

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00292-RCL-2**

Case title: USA v. WORRELL

Date Filed: 04/09/2021

Assigned to: Judge Royce C. Lamberth

Defendant (2)

DANIEL SCOTT

represented by **Nathan I. Silver , II**
LAW OFFICES OF NATHAN I. SILVER
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Bethesda, MD 20817
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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)

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

18:1752(a)(2); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a
Restricted Building or Grounds
(5)

18:1752(a)(4); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a
Restricted Building or Grounds

Disposition

Defendant committed to the custody of
Bureau of Prisons for a term of 60 months
on Count 1 and 60 months on Count 15, to
be served concurrently. Defendant further
sentenced to serve a term of 36 months (3
years) of supervised release on Count 1 and
36 months on Count 15, to run concurrently.
Defendant further ordered to pay a special
assessment of \$200 (\$100 for each count)
and restitution in the amount of \$2000.

DISMISSED ON ORAL MOTION OF
THE GOVERNMENT

DISMISSED ON ORAL MOTION OF
THE GOVERNMENT

DISMISSED ON ORAL MOTION OF
THE GOVERNMENT

(7)

40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or Buildings

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

(9)

18:231(a)(3); CIVIL DISORDER; Civil Disorder (11-12)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers (14)

DISMISSED ON ORAL MOTION OF THE GOVERNMENT

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers (15)

Defendant committed to the custody of Bureau of Prisons for a term of 60 months on Count 1 and 60 months on Count 15, to be served concurrently. Defendant further sentenced to serve a term of 36 months (3 years) of supervised release on Count 1 and 36 months on Count 15, to run concurrently. Defendant further ordered to pay a special assessment of \$200 (\$100 for each count) and restitution in the amount of \$2000.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Interested Party

**DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS**

represented by **Chad Wayne Copeland**
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Designation: State Attorney
General/Designee

Plaintiff

USA

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 Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
06/01/2022	<u>147</u>	SECOND SUPERSEDING INDICTMENT as to CHRISTOPHER JOHN WORRELL (1) count(s) 1ss, 2ss, 4ss, 6ss, 8ss, 10ss, 13ss, DANIEL SCOTT (2) count(s) 1, 3, 5, 7, 9, 11-12, 14-15. (zstd). (Entered: 06/02/2022)
06/03/2022	<u>149</u>	NOTICE OF ATTORNEY APPEARANCE: Nathan I. Silver, II appearing for DANIEL SCOTT <i>under the Criminal Justice Act nunc pro tunc to May 26, 2021</i> (Silver, Nathan) (Entered: 06/03/2022)
06/08/2022		NOTICE OF HEARING as to DANIEL SCOTT (2): Arraignment set for 6/17/2022 at 12:30 PM by VTC before Judge Royce C. Lamberth. (lsj) (Entered: 06/08/2022)
06/17/2022		Minute Entry for Status Conference as to DANIEL SCOTT (2) held on 6/17/2022 before Judge Royce C. Lamberth. Defendant failed to appear. Arraignment set for 6/21/2022 at 12:30 PM via video before Judge Royce C. Lamberth. If defendant fails to appear at this hearing, a bench warrant will issue. Status Conference set for 8/12/2022 at 12:45 PM via video before Judge Royce C. Lamberth. Bond Status of Defendant: Personal Recognizance – Failed to appear; Court Reporter: Tim Miller; Defense Attorney: Nathan Silver; US Attorney: William Dreher. (zjch,) (Entered: 06/17/2022)
06/21/2022		Minute Entry for proceedings held before Judge Royce C. Lamberth: Arraignment as to DANIEL SCOTT (2) held on 6/21/2022. Defendant arraigned and a plea of NOT GUILTY entered by DANIEL SCOTT (2) as to count 1,3,5,7,9,11-12,14-15. The Court will toll the Speedy Trial Clock between June 21, 2022 and August 12, 2022, in the Interest of Justice (XT). Excludable started as to DANIEL SCOTT (2) Status Conference set for 8/12/2022 at 12:45 PM in Telephonic/VTC before Judge Royce C. Lamberth. Bond Status of Defendant: remains on PR/appeared via Zoom video; Court Reporter: Jeff Hook; Defense Attorney: Nathan Silver II; US Attorney: William Kennelly Dreher. (nbn) (Entered: 06/21/2022)
08/11/2022	<u>152</u>	STATUS REPORT <i>re Trial Date and Bond Violations</i> by USA as to CHRISTOPHER JOHN WORRELL, DANIEL SCOTT (Dreher, William) (Entered: 08/11/2022)
08/12/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to CHRISTOPHER JOHN WORRELL (1) and DANIEL SCOTT (2) on 8/12/2022. Further Status Conference set for 8/19/2022 at 12:45 PM by VTC before Judge Royce C. Lamberth. The court finds it in the interest of justice to toll the speedy trial clock from 8/12/2022 through 8/19/2022. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Tammy Nestor; Defense Attorneys: Alex Reed Stavrou, Sr. (1) and Nathan I. Silver (2); US Attorney: William Kennelly Dreher; Pretrial Officer: Christine Schuck. (lsj) (Entered: 08/12/2022)
08/12/2022	<u>154</u>	ORDER Setting Conditions of Release as to DANIEL SCOTT (2) on Personal recognizance. Signed by Judge Royce C. Lamberth on 8/12/2022. (lsj) (Entered: 08/12/2022)

