

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00268-CJN-1

Case title: USA v. MCKELLOP

Date Filed: 03/31/2021

Magistrate judge case number: 1:21-mj-00307-ZMF

Assigned to: Judge Carl J. Nichols

Defendant (1)

JEFFREY MCKELLOP

represented by **Catherine C. Henry**

FEDERAL COMMUNITY DEFENDER OFFICE, EDPA
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or Community Defender Appointment

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TERMINATED: 04/06/2021

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ATTORNEY TO BE NOTICED

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TERMINATED: 04/06/2021

ATTORNEY TO BE NOTICED

Pending Counts

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
(1-4)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
Using a Dangerous Weapon, Inflicting Bodily Injury
(5)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
Using a Dangerous Weapon
(6)

18:231(a)(3); CIVIL DISORDER; Civil Disorder
(7)

18:1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;
Entering and Remaining in a Restricted Building or Grounds with a Deadly or
Dangerous Weapon
(8)

18:1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a
Deadly or Dangerous Weapon
(9)

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly
or Dangerous Weapon
(10)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(11)

40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or
Buildings

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

COMPLAINT in Violation of 18:111(a)(1), (b), 18:231(a)(3), 40:5104(e)(2), 18:1752(a)(1), (b)(1)(A), 18:1752(a)(2), (b)(1)(A) and 18:17529(a)(4), (b)(1)(A)

Disposition**Plaintiff**

USA

represented by **Mary Lyle Dohrmann**
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Designation: Assistant U.S. Attorney

