

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00032-DLF-1**

Case title: USA v. REFFITT

Magistrate judge case number: 1:21-mj-00091-ZMF

Date Filed: 01/27/2021

---

Assigned to: Judge Dabney L.  
Friedrich

**Defendant (1)**

**GUY WESLEY REFFITT**

represented by **F. Clinton Broden**  
BRODEN & MICKELSEN  
2600 State Street  
Dallas, TX 75204  
214-720-9552  
Fax: 214-720-9594  
Email: [clint@texascrimlaw.com](mailto:clint@texascrimlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**William Lawrence Welch , III**  
William L. Welch, III  
5305 Village Center Drive  
Suite 142  
Columbia, MD 21044  
410-615-7186  
Fax: 410-630-7760  
Email: [wlw@wwelchattorney.com](mailto:wlw@wwelchattorney.com)  
*TERMINATED: 06/01/2022*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

18:1512(c)(2) and 2;  
TAMPERING WITH A  
WITNESS, VICTIM OR  
INFORMANT; Obstruction of an  
Official Proceeding and Aiding  
and Abetting  
(1)

**Disposition**

DISMISSED AT THE REQUEST OF THE  
GOVERNMENT

18:231(a)(2); CIVIL ; Civil Disorder  
(1s)

DISMISSED AT THE REQUEST OF THE GOVERNMENT

18:231(a)(2); CIVIL DISORDER; Civil Disorder.  
(1ss)

Defendant sentenced to sixty (60) months of incarceration to run concurrently, thirty-six (36) months of supervised release, \$2,000 restitution and a total of \$500 Special assessment.

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds  
(2)

DISMISSED AT THE REQUEST 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.  
(2s)

DISMISSED AT THE REQUEST 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)

Defendant sentenced to eighty-seven (87) months of incarceration to run concurrently, thirty-six (36) months of supervised release, \$2,000 restitution and a total of \$500 Special assessment.

18:1512(a)(2)(C); TAMPERING WITH WITNESS, VICTIM, OR AN INFORMANT; Obstruction of Justice– Hindering Communication Through Physical Force or Threat of Physical Force  
(3)

DISMISSED AT THE REQUEST 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.  
(3s)

DISMISSED AT THE REQUEST 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.  
(3ss)

Defendant sentenced to eighty-seven (87) months of incarceration to run concurrently, thirty-six (36) months of supervised release, \$2,000 restitution and a total of \$500 Special assessment.

18:231(a)(3); CIVIL DISORDER;  
Civil Disorder.  
(4s)

DISMISSED AT THE REQUEST OF THE  
GOVERNMENT

18:231(a)(3); CIVIL DISORDER;  
Civil Disorder.  
(4ss)

Defendant sentenced to sixty (60) months of  
incarceration to run concurrently, thirty-six (36)  
months of supervised release, \$2,000 restitution and  
a total of \$500 Special assessment.

18:1512(a)(2)(C); TAMPER  
W/WITNESS, VICTIM,  
INFORMANT (IF DEATH  
RESULTS); Obstruction of Justice  
– Hindering Communication  
Through Physical Force or Threat  
of Physical Force.  
(5s)

DISMISSED AT THE REQUEST OF THE  
GOVERNMENT

18:1512(a)(2)(C); TAMPERING  
WITH A WITNESS, VICTIM OR  
INFORMANT; Obstruction of  
Justice – Hindering  
Communication Through Physical  
Force or Threat of Physical Force.  
(5ss)

Defendant sentenced to eighty-seven (87) months  
of incarceration to run concurrently, thirty-six (36)  
months of supervised release, \$2,000 restitution and  
a total of \$500 Special assessment.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

COMPLAINT in Violation of  
18:1752(a), 1512(a)(2)(C).

**Disposition**

---

**Interested Party**

**MATTHEW RUSSELL LEE**

---

**Movant**

**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 **Jeffrey S. Nestler**  
U.S. ATTORNEY'S OFFICE  
555 Fourth Street NW  
Washington, DC 20530  
202-252-7277  
Email: [jeffrey.nestler@usdoj.gov](mailto:jeffrey.nestler@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant U.S. Attorney*

**Risa Berkower**  
UNITED STATES ATTORNEY'S  
OFFICE  
555 4th Street, NW  
Washington, DC 20530



(202) 252-6782  
 Fax: (202) 307-3961  
 Email: [risa.berkower@usdoj.gov](mailto:risa.berkower@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Page	Docket Text
01/16/2021	<u>1</u>		COMPLAINT as to GUY WESLEY REFFITT (1). (Attachments: # <u>1</u> Affidavit in Support of Criminal Complaint and Arrest Warrant. (zhsj) [1:21-mj-00091-ZMF] (Entered: 01/18/2021))
01/19/2021	<u>3</u>		NOTICE of Errata by USA as to GUY WESLEY REFFITT re <u>1</u> Complaint (Nestler, Jeffrey) [1:21-mj-00091-ZMF] (Entered: 01/19/2021)
01/19/2021			MINUTE ORDER: Upon review of the governments Errata to Correct Statement in Affidavit in Support of Application for a Complaint, the Court finds that the information included in the Affidavit which was incorrect does not impact the Courts prior finding of probable cause. Because probable cause exists even without that information, the Complaint and Arrest Warrant issued by this Court remain valid. See, e.g., United States v. Cardoza, 713 F.3d 656, 659 (D.C. Cir. 2013) ([C]onclud[ing] that, even with the contested statements excised, the remaining portions of the officer's affidavit demonstrate probable cause for the search warrant."). Signed by Magistrate Judge Zia M. Faruqui on 1/19/2021. (ztl) [1:21-mj-00091-ZMF] (Entered: 01/20/2021)
01/27/2021	<u>4</u>		INDICTMENT as to GUY WESLEY REFFITT (1) count(s) 1, 2, 3. (bb) (Entered: 01/28/2021)
01/27/2021	<u>5</u>		Rule 5(c)(3) Documents Received as to GUY WESLEY REFFITT from US District Court Eastern District of Texas Sherman Division Case Number 4:21-mj-51 (bb) (Entered: 01/28/2021)
01/27/2021			Arrest of GUY WESLEY REFFITT in US District Court Eastern District of Texas Sherman Division. (bb) (Entered: 01/28/2021)
03/09/2021	<u>7</u>		ENTERD IN ERROR.....NOTICE OF ATTORNEY APPEARANCE Risa Berkower appearing for USA. (Berkower, Risa) Modified on 3/10/2021 (zhsj). (Entered: 03/09/2021)
03/09/2021			NOTICE OF CORRECTED DOCKET ENTRY: as to GUY WESLEY REFFITT re <u>7</u> Notice of Attorney Appearance – USA was entered in error and counsel was instructed to refile said pleading. Counsel filed fillable form with no information. (zhsj) (Entered: 03/10/2021)
03/10/2021	<u>8</u>		NOTICE OF ATTORNEY APPEARANCE: William Lawrence Welch, III appearing for GUY WESLEY REFFITT pursuant to C.J.A. (Welch, William) (Entered: 03/10/2021)
03/10/2021	<u>9</u>		NOTICE OF ATTORNEY APPEARANCE Risa Berkower appearing for USA. (Berkower, Risa) (Entered: 03/10/2021)
03/10/2021	<u>11</u>		Arrest Warrant Returned Executed on 1/19/2021 as to GUY WESLEY REFFITT. (ztl) (Entered: 03/14/2021)

03/10/2021			ORAL MOTION to Appoint Counsel by GUY WESLEY REFFITT. (ztl) (Entered: 03/14/2021)
03/10/2021			ORAL MOTION for Temporary Detention by USA as to GUY WESLEY REFFITT. (ztl)ORAL (Entered: 03/14/2021)
03/10/2021			Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to GUY WESLEY REFFITT held on 3/10/2021. Defendant present by telephone. Due process order given to the Government. Oral Motion to appoint counsel as to GUY WESLEY REFFITT (1); heard and granted. Oral Motion for Temporary Detention (3 day hold) as to GUY WESLEY REFFITT (1); heard and granted. Detention Hearing set for 3/15/2021 at 11:00 AM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Remain Held Without Bond; Court Reporter: FTR-Gold; FTR Time Frame: [12:12:39-12:20:40]; Defense Attorney: William Welch; US Attorney: Jacob Steiner for Jeff Nestler; Pretrial Officer: John Copes. (ztl) (Entered: 03/14/2021)
03/12/2021			Set/Reset Hearings as to GUY WESLEY REFFITT: Detention Hearing set for 3/15/2021 at 3:30 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. (ztl) (Entered: 03/14/2021)
03/13/2021	<u>10</u>		MEMORANDUM in Support of Pretrial Detention of Defendant by USA as to GUY WESLEY REFFITT. (Berkower, Risa) Modified on 3/15/2021 (zhjs). (Entered: 03/13/2021)
03/14/2021	<u>12</u>		RESPONSE by GUY WESLEY REFFITT re <u>10</u> MOTION to Commit Defendant to Custody of Attorney General (Welch, William) (Entered: 03/14/2021)
03/15/2021			NOTICE OF HEARING as to GUY WESLEY REFFITT. Status Conference set for 3/16/2021 at 12:30 PM via Video before Judge Dabney L. Friedrich. (zjch) (Entered: 03/15/2021)
03/15/2021			MINUTE ORDER. Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. So Ordered by Judge Dabney L. Friedrich on March 15, 2021. (lcllf2) (Entered: 03/15/2021)
03/15/2021			ORAL MOTION to Commit Defendant to Custody of Attorney General by USA as to GUY WESLEY REFFITT. (ztl) (Entered: 03/15/2021)
03/15/2021			ORAL MOTION for Release from Custody by GUY WESLEY REFFITT. (ztl) (Entered: 03/15/2021)
03/15/2021			Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Detention Hearing as to GUY WESLEY REFFITT held on 3/15/2021. Defendant present by Video. Oral Motion by the Government to Commit Defendant to Custody of Attorney General as to GUY WESLEY REFFITT (1); heard and granted. Oral Motion for Release from Custody by GUY

		WESLEY REFFITT (1); heard and denied. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Sara Wick; Defense Attorney: William Welch; US Attorney: Jeff Nestler and Risa Berkower; Pretrial Officer: Andre Sidbury. Witnesses: Payton Reffitt and Cayden Mitchell. (ztl) (Entered: 03/15/2021)
03/16/2021	<u>13</u>	NOTICE of Discovery by USA as to GUY WESLEY REFFITT (Attachments: # <u>1</u> Exhibit Discovery Letter 1)(Nestler, Jeffrey) (Entered: 03/16/2021)
03/16/2021		Minute Entry for Status and Arraignment of GUY WESLEY REFFITT as to Count 1,2,3 held on 3/16/2021 before Judge Dabney L. Friedrich. Not Guilty plea entered as to Count 1,2,3. Speedy Trial Excludable (XT) started 3/16/2021 through 4/19/2021 in the interest of justice. Status Conference as to GUY WESLEY REFFITT held on 3/16/2021, Plea entered as to GUY WESLEY REFFITT Not Guilty on counts 1,2,3. Status Conference set for 4/19/2021 at 1:00 PM in Telephonic/VTC before Judge Dabney L. Friedrich. Bond Status of Defendant: Commitment; Court Reporter: Sara Wick; Defense Attorney: William Welch; US Attorney: Jeff Nestler and Risa Berkower. (zjch) (Entered: 03/16/2021)
03/16/2021	<u>14</u>	ORDER OF DETENTION PENDING TRIAL – Defendant Held Without Bond as to GUY WESLEY REFFITT. Signed by Magistrate Judge Zia M. Faruqi on 3/16/2021. (ztl) (Entered: 03/17/2021)
03/31/2021	<u>15</u>	Unopposed MOTION for Protective Order <i>Governing Discovery</i> by USA as to GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Berkower, Risa) Modified Text on 3/31/2021 Removing the "Entered in Error From the Entry"(zhsj). (Entered: 03/31/2021)
03/31/2021		ENTERED IN ERROR.....NOTICE OF CORRECTED DOCKET ENTRY: as to GUY WESLEY REFFITT re <u>15</u> Unopposed MOTION for Protective Order <i>Governing Discovery</i> was entered in error and counsel was instructed to refile said pleading. Wrong Attorney signature on motion. (zhsj) Modified on 3/31/2021 (zhsj). Modified on 3/31/2021 (zhsj). (Entered: 03/31/2021)
04/01/2021	<u>16</u>	ORDER granting the government's <u>15</u> Unopposed Motion for Protective Order as to GUY WESLEY REFFITT. See text for details. Signed by Judge Dabney L. Friedrich on April 1, 2021. (lcllf2) (Entered: 04/01/2021)
04/14/2021	<u>18</u>	MOTION to Revoke <i>Detention Order</i> by GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Welch, William) (Entered: 04/14/2021)
04/14/2021	19	MOTION for Hearing by GUY WESLEY REFFITT. (See Docket Entry <u>18</u> to View Document). (zhsj) (Entered: 04/14/2021)
04/19/2021		Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 4/19/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 4/19/2021 through 5/13/2021 in the interest of justice. Responses due by 4/28/2021. Replies due by 5/5/2021. Motion Hearing and Status Conference set for 5/13/2021 at 2:30 PM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Committed; Court Reporter: Sara Wick; Defense Attorney: William Welch; US Attorney: Jeff Nestler and Risa Berkower. (zjch) (Entered: 04/19/2021)



