

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00147-CKK-1

Case title: USA v. SPENCER

Date Filed: 02/23/2021

Magistrate judge case number: 1:21-mj-00113-RMM

Assigned to: Judge Colleen Kollar-Kotelly

Defendant (1)**CHRISTOPHER RAPHAEL SPENCER***also known as*

CHRIS SPENCER

represented by **Jose Alejandro German**

FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Public Defender or Community Defender Appointment***Pending Counts**18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building
(1)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
(1s)18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building
(2)18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds
(2s)40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly Conduct in a Capitol Building
(3)18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds
(3s)40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building
(4)40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(4s)40 U.S.C. 5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building
(5s)**Disposition****Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

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

Disposition**Plaintiff**

USA

represented by **Jamie Carter**

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant U.S. Attorney***Douglas Collyer**

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Date Filed	#	Docket Text
01/18/2021	1	SEALED COMPLAINT as to CHRISTOPHER RAPHAEL SPENCER (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00113-RMM] (Entered: 01/19/2021)
01/18/2021	3	MOTION to Seal Case by USA as to CHRISTOPHER RAPHAEL SPENCER. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00113-RMM] (Entered: 01/19/2021)
01/18/2021	4	ORDER granting 3 Motion to Seal Case as to CHRISTOPHER RAPHAEL SPENCER (1). Signed by Magistrate Judge Robin M. Meriweather on 1/18/2021. (zstd) [1:21-mj-00113-RMM] (Entered: 01/19/2021)
01/19/2021		Case unsealed as to CHRISTOPHER RAPHAEL SPENCER (bb) [1:21-mj-00113-RMM] (Entered: 01/21/2021)
01/19/2021		Arrest of CHRISTOPHER RAPHAEL SPENCER in Winston Salem, Middle District of North Carolina. (ztl) [1:21-mj-00113-RMM] (Entered: 01/29/2021)
01/19/2021		Arrest of CHRISTOPHER RAPHAEL SPENCER in US District Court North Carolina Middle District (NCMD). (bb) [1:21-mj-00113-RMM] (Entered: 02/09/2021)
01/20/2021	8	Rule 5(c)(3) Documents Received as to CHRISTOPHER RAPHAEL SPENCER from US District Court North Carolina Middle District (NCMD) Case Number 1:21-mj-26-LPA (bb) [1:21-mj-00113-RMM] (Entered: 02/09/2021)
01/25/2021	6	Arrest Warrant Returned Executed on 1/19/2021 as to CHRISTOPHER RAPHAEL SPENCER. (ztl) [1:21-mj-00113-RMM] (Entered: 01/29/2021)
01/25/2021		ORAL MOTION to Appoint Counsel by CHRISTOPHER RAPHAEL SPENCER. (ztl) [1:21-mj-00113-RMM] (Entered: 01/29/2021)
01/25/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to CHRISTOPHER RAPHAEL SPENCER held on 1/25/2021. Defendant present by video. Oral Motion to Appoint Counsel as to CHRISTOPHER RAPHAEL SPENCER (1); heard and granted. Defendant on Home Confinement and GPS Monitoring set by the Middle District of North Carolina. GPS to be removed and conditions of release set to remain. Defendant sworn to the conditions of release. Speedy Trial Excluded from 1/25/2021 to 2/24/2021 in the Interest of Justice (XT). Preliminary Hearing set for 2/24/2021 at 2:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Nancy Meyer; Defense Attorney: Jose German; US Attorney: Kevin Birney; Pretrial Officer: Masharia Holman. (ztl) [1:21-mj-00113-RMM] (Entered: 01/29/2021)
02/08/2021	7	NOTICE OF ATTORNEY APPEARANCE Jamie Carter appearing for USA. (Carter, Jamie) [1:21-mj-00113-RMM] (Entered: 02/08/2021)
02/23/2021	9	INFORMATION as to CHRISTOPHER RAPHAEL SPENCER (1) count(s) 1, 2, 3, 4. (zstd) (Entered: 02/23/2021)
