)
10/06/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: VTC Motion Hearing as to TIMOTHY LOUIS HALE-CUSANELLI held on 10/6/2021. Defendant appeared by video. For the reasons stated on the record, Government's <u>40</u> and 41 MOTION to Vacate TRIAL DATE AND CONTINUE TRIAL, AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT is GRANTED IN PART. The currently scheduled Jury Selection/Trial, Pre-trial Conference, and trial briefing schedule are all hereby VACATED. Speedy Trial Excludable (XT) started 10/6/2021 through 12/3/2021, in the interest of justice. VTC Status Conference set for 12/3/2021 at 10:00 AM before Judge Trevor N. McFadden. Pretrial Conference set for 5/6/2022 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Jury Selection/Trial set to commence 5/23/2022 at 9:00 AM in Courtroom 2 (or another courtroom to be assigned) before Judge Trevor N. McFadden. Bond Status of Defendant: Remains Committed; Court Reporter: Nancy Meyer; Defense Attorney: Jonathan W. Crisp; US Attorneys: Karen Patricia Seifert, Kathryn E. Fifield, and Emily Miller. (zkh) (Entered: 10/06/2021)
10/14/2021	<u>47</u>	MOTION for Order TO DISCLOSE ITEMS PROTECTED BY FEDERAL RULE OF CRIMINAL PROCEDURE 6(e) AND SEALED MATERIALS by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Fifield, Kathryn) Modified event on 10/15/2021 (znmw). (Entered: 10/14/2021)

10/14/2021		MINUTE ORDER granting the government's <u>47</u> Motion for Order as to TIMOTHY LOUIS HALE-CUSANELLI. As part of discovery, the Government may provide materials protected by Federal Rule of Criminal Procedure 6(e) and sealed materials pursuant to the previously entered <u>31</u> Protective Order. This Order applies to the disclosure of such materials to any co-defendants who may later be joined. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/14/21. (lctnm3) (Entered: 10/14/2021)
10/22/2021	<u>48</u>	NOTICE OF FILING UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF OCTOBER 21, 2021 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Fifield, Kathryn) (Entered: 10/22/2021)
10/27/2021	<u>49</u>	<p>TRANSCRIPT OF MOTION HEARING in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on 10/06/2021. Page Numbers: 1-41. Date of Issuance: 10/24/2021. Stenographic Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. Transcripts may be ordered by submitting the</p> <p><a href="http://www.dcd.uscourts.gov/node/110">http://www.dcd.uscourts.gov/node/110</a>&gt;Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 11/17/2021. Redacted Transcript Deadline set for 11/27/2021. Release of Transcript Restriction set for 1/25/2022.(Meyer, Nancy) (Entered: 10/27/2021)</p>
11/05/2021	<u>50</u>	NOTICE NOTICE OF FILING UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF NOVEMBER 05, 2021 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Seifert, Karen) (Entered: 11/05/2021)
11/30/2021	<u>51</u>	<p>TRANSCRIPT OF STATUS CONFERENCE in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on July 16, 2021; Page Numbers: 1-10. Date of Issuance: November 30, 2021. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354-3187, 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</p>

		<p>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 12/21/2021. Redacted Transcript Deadline set for 12/31/2021. Release of Transcript Restriction set for 2/28/2022.(Moreira, Lisa) (Entered: 11/30/2021)</p>
11/30/2021		<p>NOTICE OF HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. The VTC Status Conference currently set for 12/3/2021 is rescheduled from 10:00 AM to 4:00 PM before Judge Trevor N. McFadden. (hmc) (Entered: 11/30/2021)</p>
12/03/2021		<p>Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via videoconference on 12/3/2021. Motions in Limine, motions to suppress, and notices for experts due by 3/25/2022; Oppositions due by 4/15/2022; Replies due by 4/22/2022. Motion Hearing set for 4/29/2022 at 10:00 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. Joint Proposed Voir Dire and Joint Proposed Jury Instructions due by 4/22/2022. VTC Status Conference set for 1/21/2022 at 3:00 PM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 12/3/2021 to 1/21/2022, in the interests of justice. Bond Status of Defendant: remains committed. Defense Attorney: Jonathan W. Crisp; US Attorney: Kathryn E. Fifield; Court Reporter: William Zaremba. (hmc) (Entered: 12/06/2021)</p>
12/20/2021	<u>52</u>	<p>Rule 5(c)(3) Documents Received as to TIMOTHY LOUIS HALE-CUSANELLI from US District Court District of New Jersey Case Number MJ-21-3003 (bb) (Entered: 12/20/2021)</p>
01/21/2022		<p>Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via videoconference on 1/21/2022. Defendant appeared by telephone. A further VTC Status Conference is set for 2/18/2022 at 2:45 PM before Judge Trevor N. McFadden. As stated in the hearing, time under the Speedy Trial Act is not tolled. Bond Status of Defendant: Defendant remains committed (appeared telephonically). Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporter: Lisa Moreira. (zhmc) (Entered: 01/21/2022)</p>
01/24/2022	<u>53</u>	<p>NOTICE OF FILING UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF JANUARY 21, 2022 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Seifert, Karen) (Entered: 01/24/2022)</p>
01/24/2022	<u>54</u>	<p>MOTION for Reconsideration OF MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Fifield, Kathryn) (Entered: 01/24/2022)</p>



