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Date↓↑

Description

1

03/12/2021

SEALED COMPLAINT as to PHILIP C. VOGEL (1), DEBRA J. MAIMONE (2). [1:21-mj-00305-GMH]

2 Attachments ▼

3

03/12/2021

MOTION to Seal Case by USA as to PHILIP C. VOGEL, DEBRA J. MAIMONE. [1:21-mj-00305-GMH]

1 Attachment ▼

4

03/12/2021

ORDER granting 3 Motion to Seal Case as to PHILIP C. VOGEL (1), DEBRA J. MAIMONE (2). Signed by Magistrate Judge G. Michael Harvey on 3/12/2021. (zltp) [1:21-mj-00305-GMH]

5

03/19/2021

Arrest Warrant Returned Executed on 3/19/2021 in New Castle, PA as to PHILIP C. VOGEL. (bb) [1:21-mj-00305-GMH]

03/19/2021

Arrest of PHILIP C. VOGEL, II. (Text entry; no document attached.)

03/26/2021

ORAL MOTION to Appoint Counsel by DEBRA J. MAIMONE. (ztl) [1:21-mj-00305-GMH] (Text entry; no document attached.)

03/26/2021

ORAL MOTION for Speedy Trial by USA as to DEBRA J. MAIMONE. (ztl) [1:21-mj-00305-GMH] (Text entry; no document attached.)

03/26/2021

Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to DEBRA J. MAIMONE held on 3/26/2021. Defendant present by video. Due Process Order given to the Government. Oral Motion to Appoint Counsel as to DEBRA J. MAIMONE (2); heard and granted. Oral Motion by the Government for Speedy Trial as to DEBRA J. MAIMONE (2); heard and granted. Defense did not object. Speedy Trial excluded from 3/26/2021 to 4/9/2021 in the Interest of Justice (XT). Preliminary Hearing set for 4/9/2021 at 4:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Lisa Banks; Defense Attorney: Cara Halverson; US Attorney: Jacob Steiner for Sean Murphy; Pretrial Officer: Christine Schuck. (ztl) [1:21-mj-00305-GMH] (Text entry; no document attached.)

6

03/19/2021

Arrest Warrant Returned Executed on 3/19/2021 in New Castle, PA as to DEBRA J. MAIMONE. (bb) [1:21-mj-00305-GMH]

03/19/2021

Case unsealed as to PHILIP C. VOGEL, DEBRA J. MAIMONE (bb) [1:21-mj-00305-GMH] (Text entry; no document attached.)

03/19/2021

Arrest of DEBRA J. MAIMONE. (ztl) [1:21-mj-00305-GMH] (Text entry; no document attached.)

11

03/26/2021

ORDER Setting Conditions of Release as to DEBRA J. MAIMONE (2) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/26/2021. (ztl)[1:21-mj-00305-GMH] Modified on 4/9/2021

03/26/2021

JOINT ORAL MOTION for Speedy Trial by USA, PHILIP C. VOGEL, II as to PHILIP C. VOGEL, II. (Text entry; no document attached.)

03/26/2021

Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to PHILIP C. VOGEL, II held on 3/26/2021. Defendant has retained counsel. Defendant placed on Standard Conditions of Release. Defendant waives his right to a Preliminary Hearing in 21 days. Joint Oral Motion for Speedy Trial as to PHILIP C. VOGEL II (1); heard and granted. Speedy Trial excluded from 3/26/2021 to 5/25/2021 in the Interest of Justice (XT). Status Hearing set for 5/25/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Lisa Bankins; Defense Attorney: Allen Orenberg; US Attorney: Jacob Steiner for Sean Murphy; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

12

03/27/2021

NOTICE OF ATTORNEY APPEARANCE: Allen Howard Orenberg appearing for PHILIP C. VOGEL nunc pro tunc to March 26, 2021 [1:21-mj-00305-GMH] Modified on 4/9/2021

14

04/07/2021

INFORMATION as to PHILIP C. VOGEL (1) count(s) 1, 2, 3, 4, 5, DEBRA J. MAIMONE (2) count(s) 1, 2, 3, 4, 5.

