

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00046-RDM-2

Case title: USA v. MONTGOMERY, et al.

Date Filed: 01/21/2021

Magistrate judge case number: 1:21-mj-00347-RMM

Assigned to: Judge Randolph D. Moss

Defendant (2)**BRADY KNOWLTON**

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Pending Counts

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT;
Entering and Remaining in a Restricted Building or Grounds
(5)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a Restricted Building or Grounds
(6)

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Violent Entry and Disorderly Conduct in a Capitol
Building
(7)

40 U.S.C. 5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol
Building
(8)

40 U.S.C. 5104(e)(2)(B); VIOLENT ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Entering and Remaining in the Gallery of Congress
(9)

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
(10)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)**Disposition****Disposition**

None

Complaints

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

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
04/01/2021	1	SEALED COMPLAINT as to BRADY KNOWLTON (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00347-RMM] (Entered: 04/01/2021)
04/01/2021	3	MOTION to Seal Case by USA as to BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00347-RMM] (Entered: 04/01/2021)
04/01/2021	4	ORDER granting 3 Motion to Seal Case as to BRADY KNOWLTON (1). Signed by Magistrate Judge Robin M. Meriweather on 04/01/2021. (zstd) [1:21-mj-00347-RMM] (Entered: 04/01/2021)
04/05/2021	5	Summons Returned Executed on 04/05/2021. as to BRADY KNOWLTON (zstd) [1:21-mj-00347-RMM] (Entered: 04/05/2021)
04/07/2021	6	Arrest Warrant Returned Executed on 04/07/2021 in George, UT as to BRADY KNOWLTON. (zstd) [1:21-mj-00347-RMM] (Entered: 04/08/2021)
04/07/2021		Case unsealed as to BRADY KNOWLTON (zstd) [1:21-mj-00347-RMM] (Entered: 04/08/2021)
04/07/2021		Arrest of BRADY KNOWLTON in Utah. (ztrn) [1:21-mj-00347-RMM] (Entered: 04/09/2021)
04/08/2021	7	MOTION for Leave to Appear Pro Hac Vice David Finn Filing fee \$ 100, receipt number ADCDC-8362110. Fee Status: Fee Paid. by BRADY KNOWLTON. (Attachments: # 1 Declaration, # 2 Exhibit)(Wagner, Camille) [1:21-mj-00347-RMM] (Entered: 04/08/2021)
04/09/2021	8	ORDER Granting 7 Motion for Leave to Appear Pro Hac Vice Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions as to BRADY KNOWLTON (1). Signed by Magistrate Judge G. Michael Harvey on 4/9/2021. (zpt) [1:21-mj-00347-RMM] (Entered: 04/09/2021)
04/09/2021	9	ENTERED IN ERROR.....NOTICE OF ATTORNEY APPEARANCE: Camille Wagner appearing for BRADY KNOWLTON with David Finn as outside counsel (Wagner, Camille) Modified on 4/12/2021 (zstd). [1:21-mj-00347-RMM] (Entered: 04/09/2021)
04/09/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to BRADY KNOWLTON re 9 Notice of Attorney Appearance - Defendant was entered in error and counsel was instructed to refile said pleading. The attorney appearance needs to be for Camille Wagner (zstd) [1:21-mj-00347-RMM] (Entered: 04/12/2021)
04/12/2021	10	NOTICE OF ATTORNEY APPEARANCE: Camille Wagner appearing for BRADY KNOWLTON with David Finn as outside counsel (Wagner, Camille) [1:21-mj-00347-RMM] (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to BRADY KNOWLTON (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 4/12/2021. (zpt) [1:21-mj-00347-RMM] (Entered: 04/12/2021)
04/12/2021		ORAL MOTION for Speedy Trial Waiver by USA as to BRADY KNOWLTON (1). (zpt) [1:21-mj-00347-RMM] (Entered: 04/12/2021)
04/12/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to BRADY KNOWLTON (1) held on 4/12/2021. Government does not seek Defendant's pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to BRADY KNOWLTON (1) Heard and Granted. Time between 4/12/2021 and 4/23/2021 (11 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 4/23/2021 at 04:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:17-02-1:42:13]; Defense Attorney: David Finn, Brent Mayr and Camille Wagner; US Attorney: Jacob Steiner for Elizabeth Kelley; Pretrial Officer: Andre Sidbury; (zpt) [1:21-mj-00347-RMM] (Entered: 04/12/2021)
04/12/2021	16	ORDER Setting Conditions of Release as to BRADY KNOWLTON (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/12/2021. (Attachments: # 1 Appearance Bond) (zpt) [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	12	MOTION for Exculpatory Evidence <i>Be Produced And Presented To The Grand Jury</i> by BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order, # 2 Supplement Waiver of Preliminary Hearing, # 3 Supplement Waiver of Speedy Trial)(Wagner, Camille) [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	13	Waiver of Preliminary Hearing by BRADY KNOWLTON. (Wagner, Camille) Modified text on 4/15/2021 (zstd). [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	14	Waiver of Speedy Trial by BRADY KNOWLTON. (Wagner, Camille) Modified text on 4/15/2021 (zstd). [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	15	NOTICE OF ATTORNEY APPEARANCE: Thomas B. Mayr appearing for BRADY KNOWLTON (Mayr, Thomas) [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	17	RESPONSE by USA as to BRADY KNOWLTON re 12 MOTION for Exculpatory Evidence <i>Be Produced And Presented To The Grand Jury</i> (Kelley, Elizabeth) [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/15/2021	18	Unopposed MOTION for Protective Order by USA as to BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order)(Kelley, Elizabeth) [1:21-mj-00347-RMM] (Entered: 04/15/2021)
04/16/2021	19	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to BRADY KNOWLTON (1) Signed by Magistrate Judge G. Michael Harvey on 4/16/2021. (zpt) [1:21-mj-00347-RMM] (Entered: 04/16/2021)
04/16/2021	20	REPLY TO OPPOSITION to Motion by BRADY KNOWLTON re 12 MOTION for Exculpatory Evidence <i>Be Produced And Presented To The Grand Jury</i> (Mayr, Thomas) [1:21-mj-00347-RMM] (Entered: 04/16/2021)
04/16/2021	21	MOTION to Withdraw as Attorney by DAVID FINN. by BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order)(Finn, David) [1:21-mj-00347-RMM] (Entered: 04/16/2021)
04/16/2021	23	SUPERSEDING INDICTMENT as to PATRICK MONTGOMERY (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, BRADY KNOWLTON (2) count(s) 5, 6, 7, 8, 9, 10. (zltpt) (Entered: 04/19/2021)
04/18/2021	22	Document as to Protective Order (<i>Exhibit A - Defendant's Acceptance</i>) by BRADY KNOWLTON. (Mayr, Thomas)[1:21-mj-00347-RMM] Modified on 4/21/2021 to remove "Motion" per Judge in open court 4/21/21 (kt). (Entered: 04/18/2021)
04/19/2021		MINUTE ORDER Upon review of the Motion to Withdraw as Attorney of Record 21 , it is hereby ORDERED that the Motion is DENIED WITHOUT PREJUDICE, as it does not indicate whether the Motion was "served upon the defendant personally or at the defendant's last-known address" as required by LCrR 44.5(d). Signed by Magistrate Judge G. Michael Harvey on 4/19/2021. (zot) [1:21-mj-00347-RMM] (Entered: 04/19/2021)

