

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00067-ABJ-1**

Case title: USA v. SIMON

Date Filed: 02/02/2021

Assigned to: Judge Amy Berman Jackson

Defendant (1)

MARK SIMON

represented by **Amy M. Karlin**
FEDERAL PUBLIC DEFENDER'S OFFICE
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Cara Kurtz Halverson
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TERMINATED: 04/15/2021
Designation: Public Defender or Community Defender Appointment

Pending Counts

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

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. § 1752(a)(1) and (2); 40 U.S.C. § 5104(e)(2)(D) and (G)

Disposition

Plaintiff

USA

represented by **Brenda J. Johnson**
U.S. ATTORNEY'S OFFICE
Criminal Division - National Security Section
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/21/2021	1	SEALED COMPLAINT as to MARK SIMON (1). (Attachments: # 1 Affidavit in Support) (zltf) [1:21-mj-00147-ZMF *SEALED*] (Entered: 01/21/2021)
01/21/2021	3	MOTION to Seal Case by USA as to MARK SIMON. (Attachments: # 1 Text of Proposed Order)(zltf) [1:21-mj-00147-ZMF *SEALED*] (Entered: 01/21/2021)
01/21/2021	4	ORDER granting 3 Motion to Seal Case as to MARK SIMON (1). Signed by Magistrate Judge Zia M. Faruqui on 1/21/2021. (zltf) [1:21-mj-00147-ZMF *SEALED*] (Entered: 01/21/2021)
01/28/2021		Arrest of Defendant MARK SIMON in the Central District of California. (kk) (Entered: 02/24/2021)
01/28/2021		Case unsealed as to Defendant MARK SIMON. (kk) (Entered: 02/24/2021)
01/29/2021		MINUTE ORDER as to Defendant MARK SIMON : It is hereby ORDERED that Defendant MARK SIMON appear for an initial appearance on Wednesday, February 3, 2021 at 1:00 p.m. before Magistrate Judge Robin M. Meriweather. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the