04/19/2021	<u>21</u>	<p>TRANSCRIPT OF DETENTION HEARING in case as to GUY WESLEY REFFITT before Magistrate Judge Zia M. Faruqi, held on 03/15/2021. Page Numbers: 1–68. Date of Issuance: 04/19/2021. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 5/10/2021. Redacted Transcript Deadline set for 5/20/2021. Release of Transcript Restriction set for 7/18/2021.(Wick, Sara) (Entered: 04/19/2021)</p>
04/20/2021		<p>MINUTE ORDER as to GUY WESLEY REFFITT. It is ORDERED that the government shall file, on or before April 28, 2021, its opposition to the defendant's <u>18</u> Motion to Revoke Detention Order, and the defendant shall file any reply on or before May 5, 2021. A hearing is scheduled for May 13, 2021 at 2:30 p.m. For the reasons stated in the April 19, 2021 hearing—namely, the defendant's pending motion, see 18 U.S.C. § 3161(h)(1)(D), and the need for the defense to review forthcoming discovery and determine how to best defend this case, see 18 U.S.C. § 3161(h)(7)(B)(iv)—the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the time from April 19, 2021 through May 13, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on April 20, 2021. (lcldf2) (Entered: 04/20/2021)</p>
04/28/2021	<u>22</u>	<p>RESPONSE by USA as to GUY WESLEY REFFITT re <u>18</u> MOTION to Revoke <i>Detention Order</i> (Nestler, Jeffrey) (Entered: 04/28/2021)</p>
05/04/2021	<u>23</u>	<p>REPLY in Support by GUY WESLEY REFFITT re <u>18</u> MOTION to Revoke <i>Detention Order</i> (Welch, William) (Entered: 05/04/2021)</p>
05/12/2021	<u>24</u>	<p>NOTICE of Letter Allegedly Written by Defendant by USA as to GUY WESLEY REFFITT re <u>22</u> Response to motion (Attachments: # <u>1</u> Exhibit ProPublica Article, # <u>2</u> Exhibit Letter)(Nestler, Jeffrey) (Entered: 05/12/2021)</p>
05/13/2021		<p>Minute Entry for Motion Hearing as to GUY WESLEY REFFITT re <u>18</u> MOTION to Revoke <i>Detention Order</i> filed by GUY WESLEY REFFITT and Status Conference held on 5/13/2021 before Judge Dabney L. Friedrich. Court DENIES <u>18</u> Motion to Revoke as to GUY WESLEY REFFITT. Speedy Trial Excludable (XT) started 5/13/2021 through 6/4/2021 in the interest of justice</p>

		and over the objection by the defendant. Motions due by 6/14/2021. Responses due by 6/28/2021. Replies due by 7/6/2021. Motion Hearing set for 7/21/2021 at 11:00 AM in Telephonic/VTC before Judge Dabney L. Friedrich. Status Conference set for 6/4/2021 at 9:30 AM in Telephonic/VTC before Judge Dabney L. Friedrich. Bond Status of Defendant: Commitment; Court Reporter: Sara Wick Defense Attorney: William Welch; US Attorney: Jeff Nestler and Risa Berkower. (zjch) (Entered: 05/13/2021)
05/13/2021		MINUTE ORDER. For the reasons stated in the May 13, 2021 hearing, it is ORDERED that the defendant's <u>18</u> 19 Motion to Revoke Detention Order is DENIED. A status hearing is scheduled for June 4, 2021 at 9:30 a.m. A pretrial motions hearing is set for July 21, 2021 at 11:00 a.m. The parties shall file any pretrial motions on or before June 14, 2021; oppositions shall be filed on or before June 28, 2021; and any replies shall be filed on or before July 6, 2021. Finally, the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Specifically, this case is unusual and complex due to the nature of the prosecution and the voluminous discovery at issue, including encrypted discovery contained on twenty electronic devices seized from the defendant. Thus, to deny a continuance in this case would deny counsel the reasonable time necessary for effective preparation. See 18 U.S.C. § 3161(h)(7)(B)(ii). Accordingly, pursuant to the Speedy Trial Act, the time from May 13, 2021 through June 4, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on May 13, 2021. (lcldf2) (Entered: 05/13/2021)
06/04/2021		Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 6/4/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 6/4/2021 through 7/14/2021 in the interest of justice. Motions due by 6/18/2021. Responses due by 7/7/2021. Motion Hearing set for 7/14/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Commitment; Court Reporter: Lisa Bankin; Defense Attorney: William Welch; US Attorney: Jeff Nestler and Risa Berkower. (zjch) (Entered: 06/04/2021)
06/04/2021		MINUTE ORDER as to GUY WESLEY REFFITT. Consistent with the discussion during the June 4, 2021 status hearing: the pretrial conference and motions briefing dates previously set on May 13, 2021 are VACATED; the government shall file its forthcoming motion related to accessing the defendant's computer on or before June 18, 2021; the defendant shall file his opposition on or before July 2, 2021; and the government shall file any reply no more than 7 days after the defense files its opposition; a motions hearing is scheduled for July 14, 2021 at 10:00 AM via videoconference. For the reasons stated during the status hearing, namely, to give the defense time to review the forthcoming discovery and make decisions on how to defend this case, the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. §§ 3161(h)(7)(A) & (B)(ii). Accordingly, pursuant to the Speedy Trial Act, the time from June 4, 2021 through July 14, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on June 4, 2021. (lcldf2) (Entered: 06/04/2021)
06/04/2021		

		Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses due by 7/2/2021 (zjch) (Entered: 06/04/2021)
06/16/2021	<u>25</u>	SUPERSEDING INDICTMENT as to GUY WESLEY REFFITT (1) count(s) 1s, 2s, 3s, 4s, 5s. (zhsj) (Entered: 06/17/2021)
06/18/2021	<u>27</u>	MOTION to Compel <i>Defendant to Produce Evidence in Unencrypted State</i> by USA as to GUY WESLEY REFFITT. (Nestler, Jeffrey) (Entered: 06/18/2021)
06/28/2021	<u>28</u>	RESPONSE by GUY WESLEY REFFITT re <u>27</u> MOTION to Compel <i>Defendant to Produce Evidence in Unencrypted State</i> (Welch, William) (Entered: 06/28/2021)
07/14/2021		Minute Entry for Status Conference (originally scheduled as a motions hearing) as to GUY WESLEY REFFITT held on 7/14/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 7/14/2021 through 7/21/2021 in the interest of justice. Motions due by 8/13/2021. Responses due by 8/27/2021. Replies due by 9/3/2021. Arraignment and Motion Hearing set for 7/21/2021 at 2:00 PM in Courtroom 12– In Person before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed – did not appear; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler. (zjch) (Entered: 07/14/2021)
07/14/2021		MINUTE ORDER as to GUY WESLEY REFFITT. Consistent with the discussion during the July 14, 2021 hearing: a hearing on the government's pending <u>27</u> Motion to Compel Defendant to Produce Evidence in Unencrypted State is set for July 21, 2021 at 2:00 p.m. in Courtroom 12. The parties shall file any pretrial motions on or before August 13, 2021; oppositions shall be filed on or before August 27, 2021; and any replies shall be filed on or before September 3, 2021. The government shall provide notice on or before September 3, 2021 of its intention to file evidence under Rule 404(b) of the Federal Rules of Criminal Procedure. Finally, for the reasons stated during the hearing, namely, in order to address the government's pending motion and in order to give the defense time to review the forthcoming discovery and make decisions on how to defend this case, the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), (B)(iv). Accordingly, pursuant to the Speedy Trial Act, the time from July 14, 2021 through July 21, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on July 14, 2021. (lcldf2) (Entered: 07/14/2021)
07/20/2021	<u>29</u>	NOTICE of Status of Discovery by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 07/20/2021)
07/21/2021		MINUTE ORDER as to GUY WESLEY REFFITT. Consistent with the discussion during the July 21, 2021 hearing, it is ORDERED that the pretrial motions briefing dates previously set on July 14, 2021 are VACATED; the government shall inform the Court on or before July 22, 2021 whether it intends to proceed with its <u>27</u> Motion to Compel the defendant to produce the password necessary to decrypt the subject device, and if so, the defendant shall file any supplemental opposition to the government's motion on or before August 18, 2021; the government shall file its reply on or before August 25, 2021; and the defendant shall make any further arguments at a motions hearing scheduled for August 27, 2021 at 10:00 a.m. via videoconference. As



		<p>previously stated, the government shall provide notice on or before September 3, 2021 of its intention to file evidence under Rule 404(b) of the Federal Rules of Criminal Procedure. It is FURTHER ORDERED that the parties shall file any pretrial motions, including motions in limine, on or before September 17, 2021; oppositions shall be filed on or before October 1, 2021; replies shall be filed on or before October 8, 2021; and a pretrial motions hearing is tentatively set for October 15, 2021 at 10:00 a.m. via videoconference. Pretrial conferences shall be held on November 3, 2021 and November 9, 2021 (not November 8, 2021 as stated during the hearing) at 10:00 a.m. in Courtroom 12. A jury trial is set to begin on November 15, 2021 at 9:00 a.m. in Courtroom 12. Finally, for the reasons stated during the hearing, namely, in order to give the defense time to review the forthcoming discovery, make decisions on how to defend this case, and file pretrial motions, the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv). Accordingly, pursuant to the Speedy Trial Act, the time from July 21, 2021 through August 27, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on July 21, 2021. (lcldlf2) (Entered: 07/21/2021)</p>
07/21/2021		<p>Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 7/21/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 7/21/2021 through 8/27/2021 in the interest of justice. Supplemental opposition to the government's motion due by 8/18/2021. Motions due by 9/17/2021. Motion in Limine due by 9/17/2021. Responses due by 10/1/2021. Replies due by 10/8/2021. Jury Trial set for 11/15/2021 at 9:00 AM in Courtroom 12 before Judge Dabney L. Friedrich. Motion Hearing set for 8/27/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Pretrial Conference set for 11/3/2021 at 10:00 AM and 11/9/2021 at 10:00 AM in Courtroom 12 before Judge Dabney L. Friedrich. Pre-Trial Motion Hearing set for 10/15/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler. (zjch) (Entered: 07/21/2021)</p>
07/27/2021	<u>30</u>	<p>PRETRIAL ORDER. See text for details. Signed by Judge Dabney L. Friedrich on July 27, 2021. (lcldlf2) (Entered: 07/27/2021)</p>
07/27/2021		<p>Set/Reset Deadlines as to GUY WESLEY REFFITT: Exhibit List due by 11/8/2021. Witness List due by 11/8/2021. (zjch) (Entered: 07/28/2021)</p>
08/24/2021	<u>31</u>	<p>TRANSCRIPT OF ARRAIGNMENT AND STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 07/21/2021. Page Numbers: 1–19. Date of Issuance: 08/24/2021. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 9/14/2021. Redacted Transcript Deadline set for 9/24/2021. Release of Transcript Restriction set for 11/22/2021.(Wick, Sara) (Entered: 08/24/2021)</p>
08/26/2021	<u>32</u>	NOTICE <i>Regarding Status of Discovery</i> by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 08/26/2021)
08/27/2021		Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 8/27/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 8/27/2021 through 10/15/2021 in the interest of justice. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler. (zjch) (Entered: 08/27/2021)
08/27/2021		MINUTE ORDER as to GUY WESLEY REFFITT. A pretrial motions hearing is set for October 15, 2021 at 10:00 a.m. via videoconference. Consistent with the discussion in the status conference held on August 27, 2021, and for the reasons stated—namely the need for the defense to review voluminous and forthcoming discovery, the government's representations as to the complex nature of the discovery and investigation, the complexity of the novel legal and factual questions presented by this case, the need for the defense to determine how best to defend this case, and limitations on court occupancy due to the ongoing COVID-19 pandemic and Delta variant resurgence for purposes of public health and safety, see 18 U.S.C. § 3161(h)(7)(B)(ii), (iv); see also <i>In re Limited Resumption of Criminal Jury Trials in Light of Current Circumstances Relating to the COVID-19 Pandemic</i> , Standing Or. 21-47 (BAH) (Aug. 25, 2021) (excluding time from August 31, 2021 to October 31, 2021 because of safety concerns regarding COVID-19)—the Court finds over the defendant's objection that the "ends of justice outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act, the time from August 27, 2021 to October 15, 2021, shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on August 27, 2021. (lcldlf2) (Entered: 08/27/2021)
09/15/2021	<u>33</u>	NOTICE <i>Regarding Status of Discovery as of September 14, 2021</i> , by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 09/15/2021)
09/15/2021	<u>34</u>	SECOND SUPERSEDING INDICTMENT as to GUY WESLEY REFFITT (1) count(s) 1ss, 2ss, 3ss, 4ss, 5ss. (zhsj) (Entered: 09/16/2021)
09/17/2021	<u>36</u>	MOTION to Vacate <i>Trial Date</i> , MOTION to Continue <i>Trial</i> , MOTION for Speedy Trial <i>Act Exclusion of Time for Trial</i> by USA as to GUY WESLEY REFFITT. (Berkower, Risa) (Entered: 09/17/2021)
09/17/2021	<u>37</u>	MOTION to Change Venue by GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Welch, William) (Entered: 09/17/2021)

