

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00307-CRC-1**

Case title: USA v. VON BERNEWITZ et al

Date Filed: 04/16/2021

Magistrate judge case number: 1:21-mj-00333-GMH

Assigned to: Judge Christopher R. Cooper

**Defendant (1)**

**ERIC V. VON BERNEWITZ**

**Pending Counts**

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

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

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; 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 U.S.C. § 1752(a)(1) and 18 U.S.C. § 1752(a)(2); 40 U.S.C. § 5104(e)(2)(D) and § 5104(e)(2)(G)

**Disposition**

**Plaintiff**

USA

represented by **Clayton Henry O'Connor**  
DOJ-CRM  
Human Rights and Special Prosecutions Section  
1301 New York Ave NW  
Ste 1200  
Washington, DC 20530  
202-616-3308  
Email: Clayton.Oconnor@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
Designation: Assistant U.S. Attorney

| Date Filed | #                  | Docket Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/23/2021 | <a href="#">1</a>  | SEALED COMPLAINT as to ERIC V. VON BERNEWITZ (1), PAUL H. VON BERNEWITZ (2). (Attachments: # <a href="#">1</a> Statement of Facts) (zltf) [1:21-mj-00333-GMH] (Entered: 03/24/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 03/23/2021 | <a href="#">3</a>  | MOTION to Seal Case by USA as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zltf) [1:21-mj-00333-GMH] (Entered: 03/24/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/23/2021 | <a href="#">4</a>  | ORDER granting <a href="#">3</a> Motion to Seal Case as to ERIC V. VON BERNEWITZ (1), PAUL H. VON BERNEWITZ (2). Signed by Magistrate Judge G. Michael Harvey on 3/23/2021. (zltf) [1:21-mj-00333-GMH] (Entered: 03/24/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/24/2021 | <a href="#">5</a>  | Arrest Warrant Returned Executed on 3/24/2021 in Chesapeake, VA as to ERIC V. VON BERNEWITZ. (bb) [1:21-mj-00333-GMH] (Entered: 03/29/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/24/2021 |                    | Case unsealed as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ (bb) [1:21-mj-00333-GMH] (Entered: 03/29/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/24/2021 |                    | Arrest of ERIC V. VON BERNEWITZ. (ztl) (Entered: 04/27/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/31/2021 |                    | ORAL MOTION to Appoint Counsel by ERIC V. VON BERNEWITZ. (ztl) (Entered: 04/27/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/31/2021 |                    | JOINT ORAL MOTION for Speedy Trial by ERIC V. VON BERNEWITZ. (ztl) (Entered: 04/27/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/31/2021 |                    | Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to ERIC V. VON BERNEWITZ held on 3/31/2021. Defendant present by video. Due Process Order given to the Government. Oral Motion to Appoint Counsel by ERIC V. VON BERNEWITZ (1); heard and granted. Defendant placed on Standard Conditions of Release. Joint Oral Motion for Speedy Trial as to ERIC V. VON BERNEWITZ (1); heard and granted. Speedy Trial Excluded from 3/31/2021 to 5/26/2021 in the Interest of Justice (XT). Defendant waives right to Preliminary Hearing. Preliminary Hearing set for 5/26/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Austin Manghan; US Attorney: Jacob Steiner for Clayton O'Connor; Pretrial Officer: John Copes. (ztl) (Entered: 04/27/2021) |
| 03/31/2021 | <a href="#">14</a> | ORDER Setting Conditions of Release as to ERIC V. VON BERNEWITZ (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqi on 3/31/2021. (ztl) (Entered: 04/27/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/08/2021 | <a href="#">8</a>  | NOTICE OF ATTORNEY APPEARANCE Clayton Henry O'Connor appearing for USA. (O'Connor, Clayton) [1:21-mj-00333-GMH] (Entered: 04/08/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/16/2021 | <a href="#">10</a> | INFORMATION as to ERIC V. VON BERNEWITZ (1) count(s) 1, 2, 3, 4, PAUL H. VON BERNEWITZ (2) count(s) 1, 2, 3, 4. (zstd) (Entered: 04/19/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 04/26/2021 | <a href="#">12</a> | MOTION for Protective Order <i>Governing Discovery</i> by USA as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ. (Attachments: # <a href="#">1</a> Text of Proposed Order)(O'Connor, Clayton) (Entered: 04/26/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 04/27/2021 | <a href="#">15</a> | ORDER granting <a href="#">12</a> Unopposed Motion for Protective Order as to ERIC V. VON BERNEWITZ (1), PAUL H. VON BERNEWITZ (2). Signed by Judge Christopher R. Cooper on 4/27/2021. (lccrc2) (Entered: 04/27/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/06/2021 |                    | MINUTE ORDER as to ERIC V. VON BERNEWITZ (1) and PAUL H. VON BERNEWITZ (2): The parties are to appear for Arraignment set for 5/12/2021 at 10:00 AM by VTC before Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 5/6/21. (lsj) (Entered: 05/06/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/07/2021 | <a href="#">16</a> | Consent MOTION to Continue <i>Arraignment (Joint as to both defendants)</i> by PAUL H. VON BERNEWITZ as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Grindrod, Andrew) (Entered: 05/07/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/11/2021 |                    | MINUTE ORDER : The Court GRANTS <a href="#">16</a> Defendants' Unopposed Motion to Continue Arraignment as to ERIC V. VON BERNEWITZ (1), PAUL H. VON BERNEWITZ (2). The Court will hold an arraignment in this matter on 5/20/2021 at 11:00 A.M. via videoconference before Judge Christopher R. Cooper. The Court notes that defense counsel have discussed the continuance with their clients, who consent and agree that the time between 5/12/2021 and the new arraignmentdate can be excluded from the Speedy Trial Act period. The Court finds it in the interest of justice to toll the speedy trial clock from 5/12/2021 through 5/20/2021. Signed by Judge Christopher R. Cooper on 5/11/2021. Videoconference log-in information will be sent separately. (lccrc2) (Entered: 05/11/2021)                                                                                                                      |
| 05/11/2021 |                    | Set/Reset Hearings as to ERIC V. VON BERNEWITZ (1) and PAUL H. VON BERNEWITZ (2): Arraignment reset for 5/20/2021 at 11:00 AM by VTC before Judge Christopher R. Cooper. (lsj) (Entered: 05/11/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/20/2021 |                    | Minute Entry for proceedings held before Judge Christopher R. Cooper: Arraignment as to ERIC V. VON BERNEWITZ (1) and PAUL H. VON BERNEWITZ (2) held via videoconference on 5/20/2021. Defendant ERIC V. VON BERNEWITZ (1) sworn and plea of NOT GUILTY entered and accepted as to Counts 1-4. Defendant PAUL H. VON BERNEWITZ (2) sworn and plea of NOT GUILTY entered and accepted as to Counts 1-4. Government's Oral Motion for 60-day continuance and Speedy Trial Waiver heard and granted. A further status conference will be set by Minute Order. The Court finds it in the interest of justice to toll the speedy trial clock from 5/20/2021 until the next hearing date. Bond Status of Defendants: both defendants remain on personal recognizance; Court Reporter: Lisa Moreira; Defense Attorneys: Austin Manghan (1) and Andrew Grindrod (2); US Attorney: Clayton O'Connor. (zjd) (Entered: 05/20/2021) |
| 06/15/2021 | <a href="#">19</a> | MOTION To Disclose Items Protected By Federal Rule Of Criminal Procedure 6(e) And Sealed Materials by USA as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ. (Attachments: # <a href="#">1</a> Text of Proposed Order)(O'Connor, Clayton) Modified event on 6/16/2021 (zstd). (Entered: 06/15/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/17/2021 |                    | MINUTE ORDER: Upon consideration of <a href="#">19</a> Government's motion to disclose items protected by Federal Rule of Criminal Procedure 6(e) and sealed materials, it is hereby ORDERED, that the motion is GRANTED. It is further ORDERED that the United States may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e) and that the United States may provide in discovery sealed materials, pursuant to <a href="#">15</a> the previously entered protective order governing discovery. This order shall also apply to the disclosure of these materials to any co-defendants who may later be joined. Signed by Judge Christopher R. Cooper on 6/17/2021. (lccrc2) (Entered: 06/17/2021)                                                                                                                                                                                      |
| 07/13/2021 | <a href="#">20</a> | ENTERED IN ERROR..... STATUS REPORT <i>Regarding Discovery</i> by USA as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ (Attachments: # <a href="#">1</a> Exhibit Exhibit A) (O'Connor, Clayton) Modified on 7/14/2021 (zstd). (Entered: 07/13/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/13/2021 |                    | NOTICE OF CORRECTED DOCKET ENTRY: as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ re <a href="#">20</a> Status Report was entered in error and counsel was instructed to refile said pleading using event Notices (Other). (zstd) (Entered: 07/14/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 07/22/2021 |                    | MINUTE ORDER as to ERIC V. VON BERNEWITZ (1) and PAUL H. VON BERNEWITZ (2): The parties are to appear for a Further Status Conference set for 8/25/2021 at 2:00 PM by VTC before Judge Christopher R. Cooper. With the consent of the parties, the Court finds it in the interest to toll the speedy trial clock from 8/1/2021 through 8/25/2021. Signed by Judge Christopher R. Cooper on 7/22/21. (lsj) (Entered: 07/22/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 07/22/2021 | <a href="#">22</a> | NOTICE of <i>Memorandum Regarding Status of Discovery</i> by USA as to ERIC V. VON BERNEWITZ, PAUL H. VON BERNEWITZ (Attachments: # <a href="#">1</a> Exhibit Exhibit A)(O'Connor, Clayton) (Entered: 07/22/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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