

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00120-RCL-1

Case title: USA v. FAIRLAMB

Date Filed: 02/12/2021

Magistrate judge case number: 1:21-mj-00140-RMM

Assigned to: Judge Royce C. Lamberth

Defendant (1)**SCOTT KEVIN FAIRLAMB****Pending Counts****Disposition**

18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder
(1)

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

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
(2)

18:1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR
INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(2s)

18 U.S.C. 111(a)(1); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
(3)

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
(3s)

18 U.S.C. 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
(4)

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
(4s)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a Restricted Building or Grounds
(5)

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
(5s)

18 U.S.C. 1752(a)(3); TEMPORARY RESIDENCE OF THE PRESIDENT;
Impeding Ingress and Egress in a Restricted Building or Grounds
(6)

18:1752(a)(3); TEMPORARY RESIDENCE OF THE PRESIDENT; Impeding
Ingress and Egress in a Restricted Building or Grounds
(6s)

18 U.S.C. 1752(a)(4); TEMPORARY RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a Restricted Building or Grounds
(7)

18:1752(a)(4); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in
Physical Violence in a Restricted Building or Grounds
(7s)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in
a Capitol Building
(8)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(8s)

40 U.S.C. 5104(e)(2)(E); FEDERAL STATUTES, OTHER; Impeding Passage
Through the Capitol Grounds or Buildings
(9)

40:5104(e)(2)(E); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Impeding Passage Through the Capitol Grounds or
Buildings
(9s)

40 U.S.C. 5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Physical
Violence in the Capitol Grounds or Building
(10)

40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or
Building
(10s)

40 U.S.C. 5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading,
Demonstrating, or Picketing in a Capitol Building
(11)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol
Building

(11s)

40 U.S.C. 5104(d); FEDERAL STATUTES, OTHER; Stepping, Climbing, Removing, or Injuring Property on the Capital Grounds (12)

