

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00049-TSC-2**

Case title: USA v. BAUER et al

Date Filed: 01/22/2021

Magistrate judge case number: 1:21-mj-00059-ZMF

Assigned to: Judge Tanya S. Chutkan

**Defendant (2)**

**EDWARD E. HEMENWAY, II**

represented by **Meredith M. Ralls**  
ROBINSON LAW PLLC  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

- 18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building (1)
- 18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building (2)
- 40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly Conduct at the Grounds and in a Capitol Building (3)
- 40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building (4)

**Disposition**

**Highest Offense Level (Opening)**

Misdemeanor

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in Violation of 18:1752(a)(1) and 40:5104(e)(2)

**Disposition**

**Plaintiff**

USA

represented by **Elizabeth C. Kelley**  
U.S. ATTORNEY'S OFFICE  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Docket Text
01/14/2021	<a href="#">1</a>	COMPLAINT as to ROBERT BAUER (1), EDWARD HEMENWAY II (2). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd) [1:21-mj-00059-ZMF] (Entered: 01/15/2021)
01/15/2021		Arrest of EDWARD E. HEMENWAY, II in US District Court Western District of Virginia Charlottesville Division. (bb) [1:21-mj-00059-ZMF] (Entered: 01/27/2021)
01/19/2021	<a href="#">12</a>	Rule 5(c)(3) Documents Received as to EDWARD E. HEMENWAY, II from US District Court Western District of Virginia Charlottesville Division Case Number 3:21-mj-5 (bb) [1:21-mj-00059-ZMF] (Entered: 01/27/2021)
01/21/2021		ORAL MOTION for Speedy Trial Waiver by ROBERT L. BAUER (1), EDWARD E. HEMENWAY, II (2). (zpt) [1:21-mj-00059-ZMF] (Entered: 01/28/2021)
01/21/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to ROBERT L. BAUER (1) and EDWARD E. HEMENWAY, II (2) held on 1/21/2021. Joint Oral Motion for Speedy Trial by ROBERT L. BAUER (1) and EDWARD E. HEMENWAY II (2) Heard and Granted. Time between 1/21/2021 and 2/4/2021 (14 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 2/4/2021 at 03:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendants Placed on Personal Recognizance; Court Reporter: Lisa Banks; Defense Attorney: Meredith Ralls; US Attorney: Kelly Smith for Elizabeth Kelley; Pretrial Officer: Masharia Holman; (zpt) [1:21-mj-00059-ZMF] (Entered: 01/28/2021)
01/21/2021	<a href="#">9</a>	ORDER Setting Conditions of Bond : Defendant EDWARD E. HEMENWAY, II (2) placed on Personal Recognizance Bond, signed by Magistrate Judge G. Michael Harvey on 1/21/2021. (kk)[1:21-mj-00059-ZMF] (Additional attachment(s) added on 2/8/2021: # <a href="#">1</a> Appearance Bond) (zpt). (Entered: 01/25/2021)
01/21/2021		MINUTE ORDER as to ROBERT L. BAUER (1) and EDWARD E. HEMENWAY, II (2). 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 1/21/2021. (zpt) (Entered: 02/09/2021)
01/22/2021	<a href="#">4</a>	INFORMATION as to ROBERT BAUER (1) count(s) 1, 2, 4, EDWARD E. HEMENWAY, II (2) count(s) 1, 2, 4. (zstd) [1:21-mj-00059-ZMF] (Entered: 01/22/2021)
01/22/2021		Count added as to ROBERT L. BAUER (1) and EDWARD E. HEMENWAY, II (2): Count 3. (ztrr) [1:21-mj-00059-ZMF] (Entered: 01/22/2021)

