

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00131-PLF-1**

Case title: USA v. GERDING et al

Date Filed: 02/18/2021

Magistrate judge case number: 1:21-mj-00148-ZMF

Assigned to: Judge Paul L. Friedman

Defendant (1)

JASON GERDING

represented by **Eugene Ohm**
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

- 18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (1)
- 18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (2)
- 40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building (3)
- 40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building (4)

Disposition

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Anthony L. Franks**
DOJ-USAO
Lrm Hurst, Julie
111 S. 10th Street
Rm. 20.333
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314-539-2200
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LEAD ATTORNEY
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Rachel A Fletcher
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TERMINATED: 02/22/2021
LEAD ATTORNEY
Designation: Assistant U.S. Attorney

| Date Filed | # | Docket Text |
|------------|--------------------|---|
| 01/21/2021 | 5 | MOTION to Seal Case by USA as to JASON GERDING, CHRISTINA GERDING. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00148-ZMF] (Entered: 01/22/2021) |
| 01/21/2021 | 6 | ORDER granting 5 Motion to Seal Case as to JASON GERDING (1), CHRISTINA GERDING (2). Signed by Magistrate Judge Zia M. Faruqui on 1/21/2021. (zstd) [1:21-mj-00148-ZMF] (Entered: 01/22/2021) |
| 01/21/2021 | 1 | SEALED COMPLAINT as to JASON GERDING (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00148-ZMF] (Entered: 01/22/2021) |
| 01/28/2021 | | Case unsealed as to Defendants JASON GERDING (1) and CHRISTINA GERDING (2). (kk)[1:21-mj-00148-ZMF] Modified on 3/2/2021 (kk). (Entered: 02/03/2021) |
| 01/28/2021 | | Arrest of Defendant JASON GERDING (1) in the Central District of Illinois. (kk) (Entered: 03/02/2021) |
| 02/02/2021 | 15 | ORDER Setting Conditions of Release as to JASON GERDING (1) Personal Recognizance. Signed by Magistrate Judge Robin M. Meriweather on 2/2/2021. (zt)[1:21-mj-00148-ZMF] |