40:5104(d); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Stepping, Climbing, Removing, or Injuring Property on the Capitol Grounds (12s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Leslie A. Goemaat**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/21/2021	1	SEALED COMPLAINT as to SCOTT KEVIN FAIRLAMB (1). (Attachments: # 1 Affidavit in Support) (zstd) [1:21-mj-00140-RMM] (Entered: 01/21/2021)
01/21/2021	2	MOTION to Seal Case by USA as to SCOTT KEVIN FAIRLAMB. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00140-RMM] (Entered: 01/21/2021)
01/21/2021	4	ORDER granting 2 Motion to Seal Case as to SCOTT KEVIN FAIRLAMB (1). Signed by Magistrate Judge Robin M. Meriweather on 1/21/2021. (zstd) [1:21-mj-00140-RMM] (Entered: 01/21/2021)
01/22/2021	5	ORDER, as to SCOTT KEVIN FAIRLAMB, GRANTING the government's 7 Motion to Stay. Signed by Chief Judge Beryl A. Howell on January 22, 2021. (lcbah4) Modified to add linkage on 1/22/2021 (ztg). [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	6	ORDER, as to SCOTT KEVIN FAIRLAMB, GRANTING the government's 8 Motion to Transport. Signed by Chief Judge Beryl A. Howell on January 22, 2021. (lcbah4) Modified to add linkage on 1/22/2021 (ztg). [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	7	MOTION for Emergency Stay and for Review and Appeal of Release Order by USA as to SCOTT KEVIN FAIRLAMB. (ztg) [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	8	MOTION for Transport Order by USA as to SCOTT KEVIN FAIRLAMB. (ztg) [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	9	ENTERED IN ERROR as a duplicate entryORDER granting 7 Motion to Stay and for Review and Appeal of a Release Order as to SCOTT KEVIN FAIRLAMB. Signed by Chief Judge Beryl A. Howell on 1/22/2021. (ztg) Modified on 1/22/2021 (ztg). [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	10	ENTERED IN ERROR as a duplicate entryORDER granting 8 Motion for Transport Order as to SCOTT KEVIN FAIRLAMB. Signed by Chief Judge Beryl A. Howell on 1/22/2021. (ztg) Modified on 1/22/2021 (ztg). [1:21-mj-00140-RMM] (Entered: 01/22/2021)
01/22/2021	16	Rule 5(c)(3) Documents Received as to SCOTT KEVIN FAIRLAMB from U.S. District for the District of New Jersey Case Number 2:21-mj-12058-JBC (zltf) (Entered: 02/19/2021)
01/22/2021		Arrest of SCOTT KEVIN FAIRLAMB in U.S. District for the District of New Jersey. (zltf) (Entered: 02/19/2021)
01/23/2021	11	MOTION to Unseal Case by USA as to SCOTT KEVIN FAIRLAMB. (Attachments: # 1 Text of Proposed Order)(bb) [1:21-mj-00140-RMM] (Entered: 01/25/2021)
01/25/2021		MINUTE ORDER granting 11 Motion to Unseal Case as to SCOTT KEVIN FAIRLAMB. Upon consideration of the government's Motion to Unseal Case, it is hereby ORDERED that this case be unsealed and entered on the public docket. Signed by Chief Judge Beryl A. Howell on 1/25/2021. (ztg) [1:21-mj-00140-RMM] (Entered: 01/25/2021)
01/25/2021		Case unsealed by Chief Judge Beryl A. Howell as to SCOTT KEVIN FAIRLAMB. (zhsj) [1:21-mj-00140-RMM] (Entered: 01/25/2021)