01/24/2022			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI denying the Government's <u>54</u> Motion for Reconsideration. As the Court explained in the January 21, 2022, status conference, Defendant was arrested over a year ago and the Government has yet to complete discovery. The Court declines to toll under the Speedy Trial Act until the Government confirms that discovery is substantially complete. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/24/2022. (lctnm3) (Entered: 01/24/2022)
01/28/2022	<u>55</u>		MOTION in Limine <i>TO LIMIT CROSS-EXAMINATION</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Seifert, Karen) (Entered: 01/28/2022)
02/10/2022	<u>56</u>		NOTICE OF FILING OF UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF FEBRUARY 9, 2022 by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Fifield, Kathryn) (Entered: 02/10/2022)
02/16/2022	<u>57</u>		Unopposed MOTION to Continue <i>Status Conference</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Crisp, Jonathan) (Entered: 02/16/2022)
02/16/2022			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI granting Defendant's <u>57</u> Unopposed Motion to Continue Status Conference. The status conference currently set for February 18, 2022, at 2:45 p.m. is hereby rescheduled to February 28, 2022, at 2:30 p.m. This status conference will occur via video teleconference. Time under the Speedy Trial Act is tolled from February 18, 2022, to February 28, 2022, in the interests of justice and in light of the unavailability of defense counsel. SO ORDERED. Signed by Judge Trevor N. McFadden on 2/16/2022. (lctnm3) (Entered: 02/16/2022)
02/16/2022	58		MOTION to Exclude Time under the Speedy Trial Act by TIMOTHY LOUIS HALE-CUSANELLI. (See docket entry <u>57</u> to view document.) (zltp) (Entered: 02/18/2022)
02/17/2022			Set/Reset Hearings as to TIMOTHY LOUIS HALE-CUSANELLI: VTC Status Conference set for 2/28/2022 at 2:30 PM before Judge Trevor N. McFadden. (hmc) (Entered: 02/17/2022)
02/25/2022			NOTICE OF RESCHEDULED HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. The parties shall take notice that the VTC Status Conference set for 2/28/2022 is rescheduled from 2:30 PM to 4:15 PM (same date, different time) before Judge Trevor N. McFadden. (hmc) (Entered: 02/25/2022)
02/28/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held via videoconference on 2/28/2022. Government's <u>55</u> Motion in Limine, denied without prejudice. Government's motion to exclude time under the Speedy Trial Act, denied. Bond Status of Defendant: defendant remains committed. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporter: Lisa Moreira. (hmc) (Entered: 02/28/2022)
03/09/2022	<u>59</u>		SUPERSEDING INDICTMENT as to TIMOTHY LOUIS HALE-CUSANELLI (1) count(s) 1s, 2s, 3s, 4s, 5s. (zltp) (Entered: 03/10/2022)

