

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00180-RJL-1**

Case title: USA v. COSTIANES

Date Filed: 03/03/2021

Magistrate judge case number: 1:21-mj-00196-GMH

Assigned to: Judge Richard J. Leon

Defendant (1)**ELIAS N. COSTIANES**

represented by **Joseph Roll Conte**
LAW OFFICE OF J.R. CONTE
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: *CJA Appointment*

Pending Counts

18:1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT;
Obstruction of Congress and Aiding and Abetting
(1)
18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and
Remaining in a Restricted Building or Grounds
(2)
18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly
and Disruptive Conduct in a Restricted Building or Grounds
(3)
40:5104(e)(2)(B); FEDERAL STATUTES, OTHER; Entering and Remaining in
the Gallery of Congress
(4)
40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a
Capitol Building
(5)
40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or
Picketing in a Capitol Building
(6)

Disposition**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

COMPLAINT in Violation of 18:1512(c)(2), 18:1752(a)(1) and (2) and 40:5104(e)(2)(D) and (G)

Disposition**Plaintiff**

USA

represented by **John Witherspoon Borchert**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
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Date Filed	#	Docket Text
02/03/2021	<u>1</u>	SEALED COMPLAINT as to ELIAS N. COSTIANES (1). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:21-mj-00196-GMH] (Entered: 02/03/2021)
02/03/2021	<u>3</u>	MOTION to Seal Case by USA as to ELIAS N. COSTIANES. (Attachments: # <u>1</u> Text of Proposed Order)(zltp) [1:21-mj-00196-GMH] (Entered: 02/03/2021)
02/03/2021	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to ELIAS N. COSTIANES (1). Signed by Magistrate Judge G. Michael Harvey on 2/3/2021. (zltp) [1:21-mj-00196-GMH] (Entered: 02/03/2021)
02/12/2021		Arrest of ELIAS N. COSTIANES. (ztl) [1:21-mj-00196-GMH] (Entered: 02/16/2021)
02/12/2021	<u>5</u>	Arrest Warrant Returned Executed on 2/12/2021 as to ELIAS N. COSTIANES. (ztl) [1:21-mj-00196-GMH] (Entered: 02/16/2021)
02/12/2021		ORAL MOTION to Appoint Counsel by ELIAS N. COSTIANES. (ztl) [1:21-mj-00196-GMH] (Entered: 02/16/2021)
02/12/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to ELIAS N. COSTIANES held on 2/12/2021. Oral Motion to Appoint Counsel by ELIAS N. COSTIANES (1); heard and granted. Government did not request detention. Preliminary Hearing set for 3/4/2021 at 10:30 AM by Telephonic/VTC before Magistrate Judge Zia