02/05/2021	12	NOTICE OF ATTORNEY APPEARANCE Andrew Talis Floyd appearing for USA. (Floyd, Andrew) [1:21-mj-00140-RMM] (Entered: 02/05/2021)
02/09/2021	13	NOTICE OF ATTORNEY APPEARANCE Leslie Goemaat appearing for USA. (Goemaat, Leslie) [1:21-mj-00140-RMM] (Entered: 02/09/2021)
02/12/2021	14	INDICTMENT as to SCOTT KEVIN FAIRLAMB (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12. (zltf) (Entered: 02/18/2021)
03/15/2021		MINUTE ORDER as to SCOTT KEVIN FAIRLAMB. It is hereby ORDERED that the Government shall file its brief in support of its detention appeal on or before 3/18/2021, and Defendant shall file his response on or before 3/23/2021. Signed by Judge Ketanji Brown Jackson on 3/15/2021. (jag) (Entered: 03/15/2021)
03/15/2021	17	Unopposed MOTION for Protective Order by USA as to SCOTT KEVIN FAIRLAMB. (Attachments: # 1 Text of Proposed Order)(Goemaat, Leslie) (Entered: 03/15/2021)
03/17/2021	18	MEMORANDUM in Support of Pretrial Detention by USA as to SCOTT KEVIN FAIRLAMB (Goemaat, Leslie) (Entered: 03/17/2021)
03/17/2021	19	NOTICE of Filing of Video Detention Exhibits to Government's Memorandum in Support of Detention by USA as to SCOTT KEVIN FAIRLAMB (Goemaat, Leslie) (Entered: 03/17/2021)
03/22/2021	20	Joint MOTION to Modify Deadline for Defendant's Response to Government's Memorandum in Support of Detention by USA as to SCOTT KEVIN FAIRLAMB. (Goemaat, Leslie) (Entered: 03/22/2021)
03/24/2021		MINUTE ORDER granting 20 Motion to Modify Deadline for Defendant's Response to Government's Memorandum in Support of Detention, nunc pro tunc, as to SCOTT KEVIN FAIRLAMB (1). It is hereby ORDERED that Defendant shall respond to the Government's detention filing on or before 3/30/2021. Signed by Judge Ketanji Brown Jackson on 3/24/2021. (jag) (Entered: 03/24/2021)
03/30/2021	21	MOTION for Hearing <i>Setting Status Hearing for Ascertainment of Counsel</i> by USA as to SCOTT KEVIN FAIRLAMB. (Goemaat, Leslie) Modified event title on 4/1/2021 (znmw). (Entered: 03/30/2021)
03/31/2021		MINUTE ORDER granting 21 Motion for Order Scheduling a Status Conference as to SCOTT KEVIN FAIRLAMB (1). It is hereby ORDERED that a VTC Status Conference is set for 4/8/2021 at 02:30 PM before Judge Ketanji Brown Jackson. Signed by Judge Ketanji Brown Jackson on 3/31/2021. (jag) (Entered: 03/31/2021)
04/02/2021	22	LETTER by SCOTT KEVIN FAIRLAMB "Let this be filed as a "Letter in Response to the Court Informing Counsel Who Has Yet to Enter an Appearance of a Status Conference" by Judge Ketanji Brown Jackson on 4/2/2021. (bb) (Entered: 04/02/2021)
04/07/2021	23	SUPERSEDING INDICTMENT as to SCOTT KEVIN FAIRLAMB (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s, 12s. (bb) (Entered: 04/08/2021)
04/08/2021		MINUTE ORDER as to SCOTT KEVIN FAIRLAMB. The Court previously advised the attorney who purports to represent the defendant in this matter to file the necessary paperwork to be admitted to the Bar of this Court. either pro hac or as a full member. prior to the Status Conference that is scheduled for 4/8/2021 at 2:30 PM. Because the Court has not received any

