

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00278-BAH-1**

Case title: USA v. SCHORNAK et al

Date Filed: 04/02/2021

Magistrate judge case number: 1:21-mj-00312-RMM

Assigned to: Chief Judge Beryl A. Howell

**Defendant (1)**

**ROBERT SCHORNAK**  
*also known as*  
**BOBBY SCHORNAK**

represented by **Eugene Ohm**  
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA  
625 Indiana Avenue, NW  
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Washington, DC 20004  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community Defender Appointment*

**Pending Counts**

18:1512(c)(2)and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting (1)

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (2)

18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (3)

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

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

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in Violation of 18:1512(c)(2), 18:2, 18:1752(a)(1), (2) and 40:5104(e)(2)(D), (G)

**Disposition**

**Plaintiff**

USA

represented by **Amanda Fretto**  
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Docket Text
03/16/2021	<a href="#">1</a>	SEALED COMPLAINT as to ROBERT SCHORNAK (1), DANIEL HERENDEEN (2). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd) [1:21-mj-00312-RMM] (Entered: 03/17/2021)
03/16/2021	<a href="#">2</a>	MOTION to Seal Case by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zstd) [1:21-mj-00312-RMM] (Entered: 03/17/2021)
03/16/2021	<a href="#">4</a>	ORDER granting <a href="#">2</a> Motion to Seal Case as to ROBERT SCHORNAK (1), DANIEL HERENDEEN (2). Signed by Magistrate Judge Robin M. Meriweather on 03/16/2021. (zstd) [1:21-mj-00312-RMM] (Entered: 03/17/2021)
03/18/2021	<a href="#">6</a>	Arrest Warrant Returned Executed on 3/18/2021 in Roseville, Michigan as to ROBERT SCHORNAK. (bb) [1:21-mj-00312-RMM] (Entered: 03/19/2021)
03/18/2021		Case unsealed as to ROBERT SCHORNAK (bb) [1:21-mj-00312-RMM] (Entered: 03/19/2021)
03/18/2021		Arrest of ROBERT SCHORNAK (1) in Eastern District of Michigan. (zpt) (Entered: 04/14/2021)
03/24/2021	<a href="#">7</a>	Rule 5(c)(3) Documents Received as to ROBERT SCHORNAK from US District Court for the Eastern District of Michigan Case Number 21:30134 (bb) [1:21-mj-00312-RMM] (Entered: 04/01/2021)
04/02/2021	<a href="#">9</a>	INDICTMENT as to ROBERT SCHORNAK (1) count(s) 1, 2, 3, 4, 5, DANIEL HERENDEEN (2) count(s) 1, 2, 3, 4, 5. (bb) (Entered: 04/05/2021)
04/06/2021	<a href="#">11</a>	STANDING ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on April 6, 2021. (lcbah3) (Entered: 04/06/2021)

