

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00208-APM-1

Case title: USA v. WEBSTER

Date Filed: 03/12/2021

Magistrate judge case number: 1:21-mj-00244-GMH

Assigned to: Judge Amit P. Mehta

Defendant (1)

THOMAS WEBSTER

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Pending Counts

18 U.S.C. 111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING OFFICERS EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon
(1)

18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder
(2)

18 U.S.C. 1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(3)

18 U.S.C. 1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(4)

18 U.S.C. 1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds, with a Deadly or Dangerous Weapon
(5)

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(6)

40 U.S.C. 5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence Within the Capitol Grounds or Buildings
(7)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:111(a)(1), (b), 18:231(a)(3), 18:1752(a)(1), (b)(1)(A), 18:1752(a)(2), (b)(1)(A), 18:1752(a)(4), (b)(1)(A), and 40:5104(e)(2)(D), (F)

Disposition

Disposition

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
02/19/2021	1	SEALED COMPLAINT as to THOMAS WEBSTER (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/19/2021	3	MOTION to Seal Case by USA as to THOMAS WEBSTER. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/19/2021	4	ORDER granting 3 Motion to Seal Case as to THOMAS WEBSTER (1). Signed by Magistrate Judge G. Michael Harvey on 02/19/2021. (zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/22/2021		Case unsealed as to THOMAS WEBSTER (bb) [1:21-mj-00244-GMH] (Entered: 02/24/2021)
02/22/2021		Arrest of THOMAS WEBSTER in U.S. District Court for the Southern District of New York (White Plains). (zltf) [1:21-mj-00244-GMH] (Entered: 02/25/2021)
02/23/2021	5	Rule 5(c)(3) Documents Received as to THOMAS WEBSTER from U.S. District Court for the Southern District of New York (White Plains) Case Number 7:21-mj-02050-UA (zltf) [1:21-mj-00244-GMH] (Entered: 02/25/2021)
03/12/2021	6	INDICTMENT as to THOMAS WEBSTER (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zltf) (Main Document 6 replaced on 3/16/2021) (zltf). (Entered: 03/16/2021)
03/24/2021	8	MOTION for Leave to Appear Pro Hac Vice Jon C. Dupree Filing fee \$ 100, receipt number ADCDC-8325909. Fee Status: Fee Paid. by THOMAS WEBSTER. (Zucker, Jonathan) (Entered: 03/24/2021)
03/24/2021	9	MOTION for Leave to Appear Pro Hac Vice James E. Monroe Filing fee \$ 100, receipt number ADCDC-8325977. Fee Status: Fee Paid. by THOMAS WEBSTER. (Zucker, Jonathan) (Entered: 03/24/2021)
04/01/2021		MINUTE ORDER as to THOMAS WEBSTER (1). The Court was advised on March 31, 2021 that THOMAS WEBSTER, who is currently detained, has been transported to the local jurisdiction. Upon review of the docket in this jurisdiction, the docket in the jurisdiction of arrest, and after consultation with counsel where necessary, the Court has confirmed that THOMAS WEBSTER: has had a full Rule 5 initial appearance in the jurisdiction of arrest; has retained counsel currently seeking admission pro hac vice; has been ordered held without bond pending trial; and has been charged by Indictment. 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 4/1/2021. (zpt) (Entered: 04/01/2021)
04/05/2021		MINUTE ORDER granting 8 Motion for Leave to Appear Pro Hac Vice. Attorney Jon C. Dupee, Jr. is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Judge Amit P. Mehta on 4/5/2021. (lcapm3) (Entered: 04/05/2021)
04/05/2021		MINUTE ORDER granting 9 Motion for Leave to Appear Pro Hac Vice. Attorney James E. Monroe is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Judge Amit P. Mehta on 4/5/2021. (lcapm3) (Entered: 04/05/2021)
04/05/2021	10	NOTICE of Filing Discovery Correspondence by USA as to THOMAS WEBSTER (Attachments: # 1 Discovery Letter)(Mirell, Hava) (Entered: 04/05/2021)
