

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00041-CJN-2**

Case title: USA v. FITCHETT, ET AL

Date Filed: 01/15/2021

Magistrate judge case number: 1:21-mj-00012-GMH

Assigned to: Judge Carl J. Nichols

Defendant (2)

MICHAEL THOMAS CURZIO

represented by **A. Eduardo Balarezo**
BALAREZO LAW
400 Seventh Street, NW
Suite 306
Washington, DC 20004
(202) 639-0999
Fax: (202) 639-0899
Email: filings@balarezolaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

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

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

40:5104(e)(2)(A); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly Conduct in a Capitol Building
(3)

40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating , or Picketing in a Capitol Building
(4)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. 1752(a); 40 U.S.C. 5104(e)(2)

Disposition

Plaintiff

USA

represented by **Seth Adam Meinero**
DOJ-USAO
555 4th St., NW
Washington, DC 20904
(202) 252-5847
Email: seth.meinero@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Susan Lehr
DOJ-USAO
1620 Dodge Street
Suite 1400
Omaha, NE 68102-1506
402-661-3700
Email: susan.lehr@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Tara Ravindra
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
Violent Crime Narcotics Trafficking Section
555 4th Street NW
Washington, DC 20530
(202) 252-7672
Email: tara.ravindra@usdoj.gov
TERMINATED: 03/16/2021
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/07/2021	1	SEALED COMPLAINT as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6). (Attachments: # 1 Statement of Facts) (zltf) Modified Defendants on 1/8/2021 (zltf). [1:21-mj-00012-GMH] (Entered: 01/08/2021)