		United States is directed to ensure that Counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have Counsel, Counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3083; So Ordered by Magistrate Judge Robin M. Meriweather on 1/29/2021. (zkk) [1:21-mj-00147-ZMF *SEALED*] (Entered: 01/29/2021)
02/02/2021	5	INFORMATION as to MARK SIMON (1) count(s) 1, 2, 3, 4. (zltf) (Entered: 02/03/2021)
02/03/2021	16	Arrest Warrant, dated 1/21/2021, returned executed in the U.S. District Court for the District of Columbia on 2/3/2021 as to Defendant MARK SIMON. (kk) (zkk). (Entered: 02/24/2021)
02/03/2021		ORAL MOTION by Defendant MARK SIMON to Appoint Counsel. (kk) (Entered: 03/11/2021)
02/03/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act as to MARK SIMON. (kk) (Entered: 03/11/2021)
02/03/2021		Minute Entry for Initial Appearance and Arraignment as to MARK SIMON held by video before Magistrate Judge Robin M. Meriweather on 2/3/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Defendant agreed to appear by video. Oral Motion by Defendant to Appoint Counsel, heard and granted. Assistant Federal Public Defender Cara Halverson appointed to represent MARK SIMON. Plea of Not Guilty entered by MARK SIMON to Counts 1, 2, 3 and 4. Counsel directed to contact Judge Amy Berman Jackson's courtroom deputy to schedule a status hearing date. Oral Motion by USA, with no objection by the defense, to Exclude Time Under the Speedy Trial Act. The Court will grant the Government's motion and exclude time under the Speedy Trial Act from 2/3/2021 until 2/12/2021 in the interest of justice. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 16; FTR Time Frames: 1:50:18 - 2:01:14 and 2:18:42 - 2:39:30. Defense Attorney: Cara Halverson; U.S. Attorney: Kelly Smith for Brenda Johnson; Pretrial Officer: Shay Holman. (kk) (Entered: 03/11/2021)
02/03/2021	15	ORDER Setting Conditions of Release : Defendant MARK SIMON placed on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather on 2/3/2021. (Attachment: Appearance Bond) (kk) (Entered: 04/28/2021)
02/22/2021	7	Joint MOTION for Status Hearing by USA as to MARK SIMON. (bb) (Entered: 02/23/2021)
02/25/2021		MINUTE ORDER as to MARK SIMON. Upon consideration of the 7 Joint Motion for Status Hearing, it is ORDERED that the 7 Motion is GRANTED. Defendant's Video (VTC) Arraignment and Initial Status Conference are set for 3/1/2021 at 11:00 AM before Judge Amy Berman Jackson. In a separate email, the Court's Deputy Clerk will provide counsel with the video connection information needed for this proceeding. Defense Counsel is instructed to forward the information to the defendant who is required to appear by video for the proceeding. Signed by Judge Amy Berman Jackson on 2/25/2021. (jth) (Entered: 02/25/2021)
03/01/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Case was called for an Arraignment, but not held. Defendant is incarcerated in Orange County California on a California State Probation Violation. Video (VTC) Status Conference as to MARK SIMON held on 3/1/2021. Defendant's conditions of Pretrial Release are modified to include courtesy supervision by the United States Pretrial/Probation Office for the Central District of California (US Probation Pretrial for CDCA) upon his release from custody. The defendant is to report to US Probation Pretrial for CDCA as directed and comply with any and all conditions as directed in the supervising jurisdiction. Another Video (VTC) Status Conference is set for 5/3/2021 at 2:00 PM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 3/1/2021 and 5/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond in this Case, with modifications; Court Reporter: Janice Dickman; Defense Attorney: Cara Kurtz Halverson; US Attorney: Brenda J. Johnson; Pretrial Officer: Christine Schuck. (jth) (Entered: 03/01/2021)
03/01/2021	9	ORDER as to MARK SIMON (1). Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel who have entered their appearances in this case or who do so in the future must review and comply with their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1. See Order for details. Signed by Judge Amy Berman Jackson on 3/1/2021. (lcabj1) (Entered: 03/01/2021)
03/01/2021	10	AMENDED ORDER Setting Conditions of Release as to MARK SIMON. Personal Recognizance Bond. Signed by Judge Amy Berman Jackson on 3/1/2021. (jth) (Entered: 03/01/2021)
03/16/2021	11	Consent MOTION to Continue Status by MARK SIMON. (Attachments: # 1 Text of Proposed Order Proposed Order)(Halverson, Cara) (Entered: 03/16/2021)
03/16/2021		MINUTE ORDER as to MARK SIMON. Upon consideration of defendant's 11 Consent Motion to Continue Status Conference containing a request to exclude time from the Speedy Trial Act, it is ORDERED that the 11 Consent Motion is GRANTED. The Video (VTC) Status Conference presently set for 5/3/2021 at 2:00 PM is CONTINUED to 6/3/2021 at 2:00 PM before Judge Amy Berman Jackson and will take place by Video (VTC). Counsel are directed to contact the Court's Deputy Clerk if this date poses a conflict. It is further ORDERED that the time between 3/3/2021 and 6/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Signed by Judge Amy Berman Jackson on 3/16/2021. (jth) (Entered: 03/16/2021)
03/29/2021	12	Unopposed MOTION for Protective Order by USA as to MARK SIMON. (Attachments: # 1 Text of Proposed Order)(Johnson, Brenda) (Entered: 03/29/2021)
04/01/2021	13	PROTECTIVE ORDER as to MARK SIMON. See Order for details. Signed by Judge Amy Berman Jackson on 4/1/2021. (lcabj1) (Entered: 04/01/2021)
04/15/2021	14	NOTICE OF ATTORNEY APPEARANCE: Amy Karlin appearing for MARK SIMON (Karlin, Amy) (Entered: 04/15/2021)
06/03/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to MARK SIMON as to Counts: 1,2,3,4 held on 6/3/2021. Plea of Not Guilty entered by MARK SIMON as to Counts: 1,2,3,4. Another Video (VTC) Status Conference is set for 8/4/2021 at 2:00 PM before Judge Amy Berman Jackson. If the Status Conference on 8/4/2021 is to be converted to a Plea Agreement, counsel must submit the plea paperwork, including any waiver to appear in person, to the Court's Deputy Clerk by 8/2/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/3/2021 and 8/4/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Amy M. Karlin; US Attorney: Brenda J. Johnson. (jth) (Entered: 06/03/2021)
07/13/2021	18	United States' Memorandum Regarding Status of Discovery by USA as to MARK SIMON. (Johnson, Brenda) Modified text on 7/13/2021 (bb). (Entered: 07/13/2021)
07/30/2021	19	Joint MOTION to Continue STATUS CONFERENCE AND PLEA HEARING DATE by MARK SIMON. (Attachments: # 1 Text of Proposed Order)(Karlin, Amy) (Entered: 07/30/2021)
08/02/2021		MINUTE ORDER as to MARK SIMON. Upon consideration of the 19 Joint Motion to Continue Status Conference and Plea Hearing Date, containing a request to waive speedy trial time between 6/3/2021 and 8/19/2021, it is ORDERED that the 19 Motion is GRANTED. The Video (VTC) Status Conference presently set 8/4/2021 at 2:00 PM is Continued and Converted to a Video (VTC) Plea Agreement Hearing set for 8/19/2021 at 2:00 PM before Judge Amy Berman Jackson. Counsel must email the signed Plea Paperwork to the Court's Deputy Clerk by 5:00 PM on 8/16/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/3/2021 and 8/19/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Signed by Judge Amy Berman Jackson on 8/2/2021. (jth) (Entered: 08/02/2021)
08/19/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Plea Agreement Hearing as to MARK SIMON held on 8/19/2021. Plea of Guilty as to Count: 4 entered by Defendant MARK SIMON. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Video (VTC) Sentencing set for 12/7/2021 at 2:00 PM - Eastern Standard Time (EST) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 11/30/2021. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond (PR); Court Reporter: Janice Dickman; Defense Attorney: Amy M. Karlin; US Attorney: Brenda J. Johnson. (jth) (Entered: 08/20/2021)
08/19/2021	22	WAIVER of Trial by Jury as to MARK SIMON. Approved by Judge Amy Berman Jackson on 8/19/2021. (jth) (Entered: 08/20/2021)
08/19/2021	23	PLEA AGREEMENT as to MARK SIMON. (jth) (Entered: 08/20/2021)
08/19/2021	24	STATEMENT OF OFFENSE by USA as to MARK SIMON. (jth) (Entered: 08/20/2021)

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