

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00139-TNM-2**

Case title: USA v. PERT et al

Date Filed: 02/19/2021

Magistrate judge case number: 1:21-mj-00160-ZMF

Assigned to: Judge Trevor N. McFadden

Defendant (2)

DANA JOE WINN

represented by **Allen Howard Orenberg**
THE ORENBERG LAW FIRM, P.C.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18 U.S.C. 1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting (1)

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (2)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (3)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building (4)

40 U.S.C. 5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building (5)

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); 40 U.S.C. § 5104(e)(2) (G)-

Disposition

Plaintiff

USA

represented by **Brandon K. Regan**
DOJ-USAO
Federal Major Crimes
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Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
01/25/2021	1	COMPLAINT as to RACHAEL LYNN PERT (1), DANA JOE WINN (2). (Attachments: # 1 Statement of Facts) (zltp) [1:21-mj-00160-ZMF] (Entered: 01/26/2021)
01/26/2021		Arrest of RACHAEL LYNN PERT (1) and DANA JOE WINN (2) in Middle District of Florida. (zpt) [1:21-mj-00160-ZMF] (Entered: 02/08/2021)
01/27/2021	6	Rule 5(c)(3) Documents Received as to DANA JOE WINN from U.S. District Court for the Middle District of Florida, Jacksonville Division Case Number 3:21-mj-1-24-JRK (zltp)[1:21-mj-00160-ZMF] Modified on 2/23/2021 (zltpt). (Entered: 02/22/2021)
01/29/2021		ORAL MOTION to Appoint Counsel by RACHAEL LYNN PERT (1) and DANA JOE WINN (2). (zpt) [1:21-mj-00160-ZMF] (Entered: 02/08/2021)
01/29/2021		JOINT ORAL MOTION for Speedy Trial Waiver by RACHAEL LYNN PERT (1) and DANA JOE WINN (2). (zpt) [1:21-mj-00160-ZMF] (Entered: 02/08/2021)
01/29/2021		MINUTE ORDER as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2). 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 1/29/2021. (zpt) [1:21-mj-00160-ZMF] (Entered: 02/08/2021)
01/29/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2) held on 1/29/2021. Oral Motion to Appoint Counsel by RACHAEL LYNN PERT (1) and DANA JOE WINN (2) Heard and Granted. Government does not seek the Defendants' pretrial detention. Defendant expresses intent to waive right to a Preliminary Hearing as to DANA JOE WINN (2). Joint Oral Motion for Speedy Trial Waiver as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2) Heard and Granted. Time between 1/29/2021 and 3/5/2021 (35 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-

