

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00079-BAH-1

Case title: USA v. LYONS

Date Filed: 02/03/2021

Assigned to: Chief Judge Beryl A. Howell

Defendant (1)

KEVIN JAMES LYONS
also known as
KEVIN LYONS

represented by **Lawrence Wolf Levin**
LAW OFFICES OF LAWRENCE WOLF LEVIN
214 West Ohio St.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

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

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and
Remaining in a Restricted Building
(1s)

40 U.S.C. 5104(e)(2)(C); FEDERAL STATUTES, OTHER; Entering and
Remaining in Certain Rooms in a Capitol Building
(2)

18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly
and Disruptive Conduct in a Restricted Building or Grounds
(2s)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct at
the Grounds and in a Capitol Building
(3)

40:5104(e)(2)(C); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Entering and Remaining in Certain Rooms in the Capitol
Building
(3s)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly Conduct at the Grounds and in a Capitol
Building
(4s)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol
Building
(5s)

18:1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR
INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(6s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. 1752(a)(1); 40 U.S.C. 5104(e)(2)(C)
and (D)

Disposition

Plaintiff

USA

represented by **Monica Anne Stump**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

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TERMINATED: 04/13/2021

Date Filed	#	Docket Text
01/12/2021	1	COMPLAINT as to KEVIN JAMES LYONS (1). (Attachments: # 1 Statement of Facts) (zltf) [1:21-mj-00037-ZMF *SEALED*] (Entered: 01/13/2021)
01/13/2021		Arrest of KEVIN JAMES LYONS in Northern District of Illinois. (zpt) Modified date on 2/1/2021 (zpt). [1:21-mj-00037-ZMF *SEALED*] (Entered: 02/01/2021)
01/19/2021	3	Arrest Warrant, dated 1/12/2021, Returned Executed in the U.S. District Court for the District of Columbia on 1/19/2021 as to KEVIN JAMES LYONS. (zpt) [1:21-mj-00037-ZMF *SEALED*] (Entered: 02/01/2021)
01/19/2021		ORAL MOTION for Speedy Trial Waiver by KEVIN JAMES LYONS. (zpt) [1:21-mj-00037-ZMF *SEALED*] (Entered: 02/01/2021)
01/19/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to KEVIN JAMES LYONS (1) held on 1/19/2021. Oral Motion for Speedy Trial Waiver by KEVIN JAMES LYONS (1) Heard and Granted. Time between 1/19/2021 and 3/2/2021 (42 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Government does not seek the Defendant's pretrial detention. Defendant expresses intent to waive right to a Preliminary Hearing. Status Hearing set for 3/2/2021 at 10:00 AM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Lawrence Levin; US Attorney: Nicole Battle; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00037-ZMF *SEALED*] (Entered: 02/01/2021)
01/19/2021		Case unsealed as to KEVIN JAMES LYONS (zltf) (Entered: 02/05/2021)
01/19/2021	7	ORDER Setting Conditions of Release as to KEVIN JAMES LYONS (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021. (Attachments: # 1 Appearance Bond) (zpt) (Entered: 02/08/2021)
01/19/2021		MINUTE ORDER as to KEVIN JAMES LYONS (1). 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 1/19/2021. (zpt) (Entered: 02/09/2021)
02/03/2021	4	INFORMATION as to KEVIN JAMES LYONS (1) count(s) 1, 2, 3. (zltf) (Main Document 4 replaced on 2/4/2021) (zltf). (Entered: 02/04/2021)
02/04/2021		NOTICE OF HEARING as to KEVIN JAMES LYONS. The parties shall take notice that an Arraignment hearing is scheduled for 2/12/2021, at 10:45 AM before Chief Judge Beryl A. Howell. (ztg) (Entered: 02/04/2021)
02/05/2021	6	STANDING ORDER as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on February 5, 2021. (lcbah3) (Entered: 02/05/2021)
02/08/2021		NOTICE OF RESCHEDULED TIME OF HEARING as to KEVIN JAMES LYONS. The parties shall take notice that the Arraignment Hearing scheduled for 2/12/2021, at 10:45 AM is RESCHEDULED for 2/12/2021, at 9:15 AM before Chief Judge Beryl A. Howell. B (ztg) (Entered: 02/08/2021)
02/12/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment as to KEVIN JAMES LYONS held via videoconference on 2/12/2021. The Defendant agreed to participate via videoconference after consultation with counsel. A plea of not guilty was entered by KEVIN JAMES LYONS to Counts 1, 2, and 3 of the Information filed on 2/3/2021. A Status Hearing is scheduled for 4/9/2021, at 9:00 AM before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until the next status hearing of 4/9/2021. The Court found that for the reasons stated on the record, time under the Speedy Trial Act shall be excluded from 2/12/2021 through 4/9/2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorneys: Michelle M. Peterson and Lawrence Levin; US Attorney: Nicole L. Battle; Pretrial Officer: Andre Sidbury (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 02/12/2021)