04/09/2021

MINUTE ORDER as to DEBRA J. MAIMONE (2). The hearing currently scheduled for 4/9/21 before Magistrate Judge G. Michael Harvey is hereby VACATED, as Defendant Maimone has had an initial appearance in this jurisdiction; been appointed counsel; been released on conditions; been charged with misdemeanors by Information; but not been arraigned. As such, there are no pending matters necessitating action by a Magistrate Judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/9/2021. (Text entry; no document attached.)

04/12/2021

NOTICE OF HEARING as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Arraignment/Status Conference set for 4/20/2021, at 11:30 AM, by video, before Judge Randolph D. Moss. Instructions for joining by video will be circulated to the parties by the Courtroom Deputy Clerk. (Text entry; no document attached.)

04/19/2021

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Pursuant to the Due Process Protections Act, it is hereby ORDERED 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. Signed by Judge Randolph D. Moss on 4/19/2021. (lcrdm3) (Text entry; no document attached.)

[16](#)

03/26/2021

ORDER Setting Conditions of Release as to PHILIP C. VOGEL II (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqi on 3/26/2021. # 1 Appearance Bond

[17](#)

04/20/2021

Unopposed MOTION for Protective Order regarding Discovery by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

[1 Attachment](#) ▼

[18](#)

04/20/2021

MOTION for Order Permitting Disclosure in Discovery of Materials Protected by Fed. R. Crim. P. 6(e) and Sealed Materials by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

[1 Attachment](#) ▼

04/20/2021

Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Arraignment/Status Conference as to PHILIP C. VOGEL II (1) and DEBRA J. MAIMONE (2). Defendants consented to proceeding by video. BOTH Defendants arraigned on Counts 1, 2, 3, 4, and 5 of the Information. Plea of Not Guilty entered by PHILIP C. VOGEL II (1) and DEBRA J. MAIMONE (2) on ALL COUNTS. Joint Status Report due by 5/24/2021, which shall include next steps and address speedy trial. Speedy Trial (XT) is tolled in the interest of justice from 4/20/2021 to 5/25/2021 as to DEBRA J. MAIMONE (2); Speedy trial already tolled to 5/25/2021 by the Magistrate Judge as to PHILIP C. VOGEL II (1). Bond Status of Defendant: BOTH Defendants remain on PR Bonds; Court Reporter: Jeff Hook; Defense Attorneys: Allen Orenberg (1) and Cara Halverson (2); U.S. Attorney: Sean Murphy; Pretrial Officer: DaShanta Valentine-Lewis. (Text entry; no document attached.)

[19](#)

04/21/2021

PROTECTIVE ORDER as to PHILIP C. VOGEL II (1), DEBRA J. MAIMONE (2): Upon consideration of the government's unopposed motion for protective order, Dkt. 17, it is hereby ORDERED that the motion is GRANTED. The parties shall comply with the terms of the attached protective order, which the Court adopts in full. See document for details. Signed by Judge Randolph D. Moss on 4/21/2021. (lcrdm3)

[20](#)

04/21/2021

ORDER as to PHILIP C. VOGEL II (1), DEBRA J. MAIMONE (2): Upon consideration of the government's unopposed motion Permitting Disclosure in Discovery of Materials Protected by Fed. R. Crim. P. 6(e) and Sealed Materials, Dkt.

18, it is hereby ORDERED that the motion is GRANTED. See document for details. Signed by Judge Randolph D. Moss on 4/21/2021. (lcldm3)

[21](#)

05/24/2021

Joint MOTION to Continue Until August 24, 2021, Joint MOTION to Vacate the VTC Status Conference Set for May 25, 2021, Joint MOTION for Order To Exclude Time From Speedy Trial Act in the Interests of Justice by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

