

U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00181-CKK-1

Case title: USA v. CALDWELL

Date Filed: 03/03/2021

Magistrate judge case number: 1:21-mj-00207-ZMF

Assigned to: Judge Colleen Kollar-Kotelly

**Defendant (1)**

**DANIEL RAY CALDWELL**

represented by **John Hunter Smith**  
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**Pending Counts**

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

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers  
Using a Dangerous Weapon.  
(2)

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.  
(3)

18:1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a  
Deadly or Dangerous Weapon.  
(4)

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly  
or Dangerous Weapon.  
(5)

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

40:5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Violence in the Capitol  
Grounds or Buildings.  
(7)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in Violation of 18:231(a)(3), 18:111(a)(1), 18:1752(a)(1), (2), (4)  
and 40:5104(e)(2)(D), (F)

**Disposition**

**Disposition**

**Disposition**

**Plaintiff**

USA

represented by **James Dennis Peterson**  
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 Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
02/08/2021	<a href="#">1</a>	SEALED COMPLAINT as to DANIEL RAY CALDWELL (1). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/08/2021	<a href="#">3</a>	MOTION to Seal Case by USA as to DANIEL RAY CALDWELL. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/08/2021	<a href="#">4</a>	ORDER granting <a href="#">3</a> Motion to Seal Case as to DANIEL RAY CALDWELL (1). Signed by Magistrate Judge Zia M. Faruqui on 02/08/2021. (zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/10/2021		Case unsealed as to DANIEL RAY CALDWELL (bb) [1:21-mj-00207-ZMF] (Entered: 02/26/2021)
02/10/2021		Arrest of DANIEL RAY CALDWELL in US District Court for the Eastern District of Texas Sherman Division. (bb) (Entered: 03/31/2021)
03/03/2021	<a href="#">5</a>	INDICTMENT as to DANIEL RAY CALDWELL (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zhsj) (Entered: 03/04/2021)
03/09/2021	<a href="#">8</a>	Rule 5(c)(3) Documents Received as to DANIEL RAY CALDWELL from US District Court for the Eastern District of Texas Sherman Division Case Number 4:21-mj-107-KPJ (bb) (Entered: 03/31/2021)
03/26/2021	<a href="#">7</a>	MOTION for Leave to Appear Pro Hac Vice John Hunter Smith Filing fee \$ 100, receipt number ADCDC-8331608. Fee Status: Fee Paid. by DANIEL RAY CALDWELL. (Attachments: # <a href="#">1</a> Declaration Declaration of Attorney John Smith, # <a href="#">2</a> Text of Proposed Order)(McLain, Patrick) (Entered: 03/26/2021)
03/29/2021		RESOLVED...NOTICE of Provisional Government Not Certified Status re <a href="#">7</a> MOTION for Leave to Appear Pro Hac Vice John Hunter Smith Filing fee \$ 100, receipt number ADCDC-8331608. Fee Status: Fee Paid. by DANIEL RAY CALDWELL. (Attachments: # <a href="#">1</a> Declaration Declaration of Attorney John Smith, # <a href="#">2</a> Text of Proposed Order)(McLain, Patrick). Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: <a href="https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information">https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information</a> .  Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 4/5/2021. (znmw) Modified on 5/13/2021 (znmw). (Entered: 03/29/2021)
03/29/2021		MINUTE ORDER as to DANIEL RAY CALDWELL (1). On March 26, 2021 the Court was advised that DANIEL RAY CALDWELL (1) had been transported to the District of Columbia and remains in custody. As DANIEL RAY CALDWELL (1) has been formally charged, the Court notes that there are no matters necessitating action by a Magistrate Judge at this time. The parties are directed to contact the chambers of the assigned District Judge to schedule a hearing or address any other matters. Signed by Magistrate Judge Zia M. Faruqui on 3/29/2021. (zpt) (Entered: 03/30/2021)
03/31/2021		MINUTE ORDER as to DANIEL RAY CALDWELL. A status hearing in this matter is scheduled for APRIL 7, 2021 at 3:45PM to take place by Zoom videoconference. Instructions for accessing Zoom shall be sent to counsel in advance of the hearing. Signed by Judge Colleen Kollar-Kotelly on 3/31/21. (lcckk3) (Entered: 03/31/2021)
04/05/2021	<a href="#">9</a>	NOTICE OF ATTORNEY APPEARANCE James Dennis Peterson appearing for USA. (zhsj) (Entered: 04/05/2021)
04/06/2021	<a href="#">10</a>	ORDER pursuant to the Due Process Protections Act and Local Rule of Criminal Procedure 5.1 confirming the disclosure obligation of the government under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and the possible consequences of violating such order under applicable law. Signed by Judge Colleen Kollar-Kotelly on 4/6/21. (lcckk3) (Entered: 04/06/2021)
04/06/2021		MINUTE ORDER granting <a href="#">7</a> Motion for Admission of Attorney Pro Hac Vice with respect to John Hunter Smith, in order for him to appear as co-counsel for Defendant, CONTINGENT on said attorney filing a declaration certifying familiarity with this Court's Local Rules in advance of the status hearing scheduled for APRIL 7, 2021 at 3:45PM. <b>Counsel should also register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions.</b> Signed by Judge Colleen Kollar-Kotelly on 4/6/21. (lcckk3) (Entered: 04/06/2021)