09/17/2021	<u>38</u>		MOTION to Dismiss Count <i>Two</i> by GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Welch, William) (Entered: 09/17/2021)
10/01/2021	<u>39</u>		RESPONSE by USA as to GUY WESLEY REFFITT re <u>37</u> MOTION to Change Venue (Nestler, Jeffrey) (Entered: 10/01/2021)
10/01/2021	<u>40</u>		RESPONSE by USA as to GUY WESLEY REFFITT re <u>38</u> MOTION to Dismiss Count <i>Two</i> (Nestler, Jeffrey) (Entered: 10/01/2021)
10/04/2021			MINUTE ORDER as to GUY REFFITT directing the defendant to file, on or before October 8, 2021, any opposition to the government's <u>36</u> Motion to Vacate Trial Date and Continue Trial, and to Exclude Time Under the Speedy Trial Act. So Ordered by Judge Dabney L. Friedrich on October 4, 2021. (lcdlf2) (Entered: 10/04/2021)
10/04/2021			Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses due by 10/8/2021 (zjch, ) (Entered: 10/05/2021)
10/07/2021	<u>41</u>		<p>TRANSCRIPT OF STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 08/27/2021. Page Numbers: 1–11. Date of Issuance: 10/07/2021. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 r eporter 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 10/28/2021. Redacted Transcript Deadline set for 11/7/2021. Release of Transcript Restriction set for 1/5/2022.(Wick, Sara) (Entered: 10/07/2021)</p>
10/08/2021	<u>42</u>		REPLY in Support by GUY WESLEY REFFITT re <u>37</u> MOTION to Change Venue (Welch, William) (Entered: 10/08/2021)
10/08/2021	<u>43</u>		REPLY in Support by GUY WESLEY REFFITT re <u>38</u> MOTION to Dismiss Count <i>Two</i> (Attachments: # <u>1</u> Appendix)(Welch, William) (Entered: 10/08/2021)
10/08/2021	<u>44</u>		RESPONSE by GUY WESLEY REFFITT re <u>36</u> MOTION to Vacate <i>Trial Date</i> MOTION to Continue <i>Trial</i> MOTION for Speedy Trial <i>Act Exclusion of Time for Trial</i> (Welch, William) (Entered: 10/08/2021)
10/15/2021	<u>45</u>		NOTICE OF DISCOVERY by USA as to GUY WESLEY REFFITT (Attachments: # <u>1</u> Exhibit)(Berkower, Risa) (Entered: 10/15/2021)

10/15/2021			<p>MINUTE ORDER. For the reasons stated during the October 15, 2021 motions hearing, the defendant's <u>37</u> Motion to Change Venue is denied without prejudice, and the government's <u>36</u> Motion to Vacate Trial Date is denied. The Court takes the defendant's <u>38</u> Motion to Dismiss Count Two under advisement. Consistent with the discussion during the hearing, defense counsel shall confer with the defendant regarding the November 15, 2021 trial date and file, by October 22, 2021, a status report confirming whether the defendant seeks to go to trial on that date. In addition, the deadlines set by the Court's <u>30</u> Pretrial Order are modified as follows: (1) the deadline for the filing of any motions in limine is extended until October 21, 2021 at 5pm; oppositions to any motions in limine shall be filed by October 28, 2021 at 5pm, and any replies shall be filed by November 1, 2021 at 12pm; (2) the parties shall jointly file by October 29, 2021 at 5pm (a) proposed jury instructions, (b) voir dire questions, and a (c) statement of the case; if the parties are unable to agree on proposed jury instructions, they shall also file by October 29, 2021 at 5pm briefs in support of their respective positions; (3) the parties shall exchange exhibit and witness lists by November 1, 2021 at 12pm; any objections to exhibits shall be filed by November 2, 2021 at 12pm, and shall include legal argument with citations; (4) the government shall also promptly provide the defense with any remaining Brady material, and all Giglio materials shall be disclosed by November 2, 2021 at 12pm; (5) Jencks materials shall be disclosed by October 29, 2021. For the grounds previously stated in this case—namely the need for the government to produce and for the defense to review voluminous discovery, including extensive electronic discovery, see 18 U.S.C. § 3161(h)(7)(B)(iv), counsel for the defendant to determine how best to defend this case, and for counsel for both sides to have reasonable time necessary for effective trial preparation, taking into account the exercise of due diligence, see 18 U.S.C. § 3161(h)(7)(B)(iv)—the Court finds that the "ends of justice served outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act, the time from October 15, 2021 through November 15, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on October 15, 2021. (lcdlf2) (Entered: 10/15/2021)</p>
10/15/2021			<p>Minute Entry for Motions Hearing and Arraignment as to GUY WESLEY REFFITT on Counts 1ss,2ss,3ss,4ss and 5ss held on 10/15/2021 before Judge Dabney L. Friedrich: Not Guilty Plea entered as to GUY WESLEY REFFITT on counts 1ss,2ss,3ss,4ss and 5ss. Motion Hearing as to GUY WESLEY REFFITT held on 10/15/2021 re <u>36</u> MOTION to Vacate <i>Trial Date</i> MOTION to Continue <i>Trial</i> MOTION for Speedy Trial <i>Act Exclusion of Time for Trial</i> filed by USA, <u>38</u> MOTION to Dismiss Count <i>Two</i> filed by GUY WESLEY REFFITT, <u>37</u> MOTION to Change Venue filed by GUY WESLEY REFFITT. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 10/18/2021)</p>
10/15/2021			<p>Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses due by 10/28/2021 Replies due by 11/1/2021. (zjch, ) (Entered: 10/18/2021)</p>
10/18/2021	<u>46</u>		<p>MINUTE ORDER. Consistent with the discussion at the October 15, 2021 motions hearing, the parties are invited to file objections and propose additions to the attached voir dire questions. So Ordered by Judge Dabney L. Friedrich</p>



			on October 18, 2021. (lcldf2) (Entered: 10/18/2021)
10/19/2021	<u>47</u>		NOTICE of <i>Supplemental Authority</i> by GUY WESLEY REFFITT re <u>38</u> MOTION to Dismiss Count <i>Two</i> , <u>40</u> Response to motion, <u>43</u> Reply in Support (Welch, William) (Entered: 10/19/2021)
10/19/2021			Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 10/19/2021 before Judge Dabney L. Friedrich. Supplemental Brief due by 10/26/2021. Responses due by 11/2/2021. Replies due by 11/8/2021. Bond Status of Defendant: Remains Committed – excused from hearing; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 10/19/2021)
10/21/2021			MINUTE ORDER scheduling a status conference at 9:00 a.m. on Monday, October 25, 2021 to discuss potential back-up trial dates in the event the Court needs additional time to consider the legal issues presented in the defendant's motion to dismiss (including those issues that are not yet briefed), or the parties are not otherwise ready for trial to begin on November 15, 2021. So Ordered by Judge Dabney L. Friedrich on October 21, 2021. (lcldf2) Modified on to correct the hearing date 10/22/2021 (zjch, ). (Entered: 10/21/2021)
10/21/2021	<u>48</u>		MOTION in Limine to <i>Permit the Government to Elicit Lay Opinion Testimony</i> by USA as to GUY WESLEY REFFITT. (Berkower, Risa) (Entered: 10/21/2021)
10/21/2021	<u>49</u>		MOTION in Limine to <i>Limit Cross-Examination of Secret Service Agency Witnesses</i> by USA as to GUY WESLEY REFFITT. (Berkower, Risa) (Entered: 10/21/2021)
10/21/2021	<u>51</u>		NOTICE of <i>Status of Discovery as of October 21, 2021</i> by USA as to GUY WESLEY REFFITT (Berkower, Risa) (Entered: 10/21/2021)
10/22/2021			NOTICE OF HEARING as to GUY WESLEY REFFITT. Status Conference set for 10/25/2021 at 9:00 AM via video before Judge Dabney L. Friedrich. (zjch, ) (Entered: 10/22/2021)
10/22/2021	<u>52</u>		MOTION to Continue <i>Trial Date and Status Report</i> by GUY WESLEY REFFITT. (Welch, William) (Entered: 10/22/2021)
10/22/2021	54		STATUS REPORT by GUY WESLEY REFFITT. (See Docket Entry <u>52</u> to View Document). (zhsj) (Entered: 10/27/2021)
10/25/2021			Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 10/25/2021 before Judge Dabney L. Friedrich. Motions due by 11/2/2021. Responses due by 11/9/2021. Status Conference set for 11/19/2021 at 10:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed – did not appear; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 10/25/2021)
10/25/2021	<u>53</u>		TRANSCRIPT OF ARRAIGNMENT AND MOTIONS HEARING in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 10/15/2021. Page Numbers: 1–66. Date of Issuance: 10/25/2021. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 11/15/2021. Redacted Transcript Deadline set for 11/25/2021. Release of Transcript Restriction set for 1/23/2022.(Wick, Sara) (Entered: 10/25/2021)</p>
10/26/2021		<p>Set/Reset Hearings as to GUY WESLEY REFFITT: Jury Trial set for 2/28/2022 at 9:00 AM in Courtroom 14 before Judge Dabney L. Friedrich. (zjch, ) (Entered: 10/26/2021)</p>
10/26/2021		<p>MINUTE ORDER granting the defendant's <u>52</u> Motion to Continue Trial Date. Accordingly, the November 3 and November 9 pretrial conferences, and the November 15, 2021 trial, are vacated. Subject to further order of the Court, a tentative trial date of February 28, 2022 at 9:00 a.m. is scheduled. A pretrial motions hearing is set for November 19 at 10:00 a.m. via videoconference. The defense shall file its supplemental brief in support of its <u>38</u> Motion to Dismiss on or before November 2. The government shall file its opposition on or before November 9, and the defense shall file any reply on or before November 15. Further, the deadlines set by the Court's October 15, 2021 Minute Order are vacated. A revised pretrial order will follow. For the reasons stated during the October 25 and October 26 status hearings—including the need for the defense to review voluminous and recently released discovery and to file supplementary briefing on its pending <u>38</u> Motion to Dismiss; the need for both parties to have the reasonable time necessary for effective trial preparation, taking into account the exercise of due diligence; and the need for Court to conduct trials safely in accordance with the Chief Judge's Standing Order on courthouse restrictions due to COVID–19—the Court finds that the "ends of justice served outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A), (B)(iv); see also In re Updated Status of Court Operations, Standing Or. 21–47 (BAH) (Aug. 25, 2021). Accordingly, pursuant to the Speedy Trial Act, the time from October 26, 2021 through February 28, 2022 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on October 26, 2021. (lcllf2) (Entered: 10/26/2021)</p>
11/02/2021	<u>55</u>	<p>SUPPLEMENT by GUY WESLEY REFFITT re <u>38</u> MOTION to Dismiss Count <i>Two</i> (Welch, William) (Entered: 11/02/2021)</p>
11/03/2021		<p>MINUTE ORDER. In light of the continuance of the November 15, 2021 trial date, the deadlines set by the Court's October 15, 2021 Minute Order are modified as follows: (1) the parties shall file, on or before November 24, 2021, any motions in limine, as well as any objections to exclude the government's</p>