		08/12/2022)
08/17/2022	<u>155</u>	AMENDED ORDER Setting Conditions of Release as to DANIEL SCOTT (2) on personal recognizance. Signed by Judge Royce C. Lamberth on 8/17/2022. (lsj) (Entered: 08/17/2022)
08/19/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to CHRISTOPHER JOHN WORRELL (1) and DANIEL SCOTT (2) on 8/19/2022. Pretrial Motions due by 9/19/2022. Government Responses due by 10/4/2022. Status Conference set for 10/14/2022 at 12:30 PM by VTC before Judge Royce C. Lamberth. Jury Selection/Trial to commence on 12/12/2022 at 10:00 AM in a courtroom that will be determined at a later date before Judge Royce C. Lamberth. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Lisa Bankins; Defense Attorneys: Alex Reed Stavrou, Sr. (1) and Nathan I. Silver, II (2); US Attorney: William Kennelly Dreher; Pretrial Officer: Shay Holman. (lsj) (Entered: 08/19/2022)
08/19/2022	<u>159</u>	Joint MOTION for Order Setting Motion in Limine Deadline by USA as to CHRISTOPHER JOHN WORRELL, DANIEL SCOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Dreher, William) (Entered: 08/19/2022)
09/12/2022		MINUTE ORDER: It is hereby ORDERED that <u>159</u> Joint Motion for Setting Motion in Limine Deadline is GRANTED. It is further ORDERED that all motions in limine in this case be filed by November 7, 2022; that responses to those motions be filed by November 14, 2022; and that any replies to those motions be filed by November 18, 2022. SO ORDERED by Judge Royce C. Lamberth on 09/12/2022. (lcrcl2) (Entered: 09/12/2022)
09/21/2022	<u>163</u>	NOTICE OF ATTORNEY APPEARANCE Alexis Jane Loeb appearing for USA. (Loeb, Alexis) (Entered: 09/21/2022)
10/13/2022	<u>170</u>	NOTICE OF ATTORNEY APPEARANCE Joseph Hutton Marshall appearing for USA. (Marshall, Joseph) (Entered: 10/13/2022)
10/14/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to CHRISTOPHER JOHN WORRELL (1) and DANIEL SCOTT (2) on 10/14/2022. Forthcoming Order. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Elizabeth Saint-Loth; Defense Attorneys: Alex Reed Stavrou, Sr. (1) and Nathan I. Silver, II (2); US Attorneys: William Kennelly Dreher and Joseph Hutton Marshall. (lsj) (Entered: 10/14/2022)
10/20/2022	<u>173</u>	Unopposed MOTION to Modify Conditions of Release (<i>Curfew</i>) by DANIEL SCOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Silver, Nathan) (Entered: 10/20/2022)
10/21/2022	<u>174</u>	ORDER: It is hereby ORDERED that <u>173</u> Motion to Modify Conditions of Release as to DANIEL SCOTT (2) is GRANTED. See Order for details. Signed by Judge Royce C. Lamberth on 10/21/2022. (lcrcl2) (Entered: 10/21/2022)
11/07/2022	<u>179</u>	MOTION in Limine <i>Government's Omnibus Motion in Limine</i> by USA as to CHRISTOPHER JOHN WORRELL, DANIEL SCOTT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Text of Proposed Order)(Loeb, Alexis) (Entered: 11/07/2022)
11/08/2022	<u>181</u>	MOTION in Limine <i>re Authentication</i> by USA as to CHRISTOPHER JOHN WORRELL, DANIEL SCOTT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text