04/06/2021	<a href="#">11</a>	ENTERED IN ERROR.....Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) Modified on 4/12/2021 (znmw). (Entered: 04/06/2021)
04/06/2021	<a href="#">12</a>	Unopposed MOTION for Protective Order by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) (Entered: 04/06/2021)
04/06/2021	<a href="#">13</a>	MEMORANDUM in Support of Pretrial Detention by USA as to DANIEL RAY CALDWELL (Bhatia, Puja) (Entered: 04/06/2021)
04/06/2021	<a href="#">15</a>	UNOPPOSED MOTION to Continue and to Exclude Time Under the Speedy Trial Act by USA as to DANIEL RAY CALDWELL. (zhsj) (Entered: 04/07/2021)
04/07/2021	<a href="#">14</a>	PROTECTIVE ORDER as to DANIEL RAY CALDWELL (1). Signed by Judge Colleen Kollar-Kotelly on 4/7/21. (lcckk3) (Entered: 04/07/2021)
04/07/2021		MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on April 7, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. Defendant was arraigned on the charges in the <a href="#">5</a> Indictment. Defendant confirmed that he had received a copy of the Indictment. Defendant was read the seven counts contained in the Indictment and entered a plea of "not guilty" as to all counts. During the status hearing, the Court discussed discovery and advised the government of its continuing Brady obligations in this case. See ECF No. 10. To allow the parties additional time to proceed with discovery, the Court has scheduled another status hearing for JUNE 2, 2021 at 11:00 AM.  Counsel for Defendant indicated that Defendant may seek review of the Order of Detention Pending Trial, see ECF No. 8. Defendant shall file a notice by no later than APRIL 14, 2021 indicating whether he shall file a motion seeking review of the detention order and proposing a schedule for doing so.  During the April 7, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. The time period through March 15, 2021 was excluded under the Speedy Trial Act pursuant to Standing Order No. 20-93, In re: Sixth Extension of Postponed Jury Trials Due to Ongoing Exigent Circumstances Caused by COVID-19 Pandemic. In addition, Defendant consented to exclude the time between his arrest on February 10, 2021, see Feb. 10, 2021 Minute Entry, and the Status Hearing on April 7, 2021, as well as the time between the April 7, 2021 Status Hearing and the next Status Hearing on June 2, 2021. As stated during the April 7, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between the date of Defendant's arrest on February 10, 2021 and the date of the April 7, 2021, as well as the time between the April 7, 2021 status hearing and the date of the next status hearing on June 2, 2021 serves the "ends of justice" as it will allow Defendant to receive and review discovery with his counsel. 18 U.S.C. § 3161(h)(7)(A). Taking into account this continuance, the Court has calculated that Defendant's 70-day deadline is August 11, 2021 and Defendant's 90-day deadline is August 31, 2021. Signed by Judge Colleen Kollar-Kotelly on 4/7/2021. (lcckk3) (Entered: 04/07/2021)
04/07/2021		Minute Entry for proceedings held via videoconference before Judge Colleen Kollar-Kotelly: Arraignment/Status as to DANIEL RAY CALDWELL (1) on Counts 1,2,3,4,5,6,7 held on 4/7/2021. Plea of Not Guilty entered as to Counts 1,2,3,4,5,6,7. Speedy Trial (XT) is tolled in the Interest of Justice from 2/10/2021 to 6/2/2021. Status Conference set for 6/2/2021 at 11:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Lisa Edwards; Defense Attorney: John H. Smith; US Attorney: James D. Peterson. (dot) (Entered: 04/07/2021)
04/12/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to DANIEL RAY CALDWELL re <a href="#">11</a> Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act was entered in error and was refiled by the Clerk's Office as Docket Entry <a href="#">15</a> . (znmw) (Entered: 04/12/2021)
04/14/2021	<a href="#">16</a>	NOTICE OF ATTORNEY APPEARANCE: John Hunter Smith appearing for DANIEL RAY CALDWELL (Smith, John) (Entered: 04/14/2021)
04/14/2021	<a href="#">17</a>	NOTICE To Seek Review Of Detention Order by DANIEL RAY CALDWELL (Attachments: # <a href="#">1</a> Text of Proposed Order)(Smith, John) (Entered: 04/14/2021)
04/15/2021		MINUTE ORDER. The Court is in receipt of Defendant's <a href="#">17</a> Notice to Seek Review of Detention Order. The Court ORDERS Defendant to file his motion for review of the detention order by APRIL 26, 2021, the Government to file a response by MAY 3, 2021 and Defendant to file a reply by MAY 7, 2021. Signed by Judge Colleen Kollar-Kotelly on 4/15/21. (lcckk3) (Entered: 04/15/2021)
04/15/2021		Set/Reset Deadlines as to DANIEL RAY CALDWELL: Defendant's Motion due by 4/26/2021. Government's Response due by 5/3/2021. Defendant's Reply due by 5/7/2021. (dot) (Entered: 04/15/2021)
04/17/2021	<a href="#">18</a>	NOTICE OF DISCOVERY by USA as to DANIEL RAY CALDWELL (Bhatia, Puja) (Entered: 04/17/2021)