04/07/2021		NOTICE OF HEARING as to THOMAS WEBSTER: Arraignment set for 4/9/2021 at 9:00 AM via teleconference before Judge Amit P. Mehta. The courtroom deputy has circulated connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 04/07/2021)
04/08/2021	11	Unopposed MOTION for Protective Order by USA as to THOMAS WEBSTER. (Attachments: # 1 Text of Proposed Order (Protective Order))(Mirell, Hava) (Entered: 04/08/2021)
04/09/2021	12	ORDER granting 11 Unopposed Motion for Protective Order. See attached Order for further details. Signed by Judge Amit P. Mehta on 4/9/2021. (lcapm3) (Entered: 04/09/2021)
04/09/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Arraignment as to THOMAS WEBSTER held on 4/9/2021 via videoconference. Plea of Not Guilty entered as to Counts 1-7. In the interests of justice (XT), and for the reasons stated on the record, the time from 4/10/2021 through and including 6/7/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 6/7/2021 at 11:00 AM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains committed. Court Reporter: William Zaremba. Defense Attorney: James Monroe. US Attorneys: Hava Mirell and Brian Kelly. (zjd) Modified to correctly reflect that the defendant entered a plea of "not guilty" on all counts on 4/27/2021 (zjd). (Entered: 04/14/2021)
04/12/2021	14	SUBPOENA Issued. Signed by Judge Amit P. Mehta on 4/12/2021. (zjd) (Entered: 04/14/2021)
04/13/2021	13	NOTICE OF ATTORNEY APPEARANCE: Jon C. Dupee, Jr appearing for THOMAS WEBSTER (Dupee, Jon) (Entered: 04/13/2021)
04/28/2021	15	NOTICE OF ATTORNEY APPEARANCE: James E. Monroe appearing for THOMAS WEBSTER (Monroe, James) (Entered: 04/28/2021)
05/03/2021	16	NOTICE of Filing Discovery Correspondence by USA as to THOMAS WEBSTER (Attachments: # 1 Discovery Letter)(Mirell, Hava) (Entered: 05/03/2021)
05/10/2021	17	PETITION FOR A WRIT OF HABEAS CORPUS by THOMAS WEBSTER. "Let This be Filed" By Judge Amit P. Mehta on 5/10/2021. (zltf) (Main Document 17 replaced on 5/10/2021) (zltf). (Additional attachment(s) added on 5/10/2021: # 1 Envelope) (zltf). (Entered: 05/10/2021)
05/10/2021		MINUTE ORDER denying 17 Motion for Writ as to THOMAS WEBSTER (1). Petitioner Mark Marvin lacks "next friend" standing to pursue Defendant's release. To establish such standing, a "next friend" petitioner "must provide an adequate explanation such as inaccessibility, mental incompetence, or other disability why the real party in interest cannot appear on his own behalf to prosecute the action." <i>Whitmore v. Arkansas</i> , 495 U.S. 149, 163 (1990). Here, Petitioner has failed to make such showing. In fact, Defendant is represented by counsel and therefore capable of prosecuting the action on his own behalf. The Petition is therefore denied. Signed by Judge Amit P. Mehta on 5/10/2021. (lcapm3) (Entered: 05/10/2021)
05/11/2021	18	First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino by THOMAS WEBSTER. (Attachments: # 1 Affidavit Affidavit of James E. Monroe, Esq., # 2 Exhibit Subpoena, # 3 Exhibit Proof of Service)(Monroe, James) (Entered: 05/11/2021)
05/11/2021	19	RESPONSE by THOMAS WEBSTER re 17 MOTION for Writ for Habeas Corpus (Monroe, James) (Entered: 05/11/2021)
05/24/2021	20	SUPPLEMENT by THOMAS WEBSTER re 18 First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino Letter requesting execution (Monroe, James) (Entered: 05/24/2021)
05/24/2021	21	VACATED PURSUANT TO MINUTE ORDER FILED 5/27/2021.....ORDER to Show Cause for Contempt of Federal Subpoena. See attached Order for details. Signed by Judge Amit P. Mehta on 5/24/2021. (lcapm3) Modified on 6/3/2021 (znmw). (Entered: 05/24/2021)
05/26/2021	22	SUPPLEMENT by THOMAS WEBSTER re 18 First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino Withdrawing Motion (Monroe, James) (Entered: 05/26/2021)