05/25/2021

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint motion to continue and to exclude time, Dkt. 21, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the parties shall appear for a status hearing by video teleconference on August 24, 2021 at 11:30AM. To the extent the parties intend to convert the status hearing to a plea hearing, they shall, on or before August 17, 2021, notify the Court of their intent to do so; provide the Court with all relevant plea paperwork; and address whether they consent to proceeding by video teleconference for the plea hearing under the CARES Act, Pub. L. No. 116-136, 134 Stat. 281 (Mar. 27, 2020) Sec. 15002(b)(2), which provides that felony pleas may proceed remotely only where the Court makes a finding that the "plea. in [this particular] case cannot be further delayed without serious harm to the interests of justice." The parties shall use the video teleconference information previously provided by the Courtroom Deputy Clerk. Finally, it is ORDERED that time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, from May 25, 2021 to August 24, 2021. The parties represent that, in light of "the volume and nature of potentially discoverable materials[ ] and the reasonable time necessary for effective preparation by all parties., the failure to grant [ ] a continuance in this proceeding would be likely to make a continuation of this proceeding impossible[ ] or result in a miscarriage of justice." Dkt. 21 at 9. The parties further represent that the continuance will enable them "to continue plea negotiations." Id. at 2. Given the defendants' need to receive and review discovery, and in order to provide the defendants with time to make a considered decision about how they would like to proceed in this matter, the Court finds that the continuance would serve the interests of justice and that those interests outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 5/25/2021. (lcldm3) (Text entry; no document attached.)

[22](#)

07/30/2021

NOTICE Of Filing Discovery Request Letter by PHILIP C. VOGEL, II

1 Attachment ▼

[23](#)

08/17/2021

MOTION for Criminal History Report by PHILIP C. VOGEL, II.

08/18/2021

MINUTE ORDER as to PHILLIP C. VOGEL, II (1): Upon consideration of Defendant Vogel's motion for a criminal history report, Dkt. 23, it is hereby ORDERED that the United States Probation Office shall complete a preliminary Federal Sentencing Guidelines Criminal History computation for Mr. Vogel on or before October 4, 2021. Signed by Judge Randolph D. Moss on 08/18/2021. (lcldm3) (Text entry; no document attached.)

08/24/2021

Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2) held on 8/24/2021. Defendants consented to proceeding by video. Due Process Protections Act Order read into the record by the Court. The parties shall file a Joint Status Report by 10/25/2021 to update the Court on discovery, next steps going forward, and speedy trial. Speedy Trial (XT) is tolled in the interest of justice from 8/24/2021 to 10/25/2021. Bond Status of Defendants: BOTH Defendants remain on PR

Bonds; Court Reporter: Jeff Hook; Defense Attorneys: Allen Orenberg (1) and Cara Halverson (2); U.S. Attorney: Sean Murphy. (Text entry; no document attached.)

[27](#)

10/25/2021

Unopposed MOTION to Continue Status Hearing, Unopposed MOTION to Exclude All Time Until Next Hearing from Calculation Under STA by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

10/25/2021

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the unopposed motion to continue and to exclude time, Dkt. 27, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) the parties shall appear for a video status conference on January 24, 2022, at 10:00 a.m.; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from October 25, 2021 to January 24, 2022. The government represents (and the defendants do not dispute) that exclusion of time is appropriate "due to the number of individuals currently charged across the Capitol Attack investigation and the nature of those charges, the on-going investigation of many other individuals, the volume and nature of potentially discoverable materials, and the reasonable time necessary for effective preparation by all parties taking into account the exercise of due diligence." Dkt. 27 at 10. The government further represents (and defendants do not dispute) that "failure to grant [] a continuance in this proceeding would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice." Id. Finally, the government represents (and defendants do not dispute) "that good faith plea negotiations are ongoing." Id. at 12. In light of these representations and defendants' concurrence and consent to a waiver of time, id., the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. 3161(h)(7)(A). To attend the video status conference, the parties shall use the access information previously provided by the Courtroom Deputy Clerk. Signed by Judge Randolph D. Moss on 10/25/2021. (lcrdm3) Modified on 10/26/2021 to correct typo from "22" to "24" in speedy trial end date (Text entry; no document attached.)