| Date Filed | # | Docket Text |
|------------|--------------------|---|
| 03/15/2021 | 1 | SEALED COMPLAINT as to JEFFREY MCKELLOP (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00307-ZMF] (Entered: 03/16/2021) |
| 03/15/2021 | 3 | MOTION to Seal Case by USA as to JEFFREY MCKELLOP. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00307-ZMF] (Entered: 03/16/2021) |
| 03/15/2021 | 4 | ORDER granting 3 Motion to Seal Case as to JEFFREY MCKELLOP (1). Signed by Magistrate Judge Robin M. Meriweather on 03/15/2021. (zstd) [1:21-mj-00307-ZMF] (Entered: 03/16/2021) |
| 03/15/2021 | 5 | NOTICE OF ATTORNEY APPEARANCE Daniel Honold appearing for USA. (zstd) [1:21-mj-00307-ZMF] (Entered: 03/16/2021) |
| 03/17/2021 | 8 | Arrest Warrant Returned Executed on 3/17/2021 as to JEFFREY MCKELLOP Washington, D.C. (zltf) (Main Document 8 replaced on 3/21/2021) (ztl). [1:21-mj-00307-ZMF] (Entered: 03/18/2021) |
| 03/18/2021 | | Case unsealed as to JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/18/2021) |
| 03/18/2021 | 7 | MOTION for Leave to Appear Pro Hac Vice Seth Peritz Fee Status: No Fee Paid. by JEFFREY MCKELLOP. (Hunter, Greg) Modified event on 3/23/2021 (znmw). [1:21-mj-00307-ZMF] (Entered: 03/18/2021) |
| 03/18/2021 | | Arrest of JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/21/2021) |
| 03/18/2021 | | ORAL MOTION for Temporary Detention by USA as to JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/21/2021) |
| 03/18/2021 | | JOINT ORAL MOTION for Speedy Trial by USA as to JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/21/2021) |
| 03/18/2021 | | Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to JEFFREY MCKELLOP held on 3/18/2021. Defendant present by telephone. Due Process Order given to the Government. Oral Motion by the Government for Temporary Detention (3 day hold) as to JEFFREY MCKELLOP (1); heard and granted. Defense did not object. Joint Oral Motion for Speedy Trial as to JEFFREY MCKELLOP (1); heard and granted. Detention Hearing set for 3/22/2021 at 4:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Held Without Bond; Court Reporter: Sara Wick; Defense Attorney: Seth Peritz; US Attorney: Mary Dohrman; Pretrial Officer: Masharia Holman. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/21/2021) |
| 03/19/2021 | 16 | Corrected MEMORANDUM in Support of Pretrial Detention by USA as to JEFFREY MCKELLOP (bb) [1:21-mj-00307-ZMF] (Entered: 03/29/2021) |
| 03/22/2021 | 10 | Memorandum in Opposition by JEFFREY MCKELLOP re MOTION for Temporary Detention (Hunter, Greg) [1:21-mj-00307-ZMF] (Entered: 03/22/2021) |
| 03/22/2021 | | MINUTE ORDER granting 7 Motion for 404(b) Evidence and Motion for Leave to Appear Pro Hac Vice] as to Defendant JEFFREY MCKELLOP's Motion seeking admission of his attorney, Seth Q. Peritz, to this Court pro hac vice with support from attorney Gregory T. Hunter, a member in good standing in this Court. Upon consideration of the motion, finding it meritorious, the Court grants the pro hac vice admission to this Court. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions as to JEFFREY MCKELLOP (1). Signed by Magistrate Judge Zia M. Faruqi on 3/22/2021. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/22/2021) |
| 03/22/2021 | | ORAL MOTION to Commit Defendant to Custody of Attorney General by USA as to JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/23/2021) |
| 03/22/2021 | | Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Detention Hearing as to JEFFREY MCKELLOP held on 3/22/2021. Defendant present by video. Defendant had a medical emergency during the hearing. Detention Hearing continue to 3/23/2021. Detention Hearing set for 3/23/2021 at 3:30 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Remain Held Without Bond; Court Reporter: Sara Wick; Defense Attorney: Greg Hunter; US Attorney: Seth Peritz; Pretrial Officer: Andre Sidbury. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/23/2021) |
| 03/23/2021 | | ORAL MOTION for Release from Custody by JEFFREY MCKELLOP. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/31/2021) |
| 03/23/2021 | | Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Detention Hearing as to JEFFREY MCKELLOP held on 3/23/2021. Defendant present by video. Oral Motion by the Government to Commit Defendant to Custody of Attorney General as to JEFFREY MCKELLOP (1); heard and granted. Oral Motion for Release from Custody by JEFFREY MCKELLOP (1); heard and denied. Preliminary Hearing set for 4/1/2021 at 3:30 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Lisa Griffith; Defense Attorney: Seth Peritz; US Attorney: Mary Dohrmann and Daniel Honold; Pretrial Officer: John Copes. (ztl) [1:21-mj-00307-ZMF] (Entered: 03/31/2021) |
| 03/25/2021 | 12 | NOTICE OF ATTORNEY APPEARANCE: Seth Quint Peritz appearing for JEFFREY MCKELLOP (Peritz, Seth) [1:21-mj-00307-ZMF] (Entered: 03/25/2021) |
| 03/29/2021 | 17 | First MOTION to Review <i>Magistrate Judge's Order for Defendant's Pretrial Detention</i> by JEFFREY MCKELLOP. (Attachments: # 1 Memorandum in Support of Defendant's Pretrial Release)(Peritz, Seth) [1:21-mj-00307-ZMF] (Entered: 03/29/2021) |
| 03/30/2021 | | NOTICE OF HEARING ON MOTION in case as to JEFFREY MCKELLOP re 17 First MOTION to Review Magistrate Judge's Order for Defendant's Pretrial Detention. The parties shall take notice that a Motion Hearing is scheduled for 4/2/2021, at 3:00 PM via videoconference before Chief Judge Beryl A. Howell. A videoconference link will be provided by the deputy clerk. (ztf) [1:21-mj-00307-ZMF] (Entered: 03/30/2021) |
| 03/30/2021 | | MINUTE ORDER (paperless) as to JEFFREY MCKELLOP DIRECTING the government to provide, by Wednesday, March 31, 2021 at 5:00 PM, its response, if any, to defendant's 17 First Motion to Review Magistrate Judge's Order for Defendant's Pretrial Detention. Signed by Chief Judge Beryl A. Howell on March 30, 2021. (lcbah3) [1:21-mj-00307-ZMF] (Entered: 03/30/2021) |

