

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00104-RJL-1

Case title: USA v. KELLER

Date Filed: 02/10/2021

Magistrate judge case number: 1:21-mj-00042-RMM

Assigned to: Judge Richard J. Leon

Defendant (1)**KLETE DERIK KELLER**

represented by **Edward B. MacMahon , Jr.**
EDWARD B. MACMAHON, JR., PLC
P.O. Box 25
107 East Washington Street
Middleburg, VA 20118
(540) 687-3902
Fax: (540) 687-6366
Email: ebmjr@macmahon-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder
(1)
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 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT;
Entering and Remaining in a Restricted Building or Grounds
(3)
18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a Restricted Building or Grounds
(4)
40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in
a Capitol Building
(5)
40 U.S.C. 5104(e)(2)(E); FEDERAL STATUTES, OTHER; Impeding Passage
Through the Capitol Grounds or Buildings
(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

ComplaintsCOMPLAINT in Violation of 18:231(a)(3); 18:1752(a)(1)&(2); and 40:5104(e)(2)
(D)(E)&(G)**Disposition****Plaintiff**

USA

represented by **Troy A. Edwards , Jr**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 4th Street, NW
Washington, DC 20001
202-252-7081
Email: troy.edwards@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Amanda Jawad
DOJ-USAO
211 W. Fort Street
Suite 2001
Detroit, MI 48226
(313) 226-9116
Email: amanda.jawad@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/13/2021	1	COMPLAINT as to KLETE DERIK KELLER (1). (Attachments: # 1 Statement of Facts) (zstd) Modified on 1/13/2021 to correct name. (ztnr) [1:21-mj-00042-RMM] (Entered: 01/13/2021)

