

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00310-ABJ-1**

Case title: USA v. WAGNER et al

Date Filed: 04/19/2021

Magistrate judge case number: 1:21-mj-00162-ZMF

Assigned to: Judge Amy Berman Jackson

Defendant (1)

JOSHUA WAGNER

represented by **Cary Citronberg**
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Pending Counts

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

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

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Violent Entry and Disorderly Conduct in a Capitol Building
(3)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; 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), 40:5104(e)(2)(D) and 40:5104(e)(2)(G)

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
01/25/2021	1	COMPLAINT as to JOSHUA WAGNER (1), ISRAEL TUTROW (2). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00162-ZMF] (Entered: 01/26/2021)
01/26/2021		Arrest of Defendant JOSHUA WAGNER (1) in the Southern District of Indiana. (kk) [1:21-mj-00162-ZMF] (Entered: 03/25/2021)
02/03/2021	3	NOTICE OF ATTORNEY APPEARANCE: Cary Citronberg appearing for JOSHUA WAGNER (Citronberg, Cary) [1:21-mj-00162-ZMF] (Entered: 02/03/2021)
02/03/2021	4	MOTION for Leave to Appear Pro Hac Vice Christopher Leibig Filing fee \$ 100, receipt number ADCDC-8158495. Fee Status: Fee Paid. by JOSHUA WAGNER. (Attachments: # 1 Text of Proposed Order)(Citronberg, Cary) [1:21-mj-00162-ZMF] (Entered: 02/03/2021)
02/09/2021		MINUTE ORDER as to JOSHUA WAGNER (1). Upon review of the Motion to Appear Pro Hac Vice 4 , it is hereby ORDERED that counsel seeking admission pro hac vice provide a supplemental declaration clarifying whether he "engages in the practice of law from an office located in the District of Columbia," LCvR 44.1(d)(6). Signed by Magistrate Judge G. Michael Harvey on 2/9/2021. (zpt) [1:21-mj-00162-ZMF] (Entered: 02/09/2021)
02/10/2021	5	SUPPLEMENT by JOSHUA WAGNER re 4 MOTION for Leave to Appear Pro Hac Vice Christopher Leibig Filing fee \$ 100, receipt number ADCDC-8158495. Fee Status: Fee Paid. (Citronberg, Cary) [1:21-mj-00162-ZMF] (Entered: 02/10/2021)
02/18/2021		MINUTE ORDER: In light of the fact that the Court is Closed on Thursday, February 18, 2021 due to inclement weather, the initial hearing previously scheduled for February 18, 2021 is rescheduled for February 19, 2021, at 1:00 P.M. and will take place by video conference. The connection information for the video conference will remain the same, unless new information is provided by the Court.Signed by Magistrate Judge Robin M. Meriweather on 2/18/2021. (ztl) [1:21-mj-00162-ZMF] (Entered: 02/18/2021)
02/19/2021		MINUTE ORDER Upon review of the Motion to Appear Pro Hac Vice 4 and the Supplemental Declaration of Christopher Leibig Pursuant to LCvR44.1 5 , it is hereby ORDERED that the Motion 4 is GRANTED. Christopher Leibig is hereby admitted pro hac vice to appear in this matter on behalf of Defendant Joshua Wagner. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions as to JOSHUA WAGNER (1) Signed by Magistrate Judge Robin M. Meriweather on 2/19/2021. (zpt) [1:21-mj-00162-ZMF] (Entered: 02/19/2021)
02/19/2021	8	ORDER Setting Conditions of Release as to JOSHUA WAGNER (1) Personal Recognizance. Signed by Magistrate Judge Robin M. Meriweather on 2/19/2021. (zpt)[1:21-mj-00162-ZMF] Modified on 4/19/2021 (bb). (Additional attachment(s) added on 4/22/2021: # 1 Appearance Bond) (zkk). (Entered: 02/28/2021)
02/19/2021	17	Arrest Warrant, dated 1/25/2021, returned executed in the U.S. District Court for the District of Columbia on 2/19/2021 as to Defendant JOSHUA WAGNER (1). (kk)[1:21-mj-00162-ZMF] (zkk). (Entered: 03/25/2021)
02/19/2021		ORAL MOTION by USA, Joined by Defendants JOSHUA WAGNER (1) and ISRAEL TUTROW (2), to Exclude Time Under the Speedy Trial Act from 2/19/2021 until 4/21/2021. (kk) [1:21-mj-00162-ZMF] (Entered: 03/25/2021)
02/19/2021		Minute Entry for Initial Appearance as to JOSHUA WAGNER (1) and ISRAEL TUTROW (2) held by video before Magistrate Judge Robin M. Meriweather on 2/19/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Both defendants agreed to proceed by video. Oral Motion by Defendant ISRAEL TUTROW (2) to Appoint Counsel, heard and granted. Attorney Heather Shaner appointed to represent ISRAEL TUTROW (2) under the Criminal Justice Act. Preliminary Hearing set for 4/21/2021 at 1:00 pm by telephonic/VTC for both defendants before Magistrate Judge G. Michael Harvey. Both defendants waive the requirement to hold the preliminary hearing within 21 days. Oral Motion by USA, Joined by both defendants, to Exclude Time Under the Speedy Trial Act from 2/19/2021 to 4/21/2021, heard and granted in the interest of justice. Bond Status of Defendants: Both Defendants placed on Personal Recognizance Bond. Court Reporter: Bryan Wayne. Defense Attorneys: (1): Cary Citronberg and Christopher Leibig and (2): Heather Shaner; U.S. Attorney: Kelly Smith for Mary Dohrmann; Pretrial Officer: John Copes. (kk) [1:21-mj-00162-ZMF] (Entered: 03/25/2021)