		exhibits; oppositions shall be filed on or before December 8, 2021, and any replies shall be filed by December 15, 2021; (2) the parties shall file their proposed voir dire questions and jury instructions, excluding instructions regarding 18 U.S.C. § 1512(c)(2), on or before November 24, 2021. A revised pretrial order with additional deadlines will follow. So Ordered by Judge Dabney L. Friedrich on November 3, 2021. (lcl1f2) (Entered: 11/03/2021)
11/03/2021		Set/Reset Deadlines/Hearings as to GUY WESLEY REFFITT: Motions in Limine due by 11/24/2021. Oppositions due by 12/8/2021. Replies due by 12/15/2021. Proposed Voir Dire Questions and Jury Instructions due by 11/24/2021. (zjd) (Entered: 11/03/2021)
11/05/2021	<u>56</u>	SUPPLEMENT by USA as to GUY WESLEY REFFITT re <u>55</u> Supplement to any document <i>Response to Defendant's Supplemental Brief in Support of Motion to Dismiss</i> (Nestler, Jeffrey) (Entered: 11/05/2021)
11/06/2021	<u>57</u>	NOTICE of Status of Discovery as of November 5, 2021 by USA as to GUY WESLEY REFFITT (Berkower, Risa) (Entered: 11/06/2021)
11/09/2021		MINUTE ORDER. At the motions hearing on November 19, 2021, the parties shall be prepared to answer questions relating to the following issues highlighted in the defendant's supplementary briefing and the government's response: (1) whether 18 U.S.C. § 1512(c)(2)'s prohibition on obstructing, influencing, or impeding an official proceeding should be understood in light of § 1512(c)(1)'s prohibition on evidence spoliation; and (2) the appropriate definition of "corruptly" as it is used in § 1512(c). So Ordered by Judge Dabney L. Friedrich on November 9, 2021. (lcl1f2) (Entered: 11/09/2021)
11/15/2021	<u>58</u>	SUPPLEMENTAL REPLY in Support by GUY WESLEY REFFITT re <u>38</u> MOTION to Dismiss Count <i>Two</i> (Welch, William) Modified Text on 11/18/2021 (zhsj). (Entered: 11/15/2021)
11/17/2021	<u>59</u>	NOTICE of Supplemental Authority for Reply Argument by GUY WESLEY REFFITT re <u>55</u> Supplement to any document, <u>38</u> MOTION to Dismiss Count <i>Two</i> , <u>58</u> Reply in Support, <u>43</u> Reply in Support, <u>47</u> Notice (Other) (Welch, William) (Entered: 11/17/2021)
11/18/2021	<u>60</u>	NOTICE of Supplemental Authority by USA as to GUY WESLEY REFFITT re <u>56</u> Supplement to any document (Attachments: # <u>1</u> Exhibit Supplemental Brief in Case 21-cr-175-TJK)(Nestler, Jeffrey) (Entered: 11/18/2021)
11/19/2021		Minute Entry for proceedings held before Judge Dabney L. Friedrich: Motion Hearing as to GUY WESLEY REFFITT held on 11/19/2021 re <u>38</u> MOTION to Dismiss Count <i>Two</i> filed by GUY WESLEY REFFITT Pretrial Conference set for 1/6/2022 at 2:00 PM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 11/19/2021)
11/19/2021		MINUTE ORDER. Before the Court is the defendant's <u>38</u> Motion to Dismiss Count Two of the Second Superseding Indictment on the grounds that 18 U.S.C. § 1512(c)(2) does not cover Mr. Reffitt's alleged conduct. The government in its filings has advanced different theories as to how Mr. Reffitt allegedly violated § 1512(c)(2). See, e.g., <u>40</u> Gov't Opp'n at 18 ("[T]he defendant... obstruct[ed], influence[d], or impede[d] the congressional



		<p>proceeding" through his "unlawful and violent invasion of the Capitol grounds and interference with federal law enforcement deployed to protect the Capitol and its occupants on January 6."); <u>56</u> Gov't Response to Def.'s Supplement at 3 ("As a result of the actions of Reffitt and hundreds of others,... [t]he congresspeople forced to evacuate included Speaker of the House Nancy Pelosi and Senate Majority Leader Mitch McConnell, both of whom Reffitt appears to have been targeting."), 33 (Mr. Reffitt "tr[ie]d to physically remove or displace [Speaker Pelosi and Leader McConnell] from the Capitol so that they could not review or vote on the Electoral College ballots"). During today's hearing, the government argued that Mr. Reffitt attempted to influence Members of Congress to vote against certifying the electoral results and attempted to prevent the evidence (the electoral results) from being safeguarded and examined by Members of Congress. See Hearing Transcript (forthcoming). To prevent undue surprise at trial and to assist the Court in resolving the pending <u>38</u> motion, the government is ORDERED to file, on or before November 29, 2021, a Bill of Particulars that sets forth the means by which Mr. Reffitt "corruptly... obstruct[ed], influence[d], or impede[d] any official proceeding." 18 U.S.C. § 1512(c)(2); see Fed. R. Crim. P. 7(f).</p> <p>The government is FURTHER ORDERED to submit a supplemental filing that includes a list of provisions in Chapter 73—for example, 18 U.S.C. §§ 1503, 1505, 1512(a)–(b), (d)—that do not fall within the government's broad interpretation of § 1512(c)(2). The government also shall provide a brief explanation as to how these provisions apply to conduct that falls outside the reach of § 1512(c)(2). In doing so, the government shall focus on differences other than the fact that §§ 1503 and 1505 criminalize "endeavors" to "influence, obstruct, or impede," whereas § 1512(c)(2) criminalizes "attempts" to do so.</p> <p>Finally, the defense shall respond to the government's <u>48</u> , <u>49</u> , and <u>50</u> Motions in Limine on or before December 1, 2021. An initial pretrial hearing to consider the parties' motions in limine is set for January 6, 2021 at 2:00 p.m. via videoconference. So Ordered by Judge Dabney L. Friedrich on November 19, 2021. (lcdlf2). (Entered: 11/19/2021)</p>
11/19/2021		Set/Reset Deadlines as to GUY WESLEY REFFITT: Bill of Particulars due by 11/29/2021. Motions in Limine Responses due by 12/1/2021 (zjch) (Entered: 11/22/2021)
11/22/2021	<u>61</u>	NOTICE of Supplemental Authority in Response to Governments Supplemental Brief by GUY WESLEY REFFITT re <u>60</u> Notice (Other) (Attachments: # <u>1</u> Appendix Nordean Response Brief)(Welch, William) (Entered: 11/22/2021)
11/23/2021	<u>62</u>	MOTION for Extension of Time to File <i>Response to Court's November 19, 2021, Minute Order</i> by USA as to GUY WESLEY REFFITT. (Nestler, Jeffrey) (Entered: 11/23/2021)
11/23/2021		MINUTE ORDER granting in part the government's unopposed <u>62</u> Motion for Extension of Time to File Response to the Court's November 19, 2021 Minute Order. It is ORDERED that the government shall file the Bill of Particulars on or before December 6, 2021. It is FURTHER ORDERED that the government shall submit the supplemental filing regarding the other provisions in Chapter



			73 on or before December 2, 2021. So Ordered by Judge Dabney L. Friedrich on November 23, 2021. (lcldf2) (Entered: 11/23/2021)
11/23/2021			Set/Reset Deadlines as to GUY WESLEY REFFITT: Bill of Particulars due by 12/6/2021. (zjch, ) (Entered: 11/23/2021)
11/24/2021	<u>63</u>		MOTION in Limine <i>to Exclude Certain Language from Captions in Government Exhibit 204</i> by GUY WESLEY REFFITT. (Welch, William) (Entered: 11/24/2021)
11/24/2021	<u>64</u>		NOTICE <i>JOINT PROPOSED VOIR DIRE QUESTIONS</i> by USA as to GUY WESLEY REFFITT (Berkower, Risa) (Entered: 11/24/2021)
11/24/2021	<u>65</u>		Proposed Jury Instructions by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 11/24/2021)
11/24/2021	<u>66</u>		Proposed Jury Instructions by GUY WESLEY REFFITT (Welch, William) (Entered: 11/24/2021)
11/30/2021	<u>67</u>		<p>TRANSCRIPT OF MOTION HEARING in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 11/19/2021. Page Numbers: 1–60. Date of Issuance: 11/30/2021. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 rep order 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 12/21/2021. Redacted Transcript Deadline set for 12/31/2021. Release of Transcript Restriction set for 2/28/2022.(Wick, Sara) (Entered: 11/30/2021)</p>
12/01/2021	<u>68</u>		RESPONSE by GUY WESLEY REFFITT re <u>48</u> MOTION in Limine <i>to Permit the Government to Elicit Lay Opinion Testimony (Objection &amp; Opposition)</i> (Welch, William) (Entered: 12/01/2021)
12/01/2021	<u>69</u>		RESPONSE by GUY WESLEY REFFITT re <u>49</u> MOTION in Limine <i>to Limit Cross–Examination of Secret Service Agency Witnesses</i> (Welch, William) (Entered: 12/01/2021)
12/02/2021	<u>71</u>		RESPONSE by USA as to GUY WESLEY REFFITT re Order,,,,,,,,,,,,, Set Deadlines/Hearings,,,,,,,,,,,,, <i>Bill of Particulars and Supplement re 18 U.S.C. 1512(c)(2)</i> (Nestler, Jeffrey) (Entered: 12/02/2021)
12/08/2021	<u>72</u>		

		RESPONSE by USA as to GUY WESLEY REFFITT re <u>63</u> MOTION in <i>Limine to Exclude Certain Language from Captions in Government Exhibit 204</i> (Berkower, Risa) (Entered: 12/08/2021)
12/09/2021	<u>73</u>	SUPPLEMENT by GUY WESLEY REFFITT re <u>69</u> Response to motion to <i>Motion in Limine to Preclude Cross-examination of Secret Service Witnesses and Request for Production of Photographs</i> (Welch, William) (Entered: 12/09/2021)
12/09/2021	<u>74</u>	REPLY by GUY WESLEY REFFITT re <u>71</u> Response to document <i>Governments Supplemental Filing on 18 U.S.C. § 1512(c)(2) and Objection to Proposed Instruction Defining Corruptly</i> (Welch, William) (Entered: 12/09/2021)
12/11/2021		<p>MINUTE ORDER. Before the Court is the defendant's <u>38</u> Motion to Dismiss Count Two of the Indictment on multiple grounds, including that Count Two is unconstitutionally vague as applied. On a motion to dismiss, the Court "is limited to reviewing the face of the indictment," <i>United States v. Sumia</i> , 643 F. Supp. 2d 51, 60 (D.D.C. 2009), and it must assume the truth of the indictment's factual allegations, <i>United States v. Bowdoin</i> , 770 F. Supp. 2d 142, 149 (D.D.C. 2011). The question for the Court at this stage of the proceedings is "whether the allegations, if proven, would be sufficient to permit a jury to find that the crimes charged were committed." <i>Id.</i> at 146.</p> <p>A criminal statute is not unconstitutionally vague on its face unless it is "impermissibly vague in all of its applications." <i>Vill. of Hoffman Estates v. Flipside, Hoffman Estates</i> , 455 U.S. 489, 497 (1982). And "[o]ne to whose conduct a statute clearly applies may not successfully challenge it for vagueness." <i>Parker v. Levy</i> , 417 U.S. 733, 756 (1974). Numerous courts have rejected vagueness challenges the word corruptly as used in obstruction statutes. <i>See, e.g., United States v. Shotts</i> , 145 F.3d 1289, 1300 (11th Cir. 1998); <i>United States v. Edwards</i>, 869 F.3d 490, 50102 (7th Cir. 2017); <i>see also</i> Mem. Op. issued December 10, 2021 in <i>United States v. Sandlin</i> , 21-cr-88, Dkt. 63 (holding that § 1512(c)(2) is not unconstitutionally vague as applied to defendants who allegedly forcibly breached the Capitol and assaulted Capitol police officers with the intent to impede the official proceeding).</p> <p>In contrast to the indictment at issue in Sandlin, the Indictment in this case does not allege any facts in support of the § 1512(c)(2) charge. Count Two merely alleges that Reffitt "attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18." <u>34</u> Second Superseding Indictment at 2. The government proffers in its brief, however, that "[w]hile at the Capitol, the defendant, armed with his handgun in a holster on his waist, confronted U.S. Capitol Police officers on the west side stairs, just north of the temporary scaffolding. The defendant charged at the officers, who unsuccessfully tried to repel him with two different types of less-than-lethal projectiles before successfully halting his advances with pepper spray. The defendant encouraged other rioters to charge forward at the officers, which they did. The officers were forced to fall back, the Capitol was invaded." <u>40</u> Gov't Opp'n at 1. Reffitt disputes this in his</p>