		M. Faruqui. Bond Status of Defendant: Defendant Release/Release Issued; Court Reporter: Jeff Hook; Defense Attorney: Joseph Conte; US Attorney: John Borchert; Pretrial Officer: John Copes.(ztl) [1:21-mj-00196-GMH] (Entered: 02/16/2021)
02/12/2021	18	ORDER Setting Conditions of Release as to ELIAS N. COSTIANES (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 2/12/2021. (ztl) # 1 Appearance Bond (ztl). (Entered: 04/20/2021)
03/02/2021	6	MOTION to Unseal Case by USA as to ELIAS N. COSTIANES. (Attachments: # 1 Text of Proposed Order)(bb) [1:21-mj-00196-GMH] (Entered: 03/02/2021)
03/03/2021		MINUTE ORDER granting 6 Motion to Unseal Case as to ELIAS N. COSTIANES (1), DIRECTING the Clerk's Office to unseal this case. SO ORDERED. Signed by Magistrate Judge Zia M. Faruqui on 3/3/2021. (ztl) [1:21-mj-00196-GMH] (Entered: 03/03/2021)
03/03/2021		Case unsealed as to ELIAS N. COSTIANES. (ztl) [1:21-mj-00196-GMH] (Entered: 03/03/2021)
03/03/2021	7	INDICTMENT as to ELIAS N. COSTIANES (1) count(s) 1, 2, 3, 4, 5, 6. (bb) (Entered: 03/04/2021)
03/04/2021	9	NOTICE of Filing -- Defendant's Discovery Request by ELIAS N. COSTIANES (Attachments: # 1 Exhibit Defendant's Discovery Request)(Conte, Joseph) (Entered: 03/04/2021)
03/04/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui:Arraignment as to ELIAS N. COSTIANES (1) held on 3/4/2021 as to Counts 1,2,3,4,5, and 6 of the Indictment. Plea of Not Guilty entered as to all counts. Conditions of Release Modified. Parties are directed to contact the chambers of Judge Leon for a status hearing date. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctm 4; [10:30-10:40]; Defense Attorney: Joseph Conte; US Attorney: John Borchert. (ztl) (Entered: 03/06/2021)
03/08/2021		MINUTE ORDER as to ELIAS N. COSTIANES. The parties shall appear for an Initial Status Conference in Courtroom 18 on March 12, 2021 at 3:00 PM. Signed by Judge Richard J. Leon on 3/8/2021. (zjd) (Entered: 03/08/2021)
03/11/2021	10	MOTION to Appear Remotely for Status Hearing by USA as to ELIAS N. COSTIANES. (Attachments: # 1 Text of Proposed Order)(Borchert, John) (Entered: 03/11/2021)
03/12/2021	11	Unopposed MOTION to Continue and to Exclude Time under the Speedy Trial Act by USA as to ELIAS N. COSTIANES. (Attachments: # 1 Text of Proposed Order Proposed Order) (Borchert, John) (Entered: 03/12/2021)
03/12/2021		MINUTE ORDER as to ELIAS N. COSTIANES. Upon consideration of the United States' 10 Motion Requesting to Appear Remotely for Status Hearing and 11 Motion to Continue to and to Exclude Time Under the Speedy trial Act, the Court having been informed by government counsel, that there will be government counsel present in the Courtroom, it is hereby ORDERED that the 10 11 Motions be DENIED. The Status Hearing in this case remains scheduled for 3/12/2021 at 3:00 PM in Courtroom #18, and all parties must appear in person. Signed by Judge Richard J. Leon on 3/12/2021. (jth) (Entered: 03/12/2021)
03/12/2021		Minute Entry for proceedings held before Judge Richard J. Leon: Status Conference as to ELIAS N. COSTIANES held on 3/12/2021. The Court makes a finding that it is in the Interests of Justice that the time between 3/12/2021 and 4/6/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another (IN-PERSON) Status Conference is set for 4/6/2021 at 4:00 PM in Courtroom 18 before Judge Richard J. Leon. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond (PR); Court Reporter: Lorraine Herman; Defense Attorney: Joseph Roll Conte; US Attorney: Jonathan Hooks standing in for John Witherspoon Borchert; Pretrial Services Agency Officer: Christine Schuck. (jth) (Entered: 03/12/2021)
03/12/2021	13	MOTION to Exclude Time Under Speedy Trial Act by USA as to ELIAS N. COSTIANES. (See Docket Entry 11 to view document). (znmw) (Entered: 03/23/2021)
04/06/2021		Minute Entry for proceedings held before Judge Richard J. Leon: Status Conference as to ELIAS N. COSTIANES held on 4/6/2021. A further Status Conference is set for 5/19/2021 at 3:00 PM in Courtroom 18 before Judge Richard J. Leon. The Court makes a finding that it is in the Interests of Justice that the time between 4/6/2021 and 5/19/2021 shall be excluded from the Speedy Trial Act calculation. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Joseph R. Conte; US Attorney: John W. Borchert; Pretrial Officer: John Copes (via phone). (hmc) (Entered: 04/06/2021)
04/09/2021	15	Unopposed MOTION for Protective Order by USA as to ELIAS N. COSTIANES. (Attachments: # 1 Text of Proposed Order)(Borchert, John) (Entered: 04/09/2021)
04/15/2021	16	PROTECTIVE ORDER as to ELIAS N. COSTIANES governing discovery materials. Signed by Judge Richard J. Leon on 4/14/2021. (hmc) (Entered: 04/15/2021)
04/16/2021	17	NOTICE of Filing -- Signed Protective Order by ELIAS N. COSTIANES re 16 Order on Motion for Protective Order (Attachments: # 1 Exhibit Signed Protective Order)(Conte, Joseph) (Entered: 04/16/2021)
05/19/2021		MINUTE ORDER as to ELIAS N. COSTIANES. The Status Conference in this case presently set for 05/19/2021 at 3:00 PM is hereby rescheduled to 05/19/2021 at 3:30 PM in Courtroom 18 before Judge Richard J. Leon (same date, new starting time). SO ORDERED. Signed by Judge Richard J. Leon on 05/19/2021. (zjd) (Entered: 05/19/2021)
05/19/2021		Minute Entry for proceedings held before Judge Richard J. Leon: Status Conference as to ELIAS N. COSTIANES held on 5/19/2021. A further Status Conference is set for 6/18/2021 at 3:00 PM in Courtroom 18 before Judge Richard J. Leon. The Court makes a finding that it is in the Interests of Justice that the time between 5/19/2021 and 6/18/2021 shall be excluded from the Speedy Trial Act calculation. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Jeff Hook; Defense Attorney: Joseph R. Conte; US Attorney: John W. Borchert. (zjd) (Entered: 05/19/2021)
06/17/2021		MINUTE ORDER as to ELIAS N. COSTIANES. The Status Conference in this case presently set for 06/18/2021 at 3:00 PM in Courtroom 18 before Judge Richard J. Leon is VACATED and will be rescheduled by the Court for a date and time to be determined. SO ORDERED. Signed by Judge Richard J. Leon on 06/17/2021. (hmc) (Entered: 06/17/2021)

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