

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00175-TJK-1

Case title: USA v. NORDEAN et al

Date Filed: 03/03/2021

Magistrate judge case number: 1:21-mj-00195-ZMF

Assigned to: Judge Timothy J. Kelly

Appeals court case number: 21-3022

Defendant (1)**ETHAN NORDEAN***also known as*

RUFIO PANMAN

represented by **David Benjamin Smith**
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Pending Counts

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 (1)

18:371; CONSPIRACY TO DEFRAUD THE UNITED STATES; Conspiracy (1s)

18 U.S.C. 1361 and 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property and Aiding and Abetting (2)

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

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (3)

18:231(A)(3), 2; CIVIL DISORDER; Obstruction of Law Enforcement During Civil Disorder and Aiding and Abetting (3s)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (4)

18:1361, 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property and Aiding and Abetting (4s)

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (5s)

18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly Conduct in a Restricted Building or Grounds (6s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. 1361 and 2; 18 U.S.C. 1512(c)(2); 18 U.S.C. 1752(a); 40 U.S.C. 5104(e)(2)(D) and (G)

Disposition**Disposition****Disposition****Plaintiff**

USA

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Date Filed	#	Docket Text
02/02/2021	6	SEALED COMPLAINT as to ETHAN NORDEAN (1). (Attachments: # 1 Affidavit in Support) (zltp)[1:21-mj-00195-ZMF] Modified on 3/22/2021 (zltp). (Entered: 02/03/2021)
02/02/2021	8	MOTION to Seal Case by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(zltp)[1:21-mj-00195-ZMF] Modified on 3/22/2021 (zltp). (Entered: 02/03/2021)
02/02/2021	9	ORDER granting 8 Motion to Seal Case as to ETHAN NORDEAN (1). Signed by Magistrate Judge Zia M. Faruqi on 2/2/2021. (zltp)[1:21-mj-00195-ZMF] Modified on 3/22/2021 (zltp). (Entered: 02/03/2021)
02/03/2021		Arrest of ETHAN NORDEAN in US District Court Western District of Washington. (bb) [1:21-mj-00195-ZMF] (Entered: 02/26/2021)
02/08/2021	5	NOTICE OF ATTORNEY APPEARANCE James B. Nelson appearing for USA. (zstd) [1:21-mj-00195-ZMF] (Entered: 02/08/2021)
02/08/2021	6	MOTION for Emergency Stay and MOTION for Review of Release Order by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00195-ZMF] (Entered: 02/08/2021)
02/08/2021	7	ORDER, as to ETHAN NORDEAN, GRANTING the government's 6 Motion for Emergency Stay and Review of Release Order. Signed by Chief Judge Beryl A. Howell on February 8, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Entered: 02/08/2021)
02/08/2021	8	MOTION for Transport Order by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00195-ZMF] (Entered: 02/08/2021)
02/08/2021	9	ORDER, as to ETHAN NORDEAN, GRANTING the government's 8 Motion for Transport Order. Signed by Chief Judge Beryl A. Howell on February 8, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Entered: 02/08/2021)
02/22/2021	11	NOTICE OF ATTORNEY APPEARANCE: David Benjamin Smith appearing for ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF] (Entered: 02/23/2021)
02/22/2021	12	NOTICE OF ATTORNEY APPEARANCE: Nicholas D. Smith appearing for ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF] (Entered: 02/23/2021)
02/23/2021	13	Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review by ETHAN NORDEAN. (bb) [1:21-mj-00195-ZMF] (Entered: 02/23/2021)
02/23/2021	14	MOTION to Unseal Case by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00195-ZMF] (Entered: 02/24/2021)
02/25/2021		MINUTE ORDER granting 14 Motion to Unseal Case as to ETHAN NORDEAN, DIRECTING the Clerk's Office to unseal this case. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/25/2021. (ztg) [1:21-mj-00195-ZMF] (Entered: 02/25/2021)