03/24/2022	<u>61</u>		Unopposed MOTION to Continue <i>Pre-Trial Motion and Notice Deadline</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Crisp, Jonathan) (Entered: 03/24/2022)
03/24/2022			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI granting Defendant's <u>61</u> Unopposed Motion to Continue Pre-Trial Motion and Notice Deadline. Motions in Limine, motions to suppress, and notices for experts are now due by March 28, 2022. Time under the Speedy Trial Act is excluded between March 25, 2022, and March 28, 2022. See 18 U.S.C. § 3161(h)(1)(D). SO ORDERED. Signed by Judge Trevor N. McFadden on 3/24/2022. (lctnm3) (Entered: 03/24/2022)
03/28/2022	<u>62</u>		MOTION to Dismiss Count by TIMOTHY LOUIS HALE-CUSANELLI. (Crisp, Jonathan) (Entered: 03/28/2022)
03/28/2022	<u>63</u>		RESPONSE by TIMOTHY LOUIS HALE-CUSANELLI <i>Brief in Opposition to Government's Notice Pursuant to FRE 404(b)</i> (Crisp, Jonathan) (Entered: 03/28/2022)
03/28/2022	<u>64</u>		MOTION in Limine <i>to Limit Cross-Examination of Secret Service Agency Witnesses</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Fifield, Kathryn) (Entered: 03/28/2022)
03/28/2022	<u>65</u>		MOTION in Limine <i>to Allow a Certain Government Witness to Testify Using Pseudonym Instead of Given Name</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Fifield, Kathryn) (Entered: 03/28/2022)
03/28/2022	<u>66</u>		MOTION to Change Venue by TIMOTHY LOUIS HALE-CUSANELLI. (Crisp, Jonathan) (Entered: 03/28/2022)
03/29/2022	<u>67</u>		MOTION in Limine <i>REGARDING EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Exhibit Declaration of Thomas A. Dibiase)(Fifield, Kathryn) (Entered: 03/29/2022)
04/15/2022	<u>68</u>		RESPONSE by USA as to TIMOTHY LOUIS HALE-CUSANELLI <i>Opposition to Governments Notice Pursuant to FRE 404(b)</i> . (Fifield, Kathryn) (Entered: 04/15/2022)
04/15/2022	<u>69</u>		RESPONSE by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>62</u> MOTION to Dismiss Count (Fifield, Kathryn) (Entered: 04/15/2022)
04/15/2022	<u>70</u>		RESPONSE by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>66</u> MOTION to Change Venue <i>Government's Opposition</i> (Fifield, Kathryn) (Entered: 04/15/2022)
04/15/2022	<u>71</u>		RESPONSE by TIMOTHY LOUIS HALE-CUSANELLI re <u>67</u> MOTION in Limine <i>REGARDING EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS</i> , <u>64</u> MOTION in Limine <i>to Limit Cross-Examination of Secret Service Agency Witnesses</i> (Crisp, Jonathan) (Entered: 04/15/2022)
04/19/2022	<u>72</u>		NOTICE OF ATTORNEY APPEARANCE James Pearce appearing for USA. (Pearce, James) (Entered: 04/19/2022)

04/21/2022	<u>73</u>		REPLY by USA as to TIMOTHY LOUIS HALE–CUSANELLI <i>to Defendants combined response (ECF No. <u>71</u>) to Governments Motions in Limine</i> (Fifield, Kathryn) Modified to include linkage on 5/9/2022 (zltp). (Entered: 04/21/2022)
04/22/2022	<u>74</u>		REPLY by TIMOTHY LOUIS HALE–CUSANELLI re <u>68</u> Response to document <i>Government's Notice Pursuant to FRE 404(b)</i> (Crisp, Jonathan) (Entered: 04/22/2022)
04/22/2022	<u>75</u>		Unopposed MOTION to Continue <i>Reply Briefs Deadline</i> by TIMOTHY LOUIS HALE–CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Crisp, Jonathan) (Entered: 04/22/2022)
04/22/2022	<u>76</u>		REPLY in Support by TIMOTHY LOUIS HALE–CUSANELLI re <u>66</u> MOTION to Change Venue (Crisp, Jonathan) (Entered: 04/22/2022)
04/22/2022			MINUTE ORDER granting <u>75</u> Unopposed Motion to Continue as to TIMOTHY LOUIS HALE–CUSANELLI (1). Any further replies relating to pretrial motions will be due by April 23, 2022. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/22/22. (lctnm2) (Entered: 04/22/2022)
04/22/2022	<u>77</u>		Proposed Jury Instructions by USA as to TIMOTHY LOUIS HALE–CUSANELLI (Fifield, Kathryn) (Entered: 04/22/2022)
04/22/2022	<u>78</u>		Proposed Voir Dire by USA as to TIMOTHY LOUIS HALE–CUSANELLI (Fifield, Kathryn) (Entered: 04/22/2022)
04/23/2022	<u>79</u>		REPLY TO OPPOSITION to Motion by TIMOTHY LOUIS HALE–CUSANELLI re <u>62</u> MOTION to Dismiss Count <i>I</i> (Crisp, Jonathan) (Entered: 04/23/2022)
04/29/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Motion Hearing as to TIMOTHY LOUIS HALE–CUSANELLI held on 4/29/2022. Government's <u>65</u> Motion in Limine <i>to Allow a Certain Government Witness to Testify Using Pseudonym Instead of Given Name</i> GRANTED, order forthcoming. Government's <u>64</u> Motion in Limine <i>to Limit Cross–Examination of Secret Service Agency Witnesses</i> , GRANTED. Defendant's <u>66</u> Motion to Change Venue DENIED without prejudice. Government's <u>67</u> Motion in Limine <i>REGARDING EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS</i> , GRANTED. Bond Status of Defendant: committed/commitment issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield, James Pearce, Kimberly L. Paschall; Court Reporter: Tim Miller. (hmc) (Entered: 04/29/2022)
05/02/2022	<u>80</u>		ORDER granting <u>65</u> Motion in Limine to Allow Certain Testimony Under Pseudonym as to TIMOTHY LOUIS HALE–CUSANELLI (1). See attached Order for details. Signed by Judge Trevor N. McFadden on 5/2/22. (lctnm2) (Entered: 05/02/2022)
05/02/2022	<u>81</u>		NOTICE OF FILING OF SUPPLEMENTAL AUTHORITY by USA as to TIMOTHY LOUIS HALE–CUSANELLI (Attachments: # <u>1</u> Supplemental authority)(Fifield, Kathryn) (Entered: 05/02/2022)
05/06/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Pretrial Conference as to TIMOTHY LOUIS HALE–CUSANELLI held on 5/6/2022. Defendant arraigned on Counts 1s, 2s, 3s, 4s, 5s of the Indictment. Defendant entered a plea of Not Guilty as to all counts. Defendant's <u>62</u> Motion to Dismiss,