01/14/2021		Arrest of Defendant MICHAEL THOMAS CURZIO (2) in the U.S. District Court for the Middle District of Florida. (bb) Modified on 3/11/2021 (kk). (Entered: 02/03/2021)
01/15/2021	7	INFORMATION as to CINDY FITCHETT (1) count(s) 1, 2, 3, 4, MICHAEL THOMAS CURZIO (2) count(s) 1, 2, 3, 4, DOUGLAS SWEET (3) count(s) 1, 2, 3, 4, TERRY BROWN (4) count(s) 1, 2, 3, 4, BRADLEY FRANCIS RUKSTALES (5) count(s) 1, 2, 3, 4, THOMAS GALLGHER (6) count(s) 1, 2, 3, 4. (bb) (Main Document 7 replaced on 1/19/2021) (bb). [1:21-mj-00012-GMH] (Entered: 01/17/2021)
01/16/2021		Case unsealed as to MICHAEL THOMAS CURZIO, TERRY BROWN, THOMAS GALLGHER (bb) [1:21-mj-00012-GMH] (Entered: 01/17/2021)
01/19/2021	21	Rule 5(c)(3) Documents Received as to MICHAEL THOMAS CURZIO from US District Court for the Middle District of Florida Case Number 5:21-MJ-1009-PRL (bb) (Entered: 02/03/2021)
01/21/2021	10	Amended INFORMATION by USA as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) re 7 Information - Felony, (bb) Modified on 1/27/2021 to add defendant numbers.(ztnr) [1:21-mj-00012-GMH] (Entered: 01/22/2021)
02/04/2021	23	NOTICE OF ATTORNEY APPEARANCE: A. Eduardo Balarezo appearing for MICHAEL THOMAS CURZIO (Balarezo, A.) (Entered: 02/04/2021)
02/04/2021	53	Arrest Warrant, dated 1/7/2021, returned executed on 2/4/2021 in the U.S. District Court for the District of Columbia as to Defendant MICHAEL THOMAS CURZIO (2). (kk) Modified on 3/11/2021 (kk). (zkk). (Entered: 03/11/2021)
02/04/2021		ORAL MOTION by Defendant MICHAEL THOMAS CURZIO (2) to Appoint Counsel. (kk) (Entered: 03/11/2021)
02/04/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act as to Defendant MICHAEL THOMAS CURZIO (2). (kk) (Entered: 03/11/2021)
02/04/2021		Minute Entry for Initial Appearance and Arraignment as to MICHAEL THOMAS CURZIO (2) held by video before Magistrate Judge Robin M. Meriweather on 2/4/2021 : The Court advised the Government of its due process obligations under Rule 5(f). The defendant agreed to appear by video. Oral Motion by Defendant to Appoint Counsel, heard and granted. Although the defendant may try to retain counsel, the defendant was found provisionally eligible for court appointed counsel. Criminal Justice Act Panel attorney Eduardo Balarezo appointed to represent MICHAEL THOMAS CURZIO (2). Plea of Not Guilty entered by MICHAEL THOMAS CURZIO (2) to Counts 1, 2, 3 and 4. A detention hearing was already held for the defendant in the Middle District of Florida. Judge Nichols' courtroom deputy will contact counsel regarding a status hearing date before the trial court. Oral Motion by USA to Exclude Time Under the Speedy Trial Act, with an objection by the defense, heard and granted in the interest of justice from 2/4/2021 until 2/11/2021 over the defense's objection. Bond Status of Defendant: Defendant committed/commitment issued. Court Reporter: FTR Gold - Ctrm. 24A; FTR Time Frame: 4:09:40 - 4:22:00. Defense Attorney: Eduardo Balarezo; U.S. Attorney: Kelly Smith for Tara Ravindra; Pretrial Officer: Andre Sidbury. (kk) Modified on 3/11/2021 (kk). (Entered: 03/11/2021)
02/09/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO: Bond Hearing set for 2/19/2021 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 2/9/2021. (zcal) (Entered: 02/09/2021)
02/10/2021		Set/Reset Deadlines/Hearings as to MICHAEL THOMAS CURZIO: Status Conference RESET for 2/19/2021 at 09:45 AM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 02/10/2021)
02/10/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Telephone Status Conference set for 3/19/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 2/10/2021. (zcal) (Entered: 02/10/2021)
02/14/2021	29	MOTION for Bond Review by MICHAEL THOMAS CURZIO. (Balarezo, A.) (Entered: 02/14/2021)
02/14/2021	30	Supplemental MOTION for Bond Review by MICHAEL THOMAS CURZIO. (Attachments: # 1 Exhibit)(Balarezo, A.) (Entered: 02/14/2021)
02/17/2021	31	NOTICE OF ATTORNEY APPEARANCE Seth Adam Meirero appearing for USA. (Meirero, Seth Adam) (Entered: 02/17/2021)
02/17/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO. After review of Defendant's 29 Motion for Modification of Pretrial Detention Order, it is hereby ORDERED that the Government shall file any response no later than February 18, 2021, at 3:00 p.m. Signed by Judge Carl J. Nichols on February 17, 2021. (lccjn1) (Entered: 02/17/2021)
02/17/2021		Set/Reset Deadlines as to MICHAEL THOMAS CURZIO: Government Response due by 2/18/2021 at 3:00 PM. (zcal) (Entered: 02/18/2021)
02/18/2021	32	Memorandum in Opposition by USA as to MICHAEL THOMAS CURZIO re 29 MOTION for Bond Review (Ravindra, Tara) (Entered: 02/18/2021)