02/25/2021		Case unsealed as to ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF] (Entered: 02/25/2021)
02/26/2021	15	MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 by ETHAN NORDEAN. (Smith, Nicholas) [1:21-mj-00195-ZMF] (Entered: 02/26/2021)
02/26/2021	16	Rule 5(c)(3) Documents Received as to ETHAN NORDEAN from US District Court Western District of Washington Case Number 21-mj-67 (bb) [1:21-mj-00195-ZMF] (Entered: 02/26/2021)
02/26/2021		NOTICE OF HEARING ON MOTIONS in case as to ETHAN NORDEAN re 13 Motion to Lift Stay on Release Order and 15 Motion to Release from Custody Pursuant to 18 U.S.C. § 3060. The parties shall take notice that, unless this case is assigned to another Judge upon the filing of an indictment or information, a Motions Hearing is scheduled for 3/2/2021, at 11:00 AM via videoconference before Chief Judge Beryl A. Howell. Signed by Chief Judge Beryl A. Howell on February 26, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Entered: 02/26/2021)
02/27/2021		MINUTE ORDER (paperless) as to ETHAN NORDEAN DIRECTING the government to submit, by March 1, 2021 at 4:00 PM, a response to defendant's pending 13 Motion to Lift Stay and 15 Motion to Release from Custody Pursuant to 18 U.S.C. § 3060. Signed by Chief Judge Beryl A. Howell on February 27, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Entered: 02/27/2021)
03/01/2021		Set/Reset Hearings as to ETHAN NORDEAN: Motion Hearing set for 3/2/2021 at 11:00 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) [1:21-mj-00195-ZMF] (Entered: 03/01/2021)
03/01/2021	17	Memorandum in Opposition by USA as to ETHAN NORDEAN re 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review (Nelson, James) [1:21-mj-00195-ZMF] (Entered: 03/01/2021)
03/01/2021	18	Memorandum in Opposition by USA as to ETHAN NORDEAN re 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 (Attachments: # 1 Defendant's Waiver)(Nelson, James) [1:21-mj-00195-ZMF] (Entered: 03/01/2021)
03/01/2021	19	REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060, 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review (Smith, Nicholas) [1:21-mj-00195-ZMF] (Entered: 03/01/2021)
03/02/2021		NOTICE VACATING HEARING as to ETHAN NORDEAN. The parties shall take notice that the motion hearing scheduled to take place today, March 2, 2021, at 11:00 AM is VACATED. A new hearing date and time will be provided by the deputy clerk by the close of business today.(ztg) [1:21-mj-00195-ZMF] (Entered: 03/02/2021)
03/02/2021		NOTICE OF HEARING as to ETHAN NORDEAN. The parties shall take notice that a Motion Hearing is scheduled for 3/3/2021, at 3:00 PM via videoconference before Chief Judge Beryl A. Howell. Connection details for the hearing will be provided to the parties by the deputy clerk.(ztg) [1:21-mj-00195-ZMF] (Entered: 03/02/2021)
03/02/2021	20	SUPPLEMENT by ETHAN NORDEAN re 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review Declaration of Cory Nordean (Smith, Nicholas) [1:21-mj-00195-ZMF] (Entered: 03/02/2021)
03/02/2021	21	SUPPLEMENT by USA as to ETHAN NORDEAN re 19 Reply to opposition to Motion, 20 Supplement to any document, 17 Memorandum in Opposition (Attachments: # 1 Exhibits) (Nelson, James) [1:21-mj-00195-ZMF] (Entered: 03/02/2021)
03/03/2021	22	RESPONSE by ETHAN NORDEAN re 21 Supplement to any document re: New Evidence Submitted by the Government (Smith, Nicholas) [1:21-mj-00195-ZMF] (Entered: 03/03/2021)
03/03/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to ETHAN NORDEAN held via videoconference on 3/3/2021. Defendant not present due to an institutional emergency. Defense counsel's oral motion for a waiver under Rule 43, heard and granted. 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 filed by ETHAN NORDEAN, denied as moot; 6 MOTION for Review of Release Order filed by USA, denied; 13 Defendant's Motion to Lift Stay on Release Order, denied as moot. Magistrate's