02/23/2021		MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER (1) In light of the fact that Magistrate Case for Defendant CHRISTOPHER RAPHAEL SPENCER has closed and merged into Criminal Number 21-147, and an information has been filed, the preliminary hearing previously scheduled for February 24, 2021 before Judge Meriweather is VACATED. The parties are respectfully directed to address any scheduling requests to the presiding district judge, Judge Colleen Kollar-Kotelly. Signed by Magistrate Judge Robin M. Meriweather on 2/23/2021. (zpt) (Entered: 02/23/2021)
02/23/2021		Terminate Deadlines and Hearings as to CHRISTOPHER RAPHAEL SPENCER: See Minute Order Dated 2/23/2021. (zpt) (Entered: 02/23/2021)
02/25/2021		MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER. A status hearing in this matter is scheduled for MARCH 2, 2021 at 3:00 p.m. by videoconference. Log-in information will be provided to both parties in advance of the hearing. Signed by Judge Colleen Kollar-Kotelly on 2/25/21. (lcckk3) (Entered: 02/25/2021)
02/25/2021		Set/Reset Hearings as to CHRISTOPHER RAPHAEL SPENCER: Status Conference set for 3/2/2021 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 02/25/2021)
03/01/2021	13	ORDER pursuant to the Due Process Protections Act and Local Rule of Criminal Procedure 5.1, confirming the disclosure obligation of the government under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963) and its progeny, and the possible consequences of violating such order under applicable law. Signed by Judge Colleen Kollar-Kotelly on 3/1/21. (lcckk3) (Entered: 03/01/2021)
03/02/2021		MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER. The Court held a status hearing in this matter on March 2, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. Defendant was presented on the charges in the 9 Information. Defendant confirmed that he had received a copy of the Information and waived formal reading of the Information. Defendant was read the substance of the four counts contained in the Information and entered a plea of "not guilty" as to all four counts. During the status hearing, the Court discussed discovery and advised the government of its continuing Brady obligations in this case. <i>See</i> ECF No. 13. The government indicated that it had not yet been able to provide discovery to Defendant due to ongoing negotiations regarding a protective order. Counsel for the government indicated that once a protective order had been approved, discovery would be promptly provided to counsel for Defendant. To allow the parties additional time to proceed with discovery, the Court has scheduled another status hearing for MARCH 31, 2021 at 3:30 PM. Defendant has consented to this status hearing proceeding remotely via videoconference. During the March 2, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. The most recent COVID-19 Standing Order issued by the Chief Judge of the District Court excludes the time period through March 15, 2021 under the Speedy Trial Act. <i>See In re: Sixth Extension of Postponed Jury Trials Due to Ongoing Exigent Circumstances Caused by COVID-19 Pandemic</i> , Standing Order No. 20-93. Accordingly, Defendant's correct 70-day deadline under the Speedy Trial Act at the time of the March 2, 2021 status hearing was MAY 24, 2021 for his 70-day deadline. <i>See</i> 18 U.S.C. § 3161. As stated during the March 2, 2021 status hearing, the Court further finds that a continuance of Defendant's Speedy Trial rights between March 2, 2021 and the date of the next status hearing on March 31, 2021 serves the "ends of justice" and is in the best interests of both the community and Defendant, in light of the ongoing COVID-19 pandemic and because the continuance will allow Defendant to review discovery once it is provided. Defendant consented to the tolling of his Speedy Trial rights between the date of the March 2, 2021 status hearing and the next Status Hearing on March 31, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is JUNE 9, 2021. Signed by Judge Colleen Kollar-Kotelly on 3/2/21. (lcckk3) (Entered: 03/02/2021)
