

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00041-CJN-3**

Case title: USA v. FITCHETT, ET AL

Date Filed: 01/15/2021

Magistrate judge case number: 1:21-mj-00012-GMH

Assigned to: Judge Carl J. Nichols

**Defendant (3)****DOUGLAS SWEET**represented by **Cara Kurtz Halverson**

FEDERAL PUBLIC DEFENDER

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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)

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

(2)

40:5104(e)(2)(A); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly Conduct in a Capitol Building

(3)

40:5104(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); 40 U.S.C. 5104(e)(2)

**Disposition****Plaintiff**

USA

represented by **Seth Adam Meinero**

DOJ-USAO

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant U.S. Attorney***Susan Lehr**

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**ATTORNEY TO BE NOTICED***Designation: Assistant U.S. Attorney***Tara Ravindra**

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**TERMINATED: 03/16/2021***Designation: Assistant U.S. Attorney*

Date Filed	#	Docket Text
01/07/2021	<u>1</u>	SEALED COMPLAINT as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6). (Attachments: # <u>1</u> Statement of Facts) (zltp) Modified Defendants on 1/8/2021 (zltp). [1:21-mj-00012-GMH] (Entered: 01/08/2021)
01/13/2021	<u>4</u>	Arrest Warrant Returned Executed on 1/13/2021 as to DOUGLAS SWEET (hb) [1:21-mj-00012-GMH] (Entered: 01/13/2021)