		Release Order AFFIRMED. Defendant released on personal recognizance bond with a condition of home detention, he will be supervised by Western District of Washington. Bond Status of Defendant: personal recognizance with home detention condition/release issued. Present via videoconference: Defense Attorneys: David B. Smith and Nicholas D. Smith; US Attorney: James B. A. McCullough and James B. Nelson; Pretrial Officer: Masharia Holman. Court Reporter: Elizabeth Saint-Loth. (ztg) [1:21-mj-00195-ZMF] (Entered: 03/03/2021)
03/03/2021	23	ORDER Setting Conditions of Release with Global Positioning System Monitoring. Signed by Chief Judge Beryl A. Howell on 3/3/2021. (Attachments: # 1 Appearance Bond) (ztg) [1:21-mj-00195-ZMF] (Entered: 03/03/2021)
03/03/2021	24	INDICTMENT as to ETHAN NORDEAN (1) count(s) 1, 2, 3, 4. (zltp) (Entered: 03/04/2021)
03/04/2021		MINUTE ORDER as to ETHAN NORDEAN: Pursuant to the Due Process Protections Act, the Court hereby ORDERS 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 Timothy J. Kelly on 3/4/2021. (lctjk1) (Entered: 03/04/2021)
03/08/2021		NOTICE OF HEARING as to ETHAN NORDEAN. VTC Arraignment set for 3/16/2021 at 2:00 PM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. (zkh) (Entered: 03/08/2021)
03/10/2021	26	(FIRST SUPERSEDING INDICTMENT) filed by USA as to ETHAN NORDEAN (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, JOSEPH RANDALL BIGGS (2) count(s) 1, 2, 3, 4, 5, 6, ZACHARY REHL (3) count(s) 1, 2, 3, 4, 5, 6, CHARLES DONOHUE (4) count(s) 1, 2, 3, 4, 5, 6 (This document is SEALED and only available to authorized persons.) (zltp) Modified sealing on 3/19/2021 (bb). Modified on 3/19/2021 (zltp). (Entered: 03/12/2021)
03/10/2021		Counts added: ETHAN NORDEAN (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, JOSEPH RANDALL BIGGS (2) count(s) 1, 2, 3, 4, 5, 6, ZACHARY REHL (3) count(s) 1, 2, 3, 4, 5, 6, CHARLES DONOHUE (4) count(s) 1, 2, 3, 4, 5, 6 (zltp) (Entered: 03/19/2021)
03/12/2021	29	MOTION TO CONTINUE THE ARRAIGNMENT filed by USA as to ETHAN NORDEAN.(This document is SEALED and only available to authorized persons.) (zltp) Modified sealing on 3/19/2021 (bb). (Entered: 03/19/2021)
03/15/2021	27	MOTION for Bill of Particulars <i>as to Count Two of the Indictment</i> by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 03/15/2021)
03/15/2021		MINUTE ORDER as to ETHAN NORDEAN: It is hereby ORDERED that the arraignment set for March 16, 2021, is hereby CONTINUED to March 23, 2021, at 2:00 p.m. via videoconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. Signed by Judge Timothy J. Kelly on 3/15/2021. (lctjk1) (Entered: 03/15/2021)
03/17/2021	28	Government's MOTION to Unseal Superseding Indictment and Related Documents by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(bb) (Entered: 03/18/2021)
03/19/2021		MINUTE ORDER as to ETHAN NORDEAN granting the Government's 28 Motion to Unseal. It is hereby ORDERED that 26 First Superseding Indictment and 29 Motion to Continue be UNSEALED. The Clerk of Court is instructed to unseal ECF Nos. 26 and 29. Signed by Judge Timothy J. Kelly on 3/19/2021. (lctjk1) (Entered: 03/19/2021)
