

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00064-CKK All Defendants

Case title: USA v. ALLAN

Date Filed: 02/02/2021

Magistrate judge case number: 1:21-mj-00137-RMM

Assigned to: Judge Colleen Kollar-Kotelly

Defendant (1)

TOMMY FREDERICK ALLAN
also known as
UNKNOWN

represented by **Maria Jacob**
OFFICE OF THE FEDERAL PUBLIC DEFENDER
625 Indiana Ave, N.W.
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Designation: Public Defender or Community Defender Appointment

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Pending Counts

18 U.S.C. 641; PUBLIC MONEY, PROPERTY OR RECORDS; Theft of Government Property
(1-2)

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building
(3)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building
(4)

40 U.S.C. 5104(e)(2)(A); FEDERAL STATUTES, OTHER; Entering and Remaining on the Floor of Congress
(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)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building
(7)

Disposition**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

COMPLAINT in Violation of 18:1752(a)(1), 18:1752(a)(2), 40:5104(e)(2)(A),(D), (G) and 18:641

Disposition**Plaintiff**

USA

represented by **Jonathan Sidney Jacobs**
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Date Filed	#	Docket Text
01/20/2021	1	SEALED COMPLAINT as to TOMMY FREDERICK ALLAN (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00137-RMM] (Entered: 01/21/2021)
01/20/2021	3	MOTION to Seal Case by USA as to TOMMY FREDERICK ALLAN. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00137-RMM] (Entered: 01/21/2021)
01/20/2021	4	ORDER granting 3 Motion to Seal Case as to TOMMY FREDERICK ALLAN (1). Signed by Magistrate Judge Robin M. Meriweather on 1/21/2021. (zstd) Modified to change filing date on 1/23/2021 (zstd). [1:21-mj-00137-RMM] (Entered: 01/21/2021)
01/22/2021		Case unsealed as to TOMMY FREDERICK ALLAN (bb) [1:21-mj-00137-RMM] (Entered: 01/25/2021)
01/22/2021		Arrest of TOMMY FREDERICK ALLAN in Eastern District of California. (zpt) [1:21-mj-00137-RMM] (Entered: 02/02/2021)
01/29/2021	7	Arrest Warrant, dated 1/20/2021, Returned Executed in the U.S. District Court for the District of Columbia, on 1/29/2021 as to TOMMY FREDERICK ALLAN. (zpt) [1:21-mj-00137-RMM] (Entered: 02/02/2021)
01/29/2021		ORAL MOTION to Appoint Counsel by TOMMY FREDERICK ALLAN. (zpt) [1:21-mj-00137-RMM] (Entered: 02/02/2021)
01/29/2021		ORAL MOTION for Speedy Trial Waiver by TOMMY FREDERICK ALLAN. (zpt) [1:21-mj-00137-RMM] (Entered: 02/02/2021)
01/29/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to TOMMY FREDERICK ALLAN (1) held on 1/29/2021. Oral Motion to Appoint Counsel by TOMMY FREDERICK ALLAN (1) Heard and Granted. Government does not seek the Defendant's pretrial detention. Joint Oral Motion for Speedy Trial Waiver by TOMMY FREDERICK ALLAN (1) Heard and Granted. Time between 1/29/2021 and 3/30/2021 (60 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 3/30/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Tony Miles; US Attorney: Kelly Smith for Jonathan Jacobs; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00137-RMM] (Entered: 02/02/2021)
01/29/2021	10	ORDER Setting Conditions of Release as to TOMMY FREDERICK ALLAN (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/29/2021. (Attachments: # 1 Appearance Bond) (zpt) (Entered: 02/09/2021)
01/29/2021		MINUTE ORDER as to TOMMY FREDERICK ALLAN (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 1/29/2021. (zpt) (Entered: 02/09/2021)
02/02/2021	8	INFORMATION as to TOMMY FREDERICK ALLAN (1) count(s) 1-2, 3, 4, 5, 6, 7. (zltpt) (Entered: 02/02/2021)
02/02/2021		MINUTE ORDER: The hearing currently scheduled for March 30, 2021 before Magistrate Judge Zia M. Faruqi is hereby VACATED, as the government has formally charged TOMMY FREDERICK ALLAN 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 2/2/2021. (ztl) (Entered: 04/02/2021)
04/01/2021		MINUTE ORDER as to TOMMY FREDERICK ALLAN: The parties shall appear for an initial status hearing before Judge Colleen Kollar-Kotelly on April 8, 2021 at 10:00 AM ET, via videoconference. The Court will provide the parties with videoconference information separately. Signed by Judge Colleen Kollar-Kotelly on April 1, 2021. (lcckk1) (Entered: 04/01/2021)
04/01/2021		Set/Reset Hearings as to TOMMY FREDERICK ALLAN: Arraignment/Status set for 4/8/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 04/01/2021)
04/05/2021	11	BRADY ORDER. Signed by Judge Colleen Kollar-Kotelly on April 5, 2021. (lcckk1) (Entered: 04/05/2021)
04/08/2021		Minute Entry for proceedings held on 4/8/2021 via videoconference before Judge Colleen Kollar-Kotelly: Arraignment/Status Hearing as to TOMMY FREDERICK ALLAN (1) as to Counts 1-2,3,4,5,6,7. Plea of Not Guilty entered as to Counts 1,2,3,4,5,6,7. Speedy Trial (XT) is tolled in the Interest of Justice from 4/8/2021 to 5/25/2021. Status Conference set for 5/25/2021 at 2:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: Tony W. Miles; US Attorney: Jonathan S. Jacobs and Stephen Ward. (dot) (Entered: 04/08/2021)