		of Proposed Order)(Dreher, William) (Entered: 11/08/2022)
11/15/2022	<u>185</u>	ORDER: It is hereby ORDERED that 161 Motion to Continue as to CHRISTOPHER JOHN WORRELL (1) is GRANTED. The trial date in this case is hereby VACATED. See Order for details. Signed by Judge Royce C. Lamberth on 11/15/2022. (lcrcl2) (Entered: 11/15/2022)
11/18/2022		MINUTE ORDER: To clarify this Court's <u>185</u> Order, and for the reasons stated therein, it is ORDERED that the trial date as to both defendants be VACATED. SO ORDERED by Judge Royce C. Lamberth on 11/18/2022. (lcrcl2) (Entered: 11/18/2022)
01/04/2023	<u>197</u>	MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a Jury Trial in this matter set for 2/13/2023 at 10:00 AM in Courtroom 15– In Person before Judge Royce C. Lamberth. See Order for details. Any additional pretrial schedule will be set at a later date. Signed by Judge Royce C. Lamberth on 1/4/2023. (lcrcl2) Modified on 1/5/2023 (lsj). (Entered: 01/04/2023)
01/05/2023		MINUTE ORDER as to DANIEL SCOTT (2): Plea Agreement Hearing set for 2/9/2023 at 3:00 PM in Courtroom 15 (in person) before Judge Royce C. Lamberth. SO ORDERED by Judge Royce C. Lamberth on 1/5/2023. (lsj) (Entered: 01/05/2023)
01/06/2023	<u>198</u>	ORDER: Attorney Shipley and Attorney Allen are ORDERED to provide a specific list of any court conflicts during the week of 2/13/2023 that they seek to rely on to establish an inability to attend trial. Attorney Shipley and Attorney Allen are hereby ORDERED to submit a list conforming to the specifications in the Court's Order, on the docket in this case, by 5:30pm EST on Tuesday, 1/10/2023. It is further ORDERED that the minute order dated 1/4/2023 permitting Alex Reed Stavrou, Sr to withdraw as an attorney is STAYED pending resolution of this issue. See Order for details. Signed by Judge Royce C. Lamberth on 1/6/2023. (lcrcl2) (Entered: 01/06/2023)
01/10/2023	<u>201</u>	RESPONSE by USA as to CHRISTOPHER JOHN WORRELL, DANIEL SCOTT re 200 MOTION to Vacate <i>Trial Date</i> (Dreher, William) (Entered: 01/10/2023)
01/11/2023	<u>202</u>	ORDER: It is hereby ORDERED that the jury trial in this matter, set to begin on 2/13/2023, is CONTINUED until 3/13/2023. It is therefore ORDERED that the parties shall appear for a Jury Trial in this matter set for 3/13/2023 at 10:00 AM in Courtroom 15– In Person before Judge Royce C. Lamberth. It is further ORDERED that the Court's stay of the minute order dated January 4, 2023 permitting Alex Reed Stavrou, Sr. to withdraw as an attorney is LIFTED. See Order for details. Signed by Judge Royce C. Lamberth on 1/11/2023. (lcrcl2) (Entered: 01/11/2023)
01/30/2023		MINUTE ORDER as to DANIEL SCOTT (2): Due to the court's conflicting schedule, the Plea Agreement Hearing set for 2/9/2023 at 3:00 PM is VACATED and RESET for 02:30 PM in Courtroom 15– In Person before Judge Royce C. Lamberth. So ORDERED, by Judge Royce C. Lamberth on 1/30/2023. (nbn) (Entered: 01/30/2023)
02/03/2023		MINUTE ORDER as to CHRISTOPHER JOHN WORRELL (1): The parties are hereby ORDERED to appear for a Pretrial Conference and Motions Hearing set for 3/6/2023 at 10:30 AM in Courtroom 15– In Person before Judge Royce C. Lamberth. SO ORDERED by Judge Royce C. Lamberth on 2/3/2023. (lcrcl2) (Entered: 02/03/2023)
02/09/2023		

