

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00127-ABJ-1

Case title: USA v. BLACK

Date Filed: 02/17/2021

Magistrate judge case number: 1:21-mj-00049-RMM

Assigned to: Judge Amy Berman Jackson

Defendant (1)

JOSHUA MATTHEW BLACK

represented by **Clark U. Fleckinger, II**
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ATTORNEY TO BE NOTICED
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Pending Counts

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 (1)

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 (2)

18 U.S.C. 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 (3)

18 U.S.C. 1752(a)(3) and (b)(1)(A) and 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Impeding Ingress and Egress in a Restricted Building or Grounds with a Deadly or Dangerous Weapon and Aiding and Abetting (4)

40 U.S.C. 5104(e)(1)(A); FEDERAL STATUTES, OTHER; Unlawful Possession of a Dangerous Weapon on Capitol Grounds or Buildings (5)

40 U.S.C. 5104(e)(2)(A); FEDERAL STATUTES, OTHER; Entering and Remaining on the Floor of Congress (6)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building (7)

40 U.S.C. 5104(e)(2)(E) and 2; FEDERAL STATUTES, OTHER; Impeding Passage Through the Capitol Grounds or Buildings and Aiding and Abetting (8)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:1752(a), (b) and 40:5104(e)(2)

Disposition

Disposition

Disposition

Plaintiff

USA

represented by **Seth Adam Meinero**
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TERMINATED: 02/23/2021