		DENIED. Defendant's motion found in <u>63</u> Brief in Opposition to Government's Notice Pursuant to FRE 404(b), GRANTED IN PART AND DENIED IN PART. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield, Karen P. Seifert, Kimberly L. Paschall; Court Reporter: Jeff Hook. (hmc) (Entered: 05/06/2022)
05/10/2022	<u>82</u>	<p>TRANSCRIPT OF PRETRIAL CONFERENCE &amp; ARRAIGNMENT in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 6, 2022. Page Numbers: 1 – 51. Date of Issuance: May 10, 2022. Court Reporter: Jeff Hook. Telephone number: 202-354-3373. 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 5/31/2022. Redacted Transcript Deadline set for 6/10/2022. Release of Transcript Restriction set for 8/8/2022.(Hook, Jeff) (Entered: 05/10/2022)</p>
05/17/2022		Minute Entry for proceedings held before Judge Trevor N. McFadden: Telephonic Status Conference as to TIMOTHY LOUIS HALE-CUSANELLI held on 5/17/2022. Defendant's presence waived. Bond Status of Defendant: remains committed; not present for this teleconference. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporter: Lisa Edwards. (hmc) (Entered: 05/17/2022)
05/23/2022		Minute Entry for proceedings held before Judge Trevor N. McFadden: Jury Selection as to TIMOTHY LOUIS HALE-CUSANELLI began and held on 5/23/2022 on Counts 1s, 2s, 3s, 4s, 5s. Twelve (12) jurors and two (2) alternates selected, but not sworn. Jury Selection continued to 5/24/2022 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden, when jury will be sworn. Jury Trial set for 5/24/2022 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Bond Status of Defendant: committed/commitment issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporters: Lisa Edwards (AM), Bryan Wayne (PM). (hmc) (Entered: 05/23/2022)
05/23/2022		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 Trevor N. McFadden on 5/23/2022. (hmc) (Entered: 05/23/2022)



05/24/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Jury Trial as to TIMOTHY LOUIS HALE–CUSANELLI began and held on 5/24/2022, on Counts 1s, 2s, 3s, 4s, 5s, with same twelve (12) jurors and two (2) alternates. Jury Selection concluded; Jury sworn. Jury Trial continued to 5/25/2022 at 9:15 AM in Courtroom 2 before Judge Trevor N. McFadden. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporters: Lisa Edwards (AM), Bryan Wayne (PM). Government Witnesses: Monique Moore, Daniel Schwager, Daniel Meyers, Christopher Deibert. (hmc) (Entered: 05/24/2022)
05/24/2022	<u>89</u>		Application for Access to Trial Exhibits by PRESS COALITION as to TIMOTHY LOUIS HALE–CUSANELLI. (zltp) (Entered: 06/01/2022)
05/25/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Jury Trial as to TIMOTHY LOUIS HALE–CUSANELLI resumed and held on 5/25/2022, on Counts 1s, 2s, 3s, 4s, 5s, with same twelve (12) jurors and two (2) alternates. Jury Trial continued to 5/26/2022 at 9:30 AM in Courtroom 2 before Judge Trevor N. McFadden. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporters: Lisa Edwards (AM), Bryan Wayne (PM). Government Witnesses: Erik Framhein, Raymond Watts, Matthew Shepard, Mike Jacobs. (hmc) (Entered: 05/25/2022)
05/26/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Jury Trial as to TIMOTHY LOUIS HALE–CUSANELLI on Counts 1s, 2s, 3s, 4s, 5s; Jury Trial resumed and concluded on 5/26/2022 with the same twelve (12) jurors and two (2) alternates; two (2) alternate jurors excused; Jury Deliberation set for 5/27/2022 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporters: Lisa Edwards (AM), Bryan Wayne (PM). Government's Witness: Paul Wade. Defendant's Witness: Timothy Hale–Cusanelli. (hmc) (Entered: 05/26/2022)
05/27/2022			MINUTE ORDER as to TIMOTHY LOUIS HALE–CUSANELLI (1) directing the Government, after consultation with and consent of the Defendant, to promptly make the video exhibits submitted at trial 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. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/27/22. (lctnm2) (Entered: 05/27/2022)
05/27/2022			Minute Entry for proceedings held before Judge Trevor N. McFadden: Jury Deliberation as to TIMOTHY LOUIS HALE–CUSANELLI held on 5/27/2022, on Count 1s, 2s, 3s, 4s, 5s, with same 12 jurors. JURY VERDICT as to TIMOTHY LOUIS HALE–CUSANELLI: Guilty on Counts 1s, 2s, 3s, 4s, 5s. Jury of 12 polled; Jury of 12 and 2 alternates discharged. Case referred to the Probation Office for a Presentence Investigation. Sentencing Memoranda due by due by 9/9/2022. Sentencing set for 9/16/2022 at 2:00 PM in Courtroom 2 before Judge Trevor N. McFadden. Bond Status of Defendant: committed/commitment issued. Defense Attorney: Jonathan W. Crisp; US Attorneys: Kathryn E. Fifield and Karen P. Seifert; Court Reporter: Lisa