		Minute Entry for Plea Agreement proceedings held on 2/9/2023 before Judge Royce C. Lamberth as to DANIEL SCOTT (2): Plea of guilty entered as to Count 1 and Count 15. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to DANIEL SCOTT (2). Sentencing set for 5/23/2023 at 3:00 PM in Courtroom 15 (In Person) before Judge Royce C. Lamberth. Bond Status of Defendant: Continued on Personal Recognizance Bond. US Attorney: William Dreher. Defense Attorney: Nathan Silver II. Court Reporter: Cheryl Powell. (smc) (Entered: 02/09/2023)
02/10/2023	<u>208</u>	PLEA AGREEMENT as to DANIEL SCOTT (02); "Let this be filed" by Judge Royce C. Lamberth on 2/9/23. (mac) (Entered: 02/10/2023)
02/10/2023	<u>209</u>	STATEMENT OF OFFENSE as to DANIEL SCOTT (02); "Let this be filed" by Judge Royce C. Lamberth on 2/9/23 (mac) (Entered: 02/10/2023)
02/10/2023	<u>210</u>	WAIVER of Trial by Jury as to DANIEL SCOTT (02). Approved by Judge Royce C. Lamberth on 02/09/23. (mac) (Entered: 02/10/2023)
02/14/2023	<u>212</u>	<p>TRANSCRIPT OF PLEA HEARING in case as to DANIEL SCOTT before Judge Royce C. Lamberth held on 2/9/23; Page Numbers: 1–16. Court Reporter/Transcriber Cheryl K. Powell, CCR, RPR, FCRR, Telephone number 251–690–3003, Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: 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 www.dcd.uscourts.gov.</p> <p>Redaction Request due 3/7/2023. Redacted Transcript Deadline set for 3/17/2023. Release of Transcript Restriction set for 5/15/2023.(Powell, Cheryl) (Entered: 02/14/2023)</p>
03/02/2023		MINUTE ORDER as to CHRISTOPHER JOHN WORRELL(1): It is hereby ORDERED that 216 Motion to Continue Motions Hearing and Pretrial Conference is GRANTED. The Motions Hearing and Pretrial Conference set for 3/6/2023 is CONTINUED to 3/8/2023 at 12:30 PM in Courtroom 15– In Person before Judge Royce C. Lamberth. SO ORDERED by Judge Royce C. Lamberth on 3/2/2023. (lcrcl2) Modified on 3/7/2023 (zsmc). (Entered: 03/02/2023)
03/29/2023	<u>227</u>	Unopposed MOTION to Travel by DANIEL SCOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Silver, Nathan) (Entered: 03/29/2023)
03/30/2023	<u>228</u>	ORDER granting <u>227</u> Motion to Travel as to DANIEL SCOTT (2). Signed by Judge Royce C. Lamberth on 3/29/2023. (lcrcl2) (Entered: 03/30/2023)
05/01/2023	<u>239</u>	Unopposed MOTION to Continue <i>Sentencing</i> by DANIEL SCOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Silver, Nathan) (Entered: 05/01/2023)
05/11/2023	<u>244</u>	

