

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00090-PLF-1

Case title: USA v. DEGRAVE

Date Filed: 02/05/2021

Magistrate judge case number: 1:21-mj-00184-ZMF

Assigned to: Judge Paul L. Friedman

Appeals court case number: 21-3030

Defendant (1)**NATHANIEL J. DEGRAVE***also known as*

NATHAN DEGRAVE

represented by **Joanne D. Slaight**

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: CJA Appointment***Pending Counts**18 U.S.C. 111(a)(1); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
(1)18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder
(2)18 U.S.C. 1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR
INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(3)18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT;
Entering and Remaining in a Restricted Building or Grounds
(4)18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a Restricted Building or Grounds
(5)40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in
a Capitol Building
(6)40 U.S.C. 5104(e)(2)(E); FEDERAL STATUTES, OTHER; Impeding Passage
Through the Capitol Grounds or Buildings
(7)40 U.S.C. 5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Physical
Violence in a Capitol Grounds or Buildings
(8)40 U.S.C. 5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading,
Demonstrating, or Picketing in a Capitol Building
(9)**Disposition****Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

ComplaintsCOMPLAINT in Violation of 18:1752(a)(1)&(2), 40:5104(e)(2)(D),(E),(F)&(G)
and 18:231(a)(3)**Disposition****Plaintiff**

USA

represented by **Jessica Arco**

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant U.S. Attorney***Kaitlin Ann Vaillancourt**

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TERMINATED: 02/16/2021**LEAD ATTORNEY**