		Edwards. (hmc) (Entered: 05/27/2022)
05/27/2022	<u>84</u>	Jury Instructions as to TIMOTHY LOUIS HALE-CUSANELLI. (hmc) (Entered: 05/27/2022)
05/27/2022	<u>85</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to TIMOTHY LOUIS HALE-CUSANELLI. (hmc) (Entered: 05/27/2022)
05/27/2022	<u>86</u>	EXHIBIT LIST by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (hmc) (Entered: 05/27/2022)
05/27/2022	<u>87</u>	VERDICT FORM as to TIMOTHY LOUIS HALE-CUSANELLI. (hmc) (Entered: 05/27/2022)
05/27/2022	<u>88</u>	<b>Signature Page of Foreperson</b>  as to TIMOTHY LOUIS HALE-CUSANELLI 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.) (zhmc) (Entered: 05/27/2022)
06/01/2022		MINUTE ORDER denying as moot the <u>89</u> Application for Access to Trial Exhibits as to TIMOTHY LOUIS HALE-CUSANELLI (1). The parties have represented to the Court that they have uploaded all exhibits to the appropriate website for public access. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/1/22. (lctnm2) (Entered: 06/01/2022)
06/03/2022	<u>90</u>	<p>TRANSCRIPT OF JURY TRIAL (MORNING SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 23, 2022; Page Numbers: 1-120. Date of Issuance: June 3, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(zlfe) (Entered: 06/03/2022)</p>
06/03/2022	<u>91</u>	TRANSCRIPT OF JURY TRIAL (AFTERNOON SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 23, 2022. Page Numbers: 121-255. Date of Issuance: June 3, 2022. Court Reporter: Bryan A. Wayne, (202) 354-3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>

		<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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(Wayne, Bryan) (Entered: 06/03/2022)</p>
06/03/2022	<u>92</u>	<p>TRANSCRIPT OF JURY TRIAL (MORNING SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 24, 2022; Page Numbers: 256-391. Date of Issuance: June 3, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(zlfe) (Entered: 06/03/2022)</p>
06/03/2022	<u>93</u>	<p>TRANSCRIPT OF JURY TRIAL (AFTERNOON SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 24, 2022. Page Numbers: 392-545. Date of Issuance: June 3, 2022. Court Reporter: Bryan A. Wayne, (202) 354-3186. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(Wayne, Bryan) (Entered: 06/03/2022)</p>
06/03/2022	<u>94</u>	<p>TRANSCRIPT OF JURY TRIAL (MORNING SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 25, 2022; Page Numbers: 546-662. Date of Issuance: June 3, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(zlfe) (Entered: 06/03/2022)</p>
06/03/2022	<u>95</u>	<p>TRANSCRIPT OF JURY TRIAL (AFTERNOON SESSION) in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 25, 2022. Page Numbers: 663-819. Date of Issuance: June 3, 2022. Court Reporter: Bryan A. Wayne, (202) 354-3186. 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</p>

		<p>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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(Wayne, Bryan) (Entered: 06/03/2022)</p>
06/03/2022	<u>96</u>	<p>TRANSCRIPT OF JURY TRIAL (MORNING SESSION) in case as to TIMOTHY LOUIS HALE–CUSANELLI before Judge Trevor N. McFadden held on May 26, 2022; Page Numbers: 820–955. Date of Issuance: June 3, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354–3269. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(zlfe) (Entered: 06/03/2022)</p>
06/03/2022	<u>97</u>	<p>TRANSCRIPT OF JURY TRIAL (AFTERNOON SESSION) in case as to TIMOTHY LOUIS HALE–CUSANELLI before Judge Trevor N. McFadden held on May 26, 2022. Page Numbers: 956–1115. Date of Issuance: June 3, 2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(Wayne, Bryan) (Entered: 06/03/2022)</p>