[28](#)

12/29/2021

NOTICE of Filing Discovery Memoranda by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

[1 Attachment ▼](#)

[31](#)

01/24/2022

NOTICE of Filing the United States' Memorandum Regarding the Status of Discovery as of January 21, 2022 by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

01/24/2022

Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2) held on 1/24/2022. Defendants consented to proceeding by video. The parties shall file a Joint Status Report on or before 12:00 p.m. on 3/24/2022, which shall address steps going forward and speedy trial. Speedy Trial (XT) is tolled in the interest of justice from 1/24/2022 to 3/24/2022. Bond Status of Defendants: BOTH Defendants remain on PR Bonds; Court Reporter: Jeff Hook; Defense Attorneys: Allen Orenberg (1) and Cara Halverson (2); U.S. Attorney: Sean Murphy. (Text entry; no document attached.)

[33](#)

03/24/2022

Joint STATUS REPORT and Request for Sixty-Day Continuance; Joint Motion to Exclude Time from Calculation Under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

[1 Attachment ▼](#)

03/24/2022

NOTICE OF SUBSTITUTION OF COUNSEL Attorney Mullin, Elizabeth Ann added.

03/24/2022

Supplemental STATUS REPORT re : 33 Joint Request to Submit Next Status Report in Sixty Days; and Joint Request to Toll Applicable Time from Calculation Under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

1 Attachment ▼

03/24/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. [33], and the supplemental status report, Dkt. [35], it is hereby ORDERED that (1) the parties shall file a joint status report on or before May 23, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from March 24, 2022, to May 23, 2022. The parties represent that the government has produced "individual discovery in this case," that defense counsel "has made specific discovery demands," and that "the government is in the process of providing the requested materials." Dkt. 33 at 1. The parties further represent that Defendant Maimone has just retained new counsel, and that "[n]ew counsel is in the process of reviewing the discovery and discussing it with her client." Id. at 2. Finally, the parties represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. "The government," accordingly, "requests, and the defendants through their counsel consent to the Court excluding all time between today and the next status report from calculation under the Speedy Trial Act." Dkt. 35 at 2. In light of these representations, including the ongoing discovery and plea negotiations, along with the need to provide Defendant Maimone's new counsel with time to review the case, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 03/24/2022. (lcrdm3) (Text entry; no document attached.)

03/24/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. 33, and the supplemental status report, Dkt. 35, it is hereby ORDERED that (1) the parties shall file a joint status report on or before May 23, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from March 24, 2022, to May 23, 2022. The parties represent that the government has produced "individual discovery in this case," that defense counsel "has made specific discovery demands," and that "the government is in the process of providing the requested materials." Dkt. 33 at 1. The parties further represent that Defendant Maimone has just retained new counsel, and that "[n]ew counsel is in the process of reviewing the discovery and discussing it with her client." Id. at 2. Finally, the parties represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. "The government," accordingly, "requests, and the defendants through their counsel consent to the Court excluding all time between today and the next status report from calculation under the Speedy Trial Act." Dkt. 35 at 2. In light of these representations, including the ongoing discovery and plea negotiations, along with the need to provide Defendant Maimone's new counsel with time to review the case, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 03/24/2022. (lcrdm3) (Text entry; no document attached.)

03/24/2022

Unopposed MOTION to Continue, MOTION to Exclude Time under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry 33 to view document.)(zltpt)

05/23/2022

Joint STATUS REPORT ; Joint MOTION to File Next Status Report on July 22, 2022; and Joint MOTION to Exclude All Time through July 22, 2022, from Calculation Under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

1 Attachment ▼

05/23/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. [38], it is hereby ORDERED that (1) the parties shall file a joint status report on or before July 22, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from May 23, 2022, to July 22, 2022. The parties represent that the government has produced "individual discovery in this case," that defense counsel "has made additional specific discovery demands," and that "the government is in the process of providing the requested materials." Dkt. 38 at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[them] to file a subsequent joint status report approximately [in] sixty days. specifically Friday July 22, 2022, or thereabout." Id. In light of these representations, including the ongoing discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). The Court notes that the joint status report, at times, references a "status conference" or "status hearing," id., although their formal request seeks only that the Court "allow the parties to file a subsequent joint status report," id.; see also Dkt. 38-1 (proposed order). Should the parties wish to seek a status conference in addition to (or in lieu of) the requested status report, they are to jointly contact the Courtroom Deputy to determine a suitable time and date and file a request to set such a conference. Signed by Judge Randolph D. Moss on 05/23/2022. (lcrdm3) (Text entry; no document attached.)