04/20/2021	25	Second MOTION to Withdraw as Attorney by DAVID FINN. by BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order Proposed Order)(Finn, David) (Entered: 04/20/2021)
04/20/2021		NOTICE OF HEARING as to PATRICK MONTGOMERY (1) and BRADY KNOWLTON (2): Arraignment/Status Conference set for 4/21/2021, at 10:00 AM, by video, before Judge Randolph D. Moss. (kt) (Entered: 04/20/2021)
04/20/2021	27	MOTION for Disclosure of <i>6(e)</i> and <i>Sealed Materials</i> by USA as to PATRICK MONTGOMERY, BRADY KNOWLTON. (Kelley, Elizabeth) (Entered: 04/20/2021)
04/20/2021	28	MOTION to Continue and <i>Exclude Time Under the Speedy Trial Act</i> by USA as to PATRICK MONTGOMERY, BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order) (Kelley, Elizabeth) (Entered: 04/20/2021)
04/20/2021		MINUTE ORDER as to BRADY KNOWLTON (2): Pursuant to the Due Process Protections Act, it is hereby ORDERED 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 Randolph D. Moss on 4/20/2021. (lcrdm2) (Entered: 04/20/2021)
04/20/2021	30	MOTION to Exclude Time Under the Speedy Trial Act by USA as to PATRICK MONTGOMERY, BRADY KNOWLTON. (See docket entry 28 to view document.) (zltf) (Entered: 05/06/2021)
04/21/2021	29	ORDER as to PATRICK MONTGOMERY (1), BRADY KNOWLTON (2): Upon consideration of the United States' motion to disclose items protected by Federal Rule of Criminal Procedure 6(e) and sealed materials, Dkt. 27 , it is hereby ORDERED, that the motion is GRANTED, and it is further ORDERED, that the United States may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e), and it is further ORDERED, that the United States may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery, and it is further ORDERED, that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Randolph D. Moss on 4/21/2021. (lcrdm2) (Entered: 04/21/2021)
04/21/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Arraignment/Status Conference as to PATRICK MONTGOMERY (1) and BRADY KNOWLTON (2) held on 4/21/2021. Defendants consented to proceeding by video. PATRICK MONTGOMERY (1) arraigned on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, and 10s of the Superseding Indictment. BRADY KNOWLTON (2) arraigned on Counts 5, 6, 7, 8, 9, and 10 of the Superseding Indictment. Plea of Not Guilty entered by PATRICK MONTGOMERY (1) and BRADY KNOWLTON (2) as to ALL their respective Counts. Due Process Protections Act Order read into the record by the Court. A further Status Conference is set for 7/28/2021, at 10:00 AM by video, before Judge Randolph D. Moss. The parties shall utilize the same zoom link provided this morning. For the reasons stated on the record, the Government and Defendant Knowlton shall file a Joint Status Report by 5/21/2021. The Court GRANTS Defendant Knowlton's Second 25 Motion to Withdraw as Attorney; David Finn withdrawn from case. The Court finds as MOOT Defendant Knowlton's 12 Motion for Exculpatory Evidence Be Produced And Presented To The Grand Jury. The Court GRANTS the Government's 28 Motion to Continue and Exclude Time Under the Speedy Trial Act as to PATRICK MONTGOMERY (1) and BRADY KNOWLTON (2). Speedy Trial (XT) is tolled in the interest of justice from 4/21/2021 to 7/28/2021 as to BOTH Defendants. Bond Status of Defendants: Defendants remain on PR Bonds; Court Reporter: Jeff Hook; Defense Attorneys: Dani Jahn (1), Thomas B. Mayr (2), and Camille Wagner (2); U.S. Attorney: Elizabeth Kelley. (kt) (Entered: 04/21/2021)