06/03/2022	<u>98</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on May 27, 2022; Page Numbers: 1116-1126. Date of Issuance: June 3, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(zlfe) (Entered: 06/03/2022)</p>
06/06/2022	<u>99</u>	Unopposed MOTION for Extension of Time to <i>File Post-Trial Motions</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Attachments: # <u>1</u> Text of Proposed Order)(Crisp, Jonathan) (Entered: 06/06/2022)
06/07/2022		MINUTE ORDER granting <u>99</u> Consent Motion for Extension of Time to File as to TIMOTHY LOUIS HALE-CUSANELLI (1). Defendant's post-trial motions are due by June 24, 2022. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/7/22. (lctnm2) (Entered: 06/07/2022)
06/07/2022		Set/Reset Deadlines as to TIMOTHY LOUIS HALE-CUSANELLI: Post-trial motions due by 6/24/2022. (hmc) (Entered: 06/07/2022)
06/23/2022	<u>100</u>	NOTICE OF ATTORNEY APPEARANCE: Nicholas D. Smith appearing for TIMOTHY LOUIS HALE-CUSANELLI (Smith, Nicholas) (Entered: 06/24/2022)
06/24/2022	<u>101</u>	ENTERED IN ERROR.....MOTION for Acquittal <i>on Count One of the Superseding Indictment</i> , MOTION for New Trial <i>in the Alternative</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Smith, Nicholas) Modified on 6/24/2022 (zltp). (Entered: 06/24/2022)
06/24/2022	<u>102</u>	MOTION for Leave to File Excess Pages by TIMOTHY LOUIS HALE-CUSANELLI. (Smith, Nicholas) (Entered: 06/24/2022)
06/24/2022	<u>103</u>	Amended MOTION for Acquittal <i>on Count One of the Superseding Indictment</i> , Amended MOTION for New Trial <i>in the Alternative (first-filed memorandum at ECF No. 101 contains faulty Table of Authorities)</i> by TIMOTHY LOUIS HALE-CUSANELLI. (Smith, Nicholas) (Entered: 06/24/2022)
06/24/2022		MINUTE ORDER granting <u>102</u> Motion for Leave to File Excess Pages as to TIMOTHY LOUIS HALE-CUSANELLI (1). SO ORDERED. Signed by Judge Trevor N. McFadden on 6/24/22. (lctnm2) (Entered: 06/24/2022)



06/24/2022			NOTICE OF ERROR as to TIMOTHY LOUIS HALE-CUSANELLI regarding <u>101</u> MOTION for Acquittal <i>on Count One of the Superseding Indictment</i> MOTION for New Trial <i>in the Alternative</i> . The following error(s) need correction: Incorrect data in initial motion; AUSA re-filed motion as docket entry <u>103</u> . (zltp) (Entered: 06/24/2022)
07/07/2022	<u>104</u>		Unopposed MOTION for Extension of Time to <i>TO FILE GOVERNMENTS RESPONSE</i> by USA as to TIMOTHY LOUIS HALE-CUSANELLI. (Fifield, Kathryn) (Entered: 07/07/2022)
07/07/2022			MINUTE ORDER granting the <u>104</u> Unopposed Motion for Extension of Time as to TIMOTHY LOUIS HALE-CUSANELLI (1). The Government shall respond by July 15, 2022 to Defendant's <u>103</u> Motion for Acquittal. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/7/22. (lctnm2) (Entered: 07/07/2022)
07/15/2022	<u>105</u>		Memorandum in Opposition by USA as to TIMOTHY LOUIS HALE-CUSANELLI re <u>103</u> Amended MOTION for Acquittal <i>on Count One of the Superseding Indictment</i> Amended MOTION for New Trial <i>in the Alternative (first-filed memorandum at ECF No. 101 contains faulty Table of Authorities)</i> (Attachments: # <u>1</u> Exhibit Transcript of May 6, 2022, pretrial conference)(Fifield, Kathryn) (Entered: 07/15/2022)
07/21/2022	<u>106</u>		REPLY TO OPPOSITION to Motion by TIMOTHY LOUIS HALE-CUSANELLI re <u>103</u> Amended MOTION for Acquittal <i>on Count One of the Superseding Indictment</i> Amended MOTION for New Trial <i>in the Alternative (first-filed memorandum at ECF No. 101 contains faulty Table of Authorities) (And Request for Oral Argument)</i> (Smith, Nicholas) (Entered: 07/21/2022)
08/23/2022			MINUTE ORDER as to TIMOTHY LOUIS HALE-CUSANELLI (1). The sentencing hearing previously scheduled for September 16, 2022 is hereby RESCHEDULED to 10:00 a.m. on September 22, 2022 in Courtroom 2 before Judge Trevor N. McFadden. The parties shall submit any sentencing memoranda by September 15. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/23/22. (lctnm2) (Entered: 08/23/2022)
08/25/2022			Set/Reset Deadlines/Hearings as to TIMOTHY LOUIS HALE-CUSANELLI: Sentencing Memoranda due by 9/15/2022. Sentencing set for 9/22/2022 at 10:00 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. (hmc) (Entered: 08/25/2022)
09/15/2022	<u>110</u>		SENTENCING MEMORANDUM by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Fifield, Kathryn) (Entered: 09/16/2022)
09/16/2022	<u>111</u>		SENTENCING MEMORANDUM by TIMOTHY LOUIS HALE-CUSANELLI (Attachments: # <u>1</u> Exhibit 1 - Sentencing Letter)(Smith, Nicholas) (Entered: 09/16/2022)
09/19/2022	<u>112</u>		NOTICE of Supplemental Authority re Motion for Judgment of Acquittal by TIMOTHY LOUIS HALE-CUSANELLI (Smith, Nicholas) (Entered: 09/19/2022)
09/19/2022	<u>113</u>		MEMORANDUM ORDER denying <u>103</u> Motion for Judgment of Acquittal and Motion for New Trial as to TIMOTHY LOUIS HALE-CUSANELLI (1).