05/23/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. 38, it is hereby ORDERED that (1) the parties shall file a joint status report on or before July 22, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from May 23, 2022, to July 22, 2022. The parties represent that the government has produced "individual discovery in this case," that defense counsel "has made additional specific discovery demands," and that "the government is in the process of providing the requested materials." Dkt. 38 at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[them] to file a subsequent joint status report approximately [in] sixty days. specifically Friday July 22, 2022, or thereabout." Id. In light of these representations, including the ongoing discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). The Court notes that the joint status report, at times, references a "status conference" or "status hearing," id., although their formal request seeks only that the Court "allow the parties to file a subsequent joint status report," id.; see also Dkt. 38-1 (proposed order). Should the parties wish to seek a status conference in addition to (or in lieu of) the requested status report, they are to jointly contact the Courtroom Deputy to determine a suitable time and date and file a request to set such a conference. Signed by Judge Randolph D. Moss on 05/23/2022. (lcrdm3) (Text entry; no document attached.)

39

05/23/2022

MOTION to Exclude Time under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry 38 to view document.)(zltp)

07/22/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. [40], it is hereby ORDERED that (1) the parties shall file a joint status report on or before September 20, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from July 22, 2022, to September 20, 2022. The parties represent that the government "will be making a formal plea offer shortly," that "[d]efense counsel have indicated that they will need a period to review the offer" and to "propose any counteroffer as befits the situation," and that, "[i]f defendants accept the offer, the parties will. need time to negotiate a Statement of Offense that adequately reflects the defendants' conduct." Dkt. [38] at 2. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution" Id. "The



parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days. specifically Tuesday, September 20, 2022, or thereabout." Id. In light of these representations, including the ongoing plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 07/22/2022. (lcrdm3) (Text entry; no document attached.)

[40](#)

07/22/2022

Joint MOTION to Exclude Time From Calculation Under the Speedy Trial Act (July 22, 2022, through September 20, 2022) and JOINT STATUS UPDATE by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

**1 Attachment ▼**

[41](#)

07/22/2022

Joint STATUS REPORT by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry 40 to view document.) (zltp)

07/22/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the joint status report, Dkt. 40, it is hereby ORDERED that (1) the parties shall file a joint status report on or before September 20, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from July 22, 2022, to September 20, 2022. The parties represent that the government "will be making a formal plea offer shortly," that "[d]efense counsel have indicated that they will need a period to review the offer" and to "propose any counteroffer as befits the situation," and that, "[i]f defendants accept the offer, the parties will. need time to negotiate a Statement of Offense that adequately reflects the defendants' conduct." Dkt. 38 at 2. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution" Id. "The parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days. specifically Tuesday, September 20, 2022, or thereabout." Id. In light of these representations, including the ongoing plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 07/22/2022. (lcrdm3) (Text entry; no document attached.)

[42](#)

09/20/2022

Joint STATUS REPORT and Joint MOTION to Exclude Time From Calculation Under the Speedy Trial Act (September 20, 2022 through November 21, 2022) by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

**1 Attachment ▼**

09/20/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint status report, Dkt. [42], it is hereby ORDERED that (1) the parties shall file a joint status report on or before November 21, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from September 20, 2022, to November 21, 2022. The parties represent that "[t]he Government has provided defendants with the full FBI case file of this case" and that "[d]efense counsel has received the discovery and are in the process of reviewing it personally and with their respective clients." Dkt. [42] at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days" and "the government requests" -- with "defendants through their counsel consent[ing]" -- that the Court "exclud[e] all time between today and the next status report from calculation under the Speedy Trial Act." Id. In light of these representations, including the ongoing review of discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial



under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 09/20/2022. (lcrdm3) (Text entry; no document attached.)