		ORDER granting <u>239</u> Motion to Continue as to DANIEL SCOTT (2). Sentencing reset for 7/5/2023 at 02:00 PM in Courtroom 15– In Person before Judge Royce C. Lamberth. Signed by Judge Royce C. Lamberth on 5/10/2023. (lcrcl2) Modified on 5/11/2023 (zsmc). (Entered: 05/11/2023)
05/31/2023	<u>251</u>	Unopposed MOTION to Continue <i>Sentencing</i> by USA as to DANIEL SCOTT. (Dreher, William) (Entered: 05/31/2023)
06/01/2023		MINUTE ORDER: It is hereby ORDERED that Motion <u>251</u> to Continue as to DANIEL SCOTT (2) is GRANTED. Sentencing reset for 07/12/2023 at 12:30 PM in Courtroom 15– In Person before Judge Royce C. Lamberth. SO ORDERED by Judge Royce C. Lamberth on 06/01/2023. (lcrcl2) (Entered: 06/01/2023)
06/12/2023	<u>252</u>	Unopposed MOTION To Lift Curfew by DANIEL SCOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Silver, Nathan) Modified event type and text on 6/12/2023 (zstd). (Entered: 06/12/2023)
06/16/2023	<u>253</u>	ORDER granting Motion <u>252</u> to Lift Curfew as to DANIEL SCOTT (2). The curfew previously imposed in this case is lifted. GPS location monitoring shall remain in effect. Signed by Judge Royce C. Lamberth on 6/16/23. (lcrcl2) (Entered: 06/16/2023)
07/07/2023	<u>255</u>	SENTENCING MEMORANDUM by USA as to DANIEL SCOTT (Dreher, William) (Entered: 07/07/2023)
07/07/2023	<u>257</u>	ERRATA by USA as to DANIEL SCOTT re <u>255</u> Sentencing Memorandum (Attachments: # <u>1</u> Worrell Tr. Ex. 107, # <u>2</u> Worrell Tr. Ex. 134A, # <u>3</u> Worrell Tr. Ex. 175, # <u>4</u> Worrell Tr. Ex. 230, # <u>5</u> Worrell Tr. Ex. 249, # <u>6</u> Worrell Tr. Ex. 564)(Dreher, William) (Entered: 07/07/2023)
07/07/2023	<u>258</u>	NOTICE of Filing of Video Exhibits by USA as to DANIEL SCOTT re <u>255</u> Sentencing Memorandum (Dreher, William) (Entered: 07/07/2023)
07/10/2023	<u>259</u>	SENTENCING MEMORANDUM by DANIEL SCOTT (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Silver, Nathan) (Entered: 07/10/2023)
07/10/2023	<u>261</u>	ORDER granting Sealed Motion <u>256</u> for Leave to File Document Under Seal as to DANIEL SCOTT (2). Signed by Judge Royce C. Lamberth on 7/10/2023. (lcrcl2) (Entered: 07/10/2023)
07/11/2023	<u>263</u>	NOTICE (<i>Exhibit 3 (Letters in Allocution)</i>) by DANIEL SCOTT (Attachments: # <u>1</u> Exhibit)(Silver, Nathan) (Entered: 07/11/2023)
07/11/2023	<u>264</u>	NOTICE (<i>Exhibit Letter in allocution</i>) by DANIEL SCOTT re <u>259</u> Sentencing Memorandum (Silver, Nathan) (Entered: 07/11/2023)
07/11/2023	<u>265</u>	NOTICE (<i>Exhibit 5: Letter in allocution</i>) by DANIEL SCOTT (Attachments: # <u>1</u> Exhibit)(Silver, Nathan) (Entered: 07/11/2023)
07/12/2023	<u>266</u>	NOTICE (<i>Letter in Allocution</i>) by DANIEL SCOTT (Attachments: # <u>1</u> Exhibit)(Silver, Nathan) (Entered: 07/12/2023)
07/12/2023		Minute Entry for Sentencing held on 7/12/2023 before Judge Royce C. Lamberth as to DANIEL SCOTT (2): It is the judgment of the Court, that the Defendant is hereby committed to the custody of Bureau of Prisons for a term of 60 months on Count 1 and 60 months on Count 15, to be served concurrently. The Defendant is further sentenced to serve a term of 36 months (3 years) of supervised release on Count 1 and 36 months on Count 15, to run concurrently. The Defendant is further ordered to pay