		See attached order for details. Signed by Judge Trevor N. McFadden on 9/19/22. (lctnm2) (Entered: 09/19/2022)
09/21/2022	<u>114</u>	NOTICE of Supplemental Authority in Aid of Sentencing by USA as to TIMOTHY LOUIS HALE-CUSANELLI (Attachments: # <u>1</u> Supplement Excerpt of Sentencing Transcript in the case of US v. Matthew Ryan Miller, # <u>2</u> Supplement Excerpt of Sentencing Transcript in the case of US v. Greg Rubenacker, # <u>3</u> Supplement Excerpt of Sentencing Transcript in the case of US v. Guy Reffitt)(Fifield, Kathryn) (Entered: 09/21/2022)
09/21/2022	<u>115</u>	RESPONSE by TIMOTHY LOUIS HALE-CUSANELLI re <u>114</u> Notice (Other), re Government's Sentencing Transcripts (Smith, Nicholas) (Entered: 09/21/2022)
09/21/2022		NOTICE OF RESCHEDULED HEARING as to TIMOTHY LOUIS HALE-CUSANELLI. The parties shall take notice that the Sentencing set for 9/22/2022 is rescheduled from 10:00 AM to 10:30 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. (hmc) (Entered: 09/21/2022)
09/22/2022		Minute Entry for proceedings held before Judge Trevor N. McFadden: Sentencing held on 9/22/2022 as to TIMOTHY LOUIS HALE-CUSANELLI. Count 1s: Defendant sentenced to a term of Forty-Eight (48) Months of Incarceration, to run concurrently with Counts 2s, 3s, 4s, 5s, followed by a term of Thirty-Six (36) Months of Supervised Release, to run concurrently with Counts 2s and 3s. \$100 Special Assessment imposed. Count 2s and 3s: Defendant sentenced to a term of Twelve (12) Months of Incarceration on each count, to run concurrently with Counts 1s, 4s, 5s, followed by a term of Twelve (12) Months of Supervised Release on each count, to run concurrently with Count 1s. \$25 Special Assessment imposed for each count. Counts 4s and 5s: Defendant sentenced to a term of Six (6) Months of Incarceration on each count, to run concurrently with Counts 1s, 2s, 3s. \$10 Special Assessment imposed for each. Special Assessment total of \$170.00. Restitution in the amount of \$2,000.00. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorneys: Jonathan W. Crisp, Nicholas D. Smith; US Attorneys: Kathryn E. Fifield, Karen P. Seifert; Probation Officer: Crystal Lustig; Court Reporter: Lisa Edwards. (hmc) (Entered: 09/22/2022)
09/22/2022	<u>118</u>	JUDGMENT as to TIMOTHY LOUIS HALE-CUSANELLI. Statement of Reasons Not Included. Signed by Judge Trevor N. McFadden on 9/22/2022. (zltp) (Entered: 09/26/2022)
09/22/2022	<u>119</u>	STATEMENT OF REASONS as to TIMOTHY LOUIS HALE-CUSANELLI. re <u>118</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 Trevor N. McFadden on 9/22/2022. (zltp) (Entered: 09/26/2022)
09/27/2022	<u>120</u>	TRANSCRIPT OF SENTENCING HEARING in case as to TIMOTHY LOUIS HALE-CUSANELLI before Judge Trevor N. McFadden held on September 22, 2022; Page Numbers: 1-110. Date of Issuance: September 27, 2022. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>