04/08/2021		MINUTE ORDER as to TOMMY FREDERICK ALLAN: The Court held a hearing in this case on April 8, 2021. With consent, Defendant was present via videoconference and represented by counsel. Counsel for the government also appeared via videoconference. During the hearing, the Court presented Defendant on the Information. The Court then discussed the status of discovery and a potential protective order in the case. The Court also reminded the government of its disclosure obligations under Brady. See ECF No. 11. The Court then scheduled another status hearing for MAY 25, 2021 at 2:00 PM ET. Defendant has consented to proceeding with this forthcoming status hearing remotely via videoconference because of the COVID-19 pandemic. During the April 8, 2021 hearing, the Court discussed with Defendant his Speedy Trial Act rights, and Defendant consented to a continuance of his speedy trial rights until the date of the next status hearing, May 25, 2021. Therefore, the Court finds that a continuance of Defendant's Speedy Trial rights between April 8, 2021 and the date of the next status hearing on May 25, 2021 serves the "ends of justice" and is in the best interests of both the community and Defendant, in light of the ongoing COVID-19 pandemic and because the continuance will allow defense counsel and Defendant to review the proposed protective order and discovery in this case. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is JULY 26, 2021 . The Court finds the 90-day deadline to be inapplicable, as Defendant has been released on personal recognizance. Signed by Judge Colleen Kollar-Kotelly on April 8, 2021. (lcckk1) (Entered: 04/08/2021)
05/06/2021	13	NOTICE OF ATTORNEY APPEARANCE Steven Philip Ward appearing for USA. (Ward, Steven) (Entered: 05/06/2021)
05/21/2021	14	MOTION for Protective Order by USA as to TOMMY FREDERICK ALLAN. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit, # 3 Exhibit)(Jacobs, Jonathan) (Entered: 05/21/2021)
05/25/2021	16	NOTICE OF ATTORNEY APPEARANCE: Maria Jacob appearing for TOMMY FREDERICK ALLAN (Jacob, Maria) (Entered: 05/25/2021)
05/25/2021		MINUTE ORDER as to TOMMY FREDERICK ALLAN: The Court held a hearing in this case on May 25, 2021. With consent, Defendant was present via videoconference and represented by counsel. Counsel for the government also appeared via videoconference. During the hearing, the Court discussed Defendant's change in counsel and confirmed that a new defense attorney will enter an appearance by the end of today, May 25, 2021. The Court also discussed the status of discovery in this case, as well as the pending motion for a protective order. Finally, while discussing the status of this case at the May 25, 2021 hearing, the government indicated that it plans to seek a superseding indictment against Defendant. The parties shall appear for another status hearing for July 23, 2021 at 11:00 AM ET. Defendant has consented to proceeding with this forthcoming status hearing remotely via videoconference. During the May 25, 2021 hearing, the Court discussed with Defendant his Speedy Trial Act rights, and Defendant consented to a continuance of his speedy trial rights until the date of the next status hearing, July 23, 2021. Therefore, the Court finds that a continuance of Defendant's Speedy Trial rights between May 25, 2021 and the date of the next status hearing on July 23, 2021 serves the "ends of justice" and outweighs the best interests of both the community and Defendant in a speedy trial, in light of the ongoing COVID-19 pandemic and because the continuance will give Defendant and his new defense counsel time to review the proposed protective order and discovery in this case. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is SEPTEMBER 23, 2021 . The Court finds the 90-day deadline to be inapplicable, as Defendant has been released on personal recognizance. Signed by Judge Colleen Kollar-Kotelly on May 25, 2021. (lcckk1) (Entered: 05/25/2021)
05/25/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to TOMMY FREDERICK ALLAN held on 5/25/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 5/25/2021 to 7/23/2021. Status Conference set for 7/23/2021 at 11:00 AM via Zoom before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: Maria Jacob; US Attorney: Steven Ward, Jonathan Jacob and Robert Juman. (dot) (Entered: 05/25/2021)
05/26/2021	17	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Juman, Robert Craig added. Substituting for attorney Jonathan Sidney Jacobs (Juman, Robert) (Entered: 05/26/2021)

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