05/27/2021		MINUTE ORDER. In view of the NYPD's production of records, the 21 Order to Show Cause entered on May 24, 2021, is hereby vacated. Signed by Judge Amit P. Mehta on 5/27/2021. (lcapm3) (Entered: 05/27/2021)
06/07/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to THOMAS WEBSTER held via videoconference on 6/7/2021. Defendant's Oral Motion for Speedy Trial Waiver was heard and granted. In the interests of justice, and for the reasons stated on the record, the time from 6/8/2021 through and including 6/29/2021 shall be excluded in computing the date for speedy trial in this case. Defendant's Motion for Bond Review due by 6/16/2021. Opposition due by 6/23/2021. Reply due by 5:00 PM on 6/28/2021. Bond Hearing set for 6/29/2021 2:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains committed; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly. (zjd) (Entered: 06/07/2021)
06/10/2021		NOTICE OF ERROR re 22 Supplement to any document; emailed to info@dupeemonroelaw.com, cc'd 7 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect format (letter); In future, all documents must be in pleading format in accordance with Local Rules. (znmw,) (Entered: 06/10/2021)
06/16/2021	23	STIPULATION <i>Letter Requesting Adjournment</i> (Monroe, James) (Entered: 06/16/2021)
06/16/2021		MINUTE ORDER granting consent request to amend briefing schedule. Defendant's Motion for Bond Review is now due by June 18, 2021. The United States' opposition is now due by June 24, 2021. Signed by Judge Amit P. Mehta on 6/16/2021. (lcapm3) (Entered: 06/16/2021)
06/17/2021	24	First MOTION for Release from Custody by THOMAS WEBSTER. (Attachments: # 1 Exhibit Hearing Transcript Magistrate Judge Krauser, # 2 Exhibit Webster Marine Corps Records, # 3 Exhibit N.Y.P.D. Records, # 4 Exhibit Letter to Mayor Giuliani, # 5 Exhibit Webster Interview with FBI, # 6 Exhibit FBI Report, # 7 Exhibit Flagpole exemplar, # 8 Exhibit Government's Body Cam video, # 9 Exhibit Government Statement of Facts, # 10 Exhibit Public source video, # 11 Exhibit YouTube video, # 12 Exhibit Criminal Complaint, # 13 Exhibit Receipt of Personal Property, # 14 Exhibit Pretrial Services Report, # 15 Exhibit Character Letters, # 16 Certificate of Service)(Monroe, James) (Entered: 06/17/2021)
06/23/2021	25	MOTION for Leave to File <i>Redacted exhibits</i> by THOMAS WEBSTER. (Monroe, James) (Entered: 06/23/2021)
06/24/2021		MINUTE ORDER granting Defendant's 25 Motion for Leave to File Redacted Exhibits. Defense counsel shall notify chambers of which exhibits to his motion contain personal identifiable information and thereafter file redacted exhibits on the record. Signed by Judge Amit P. Mehta on 6/24/2021. (lcapm3) (Entered: 06/24/2021)
06/24/2021		NOTICE OF ERROR re 25 Motion for Leave to File ; emailed to info@dupeemonroelaw.com, cc'd 8 associated attorneys -- The PDF file you docketed contained errors: 1. Incorrect format/letter; In future all documents must be in proper pleading format in accordance with Local Rules. (znmw,) (Entered: 06/24/2021)
06/24/2021	26	Memorandum in Opposition by USA as to THOMAS WEBSTER re 24 First MOTION for Release from Custody (Mirell, Hava) (Entered: 06/24/2021)
06/28/2021		NOTICE OF HEARING as to THOMAS WEBSTER: Bond Hearing reset to 6/29/2021 at 1:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy has circulated connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 06/28/2021)
06/28/2021	27	First MOTION for Release from Custody <i>Defendant's Reply</i> by THOMAS WEBSTER. (Attachments: # 1 Exhibit Photograph of Punch, # 2 Exhibit Pistol Permit, # 3 Exhibit Letter to Warden)(Monroe, James) (Entered: 06/28/2021)
06/29/2021	28	NOTICE of Filing of Exhibit Pursuant to Rule 49 by USA as to THOMAS WEBSTER (Mirell, Hava) (Entered: 06/29/2021)
06/29/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Bond Hearing as to THOMAS WEBSTER held via video conference on 6/29/2021. For the reasons stated on the record, the Court grants 24 MOTION for Release from Custody. In the interests of justice, and for the reasons stated on the record, the time from 6/30/2021 through and including 8/31/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 8/31/2021 at 2:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains committed; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly; Probation Officer: Masharia Holman. (zjd) (Entered: 06/30/2021)
06/30/2021	29	ORDER Setting Conditions for High Intensity Supervision Program as to THOMAS WEBSTER. Signed by Judge Amit P. Mehta on 6/30/2021. (Attachment: # 1 Appearance Bond) (zjd) (Entered: 06/30/2021)
07/14/2021	30	Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to THOMAS WEBSTER. (Attachments: # 1 Text of Proposed Order)(Mirell, Hava) (Entered: 07/14/2021)
07/15/2021	31	ORDER granting 30 Motion for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. See attached Order for details. Signed by Judge Amit P. Mehta on 7/15/2021. (lcapm3) (Entered: 07/15/2021)
07/29/2021	32	TRANSCRIPT OF BOND HEARING VIA ZOOM PROCEEDINGS in case as to THOMAS WEBSTER before Judge Amit P. Mehta held on June 29, 2021; Page Numbers: 1-36. Date of Issuance: July 29, 2021. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, PDF or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 8/19/2021. Redacted Transcript Deadline set for 8/29/2021. Release of Transcript Restriction set for 10/27/2021.(wz) (Entered: 07/29/2021)

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