| (Additional attachment(s) added on 4/20/2021: # 1 Appearance Bond) (zkk). (Entered: 02/11/2021) | |
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| 02/02/2021 | 27 Arrest Warrant, dated 1/21/2021, returned executed in the U.S. District Court for the District of Columbia on 2/2/2021 as to Defendant JASON GERDING (1). (kk) (zkk). (Entered: 03/02/2021) |
| 02/02/2021 | JOINT ORAL MOTION by Defendant JASON GERDING (1) and Defendant CHRISTINA GERDING (2) to Appoint Counsel. (kk) (Entered: 03/02/2021) |
| 02/02/2021 | JOINT ORAL MOTION by USA and Defendants JASON GERDING (1) and CHRISTINA GERDING (2) to Exclude Time Under the Speedy Trial Act from 2/2/2021 to 2/19/2021. (kk) (Entered: 03/02/2021) |
| 02/02/2021 | Minute Entry for Initial Appearance by video as to JASON GERDING (1) and CHRISTINA GERDING (2) held before Magistrate Judge Robin M. Meriweather on 2/2/2021 : Both defendants agree to appear by video for today's hearing. The Court advised the Government of its due process obligations under Rule 5(f). Joint Oral Motion by Defendants to Appoint Counsel, heard and granted. Assistant Federal Public Defender Eugene Ohm and Criminal Justice Act Panel attorney Jerry Smith appointed to represent JASON GERDING (1) and CHRISTINA GERDING (2), respectively. Preliminary Hearing scheduled for both defendants on 2/19/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Joint Oral Motion by USA and Defendants JASON GERDING (1) and CHRISTINA GERDING (2) to Exclude Time Under the Speedy Trial Act from 2/2/2021 to 2/19/2021, heard and granted in the interest of justice. Bond Status of Defendants: Both Defendants placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 16; FTR Time Frames: 1:28:27 - 1:39:25 and 1:53:55 - 2:12:55. Defense Attorneys: (1): Eugene Ohm and (2): Jerry Smith; U.S. Attorney: Kelly Smith for Rachel Fletcher; Pretrial Officer: Da'Shanta Valentine-Lewis. (kk) (Entered: 03/02/2021) |
| 02/12/2021 | 10 Unopposed MOTION to Modify Conditions of Release by JASON GERDING. (Attachments: # 1 Text of Proposed Order)(Ohm, Eugene) [1:21-mj-00148-ZMF] (Entered: 02/12/2021) |
| 02/17/2021 | 12 ORDER granting 10 Motion to Modify Conditions of Release as to JASON GERDING (1). Signed by Magistrate Judge Robin M. Meriweather on 2/17/2021. (zt) [1:21-mj-00148-ZMF] (Entered: 02/17/2021) |
| 02/18/2021 | 17 INFORMATION as to JASON GERDING (1) count(s) 1, 2, 3, 4, CHRISTINA GERDING (2) count(s) 1, 2, 3, 4. (zstd) (Entered: 02/19/2021) |
| 02/19/2021 | MINUTE ORDER: In light of the fact that Magistrate Case for Defendants JASON GERDING and CHRISTINA GERDING has closed and merged into Criminal Number 21-131, and an information has been filed, the preliminary hearing previously scheduled for February 18, 2021 before Judge Meriweather is VACATED. The parties are respectfully directed to address any scheduling requests to the presiding district judge, Judge Paul L. Friedman. Signed by Magistrate Judge Robin M. Meriweather on 2/19/2021. (zt) (Entered: 02/19/2021) |
| 02/22/2021 | 19 NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Franks, Anthony L. added. (Franks, Anthony) (Entered: 02/22/2021) |
| 02/23/2021 | MINUTE ORDER as to Jason Gerding and Christina Gerding: setting an arraignment/status conference for Friday, February 26, 2021 at 11:00am before Judge Paul L. Friedman via Zoom Video. (So Ordered Judge Paul L. Friedman on 2/23/2021). (tj) (Entered: 02/23/2021) |
| 02/26/2021 | Minute Entry for proceedings held before Judge Paul L. Friedman: Arraignment as to JASON GERDING (1), and CHRISTINA GERDING (2) held on 2/26/2021. Defendants enter a plea of NOT GUILTY to all counts of the information filed on 2/18/2021. Parties inform the court of the status of this action. Speedy trial is excluded (XT) from 2/26/2021 to 3/17/2021 in the interest of justice. Next status conference set for 3/17/2021 at 10:00 AM before Judge Paul L. Friedman via ZOOM Video. Bond Status of Defendant: Defendants continued on Personal Recognizance Bond with consent to appear by video; Court Reporter: Lisa Banks; Defense Attorney: Eugene Ohm for J. Gerding; Jerry Smith for C. Gerding; US Attorney: Anthony Franks; (tj) (Entered: 02/26/2021) |
