

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00234-CJN-1

Case title: USA v. FISCHER

Date Filed: 03/19/2021

Magistrate judge case number: 1:21-mj-00237-GMH

Assigned to: Judge Carl J. Nichols

Defendant (1)

JOSEPH W. FISCHER

represented by **Eugene Ohm**
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA
625 Indiana Avenue, NW
Suite 550
Washington, DC 20004
(202) 208-7500
Fax: (202) 208-7515
Email: eugene_ohm@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Lori J. Ulrich
OFFICE OF THE FEDERAL PUBLIC DEFENDER
Middle District of Pennsylvania
100 Chestnut Street
Suite 306
Harrisburg, PA 17101
717-782-2237
Email: lori_ulrich@fd.org
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts

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

18:111(a)(1) and 2; ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
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
(3)

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and
Remaining in a Restricted Building or Grounds
(4)

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

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(6)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol
Building
(7)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:231(a)(3), 18:1752(a)(1) and (a)(2), 40:5104(e)(2)
(D) and (G) and 18:1512(c)(2)

Disposition

Disposition

Disposition

Plaintiff

USA

represented by **Alexis Jane Loeb**
U.S. ATTORNEY'S OFFICE FOR THE NORTHERN DISTRICT OF CAL
450 Golden Gate Ave.
11th Fl.
San Francisco, CA 94102
(415) 436-7168
Fax: (415) 436-7234
Email: alexis.loeb@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
02/17/2021	1	SEALED COMPLAINT as to JOSEPH W. FISCHER (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00237-GMH] (Entered: 02/17/2021)
02/17/2021	3	MOTION to Seal Case by USA as to JOSEPH W. FISCHER. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00237-GMH] (Entered: 02/17/2021)
02/17/2021	4	ORDER granting 3 Motion to Seal Case as to JOSEPH W. FISCHER (1). Signed by Magistrate Judge G. Michael Harvey on 02/17/2021. (zstd) [1:21-mj-00237-GMH] (Entered: 02/17/2021)
02/19/2021		Case unsealed as to JOSEPH W. FISCHER (bb) [1:21-mj-00237-GMH] (Entered: 02/19/2021)
02/19/2021		Arrest of JOSEPH W. FISCHER in U.S. District Court for the Middle District of Pennsylvania (Harrisburg). (zltf) [1:21-mj-00237-GMH] (Entered: 02/25/2021)
02/23/2021	5	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney McClain, Nicole E. added. Substituting for attorney Amy E. Larson (McClain, Nicole) [1:21-mj-00237-GMH] (Entered: 02/23/2021)
02/23/2021	6	Rule 5(c)(3) Documents Received as to JOSEPH W. FISCHER from U.S. District Court for the Middle District of Pennsylvania (Harrisburg) Case Number 1:21-mj-00023-SES (zltf) Modified on 2/25/2021 (zltf). [1:21-mj-00237-GMH] (Entered: 02/25/2021)
02/25/2021	10	ORDER Setting Conditions of Release : Defendant JOSEPH W. FISCHER placed on Personal Recognizance Bond, signed by Magistrate Judge Robin M. Meriweather on 2/25/2021. (kk) [1:21-mj-00237-GMH] (Additional attachment(s) added on 4/23/2021: # 1 Appearance Bond) (zkk). (Entered: 03/01/2021)
02/25/2021	14	Arrest Warrant, dated 2/17/2021, returned executed in the U.S. District Court for the District of Columbia on 2/25/2021 as to Defendant JOSEPH W. FISCHER. (zstd)[1:21-mj-00237-GMH] Modified on 3/26/2021 (kk). (Entered: 03/22/2021)
02/25/2021		ORAL MOTION by Defendant JOSEPH W. FISCHER to Appoint Counsel. (kk) (Entered: 03/26/2021)
02/25/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 2/25/2021 to 3/15/2021 as to Defendant JOSEPH W. FISCHER. (kk) (Entered: 03/26/2021)
02/25/2021		Minute Entry for Initial Appearance as to JOSEPH W. FISCHER held by video before Magistrate Judge Robin M. Meriweather on 2/25/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Oral Motion by Defendant to Appoint Counsel, heard and granted. Assistant Federal Public Defender Eugene Ohm appointed to represent JOSEPH W. FISCHER. The defendant agreed to appear by Zoom for this hearing. A preliminary hearing was held in Pennsylvania for the defendant. Status Hearing set before Magistrate Judge Zia M. Faruqi on 3/15/2021 at 1:00 pm by telephonic/VTC. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 2/25/2021 to 3/15/2021, with no opposition by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frames: 1:32:31 - 1:43:19 and 2:48:22 - 3:55:29. Defense Attorney: Eugene Ohm; U.S. Attorneys: Jacob Steiner and Nicole McClain; Pretrial Officer: Andre Sidbury. (kk) (Entered: 03/26/2021)
03/03/2021	11	NOTICE OF ATTORNEY APPEARANCE Alexis Jane Loeb appearing for USA. (Loeb, Alexis) [1:21-mj-00237-GMH] (Entered: 03/03/2021)
03/11/2021	12	NOTICE of Discovery Correspondence by USA as to JOSEPH W. FISCHER (Attachments: # 1 Exhibit Discovery Letter)(Loeb, Alexis) [1:21-mj-00237-GMH] (Entered: 03/11/2021)
03/15/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Status Hearing as to JOSEPH W. FISCHER held on 3/15/2021. Defendant present by video. Government seeking to indict the defendant. Status Hearing set for 3/29/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4 [2:51:28-2:56:25]; Defense Attorney: Eugene Ohm; US Attorney: Alexis Loeb; Pretrial Officer: Andre Sidbury. (ztl) (Entered: 03/25/2021)