01/14/2021	3	ENTERED IN ERROR.....NOTICE OF ATTORNEY APPEARANCE: Paola Pinto appearing for KLETE DERIK KELLER (Pinto, Paola) Modified on 1/14/2021 (zhjs). (Main Document 3 replaced on 1/15/2021 to flatten pdf) (rj). Modified on 1/15/2021 (rj). [1:21-mj-00042-RMM] (Entered: 01/14/2021)
01/14/2021	4	ENTERED IN ERROR.....NOTICE OF ATTORNEY APPEARANCE: Danny C. Onorato appearing for KLETE DERIK KELLER (Onorato, Danny) Modified on 1/14/2021 (zhjs). [1:21-mj-00042-RMM] (Entered: 01/14/2021)
01/14/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to KLETE DERIK KELLER re 4 Notice of Attorney Appearance - Defendant, 3 Notice of Attorney Appearance - Defendant were entered in error and counsel will refile said pleadings in the correct case. (zhjs) [1:21-mj-00042-RMM] (Entered: 01/14/2021)
01/14/2021		Arrest of KLETE DERIK KELLER in US District Court for the District of Colorado. (bb) [1:21-mj-00042-RMM] (Entered: 01/20/2021)
01/15/2021	5	NOTICE OF ATTORNEY APPEARANCE: Edward B. MacMahon, Jr appearing for KLETE DERIK KELLER (MacMahon, Edward) [1:21-mj-00042-RMM] (Entered: 01/15/2021)
01/17/2021	6	Rule 5(c)(3) Documents Received as to KLETE DERIK KELLER from US District Court for the District of Colorado Case Number 1:21-mj-9-MEH (bb) [1:21-mj-00042-RMM] (Entered: 01/20/2021)
01/21/2021		MINUTE ORDER as to KLETE DERIK KELLER It is hereby ORDERED that Defendant appear for an initial appearance on January 22, 2021 at 1:00 p.m. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3114. Signed by Magistrate Judge G. Michael Harvey on 1/21/2021. (zpt) [1:21-mj-00042-RMM] (Entered: 01/21/2021)
01/22/2021	8	ORDER Setting Conditions of Bond : Defendant KLETE DERIK KELLER placed on Personal Recognizance Bond, signed by Magistrate Judge G. Michael Harvey on 1/22/2021. (kk) (Additional attachment(s) added on 2/8/2021: # 1 Appearance Bond) (zpt). [1:21-mj-00042-RMM] (Entered: 01/23/2021)
01/22/2021		JOINT ORAL MOTION for Speedy Trial Wavier by KLETE DERIK KELLER. (zpt) [1:21-mj-00042-RMM] (Entered: 01/28/2021)
01/22/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to KLETE DERIK KELLER (1) held on 1/22/2021. Joint Oral Motion for Speedy Trial Waiver by KLETE DERIK KELLER (1) Heard and Granted. Time between 1/22/2021 and 2/25/2021 (24 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 2/25/2021 at 03:30 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Placed on Personal Recognizance; FTR Time Frame: CTRM 5 [4:04:26-4:18:51]; Defense Attorney: Edward MacMahon; US Attorney: Kelly Smith; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00042-RMM] (Entered: 01/28/2021)
01/22/2021		MINUTE ORDER as to KLETE DERIK KELLER (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 1/22/2021. (zpt) [1:21-mj-00042-RMM] (Entered: 02/09/2021)
02/04/2021	9	NOTICE OF ATTORNEY APPEARANCE Troy Edwards, Jr appearing for USA. (Edwards, Troy) [1:21-mj-00042-RMM] (Entered: 02/04/2021)
02/10/2021	10	INDICTMENT as to KLETE DERIK KELLER (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zltp) (zltp). (Entered: 02/11/2021)
02/25/2021		MINUTE ORDER as to KLETE DERIK KELLER (1) Given the Magistrate case for Defendant KLETE KELLER has closed and merged into Criminal Number 21-cr-104, and an indictment has been returned, the preliminary hearing scheduled before Judge Meriweather is hereby VACATED. The parties are respectfully directed to address any scheduling requests to the presiding district judge, Judge Richard J. Leon. Signed by Magistrate Judge Robin M. Meriweather on 2/25/2021. (zpt) Modified on 2/25/2021 to reflect that the correct Judge is Leon (jth). (Entered: 02/25/2021)
03/04/2021		MINUTE ORDER as to KLETE DERIK KELLER. A Video (VTC) Status Conference in this case is set for 3/9/2021 at 4:30 PM before Judge Richard J. Leon. The Court's Deputy Clerk will provide counsel with the video connection information needed to make the connection. Defense counsel is directed to supply the connection information to his client who is required to appear. SO ORDERED. Signed by Judge Richard J. Leon on 3/4/2021. (hmc) (Entered: 03/04/2021)
03/09/2021		Minute Entry for proceedings held before Judge Richard J. Leon: Arraignment and Status Conference as to KLETE DERIK KELLER held via video on 3/9/2021. Defendant arraigned on Counts 1, 2, 3, 4, 5, 6, 7. Plea of Not Guilty entered as to all counts. Status Conference set for 4/6/2021 at 3:00 PM, via video, before Judge Richard J. Leon. Time under the Speedy Trial Act is tolled from 3/9/2021 to 4/6/2021, in the interests of justice. Bond Status of Defendant: Personal Recognizance. Defense Attorney: Edward MacMahon, Jr.; US Attorney: Troy Edwards, Jr.; Court Reporter: William Zaremba. (hmc) (Entered: 03/09/2021)
03/31/2021		MINUTE ORDER as to KLETE DERIK KELLER. It is ORDERED that the VTC Status Conference currently set for 4/6/2021 at 3:00 PM is rescheduled to 4/6/2021 at 3:30 PM (same date, new starting time) before Judge Richard J. Leon. Signed by Judge Richard J. Leon on 3/31/2021. (hmc) (Entered: 03/31/2021)
04/02/2021	12	Unopposed MOTION for Protective Order by USA as to KLETE DERIK KELLER. (Attachments: # 1 Text of Proposed Order)(Edwards, Troy) (Entered: 04/02/2021)
04/05/2021	14	Unopposed MOTION for Speedy Trial <i>Exclusion of Time</i> by USA as to KLETE DERIK KELLER. (Attachments: # 1 Text of Proposed Order)(Edwards, Troy) (Entered: 04/05/2021)
04/05/2021	16	MOTION to Continue by USA as to KLETE DERIK KELLER. (See Docket Entry 14 to View Document). (zhjs) (Entered: 04/26/2021)
04/06/2021		MINUTE ORDER as to KLETE DERIK KELLER. Upon consideration of United States' 14 Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the video status conference currently scheduled for April 6, 2021 at 3:30 PM is continued to June 4, 2021 at 3:30 PM. The Court's Deputy Clerk will provide counsel with the video connection information needed to make the connection. Defense counsel is directed to supply the connection information to his client who is required to appear. The Court also finds, based on the representations in the United States unopposed motion, that the ends of justice will be served by excluding the time between this minute order and June 4, 2021 under the Speedy Trial Act. Accordingly, it is further ORDERED that such time shall be excluded from computation thereunder. SO ORDERED. Signed by Judge Richard J. Leon on 4/6/2021. (zjd) (Entered: 04/06/2021)
04/09/2021	15	PROTECTIVE ORDER as to KLETE DERIK KELLER governing discovery materials. Signed by Judge Richard J. Leon on 4/6/2021. (zjd) (Entered: 04/09/2021)
05/13/2021	17	NOTICE OF ATTORNEY APPEARANCE Amanda Jawad appearing for USA. (Jawad, Amanda) (Entered: 05/13/2021)
06/04/2021	19	Unopposed MOTION to Continue , Unopposed MOTION for Speedy Trial <i>Exclusion of Time</i> by USA as to KLETE DERIK KELLER. (Jawad, Amanda) (Entered: 06/04/2021)
06/04/2021		MINUTE ORDER as to KLETE DERIK KELLER re: 19 United States' Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act. It is hereby ORDERED that the motion is DENIED WITHOUT PREJUDICE. It is further ORDERED that the parties shall appear by videoconference at the status conference currently scheduled for June 4, 2021 at 3:30 PM before Judge Richard J. Leon. The Court's Deputy Clerk has already provided counsel with the video connection information required. Defense counsel is directed to provide the connection information to his client. SO ORDERED. Signed by Judge Richard J. Leon on 6/4/2021. (zjd) (Entered: 06/04/2021)
06/04/2021		Minute Entry for proceedings held before Judge Richard J. Leon: Status Conference as to KLETE DERIK KELLER held via videoconference on 6/4/2021. Status Conference set for 8/4/2021 at 03:00 PM via videoconference before Judge Richard J. Leon. Time under the Speedy Trial Act is tolled from 6/4/2021 to 8/4/2021, in the interests of justice. Bond Status of Defendant: remains on personal recognizance; Court Reporter: Lisa Moreira; Defense Attorney: Edward B. MacMahon, Jr.; US Attorney: Amanda Jawad; Pretrial Officer: Andre Sidbury for Masharia Holman. (zjd) (Entered: 06/04/2021)

PACER Service Center			
Transaction Receipt			
07/14/2021 18:22:55			
PACER Login:	jjcburn84	Client Code:	
Description:	Docket Report	Search Criteria:	1:21-cr-00104-RJL
Billable Pages:	5	Cost:	0.50