Date Filed	#	Docket Text
01/13/2021	1	SEALED COMPLAINT as to JOSHUA MATTHEW BLACK (1). (Attachments: # 1 Affidavit in Support) (zstd) [1:21-mj-00049-RMM] (Entered: 01/14/2021)
01/13/2021	3	MOTION to Seal Case by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00049-RMM] (Entered: 01/14/2021)
01/13/2021	4	ORDER granting 3 Motion to Seal Case as to JOSHUA MATTHEW BLACK (1). Signed by Magistrate Judge Robin M. Meriweather on 1/13/2021. (zstd) [1:21-mj-00049-RMM] (Entered: 01/14/2021)
01/17/2021		Arrest of JOSHUA MATTHEW BLACK in US District Court for the Northern District of Alabama. (bb) [1:21-mj-00049-RMM] (Entered: 02/11/2021)
02/11/2021	6	Rule 5(c)(3) Documents Received as to JOSHUA MATTHEW BLACK from US District Court for the Northern District of Alabama Case Number 2:21-mj-10 (bb) [1:21-mj-00049-RMM] (Entered: 02/11/2021)
02/11/2021		Case unsealed as to JOSHUA MATTHEW BLACK (bb) [1:21-mj-00049-RMM] (Entered: 02/11/2021)
02/16/2021		ORAL MOTION to Appoint Counsel by JOSHUA MATTHEW BLACK. (zpt) [1:21-mj-00049-RMM] (Entered: 02/16/2021)
02/16/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance as to JOSHUA MATTHEW BLACK (1) held on 2/16/2021. Oral Motion to Appoint Counsel by JOSHUA MATTHEW BLACK (1) Heard and Granted. Court finds that the Defendant had a Preliminary and Detention Hearing in the Northern District of Alabama where the Defendant was ruled to be held pretrial and probable cause was established in this case. Defendant expresses intent to appeal the ruling of pretrial detention. Status Hearing set for 2/23/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Lisa Bankins; Defense Attorney: Clark Fleckinger; US Attorney: Ahmed Baset; Pretrial Officer: John Copes; (zpt) [1:21-mj-00049-RMM] (Entered: 02/16/2021)
02/16/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK (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 2/16/2021. (zpt) [1:21-mj-00049-RMM] (Entered: 02/16/2021)
02/17/2021	8	NOTICE OF ATTORNEY APPEARANCE: Clark U. Fleckinger, II appearing for JOSHUA MATTHEW BLACK (Fleckinger, Clark) [1:21-mj-00049-RMM] (Entered: 02/17/2021)
02/17/2021	9	INDICTMENT as to JOSHUA MATTHEW BLACK (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8. (zltpt) (Entered: 02/19/2021)
02/20/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK (1) In light of the fact that Magistrate Case for defendant JOSHUA MATTHEW BLACK has closed and merged into Criminal Number 21-127, and an indictment has been filed, the status hearing previously scheduled for February 23, 2021 before Judge Meriweather is VACATED. The parties are respectfully directed to address any scheduling request to the presiding district judge, Judge Amy Berman Jackson. Signed by Magistrate Judge Robin M. Meriweather on 2/20/2021. (zpt) (Entered: 02/22/2021)
02/23/2021	11	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Meinero, Seth Adam added. (Meinero, Seth Adam) (Entered: 02/23/2021)
03/06/2021	12	NOTICE of Discovery Correspondence by USA as to JOSHUA MATTHEW BLACK (Attachments: # 1 Preliminary-Discovery Letter (3.6.2021))(Meinero, Seth Adam) (Entered: 03/06/2021)
03/17/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK. It is ORDERED that Defendant's Arraignment and Status Conference are set for 3/19/2021 at 1:15 PM before Judge Amy Berman Jackson and will be held by Video (VTC). In a separate email the Court's Deputy Clerk will provide counsel with the video connection information to access the hearing. Signed by Judge Amy Berman Jackson on 3/17/2021. (jth) (Entered: 03/17/2021)
03/17/2021	13	MOTION to Continue and to Exclude Time under the Speedy Trial Act by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/17/2021)
03/17/2021	14	MOTION to Exclude Time Under the Speedy Trial Act by USA as to JOSHUA MATTHEW BLACK. (See DE 13 to view document. (bb) (Entered: 03/20/2021)
03/19/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to JOSHUA MATTHEW BLACK as to Counts 1-8 held on 3/19/2021. Plea of Not Guilty entered as to Counts: 1-8. The Court makes a finding that it is in the Interest of Justice that the time Nunc Pro Tunc between 3/15/2021 and 3/19/2021 and that the time between 3/19/2021 and 5/4/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 5/4/2021 at 9:30 AM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant Appeared by Video, but Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: Clark U. Fleckinger, II; US Attorney: Seth Adam Meinero. (jth) (Entered: 03/19/2021)
03/24/2021	15	MOTION for Reconsideration and to Vacate Order of Detention by JOSHUA MATTHEW BLACK. (Fleckinger, Clark) Modified relief on 3/26/2021 (znmw). (Entered: 03/24/2021)
03/24/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK. The government's response to Defendant's Motion to Reconsider and Vacate Order of Detention 15 must be submitted by April 1, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/24/2021. (lcabj1) (Entered: 03/24/2021)
03/24/2021	16	MOTION to Vacate Order of Detention by JOSHUA MATTHEW BLACK. (See Docket Entry 15 to view document). (znmw) (Entered: 03/26/2021)
03/25/2021		RESOLVED...NOTICE of Provisional Government Not Certified Status re 15 MOTION for Bond and to Vacate Order of Detention by JOSHUA MATTHEW BLACK. (Fleckinger, Clark). Your attorney renewal government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information . Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 4/1/2021. (znmw) Modified on 5/13/2021 (znmw). (Entered: 03/25/2021)
03/27/2021	17	Unopposed MOTION for Protective Order by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/27/2021)
03/29/2021	18	ORDER as to JOSHUA MATTHEW BLACK. Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel who have entered their appearances in this case or who do so in the future must review and comply with their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1. See Order for details. Signed by Judge Amy Berman Jackson on 3/29/2021. (lcabj1) (Entered: 03/29/2021)
03/30/2021		MINUTE ORDER denying without prejudice 17 Motion for Protective Order as to JOSHUA MATTHEW BLACK (1). While the Court is prepared otherwise to approve the proposed Protective Order, it will not sign an order that provides, as in paragraph 4.d., for the filing of documents under seal, without an accompanying motion for leave to file under seal as required by the Local Rules. Any protective order must be in accordance with the presumption against sealed proceedings that applies in this Circuit, and must provide that absent statutory authority, no party shall file such materials under seal without an order from the Court pursuant to Local Rule of Criminal Procedure 49(f)(6)(i). SO ORDERED. Signed by Judge Amy Berman Jackson on 3/30/21. (DMK) (Entered: 03/30/2021)
04/01/2021	19	Unopposed MOTION for Protective Order (Resubmitted) by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 04/01/2021)
04/01/2021	20	Memorandum in Opposition by USA as to JOSHUA MATTHEW BLACK re 16 MOTION to Vacate Order of Detention (Attachments: # 1 Attachments to Government's Opposition) (Meinero, Seth Adam) (Entered: 04/01/2021)
04/02/2021	21	MOTION for Leave to File Supplement to Opposition to Defendant's Motion to Reconsider and Vacate Order of Detention by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Supplement to Opposition)(Meinero, Seth Adam) (Entered: 04/02/2021)
04/05/2021	22	PROTECTIVE ORDER as to JOSHUA MATTHEW BLACK. See Order for details. Signed by Judge Amy Berman Jackson on 4/5/2021. (lcabj1) (Entered: 04/05/2021)
04/06/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK. 21 Motion for Leave to File Supplement is GRANTED. The Clerk is directed to file [21-1] Supplement to United States' Opposition to Defendant's Motion to Reconsider and Vacate Order of Detention. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/6/2021. (lcabj1) (Entered: 04/06/2021)
04/09/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK: In light of docket entries 15 MOTION for Reconsideration filed by JOSHUA MATTHEW BLACK and 16 MOTION to Vacate filed by JOSHUA MATTHEW BLACK; it is hereby ordered that a Motions Hearing is now set for 4/16/2021 at 12:30 PM in Telephonic/VTC before Judge Amy Berman Jackson. SO ORDERED by Judge Amy Berman Jackson on 04/09/2021. (tb) (Entered: 04/09/2021)
04/10/2021	23	NOTICE of Filing Discovery Correspondence by USA as to JOSHUA MATTHEW BLACK (Attachments: # 1 Preliminary-Discovery Letter (4.10.2021))(Meinero, Seth Adam) (Entered: 04/10/2021)
04/12/2021	24	Unopposed MOTION for Hearing to Be Rescheduled by USA as to JOSHUA MATTHEW BLACK. (Meinero, Seth Adam) Modified event on 4/13/2021 (bb). (Entered: 04/12/2021)
04/13/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK. Upon consideration of the Government's 24 Unopposed Motion to Reschedule Motions Hearing, it is ORDERED that the 24 Motion is GRANTED. The Video (VTC) Motions Hearing in this case presently set for April 16, 2021 at 12:30 PM before Judge Amy Berman Jackson will remain by Video (VTC) and is Reset for 4/22/2021 at 11:15 AM before Judge Amy Berman Jackson. The Court's Deputy Clerk will provide counsel with the Video connection information needed for the hearing on 4/22/2021. Signed by Judge Amy Berman Jackson on 4/13/2021. (tb) (Entered: 04/13/2021)