		<p>briefing. <u>38</u> Def.'s Mot. to Dismiss at 13–15.</p> <p>Because it is unclear, based on the indictment alone, what actions Reffitt allegedly engaged in to obstruct and impede the official proceeding, the Court cannot determine at this early stage of the proceeding whether the charges are unconstitutionally vague as applied to him. For this reason, the Court is inclined to defer ruling on his vagueness challenge until the facts have been established at trial and the jury has had an opportunity to consider that evidence. <i>See United States v. Kettles</i>, No. CR 3:16–00163–1, 2017 WL 2080181, at *3 (M.D. Tenn. May 15, 2017) (finding that pretrial as–applied challenge to § 1591(a) was premature because "[t]he court cannot determine the nature and extent of [defendant's] conduct in this case and, therefore, also cannot determine whether § 1591(a) is void for vagueness as applied to that conduct"); <i>United States v. Raniere</i>, 384 F. Supp. 3d 282, 320 (E.D.N.Y. 2019).</p> <p>Accordingly, the defendant is directed to file, on or before December 15, 2021, a supplemental brief of no more than 5 pages in length explaining why the Court should not defer ruling on his motion until the evidence has been presented at trial. Upon review of the defendant's supplemental brief, the Court will consider whether a response from the government is necessary. So Ordered by Judge Dabney L. Friedrich on December 11, 2021. (lcldf2) Modified on 12/11/2021 (lcje). (Entered: 12/11/2021)</p>
12/11/2021		Set/Reset Deadlines as to GUY WESLEY REFFITT: Supplemental Brief due by 12/15/2021. (zjch, ) (Entered: 12/13/2021)
12/14/2021	<u>75</u>	RESPONSE TO ORDER TO SHOW CAUSE by GUY WESLEY REFFITT as to GUY WESLEY REFFITT <i>Objection to Deferred Ruling on Motion to Dismiss Count Two</i> (Welch, William) (Entered: 12/14/2021)
12/14/2021		MINUTE ORDER. In light of the defendant's objection, <i>see</i> <u>75</u> Defendant's Response to Order to Show Cause at 5, to the Court deferring a ruling on the defendant's vagueness challenge to Count Two of the indictment, <i>see</i> <u>38</u> Motion to Dismiss Count Two of the Indictment, the government is directed to file a response on or before December 17, 2021, and the defendant shall file any reply on or before December 20, 2021. So Ordered by Judge Dabney L. Friedrich on December 14, 2021. (lcldf2) (Entered: 12/14/2021)
12/15/2021	<u>76</u>	REPLY in Support by USA as to GUY WESLEY REFFITT re <u>49</u> MOTION in Limine to Limit Cross–Examination of Secret Service Agency Witnesses (Nestler, Jeffrey) (Entered: 12/15/2021)
12/15/2021	<u>77</u>	REPLY in Support by USA as to GUY WESLEY REFFITT re <u>48</u> MOTION in Limine to Permit the Government to Elicit Lay Opinion Testimony (Nestler, Jeffrey) (Entered: 12/15/2021)
12/17/2021	<u>79</u>	RESPONSE by USA as to GUY WESLEY REFFITT re Order,,, Set Deadlines,, <i>on why the Court should deny the pending motion to dismiss now, pretrial</i> (Nestler, Jeffrey) (Entered: 12/17/2021)
12/20/2021	<u>80</u>	REPLY by GUY WESLEY REFFITT re <u>79</u> Response to document <i>Reply in Support of Objection to Deferred Ruling on Motion to Dismiss Count Two</i> (Welch, William) (Entered: 12/20/2021)



12/29/2021	<u>81</u>		ORDER denying the defendant's <u>38</u> Motion to Dismiss Count Two. See text for details. Signed by Judge Dabney L. Friedrich on December 29, 2021. (lcldlf2) (Entered: 12/29/2021)
12/30/2021			MINUTE ORDER directing the parties to submit a joint filing, on or before January 13, 2022, that includes all remaining proposed jury instructions, including those relating to the 18 U.S.C. § 1512(c)(2) charge. If the parties disagree on the remaining proposed instructions, they shall (1) include their respective proposals in the joint filing; (2) simultaneously file separate briefs, citing legal authorities that provide support for their proposed instructions; and (3) on or before January 20, 2022, file opposition briefs. So Ordered by Judge Dabney L. Friedrich on December 30, 2021. (lcldlf2) (Entered: 12/30/2021)
01/03/2022	<u>82</u>		MOTION for Reconsideration re <u>14</u> Order of Detention Pending Trial– Defendant HWOB by GUY WESLEY REFFITT. (Welch, William) (Entered: 01/03/2022)
01/05/2022	<u>83</u>		RESPONSE by USA as to GUY WESLEY REFFITT re <u>82</u> MOTION for Reconsideration re <u>14</u> Order of Detention Pending Trial– Defendant HWOB (Attachments: # <u>1</u> Exhibit 1 – USMS 11/1/21 Memo)(Nestler, Jeffrey) (Entered: 01/05/2022)
01/06/2022			NOTICE OF HEARING as to GUY WESLEY REFFITT. Pretrial Conference set for 1/6/2022 at 12:30 PM via video before Judge Dabney L. Friedrich. (zjch, ) (Entered: 01/06/2022)
01/06/2022	<u>84</u>		<p>TRANSCRIPT OF MOTION HEARING AND STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 05/13/2021. Page Numbers: 1–48. Date of Issuance: 01/06/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 1/27/2022. Redacted Transcript Deadline set for 2/6/2022. Release of Transcript Restriction set for 4/6/2022.(Wick, Sara) (Entered: 01/06/2022)</p>
01/06/2022			NOTICE OF HEARING as to GUY WESLEY REFFITT. Pretrial Conference set for 1/20/2022 at 1:00 PM via video before Judge Dabney L. Friedrich. (zjch, ) (Entered: 01/06/2022)
01/07/2022			

		NOTICE OF HEARING as to GUY WESLEY REFFITT. Pretrial Conference set for 1/20/2022 at 12:30 PM via video before Judge Dabney L. Friedrich. (zjch, ) (Entered: 01/07/2022)
01/13/2022	<u>86</u>	Proposed Jury Instructions by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 01/13/2022)
01/13/2022	<u>87</u>	RESPONSE by GUY WESLEY REFFITT to <i>Minute Order dated December 30, 2021</i> (Welch, William) (Entered: 01/13/2022)
01/18/2022	<u>88</u>	NOTICE of <i>Supplemental Authority</i> by USA as to GUY WESLEY REFFITT re <u>48</u> MOTION in Limine to <i>Permit the Government to Elicit Lay Opinion Testimony</i> (Berkower, Risa) (Entered: 01/18/2022)
01/19/2022	<u>89</u>	RESPONSE by GUY WESLEY REFFITT <i>Objection and Opposition to Governments Proposed Jury Instruction Regarding Count Two</i> <u>86</u> (Welch, William) (Entered: 01/19/2022)
01/20/2022	<u>90</u>	ENTERED IN ERROR.....Receipt as to GUY WESLEY REFFITT (Welch, William) Modified on 1/21/2022 (zhsj). (Entered: 01/20/2022)
01/20/2022		Minute Entry for Pretrial Conference as to GUY WESLEY REFFITT held on 1/20/2022 before Judge Dabney L. Friedrich: Government Supplemental Brief due by 1/26/2022. Defendant Response due by 2/1/2022. Government Expert due by 1/24/2022. Defense Expert due by 1/31/2022. Pretrial Conference set for 2/3/2022 at 12:30 PM via video before Judge Dabney L. Friedrich. Status Conference set for 2/18/2022 at 9:00 AM via video before Judge Dabney L. Friedrich. Status Conference set for 2/23/2022 at 10:00 AM via video before Judge Dabney L. Friedrich. Status Conference set for 2/24/2022 at 11:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed. Appeared via telephone; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 01/20/2022)
01/20/2022		MINUTE ORDER. For the reasons stated during the January 20, 2022 pretrial conference, the defendant's <u>82</u> Motion for Reconsideration of Order of Detention Pending Trial is DENIED; the defendant's <u>63</u> Motion in Limine to Exclude Certain Language from Captions in Government Exhibit 204 will be DENIED AS MOOT; and the government's <u>49</u> Motion in Limine to Limit Cross-Examination of Secret Service Agency Witnesses is GRANTED. In addition, the government shall submit a supplemental brief regarding its <u>48</u> Motion in Limine to Permit the Government to Elicit Lay Opinion Testimony on or before January 26, 2022, and the defense shall respond on or before February 1, 2022. The government also shall provide notice of proposed expert testimony, if any, on or before January 24, 2022, and the defense shall provide notice of the same, if any, on or before January 31, 2022. Hearings/pretrial conferences are set for the following dates: February 3, 2022 at 12:30 p.m., February 18 at 9:00 a.m., February 23 at 10:00 a.m., and February 24 at 11:00 a.m. So Ordered by Judge Dabney L. Friedrich on January 20, 2022. (lcdlf2) (Entered: 01/20/2022)
01/20/2022		NOTICE OF CORRECTED DOCKET ENTRY: as to GUY WESLEY REFFITT re <u>90</u> Receipt was entered in error and counsel was instructed to refile said pleading. Incorrect Format Pursuant to Local Rule 49(f)(4). (zhsj) (Entered: 01/21/2022)

01/21/2022	<u>91</u>		NOTICE <i>of Acknowledgment</i> by GUY WESLEY REFFITT re <u>90</u> Receipt (Attachments: # <u>1</u> Appendix Defendant's Acknowledgment of Protective Order)(Welch, William) (Entered: 01/21/2022)
01/24/2022	<u>92</u>		MINUTE ORDER. The parties shall file on the docket and submit to Chambers, on or before February 7, 2022, a Joint Pretrial Statement that includes the information set forth in the attachment to this order. The Joint Pretrial Statement (including the proposed jury instructions and voir dire questions that the parties have previously submitted) shall be provided to Chambers in Microsoft Word format by emailing Friedrich_Chambers@dcd.uscourts.gov. So Ordered by Judge Dabney L. Friedrich on January 24, 2022. (lcldf2) (Entered: 01/24/2022)
01/24/2022	<u>93</u>		ENTERED IN ERROR.....NOTICE <i>of Possible Expert Testimony</i> by USA as to GUY WESLEY REFFITT (Berkower, Risa) Modified on 1/25/2022 (zhsj). (Entered: 01/24/2022)
01/24/2022			NOTICE OF CORRECTED DOCKET ENTRY: as to GUY WESLEY REFFITT re <u>93</u> Notice of Possible Expert Testimony was entered in error and counsel was instructed to refile said pleading. Incorrect Format Pursuant to Rule 49(f)(4).(zhsj) (Entered: 01/25/2022)
01/26/2022	<u>94</u>		SUPPLEMENT by USA as to GUY WESLEY REFFITT re <u>48</u> MOTION in Limine <i>to Permit the Government to Elicit Lay Opinion Testimony</i> (Berkower, Risa) (Entered: 01/26/2022)
01/31/2022	<u>95</u>		RESPONSE by GUY WESLEY REFFITT re <u>48</u> MOTION in Limine <i>to Permit the Government to Elicit Lay Opinion Testimony</i> [88, 94] (Welch, William) (Entered: 01/31/2022)
02/01/2022	<u>96</u>		SUPPLEMENT by GUY WESLEY REFFITT re <u>95</u> Response to motion (Welch, William) (Entered: 02/01/2022)
02/03/2022			Minute Entry for Pretrial Conference as to GUY WESLEY REFFITT held on 2/3/2022 before Judge Dabney L. Friedrich. Responses due by 2/8/2022. Replies due by 2/11/2022. Status Conference set for 2/18/2022 at 12:30 PM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 02/03/2022)
02/03/2022			MINUTE ORDER. Consistent with the discussion during the pretrial conference on February 3, 2022, a pretrial conference is set for February 18, 2022 at 12:30 p.m. via videoconference. The parties are directed to file, on or before February 8, 2022, supplemental briefing addressing the modifications that the Court proposed to the government jury instructions relating to the 18 U.S.C. § 1512(c)(2) count; any oppositions to the supplemental briefing shall be filed on or before February 11, 2022. So Ordered by Judge Dabney L. Friedrich on February 3, 2022. (lcldf2) (Entered: 02/03/2022)
02/03/2022	<u>97</u>		ORDER granting the government's <u>48</u> , <u>49</u> Motions in Limine. See text for details. Signed by Judge Dabney L. Friedrich on February 3, 2022. (lcldf2) (Entered: 02/03/2022)
02/07/2022	<u>98</u>		