04/22/2021	<a href="#">19</a>	MOTION for Disclosure <i>OF GRAND JURY MATERIALS</i> by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) (Entered: 04/22/2021)
04/26/2021	<a href="#">20</a>	ORDER granting <a href="#">19</a> Motion for Disclosure as to DANIEL RAY CALDWELL (1). Signed by Judge Colleen Kollar-Kotelly on 4/26/21. (lcckk3) (Entered: 04/26/2021)
04/26/2021	<a href="#">21</a>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by DANIEL RAY CALDWELL re <a href="#">8</a> Rule 5 Documents Received (Attachments: # <a href="#">1</a> Exhibit 2-22-2021 Det. Hrg. Transcript, # <a href="#">2</a> Exhibit 3-4-2021 Det. Hrg. Transcript)(Smith, John) (Entered: 04/26/2021)
05/03/2021	<a href="#">22</a>	MEMORANUM in Opposition from Magistrate Judge Decision as to DANIEL RAY CALDWELL re <a href="#">21</a> Appeal of Magistrate Judge Decision to District Court (Peterson, James) Modified Text on 5/3/2021 (zhsj). (Entered: 05/03/2021)
05/08/2021	<a href="#">23</a>	REPLY by DANIEL RAY CALDWELL re <a href="#">22</a> Opposition from Magistrate Judge Decision Appeal from Magistrate Judge Decision re <a href="#">21</a> Appeal of Magistrate Judge Decision to District Court (Smith, John) Modified Text on 5/10/2021 (zhsj). (Entered: 05/08/2021)
05/21/2021	<a href="#">24</a>	ORDER denying Defendant's <a href="#">21</a> Motion to Revoke or Amend Magistrate's Order of Pretrial Detention (titled on docket as "Appeal of Magistrate Judge's Decision"). Signed by Judge Colleen Kollar-Kotelly on 5/21/21. (lcckk3) (Entered: 05/21/2021)
05/21/2021	<a href="#">25</a>	MEMORANDUM OPINION as to DANIEL RAY CALDWELL accompanying <a href="#">24</a> ORDER. Signed by Judge Colleen Kollar-Kotelly on 5/21/21. (lcckk3) (Entered: 05/21/2021)
06/02/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to DANIEL RAY CALDWELL held on 6/2/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 6/2/2021 to 8/16/2021. Status Conference set for 8/16/2021 at 11:00 AM via Zoom before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Lisa Edwards; Defense Attorney: John H. Smith; US Attorney: James D. Peterson. (dot) (Entered: 06/02/2021)
06/03/2021		<p>MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on June 2, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present.</p> <p>The Court discussed with the parties the status of discovery. The Government indicated that it had produced to Defendant's counsel discovery pertinent to the defendant, and that its productions are ongoing given the availability of additional evidence, including body-worn camera videos. The parties requested that the Court schedule another status hearing in approximately 60 days to allow counsel for Defendant to obtain additional discovery from the Government and to review it with Defendant, and for the parties to discuss potential pre-trial resolution of the case. The Court ORDERS that the next Status Hearing is scheduled for AUGUST 16, 2021 at 11:00 a.m. With Defendant's consent, the next Status Hearing shall take place by Zoom.</p> <p>During the June 2, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. As stated during the June 2, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between June 2, 2021 and the date of the next status hearing on August 16, 2021 serves the "ends of justice" as it will allow Defendant to obtain and review discovery with his counsel, and to discuss potential pre-trial disposition of this case. 18 U.S.C. 3161(h)(7)(A), (B)(i),(ii), (iv). In addition, Defendant consented to the tolling of his Speedy Trial rights between June 2, 2021 and the next Status Hearing on August 16, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is October 24, 2021 and his new 90-day deadline is November 14, 2021. Signed by Judge Colleen Kollar-Kotelly on 6/3/21. (lcckk3) (Entered: 06/03/2021)</p>

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
06/13/2021 22:42:31			
<b>PACER Login:</b>	jcburn84	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:21-cr-00181-CKK
<b>Billable Pages:</b>	6	<b>Cost:</b>	0.60