04/06/2021	11	Unopposed MOTION for Protective Order by USA as to JOSHUA WAGNER. (Attachments: # 1 Text of Proposed Order)(Dohrmann, Mary) [1:21-mj-00162-ZMF] (Entered: 04/06/2021)
04/07/2021	12	NOTICE OF ATTORNEY APPEARANCE: Christopher R. K. Leibig appearing for JOSHUA WAGNER (Leibig, Christopher) [1:21-mj-00162-ZMF] (Entered: 04/07/2021)
04/07/2021	13	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to JOSHUA WAGNER (1) Signed by Magistrate Judge G. Michael Harvey on 4/7/2021. (zpt) [1:21-mj-00162-ZMF] (Entered: 04/07/2021)
04/19/2021	15	INFORMATION as to JOSHUA WAGNER (1) count(s) 1, 2, 3, 4, ISRAEL TUTROW (2) count(s) 1, 2, 3, 4. (bb) (Entered: 04/19/2021)
04/20/2021		MINUTE ORDER as to JOSHUA WAGNER (1) AND ISRAEL TUTROW (2). The hearing currently scheduled for 4/21/21 before Magistrate Judge G. Michael Harvey is hereby VACATED, as both Defendants have had an initial appearance in this jurisdiction; Defendant Wagner has retained counsel and Defendant Tutrow has been appointed counsel; both Defendants have been released on conditions; and both Defendants have been charged with misdemeanors by Information. Neither Defendant has yet been arraigned. As such, there are no pending matters necessitating action by a magistrate judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/20/2021. (zpt) (Entered: 04/21/2021)
04/30/2021		MINUTE ORDER as to JOSHUA WAGNER (1), ISRAEL TUTROW (2). It is ORDERED that the Video (VTC) Arraignment and a Status Conference are set for Monday, May 3, 2021, at 4:00 PM before Judge Amy Berman Jackson. The Court's Deputy Clerk will provide counsel with the information needed to make the video connection. Counsel for the defendants are directed to inform/supply their clients with the connection information as they are required to appear by video for this proceeding. Signed by Judge Amy Berman Jackson on 4/30/2021. (jth) (Entered: 04/30/2021)
05/03/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to JOSHUA WAGNER (1) and ISRAEL TUTROW (2) as to Counts: 1,2,3,4 held on 5/3/2021. Plea of Not Guilty entered by JOSHUA WAGNER (1) as to Counts: 1,2,3,4. Plea of Not Guilty entered by ISRAEL TUTROW (2) as to Counts: 1,2,3,4. The Court makes a finding that it is in the Interests of Justice that the time between 5/3/2021 and 7/1/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 7/1/2021 at 10:45 AM before Judge Amy Berman Jackson. Bond Status of Defendants: Both Defendants appeared by video, but remain on Personal Recognizance Bond (PR); Court Reporter: Janice Dickman; Defense Attorneys: 1) Christopher R. K. Leibig, 2) H. Heather Shaner; US Attorney: James B. Nelson standing in for Mary Lyle Dohrmann; Pretrial Services Agency Officer: Shay Holman. (jth) (Entered: 05/04/2021)
05/04/2021	21	ORDER as to JOSHUA WAGNER (1) and ISRAEL TUTROW (2). 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 5/4/21. (lcabj2) (Entered: 05/04/2021)
06/11/2021	25	NOTICE OF ATTORNEY APPEARANCE Seth Adam Meinero appearing for USA. (Meinero, Seth Adam) (Entered: 06/11/2021)
06/11/2021	26	NOTICE of Filing Discovery Correspondence by USA as to JOSHUA WAGNER, ISRAEL TUTROW (Attachments: # 1 Preliminary-Discovery Letter (6.11.2021))(Meinero, Seth) (Entered: 06/11/2021)
07/01/2021		Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to JOSHUA WAGNER (1), ISRAEL TUTROW (2) held on 7/1/2021. The Court makes a finding that it is in the Interests of Justice that the time between 7/1/2021 and 9/2/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 9/2/2021 at 10:00 AM before Judge Amy Berman Jackson. If that proceeding is to be converted to a Disposition, counsel must email the Plea Paperwork to the Court's Deputy Clerk by 8/31/2021. Bond Status of Defendants: Both Defendants appeared by Video, but Remain on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorneys: 1) Christopher R.K. Leibig, 2) H. Heather Shaner; US Attorney: Seth Adam Meinero. (jth) (Entered: 07/01/2021)

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