03/02/2021		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Arraignment on the record via videoconference as to CHRISTOPHER RAPHAEL SPENCER (1) as to Counts 1,2,3,4 held on 3/2/2021. Status Conference as to CHRISTOPHER RAPHAEL SPENCER held on 3/2/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 3/2/2021 to 3/31/2021. Status Conference set for 3/31/2021 at 3:30 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Bryan Wayne; Defense Attorney: Jose A. German; US Attorney: Jamie Carter. (dot) (Entered: 03/02/2021)
03/10/2021	14	SUPERSEDING INDICTMENT as to CHRISTOPHER RAPHAEL SPENCER (1) count(s) 1s, 2s, 3s, 4s, 5s, VIRGINIA MARIE SPENCER (2) count(s) 2, 3, 4, 5. (zltp) (Entered: 03/12/2021)
03/31/2021		Minute Entry for proceedings via videoconference before Judge Colleen Kollar-Kotelly held on 3/31/2021: Arraignment/Status as to CHRISTOPHER RAPHAEL SPENCER (1), Count 1s,2s,3s,4s,5s. Plea of Not Guilty entered as to 1s,2s,3s,4s,5s and VIRGINIA MARIE SPENCER (2). Count 2,3,4,5. Plea of Not Guilty entered as to Counts 2,3,4,5. Defendants' Speedy Trial (XT) is tolled in the Interest of Justice from 3/31/2021 to 5/27/2021. Status Conference set for 5/27/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance: Christopher R. Spencer(1) and Virginia M. Spencer(2); Court Reporter: Lisa Edwards; Defense Attorney: (1)-Jose A. German, (2)-Allen H. Orrenberg; US Attorney: Jamie Carter. (dot) (Entered: 03/31/2021)
03/31/2021		MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER(1), VIRGINIA MARIE SPENCER(2). The Court held a status hearing in this matter on March 31, 2021. Due to the health concerns surrounding COVID-19 and with Defendants' consent, the status hearing was held by videoconference. Both Defendants and their counsel, counsel for the Government, and a court reporter were present. Defendants were arraigned on the charges in the 14 Indictment. Defendant Christopher Spencer was read the five counts contained in the Indictment as to him and entered a plea of "not guilty" as to all counts. Defendant Virginia Spencer was read the four counts contained in the Indictment as to her and entered a plea of "not guilty" as to all counts. During the status hearing, the Court discussed the status of discovery. The Government indicated that it had produced discovery not subject to a protective order to both Defendants. The Government and counsel for Defendant Christopher Spencer indicated that negotiations regarding a protective order are ongoing. To allow the parties additional time to proceed with discovery, the Court has scheduled another status hearing for MAY 27, 2021 at 10:00 AM. Both Defendants consented to the next status hearing proceeding remotely via videoconference. The Court discussed with Defendants their Speedy Trial Act rights. As of the March 31, 2021 status hearing, the 70-day deadline for both Defendants was JUNE 9, 2021. As stated during the March 31, 2021 status hearing, the Court finds that a continuance of Defendants' Speedy Trial rights between March 31, 2021 and the date of the next status hearing on May 27, 2021 serves the "ends of justice" as it will allow Defendants time to receive and review discovery. Defendants each consented to the tolling of their Speedy Trial rights between the date of the March 31, 2021 status hearing and the next Status Hearing on May 27, 2021. Taking into account this continuance, the Court has calculated that Defendants' new 70-day deadline is AUGUST 5, 2021. Signed by Judge Colleen Kollar-Kotelly on 3/31/21. (lcckk3) (Entered: 03/31/2021)
05/07/2021	22	NOTICE OF ATTORNEY APPEARANCE Douglas Collyer appearing for USA. (Collyer, Douglas) (Entered: 05/07/2021)
05/13/2021	23	MOTION for Order to disclose 6(e) material by USA as to CHRISTOPHER RAPHAEL SPENCER. (Collyer, Douglas) Modified relief on 5/17/2021 (znmw). (Entered: 05/13/2021)