03/19/2021	15	INDICTMENT as to JOSEPH W. FISCHER (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zstd) (Entered: 03/22/2021)
03/19/2021		MINUTE ORDER: The status hearing currently scheduled for 3/29/2021 is hereby VACATED, as the government has formally charged JOSEPH W. FISCHER and 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 directed to contact the chambers of the assigned district judge to schedule a hearing. Signed by Magistrate Judge Zia M. Faruqi on 3/19/2021. (ztl) (Entered: 03/25/2021)
03/24/2021	17	MOTION to Continue and Exclude Time by USA as to JOSEPH W. FISCHER. (Attachments: # 1 Text of Proposed Order to Continue and Exclude Time)(Loeb, Alexis) (Entered: 03/24/2021)
03/24/2021	18	Unopposed MOTION for Protective Order by USA as to JOSEPH W. FISCHER. (Attachments: # 1 Text of Proposed Order Protective Order)(Loeb, Alexis) (Entered: 03/24/2021)
03/24/2021	22	MOTION to Exclude Time by USA as to JOSEPH W. FISCHER. (See docket entry 17 to view document.) (zstd) (Entered: 03/31/2021)
03/25/2021		Terminate Deadlines and Hearings as to JOSEPH W. FISCHER: Status Hearing set for 3/29/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi is VACATED. (ztl) (Entered: 03/25/2021)
03/26/2021	19	MOTION for Disclosure of Discovery by USA as to JOSEPH W. FISCHER. (Attachments: # 1 Text of Proposed Order)(Loeb, Alexis) (Entered: 03/26/2021)
03/26/2021	20	NOTICE of Discovery Correspondence by USA as to JOSEPH W. FISCHER (Attachments: # 1 Exhibit Discovery Letter)(Loeb, Alexis) (Entered: 03/26/2021)
03/30/2021	21	NOTICE OF ATTORNEY APPEARANCE: Lori J. Ulrich appearing for JOSEPH W. FISCHER (Ulrich, Lori) (Entered: 03/30/2021)
03/30/2021		Set/Reset Hearings as to JOSEPH W. FISCHER: Arraignment/Status Conference set for 4/6/2021 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 03/30/2021)
04/06/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference/Arraignment as to JOSEPH W. FISCHER (1): Count 1,2,3,4,5,6,7 held on 4/6/2021. Not Guilty Plea as to all counts. Speedy Trial as to JOSEPH W. FISCHER is Excluded from 4/6/2021 to 5/6/2021, in the Interest of Justice, XT. Further Order to be issued by the Court. Status Conference set for 5/6/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Eugene Ohm and Lori Ulrich; US Attorney: Alexis Loeb. (zcal) (Entered: 04/06/2021)
04/06/2021	23	Unopposed MOTION for Protective Order (Revised) by USA as to JOSEPH W. FISCHER. (Attachments: # 1 Text of Proposed Order Revised Proposed Protective Order)(Loeb, Alexis) (Entered: 04/06/2021)
04/12/2021	24	PROTECTIVE ORDER. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn2) (Entered: 04/12/2021)
04/12/2021	25	ORDER granting in part and denying in part 22 Motion to Exclude as to JOSEPH W. FISCHER; granting in part and denying in part 17 Motion to Continue as to JOSEPH W. FISCHER. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn2) (Entered: 04/12/2021)
04/13/2021	27	Unopposed MOTION for Disclosure of Grand Jury and Sealed Materials and Proposed Order by USA as to JOSEPH W. FISCHER. (Loeb, Alexis) (Entered: 04/13/2021)
04/19/2021	28	NOTICE of Discovery Correspondence by USA as to JOSEPH W. FISCHER (Attachments: # 1 Exhibit Discovery Letter)(Loeb, Alexis) (Entered: 04/19/2021)
04/22/2021	29	ORDER granting 27 Motion for Disclosure as to JOSEPH W. FISCHER. Signed by Judge Carl J. Nichols on April 22, 2021. (lccjn2) (Entered: 04/22/2021)
04/26/2021	30	ENTERED IN ERROR.....NOTICE PROTECTIVE ORDER GOVERNING DISCOVERY by JOSEPH W. FISCHER (Ulrich, Lori) Modified on 4/28/2021 (zstd). (Entered: 04/26/2021)
04/26/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to JOSEPH W. FISCHER re 30 Notice (Other) was entered in error and counsel was instructed to refile said pleading and include the motion for protective order (zstd) (Entered: 04/28/2021)
04/27/2021	31	ENTERED IN ERROR.....MOTION for Bill of Particulars by JOSEPH W. FISCHER. (Attachments: # 1 NOTICE OF FILING)(Ulrich, Lori) Modified on 4/28/2021 (zltf). (Entered: 04/27/2021)
04/27/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to JOSEPH W. FISCHER re 31 MOTION for Bill of Particulars was entered in error and counsel was instructed to refile said pleading. Counsel will refile as notice of filing. (zltf) (Entered: 04/28/2021)
04/28/2021	32	NOTICE Bill of Particulars by JOSEPH W. FISCHER (Attachments: # 1 Bill of Particulars)(Ulrich, Lori) (Entered: 04/28/2021)
05/03/2021	33	NOTICE of Filing Letter Response to Defendant's Letter Requesting Bill of Particulars by USA as to JOSEPH W. FISCHER re 32 Notice of Filing (Attachments: # 1 Exhibit Letter)(Loeb, Alexis) Modified text on 5/4/2021 (zstd). (Entered: 05/03/2021)
05/06/2021		MINUTE ORDER. Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 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. Signed by Judge Carl J. Nichols on May 6, 2021. (lccjn2) (Entered: 05/06/2021)
05/06/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to JOSEPH W. FISCHER held on 5/6/2021. Speedy Trial as to JOSEPH W. FISCHER is Excluded from 5/6/2021 to 6/17/2021, in the Interest of Justice, XT. Status Conference set for 6/17/2021 at 01:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Eugene Ohm and Lori Ulrich; US Attorney: Alexis Loeb. (zcal) (Entered: 05/06/2021)