Date Filed	#	Docket Text
01/28/2021	1	COMPLAINT as to NATHANIEL J. DEGRAVE (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00184-ZMF] (Entered: 01/28/2021)
01/28/2021		Arrest of NATHANIEL J. DEGRAVE in US District Court District of Nevada (Las Vegas). (bb) (Entered: 04/01/2021)
02/02/2021	3	NOTICE OF ATTORNEY APPEARANCE Jessica Arco appearing for USA. (Arco, Jessica) [1:21-mj-00184-ZMF] (Entered: 02/02/2021)
02/05/2021	4	INDICTMENT as to NATHANIEL J. DEGRAVE (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9. (zltf) (Entered: 02/08/2021)
02/16/2021	7	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Arco, Jessica added. Substituting for attorney Kaitlin Vaillancourt (Arco, Jessica) (Entered: 02/16/2021)
02/21/2021	8	NOTICE OF ATTORNEY APPEARANCE: Joanne D. Slight appearing for NATHANIEL J. DEGRAVE (Slight, Joanne) (Entered: 02/21/2021)
02/25/2021	9	Consent MOTION for Protective Order by USA as to NATHANIEL J. DEGRAVE. (Attachments: # 1 Proposed Order)(Arco, Jessica) (Entered: 02/25/2021)
03/08/2021	10	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to defendant NATHANIEL J. DEGRAVE. (Signed by Judge Paul L. Friedman on 3/8/2021) (tj) (Entered: 03/08/2021)
03/10/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: Arraignment/Bond Hearing set for 3/16/2021 at 1:00 PM before Judge Paul L. Friedman via ZOOM Video. (Signed by Judge Paul L. Friedman on 3/10/2021). (tj) (Entered: 03/10/2021)
03/10/2021		MINUTE ORDER: In light of the fact that Magistrate Case for defendant NATHANIEL J. DEGRAVE has closed and merged into Criminal Number 21-90, and an indictment has been filed, there are no additional matters necessitating action by a magistrate judge. If a hearing has not been scheduled before the assigned district judge, the parties are respectfully directed to contact the chambers of the assigned district judge to schedule a hearing. Signed by Magistrate Judge Zia M. Faruqi on 3/10/2021. (ztl) (Entered: 03/10/2021)
03/16/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Arraignment as to NATHANIEL J. DEGRAVE held on 3/16/2021. Defendant enters a plea of NOT GUILTY to Counts 1, 2, 3, 4, 5, 6, 7, 8 and 9. Government Brief on defendant's detention due by 3/19/2021. Defendant's Response due by 3/23/2021. Speedy trial excluded (XT) from 3/16/2021 to 3/25/2021 in the interest of justice. Bond Hearing set for 3/25/2021 @ 2:30 PM before Judge Paul L. Friedman via ZOOM video. Bond Status of Defendant: Committed/Defendant consents to appearance by video; Court Reporter: Cathryn Jones; Defense Attorney: Joanne Slight; US Attorney: Jessica Arco; Pretrial Officer: Andre Sidbury; (tj) (Entered: 03/16/2021)
03/16/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: Pursuant to the Due Process Protections Act, the Court orders 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. (So Ordered Judge Paul L. Friedman on 3/16/2021) (tj) (Entered: 03/16/2021)
03/19/2021	13	MEMORANDUM in Opposition to Defendant's Motion for Bond by USA as to NATHANIEL J. DEGRAVE. (Attachments: # 1 Exhibit A)(Arco, Jessica) Modified Text on 3/22/2021 (zhsj). (Entered: 03/19/2021)
03/23/2021	14	REPLY TO OPPOSITION to Motion by NATHANIEL J. DEGRAVE re 13 Memorandum in Opposition to Motion for Bond (Attachments: # 1 Exhibit Exhibits B, C, D)(Slight, Joanne) Modified on 3/25/2021 (znmw). (Entered: 03/23/2021)
03/24/2021	16	SUPPLEMENT by NATHANIEL J. DEGRAVE re 14 to Reply - Application for Release (Slight, Joanne) Modified to add link on 3/25/2021 (znmw). (Entered: 03/24/2021)
03/24/2021	21	Rule 5(c)(3) Documents Received as to NATHANIEL J. DEGRAVE from US District Court District of Nevada (Las Vegas) Case Number 2:21-mj-109- DJA (bb) (Entered: 04/01/2021)
03/25/2021	17	MOTION to Seal Case by USA as to NATHANIEL J. DEGRAVE. (Attachments: # 1 Exhibit A)(Arco, Jessica) (Entered: 03/25/2021)
03/25/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Detention Hearing as to NATHANIEL J. DEGRAVE held on 3/25/2021. Oral argument heard on defendant's motion for bond, and the detention hearing is continued to 4/2/2021 at 10:00 AM before Judge Paul L. Friedman via Zoom Video. Any further documents shall be filed by 3/31/2021. Bond Status of Defendant: Committed/Defendant consents to appear by video; Court Reporter: Cathryn Jones; Defense Attorney: Joanne D. Slight; US Attorney: Jessica Arco; Pretrial Officer: DaShanta Valentine Lewis; (tj) (Entered: 03/25/2021)
03/25/2021	18	ORDER granting 17 Motion to Seal as to NATHANIEL J. DEGRAVE. Signed by Judge Paul L. Friedman on March 25, 2021. (lcaf) (Entered: 03/25/2021)
03/31/2021	19	SUPPLEMENT by USA as to NATHANIEL J. DEGRAVE re 13 MOTION to Commit Defendant to Custody of Attorney General (Arco, Jessica) (Entered: 03/31/2021)