03/19/2021		Document unsealed as to ETHAN NORDEAN. 29 SEALED MOTION filed by USA as to ETHAN NORDEAN.(This document is SEALED and only available to authorized persons.), 26 Sealed Document (bb) (Entered: 03/19/2021)
03/20/2021	30	MOTION to Revoke <i>Pretrial Release</i> by USA as to ETHAN NORDEAN. (Nelson, James) (Entered: 03/20/2021)
03/21/2021	32	Memorandum in Opposition by ETHAN NORDEAN re 30 MOTION to Revoke <i>Pretrial Release</i> (Attachments: # 1 Exhibit Statement of Nordean's Probation Officer)(Smith, Nicholas) (Entered: 03/21/2021)
03/23/2021	34	SUPPLEMENT by ETHAN NORDEAN re 30 MOTION to Revoke <i>Pretrial Release Government Statements to Media about this Investigation</i> (Smith, Nicholas) (Entered: 03/23/2021)
03/23/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ETHAN NORDEAN (1) as to Counts 1s, 2s, 3s, 4s, 5s, and 6s and JOSEPH RANDALL BIGGS (2) as to Counts 1, 2, 3, 4, 5, and 6 held on 3/23/2021. BOTH defendants appeared by video. Plea of NOT GUILTY entered by ETHAN NORDEAN (1) as to Counts 1s, 2s, 3s, 4s, 5s, and 6s and JOSEPH RANDALL BIGGS (2) as to Counts 1, 2, 3, 4, 5, and 6. Speedy Trial Excludable (XT) started 3/23/2021 through 4/1/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Response to 31 MOTION to Revoke <i>Pretrial Release</i> by Defendant JOSEPH RANDALL BIGGS (2) due by 3/29/2021. VTC Motion Hearing/Status Conference set for 4/1/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains on Personal Recognizance/HISP, 2-Remains on Personal Recognizance/HISP; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: James B. Nelson, Jason Bradley Adam McCullough, and Luke Matthew Jones. (zkh) (Entered: 03/23/2021)
03/29/2021	41	SUPPLEMENT by ETHAN NORDEAN re 30 MOTION to Revoke <i>Pretrial Release Regarding New Evidence Relevant to the Government's Motion to Revoke Release Order</i> (Attachments: # 1 Exhibit Declaration of Michale Graves, # 2 Exhibit Declaration of Arturo Santalla, # 3 Exhibit Statement of Probation Officer)(Smith, Nicholas) (Entered: 03/29/2021)
03/31/2021	45	REPLY TO OPPOSITION to Motion by USA as to ETHAN NORDEAN re 30 MOTION to Revoke <i>Pretrial Release</i> (McCullough, Jason) (Entered: 03/31/2021)
04/01/2021		NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The VTC Motion Hearing set for 4/1/2021 is RESCHEDULED for 4/6/2021 at 11:30 AM before Judge Timothy J. Kelly. (zkh) (Entered: 04/01/2021)
04/05/2021	49	MOTION for Leave to File <i>Sur-Reply in Response to New Arguments Raised in Government's Reply in Support of Motion to Revoke Release Order</i> by ETHAN NORDEAN. (Attachments: # 1 Exhibit Ethan Nordean's Sur-Reply in Response to New Arguments Raised in Government's Reply in Support of Motion to Revoke Release Order, # 2 Exhibit Transcript of Couy Griffin Detention Hearing)(Smith, Nicholas) (Entered: 04/05/2021)