02/19/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Bond Hearing as to MICHAEL THOMAS CURZIO (2) held on 2/19/2021. Motions 29 and 30 ; Taken under advisement. Transcripts from hearing in Middle District of Florida to be filed as soon as possible. Government's Supplemental Brief due the day after. Defense's Supplemental Brief due 5 days after Government's Brief is filed. Speedy Trial as to MICHAEL THOMAS CURZIO (2) is Excluded from 2/19/2021 to 3/19/2021, in the Interest of Justice, XT. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: A. Eduardo Balarezo; US Attorney: Tara Ravindra and Seth Meirero; Pretrial Officer: Christine Schuck. (zcal) (Entered: 02/19/2021)
02/25/2021	33	NOTICE OF FILING OF PRIOR HEARING TRANSCRIPTS by USA as to MICHAEL THOMAS CURZIO (Attachments: # 1 Exhibit Hearing Transcript - 1/14/2021, # 2 Exhibit Hearing Transcript - 1/19/2021)(Meirero, Seth Adam) (Entered: 02/25/2021)
02/26/2021	34	SUPPLEMENTAL Memorandum in Opposition by USA as to MICHAEL THOMAS CURZIO re 29 MOTION for Bond Review (Supplemental Opposition) (Meirero, Seth Adam) Modified Text on 3/1/2021 (zhsj). (Entered: 02/26/2021)
03/03/2021	35	RESPONSE re 34 by MICHAEL THOMAS CURZIO TO GOVERNMENT'S SUPPLEMENTAL OPPOSITION TO DEFENDANT'S MOTION FOR MODIFICATION OF PRE-TRIAL DETENTION ORDER (Balarezo, A.) Modified to add link on 3/11/2021 (znmw). (Entered: 03/03/2021)
03/05/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO (2): Video Motion Hearing set for 3/9/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 3/5/2021. (zcal) (Entered: 03/05/2021)
03/05/2021		Set/Reset Hearings as to MICHAEL THOMAS CURZIO: Video Motion Hearing RESET for 3/9/2021 at 09:45 AM in Telephonic/VTC before Judge Carl J. Nichols. Note time change. (zcal) (Entered: 03/05/2021)
03/09/2021		Minute Order and Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing as to MICHAEL THOMAS CURZIO held on 3/9/2021 re 29 MOTION for Bond Review and 30 Supplemental MOTION for Bond Review filed by MICHAEL THOMAS CURZIO. 29 Motion for Bond and 30 Motion for Bond as to MICHAEL THOMAS CURZIO (2); Denied for reasons set forth on the record. Further Order to be issued by the Court. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Crystal Pilgrim; Defense Attorney: A. Eduardo Balarezo; US Attorney: Seth Meirero and Tara Ravindra; Pretrial Officer: Christine Schuck. (zcal) (Entered: 03/09/2021)
03/16/2021	37	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Ravindra, Tara) (Entered: 03/16/2021)
03/16/2021	38	NOTICE OF FILING - FIRST REQUEST FOR DISCOVERY by MICHAEL THOMAS CURZIO (Attachments: # 1 Exhibit)(Balarezo, A.) (Entered: 03/16/2021)
03/17/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Status Conference RESET for 3/30/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 3/17/2021. (zcal) (Entered: 03/17/2021)
03/24/2021	40	MOTION to Continue and to Exclude Time under Speedy Trial Act by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meirero, Seth Adam) (Entered: 03/24/2021)
03/24/2021	41	MOTION to Exclude Time by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (See docket entry 40 to view document). (zstd) (Entered: 03/26/2021)
03/27/2021	42	MOTION for Protective Order by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meirero, Seth Adam) (Entered: 03/27/2021)
03/29/2021	46	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # 1 Preliminary-Discovery Letter (Mar. 29, 2021))(Meirero, Seth Adam) (Entered: 03/29/2021)
03/30/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 3/30/2021. Arraignment as to BRADLEY FRANCIS RUKSTALES (5) as to Counts 1,2,3,4 held on 3/30/2021. Not Guilty Plea Entered as to all counts. Further Orders to be issued by the Court. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance. Defendant 2 remains Committed.; Court Reporter: Lorraine Herman; Defense Attorney: Liza Yang and Peter Greenspun (1), A. Eduardo Balarezo (2), Cara Halverson (3), Sara Lockwood (4), David Benowitz, Shawn Sukumar, Rammy Barbari, and Serguel Akiti (5), Sebastian Norton, I (6); US Attorney: Seth Meirero; Pretrial Officer: Masharia Holman. (zcal) (Entered: 03/30/2021)
04/06/2021		MINUTE ORDER. After review of the government's 42 Motion for Protective Order, it is hereby ORDERED that the Motion is DENIED without prejudice. While the Court is otherwise prepared to approve the proposed Protective Order, paragraph 4.d, for the filing of documents under seal, appears to be inconsistent with Local Rule of Criminal Procedure 49(f)(6)(i), which requires an accompanying motion for leave to file under seal. Signed by Judge Carl J. Nichols on April 6, 2021. (lccjn1) (Entered: 04/06/2021)