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| 03/30/2021 | 19 | ORDER OF DETENTION PENDING TRIAL - Defendant Held Without Bond as to JEFFREY MCKELLOP. Signed by Magistrate Judge Zia M. Faruqui on 3/30/2021.(ztl) [1:21-mj-00307-ZMF] (Entered: 03/31/2021) |
| 03/31/2021 | 18 | Memorandum in Opposition by USA as to JEFFREY MCKELLOP re 17 First MOTION to Review <i>Magistrate Judge's Order for Defendant's Pretrial Detention</i> (Dohrmann, Mary) [1:21-mj-00307-ZMF] (Entered: 03/31/2021) |
| 03/31/2021 | 20 | INDICTMENT as to JEFFREY MCKELLOP (1) count(s) 1-4, 5, 6, 7, 8, 9, 10, 11, 12. (zstd) (Entered: 04/01/2021) |
| 04/01/2021 | | NOTICE as to JEFFREY MCKELLOP re Hearing on Motion before Chief Judge Beryl A. Howell. The parties shall take notice that in light of the Indictment filed by the government and the assignment of this matter to Judge Carl J. Nichols, the Motion Hearing scheduled in this matter for Friday, April 2, 2021, before Chief Judge Beryl A. Howell is VACATED. (ztg) (Entered: 04/01/2021) |
| 04/01/2021 | | MINUTE ORDER. Upon review of Defendant's 17 Motion to Review Magistrate Judge's Order for Defendant's Pretrial Detention, it is hereby ORDERED that the Parties shall appear for a hearing on the Motion at 2 P.M. on April 5, 2021 via videoconference. It is further ORDERED that, in the interest of justice, time under the Speedy Trial Act is excluded between April 1, 2021, and April 5, 2021. Signed by Judge Carl J. Nichols on April 1, 2021. (lccjn3) (Entered: 04/01/2021) |
| 04/01/2021 | | Terminate Deadlines and Hearings as to JEFFREY MCKELLOP: Preliminary Hearing set for 4/1/2021 at 3:30 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey is hereby VACATED. (zpt) (Entered: 04/01/2021) |
| 04/01/2021 | | Set/Reset Hearings as to JEFFREY MCKELLOP: Motion Hearing set for 4/5/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 04/05/2021) |
| 04/05/2021 | 22 | First MOTION to Withdraw as Attorney by Seth Q. Peritz., First MOTION to Appoint Counsel by JEFFREY MCKELLOP. (Attachments: # 1 Text of Proposed Order)(Peritz, Seth) (Entered: 04/05/2021) |
| 04/05/2021 | | Minute Entry for proceedings held before Judge Carl J. Nichols: Video Motion Hearing as to JEFFREY MCKELLOP held on 4/5/2021 re 17 First MOTION to Review <i>Magistrate Judge's Order for Defendant's Pretrial Detention</i> filed by JEFFREY MCKELLOP. 17 Motion for Review; Denied for reasons set forth on the record. Speedy Trial as to JEFFREY MCKELLOP is Excluded from 4/5/2021 to 4/12/2021 in the Interest of Justice, XT. Status Conference/ Arraignment set for 4/12/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Seth Peritz; US Attorney: Mary Dohrmann and Daniel Honold; Pretrial Officer: Masharia Holman. (zcal) (Entered: 04/05/2021) |
| 04/05/2021 | | Set/Reset Hearings as to JEFFREY MCKELLOP: Arraignment / Status Conference RESET for 4/12/2021 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 04/05/2021) |
| 04/06/2021 | | MINUTE ORDER. Upon review of Defendant's 22 Unopposed Motion to Withdraw as Counsel and Appoint New Counsel, it is hereby ORDERED that the Motion is GRANTED. This action has just begun, and Defendant consents to the withdrawal of counsel. Withdrawal at this early stage will not unduly delay trial, prejudice any Party, or otherwise harm the interests of justice. See LCrR 44.5(d). Therefore, Seth Peritz and Gregory Hunter are relieved as counsel in this matter, and the Court shall appoint new counsel to represent Defendant Jeffrey McKellop. Signed by Judge Carl J. Nichols on April 6, 2021. (lccjn3) (Entered: 04/06/2021) |
| 04/09/2021 | 23 | NOTICE OF ATTORNEY APPEARANCE: Catherine C. Henry appearing for JEFFREY MCKELLOP (Henry, Catherine) (Entered: 04/09/2021) |
| 04/12/2021 | | Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference /Arraignment as to JEFFREY MCKELLOP (1): Count 1-4,5,6,7,8,9,10,11,12 held on 4/12/2021. Not Guilty Plea as to all counts. Speedy Trial as to JEFFREY MCKELLOP is Excluded from 4/12/2021 to 5/12/2021, in the Interest of Justice, XT. Status Conference set for 5/12/2021 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Cathy Henry; US Attorney: Mary Dohrmann and Daniel Honold. (zcal) (Entered: 04/27/2021) |
| 05/04/2021 | | Set/Reset Hearings as to JEFFREY MCKELLOP: Status Conference RESET for 5/13/2021 at 11:15 AM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 05/04/2021) |
| 05/05/2021 | 24 | NOTICE OF ATTORNEY APPEARANCE: Katrina Young appearing for JEFFREY MCKELLOP (Young, Katrina) (Entered: 05/05/2021) |
| 05/11/2021 | 25 | Unopposed MOTION for Protective Order by USA as to JEFFREY MCKELLOP. (Attachments: # 1 Text of Proposed Order, # 2 Declaration)(Dohrmann, Mary) (Entered: 05/11/2021) |