04/06/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) held on 4/6/2021. Both defendants appeared by video. Oral argument on 30 MOTION to Revoke <i>Pretrial Release</i> and 31 MOTION to Revoke <i>Pretrial Release</i> , heard and taken under advisement. Speedy Trial Excludable (XT) started nunc pro tunc 4/1/2021 through 4/9/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Any supplemental memoranda due by 4/6/2021. VTC Oral Ruling set for 4/9/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains on Personal Recognizance/HISP, 2-Remains on Personal Recognizance/HISP; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: James B. Nelson, Jason Bradley Adam McCullough, and Luke Matthew Jones; Pretrial Officer: John Copes. (zkh) (Entered: 04/06/2021)
04/06/2021	51	NOTICE of Delivery of Video Evidence by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS re Motion Hearing,,,, Speedy Trial - Excludable Start,,,, Set Deadlines/Hearings,,, 46 Reply to opposition to Motion, 45 Reply to opposition to Motion (McCullough, Jason) (Entered: 04/06/2021)
04/06/2021	52	NOTICE of Submission of Evidence Referenced in April 6 Detention Hearing by ETHAN NORDEAN re 51 Notice (Other), (Smith, Nicholas) (Entered: 04/06/2021)
04/08/2021	54	NOTICE of Evidence Relevant to the Government's Detention Motion, Produced to Nordean on April 7, 2021 by ETHAN NORDEAN re 45 Reply to opposition to Motion (Smith, Nicholas) (Entered: 04/08/2021)
04/09/2021		MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The Oral Ruling currently set for April 9, 2021, is hereby VACATED . Signed by Judge Timothy J. Kelly on 4/9/2021. (zkh) (Entered: 04/09/2021)
04/13/2021	57	NOTICE of Brady Evidence Produced to Nordean on April 13, 2021 by ETHAN NORDEAN re 30 MOTION to Revoke <i>Pretrial Release</i> (Smith, Nicholas) (Entered: 04/13/2021)
04/14/2021	58	TRANSCRIPT OF MOTION HEARING in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 4-6-21; Page Numbers: 1-69; Date of Issuance: 4-14-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter r eferenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 5/5/2021. Redacted Transcript Deadline set for 5/15/2021. Release of Transcript Restriction set for 7/13/2021.(Miller, Timothy) (Entered: 04/14/2021)
04/15/2021		NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Oral Ruling set for 4/16/2021 at 12:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 04/15/2021)
04/16/2021		NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The VTC Oral Ruling currently set for 4/16/2021 is RESCHEDULED for 4/19/2021 at 12:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 04/16/2021)
04/19/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Oral Ruling as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) held on 4/19/2021. BOTH defendants appeared by video. For the reasons stated on the record, Government's 30 and 31 MOTION to Revoke <i>Pretrial Release</i> , GRANTED. Conditions of release REVOKED for ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Order to be entered by the court. Oral Motion by defendants ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) for a temporary stay of detention order, heard and DENIED. Speedy Trial Excludable (XT) started nunc pro tunc 4/9/2021 through 5/4/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Status Conference set for 5/4/2021 at 11:30 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Conditions of