01/26/2021	<a href="#">11</a>	NOTICE OF ATTORNEY APPEARANCE: Meredith M. Ralls appearing for EDWARD E. HEMENWAY, II (Ralls, Meredith) [1:21-mj-00059-ZMF] (Entered: 01/26/2021)
02/04/2021	<a href="#">14</a>	NOTICE OF ATTORNEY APPEARANCE Elizabeth C. Kelley appearing for USA. (Kelley, Elizabeth) (Entered: 02/04/2021)
02/05/2021		Set/Reset Hearings as to ROBERT L. BAUER, EDWARD E. HEMENWAY, II: Arraignment set for 2/12/2021 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 02/05/2021)
02/12/2021		Minute Entry: Arraignment as to ROBERT L. BAUER (1) and EDWARD E. HEMENWAY II (2) held on 2/12/2021 before Judge Tanya S. Chutkan on Counts 1,2,3, and 4: Plea of NOT GUILTY entered by ROBERT L. BAUER (1) and EDWARD E. HEMENWAY II (2) as to Counts 1,2,3, and 4. Status Conference/Possible Plea Hearing set for 5/12/2021 at 12:30 PM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 02/12/2021 and 05/12/2021 shall be excluded from the speedy trial calculation. Both defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Meredith Ralls (both defendants); US Attorney: Elizabeth Kelley. (tb) (Entered: 02/12/2021)
04/07/2021	<a href="#">17</a>	Unopposed MOTION for Protective Order by USA as to ROBERT L. BAUER, EDWARD E. HEMENWAY, II. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kelley, Elizabeth) (Entered: 04/07/2021)
04/08/2021	<a href="#">18</a>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to ROBERT L. BAUER(1) and EDWARD E. HEMENWAY, II (2). Signed by Judge Tanya S. Chutkan on 04/08/2021. (tb) (Entered: 04/08/2021)
05/11/2021		Set/Reset Hearings as to ROBERT L. BAUER and EDWARD E. HEMENWAY, II: Status Conference reset for 5/17/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 05/11/2021)
05/17/2021		Minute Entry: Status Conference as to ROBERT L. BAUER (1) and EDWARD E. HEMENWAY, II (2) held on 5/17/2021 before Judge Tanya S. Chutkan: Parties discussed disposition. Status Conference set for 6/28/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. Per chance the status hearing converts to a plea hearing, copy plea documents are due in chambers a week in advance. The Court finds in the interest of justice (XT) that the time between 05/17/2021 and 06/28/2021 shall be excluded from the speedy trial calculation. Defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Meredith Ralls; US Attorney: Elizabeth Kelley. (tb) (Entered: 05/17/2021)
06/28/2021		Minute Entry: Plea Agreement Hearing as to EDWARD E. HEMENWAY, II (2) held on 6/28/2021 before Judge Tanya S. Chutkan: Plea of GUILTY entered by EDWARD E. HEMENWAY II (2) as to Count 4., Sentencing memoranda due by 10/6/2021. Sentencing set for 10/13/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to EDWARD E. HEMENWAY, II (2). Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Meredith Ralls; US Attorney: Elizabeth Kelley. (tb) (Entered: 06/29/2021)
06/28/2021	<a href="#">25</a>	PLEA AGREEMENT as to EDWARD E. HEMENWAY, II (2). (tb) (Entered: 06/29/2021)
06/28/2021	<a href="#">26</a>	STATEMENT OF OFFENSE by USA and EDWARD E. HEMENWAY, II(2) as to EDWARD E. HEMENWAY, II (2). (tb) (Entered: 06/29/2021)
06/28/2021	<a href="#">27</a>	WAIVER OF INDICTMENT by EDWARD E. HEMENWAY, II (2). Signed by Judge Tanya S. Chutkan on 06/28/2021. (tb) Modified on 6/29/2021 (tb). (Entered: 06/29/2021)
06/28/2021	<a href="#">28</a>	ENTERED IN ERROR...STATEMENT OF OFFENSE by USA and EDWARD E. HEMENWAY, II (2) as to EDWARD E. HEMENWAY, II (2). (tb) Modified on 7/4/2021 (tb). (Entered: 06/29/2021)
06/28/2021	<a href="#">29</a>	WAIVER of Trial by Jury as to EDWARD E. HEMENWAY, II (2). Signed by Judge Tanya S. Chutkan on 06/28/2021. (tb) (Entered: 07/04/2021)
07/04/2021		NOTICE OF CORRECTED DOCKET ENTRY as to EDWARD E. HEMENWAY, II (2) re <a href="#">28</a> Statement of Offense: This docket entry was entered in error and counsel is instructed to disregard said pleading. (tb) (Entered: 07/04/2021)

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