| 02/26/2021 | MINUTE ORDER as to JASON GERDING AND CHRISTINA GERDING: Pursuant to the Due Process Protections Act, the Court orders that all government counsel shall review their disclosure obligations under Brady v. Maryland, 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. (So Ordered Judge Paul L. Friedman on 2/26/2021). (tj) (Entered: 02/26/2021) |
| 03/15/2021 | 20 First MOTION to Continue by USA as to JASON GERDING, CHRISTINA GERDING. (Franks, Anthony) (Entered: 03/15/2021) |
| 03/15/2021 | 21 MOTION to Exclude Time Under the Speedy Trial Act by USA as to JASON GERDING, CHRISTINA GERDING. (See Docket Entry 20 to View Document). (zhsj) (Entered: 03/16/2021) |
| 03/16/2021 | MINUTE ORDER as to JASON GERDING and CHRISTINA GERDING: The government has moved 20 for a 60-day continuance of this action and to exclude time under the Speedy Trial Act. In its motion, the government indicated that Eugene Ohm, counsel for Jason Gerding, opposes the motion. By email exchange with chambers, Jerry Ray Smith, counsel for Christina Gerding, has indicated that due to other client commitments today, he would not be able to respond to the government's motion until this evening. Accordingly, the government's 20 Motion to Continue and to Exclude Time Under the Speedy Trial Act is DENIED. The status conference will proceed on March 17, 2021 at 10:00 a.m. as scheduled. Signed by Judge Paul L. Friedman on March 16, 2021. (lcaf) (Entered: 03/16/2021) |
| 03/16/2021 | 22 NOTICE of Filing Discovery Correspondence by USA as to JASON GERDING, CHRISTINA GERDING (Attachments: # 1 Discovery Letter to E. Ohm (2.23.2021), # 2 Discovery Letter to J. Smith (2.23.2021), # 3 Discovery Letter to E. Ohm (3.16.2021), # 4 Discovery Letter to J. Smith (3.16.2021))(Franks, Anthony) (Entered: 03/16/2021) |
| 03/16/2021 | 23 Memorandum in Opposition by JASON GERDING re 21 MOTION to Exclude (Ohm, Eugene) (Entered: 03/16/2021) |
| 03/17/2021 | Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JASON GERDING and CHRISTINA GERDING held on 3/17/2021. Parties inform the court of the status of discovery in this action. Government's proposed protective order due by 3/22/2021. Defense Counsel for defendant Jason Gerding shall file a motion by 3/29/2021. Defense Counsel for defendant Christina Gerding shall either join the motion filed on behalf of defendant Jason Gerding or inform the court of their intentions by 3/31/2021. Government response due by 4/9/2021. Speedy trial is excluded (XT) from 3/17/2021 to 4/16/2021 in the interest of justice. Next status conference is set for 4/16/2021 at 2:00 PM before Judge Paul L. Friedman via Zoom Video. Bond Status of Defendant: Defendants remain on Personal Recognizance/ with consent to appear by video; Court Reporter: Elizabeth Saint Loth; Defense Attorney: Eugene Ohm for Jason Gerding; Jerry Smith for Christina Gerding; US Attorney: Anthony L. Franks; (tj) (Entered: 03/17/2021) |
| 03/29/2021 | 24 STATUS REPORT REGARDING PROTECTIVE ORDER by JASON GERDING (Attachments: # 1 Exhibit)(Ohm, Eugene) (Entered: 03/29/2021) |
| 03/30/2021 | MINUTE ORDER as to JASON GERDING and CHRISTINA GERDING: The government is directed to file a response to 24 the Status Report Regarding Protective Order or else file its motion to enter agreed upon protective order by 9:00 a.m. on March 31, 2021. Signed by Judge Paul L. Friedman on March 30, 2021. (lcaf) (Entered: 03/30/2021) |
| 03/30/2021 | Set/Reset Deadlines as to JASON GERDING, CHRISTINA GERDING : Responses due by 3/31/2021 (tj) (Entered: 03/30/2021) |