		Release REVOKED Order Pending to Report, 2-Conditions of Release REVOKED Order Pending to Report; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (zkh) (Entered: 04/19/2021)
04/19/2021	64	RESPONSE TO Court Order Issued during Oral Ruling on April 19, 2021 by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 Filing in U.S. v. Pezzola, 1:21-cr-175, containing photograph)(Jones, Luke) Modified text on 5/21/2021 (zltpt). (Entered: 04/19/2021)
04/20/2021	65	DETENTION ORDER as to ETHAN NORDEAN (1). See Order for details. Signed by Judge Timothy J. Kelly on 4/20/2021. (lctjkl) (Entered: 04/20/2021)
04/22/2021	69	NOTICE OF APPEAL - Final Judgment by ETHAN NORDEAN re Status Conference,,,,, Speedy Trial - Excludable Start,,,,, Set Hearings,,,,, Motion Hearing,,,,, Speedy Trial - Excludable Start,,,,, Set Deadlines/Hearings,,, 65 Order of Detention Pending Trial- Defendant HWOB. Fee Status: No Fee Paid. Parties have been notified. (Smith, Nicholas) (Entered: 04/22/2021)
04/23/2021	70	NOTICE of Conditions of Confinement following April 20 Detention Order by ETHAN NORDEAN re 65 Order of Detention Pending Trial- Defendant HWOB (Smith, Nicholas) (Entered: 04/23/2021)
04/23/2021	71	TRANSCRIPT OF ORAL RULING in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 4-19-21; Page Numbers: 1-83; Date of Issuance: 4-23-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 5/14/2021. Redacted Transcript Deadline set for 5/24/2021. Release of Transcript Restriction set for 7/22/2021.(Miller, Timothy) (Entered: 04/23/2021)
04/26/2021	73	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. Defendant is represented by CJA, as to ETHAN NORDEAN re 69 Notice of Appeal - Final Judgment., (zltpt) (Entered: 04/26/2021)
04/26/2021		USCA Case Number as to ETHAN NORDEAN 21-3022 for 69 Notice of Appeal - Final Judgment, filed by ETHAN NORDEAN. (zltpt) (Entered: 04/27/2021)
04/29/2021	79	NOTICE of Government's Violation of the Due Process Protections Act and Local Criminal Rule 5.1 by ETHAN NORDEAN (Smith, Nicholas) (Entered: 04/29/2021)
05/03/2021		NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Status Conference set for 5/4/2021 at 12:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 05/03/2021)
05/04/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4) held on 5/4/2021. ALL defendants appeared by video. Speedy Trial Excludable (XT) started 5/4/2021 through 6/3/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). Government Response to 81 MOTION to Revoke due by 5/17/2021. Defendant DONOHOE (4) Reply due by 5/24/2021. VTC Status Conference set for 6/3/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (zkh) (Entered: 05/04/2021)
05/13/2021	84	REPLY by USA as to ETHAN NORDEAN re 79 Notice (Other) (McCullough, Jason) (Entered: 05/13/2021)
05/16/2021	85	REPLY by ETHAN NORDEAN Regarding the Government's Violation of the Due Process Protections Act and Rule 5.1 (Attachments: # 1 Declaration of Daniel Arellano)(Smith, Nicholas) (Entered: 05/16/2021)
05/19/2021	88	MOTION to Compel the production of evidence and for a bill of particulars by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 05/19/2021)
05/19/2021	89	MOTION for a Bill of Particulars by ETHAN NORDEAN. (See docket entry 88 to view document.) (zltpt) (Entered: 05/21/2021)
06/02/2021	92	MOTION for Protective Order by USA as to ETHAN NORDEAN. (Attachments: # 1 Declaration of Thomas DiBiase (with attachments), # 2 Text of Proposed Order)(Jones, Luke) (Entered: 06/02/2021)
06/02/2021	93	Memorandum in Opposition by USA as to ETHAN NORDEAN re 89 MOTION for Bill of Particulars, 88 MOTION to Compel the production of evidence and for a bill of particulars (Jones, Luke) (Entered: 06/03/2021)