09/20/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint status report, Dkt. 42, it is hereby ORDERED that (1) the parties shall file a joint status report on or before November 21, 2022; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from September 20, 2022, to November 21, 2022. The parties represent that "[t]he Government has provided defendants with the full FBI case file of this case" and that "[d]efense counsel has received the discovery and are in the process of reviewing it personally and with their respective clients." Dkt. 42 at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days" and "the government requests" -- with "defendants through their counsel consent[ing]" -- that the Court "exclud[e] all time between today and the next status report form calculation under the Speedy Trial Act." Id. In light of these representations, including the ongoing review of discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 09/20/2022. (lcrdm3) (Text entry; no document attached.)

[43](#)

09/20/2022

Joint MOTION to Exclude Time under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry 42 to view document.) (zltip)

[45](#)

11/21/2022

Joint STATUS REPORT by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

[46](#)

11/21/2022

Joint MOTION to Exclude Time From Calculation Under the Speedy Trial Act (November 21, 2022, through January 20, 2023) by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

[1 Attachment ▼](#)

11/21/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint status report, Dkt. [46], it is hereby ORDERED that (1) the parties shall file a further joint status report on or before January 20, 2023; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from November 21, 2022, to January 20, 2023. The parties represent that "[t]he Government has provided defendants with the full FBI case file of this case" and that "[d]efense counsel has received the discovery and are in the process of reviewing it personally and with their respective clients." Dkt. [46] at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days" and "the government requests" -- with "defendants through their counsel consent[ing]" -- that the Court "exclud[e] all time between today and the next status report form calculation under the Speedy Trial Act." Id. In light of these representations, including the ongoing review of discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 11/21/2022. (lcrdm3) (Text entry; no document attached.)

11/21/2022

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint status report, Dkt. 46, it is hereby ORDERED that (1) the parties shall file a further joint status report on or before January 20, 2023; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from November 21, 2022, to January 20, 2023. The parties represent that "[t]he Government has provided defendants with the full FBI case file of this case" and that "[d]efense counsel has received the discovery and are in the process of reviewing it personally and with their respective clients." Dkt. 46 at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to allow t[hem] to file a subsequent joint status report approximately [in] sixty days" and "the government requests" -- with "defendants through their counsel consent[ing]" -- that the Court "exclud[e] all time between today and the next status report from calculation under the Speedy Trial Act." Id. In light of these representations, including the ongoing review of discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 11/21/2022. (lcrdm3) (Text entry; no document attached.)

[47](#)

01/06/2023

NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Wagner, Lynnett added.

[49](#)

01/19/2023

Joint STATUS REPORT by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE

01/19/2023

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint status report, Dkt. 49, it is hereby ORDERED that (1) the parties shall appear for a video status conference in this matter on April 5, 2023, at 9:00 a.m.; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from January 20, 2023, to April 5, 2023. The parties represent that "[t]he Government has provided defendants with the full FBI case file of this case" and with "access to a tour of the crime scene" and that "[d]efense counsel has received the discovery and has reviewed it personally and with their respective clients." Dkt. 49 at 1. The parties further represent that "[they] remain engaged in good faith negotiations with the view towards a pretrial resolution." Id. at 2. "The parties," accordingly, "propose to set a status conference approximately seventy-three days from [January 19, 2023], specifically [on or about] April 5, 2023," at which the parties can "discuss the next steps in the case, including whether a plea is anticipated." Id. The United States also "requests" -- with "defendants through their counsel" -- that the Court "exclud[e] all time between today and the next status report from calculation under the Speedy Trial Act." Id. In light of these representations, including the ongoing review of discovery and plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 1/19/2023. (lcrdm3) (Text entry; no document attached.)

[50](#)

01/19/2023

Unopposed MOTION to Exclude Time under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry 49 to view document.) (zltf)

04/05/2023

Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2) held on 4/5/2023 via Zoom. Parties consent to hearing by video. Joint Status Report on or before 5/5/2023. The Court makes the finding that it is in the interest of justice that the time between 4/5/23 and 5/5/23 shall be excluded from the Speedy Trial Act Calculations (XT) as to both defendants. Bond Status of Defendant: Continued PR; Court Reporter: Jeff Hook; Defense Attorney: Allen Orenberg and Mary Petras for Elizabeth Mullin; US Attorney: Lynnette Wagner. (zglw) (Text entry; no document attached.)