		JOINT PRETRIAL STATEMENT by USA as to GUY WESLEY REFFITT (Attachments: # <u>1</u> Exhibit D – Government Witness List, # <u>2</u> Exhibit G – Government Exhibit List, # <u>3</u> Exhibit H – Stipulations, # <u>4</u> Exhibit J – Verdict Form)(Nestler, Jeffrey) Modified Text on 2/8/2022 (zhsj). (Entered: 02/07/2022)
02/08/2022	<u>99</u>	RESPONSE by GUY WESLEY REFFITT re <u>98</u> Statement of Case, <i>Objection and Opposition to Governments Proposed Testimony by Daniel Schwager</i> (Welch, William) (Entered: 02/08/2022)
02/08/2022	<u>100</u>	RESPONSE by GUY WESLEY REFFITT re Order,,, Set Deadlines/Hearings,, <i>Court's Proposed Changes to 1512c2 Instruction</i> (Welch, William) (Entered: 02/08/2022)
02/08/2022	<u>101</u>	RESPONSE TO ORDER OF THE COURT by USA as to GUY WESLEY REFFITT re Order,,, Set Deadlines/Hearings,, <i>re Court's Proposed Instruction on Count Two</i> (Nestler, Jeffrey) (Entered: 02/08/2022)
02/11/2022	<u>102</u>	REPLY by GUY WESLEY REFFITT re <u>101</u> Response to Order of the Court (Welch, William) (Entered: 02/11/2022)
02/14/2022	<u>103</u>	NOTICE <i>Regarding Status of Discovery In This Case</i> by USA as to GUY WESLEY REFFITT (Attachments: # <u>1</u> Memorandum Regarding Status of Global Discovery as of February 9, 2022)(Nestler, Jeffrey) (Entered: 02/14/2022)
02/15/2022	<u>104</u>	PRETRIAL ORDER. See text for details. Signed by Judge Dabney L. Friedrich on February 15, 2022. (lcllf2) (Entered: 02/15/2022)
02/16/2022		MINUTE ORDER. Upon review of the parties' joint <u>65</u> Proposed Jury Instructions, the Court has determined that a number of the parties' proposed instructions are not supported by the authorities cited, and one appears to conflict with controlling D.C. Circuit authority. Accordingly, the parties are directed to confer and submit, by close of business on February 17, 2022, a revised set of proposed instructions that address the following: (1) Proposed Instruction No. 20 (Definitions), Entering or Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, includes the definition for "dangerous or deadly weapon." The proposed instruction is consistent with the Seventh Circuit's pattern instruction for "dangerous weapon," as cited. But the instruction is inconsistent with the D.C. Circuit's definition of "deadly or dangerous weapon" in <i>United States v. Arrington</i> , 309 F.3d 40, 45 (D.C. Cir. 2002), also cited by the parties. In <i>Arrington</i> , the government conceded that, for an object that is not inherently deadly, "the object must be capable of causing serious bodily injury or death." <i>Id.</i> In contrast, this definition says "[t]he object need not actually be capable of inflicting harm or injury." Counsel is directed to explain the discrepancy or provide other controlling authority. (2) Proposed Instruction No. 20 (Elements), Entering or Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, states that the defendant is charged with using or carrying a dangerous or deadly weapon in violation of 18 U.S.C. § 1752(a)(1) and (b)(1)(A). But § 1752(b)(1)(A) refers to a "firearm" as well as a "deadly or dangerous weapon," as does Count Three of the <u>34</u> Second Superseding Indictment. Counsel is directed to explain why there is no reference to a firearm in the instruction. (3) Proposed Instruction No. 20



		(Definitions), Entering or Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, and Count Three of the <u>34</u> Second Superseding Indictment in this case include a reference to the Vice President Elect. The Court's understanding is that the government has removed references to the Vice President Elect in other indictments because the Vice President Elect was not at the Capitol at the time. Was the Vice President Elect at the Capitol, and if not, why do the indictment and jury instructions reference the Vice President Elect?; (4) No. 19 (Definitions), Transporting a Firearm in Furtherance of a Civil Disorder, defines "commerce" as "commerce or travel between one state, including the District of Columbia, and any other state, including the District of Columbia." The words "or travel" do not appear in the statute. The only support for this language appears in the government's proposed jury instructions in <i>United States v. Pugh</i> , 20-cr-73 (S.D. Ala. May 19, 2021), but in that case, the government cited no authority for including "or travel" in the definition of commerce. Counsel is directed to provide authority for this language. So Ordered by Judge Dabney L. Friedrich on February 16, 2022. (lcldf2) (Entered: 02/16/2022)
02/17/2022	<u>105</u>	RESPONSE TO ORDER OF THE COURT by USA as to GUY WESLEY REFFITT re Order,,,,,,,,,,,,, Set Deadlines,,,,,,,,,,,,, <i>Parties' Joint Response re Jury Instructions</i> (Attachments: # <u>1</u> Exhibit A – Jason Jolly Declaration, # <u>2</u> Exhibit B – Pugh Jury Instructions)(Nestler, Jeffrey) (Entered: 02/17/2022)
02/17/2022	<u>106</u>	NOTICE <i>Supplemental Joint Proposed Voir Dire</i> by USA as to GUY WESLEY REFFITT (Berkower, Risa) (Entered: 02/17/2022)
02/18/2022	<u>107</u>	MINUTE ORDER. During today's hearing, the Court will hear the parties' suggested edits to its draft jury instruction for the 18 U.S.C. § 1512(c)(2) count. See attached for details. So Ordered by Judge Dabney L. Friedrich on February 18, 2022. (lcldf2) (Entered: 02/18/2022)
02/18/2022		Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 2/18/2022 before Judge Dabney L. Friedrich. Parties discussed the logistics of the jury trial. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 02/18/2022)
02/18/2022		MINUTE ORDER. Consistent with the discussion during the February 18, 2022 pretrial conference, the parties are ORDERED to jointly submit updated proposed voir dire questions, with any objections from either side noted, on or before February 22, 2022. The parties are FURTHER ORDERED to jointly submit updated proposed jury instructions for all counts, reflecting the discussion during today's hearing, on or before February 23, 2022. This filing should include a clean and redline copy. So Ordered by Judge Dabney L. Friedrich on February 18, 2022. (lcldf2) (Entered: 02/18/2022)
02/18/2022		MINUTE ORDER. The pretrial conference set for February 23, 2022 is vacated. The pretrial conference set for February 24, 2022 will proceed as scheduled. So Ordered by Judge Dabney L. Friedrich on February 18, 2022. (lcldf2) (Entered: 02/18/2022)
02/21/2022	<u>108</u>	NOTICE <i>Parties' Joint Proposal for Additional Voir Dire Questions</i> by USA as to GUY WESLEY REFFITT (Berkower, Risa) (Entered: 02/21/2022)
02/22/2022	<u>109</u>	

		Proposed Jury Instructions by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 02/22/2022)
02/24/2022		MINUTE ORDER. The parties are directed to promptly make the exhibits shown to the jury during each day of the defendant's upcoming trial publicly available that day, 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 by Judge Dabney L. Friedrich on February 24, 2022. (lcllf2) (Entered: 02/24/2022)
02/24/2022		Minute Entry for Status Conference as to GUY WESLEY REFFITT held on 2/24/2022 before Judge Dabney L. Friedrich. Parties discussed logistics of the jury trial. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 02/24/2022)
02/25/2022	<u>110</u>	<p>TRANSCRIPT OF PRETRIAL CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 01/20/2022. Page Numbers: 1–53. Date of Issuance: 02/25/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 3/18/2022. Redacted Transcript Deadline set for 3/28/2022. Release of Transcript Restriction set for 5/26/2022.(Wick, Sara) (Entered: 02/25/2022)</p>
02/25/2022	<u>111</u>	<p>TRANSCRIPT OF CONTINUED PRETRIAL CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 02/03/2022. Page Numbers: 1–47. Date of Issuance:02/25/2022. Court Reporter: Sara Wick, Telephone number 202–354–3284. 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</p>

		<p>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 3/18/2022. Redacted Transcript Deadline set for 3/28/2022. Release of Transcript Restriction set for 5/26/2022.(Wick, Sara) (Entered: 02/25/2022)</p>
02/25/2022	<u>112</u>	<p>TRANSCRIPT OF CONTINUED PRETRIAL CONFERENCE AND STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 02/18/2022. Page Numbers: 1–84. Date of Issuance: 02/25/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 term inal 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 3/18/2022. Redacted Transcript Deadline set for 3/28/2022. Release of Transcript Restriction set for 5/26/2022.(Wick, Sara) (Entered: 02/25/2022)</p>
02/27/2022	<u>113</u>	<p>TRANSCRIPT OF CONTINUED PRETRIAL CONFERENCE AND STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 02/24/2022. Page Numbers: 1–50. Date of Issuance: 02/27/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 term inal 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>



		Redaction Request due 3/20/2022. Redacted Transcript Deadline set for 3/30/2022. Release of Transcript Restriction set for 5/28/2022.(Wick, Sara) (Entered: 02/27/2022)
02/27/2022	<u>114</u>	<p>TRANSCRIPT OF STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 10/19/2021; Page Numbers: 1–19. Date of Issuance: 02/27/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 r eporter 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 3/20/2022. Redacted Transcript Deadline set for 3/30/2022. Release of Transcript Restriction set for 5/28/2022.(Wick, Sara) (Entered: 02/27/2022)</p>
02/27/2022	<u>115</u>	<p>TRANSCRIPT OF STATUS CONFERENCE in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 10/25/2021. Page Numbers: 1–22. Date of Issuance: 02/27/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 r eporter 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 3/20/2022. Redacted Transcript Deadline set for 3/30/2022. Release of Transcript Restriction set for 5/28/2022.(Wick, Sara) (Entered: 02/27/2022)</p>
02/28/2022	<u>116</u>	MOTION for Courtroom Access During Trial by PRESS COALITION as to GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order) (zhjs) (Entered: 02/28/2022)

02/28/2022			Minute Entry for Jury Selection as to GUY WESLEY REFFITT held on 2/28/2022 before Judge Dabney L. Friedrich. Court granting in part and denying in part <u>116</u> Motion to Access as to GUY WESLEY REFFITT (1). Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 02/28/2022)
02/28/2022			NOTICE OF HEARING as to GUY WESLEY REFFITT. Jury Trial set for 3/1/2022 at 9:00 PM in Courtroom 16– In Person before Judge Dabney L. Friedrich. (zjch, ) (Entered: 02/28/2022)
03/01/2022			NOTICE OF HEARING as to GUY WESLEY REFFITT. Jury Trial set for 3/2/2022 at 9:00 AM in Courtroom 14– In Person before Judge Dabney L. Friedrich. (zjch, ) (Entered: 03/01/2022)
03/01/2022			Minute Entry for Jury Selection as to GUY WESLEY REFFITT held on 3/1/2022 before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 03/01/2022)
03/01/2022	<u>117</u>		LETTER Filed by MATTHEW RUSSELL LEE as to GUY WESLEY REFFITT Regarding Application for Continued Public ListenOnly Callin Telephone Access.(zhsj) (Entered: 03/01/2022)
03/01/2022			MINUTE ORDER. Before the Court is Matthew Russell Lee's email <u>117</u> Letter, which the Court construes as an application requesting that the public call-in line be open during trial. The Court just discovered this in its spam email box. For the reasons stated on the record on February 28, 2022, Lee's <u>117</u> application for public call-in is DENIED. So Ordered by Judge Dabney L. Friedrich on March 1, 2022. (lcldf2) (Entered: 03/01/2022)
03/02/2022	<u>118</u>		DOCUMENT (Letter referencing jury strikes) filed by USA as to GUY WESLEY REFFITT (zjch, ) (Entered: 03/02/2022)
03/02/2022			MINUTE ORDER. Consistent with the District Court's Executive Order 22–10 (updated Appendix 8 to the District Court's Continued Operations Plan), released on March 2, 2022, the Court has modified the trial court seating plan to allow three members of the press and public to sit in the gallery. Accordingly, as stated on the record on March 2, 2022, the Court has reconsidered its February 28 order denying in part the Press Coalition's <u>116</u> Motion for Courtroom Access During Trial and GRANTS the motion in full. So Ordered by Judge Dabney L. Friedrich on March 2, 2022. (lcldf2) (Entered: 03/02/2022)
03/02/2022			Minute Entry for proceedings held before Judge Dabney L. Friedrich:Jury Trial as to GUY WESLEY REFFITT held on 3/2/2022. Same jury and alternates. Jury Trial set for 3/3/2022 at 9:00 AM in Courtroom 14– In Person before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. Witnesses: Officer Shauni Kirkoff and Inspector Monique Moore (zjch, ) (Entered: 03/02/2022)
03/03/2022			

		Minute Entry for proceedings held before Judge Dabney L. Friedrich: Jury Trial as to GUY WESLEY REFFITT held on 3/3/2022. Same jury and alternates. Jury Trial set for 3/4/2022 at 9:00 AM in Courtroom 14– In Person before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. Witnesses: Inspector Monique Moore, Inspector Stacy Shahrani and Jackson Reffitt (zjch, ) (Entered: 03/03/2022)
03/04/2022		Minute Entry for proceedings held before Judge Dabney L. Friedrich: Jury Trial as to GUY WESLEY REFFITT held on 3/4/2022 Same jury and alternates. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. Witnesses: Dan Schwager, Paul Wade, Rocky Hardie, Karla Kennedy and Laird Hightower. (zjch, ) (Entered: 03/04/2022)
03/07/2022	<u>119</u>	Final Jury Instructions as to GUY WESLEY REFFITT. (lcldlf3) (Entered: 03/07/2022)
03/07/2022		Minute Entry for proceedings held before Judge Dabney L. Friedrich: Jury Trial as to GUY WESLEY REFFITT held on 3/7/2022. Same jury and alternates. Parties give closing arguments. Court excuses alternates. Jury Deliberation set for 3/8/2022 at 9:30 AM in Courtroom 14– In Person before Judge Dabney L. Friedrich. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick & Lorraine Hermann; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. Witnesses: Adam Descamp, Thomas Ryan and Matthew Flood. (zjch, ) (Entered: 03/07/2022)
03/08/2022		MINUTE ORDER. For the reasons stated on the record on March 8, 2022, the defendant's oral Rule 29 Motion for Acquittal is DENIED. The defense shall file any post-trial motion(s) on or before March 22, 2022. The government shall file any opposition on or before April 5, 2022, and the defense shall file any reply in support of its motion(s) on or before April 12, 2022. Sentencing memoranda are due on May 25, 2022, and oppositions are due on June 1, 2022. Sentencing is set for June 8, 2022 at 10:00 a.m. So Ordered by Judge Dabney L. Friedrich on March 8, 2022. (lcldlf2) (Entered: 03/08/2022)
03/08/2022		Minute Entry for proceedings held before Judge Dabney L. Friedrich: Jury Trial as to GUY WESLEY REFFITT held on 3/8/2022 GUY WESLEY REFFITT (1) Count 1ss,2ss,3ss,4ss,5ss. Same jury and alternates. Jury Deliberation commenced and concluded. JURY VERDICT as to GUY WESLEY REFFITT (1) Guilty on Count 1ss,2ss,3ss,4ss,5ss. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to GUY WESLEY REFFITT. Jury discharged. Sentencing set for 6/8/2022 at 10:00 AM in Courtroom 14– In Person before Judge Dabney L. Friedrich. Sentencing Memorandum due by 5/25/2022. Responses to Sentencing due by 6/1/2022. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: William Lawrence Welch, III; US Attorney: Jeffrey S. Nestler and Risa Berkower. (zjch, ) (Entered: 03/08/2022)
03/08/2022	<u>120</u>	EXHIBIT LIST by USA as to GUY WESLEY REFFITT (zjch, ) (Entered: 03/08/2022)