05/17/2021	25	Unopposed MOTION for Protective Order by USA as to CHRISTOPHER RAPHAEL SPENCER. (Collyer, Douglas) (Entered: 05/17/2021)
05/17/2021	26	Protective Order as to CHRISTOPHER RAPHAEL SPENCER (1). Signed by Judge Colleen Kollar-Kotelly on 5/17/21. (lcckk3) (Entered: 05/17/2021)
05/17/2021	27	ORDER granting 23 Motion for Disclosure as to CHRISTOPHER RAPHAEL SPENCER (1). Signed by Judge Colleen Kollar-Kotelly on 5/17/21. (lcckk3) (Entered: 05/17/2021)
05/27/2021		<p>MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER, VIRGINIA MARIE SPENCER. The Court held a status hearing in this matter on May 27, 2021. Due to the health concerns surrounding COVID-19 and with Defendants' consent, the status hearing was held by videoconference. Both Defendants and their counsel, counsel for the Government, and a court reporter were present.</p> <p>During the status hearing, the Court discussed the status of discovery. The Government indicated that it has provided discovery pertinent to both defendants to defense counsel and there are additional materials that will soon be provided. The parties requested that the Court schedule a status hearing in approximately 60 days to allow the parties additional time to proceed with discovery and to discuss potential pre-trial resolution of the case. The Court ORDERS that the next Status Hearing is scheduled for JULY 30, 2021 at 1:30 p.m. With Defendants' consent, the next status hearing shall take place by videoconference.</p> <p>The Court discussed with Defendants their Speedy Trial Act rights. As stated during the May 27, 2021 status hearing, the Court finds that a continuance of Defendants' Speedy Trial rights between May 27, 2021 and the date of the next status hearing on July 30, 2021 serves the "ends of justice" as it will allow Defendants to obtain and review discovery with their counsel, and to discuss potential pre-trial disposition of this case. At the May 27, 2021 status hearing, both Defendants consented to the tolling of their Speedy Trial rights between May 27, 2021 and the next Status Hearing on July 30, 2021. Taking into account this continuance, the Court has calculated that Defendants' new 70-day deadline is OCTOBER 8, 2021. Signed by Judge Colleen Kollar-Kotelly on 5/27/2021. (lcckk3) (Entered: 05/27/2021)</p>
05/27/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to CHRISTOPHER RAPHAEL SPENCER (1), VIRGINIA MARIE SPENCER (2) held on 5/27/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 5/27/2021 to 7/30/2021. Status Conference set for 7/30/2021 at 1:30 PM via before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance: Christopher R. Spencer (1) and Virginia M. Spencer (2); Court Reporter: Lisa Edwards; Defense Attorney: Jose A. German (1) and Allen H. Orenberg (2); US Attorney: Jamie Carter and Douglas Collyer. (dot) (Entered: 05/28/2021)
07/12/2021	31	STATUS REPORT with respect to discovery by USA as to CHRISTOPHER RAPHAEL SPENCER (Attachments: # 1 Exhibit)(Collyer, Douglas) (Entered: 07/12/2021)
07/13/2021		MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER (1), VIRGINIA MARIE SPENCER (2). Due to a scheduling conflict, the status hearing previously scheduled for July 30, 2021 is hereby CONTINUED until AUGUST 3, 2021 at 3:30 pm. The status hearing will take place by videoconference. Signed by Judge Colleen Kollar-Kotelly on 7/13/21. (lcckk3) (Entered: 07/13/2021)
07/13/2021		Set/Reset Hearings as to CHRISTOPHER RAPHAEL SPENCER (1), VIRGINIA MARIE SPENCER (2): Status Conference set for 8/3/2021 at 3:30 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 07/13/2021)
08/03/2021		<p>MINUTE ORDER as to CHRISTOPHER RAPHAEL SPENCER (1). The Court held a status hearing in this matter on August 3, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. Defendant consented to proceeding with the status hearing by Zoom videoconference.</p> <p>The Court discussed with the parties the status of discovery. The Government indicated that it has provided discovery pertinent to Defendant to defense counsel and that the Government is still in the process of providing more general discovery. The parties requested that the Court schedule a status hearing in approximately 60 days to allow the parties additional time to proceed with discovery and to discuss potential pre-trial resolution of the case. The Court ORDERS that the next Status Hearing is scheduled for OCTOBER 8, 2021 at 3:00 p.m. With Defendant's consent, the next status hearing shall take place by videoconference.</p> <p>The Court discussed with Defendant his Speedy Trial Act rights. As stated during the August 3, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between August 3, 2021 and the date of the next status hearing on October 8, 2021 serves the "ends of justice" as it will allow Defendant to obtain and review discovery with his counsel, and to discuss potential pre-trial disposition of this case. At the August 3, 2021 status hearing, Defendant consented to the tolling of his Speedy Trial rights between August 3, 2021 and the next Status Hearing on October 8, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is DECEMBER 13, 2021. Signed by Judge Colleen Kollar-Kotelly on 8/3/21. (lcckk3) (Entered: 08/03/2021)</p>
08/03/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to CHRISTOPHER RAPHAEL SPENCER (1), VIRGINIA MARIE SPENCER (2) held on 8/3/2021. CHRISTOPHER RAPHAEL SPENCER (1), Speedy Trial (XT) is tolled in the Interest of Justice from 8/3/2021 to 10/8/2021 and VIRGINIA MARIE SPENCER (2), Speedy Trial (XT) is tolled in the Interest of Justice from 8/3/2021 to 9/1/2021. VIRGINIA MARIE SPENCER (2) Plea Agreement Hearing set for 9/1/2021 at 1:30 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. CHRISTOPHER RAPHAEL SPENCER (1), Status Conference set for 10/8/2021 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Christopher R. Spencer (1) and Virginia M. Spencer (2) continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: 1-Jose A. German and 2-Allen H. Orenberg; US Attorney: Douglas Collyer. (dot) (Entered: 08/03/2021)

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