		1. Status Hearing set for 3/3/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi as to DANA JOE WINN (2). Bond Status of Defendant: Defendants Placed on Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Tony Miles (1), Allen Orenberg (2); US Attorney: Kelly Smith for Brandon Reagan; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00160-ZMF] (Entered: 02/08/2021)
01/29/2021	10	Arrest Warrant, dated 1/29/2021, Returned Executed in the U.S. District Court for the District of Columbia on 1/26/2021 as to DANA JOE WINN (2). (zpt)[1:21-mj-00160-ZMF] Modified on 2/23/2021 (zltpt). (Entered: 02/08/2021)
01/29/2021	13	ORDER Setting Conditions of Release as to DANA JOE WINN (2) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/29/2021. (Attachments: # 1 Appearance Bond) (zpt)[1:21-mj-00160-ZMF] Modified on 2/23/2021 (zltpt). (Entered: 02/09/2021)
02/01/2021	14	NOTICE OF ATTORNEY APPEARANCE: Allen Howard Orenberg appearing for DANA JOE WINN (Orenberg, Allen)[1:21-mj-00160-ZMF] Modified on 2/23/2021 (zltpt). (Entered: 02/01/2021)
02/19/2021	15	INDICTMENT as to RACHAEL LYNN PERT (1) count(s) 1, 2, 3, 4, 5, DANA JOE WINN (2) count(s) 1, 2, 3, 4, 5. (zltpt) (Entered: 02/22/2021)
02/25/2021	17	NOTICE of the Filing of Discovery Request Letter by DANA JOE WINN (Attachments: # 1 Exhibit Discovery request letter dated February 25, 2021)(Orenberg, Allen) (Entered: 02/25/2021)
03/04/2021		MINUTE ORDER: The future hearing currently scheduled for March 5, 2021 is hereby VACATED, as the government has formally charged RACHAEL LYNN PERT (1) and DANA JOE WINN (2) and there are no additional matters necessitating action by a magistrate judge. If a hearing has not been scheduled before the assigned district judge, the parties are respectfully directed to contact the chambers of the assigned district judge to schedule a hearing. Signed by Magistrate Judge Zia M. Faruqi on 3/4/2021. (ztl) (Entered: 03/06/2021)
04/01/2021		NOTICE OF HEARING as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2). The parties shall take notice that an Arraignment/Status Conference is set for 4/8/2021, at 2:00 PM, via video, before Judge Trevor N. McFadden. Connection instructions will be emailed to the parties. (hmc) (Entered: 04/01/2021)
04/08/2021		MINUTE ORDER as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2). Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/8/2021. (lctnm3) (Entered: 04/08/2021)
04/08/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Arraignment and Status Conference as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2) held via video on 4/8/2021. Defendants consented to appear via video. Due Process Protections Act Order read into the record by the Court. Defendants arraigned on Counts 1, 2, 3, 4, 5. Defendants entered a plea of Not Guilty as to all counts. A further VTC Status Conference is set for 7/2/2021 at 2:00 PM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 4/8/2021 to 7/2/2021, in the interests of justice. Bond Status of Defendants: Personal Recognizance. Defense Attorneys: (1): Tony W. Miles, (2): Allen H. Orenberg; US Attorney: Brandon K. Regan; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 04/08/2021)
04/08/2021	21	Consent MOTION for Protective Order by USA as to RACHAEL LYNN PERT, DANA JOE WINN. (Regan, Brandon) (Entered: 04/08/2021)
04/08/2021	22	ORDER granting 21 Consent Motion for Protective Order as to RACHAEL LYNN PERT (1), DANA JOE WINN (2). Signed by Judge Trevor N. McFadden on 4/8/2021. (lctnm3) (Entered: 04/08/2021)
04/23/2021	23	Unopposed MOTION for Disclosure of 6e Materials by USA as to RACHAEL LYNN PERT, DANA JOE WINN. (Regan, Brandon) Modified event on 5/7/2021 (znmw). (Entered: 04/23/2021)
04/26/2021	24	ORDER granting Government's 23 Unopposed Motion for Order Disclosure of 6e Materials as to RACHAEL LYNN PERT (1), DANA JOE WINN (2). See attached Order for details. Signed by Judge Trevor N. McFadden on 4/26/2021. (lctnm3) (Entered: 04/26/2021)
06/15/2021	26	Unopposed MOTION to Continue and Joint Status Report by USA as to RACHAEL LYNN PERT, DANA JOE WINN. (Regan, Brandon) Modified on 6/24/2021 (znmw). (Entered: 06/15/2021)
06/15/2021		MINUTE ORDER as to RACHAEL LYNN PERT (1), DANA JOE WINN (2) granting in part and denying in part the 26 Unopposed Motion to Continue and Joint Status Report. The VTC Status Conference scheduled for July 2, 2021 is hereby RESCHEDULED for August 3, 2021 at 2:00 p.m., before Judge Trevor N. McFadden. The parties shall be prepared to enter disposition or pick a trial date at this Status Conference. Time under the Speedy Trial Act will continue to toll through August 3, 2021, in the interests of justice and in light of the parties representations. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/15/2021. (lctnm3) (Entered: 06/15/2021)
06/15/2021	27	Joint STATUS REPORT by USA, RACHAEL LYNN PERT, DANA JOE WINN as to RACHAEL LYNN PERT, DANA JOE WINN. (See Docket Entry 26 to view documents). (znmw) (Entered: 06/24/2021)
07/13/2021	28	NOTICE of United States Memorandum Regarding Status of Discovery by USA as to RACHAEL LYNN PERT, DANA JOE WINN (Regan, Brandon) (Entered: 07/13/2021)
08/03/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to RACHAEL LYNN PERT (1) and DANA JOE WINN (2) held via videoconference on 8/3/2021. A further VTC Status Conference is set for 9/2/2021 at 3:00 PM before Judge Trevor N. McFadden. Time under the Speedy Trial Act is not tolled. Bond Status of Defendants: Personal Recognizance. Defense Attorneys: (1): Waffa J. Hanania, (2): Allen H. Orenberg; US Attorney: Brandon K. Regan; Court Reporter: Crystal Pilgrim. (hmc) (Entered: 08/03/2021)

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