| 03/30/2021 | 25 Unopposed MOTION for Protective Order Governing Discovery by USA as to JASON GERDING, CHRISTINA GERDING. (Attachments: # 1 Text of Proposed Order)(Franks, Anthony) (Entered: 03/30/2021) |
| 04/01/2021 | 26 ORDER granting 25 motion for Protective Order as to JASON GERDING (1) and CHRISTINA GERDING (2). (Signed by Judge Paul L. Friedman on 4/1/2021). (tj) (Entered: 04/01/2021) |
| 04/15/2021 | 30 Unopposed MOTION for Disclosure of Items Protected by Federal Rules of Criminal Procedure 6(e) and Sealed Materials by USA as to JASON GERDING, CHRISTINA GERDING. (Attachments: # 1 Text of Proposed Order)(Franks, Anthony) (Entered: 04/15/2021) |
| 04/16/2021 | 31 ORDER as to JASON GERDING (1), CHRISTINA GERDING (2) granting 30 the United States' unopposed motion for an order to disclose items protected by FRCP 6(e) and sealed materials. Signed by Judge Paul L. Friedman on April 16, 2021. (MA) (Entered: 04/16/2021) |
| 04/16/2021 | 32 NOTICE of Filing Discovery Correspondence by USA as to JASON GERDING, CHRISTINA GERDING (Attachments: # 1 Discovery Letter)(Franks, Anthony) (Entered: 04/16/2021) |
| 04/16/2021 | Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JASON GERDING and CHRISTINA GERDING held on 4/16/2021. Parties inform the court of the status of this action. Speedy trial is excluded (XT) from 4/16/2021 to 5/7/2021. Next Status Conference set for 5/7/2021 at 3:00 PM before Judge Paul L. Friedman via ZOOM Video. Bond Status of Defendant: Personal Recognizance/Defendant's agree to appear by video; Court Reporter: Cathryn Jones; Defense Attorney: Eugene Ohm for J. Gerding; Jerry Smith for C. Gerding; US Attorney: Anthony Franks; (tj) (Entered: 04/16/2021) |
| 04/27/2021 | 33 NOTICE of Filing (Request for Bill of Particulars) by JASON GERDING (Ohm, Eugene) (Entered: 04/27/2021) |
| 05/03/2021 | 34 NOTICE by USA as to JASON GERDING re 33 Notice (Other) (Attachments: # 1 Notice to Counsel/Party)(Franks, Anthony) (Entered: 05/03/2021) |
| 05/03/2021 | 35 NOTICE of Serving Discovery by USA as to JASON GERDING, CHRISTINA GERDING (Attachments: # 1 Notice to Counsel/Party May 5, 2021 Discovery Production Letter, # 2 Notice to Counsel/Party April 22, Discovery letter to tour the Capitol, # 3 Notice to Counsel/Party April 16, 2021 Discovery Production Letter)(Franks, Anthony) (Entered: 05/03/2021) |
| 05/05/2021 | 37 NOTICE by USA as to JASON GERDING, CHRISTINA GERDING (Attachments: # 1 Notice to Counsel/Party Notice of Discovery Production on May 4, 2021)(Franks, Anthony) (Entered: 05/05/2021) |
| 05/07/2021 | Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JASON GERDING (01) and CHRISTINA GERDING (02) held on 5/7/2021. Parties inform the court of the status of this action. Speedy trial is excluded (XT) from 5/7/2021 to 6/11/2021 in the interest of justice. Next Status Conference is set for 6/11/2021 at 1:00 PM before Judge Paul L. Friedman via Zoom Video. Bond Status of Defendant: Defendants on Personal Recognizance/with consent to appear by Video; Court Reporter: Sara Wick; Defense Attorney: Jerry Smith for C. Gerding and Eugene Ohm for J Gerding; US Attorney: Anthony Franks; (tj) (Entered: 05/07/2021) |
| 06/11/2021 | Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JASON GERDING and CHRISTINA GERDING held on 6/11/2021. The parties inform the court of the status of this action. Oral motion to continue this case for a period of more than 60 days is GRANTED. Speedy trial is excluded (XT) from 6/11/2021 to 9/8/2021 in the interest of justice. Next Status Conference set for 9/8/2021 at 2:00 PM before Judge Paul L. Friedman via Zoom Video. Bond Status of Defendant: Personal Recognizance for both defendants/ with consent to appear by video; Court Reporter: Sara Wick; Defense Attorney: Eugene Ohm for J Gerding and Jerry Smith for C. Gerding; US Attorney: Anthony Franks. (ti) (Entered: 06/11/2021) |

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