03/31/2021	20	SUPPLEMENT by NATHANIEL J. DEGRAVE Application for Release (Attachments: # 1 Exhibit Exhibits A - D)(Slight, Joanne) (Entered: 03/31/2021)
04/01/2021	23	MEMORANDUM OPINION AND ORDER as to NATHANIEL J. DEGRAVE vacating the detention hearing previously scheduled for 4/2/2021 and excluding time under the Speedy Trial Act until the detention hearing is rescheduled. Signed by Judge Paul L. Friedman on April 1, 2021. (lcaf) (Entered: 04/01/2021)
04/02/2021	24	MEMORANDUM in Opposition to introduction of YouTube Video by NATHANIEL J. DEGRAVE. (Slight, Joanne) Modified Text on 4/5/2021 (zhsj). (Entered: 04/02/2021)
04/02/2021	25	MEMORANDUM in Opposition re 24 Exclusion of Time Under Speedy Trial Act by NATHANIEL J. DEGRAVE. (Slight, Joanne) Modified Text on 4/5/2021 (zhsj). (Entered: 04/02/2021)
04/08/2021	26	Unopposed MOTION for Disclosure of 6(e) materials by USA as to NATHANIEL J. DEGRAVE. (Attachments: # 1 Proposed Order)(Arco, Jessica) (Entered: 04/08/2021)
04/08/2021	27	ORDER as to NATHANIEL J. DEGRAVE (1) granting 26 the government's unopposed motion for an order to disclose grand jury materials. Signed by Judge Paul L. Friedman on April 8, 2021. (MA) (Entered: 04/08/2021)
04/14/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: Bond Hearing rescheduled for 4/26/2021 at 3:00 PM before Judge Paul L. Friedman via Zoom Video) (So Ordered Judge Paul L. Friedman on 4/14/2021). (tj) (Entered: 04/14/2021)
04/14/2021	28	MEMORANDUM OPINION AND ORDER as to NATHANIEL J. DEGRAVE concerning submission of materials in advance of detention hearing scheduled for 4/26/2021. Signed by Judge Paul L. Friedman on April 14, 2021. (lcaf) (Entered: 04/14/2021)
04/23/2021	29	SUPPLEMENT to Opposition by USA as to NATHANIEL J. DEGRAVE re 13 MOTION to Commit Defendant to Custody of Attorney General (Arco, Jessica) Modified Text on 4/26/2021 (zhsj). (Entered: 04/23/2021)
04/23/2021	30	SUPPLEMENT by NATHANIEL J. DEGRAVE Application for Modification of Pretrial Detention (Attachments: # 1 Exhibit Exhibits A - F)(Slight, Joanne) (Entered: 04/23/2021)
04/23/2021	31	Opposition to Introduction of Additional Videos by NATHANIEL J. DEGRAVE. (Slight, Joanne) Modified Text on 4/26/2021 (zhsj). (Entered: 04/23/2021)
04/23/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: The Court has reviewed 31 Defendant Nathaniel J. DeGrave's Motion to Oppose Introduction of Additional Videos. If defense counsel believes the defense will be prejudiced by the inability to review the videos referenced with Mr. DeGrave ahead of the detention hearing, the Court will accommodate this concern by continuing the detention hearing if defense counsel so requests. Signed by Judge Paul L. Friedman on April 23, 2021. (lcaf) (Entered: 04/23/2021)
04/25/2021	32	Reply to Court Order of April 23, 2021 by NATHANIEL J. DEGRAVE. (Slight, Joanne) Modified Event on 4/26/2021 (zhsj). (Entered: 04/25/2021)
04/26/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: The Court understands the government's position to be that a detention hearing is appropriate in this case pursuant to 18 U.S.C. § 3142(f)(2)(B) based on a serious risk of obstruction of justice. At the hearing at 3:00 p.m., the government is directed to be prepared to address the basis for holding a detention hearing in this case. Signed by Judge Paul L. Friedman on April 26, 2021. (lcaf) (Entered: 04/26/2021)
04/26/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Detention Hearing as to NATHANIEL J. DEGRAVE held on 4/26/2021. Oral argument heard, and the court takes the issue of defendant's detention under advisement. Bond Status of Defendant: Committed/Defendant consents to appear by video; Court Reporter: Crystal Pilgrim; Defense Attorney: Joanne D. Slight; US Attorney: Jessica Arco; (tj) (Entered: 04/26/2021)
04/27/2021	33	NOTICE Regarding Conditions of Release by NATHANIEL J. DEGRAVE (Slight, Joanne) (Entered: 04/27/2021)
05/03/2021	34	NOTICE of Change of Address by Jessica Arco (Arco, Jessica) (Entered: 05/03/2021)
05/05/2021	35	NOTICE of Filing Discovery Request to Government submitted April 19, 2021 by NATHANIEL J. DEGRAVE (Attachments: # 1 Exhibit Discovery Request to Government April 19, 2021)(Slight, Joanne) (Entered: 05/05/2021)
05/06/2021	36	MOTION for Order Immediate Bond Determination by NATHANIEL J. DEGRAVE. (Slight, Joanne) (Entered: 05/06/2021)
05/06/2021	37	MEMORANDUM OPINION AND ORDER as to NATHANIEL J. DEGRAVE granting in part 36 the defendant's Motion for Immediate Bond Determination to the extent it seeks an immediate bond determination and denying it in all other respects; denying the defendant's oral Application for Modification of Pretrial Detention and Immediate Release; and ordering the defendant NATHANIEL J. DEGRAVE detained pending trial. Signed by Judge Paul L. Friedman on May 6, 2021. (lcaf) (Entered: 05/06/2021)