		confirmation of admission, the defendant is without official representation at this time, and it is therefore hereby ORDERED that the Status Conference set for 4/8/2021 is VACATED and will be reset at a later date. Signed by Judge Ketanji Brown Jackson on 4/8/2021. (jag) (Entered: 04/08/2021)
04/09/2021	25	Case as to SCOTT KEVIN FAIRLAMB directly reassigned to Judge Royce C. Lamberth with consent. Judge Ketanji Brown Jackson is no longer assigned to the case. (rj) (Entered: 04/09/2021)
04/09/2021		MINUTE ORDER Any filing in opposition to the government's detention memorandum shall be filed by 5:00 PM on 4/12/2021. Arraignment and Detention Hearing set for 4/13/2021 at 11:00 AM by videoconference before Judge Royce C. Lamberth. Signed by Judge Royce C. Lamberth on 4/9/2021. (lcrcl2) (Entered: 04/09/2021)
04/12/2021		MINUTE ORDER Arraignment and Detention Hearing reset for 4/13/2021 at 11:45 AM by videoconference before Judge Royce C. Lamberth. Signed by Judge Royce C. Lamberth on 4/12/2021. (lcrcl2) (Entered: 04/12/2021)
04/13/2021		Minute Entry for video Arraignment held before Judge Royce C. Lamberth as to SCOTT KEVIN FAIRLAMB on 4/13/2021. Defendant's oral motion to continue the Detention Hearing is GRANTED. Detention Hearing reset for 4/23/2021 at 2:00 PM in by VTC before Judge Royce C. Lamberth. Defendant arraigned on Counts 1s through 12s of the superseding Indictment. The Defendant enters a Plea of Not Guilty as to all counts and waives the formal reading of the indictment. Bond Status of Defendant: remains committed; Court Reporter: Nancy Meyer; Defense Attorney: Harley Breite; US Attorney: Leslie A. Goemaat. (lsj) (Entered: 04/13/2021)
04/13/2021	26	Unopposed MOTION for Order to Disclose 6(e) and Sealed Materials <i>in Discovery</i> by USA as to SCOTT KEVIN FAIRLAMB. (Goemaat, Leslie) Modified relief on 4/21/2021 (znmw). (Entered: 04/13/2021)
04/14/2021	27	ORDER granting 17 Motion for Protective Order as to SCOTT KEVIN FAIRLAMB (1). Signed by Judge Royce C. Lamberth on 4/14/2021. (lcrcl2) (Entered: 04/14/2021)
04/14/2021	28	ORDER granting 26 Motion for order authorizing disclosure under Fed. R. Crim. P. 6(e) as to SCOTT KEVIN FAIRLAMB (1). Signed by Judge Royce C. Lamberth on 4/14/2021. (lcrcl2) (Entered: 04/14/2021)
04/14/2021	29	NOTICE of Filing (<i>First Preliminary Discovery Letter</i>) by USA as to SCOTT KEVIN FAIRLAMB (Attachments: # 1 Preliminary Discovery Letter - Volume 1)(Goemaat, Leslie) (Entered: 04/14/2021)
04/21/2021	30	Memorandum in Opposition by SCOTT KEVIN FAIRLAMB re 18 Memorandum in Support of Pretrial Detention. "Let this be filed." Signed by Judge Royce C. Lamberth on 4/21/21. (bb) Modified docket text and dat filed on 5/10/2021 (znmw). (Entered: 04/22/2021)
04/23/2021		Minute Entry for proceedings held before Judge Royce C. Lamberth:Detention Hearing as to SCOTT KEVIN FAIRLAMB (1) held on 4/23/2021. Oral arguments heard in re of 7 MOTION for Emergency Stay and for Review and Appeal of Release Order by USA. Motion is GRANTED for the reasons stated in the forthcoming Memorandum Opinion. Defendant to remain COMMITTED. The Court also finds that the period from April 13, 2021 through June 23, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to SCOTT KEVIN FAIRLAMB (1). A further Status Conference is set for 6/23/2021 at 02:00 PM in Telephonic/VTC before Judge Royce C. Lamberth. Memorandum Opinion forthcoming. Bond Status of Defendant: remains COMMITTED/appeared via video; Court Reporter: Jan Dickman; Defense Attorney: Harley Breite; US Attorney: Leslie Goemaat and Gauri Gopal; Pretrial Officer: Andre Sidbury. (nbn) (Entered: 04/23/2021)
04/23/2021		Set/Reset Hearings as to SCOTT KEVIN FAIRLAMB:Status Conference set for 6/23/2021 at 02:00 PM in Telephonic/VTC before Judge Royce C. Lamberth. (nbn) (Entered: 04/23/2021)
04/23/2021		Bond Set/Reset as to SCOTT KEVIN FAIRLAMB (1) HELD WITHOUT BOND (HWOB). (nbn) (Entered: 04/23/2021)
04/26/2021	31	MEMORANDUM OPINION as to SCOTT KEVIN FAIRLAMB. Signed by Judge Royce C. Lamberth on 4/26/2021. (lcrcl2) (Entered: 04/26/2021)
04/26/2021	32	ORDER OF PRETRIAL DETENTION - Held Without Bond as to SCOTT KEVIN FAIRLAMB. Signed by Judge Royce C. Lamberth on 4/26/2021. (lcrcl2) (Entered: 04/26/2021)
05/04/2021	33	TRANSCRIPT OF PROCEEDINGS in case as to SCOTT KEVIN FAIRLAMB before Judge Royce C. Lamberth held on April 23, 2021; Page Numbers: 1-30. Date of Issuance:May 4, 2021. Court Reporter: Janice Dickman, Telephone number: 202-354-3267, 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 5/25/2021. Redacted Transcript Deadline set for 6/4/2021. Release of Transcript Restriction set for 8/2/2021.(Dickman, Janice) (Entered: 05/04/2021)
05/10/2021	34	NOTICE of Filing (<i>First Discovery Letter</i>) by USA as to SCOTT KEVIN FAIRLAMB (Attachments: # 1 Discovery Letter Volume 1)(Goemaat, Leslie) (Entered: 05/10/2021)
06/23/2021		Minute Entry for proceedings held before Judge Royce C. Lamberth: Status Conference as to SCOTT KEVIN FAIRLAMB (1) held on 6/23/2021. The Court finds that the period from June 23, 2021 through August 23, 2021, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to SCOTT KEVIN FAIRLAMB (1). Status Conference set for 8/23/2021 at 11:00 AM in Telephonic/VTC before Judge Royce C. Lamberth. Bond Status of Defendant: remains COMMITTED/appeared via video; Court Reporter: Lisa Bankins; Defense Attorney: Harley Breite; US Attorney: Leslie Goemaat. (nbn) (Entered: 06/23/2021)

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