04/06/2021	49	Unopposed MOTION for Protective Order (<i>Resubmitted</i>) by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 04/06/2021)
04/09/2021	50	MOTION for Reconsideration of <i>Pre-Trial Detention Order</i> by MICHAEL THOMAS CURZIO. (Attachments: # 1 Text of Proposed Order)(Balarezo, A.) (Entered: 04/09/2021)
04/12/2021	51	ORDER granting 40 Motion to Continue. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021	52	PROTECTIVE ORDER. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): After oversight of the holiday, the Status Conference is RESET for 6/1/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 4/12/2021. (zcal) (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO (2). After review of Defendant Michael Curzio's 50 Motion for Reconsideration of the Court's Pre-Trial Detention Order, it is hereby ORDERED that the government shall file its opposition to the motion by April 15, 2021, and Defendant shall file any reply to the government's opposition by April 19, 2021. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO (2). It is hereby ORDERED that a videoconference hearing on Defendant Michael Curzio's 50 Motion for Reconsideration of the Court's Pre-Trial Detention Order shall be set for April 20, 2021, at 3:30 p.m. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021		Set/Reset Deadlines as to MICHAEL THOMAS CURZIO (2): Government Response due by 4/15/2021. Defendant's Reply due by 4/19/2021. (zcal) (Entered: 04/13/2021)
04/13/2021		Set/Reset Hearings as to MICHAEL THOMAS CURZIO (2): Bond Hearing RESET for 4/21/2021 03:30 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 04/13/2021)
04/15/2021	54	Memorandum in Opposition by USA as to MICHAEL THOMAS CURZIO re 50 MOTION for Reconsideration of <i>Pre-Trial Detention Order</i> (Attachments: # 1 Transcript of 3/9/2021 Motions Hearing)(Meinero, Seth Adam) (Entered: 04/15/2021)
04/19/2021	55	REPLY by MICHAEL THOMAS CURZIO TO GOVERNMENT'S OPPOSITION TO DEFENDANT'S 50 MOTION FOR RECONSIDERATION OF PRETRIAL DETENTION ORDER (Balarezo, A.) Modified on 4/20/2021 to link motion (zstd). (Entered: 04/19/2021)
04/21/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Bond Hearing as to MICHAEL THOMAS CURZIO held on 4/21/2021. 50 Motion for Reconsideration as to MICHAEL THOMAS CURZIO (2); heard and DENIED by the Court, for the reasons set forth on the record. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: A. Eduardo Balarezo; US Attorney: Seth Meinero; Pretrial Officer: Christine Schuck. (1 Government Exhibit and 1 Defense Exhibit) (zcal) (Entered: 04/21/2021)
04/23/2021	58	NOTICE of Filing - Acceptance of Protective Order Governing Discovery by MICHAEL THOMAS CURZIO (Attachments: # 1 Exhibit)(Balarezo, A.) (Entered: 04/23/2021)
05/18/2021	59	Unopposed MOTION for Disclosure of Items Protected by Rule 6(e) and Sealed Materials by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 05/18/2021)
05/24/2021	60	NOTICE OF ATTORNEY APPEARANCE Susan Lehr appearing for USA. (Lehr, Susan) (Entered: 05/24/2021)
05/25/2021	61	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # 1 Preliminary-Discovery Letter (5.25.2021))(Meinero, Seth Adam) (Entered: 05/25/2021)
05/28/2021		MINUTE ORDER. After review of the United States' 59 Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials, it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that the United States may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e) and sealed materials pursuant to the previously entered protective order governing discovery. It is further ORDERED that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Carl J. Nichols on May 28, 2021. (lccjn1) (Entered: 05/28/2021)
06/01/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 6/1/2021. Speedy Trial as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) is Excluded from 6/1/2021 to 7/1/2021, in the Interest of Justice, XT. Status Conference set for 7/1/2021 at 09:45 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance, Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), A. Eduardo Balarezo (2), Cara Halverson (3), Sarah Lockwood (4), David Benowitz, Rammy Barbari, and Shawn Sukumar (5), and Sebastian Norton, I (6); US Attorney: Seth Meinero. (zcal) (Entered: 06/01/2021)

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