[53](#)

04/25/2023

Joint MOTION for Speedy Trial Joint Status Report and Unopposed Motion to Exclude time under the Speedy Trial Act by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE.

04/26/2023

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint motion to exclude time and set a plea hearing, Dkt. [53], it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) the parties shall appear for a video plea hearing in this matter on June 2, 2023, at 9:30 a.m., via Zoom; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from May 5, 2023, to June 2, 2023. The parties represent "[t]he Defendants and the government have engaged in good faith negotiations to resolve the matter, and the parties have reached an agreement to enter pleas in this case." Dkt. [53] at 1. The United States also "request[s]" -- with "defendants through their counsel" -- that the Court "exclud[e] all time between today and the date of the scheduled plea hearing from calculation under the Speedy Trial Act." Id. at 2. In light of these representations, including the time necessary for the Defendants to decide how they wish to plead, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 4/26/2023. (lcrdm3) (Text entry; no document attached.)

04/26/2023

MINUTE ORDER as to PHILIP C. VOGEL, II (1) and DEBRA J. MAIMONE (2): Upon consideration of the parties' joint motion to exclude time and set a plea hearing, Dkt. 53, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) the parties shall appear for a video plea hearing in this matter on June 2, 2023, at 9:30 a.m., via Zoom; and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. 3161, from May 5, 2023, to June 2, 2023. The parties represent "[t]he Defendants and the government have engaged in good faith negotiations to resolve the matter, and the parties have reached an agreement to enter pleas in this case." Dkt. 53 at 1. The United States also "request[s]" -- with "defendants through their counsel" -- that the Court "exclud[e] all time between today and the date of the scheduled plea hearing from calculation under the Speedy Trial Act." Id. at 2. In light of these representations, including the time necessary for the Defendants to decide how they wish to plead, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial under 18 U.S.C. 3161(h)(7)(A). Signed by Judge Randolph D. Moss on 4/26/2023. (lcrdm3) (Text entry; no document attached.)

06/02/2023

Minute Entry for proceedings held before Judge Randolph D. Moss: Plea Agreement Hearing as to PHILIP C. VOGEL, II (1), DEBRA J. MAIMONE (2) held via videoconference on 6/2/2023. Defendants consented to appear by video. PHILIP C. VOGEL, II (1) entered a plea of Guilty as to Count 1 of the Information. DEBRA J. MAIMONE (2) entered a plea of Guilty as to Count 1 of the Information. Case referred to the Probation Office for Presentence Investigation as to both defendants. Government's Sentencing Memorandum due by 8/16/2023. Defendants' Sentencing Memoranda due by 8/21/2023. VTC Sentencing set for 8/25/2023 at 9:30 AM before Judge Randolph D. Moss. Bond Status of Defendants: Personal Recognizance; Court Reporter: Tammi Sefranek; Defense Attorneys: (1): Allen H. Orenberg, (2): Elizabeth A. Mullin; US Attorney: Lynett Wagner. (Text entry; no document attached.)

55

04/25/2023

Joint STATUS REPORT by USA as to PHILIP C. VOGEL, II, DEBRA J. MAIMONE. (See docket entry [53] to view document.) (zltp)

57

06/02/2023

PLEA AGREEMENT as to PHILIP C. VOGEL, II (1).

58

06/02/2023

STATEMENT OF OFFENSE by USA, PHILIP C. VOGEL, II (1) as to PHILIP C. VOGEL, II (1).

[59](#)

06/02/2023

WAIVER of Trial by Jury as to PHILIP C. VOGEL, II (1). Approved by Judge Randolph D. Moss on 6/2/2023.

[60](#)

06/02/2023

PLEA AGREEMENT as to DEBRA J. MAIMONE (2).

[61](#)

06/02/2023

STATEMENT OF OFFENSE by USA, DEBRA J. MAIMONE (2) as to DEBRA J. MAIMONE (2).

[62](#)

06/02/2023

WAIVER of Trial by Jury as to DEBRA J. MAIMONE (2). Approved by Judge Randolph D. Moss on 6/2/2023.