

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00426-CKK-1

Case title: USA v. HENDRIX

Date Filed: 06/23/2021

Magistrate judge case number: 1:21-mj-00446-ZMF

Assigned to: Judge Colleen Kollar-Kotelly

Defendant (1)**NICHOLAS P. HENDRIX***also known as*

NICHOLAS PATRICK HENDRIX

represented by **David Beneman**

Federal Defender - Maine

P.O. Box 595

Portland, ME 04112-0595

207-553-7070

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Retained***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 18:1752(a)(1), 18:1752(a)(2), 40:5104(e)(2)(D), and 40:5104(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

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202-616-3308

Email: Clayton.Oconnor@usdoj.gov

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

Date Filed	#	Docket Text
05/25/2021	1	SEALED COMPLAINT as to NICHOLAS PATRICK HENDRIX (1). (Attachments: # 1 Statement of Facts) (bb) [1:21-mj-00446-ZMF] (Entered: 05/26/2021)
05/25/2021	2	MOTION to Seal Case by USA as to NICHOLAS PATRICK HENDRIX. (Attachments: # 1 Text of Proposed Order)(bb) [1:21-mj-00446-ZMF] (Entered: 05/26/2021)
05/25/2021	4	ORDER granting 2 Motion to Seal Case as to NICHOLAS PATRICK HENDRIX (1). Signed by Magistrate Judge Zia M. Faruqui on 5/25/2021. (bb) [1:21-mj-00446-ZMF] (Entered: 05/26/2021)
05/27/2021	5	Arrest Warrant Returned Executed on 5/27/2021 in Portland, Maine as to NICHOLAS PATRICK HENDRIX. (bb) [1:21-mj-00446-ZMF] (Entered: 05/28/2021)
05/27/2021		Case unsealed as to NICHOLAS PATRICK HENDRIX (bb) [1:21-mj-00446-ZMF] (Entered: 05/28/2021)
05/27/2021		Arrest of NICHOLAS PATRICK HENDRIX in Maine. (ztnr) [1:21-mj-00446-ZMF] (Entered: 06/01/2021)
06/03/2021		ORAL MOTION for Speedy Trial by USA as to NICHOLAS PATRICK HENDRIX. (ztl) [1:21-mj-00446-ZMF] (Entered: 06/03/2021)
06/03/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to NICHOLAS PATRICK HENDRIX held on 6/3/2021. Defendant present by video. Due process order given to the Government. Defendant placed on Standard Conditions of Release with modifications. Oral Motion by the Government for Speedy Trial as to NICHOLAS PATRICK HENDRIX (1); heard and granted. Defense did not object. Speedy Trial excluded from 6/3/2021 to 7/28/2021 in the Interest of Justice (XT). Defendant waives his right to a preliminary hearing. Status Hearing set for 7/28/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4; [2:31:36-2:48:10]; Defense Attorney: David Beneman; US Attorney: Jacob Steiner for Clayton O'Conner; Pretrial Officer: Masharia Holman. (ztl) [1:21-mj-00446-ZMF] (Entered: 06/03/2021)
06/03/2021		ENTERED IN ERROR. ORAL MOTION for Speedy Trial by USA as to NICHOLAS PATRICK HENDRIX. (ztl) [1:21-mj-00446-ZMF] (Entered: 06/03/2021)