01/13/2021		Case unsealed as to DOUGLAS SWEET (bb) [1:21-mj-00012-GMH] (Entered: 01/13/2021)
01/13/2021		Arrest of DOUGLAS SWEET in US District Court Eastern District of Virginia. (bb) [1:21-mj-00012-GMH] (Entered: 01/25/2021)
01/13/2021		Arrest of DOUGLAS SWEET in US District Court for the Eastern District of Virginia. (bb) (Entered: 02/03/2021)
01/15/2021	<a href="#">7</a>	INFORMATION as to CINDY FITCHETT (1) count(s) 1, 2, 3, 4, MICHAEL THOMAS CURZIO (2) count(s) 1, 2, 3, 4, DOUGLAS SWEET (3) count(s) 1, 2, 3, 4, TERRY BROWN (4) count(s) 1, 2, 3, 4, BRADLEY FRANCIS RUKSTALES (5) count(s) 1, 2, 3, 4, THOMAS GALLGHER (6) count(s) 1, 2, 3, 4. (bb) (Main Document 7 replaced on 1/19/2021) (bb). [1:21-mj-00012-GMH] (Entered: 01/17/2021)
01/19/2021		ORAL MOTION to Appoint Counsel by DOUGLAS SWEET. (zpt) [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arraignment as to DOUGLAS SWEET (3) Count 1,2,3,4 held on 1/19/2021. Not Guilty Plea entered by DOUGLAS SWEET (3) as to all counts. Oral Motion to Appoint Counsel as to DOUGLAS SWEET (3) Heard and Granted. Government does not seek the Defendant's pretrial detention. Status Hearing set for 3/19/2021 at 12:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Cara Halverson; US Attorney: Tara Ravindra; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021		MINUTE ORDER as to DOUGLAS SWEET. 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 1/19/2021. (zpt) Modified text on 1/26/2021 (zpt). [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021	<a href="#">22</a>	Rule 5(c)(3) Documents Received as to DOUGLAS SWEET from US District Court for the Eastern District of Virginia Case Number 2:21-mj-20 (bb) (Entered: 02/03/2021)
01/19/2021	<a href="#">24</a>	ORDER Setting Conditions of Release as to DOUGLAS SWEET (3) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021. (Attachments: # <a href="#">1</a> Appearance Bond) (zpt) (Entered: 02/08/2021)
01/21/2021	<a href="#">10</a>	Amended INFORMATION by USA as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) re <a href="#">7</a> Information - Felony, (bb) Modified on 1/27/2021 to add defendant numbers.(ztur) [1:21-mj-00012-GMH] (Entered: 01/22/2021)
02/10/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Telephone Status Conference set for 3/19/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 2/10/2021. (zcal) (Entered: 02/10/2021)
02/17/2021	<a href="#">31</a>	NOTICE OF ATTORNEY APPEARANCE Seth Adam Meinero appearing for USA. (Meinero, Seth Adam) (Entered: 02/17/2021)
02/17/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO. After review of Defendant's 29 Motion for Modification of Pretrial Detention Order, it is hereby ORDERED that the Government shall file any response no later than February 18, 2021, at 3:00 p.m. Signed by Judge Carl J. Nichols on February 17, 2021. (lccjn1) (Entered: 02/17/2021)
03/16/2021	<a href="#">37</a>	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Ravindra, Tara) (Entered: 03/16/2021)
03/17/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Status Conference RESET for 3/30/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 3/17/2021. (zcal) (Entered: 03/17/2021)
03/24/2021	<a href="#">40</a>	MOTION to Continue <i>and to Exclude Time under Speedy Trial Act</i> by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/24/2021)
03/24/2021	<a href="#">41</a>	MOTION to Exclude Time by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (See docket entry <a href="#">40</a> to view document). (zstd) (Entered: 03/26/2021)
03/27/2021	<a href="#">42</a>	MOTION for Protective Order by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/27/2021)
03/29/2021	<a href="#">46</a>	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # <a href="#">1</a> Preliminary-Discovery Letter (Mar. 29, 2021))(Meinero, Seth Adam) (Entered: 03/29/2021)
03/30/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 3/30/2021. Arraignment as to BRADLEY FRANCIS RUKSTALES (5) as to Counts 1,2,3,4 held on 3/30/2021. Not Guilty Plea Entered as to all counts. Further Orders to be issued by the Court. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance. Defendant 2 remains Committed.; Court Reporter: Lorraine Herman; Defense Attorney: Liza Yang and Peter Greenspun (1), A.Eduardo Balarezo (2), Cara Halverson (3), Sara Lockwood (4), David Benowitz, Shawn Sukumar, Rammy Barbari, and Serguel Akiti (5), Sebastian Norton, I (6); US Attorney: Seth Meinero; Pretrial Officer: Masharia Holman. (zcal) (Entered: 03/30/2021)
04/06/2021		MINUTE ORDER. After review of the government's <a href="#">42</a> Motion for Protective Order, it is hereby ORDERED that the Motion is DENIED without prejudice. While the Court is otherwise prepared to approve the proposed Protective Order, paragraph 4.d, for the filing of documents under seal, appears to be inconsistent with Local Rule of Criminal Procedure 49(f)(6)(i), which requires an accompanying motion for leave to file under seal. Signed by Judge Carl J. Nichols on April 6, 2021. (lccjn1) (Entered: 04/06/2021)
04/06/2021	<a href="#">49</a>	Unopposed MOTION for Protective Order ( <i>Resubmitted</i> ) by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Meinero, Seth Adam) (Entered: 04/06/2021)
04/12/2021	<a href="#">51</a>	ORDER granting <a href="#">40</a> Motion to Continue. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021	<a href="#">52</a>	PROTECTIVE ORDER. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): After oversight of the holiday, the Status Conference is RESET for 6/1/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 4/12/2021. (zcal) (Entered: 04/12/2021)
05/18/2021	<a href="#">59</a>	Unopposed MOTION for Disclosure of Items Protected by Rule 6(e) and Sealed Materials by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Meinero, Seth Adam) (Entered: 05/18/2021)
05/24/2021	<a href="#">60</a>	NOTICE OF ATTORNEY APPEARANCE Susan Lehr appearing for USA. (Lehr, Susan) (Entered: 05/24/2021)
05/25/2021	<a href="#">61</a>	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # <a href="#">1</a> Preliminary-Discovery Letter (5.25.2021))(Meinero, Seth Adam) (Entered: 05/25/2021)
05/28/2021		MINUTE ORDER. After review of the United States' <a href="#">59</a> Unopposed Motion for an Order 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 sealed materials pursuant to the previously entered protective order governing discovery. It is further ORDERED that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Carl J. Nichols on May 28, 2021. (lccjn1) (Entered: 05/28/2021)
06/01/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 6/1/2021. Speedy Trial as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) is Excluded from 6/1/2021 to 7/1/2021, in the Interest of Justice, XT. Status Conference set for 7/1/2021 at 09:45 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance, Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), A. Eduardo Balarezo (2), Cara Halverson (3), Sarah Lockwood (4), David Benowitz, Rammy Barbari, and Shawn Sukumar (5), and Sebastian Norton, I (6); US Attorney: Seth Meinero. (zcal) (Entered: 06/01/2021)
06/25/2021		NOTICE OF HEARING as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6). The Telephonic/VTC Status Conference currently set for 7/1/2021 is <b>RESCHEDULED</b> for 7/9/2021 at 1:00 PM before Judge Carl J. Nichols. (zkh) (Entered: 06/25/2021)
07/09/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) held on 7/9/2021. Speedy Trial as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) is Excluded from 7/9/2021 to 8/10/2021, in the Interest of Justice, XT. Video Plea Agreement set for 7/15/2021 at 4:00 PM as to THOMAS GALLGHER (6). Plea documents due by 7/12/2021 COB. Telephone Status Conference set for 8/10/2021 at 4:00 PM as to CINDY FITCHETT (1), DOUGLAS SWEET (3), TERRY BROWN (4), and BRADLEY FRANCIS RUKSTALES (5). Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance, Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), A. Eduardo Balarezo (2), Cara Halverson (3), Terrance McGowan (4), David Benowitz, and Shawn Sukumar (5), and Sebastian Norton, I (6); US Attorney: Seth Meinero and Susan Lehr. (zcal) (Entered: 07/09/2021)

		07/09/2021)
07/09/2021		Set/Reset Hearings as to CINDY FITCHETT (1), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5); Status Conference set for 8/10/2021 at 04:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 07/09/2021)
08/10/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Plea Agreement Hearing as to CINDY FITCHETT (1) and DOUGLAS SWEET (2) held on 8/10/2021. GUILTY Plea entered by CINDY FITCHETT (1): Count 4 and DOUGLAS SWEET (3): Count 4. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to CINDY FITCHETT(1) and DOUGLAS SWEET (3). Sentencing Memorandum due by 11/2/2021. Sentencing set for 11/9/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendants remain on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), and Cara Halverson (3); US Attorney: Seth Meinero and Susan Lehr. (zcal) (Entered: 08/10/2021)
08/10/2021	<a href="#">83</a>	PLEA AGREEMENT as to DOUGLAS SWEET (3). (zcal) (Entered: 08/10/2021)
08/10/2021	<a href="#">84</a>	STATEMENT OF OFFENSE by USA as to DOUGLAS SWEET (3). (zcal) (Entered: 08/10/2021)
08/10/2021	<a href="#">86</a>	WAIVER of Trial by Jury as to DOUGLAS SWEET (3). Approved by Judge Carl J. Nichols on 8/10/2021. (zcal) (Entered: 08/11/2021)

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