05/06/2021	38	ENTERED IN ERROR.....NOTICE of Appeal - Detention Order by NATHANIEL J. DEGRAVE (Slaight, Joanne) Modified on 5/11/2021 (zhsj). (Entered: 05/06/2021)
05/06/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to NATHANIEL J. DEGRAVE re 38 Notice (Other) was entered in error and the Clerk's Office will refile said pleading. (zhsj) (Entered: 05/07/2021)
05/06/2021	39	NOTICE OF APPEAL of Conditions of Release by NATHANIEL J. DEGRAVE as to 37 Order, Memorandum Opinion. Fee Status: No Fee Paid, CJA. Parties have been notified. (zhsj) (Entered: 05/07/2021)
05/07/2021	40	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by a CJA appointed attorney as to NATHANIEL J. DEGRAVE re 39 Notice of Appeal - Conditions of Release. (zhsj) (Entered: 05/07/2021)
05/10/2021	41	TRANSCRIPT OF PROCEEDINGS in case as to NATHANIEL J. DEGRAVE before Judge Paul L. Friedman held on March 16, 2021; Page Numbers: 1 - 15. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354-3246, Transcripts may be ordered by submitting the Transcript Order Form 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. 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. Redaction Request due 5/31/2021. Redacted Transcript Deadline set for 6/10/2021. Release of Transcript Restriction set for 8/8/2021.(Jones, Cathryn) (Entered: 05/10/2021)
05/10/2021	42	TRANSCRIPT OF PROCEEDINGS in case as to NATHANIEL J. DEGRAVE before Judge Paul L. Friedman held on March 25, 2021; Page Numbers: 1 - 33. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354-3246, Transcripts may be ordered by submitting the Transcript Order Form 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. 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. Redaction Request due 5/31/2021. Redacted Transcript Deadline set for 6/10/2021. Release of Transcript Restriction set for 8/8/2021.(Jones, Cathryn) (Entered: 05/10/2021)
05/10/2021	43	TRANSCRIPT OF PROCEEDINGS in case as to NATHANIEL J. DEGRAVE before Judge Paul L. Friedman held on 04/26/2021; Page Numbers: 1-59. Date of Issuance:05/10/2021. Court Reporter/Transcriber Crystal M. Pilgrim, Telephone number 202.354.3127, Transcripts may be ordered by submitting the Transcript Order Form 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. 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. Redaction Request due 5/31/2021. Redacted Transcript Deadline set for 6/10/2021. Release of Transcript Restriction set for 8/8/2021.(Pilgrim, Crystal) (Entered: 05/10/2021)
05/13/2021		USCA Case Number as to NATHANIEL J. DEGRAVE 21-3030 for 39 Notice of Appeal - Conditions of Release filed by NATHANIEL J. DEGRAVE. (zhsj) (Entered: 05/17/2021)
05/14/2021	44	OPINION as to NATHANIEL J. DEGRAVE denying the defendant's oral Application for Modification of Pretrial Detention and Immediate Release and ordering the defendant NATHANIEL J. DEGRAVE detained pending trial. Signed by Judge Paul L. Friedman on May 14, 2021. (lcdf) (Entered: 05/14/2021)
05/14/2021	45	Unopposed MOTION to Exclude <i>Time Under the Speedy Trial Act</i> by USA as to NATHANIEL J. DEGRAVE. (Attachments: # 1 Proposed Order)(Arco, Jessica) (Entered: 05/14/2021)
05/17/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: Status Conference is set for 6/9/2021 at 10:00 AM before Judge Paul L. Friedman via Zoom Video. (Signed by Judge Paul L. Friedman on 5/17/2021) (tj) (Entered: 05/17/2021)
05/17/2021	46	ORDER as to NATHANIEL J. DEGRAVE granting 45 the United States' Unopposed Motion to Exclude Time Under the Speedy Trial Act. Time is excluded in the interests of justice from May 10, 2021 through June 9, 2021. Signed by Judge Paul L. Friedman on May 17, 2021. (lcdf) (Entered: 05/17/2021)
05/17/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: The government is directed to docket a notice of filing pursuant to Rule 49(e)(1) of the Local Criminal Rules identifying the video evidence that it has submitted to the Court in this case. Signed by Judge Paul L. Friedman on May 17, 2021. (lcdf) (Entered: 05/17/2021)
05/17/2021	47	NOTICE of Filing by USA as to NATHANIEL J. DEGRAVE (Arco, Jessica) (Entered: 05/17/2021)
06/09/2021		Minute Entry for proceedings held before Judge Paul L. Friedman:Status Conference as to NATHANIEL J. DEGRAVE held on 6/9/2021. Parties inform the court of the status of this action and possible negotiations towards a disposition. Oral motion to continue this case for a period of 30 days GRANTED. Next status conference set for 7/16/2021 at 1:00 PM before Judge Paul L. Friedman via Zoom Video. Speedy trial is excluded (XT) from 6/9/2021 to 7/16/2021 in the interest of justice. Bond Status of Defendant: Committed with consent to appear by video; Court Reporter: Lisa Bankins; Defense Attorney: Joanne Slaight; US Attorney: Jessica Arco; (tj) (Entered: 06/09/2021)
06/15/2021		MINUTE ORDER as to NATHANIEL J. DEGRAVE: A coalition of news media organizations has filed an Application for Access to Certain Sealed Video Exhibits in Miscellaneous Number 21-0075, seeking access to and permission to record, copy, download, retransmit, and otherwise further publish the video exhibits submitted in Criminal No. 21-0090. The United States and counsel for Mr. DeGrave are directed to file responses informing the Court of their positions concerning this request on or before June 25, 2021. Signed by Judge Paul L. Friedman on June 15, 2021. (lcdf) (Entered: 06/15/2021)

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