03/02/2021		MINUTE ORDER The hearing currently scheduled for March 2, 2021 is hereby VACATED, as the government has formally charged KEVIN JAMES LYONS and there are no additional matters necessitating action by a magistrate judge. If a hearing has not been scheduled before the assigned district judge, the parties are respectfully directed to contact the chambers of the assigned district judge to schedule a hearing. Signed by Magistrate Judge Zia M. Faruqi on 3/2/2021. (zpt) (Entered: 03/03/2021)
04/08/2021	9	NOTICE of Appearance of Counsel Attorney: Lawrence Wolf Levin. by KEVIN JAMES LYONS. (Levin, Lawrence) Modified event title on 4/27/2021 (znmw). (Entered: 04/08/2021)
04/08/2021	10	Amended NOTICE of Appearance of Counsel (<i>Correct Attorney Number</i>) Attorney: Lawrence Wolf Levin. by KEVIN JAMES LYONS. (Levin, Lawrence) Modified event title on 4/27/2021 (znmw). (Entered: 04/08/2021)
04/08/2021	11	NOTICE OF ATTORNEY APPEARANCE: Lawrence Wolf Levin appearing for KEVIN JAMES LYONS (Levin, Lawrence) (Entered: 04/08/2021)
04/08/2021	12	Unopposed MOTION for Protective Order by USA as to KEVIN JAMES LYONS. (Attachments: # 1 Text of Proposed Order)(Battle, Nicole) (Entered: 04/08/2021)
04/08/2021	13	Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS. (Attachments: # 1 Text of Proposed Order)(Battle, Nicole) (Entered: 04/08/2021)
04/08/2021	16	MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS. (See Docket Entry 13 to View Document). (zhsj) (Entered: 04/26/2021)
04/09/2021		MINUTE ORDER as to KEVIN JAMES LYONS granting 13 United States' Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act. Upon consideration of the untimely filed unopposed motion (see 6 Standing Order, par. 6), it is hereby ORDERED that the Status Hearing scheduled for today, April 9, 2021, shall be CONTINUED to June 11, 2021, at 10:00 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that pursuant to 18 U.S.C. 3161(h)(7)(A), (B)(i), (ii), and (iv), time under the Speedy Trial Act shall be excluded with the parties' consent, from April 9, 2021 through June 11, 2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow for the completion of discovery by the government and its review by the Defendant. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 4/9/2021. (ztg) (Entered: 04/09/2021)
04/13/2021	14	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Stump, Monica Anne added. (Stump, Monica) (Entered: 04/13/2021)
04/21/2021		MINUTE ORDER granting 12 Motion for Protective Order as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on 4/21/2021. (ztg) (Entered: 04/21/2021)
04/21/2021	15	PROTECTIVE ORDER as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on April 21, 2021. (lcbah3) (Entered: 04/21/2021)
04/23/2021		Set/Reset Hearings as to KEVIN JAMES LYONS: Status Conference RESCHEDULED for 6/11/2021, at 11:00 AM before Chief Judge Beryl A. Howell. (ztg) (Entered: 04/23/2021)
05/04/2021	17	MOTION for Disclosure <i>ITEMS PROTECTED BY FEDERAL RULE OF CRIMINAL PROCEDURE 6(e) AND SEALED MATERIALS</i> by USA as to KEVIN JAMES LYONS. (Attachments: # 1 Text of Proposed Order)(Stump, Monica) (Entered: 05/04/2021)
05/04/2021		MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, GRANTING the government's 17 Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), to provide to defendant, and any co-defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on May 4, 2021. (lcbah3) (Entered: 05/04/2021)
05/04/2021	18	NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS (Attachments: # 1 Exhibit Initial Discovery Letter)(Stump, Monica) (Entered: 05/04/2021)
05/17/2021	19	NOTICE of Acceptance of Protective Order by KEVIN JAMES LYONS (Levin, Lawrence) (Entered: 05/17/2021)
05/19/2021	20	NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS (Attachments: # 1 Exhibit)(Stump, Monica) (Entered: 05/19/2021)
06/03/2021	21	Second MOTION to Continue (<i>Unopposed</i>) and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS. (Attachments: # 1 Text of Proposed Order) (Stump, Monica) (Entered: 06/03/2021)
06/03/2021		MINUTE ORDER granting 21 United States' Second Motion to Continue and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for June 11, 2021, shall be CONTINUED to August 6, 2021, at 9:15 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from June 11, 2021 through August 6, 2021, for all the reasons set out in the government's motion and agreed to by the Defendant. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 6/3/2021. (ztg) (Entered: 06/03/2021)
06/07/2021	22	NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS (Attachments: # 1 Supplement)(Stump, Monica) (Entered: 06/07/2021)
06/09/2021	23	SUPERSEDING INDICTMENT as to KEVIN JAMES LYONS (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s. (bb) (Entered: 06/10/2021)
07/12/2021	25	NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS (Attachments: # 1 Supplement)(Stump, Monica) (Entered: 07/12/2021)

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