		<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 10/18/2022. Redacted Transcript Deadline set for 10/28/2022. Release of Transcript Restriction set for 12/26/2022.(zlfe) (Entered: 09/27/2022)</p>
10/06/2022	<u>121</u>	<p>NOTICE OF APPEAL – Final Judgment by TIMOTHY LOUIS HALE-CUSANELLI re <u>118</u> Judgment. Filing fee \$ 505, receipt number ADCDC-9582743. Fee Status: Fee Paid. Parties have been notified. (Smith, Nicholas) (Entered: 10/06/2022)</p>

United States District Court for the District of Columbia

UNITED STATES OF AMERICA )

vs. )

Timothy Hale-Cusanelli )

Criminal No. 21cr37

NOTICE OF APPEAL

Name and address of appellant:

Timothy Hale-Cusanelli  
Correctional Treatment Facility  
1901 E St. SE  
Washington, D.C. 20003

Name and address of appellant's attorney:

Nicholas Smith  
1123 Broadway  
Suite 909  
New York, NY 10010

Offense: 18 U.S.C. s. 1512(c)(2)

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

Judgment entered and sentence imposed on September 22, 2022.

Name and institution where now confined, if not on bail: D.C. Jail, Correctional Treatment Facility

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

10/6/2022

DATE

/s/ Timothy Hale-Cusanelli

APPELLANT

*Nicholas Smith*

ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE ☐

CJA, NO FEE ☐

PAID USDC FEE ☒

PAID USCA FEE ☐

Does counsel wish to appear on appeal?

YES ☒

NO ☐

Has counsel ordered transcripts?

YES ☐

NO ☒

Is this appeal pursuant to the 1984 Sentencing Reform Act?

YES ☒

NO ☐

## UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

TIMOTHY LOUIS HALE-CUSANELLI

## JUDGMENT IN A CRIMINAL CASE

Case Number: 21-cr-37 (TNM)

USM Number: 25995-509

Jonathan W. Crisp

Defendant's Attorney

## THE DEFENDANT:

☐ pleaded guilty to count(s) \_\_\_\_\_☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☒ was found guilty on count(s) 1, 2, 3, 4, 5 of the Superseding Indictment filed on 3/9/2022  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 USC §§ 1512(c)(2) and 2	Obstruction of an Official Proceeding and Aiding and Abetting	1/6/2021	1s
18 USC § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	2s

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

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

9/22/2022

Date of Imposition of Judgment

Signature of Judge

Trevor N. McFadden, U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)

**ADDITIONAL COUNTS OF CONVICTION**

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

DEFENDANT: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)

### IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:  
FORTY-EIGHT (48) MONTHS on Count 1s, TWELVE (12) MONTHS each on Counts 2s and 3s, and SIX (6) MONTHS each on Counts 4s and 5s, to be served concurrently.

☒ The court makes the following recommendations to the Bureau of Prisons:  
- incarceration at FCI Fort Dix

☒ 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: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)

### SUPERVISED RELEASE

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

THIRTY-SIX (36) MONTHS on Count 1s, and TWELVE (12) MONTHS on Counts 2s and 3s to be served 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: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)

### 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: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)

### **SPECIAL CONDITIONS OF SUPERVISION**

Payment of all financial obligations described in this judgment are specific requirements of your supervised release.

You are ordered to make restitution to the Architect of the Capitol in the amount of \$2,000. Restitution payments shall be made to the Clerk of the Court for the United States District Court, District of Columbia.

Financial Obligation: You must pay the balance of any financial obligation owed at a rate of no less than \$100 each month.

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

DEFENDANT: TIMOTHY LOUIS HALE-CUSANELLI  
CASE NUMBER: 21-cr-37 (TNM)**CRIMINAL MONETARY PENALTIES**

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

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

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

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

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

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

<b>TOTALS</b>	\$	<u>0.00</u>	\$	<u>2,000.00</u>
---------------	----	-------------	----	-----------------

☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

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

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

☒ the interest requirement is waived for the ☐ fine ☒ restitution.

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

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

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

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

DEFENDANT: TIMOTHY LOUIS HALE-CUSANELLI  
 CASE NUMBER: 21-cr-37 (TNM)

### SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 170.00 due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:  
 The financial obligations are 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.

You must pay the financial obligations owed according to the payment schedule on Page 6.

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
---	--------------	-----------------------------	--

- ☐ 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.