06/03/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4) held on 6/3/2021. Defendants NORDEAN (1) and BIGGS (2) appeared by video. For the reasons stated on the record, Defendant DONOHOE'S (4) appearance was WAIVED. Speedy Trial Excludable (XT) started 6/3/2021 through 7/15/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). VTC Motion Hearing set for 6/9/2021 at 11:00 AM before Judge Timothy J. Kelly for Defendant DONOHOE (4). VTC Status Conference set for 7/15/2021 at 2:00 PM before Judge Timothy J. Kelly for Defendants NORDEAN (1), BIGGS (2) and DONOHOE (4). Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough, Luke Matthew Jones, and Nadia Moore. (zkh) (Entered: 06/03/2021)
06/03/2021	94	First MOTION to Dismiss Case by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 06/03/2021)
06/03/2021	95	MOTION for Leave to File Excess Pages re Motion to Dismiss the First Superseding Indictment by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 06/03/2021)
06/08/2021	97	Unopposed MOTION for Extension of Time to File Response/Reply to Defendant Nordean's Motion to Dismiss (Doc. 83) by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 06/08/2021)
06/08/2021	98	Unopposed MOTION for Extension of Time to File Response/Reply to File Response to Defendant Nordean's Motion to Dismiss (Doc. 94) (Amended to Reflect Correct Docket Number of Motion to Dismiss)) by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 06/08/2021)
06/09/2021		MINUTE ORDER as to ETHAN NORDEAN (1) granting the Government's 98 Unopposed Motion for Extension of Time. It is hereby ORDERED, for good cause shown, that the Government's motion is GRANTED. The Government shall file its opposition to Defendant Nordean's 94 Motion to Dismiss by July 1, 2021. Defendant shall file any reply in support of his motion to dismiss by July 15, 2021. Further, because the Government filed ECF No. 98 as a corrected version of ECF No. 97 and requests the same relief in both motions, it is hereby ORDERED that the Government's 97 Unopposed Motion for Extension of Time is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 6/9/2021. (lctjkl) (Entered: 06/09/2021)
06/10/2021	99	REPLY in Support by ETHAN NORDEAN re 88 MOTION to Compel the production of evidence and for a bill of particulars (Smith, Nicholas) (Entered: 06/10/2021)
06/15/2021	100	NOTICE of additional relevant evidence produced following Nordean's detention hearings by ETHAN NORDEAN (Attachments: # 1 Exhibit 1)(Smith, Nicholas) (Entered: 06/15/2021)
06/25/2021	107	JUDGMENT of USCA (certified copy) as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS re 69 Notice of Appeal - Final Judgment, 67 Notice of Appeal - Final Judgment. The district courts pretrial detention orders entered on April 20, 2021 is affirmed. USCA Case Number 21-3021; 21-3022. (zltpt) (Entered: 07/02/2021)
06/28/2021	102	Unopposed MOTION for Protective Order (INTERIM) by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 06/28/2021)
06/29/2021	103	ORDER granting the Government's 102 Unopposed Motion for Protective Order as to ETHAN NORDEAN (1). See Order for details. Signed by Judge Timothy J. Kelly on 6/29/2021. (lctjkl) (Entered: 06/29/2021)
07/01/2021		NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). VTC Status Conference set for 7/15/2021 at 11:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 07/01/2021)
07/01/2021	106	Memorandum in Opposition by USA as to ETHAN NORDEAN re 94 First MOTION to Dismiss Case (McCullough, Jason) (Entered: 07/01/2021)
07/11/2021	113	REPLY in Support by ETHAN NORDEAN re 94 First MOTION to Dismiss Case (Smith, Nicholas) (Entered: 07/11/2021)
07/13/2021	116	TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 6-3-21; Page Numbers: 1-36; Date of Issuance: 7-13-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov .

		Redaction Request due 8/3/2021. Redacted Transcript Deadline set for 8/15/2021. Release of Transcript Restriction set for 10/11/2021.(Miller, Timothy) (Entered: 07/15/2021)
07/14/2021	119	NOTICE <i>Regarding Discovery Correspondence</i> by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHUE (Attachments: # 1 4/21/2021 Letter (All Defendants), # 2 4/30/2021 Letter (Nordean), # 3 5/5/2021 Letter (Rehl), # 4 5/19/2021 Letter (Nordean), # 5 6/2/2021 Letter (All Defendants), # 6 6/2/2021 Letter (Nordean), # 7 6/2/2021 Letter (Biggs), # 8 6/2/2021 Letter (Rehl), # 9 6/2/2021 Letter (Donohoe), # 10 6/3/2021 Letter (Biggs, Rehl, Donohoe), # 11 6/3/2021 Letter (Rehl), # 12 7/1/2021 Letter (Nordean), # 13 7/2/2021 Letter (Biggs, Rehl, Donohoe), # 14 7/2/2021 Letter (Nordean), # 15 7/6/2021 Letter (All Defendants), # 16 7/6/2021 Letter (Nordean), # 17 7/7/2021 Letter (Nordean), # 18 7/7/2021 Letter (All Defendants), # 19 7/9/2021 Letter (All Defendants), # 20 7/13/2021 Letter (All Defendants), # 21 7/13/2021 Letter (All Defendants), # 22 7/14/2021 Letter (All Defendants))(Jones, Luke) (Attachment 5 replaced on 7/14/2021) (zltf). (Entered: 07/14/2021)
07/14/2021	120	NOTICE <i>of Filing of Memorandum Regarding Status of Discovery in January 6, 2021 Cases</i> by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHUE (Attachments: # 1 Memorandum Regarding Status of Discovery)(Jones, Luke) (Entered: 07/14/2021)
07/14/2021	121	Unopposed MOTION for Leave to File <i>Sur-Reply and Set Further Briefing Schedule</i> by USA as to ETHAN NORDEAN. (Attachments: # 1 Text of Proposed Order)(McCullough, Jason) (Entered: 07/14/2021)
07/15/2021		MINUTE ORDER as to ETHAN NORDEAN (1) granting the United States' 121 Unopposed Motion for Leave to File Sur-Reply and Set Further Briefing Schedule. It is hereby ORDERED, for good cause shown, that the motion is GRANTED. It is further ORDERED that the United States shall file any sur-reply to Defendant Nordean's 94 Motion to Dismiss by July 29, 2021, and Defendant Nordean shall file any response to the sur-reply by August 5, 2021. Signed by Judge Timothy J. Kelly on 7/15/2021. (lctjk1) (Entered: 07/15/2021)
07/15/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHUE (4) held on 7/15/2021. ALL Defendants appeared by video. Oral argument heard on 88 MOTION to Compel and 89 MOTION for a Bill of Particulars, and taken under advisement. Speedy Trial Excludable (XT) started 7/15/2021 through 9/21/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHUE (4). Joint Status Report as to Defendant NORDEAN (1) due by 7/26/2021. VTC Status Conference/Motion Hearing set for 9/21/2021 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (zkh) (Entered: 07/15/2021)
07/15/2021		Set/Reset Deadlines as to ETHAN NORDEAN (1): Joint Status Report due by 7/26/2021. (zkh) (Entered: 07/15/2021)
07/20/2021	122	MOTION for Bond <i>and to reopen Detention Decision pursuant to § 3142(f)</i> by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 07/20/2021)
07/26/2021	126	STATUS REPORT by USA as to ETHAN NORDEAN (Attachments: # 1 Exhibit)(McCullough, Jason) (Entered: 07/26/2021)
07/27/2021	127	RESPONSE by ETHAN NORDEAN re 126 Status Report (Smith, Nicholas) (Entered: 07/27/2021)
07/29/2021	129	MOTION for Protective Order <i>Removal of Sensitivity Designation</i> by ETHAN NORDEAN. (Smith, Nicholas) (Entered: 07/29/2021)
07/29/2021	130	Memorandum in Opposition by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, CHARLES DONOHUE re 94 First MOTION to Dismiss Case , 105 MOTION to Dismiss Case <i>Unopposed Motion to Join Nordean Motion to Dismiss</i> (McCullough, Jason) (Entered: 07/29/2021)
07/29/2021	131	NOTICE <i>of Delivery of Video Evidence</i> by USA as to ETHAN NORDEAN re 129 MOTION for Protective Order <i>Removal of Sensitivity Designation</i> (McCullough, Jason) (Entered: 07/29/2021)
07/29/2021	132	RESPONSE by ETHAN NORDEAN re 131 Notice (Other) re: <i>Capitol CCTV video evidence improperly designated Highly Sensitive by the government</i> (Smith, Nicholas) (Entered: 07/29/2021)
08/01/2021	133	ERRATA by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, CHARLES DONOHUE re 94 First MOTION to Dismiss Case filed by ETHAN NORDEAN, 105 MOTION to Dismiss Case <i>Unopposed Motion to Join Nordean Motion to Dismiss</i> filed by JOSEPH RANDALL BIGGS (Attachments: # 1 Refiled Surreply)(McCullough, Jason) (Entered: 08/01/2021)

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