03/08/2022	<a href="#"><u>121</u></a>		ENTERED IN ERROR.....Exhibit Receipt as to GUY WESLEY REFFITT (zjch, ) Modified on 3/8/2022 (zjch, ). (Entered: 03/08/2022)
03/08/2022	<a href="#"><u>122</u></a>		Jury Notes as to GUY WESLEY REFFITT (zjch, ) (Entered: 03/08/2022)
03/08/2022	<a href="#"><u>123</u></a>		VERDICT FORM completed by jury 3/8/2022 as to GUY WESLEY REFFITT (zjch, ) (Entered: 03/08/2022)
03/08/2022	<a href="#"><u>124</u></a>		<b>Signature Page of Foreperson</b>  as to GUY WESLEY REFFITT in Jury Verdict completed by jury 3/8/2022 . (Access to the PDF Document is restricted pursuant to the E–Government Act. Access is limited to Counsel of Record and the Court.) (zjch, ) (Entered: 03/08/2022)
03/08/2022	<a href="#"><u>125</u></a>		<b>Signature Page of Foreperson</b>  as to GUY WESLEY REFFITT in Jury Note. (Access to the PDF Document is restricted pursuant to the E–Government Act. Access is limited to Counsel of Record and the Court.) (zjch, ) (Entered: 03/08/2022)
03/08/2022	<a href="#"><u>127</u></a>		ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to GUY WESLEY REFFITT (zjch, ) (Entered: 03/08/2022)
03/08/2022			NOTICE OF CORRECTED DOCKET ENTRY: Exhibit Receipt as to GUY WESLEY REFFITT was entered in error and was subsequently docketed under the correct docket entry. (zjch, ) (Entered: 03/08/2022)
03/09/2022			MINUTE ORDER. On or before March 10, 2022, the parties shall file any objections to the Court unsealing the following portions of the trial record: (1) the parties' March 1, 2022 email to the Court summarizing their respective juror strikes; (2) all bench conferences (except for those related to alleged victims and medical issues); and (3) the inquiry that took place on March 4, 2022 and referenced an alternate juror. So Ordered by Judge Dabney L. Friedrich on March 9, 2022. (lcldf2) (Entered: 03/09/2022)
03/09/2022			Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses due by 3/10/2022 (zjch, ) (Entered: 03/09/2022)
03/21/2022	<a href="#"><u>128</u></a>		MOTION for Acquittal <i>on Counts One, Two, Three, Four, and Five</i> by GUY WESLEY REFFITT. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Welch, William) (Entered: 03/21/2022)
03/21/2022	<a href="#"><u>129</u></a>		MOTION for New Trial <i>or in the Alternative Judgment on Count 3(a)</i> by GUY WESLEY REFFITT. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Welch, William) (Entered: 03/21/2022)
03/21/2022	<a href="#"><u>130</u></a>		MOTION pursuant to Rule 34 for Arrest of Judgment <i>on Count Two</i> by GUY WESLEY REFFITT. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Welch, William) (Entered: 03/21/2022)
03/21/2022	<a href="#"><u>131</u></a>		MOTION Judgment on Count 3(a) by GUY WESLEY REFFITT. (See Docket Entry <a href="#"><u>129</u></a> to View Document) (zhshj) (Entered: 03/21/2022)
04/05/2022	<a href="#"><u>132</u></a>		Memorandum in Opposition by USA as to GUY WESLEY REFFITT re <a href="#"><u>130</u></a> MOTION pursuant to Rule 34 for Arrest of Judgment <i>on Count Two</i> , <a href="#"><u>129</u></a>



		<p>MOTION for New Trial <i>or in the Alternative Judgment on Count 3(a)</i>, <u>128</u> MOTION for Acquittal <i>on Counts One, Two, Three, Four, and Five</i> (Attachments: # <u>1</u> Exhibit 1 – Govt Motion to Reconsider in United States v. Miller)(Nestler, Jeffrey) (Entered: 04/05/2022)</p>
04/12/2022	<u>133</u>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION, in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 02/28/2022. Page Numbers: 1–131. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<u>134</u>	<p>TRANSCRIPT OF PROCEEDINGS in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on February 28, 2022; Page Numbers: 132–278. Date of Issuance: April 12, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Entered: 04/12/2022)</p>
04/12/2022	<u>135</u>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/01/2022.</p>

		<p>Page Numbers: 279–400. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<a href="#">136</a>	<p>TRANSCRIPT OF JURY TRIAL– PM SESSION in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on March 1, 2022. Page Numbers: 401–551. Date of Issuance: April 12, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Entered: 04/12/2022)</p>
04/12/2022	<a href="#">137</a>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION, in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/02/2022. Page Numbers: 552–613. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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</p>

		<p>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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<u>138</u>	<p>TRANSCRIPT OF JURY TRIAL – PM SESSION – in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich, held on March 2, 2022. Page Numbers: 614–772. Date of Issuance: April 12, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the <u><a href="#">Transcript Order Form</a></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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Main Document 138 replaced on 4/12/2022) (zhsj). (Entered: 04/12/2022)</p>
04/12/2022	<u>139</u>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION, in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/03/2022. Page Numbers: 773–880. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. Transcripts may be ordered by submitting the <u><a href="#">Transcript Order Form</a></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</p>



		<p>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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<u>140</u>	<p>TRANSCRIPT OF JURY TRIAL – PM SESSION – in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich, held on March 4, 2022. Page Numbers: 1171–1265. Date of Issuance: April 12, 2022. Court Reporter: Lorraine T. Herman. Telephone number 202–354–3196. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Main Document 140 replaced on 4/12/2022) (zhsj). (Entered: 04/12/2022)</p>
04/12/2022	<u>141</u>	<p>TRANSCRIPT OF JURY TRIAL – PM SESSION – in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich, held on March 3, 2022. Page Numbers: 881–1036. Date of Issuance: April 12, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. 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 term inal 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>

		Redaction Request due 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Entered: 04/12/2022)
04/12/2022	<u>142</u>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION, in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/04/2022. Page Numbers: 1037–1170. Date of Issuance: 4/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<u>143</u>	<p>TRANSCRIPT OF JURY TRIAL, MORNING SESSION, in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/07/2022. Page Numbers: 1266–1399. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202–354–3284. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<u>144</u>	TRANSCRIPT OF JURY TRIAL – PM SESSION – in case as to GUY WESLEY REFFITT, before Judge Dabney L. Friedrich, held on March 7, 2022. Page Numbers: 1400–1482. Date of Issuance: April 12, 2022. Court

		<p>Reporter: Lorraine T. Herman. Telephone number: 202-354-3196. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Herman, Lorraine) (Entered: 04/12/2022)</p>
04/12/2022	<a href="#">145</a>	<p>TRANSCRIPT OF JURY TRIAL in case as to GUY WESLEY REFFITT before Judge Dabney L. Friedrich held on 03/08/2022. Page Numbers: 1483-1508. Date of Issuance: 04/12/2022. Court Reporter: Sara Wick, telephone number 202-354-3284. 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 5/3/2022. Redacted Transcript Deadline set for 5/13/2022. Release of Transcript Restriction set for 7/11/2022.(Wick, Sara) (Entered: 04/12/2022)</p>
04/12/2022	<a href="#">146</a>	<p>REPLY TO OPPOSITION to Motion by GUY WESLEY REFFITT re <a href="#">130</a> MOTION pursuant to Rule 34 for Arrest of Judgment <i>on Count Two</i>, <a href="#">129</a> MOTION for New Trial <i>or in the Alternative Judgment on Count 3(a)</i>, <a href="#">131</a> MOTION Judgment on Count 3(a), <a href="#">128</a> MOTION for Acquittal <i>on Counts One, Two, Three, Four, and Five</i> (Welch, William) (Entered: 04/12/2022)</p>
04/29/2022		<p>NOTICE OF HEARING as to GUY WESLEY REFFITT. Sentencing set for 6/30/2022 at 2:00 PM in Courtroom 14- In Person before Judge Dabney L. Friedrich. (zjch, ) (Entered: 04/29/2022)</p>



05/04/2022	<u>147</u>		ORDER denying the defendant's <u>128</u> Motion for Judgment of Acquittal, <u>129</u> Motion for New Trial or in the Alternative Judgment on Count 3(a), and <u>130</u> Motion to Arrest Judgment on Count Two. See text for details. Signed by Judge Dabney L. Friedrich on May 4, 2022. (lcldf2) (Entered: 05/04/2022)
05/04/2022	<u>148</u>		MEMORANDUM OPINION regarding the defendant's <u>128</u> Motion for Judgment of Acquittal, <u>129</u> Motion for New Trial or in the Alternative Judgment on Count 3(a), and <u>130</u> Motion to Arrest Judgment on Count Two. See text for details. Signed by Judge Dabney L. Friedrich on May 4, 2022. (lcldf2) (Entered: 05/04/2022)
05/06/2022			MINUTE ORDER. Sentencing memoranda are due on June 16, 2022, and oppositions are due on June 23, 2022. Sentencing is set for June 30, 2022 at 2:00 p.m. in Courtroom 14. So Ordered by Judge Dabney L. Friedrich on May 6, 2022. (lcldf2) (Entered: 05/06/2022)
05/06/2022			Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses to Sentencing due by 6/23/2022 (zjch, ) (Entered: 05/06/2022)
06/01/2022	<u>153</u>		MOTION to Substitute Attorney by GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Broden, Clinton) (Entered: 06/01/2022)
06/01/2022			MINUTE ORDER granting the defendant's <u>153</u> Motion to Substitute Counsel. It is ORDERED that the law firm of Broden & Mickelsen and F. Clinton Broden are substituted as attorney of record in place of William L. Welch, III. So Ordered by Judge Dabney L. Friedrich on June 1, 2022. (lcldf2) (Entered: 06/01/2022)
06/03/2022	<u>154</u>		MOTION to Continue <i>Sentencing Date and Extend Date on Which to File Objections to the Presentence Report</i> by GUY WESLEY REFFITT. (Attachments: # <u>1</u> Text of Proposed Order)(Broden, Clinton) (Entered: 06/03/2022)
06/06/2022			MINUTE ORDER granting the defendant's <u>154</u> Motion to Extend Date On Which to File Objections to the Presentence Report and Motion to Continue Sentencing Date. The sentencing hearing is set for August 1, 2022 at 10:00 a.m. in Courtroom 14. The parties' objections to the Presentence Report and their sentencing memoranda are due on July 15, 2022. Oppositions are due on July 22, 2022. So Ordered by Judge Dabney L. Friedrich on June 6, 2022. (lcldf2) (Entered: 06/06/2022)
06/06/2022			Set/Reset Deadlines as to GUY WESLEY REFFITT: Responses to Sentencing due by 7/22/2022 (zjch, ) (Entered: 06/07/2022)
07/15/2022	<u>157</u>		SENTENCING MEMORANDUM by GUY WESLEY REFFITT (Attachments: # <u>1</u> Attachments A-K)(Broden, Clinton) (Entered: 07/15/2022)
07/15/2022	<u>158</u>		SENTENCING MEMORANDUM by USA as to GUY WESLEY REFFITT (Nestler, Jeffrey) (Entered: 07/15/2022)
07/15/2022	159		MOTION for Downward Variance by GUY WESLEY REFFITT. (See Docket Entry <u>157</u> to View Document). (zhsj) (Entered: 07/18/2022)
07/25/2022	<u>160</u>		REPLY by GUY WESLEY REFFITT re <u>158</u> Sentencing Memorandum <i>and Supplemental Sentencing Memorandum</i> (Attachments: # <u>1</u> Attachment A)(Broden, Clinton) (Entered: 07/25/2022)