06/03/2021		ENTERED IN ERROR.....ORAL MOTION for Speedy Trial by USA as to NICHOLAS PATRICK HENDRIX. (ztl) Modified on 6/3/2021 (ztl). [1:21-mj-00446-ZMF] (Entered: 06/03/2021)
06/03/2021		ENTERED IN ERROR.....Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to NICHOLAS PATRICK HENDRIX held on 6/3/2021. Defendant present by video. Due process order given to the Government. Defendant placed on Standard Conditions of Release with modifications. Oral Motion by the Government for Speedy Trial as to as to NICHOLAS PATRICK HENDRIX (1); heard and granted. Defense did not object. Speedy Trial excluded from 6/3/2021 to 8/3/2021 in the Interest of Justice (XT). Defendant waives his right to a preliminary hearing. Status Hearing set for 8/3/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctm 4; [2:18:29-2:31:33];Defense Attorney: Joseph Conte; US Attorney: Jacob Steiner for Jennifer Rozzoni; Pretrial Officer: Masharia Holman. (ztl) Modified on 6/3/2021 (ztl). [1:21-mj-00446-ZMF] (Entered: 06/03/2021)
06/03/2021	8	ORDER Setting Conditions of Release as to NICHOLAS PATRICK HENDRIX (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 6/3/2021. (Attachments: # 1 Appearance Bond) (ztl) [1:21-mj-00446-ZMF] (Entered: 06/04/2021)
06/23/2021	9	INFORMATION as to NICHOLAS P. HENDRIX (1) count(s) 1, 2, 3, 4. (zhsj) (Entered: 06/25/2021)
07/07/2021	11	Unopposed MOTION for Protective Order by USA as to NICHOLAS P. HENDRIX. (Attachments: # 1 Text of Proposed Order)(O'Connor, Clayton) (Entered: 07/07/2021)
07/07/2021	12	MOTION For An Order To Disclose Items Protected By Federal Rule Of Criminal Procedure 6(e) And Sealed Materials by USA as to NICHOLAS P. HENDRIX. (Attachments: # 1 Text of Proposed Order)(O'Connor, Clayton) Modified Event on 7/8/2021 (zhsj). (Entered: 07/07/2021)
07/21/2021		MINUTE ORDER as to NICHOLAS P. HENDRIX: The parties shall appear for an initial status and arraignment hearing on August 2, 2021 at 10:00 AM ET before Judge Colleen Kollar-Kotelly, via videoconference. The August 3, 2021 hearing previously scheduled is hereby vacated. Signed by Judge Colleen Kollar-Kotelly on July 21, 2021. (lcckk1) (Entered: 07/21/2021)
07/21/2021		Set/Reset Hearings as to NICHOLAS P. HENDRIX: Arraignment and Status Conference set for 8/2/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 07/21/2021)
07/22/2021	13	ENTERED IN ERROR.....Unopposed MOTION for Leave to Appear Appointed Attorney: David Beneman. by NICHOLAS P. HENDRIX. (Beneman, David) Modified on 7/23/2021 (zhsj). (Entered: 07/22/2021)
07/22/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to NICHOLAS P. HENDRIX re 13 Unopposed MOTION for Leave to Appear Appointed Attorney: David Beneman was entered in error and counsel was instructed to refile said pleading. Document to be Refiled as an Attorney Appearance. (zhsj) (Entered: 07/23/2021)
07/25/2021	14	NOTICE OF ATTORNEY APPEARANCE: David Beneman appearing for NICHOLAS P. HENDRIX (Beneman, David) (Entered: 07/25/2021)
07/28/2021	15	BRADY ORDER. Signed by Judge Colleen Kollar-Kotelly on July 28, 2021. (lcckk1) (Entered: 07/28/2021)
07/28/2021	16	PROTECTIVE ORDER. Signed by Judge Colleen Kollar-Kotelly on July 28, 2021. (lcckk1) (Entered: 07/28/2021)
07/28/2021	17	ORDER granting 12 Motion for Disclosure. Signed by Judge Colleen Kollar-Kotelly on July 28, 2021. (lcckk1) (Entered: 07/28/2021)
08/02/2021		MINUTE ORDER as to NICHOLAS P. HENDRIX: The Court held a hearing in this case on August 2, 2021. With consent, Defendant was present via videoconference and represented by counsel. Counsel for the government also appeared via videoconference. During the hearing, the Court arraigned Defendant on his 9 Information. The Court also emphasized the government's Brady obligations in this case and directed the parties to the Court's 15 Brady Order, as well as Local Criminal Rule 5.1. Finally, the Court discussed the status of discovery in this case as well as the status of plea discussions between the parties. The parties shall appear for another status hearing for October 15, 2021 at 10:00 AM ET. Defendant has consented to proceeding with this forthcoming status hearing remotely via videoconference. During the August 2, 2021 hearing, the Court discussed with Defendant his Speedy Trial Act rights, and Defendant consented to a continuance of his speedy trial rights until the date of the next status hearing, October 15, 2021. Therefore, the Court finds that a continuance of Defendant's Speedy Trial rights between August 2, 2021 and the date of the next status hearing on October 15, 2021 serves the "ends of justice" and outweighs the best interests of both the community and Defendant in a speedy trial, in light of the ongoing COVID-19 pandemic and because the continuance will give Defendant time to review discovery in this matter and consider any plea offers outstanding. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is DECEMBER 20, 2021 . The Court finds the 90-day deadline to be inapplicable, as Defendant has been released on personal recognizance. Signed by Judge Colleen Kollar-Kotelly on August 2, 2021. (lcckk1) (Entered: 08/02/2021)
08/02/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Arraignment as to NICHOLAS P. HENDRIX (1) as to Counts 1,2,3,4 held on 8/2/2021. Plea of Not Guilty entered as to Counts 1,2,3,4. Status Conference as to NICHOLAS P. HENDRIX held on 8/2/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 8/2/2021 to 10/15/2021. Status Conference set for 10/15/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: David Beneman; US Attorney: Clayton H. O'Connor. (dot) (Entered: 08/02/2021)
08/03/2021	19	ENTERED IN ERROR.....NOTICE of Acceptance of Protective Order by NICHOLAS P. HENDRIX re 16 Order on Motion for Protective Order (Beneman, David) Modified on 8/4/2021 (zhsj). (Entered: 08/03/2021)
08/03/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to NICHOLAS P. HENDRIX re 19 Notice (Other) was entered in error and counsel was instructed to refile said pleading. Incorrect Format Pursuant to Local Rules.(zhsj) (Entered: 08/04/2021)
08/04/2021	20	TRANSCRIPT OF ARRAIGNMENT AND STATUS HEARING in case as to NICHOLAS P. HENDRIX before Judge Colleen Kollar-Kotelly held on August 2, 2021; Page Numbers: 1-13. Date of Issuance: August 4, 2021. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354-3269. 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, CD 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 8/25/2021. Redacted Transcript Deadline set for 9/4/2021. Release of Transcript Restriction set for 11/2/2021.(Edwards, Lisa) (Entered: 08/04/2021)
08/05/2021	21	NOTICE of Acceptance of Protective Order by NICHOLAS P. HENDRIX re 16 Order on Motion for Protective Order (Attachments: # 1 Declaration Defendant's Acceptance of Discovery Protective Order)(Beneman, David) (Entered: 08/05/2021)
08/25/2021	22	NOTICE re: Status of Discovery by USA as to NICHOLAS P. HENDRIX (O'Connor, Clayton) (Entered: 08/25/2021)

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