04/14/2021		MINUTE ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). 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 4/14/2021. (zpt) (Entered: 04/14/2021)
04/14/2021		ORAL MOTION to Appoint Counsel by ROBERT SCHORNAK (1). (zpt) (Entered: 04/14/2021)
04/14/2021		ORAL MOTION for Speedy Trial Waiver by USA as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). (zpt) (Entered: 04/14/2021)
04/14/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arraignment as to ROBERT SCHORNAK (1) Count 1,2,3,4,5 and DANIEL HERENDEEN (2) Count 1,2,3,4,5 held on 4/14/2021. Not Guilty Plea entered by ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) as to all counts. Oral Motion to Appoint Counsel by ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) Heard and Granted. Government does not seek the Defendants' pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) Heard and Granted. Time between 4/14/2021 and 4/16/2021 (2 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 4/16/2021 at 09:15 AM in Telephonic/VTC before Chief Judge Beryl A. Howell. Bond Status of Defendant: Defendants Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:10:57-1:28:32]; [1:35:21-2:11:24]; Defense Attorney: Eugene Ohm (1), Colleen Fitzharris (2); US Attorney: Jacob Steiner for Amanda Fretto; Pretrial Officer: John Copes; (zpt) (Entered: 04/14/2021)
04/14/2021	<a href="#">21</a>	ORDER Setting Conditions of Release as to ROBERT SCHORNAK (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/14/2021. (Attachments: # <a href="#">1</a> Appearance Bond) (zpt) (Main Document 21 replaced on 5/25/2021) (zpt). (Entered: 05/04/2021)
04/15/2021	<a href="#">16</a>	Consent MOTION for Protective Order by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fretto, Amanda) (Entered: 04/15/2021)
04/15/2021	<a href="#">17</a>	First MOTION to Continue <i>and Exclude Time</i> by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fretto, Amanda) (Entered: 04/15/2021)
04/15/2021	<a href="#">19</a>	MOTION to Exclude Time Under the Speedy Trial Act by USA as to ROBERT SCHORNAK. (See DE <a href="#">17</a> to view document). (bb) (Entered: 04/21/2021)
04/16/2021		MINUTE ORDER granting <a href="#">16</a> Motion for Protective Order as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on 4/16/2021. (ztg) (Entered: 04/16/2021)
04/16/2021	<a href="#">18</a>	PROTECTIVE ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on April 16, 2021. (lcbah3) (Entered: 04/16/2021)
04/16/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 4/16/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 5/14/2021, at 9:40 AM before Chief Judge Beryl A. Howell. Government's <a href="#">17</a> Motion to Continue and Exclude Time Under the Speedy Trial Act. Granted in Part and Denied in Part for the reasons stated in open court. The defendants agreed to exclude time under the Speedy Trial Act from today until the next hearing date of 5/14/2021. The Court found that time under the Speedy Trial Act shall be excluded from 4/16/2021 through 5/14/2021, 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 the government to complete discovery and the defendants and their counsel to review discovery and discuss a resolution of this matter short of trial. Bond Status of Defendants: Defendant #1 and #2 Personal recognizance. Present via videoconference: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 04/16/2021)
04/27/2021	<a href="#">20</a>	NOTICE of Filing (Request for Bill of Particulars) by ROBERT SCHORNAK (Ohm, Eugene) (Entered: 04/27/2021)
05/06/2021	<a href="#">23</a>	NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN (Attachments: # <a href="#">1</a> Correspondence)(Fretto, Amanda) (Entered: 05/06/2021)
05/14/2021	<a href="#">26</a>	NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN (Attachments: # <a href="#">1</a> Discovery Correspondence)(Fretto, Amanda) (Entered: 05/14/2021)
05/14/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 5/14/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 6/11/2021, at 12:00 PM before Chief Judge Beryl A. Howell. Government directed to extend plea offers within a week and report to the Court as to the progress on the plea offers. The defendants agreed to exclude time under the Speedy Trial Act from today until the next status hearing of 6/11/2021. The Court found that time under the Speedy Trial shall be excluded from 5/14/2021 through 6/11/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete discovery and extend plea offers and to give the defendants time to review the discovery and consider the plea offers extended by the government. Bond Status of Defendants: Personal Recognizance. Present via videoconference: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 05/14/2021)
05/14/2021		MINUTE ORDER (paperless) as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) DIRECTING the government to submit, by May 21, 2021, a status report updating the Court as to the governments progress concerning plea offers, including whether the government has extended any plea offer to defendants. Signed by Chief Judge Beryl A. Howell on May 14, 2021. (lcbah3) (Entered: 05/14/2021)
05/17/2021		Set/Reset Deadlines as to ROBERT SCHORNAK, DANIEL HERENDEEN: Government's Status Report due by 5/21/2021. (ztg) (Entered: 05/17/2021)
05/21/2021	<a href="#">27</a>	STATUS REPORT by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN (Fretto, Amanda) (Entered: 05/21/2021)
06/11/2021	<a href="#">33</a>	NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN (Attachments: # <a href="#">1</a> Discovery Correspondence)(Fretto, Amanda) (Entered: 06/11/2021)
06/11/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 6/11/2021. The defendants consented to appear via videoconference after consultation with counsel. A further Status Hearing is scheduled for 7/9/2021, at 10:00 AM before Chief Judge Beryl A. Howell. The defendants agreed to exclude time under the Speedy Trial Act from today until the next hearing date of 7/9/2021. The Court found that time under the Speedy Trial Act shall be excluded from 6/11/2021 through 7/9/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete the voluminous discovery in this case. Bond Status of Defendants #1 and #2: Personal recognizance. Present: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Shay Holman. Court Reporter: Crystal Pilgrim. (ztg) (Entered: 06/11/2021)
07/09/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Conference as to Defendant #1 ROBERT SCHORNAK, #2 DANIEL HERENDEEN held via videoconference on 7/9/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 9/24/2021, at 9:00 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from 7/9/2021 through 9/24/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the government to complete discovery and the defendants to review the discovery and discuss resolution of this case short of trial. Bond Status of Defendants #1 and #2: personal recognizance. Present via videoconference: Defense Attorney: #1 Eugene Ohm and #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 07/09/2021)

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