		a special assessment of \$200 (\$100 for each count) and restitution in the amount of \$2000. Oral Motion by Government to dismiss remaining counts, heard and GRANTED. All remaining counts DISMISSED. Bond Status of Defendant: remains on Personal Recognizance and permitted to self-surrender. US Attorney: Alexis Loeb. Defense Attorney: Nathan I. Silver, II. Probation Officer: Hana Field. Court Reporter: Sherry Lindsay. (smc) Modified on 7/12/2023 (zsmc). (Entered: 07/12/2023)
07/14/2023	<u>268</u>	JUDGMENT as to DANIEL SCOTT. Statement of Reasons Not Included. Signed by Judge Royce C. Lamberth on 7/14/2023. (zstd) (Entered: 07/17/2023)
07/14/2023	<u>269</u>	STATEMENT OF REASONS as to DANIEL SCOTT re <u>268</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 Royce C. Lamberth on 7/14/2023. (zstd) (Entered: 07/17/2023)
07/29/2023	<u>272</u>	MOTION for Extension of Time to <i>file Notice of Appeal</i> by DANIEL SCOTT. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Silver, Nathan) (Entered: 07/29/2023)
07/29/2023	<u>273</u>	REDACTED DOCUMENT by DANIEL SCOTT of Redacted Notice of Appeal (Silver, Nathan) (Entered: 07/29/2023)
07/31/2023	<u>274</u>	ORDER granting Motion <u>272</u> for Extension of Time to File Notice of Appeal as to DANIEL SCOTT (2). Signed by Judge Royce C. Lamberth on 7/31/2023. (lcrc12) (Entered: 07/31/2023)
07/31/2023	<u>275</u>	NOTICE OF APPEAL – Final Judgment by DANIEL SCOTT re <u>268</u> Judgment. Fee Status: No Fee Paid. Parties have been notified. (zstd) (Entered: 07/31/2023)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA)
)
 vs.) Criminal No. 21-cr-292-02
)
Daniel Lyons Scott)

NOTICE OF APPEAL

Name and address of appellant: Daniel Lyons Scott

Name and address of appellant's attorney: Nathan I. Silver
6300 Orchid Drive
Bethesda MD 20817

Offense: 18 U.S.C. §1512(c)(2), 18 U.S.C. §111(a)

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

Sixty (60) months on Count 1, Sixty (60) months on Count 15 concurrent with Count 1.
Three (3) years supervised release, concurrent on each count. \$2000 restitution. \$200 in special assessments. (Defendant appeals application of 2-level enhancement for planning under §2J1.2(b)(3))

Name and institution where now confined, if not on bail: n/a

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

July 29, 2023
DATE

APPELLANT
Nathan I. Silver

ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE
CJA, NO FEE
PAID USDC FEE
PAID USCA FEE

Does counsel wish to appear on appeal? YES NO
Has counsel ordered transcripts? YES NO
Is this appeal pursuant to the 1984 Sentencing Reform Act? YES NO

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

DANIEL SCOTT

JUDGMENT IN A CRIMINAL CASE

Case Number: 21cr292-2 (RCL)

USM Number: 46295-509

Nathan I. Silver, II

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) 1 and 15 of the Indictment filed 6/1/2022.

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC § 1512(c)(2) and 2	Obstruction of an Official Proceeding, Aiding and Abetting	1/6/2021	1
18 USC § 111(a)(1)	Assaulting, Resisting, or Impeding Certain Officers	1/6/2021	15

The defendant is sentenced as provided in pages 2 through 9 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) ALL REMAINING COUNTS 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.