05/24/2021	35	NOTICE of Discovery Correspondence by USA as to JOSEPH W. FISCHER (Attachments: # 1 Exhibit Discovery Letter)(Loeb, Alexis) (Entered: 05/24/2021)
06/14/2021	36	NOTICE of Discovery Correspondence by USA as to JOSEPH W. FISCHER (Attachments: # 1 Exhibit Discovery Letter)(Loeb, Alexis) (Entered: 06/14/2021)
06/17/2021		MINUTE ORDER. Upon consideration of Defendant's Oral Motion to Modify the 10 Order Setting Conditions of Release, it is hereby ORDERED that the Motion is GRANTED. Defendant may travel to the Eastern District of Pennsylvania and to Maryland without advance permission from Pretrial Services. The current condition requiring Defendant to stay away from the District of Columbia except for Court, pretrial business, or to meet with counsel remains in effect. Signed by Judge Carl J. Nichols on June 17, 2021. (lccjn2) (Entered: 06/17/2021)
06/17/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to JOSEPH W. FISCHER held on 6/17/2021. Speedy Trial as to JOSEPH W. FISCHER is Excluded from 6/17/2021 to 8/19/2021, in the Interest of Justice, XT. Defense request to Modify Release Conditions; heard and Granted. Further Order to be issued by the Court. Status Conference set for 8/19/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lisa Moreira; Defense Attorney: Lori Ulrich; US Attorney: Alexis Loeb; Pretrial Officer: Dashanta Valentine-Lewis. (zcal) (Entered: 06/17/2021)

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