		4/22/2021. Signed by Judge Amy Berman Jackson on 4/15/2021. (jth) (Entered: 04/15/2021)
04/16/2021	26	NOTICE of Filing of Defendant's Acceptance of Discovery Protective Order by JOSHUA MATTHEW BLACK (Attachments: # 1 Exhibit)(Fleckinger, Clark) (Entered: 04/16/2021)
04/22/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Motions Hearing as to JOSHUA MATTHEW BLACK held on 4/22/2021 re: 15 16 Motion to Reconsider and Vacate Order of Detention. For the reasons stated on the record during the hearing, Defendant's 15 16 Motion to Reconsider and Vacate Order of Detention is GRANTED. Defendant to be released and was sworn to specific conditions of release. Bond Status of Defendant: Defendant Released, Release Order Issued; Court Reporter: Janice Dickman; Defense Attorney: Clark U. Fleckinger, II; US Attorney: Seth Adam Meinero; Pretrial Officer: Christine Schuck. (jth) (Entered: 04/23/2021)
04/22/2021	28	ORDER Setting Conditions of Release as to JOSHUA MATTHEW BLACK. Defendant Placed on Personal Recognizance Bond with specific conditions. Signed by Judge Amy Berman Jackson on 4/22/2021. (Attachments: # 1 Appearance Bond) (jth) (Entered: 04/23/2021)
04/23/2021	29	TRANSCRIPT OF PROCEEDINGS in case as to JOSHUA MATTHEW BLACK before Judge Amy Berman Jackson held on April 22, 2021; Page Numbers: 1-51. Date of Issuance: April 23, 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 5/14/2021. Redacted Transcript Deadline set for 5/24/2021. Release of Transcript Restriction set for 7/22/2021.(Dickman, Janice) (Entered: 04/23/2021)
04/29/2021	30	Unopposed MOTION for Disclosure of Items Protected by Rule 6(e) and Sealed Materials by USA as to JOSHUA MATTHEW BLACK. (Attachments: # 1 Text of Proposed Order) (Meinero, Seth Adam) (Entered: 04/29/2021)
04/30/2021		MINUTE ORDER as to JOSHUA MATTHEW BLACK. The government's motion for an order 30 is GRANTED. The government may provide in discovery both sealed materials, pursuant to the previously entered protective order, and materials protected by Federal Rule of Criminal Procedure 6(e). The Court will address the applicability to any co-defendants if and when they are joined. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/30/2021. (lcabj1) (Entered: 04/30/2021)
05/04/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to JOSHUA MATTHEW BLACK held on 5/4/2021. Another Video (VTC) Status Conference is set for 6/18/2021 at 10:00 AM before Judge Amy Berman Jackson. If the next Status Conference is to be converted to a Plea, the paperwork must be submitted to the Court by 6/16/2021. The Court makes a finding that it is in the Interests of Justice that the time between 5/4/2021 and 6/18/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond (PR); Court Reporter: Janice Dickman; Defense Attorney: Clark U. Fleckinger, II; US Attorney: Seth Adam Meinero. (jth) (Entered: 05/04/2021)
05/08/2021	31	NOTICE of Filing Discovery Correspondence by USA as to JOSHUA MATTHEW BLACK (Attachments: # 1 Discovery Letter (5.7.2021), # 2 Index (Volume 1 of Discovery))(Meinero, Seth Adam) (Entered: 05/08/2021)

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