04/23/2021		Terminate Deadlines and Hearings as to BRADY KNOWLTON (2): Preliminary Hearing set for 4/23/2021 at 04:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey is hereby VACATED. (zpt) (Entered: 04/23/2021)
05/20/2021	36	Unopposed MOTION to Travel by BRADY KNOWLTON. (Attachments: # 1 Text of Proposed Order)(Mayr, Thomas) (Entered: 05/20/2021)
05/21/2021		MINUTE ORDER as to BRADY KNOWLTON (2): Upon consideration of Defendant's unopposed motion to travel, Dkt. 36 , it is hereby ORDERED that the motion is GRANTED, provided that Defendant must obtain prior approval from pretrial services with respect to his itinerary including dates, times, and places of travel. Signed by Judge Randolph D. Moss on 5/21/2021. (lcrdm2) (Entered: 05/21/2021)
05/21/2021	37	Joint STATUS REPORT by BRADY KNOWLTON (Mayr, Thomas) (Entered: 05/21/2021)
06/09/2021	38	NOTICE OF ATTORNEY APPEARANCE: Ronald S. Sullivan, Jr appearing for BRADY KNOWLTON (Sullivan, Ronald) (Entered: 06/09/2021)
06/18/2021	39	MOTION to Dismiss Count <i>Ten of the Indictment</i> by BRADY KNOWLTON. (Attachments: # 1 Memorandum in Support)(Mayr, Thomas) (Entered: 06/18/2021)
06/21/2021		MINUTE ORDER as to BRADY KNOWLTON (2): In light of Defendant's motion to dismiss Count 10 of the indictment, Dkt. 39 , it is hereby ORDERED that the government shall file its response on or before July 2, 2021. Signed by Judge Randolph D. Moss on 6/21/2021. (lcrdm2) (Entered: 06/21/2021)
06/29/2021	41	Memorandum in Opposition by USA as to PATRICK MONTGOMERY, BRADY KNOWLTON re 39 MOTION to Dismiss Count <i>Ten of the Indictment</i> (Kelley, Elizabeth) (Entered: 06/29/2021)
07/06/2021	43	NOTICE of <i>Discovery</i> by USA as to BRADY KNOWLTON (Attachments: # 1 Discovery Letter)(Kelley, Elizabeth) (Entered: 07/06/2021)
07/11/2021	44	Joint MOTION for Leave to File <i>Defendants Joint Reply to the Governments Memorandum in Opposition to Defendants Motion to Dismiss Count Ten of the Indictment</i> by BRADY KNOWLTON as to PATRICK MONTGOMERY, BRADY KNOWLTON. (Attachments: # 1 Exhibit Defendants Joint Reply to the Governments Memorandum in Opposition to Defendants Motion to Dismiss Count Ten of the Indictment, # 2 Text of Proposed Order)(Mayr, Thomas) (Entered: 07/11/2021)
07/13/2021	45	PRETRIAL MEMORANDUM <i>Regarding Status of Discovery</i> by USA as to PATRICK MONTGOMERY, BRADY KNOWLTON (Attachments: # 1 Exhibit A)(Kelley, Elizabeth) (Entered: 07/13/2021)
07/14/2021		MINUTE ORDER as to PATRICK MONTGOMERY (1) and BRADY KNOWLTON (2): Upon consideration of Defendants' motion for leave to file their joint reply in support of their motion to dismiss Count 10 of the Indictment, Dkt. 44 , it is hereby ORDERED that the motion is GRANTED. Signed by Judge Randolph D. Moss on 7/14/2021. (lcrdm2) (Entered: 07/14/2021)
07/15/2021	46	NOTICE OF ATTORNEY APPEARANCE James Dennis Peterson appearing for USA. (Peterson, James) (Entered: 07/15/2021)
07/15/2021	47	REPLY to OPPOSITION to Motion by BRADY KNOWLTON as to PATRICK MONTGOMERY, BRADY KNOWLTON re 39 MOTION to Dismiss Count <i>Ten of the Indictment</i> (Mayr, Thomas) (Entered: 07/15/2021)

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