| 05/13/2021 | | MINUTE ORDER. Upon review of the government's 25 Motion for Protective Order, it is hereby ORDERED that the Motion is DENIED without prejudice. While the Court is otherwise prepared to approve the proposed Protective Order, paragraph 4.d. for the filing of documents under seal, appears to be inconsistent with Local Rule of Criminal Procedure 49(f)(6)(i), which requires an accompanying motion for leave to file under seal. Signed by Judge Carl J. Nichols on May 13, 2021. (lccjn3) (Entered: 05/13/2021) |
| 05/13/2021 | | Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to JEFFREY MCKELLOP held on 5/13/2021. Speedy Trial as to JEFFREY MCKELLOP is Excluded from 5/13/2021 to 6/14/2021, in the Interest of Justice, XT. Status Conference set for 6/14/2021 at 11:00 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Catherine Henry and Katrina Young; US Attorney: Mary Dohrmann and Daniel Honold; (zcal) (Entered: 05/13/2021) |
| 05/13/2021 | 26 | Unopposed MOTION for Protective Order by USA as to JEFFREY MCKELLOP. (Attachments: # 1 Text of Proposed Order, # 2 Declaration)(Dohrmann, Mary) (Entered: 05/13/2021) |
| 05/13/2021 | 27 | ORDER granting 26 Motion for Protective Order as to JEFFREY MCKELLOP. Signed by Judge Carl J. Nichols on May 13, 2021. (lccjn3) (Entered: 05/13/2021) |
| 06/03/2021 | 28 | MOTION for Disclosure of <i>ITEMS PROTECTED BY FED. R. CRIM. P. 6(e) and SEALED MATERIALS</i> by USA as to JEFFREY MCKELLOP. (Attachments: # 1 Text of Proposed Order) (Dohrmann, Mary) (Entered: 06/03/2021) |
| 06/14/2021 | | Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to JEFFREY MCKELLOP held on 6/14/2021. Speedy Trial as to JEFFREY MCKELLOP is Excluded from 6/14/2021 to 7/14/2021, in the Interest of Justice, XT. Status Conference set for 7/14/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Crystal Pilgrim; Defense Attorney: Catherine Henry; US Attorney: Mary Dohrmann and Daniel Honold. (zcal) (Entered: 06/14/2021) |
| 06/14/2021 | | MINUTE ORDER. Upon review of the government's 28 Motion for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e), and considering that Defendant consents to the Motion, it is hereby ORDERED that the Motion is GRANTED. The United States may thus provide Defendant McKellop, and any co-defendants who may later be joined, with discovery materials protected by Federal Rule of Criminal Procedure 6(e) and sealed materials pursuant to the previously entered 27 protective order governing discovery. Signed by Judge Carl J. Nichols on June 14, 2021. (lccjn3) (Entered: 06/14/2021) |
| 06/21/2021 | 29 | NOTICE OF ATTORNEY APPEARANCE Daniel Honold appearing for USA. (Honold, Daniel) (Entered: 06/21/2021) |
| 07/12/2021 | 30 | ENTERED IN ERROR..... STATUS REPORT <i>Regarding Status of Discovery</i> by USA as to JEFFREY MCKELLOP (Attachments: # 1 Exhibit Exhibit A)(Honold, Daniel) Modified on 7/12/2021 (zstd). (Entered: 07/12/2021) |
| 07/12/2021 | | NOTICE OF CORRECTED DOCKET ENTRY: as to JEFFREY MCKELLOP re 30 Status Report was entered in error and counsel was instructed to refile said pleading using event Notices (Other). (zstd) (Entered: 07/12/2021) |
| 07/12/2021 | 31 | Memorandum Regarding Status of Discovery by USA as to JEFFREY MCKELLOP (Attachments: # 1 Exhibit A)(Honold, Daniel) Modified text on 7/13/2021 (zstd). (Entered: 07/12/2021) |
| 07/13/2021 | 32 | NOTICE of <i>Discovery</i> by USA as to JEFFREY MCKELLOP (Honold, Daniel) (Entered: 07/13/2021) |
| 07/14/2021 | | Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to JEFFREY MCKELLOP held on 7/14/2021. Defense's Oral Motion to have Defendant transferred to Philadelphia Jail or relief for in-person jail visits in Washington, DC; motion taken under advisement. Defendant departed room and was not present for the remainder of the call. Speedy Trial as to JEFFREY MCKELLOP is Excluded from 7/14/2021 to 8/25/2021, in the Interest of Justice, XT. Status Conference set for 8/25/2021 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Catherine Henry and Katrina Young; US Attorney: Mary Dohrmann and Daniel Honold. (zcal) (Entered: 07/14/2021) |
| 07/16/2021 | 33 | ENTERED IN ERROR.....RESPONSE by JEFFREY MCKELLOP to <i>Minute Order Regarding Video Exhibit Release</i> (Henry, Catherine) Modified on 7/16/2021 (zstd). (Entered: 07/16/2021) |
| 07/16/2021 | | NOTICE OF CORRECTED DOCKET ENTRY: as to JEFFREY MCKELLOP re 33 Response to document was entered in error and counsel was instructed to refile said pleading. The document needs to have correct case and filed in the miscellaneous case number 21-mc-86. (zstd) (Entered: 07/16/2021) |

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