

U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00005-ABJ-1

Case title: USA v. LEFFINGWELL

Date Filed: 01/11/2021

Magistrate judge case number: 1:21-mj-00007-GMH

Assigned to: Judge Amy Berman Jackson

**Defendant (1)**

**MARK JEFFERSON LEFFINGWELL**

represented by **Mark John Carroll**  
MARK JOHN CARROLL ESQ., P.C.  
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Bethany Beach, DE 19930  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1)  
18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1s)  
18:111(a)(1); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers or  
Employees  
(2-3)  
18:111(a)(1); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers or  
Employees  
(2s-3s)  
18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and  
Remaining in a Restricted Building  
(4)  
18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and  
Remaining in a Restricted Building  
(4s)  
18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly  
and Disruptive Conduct in a Restricted Building  
(5)  
18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly  
and Disruptive Conduct in a Restricted Building  
(5s)  
40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly  
Conduct in a Capitol Building  
(6)  
40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Violent Entry and Disorderly Conduct in a Capitol  
Building  
(6s)  
40:5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Physical Violence in a  
Capitol Building  
(7)  
40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Act of Physical Violence in a Capitol Building  
(7s)

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in Violation of 18:1752(a)(1), 18:115(a)(1)(A) and 40:5104(e)(2)