7/12/2023

Date of Imposition of Judgment

Royce C. Lamberth

Signature of Judge

Royce C. Lamberth, United States District Court Judge

Name and Title of Judge

7/14/23

Date

DEFENDANT: DANIEL SCOTT
CASE NUMBER: 21cr292-2 (RCL)

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, on each of Counts 1 and 15, to be served concurrently.

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

Defendant is to be placed at an appropriate facility closest to his residence in Englewood, Florida.

Defendant allowed to report for self-surrender no earlier than September 15, 2023.

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: DANIEL SCOTT
CASE NUMBER: 21cr292-2 (RCL)

SUPERVISED RELEASE

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

Thirty-Six (36) months as to Counts 1 and 15, to be served concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: DANIEL SCOTT
CASE NUMBER: 21cr292-2 (RCL)

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.

Defendant's Signature _____

Date _____

DEFENDANT: DANIEL SCOTT
CASE NUMBER: 21cr292-2 (RCL)

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

The Court authorizes supervision of this case be transferred to the United States District Court for the Middle District of Florida.

DEFENDANT: DANIEL SCOTT
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SPECIAL CONDITIONS OF SUPERVISION

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

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

Contact Restriction - You must not associate, communicate, or otherwise interact, with any known or unknown member of a terrorist organization, or any other known or unknown criminal extremist group or individual. This includes persons who are, or claim to be, involved with violent acts, or advocating for acts of violence, and any persons who are located outside the United States without the approval of the Court. If you inadvertently associate, communicate, or otherwise interact with a known terrorist or extremist group or individual, you must immediately report this to the probation officer.

Social Media Restriction - You must seek the approval of the probation officer if you wish to access, view, or use any online social media. You must not download any social media apps to your phone or computer. You must not access social media on any other device not approved by the probation officer. Social media includes social media sites, chat services, blogs, instant messages, SMS, MMS, digital photos, video sharing websites, emails or any other interactive, online, or electronic communication applications or sites.

Propaganda Restriction - You must not access, view, use or possess any extremist media. This includes material, such as literature, video, photos, social media, from groups or individuals who promote the use of violence to further an ideological or religious cause. If you inadvertently access, view, use or possess such material, you must immediately report this to the probation officer.

Computer Monitoring/Search - To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct initial and periodic unannounced searches of any computers (as defined in 18 U.S.C. § 1030(e)(1)) subject to computer monitoring. You must allow the probation officer to install computer monitoring software on any computer. This includes desktops, laptops, mobile devices, smartwatches, gaming systems, private servers, or any other high-speed data processing device performing logical, arithmetic, or storage functions. These searches shall be conducted to determine whether the computer contains any prohibited data prior to installation of the monitoring software, whether the monitoring software is functioning effectively after its installation, and whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition. A probation officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search will be conducted at a reasonable time and in a reasonable manner. -You must not use any services designed to encrypt disguise, mask, or anonymize your online activity, such as TOR, I2P, Freenet, Freepo, Tox, Virtual Private Networks or other anonymizing applications, services, or sites.

Search/Seizure- The defendant shall submit his or her person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

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

DEFENDANT: DANIEL SCOTT
 CASE NUMBER: 21cr292-2 (RCL)

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>
TOTALS	\$ 200.00	\$ 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>
Clerk of the Court for the United States District Court for the District of Columbia for disbursement to the following victim:			
Architect of the Capitol Office of the Chief Financial Officer Ford House Office Building Room H2-205B Washington, DC 20515		\$2,000.00	
TOTALS	\$ _____ 0.00	\$ _____ 2,000.00	

Restitution amount ordered pursuant to plea agreement \$ 2,000.00

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: DANIEL SCOTT
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ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

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

Financial Information Disclosure - Until restitution is paid in full, You must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the United States Attorney's Office.

Financial Restrictions - Until restitution is paid in full, You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

DEFENDANT: DANIEL SCOTT
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SCHEDULE OF PAYMENTS

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

- A Lump sum payment of \$ 200.00 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

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons’ Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
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- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant’s interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.