07/25/2022	<u>163</u>		FIRST SUPPLEMENTAL by GUY WESLEY REFFITT re <u>157</u> Sentencing Memorandum. (See Docket Entry <u>160</u> to View Document). (zhsj) (Entered: 07/29/2022)
07/29/2022	<u>162</u>		SECOND SENTENCING MEMORANDUM by GUY WESLEY REFFITT (Broden, Clinton) Modified on 7/29/2022 (zhsj). (Entered: 07/29/2022)
08/01/2022			Minute Entry for Sentencing held on 8/1/2022 as to GUY WESLEY REFFITT (1) on Count(s) 1ss, 2ss, 3ss, 4ss and 5ss before Judge Dabney L. Friedrich. Defendant sentenced to eighty-seven (87) months of incarceration to run concurrently, thirty-six (36) months of supervised release, \$2,000 restitution and a total of \$500 Special assessment. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: Clinton Broden; US Attorney: Jeffery Nestler & Risa Berkower; Prob Officer: Crystal Lustig; Witnesses: Officer Kerkhoff and Payton Reffitt (zjch, ) (Entered: 08/01/2022)
08/01/2022	<u>167</u>		EXHIBIT LIST by GUY WESLEY REFFITT (zjch, ) (Entered: 08/03/2022)
08/02/2022	<u>170</u>		JUDGMENT as to GUY WESLEY REFFITT. Statement of Reasons Not Included. Signed by Judge Dabney L. Friedrich on 8/2/2022. (zhsj) (Entered: 08/10/2022)
08/02/2022	<u>171</u>		STATEMENT OF REASONS as to GUY WESLEY REFFITT. re <u>170</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 Dabney L. Friedrich on 8/2/2022. (zhsj) (Entered: 08/10/2022)
08/09/2022	<u>169</u>		MOTION for Leave to File <i>Defense Sentencing Exhibit Under Seal</i> by USA as to GUY WESLEY REFFITT. (Attachments: # <u>1</u> Exhibit 1)(Berkower, Risa) (Entered: 08/09/2022)
08/10/2022			MINUTE ORDER. Upon consideration of the government's <u>169</u> Motion for Leave to File Under Seal, and the defense's consent to the motion as expressed during the sentencing hearing held on August 1, 2022, the motion is GRANTED IN PART. The redacted version of the defendant's sentencing exhibit, <i>see</i> Dkt. <u>169</u> -1, may be filed on the public docket. The Clerk of Court is directed to strike the <u>161</u> Sealed Exhibit, as the portion of the document that was relied on at sentencing has since been filed on the docket in unredacted form, <i>see</i> Dkt. <u>169</u> -1. So Ordered by Judge Dabney L. Friedrich on August 10, 2022. (lcdlf2) (Entered: 08/10/2022)
08/10/2022	<u>172</u>		Capitol Police Timeline of Events for January 6, 2021 Attack at the Capitol as to GUY WESLEY REFFITT (zhsj) (Entered: 08/11/2022)
08/15/2022	<u>173</u>		NOTICE OF APPEAL – Final Judgment by GUY WESLEY REFFITT re <u>170</u> Judgment. Filing fee \$ 505, receipt number ADCDC-9442034. Fee Status: Fee Paid. Parties have been notified. (Broden, F.) (Entered: 08/15/2022)

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CRIMINAL ACTION NO.</b>
	)	
<b>Plaintiff,</b>	)	<b>1:21-CR-00032-DLF</b>
	)	
<b>v.</b>	)	
	)	
<b>GUY WESLEY REFFITT,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**NOTICE OF APPEAL**

Notice is hereby given that Defendant Guy Wesley Reffitt appeals to the United States Court of Appeals for the District of Columbia the judgment and sentence entered in the above-entitled case on August 1, 2022, by the Honorable Dabney L. Friedrich, United States District Judge for the District of Columbia.

Respectfully submitted,

/s/ F. Clinton Broden  
F. Clinton Broden  
TX. Bar No. 24001495  
Broden & Mickelsen  
2600 State Street  
Dallas, Texas 75204  
214-720-9552  
214-720-9594 (facsimile)  
clint@texascrimlaw.com

Attorney for Defendant  
Guy Wesley Reffitt



### **CERTIFICATE OF SERVICE**

I, F. Clinton Broden, certify that on August 15, 2022, I caused the foregoing document to be served by the electronic case filing system (ECF) on counsel for the government.

/s/ F. Clinton Broden  
F. Clinton Broden

# UNITED STATES DISTRICT COURT

District of Columbia



UNITED STATES OF AMERICA

v.

GUY WESLEY REFFITT

## JUDGMENT IN A CRIMINAL CASE

Case Number: CR 21-32

USM Number: 26216-509

Clinton Broden

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) one (1), two (2), three (3), four (4) & five (5) of the 2nd superseding indictment filed 9/15/21.  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:231(a)(2)	Civil Disorder.	1/6/2021	1ss
18:1512(c)(2) and 2	Obstruction of an Official Proceeding and Aiding and Abetting.	1/6/2021	2ss

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.

8/1/2022

Date of Imposition of Judgment

Signature of Judge

Dabney L. Friedrich, U. S. District Court Judge

Name and Title of Judge

8/2/2022

Date

DEFENDANT: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

ADDITIONAL COUNTS OF CONVICTION

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1752(a)(1) & (b)(1)(A)	Entering and Remaining in a Restricted Building or Grouor with a Deadly or Dangerous Weapon.	1/6/2021	3ss
18:231(a)(3)	Civil Disorder.	1/6/2021	4ss
18:1512(a)(2)(C)	Hindering Communication Through Physical Force or Threat of Physical Force.	1/11/2021	5ss



DEFENDANT: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

## IMPRISONMENT

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

Sixty (60) months as to counts 1 and 4  
Eighty-seven (87) months as to counts 2, 3, and 5  
All terms of imprisonment to run concurrently

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

The Court recommends that the defendant be incarcerated at a location near his place of residence and that the defendant be placed in the RDAP program and receive mental health programming.

☐ 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: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

## SUPERVISED RELEASE

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

Thirty-six (36) months on each count 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: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

## 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: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

### **SPECIAL CONDITIONS OF SUPERVISION**

**Mental Health Assessment/Treatment** - You must participate in a mental health program and comply with 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.).

**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.

**Contact restriction:** You must not associate, communicate, or otherwise interact, directly or indirectly, with any extremist militia group or any member of such a group, including, but not limited, to the Texas Three Percenters, the Oath Keepers, and the Texas Freedom Force. If you inadvertently associate, communicate, or otherwise interact with such a group or individual, you must immediately report the contact to the probation officer.

**Re-entry Progress Hearing** - Within sixty days of release from incarceration, you will appear before the Court for a re-entry progress hearing. The United States Probation Office in the district in which you are supervised will submit a progress report to the Court within thirty days of the commencement of supervision. Upon receipt of the progress report, the Court will determine if your appearance in person is required at the hearing.

The Court orders a status report to be submitted by the district of residence within 30 days of the start of the defendant's supervised release and every 180 days thereafter.

DEFENDANT: GUY WESLEY REFFITT

CASE NUMBER: CR 21-32

## 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>	\$ 500.00	\$ 2,000.00	\$	\$	\$

☐ 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			
Attention: Kathy Sherrill, CPA			
Ford House Office Building, Room H2-205			
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: GUY WESLEY REFFITT  
CASE NUMBER: CR 21-32

### 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 \$ 500.00 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
---	--------------	-----------------------------	--

- ☐ 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.



MIME-Version:1.0  
From:DCD\_ECFNotice@dcd.uscourts.gov  
To:DCD\_ECFNotice@localhost.localdomain  
Bcc:  
--Case Participants: Risa Berkower (chad.byron@usdoj.gov, risa.berkower@usdoj.gov), Clinton Broden (admin@dallascriminallawyers.com, clint@texascrimlaw.com), Maxwell S. Mishkin (litdocket\_east@ballardspahr.com, mishkinm@ballardspahr.com), Jeffrey S. Nestler (daniel.haines@usdoj.gov, jeffrey.nestler@usdoj.gov, usadc.criminaldocket@usdoj.gov, usadc.ecf.fraud2@usdoj.gov), Lauren Russell (russell1@ballardspahr.com), Charles D. Tobin (litdocket\_east@ballardspahr.com, mendezc@ballardspahr.com, mishkinm@ballardspahr.com, tobinc@ballardspahr.com), Judge Dabney L. Friedrich (andrew\_skaras@dcd.uscourts.gov, avery\_rasmussen@dcd.uscourts.gov, cody\_poplin@dcd.uscourts.gov, dabney\_l.\_friedrich@dcd.uscourts.gov, dlf\_dcdecf@dcd.uscourts.gov, jason\_ethridge@dcd.uscourts.gov, jonathan\_hopkins@dcd.uscourts.gov, julia\_fine@dcd.uscourts.gov, thomas\_hopson@dcd.uscourts.gov)  
--Non Case Participants: Charles Ryan Barber (foiacrb@gmail.com, rbarber@insider.com), Lucien C. Bruggeman (alexander.w.mallin@abc.com), Kyle Cheney (kcheney@politico.com), Michael Daniels (mdaniels5757@gmail.com), Joshua A. Gerstein (jagalerts@yahoo.com), Bill Girdner (wdc@courthousenews.com), Andrew Goudsward (agoudsward@alm.com), Spencer S. Hsu (crimedesk@washpost.com, spencer.hsu@washpost.com), Matthew Lee (innercitypress@gmail.com), Patricia A. McKinney (lisa.rubin@nbcuni.com), Harper K. Neidig (hneidig@thehill.com), Roger Parloff (rparloff@gmail.com), Katelyn Polantz (katelyn.polantz@cnn.com), Hannah Rabinowitz (hannah.rabinowitz@warnermedia.com), Alanna Durkin Richer (adurkin@ap.org), Michael A. Scarcella (nrobson@alm.com), Lakshmi Siddappa (mike.scarcella@thomsonreuters.com, sarah.n.lynch@thomsonreuters.com), Jacqueline E. Thomsen (jacqueline.thomsen@thomsonreuters.com), Zoe M. Tillman (zmtillman@gmail.com), Aruna Viswanatha (aruna.viswanatha@wsj.com), Marcy Wheeler (emptywheel@gmail.com), AUSA Document Clerk (adavis@usa.doj.gov, carolyn.carter-mckinley@usdoj.gov, usadc.criminaldocket@usdoj.gov, usadc.ecfhov@usdoj.gov), Pretrial Notification (psadistrictcourtgroup@psa.gov), Probation Court Notices (dcpdb\_probation\_court\_notices@dcp.uscourts.gov)  
--No Notice Sent:

Message-Id:7849489@dcd.uscourts.gov  
Subject:Activity in Case 1:21-cr-00032-DLF USA v. REFFITT Sentencing  
Content-Type: text/html

## U.S. District Court

## District of Columbia

### Notice of Electronic Filing

The following transaction was entered on 8/1/2022 at 4:15 PM and filed on 8/1/2022

**Case Name:** USA v. REFFITT  
**Case Number:** 1:21-cr-00032-DLF  
**Filer:**  
**Document Number:** No document attached

#### Docket Text:

**Minute Entry for Sentencing held on 8/1/2022 as to GUY WESLEY REFFITT (1) on Count(s) 1ss, 2ss, 3ss, 4ss and 5ss before Judge Dabney L. Friedrich. Defendant sentenced to eighty-seven (87) months of incarceration to run concurrently, thirty-six (36) months of supervised release, \$2,000 restitution and a total of \$500 Special assessment. Bond Status of Defendant: Remains Committed; Court Reporter: Sara Wick; Defense Attorney: Clinton Broden; US Attorney: Jeffery Nestler & Risa Berkower; Prob Officer: Crystal Lustig;**

**Witnesses: Officer Kerkhoff and Payton Reffitt (zjch, )**

**1:21-cr-00032-DLF-1 Notice has been electronically mailed to:**

Charles D. Tobin    tobinc@ballardspahr.com, LitDocket\_East@ballardspahr.com,  
mendezc@ballardspahr.com, mishkinm@ballardspahr.com

Jeffrey S. Nestler    jeffrey.nestler@usdoj.gov, Daniel.Haines@usdoj.gov,  
USADC.CriminalDocket@usdoj.gov, USADC.ECF.Fraud2@usdoj.gov

Risa Berkower    risa.berkower@usdoj.gov, Chad.Byron@usdoj.gov

Maxwell S. Mishkin    mishkinm@ballardspahr.com, LitDocket\_East@ballardspahr.com

Clinton Broden    clint@texascrimlaw.com, admin@dallascriminallawyers.com

Lauren Russell    russelll@ballardspahr.com

**1:21-cr-00032-DLF-1 Notice will be delivered by other means to::**