**Disposition**

**Plaintiff**

USA

represented by **Christopher Berridge**  
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/07/2021	<a href="#">1</a>	SEALED COMPLAINT as to MARK LEFFINGWELL (1). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd) [1:21-mj-00007-GMH] (Entered: 01/07/2021)
01/07/2021		Case unsealed as to MARK LEFFINGWELL (zstd) [1:21-mj-00007-GMH] (Entered: 01/07/2021)
01/07/2021		Arrest of MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/07/2021	<a href="#">3</a>	Arrest Warrant Returned Executed on 1/7/2021 as to MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/07/2021		MINUTE ORDER 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 1/7/2021. (zpt) [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/07/2021		ORAL MOTION to Appoint Counsel by MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/07/2021		ORAL MOTION for Temporary Detention by USA as to MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/07/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Telephonic Initial Appearance as to MARK LEFFINGWELL (1) held on 1/7/2021. Oral Motion to Appoint Counsel by MARK LEFFINGWELL (1) Heard and Granted. Oral Motion by the Government for Temporary Detention (3 Day Hold) as to MARK LEFFINGWELL (1) Heard and Granted. Detention Hearing set for 1/8/2021 at 03:30 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Nancy Meyer Defense Attorney: Mark Carroll; US Attorney: Kelly Smith; Pretrial Officer: Masharia Holman; (zpt) Modified text on 1/8/2021 (zpt). [1:21-mj-00007-GMH] (Entered: 01/08/2021)
01/08/2021		ORAL MOTION for Release from Custody by MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Entered: 01/11/2021)
01/08/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Detention Hearing as to MARK LEFFINGWELL (1) held on 1/8/2021. Oral Motion for Release from Custody by MARK LEFFINGWELL (1) Heard and Granted. Government does not object to the Defendant's release with pre-trial release conditions imposed. Preliminary Hearing set for 1/29/2021 at 10:00 AM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Released on Personal Recognizance/Release Order Issued; Court Reporter: Nancy Meyer Defense Attorney: Mark Carroll; US Attorney: Kelly Smith; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00007-GMH] (Entered: 01/11/2021)
01/08/2021	<a href="#">5</a>	ORDER Setting Conditions of Release as to MARK LEFFINGWELL (1) Third Party Custodian. Signed by Magistrate Judge G. Michael Harvey on 1/8/2021. (zpt)[1:21-mj-00007-GMH] (Additional attachment(s) added on 2/10/2021: # <a href="#">1</a> Appearance Bond) (zpt). (Entered: 01/11/2021)
01/11/2021	<a href="#">6</a>	INDICTMENT as to MARK JEFFERSON LEFFINGWELL (1) count(s) 1, 2-3, 4, 5, 6, 7. (bb) (Entered: 01/12/2021)
01/12/2021		MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. A Video (VTC) Status Conference is set for 1/29/2021 at 2:00 PM before Judge Amy Berman Jackson. The Court's Deputy Clerk will provide counsel for the parties with the video connection information. Defense counsel is directed to forward the connection information to the defendant who is required to be present and participate in the Video (VTC) Status Conference. Signed by Judge Amy Berman Jackson on 1/12/2021. (jth) (Entered: 01/12/2021)
01/13/2021	<a href="#">7</a>	NOTICE OF ATTORNEY APPEARANCE: Mark John Carroll appearing for MARK JEFFERSON LEFFINGWELL (Carroll, Mark) (Entered: 01/13/2021)
01/27/2021		MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. It is ORDERED that the Video (VTC) Status Conference set for 1/29/2021 at 2:00 PM before Judge Amy Berman Jackson will also include the defendant's arraignment. It is FURTHER ORDERED that the Pretrial Services Agency (PSA) Officer assigned to this case is directed to participate and dial into the Video (VTC) Status Conference. Signed by Judge Amy Berman Jackson on 1/27/2021. (jth) (Entered: 01/27/2021)
01/29/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to MARK JEFFERSON LEFFINGWELL as to Counts: 1,2-3,4,5,6,7 held on 1/29/2021. Plea of Not Guilty entered as to all Counts (1-7). Oral request by the Defendant for a Criminal Guideline Calculation was Heard and Granted. The Clerk is directed to refer this to the United States Probation Office for the preparation of a Guideline Calculation in this case. Defendant's conditions of release are modified as follows: Defendant shall stay away from any State Capitol. Another Video (VTC) Status Conference is set for 3/31/2021 at 12:00 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond with Third (3rd) Party Custody; Court Reporter: Crystal Pilgrim; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge; Pretrial Services Agency Officer: Andre Sidbury. (jth) Modified on 1/29/2021 to include the modification of defendant's conditions of pretrial release (jth). (Entered: 01/29/2021)
02/16/2021	<a href="#">9</a>	ORDER. 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 Amy Berman Jackson on 2/16/2021. (lcabj1) (Entered: 02/16/2021)
03/30/2021	<a href="#">12</a>	Unopposed MOTION for Protective Order <i>Governing Discovery</i> by USA as to MARK JEFFERSON LEFFINGWELL. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Berridge, Christopher) (Entered: 03/30/2021)
03/31/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to MARK JEFFERSON LEFFINGWELL held on 3/31/2021. The Court makes a finding that it is in the Interests of Justice that the time between 3/31/2021 and 6/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 6/3/2021 at 11:00 AM before Judge Amy Berman Jackson. If the proceeding on 6/3/2021 is to be converted to a plea, the plea paperwork must be submitted to chambers by 6/1/2021. The defendant will be required to appear in person or by Video for any plea hearing. Bond Status of Defendant: Defendant Appeared by Telephone, but Remains on Personal Recognizance Bond (PR); Court Reporter: Janice Dickman; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge. (jth) (Entered: 03/31/2021)
04/01/2021		MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. <a href="#">12</a> Motion for Protective Order is denied without prejudice. Paragraph 4(d) of the proposed order [12-1] calls for the filing of documents under seal, without an accompanying motion for leave to file under seal as required by this court's Local Rules. Therefore, it is ORDERED that the government must submit a revised proposed order which provides that if any party wishes to submit sensitive material to the Court, it must be filed in accordance with Local Criminal Rule 49(f)(6). Signed by Judge Amy Berman Jackson on 4/1/2021. (lcabj1) (Entered: 04/01/2021)
04/01/2021	<a href="#">13</a>	Unopposed MOTION for Protective Order of <i>Discovery Materials (Revised)</i> by USA as to MARK JEFFERSON LEFFINGWELL. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Berridge, Christopher) (Entered: 04/01/2021)
04/05/2021	<a href="#">14</a>	PROTECTIVE ORDER to MARK JEFFERSON LEFFINGWELL. See Order for details. Signed by Judge Amy Berman Jackson on 4/5/2021. (lcabj1) (Entered: 04/05/2021)
04/09/2021	<a href="#">15</a>	SUPERSEDING INDICTMENT as to MARK JEFFERSON LEFFINGWELL (1) count(s) 1s, 2s-3s, 4s, 5s, 6s, 7s. (bb) (Entered: 04/12/2021)
06/03/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to MARK JEFFERSON LEFFINGWELL as to Counts 1s,2s-3s,4s,5s,6s,7s held on 6/3/2021. Plea of Not Guilty entered as to counts 1s,2s-3s,4s,5s,6s,7s. Another Video (VTC) Status Conference is set for 9/8/2021 at 11:00 AM before Judge Amy Berman Jackson. If the 9/8/2021 Status Conference is to be converted to a Plea Hearing counsel must submit the signed paperwork to the Court's Deputy Clerk by 12:00 PM (noon) on 9/7/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/3/2021 and 9/8/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge. (jth) (Entered: 06/03/2021)

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