

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00156-JDB-2**

Case title: USA v. AYRES et al

Date Filed: 02/25/2021

Magistrate judge case number: 1:21-mj-00107-RMM

Assigned to: Judge John D. Bates

**Defendant (2)****MATTHEW PERNA**represented by **J. Gerald Ingram**

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**Pending Counts**

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

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

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

40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct 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 18:1752(a)(1) and (2), 40:5104(e)(2)(D) and (G)

**Disposition****Plaintiff**

USA

represented by **Nihar Ranjan Mohanty**

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Date Filed	#	Docket Text
01/18/2021	<a href="#">1</a>	SEALED COMPLAINT as to MATTHEW PERNA (1). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd) [1:21-mj-00107-RMM] (Entered: 01/18/2021)
01/18/2021	<a href="#">3</a>	MOTION to Seal Case by USA as to MATTHEW PERNA. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zstd) [1:21-mj-00107-RMM] (Entered: 01/18/2021)
01/18/2021	<a href="#">4</a>	ORDER granting <a href="#">3</a> Motion to Seal Case as to MATTHEW PERNA (1). Signed by Magistrate Judge Robin M. Meriweather on 1/18/2021. (zstd) [1:21-mj-00107-RMM] (Entered: 01/18/2021)
01/18/2021		Case unsealed as to MATTHEW PERNA (bb) [1:21-mj-00107-RMM] (Entered: 01/21/2021)
01/19/2021		Arrest of MATTHEW PERNA in Western District of Pennsylvania. (zpt) Modified date on 2/5/2021 (zpt). [1:21-mj-00107-RMM] (Entered: 02/05/2021)

01/22/2021	<a href="#">8</a>	MOTION for Leave to Appear Pro Hac Vice J. Gerald Ingram Filing fee \$ 100, receipt number ADCDC-8110840. Fee Status: Fee Paid. by MATTHEW PERNA. (Attachments: # <a href="#">1</a> Exhibit Declaration of Attorney Ingram, # <a href="#">2</a> Exhibit Attorney Ingram Bar Card)(Smith, Jerry)[1:21-mj-00107-RMM] Modified on 3/3/2021 (bb). Modified on 3/4/2021 (bb). (Entered: 01/22/2021)
01/25/2021		MINUTE ORDER: Upon consideration of the Motion for Leave to Appear Pro Hac Vice 5, it is hereby ORDERED that the Motion 5 is GRANTED. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). <a href="#">Click for Instructions</a></b> as to MATTHEW PERNA (1). Signed by Magistrate Judge Zia M. Faruqi on 1/25/2021. (ztl) [1:21-mj-00107-RMM] (Entered: 01/25/2021)
01/25/2021	<a href="#">11</a>	Arrest Warrant, dated 1/18/2021, Returned Executed in the U.S. District Court for the District of Columbia on 1/25/2021 as to MATTHEW PERNA. (zpt)[1:21-mj-00107-RMM] Modified on 3/4/2021 (bb). (Entered: 02/05/2021)
01/25/2021		MINUTE ORDER as to MATTHEW PERNA (1). 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 1/25/2021. (zpt) [1:21-mj-00107-RMM] (Entered: 02/08/2021)
01/25/2021		JOINT ORAL MOTION for Speedy Trial Waiver by MATTHEW PERNA. (zpt) [1:21-mj-00107-RMM] (Entered: 02/08/2021)
01/25/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to MATTHEW PERNA (1) held on 1/25/2021. Government does not seek the Defendant's pretrial detention. Defendant expresses intent to waive right to a preliminary hearing. Joint Oral Motion for Speedy Trial Waiver as to MATTHEW PERNA (1). Heard and Granted. Status Hearing set for 3/29/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Placed on Personal Recognizance; FTR Time Frame: CTRM 5 [4:08:03-4:22:12]; Defense Attorney: Gerald Ingram; US Attorney: Nihar Mohanty; Pretrial Officer: Andre Sidbury; (zpt) [1:21-mj-00107-RMM] (Entered: 02/08/2021)
01/25/2021	<a href="#">12</a>	ORDER Setting Conditions of Release as to MATTHEW PERNA (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/25/2021. (Attachments: # <a href="#">1</a> Appearance Bond) (zpt)[1:21-mj-00107-RMM] Modified on 3/4/2021 (bb). (Entered: 02/08/2021)
01/28/2021	<a href="#">13</a>	NOTICE OF ATTORNEY APPEARANCE: J. Gerald Ingram appearing for MATTHEW PERNA (Ingram, J. Gerald)[1:21-mj-00107-RMM] Modified on 3/4/2021 (bb). (Entered: 01/28/2021)
02/25/2021	<a href="#">17</a>	INDICTMENT as to STEPHEN MICHAEL AYRES (1) count(s) 1, 2, 3, 4, MATTHEW PERNA (2) count(s) 1, 2, 3, 4. (bb) Modified on 3/4/2021 (bb). Modified on 3/5/2021 (bb). Modified on 3/5/2021 (bb). (Entered: 03/03/2021)
03/04/2021		Set/Reset Hearings as to STEPHEN MICHAEL AYRES and MATTHEW PERNA: Arraignment set for 3/9/2021 at 01:00 PM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 03/04/2021)
03/09/2021		Minute Entry: Arraignment as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2) held on 3/9/2021 before Judge John D. Bates on Counts 1, 2, 3 and 4: Pleas of NOT GUILTY entered by STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2) on Counts 1, 2, 3 and 4. Status Conference set for 5/7/2021 at 10:00 AM in Telephonic/VTC before Judge John D. Bates. Status Report regarding discovery and protective order due by 4/6/2021. The Court finds in the interest of justice (XT) that the time between 03/09/2021 and 05/07/2021 shall be excluded from the speedy trial calculation. Both defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Eugene Ohm (1) and J. Gerald Ingram (2); US Attorney: Nihar Mohanty. (tb) (Entered: 03/09/2021)
03/09/2021	<a href="#">21</a>	DUE PROCESS PROTECTIONS ACT ORDER as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2). See order for details. Signed by Judge John D. Bates on 03/09/2021. (tb) (Entered: 03/09/2021)
03/29/2021		MINUTE ORDER as to MATTHEW PERNA (1). The hearing currently scheduled for March 29, 2021] is hereby VACATED, as the government has formally charged MATTHEW PERNA (1) 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 3/29/2021. (zpt) (Entered: 03/29/2021)
03/29/2021	<a href="#">23</a>	Unopposed MOTION for Protective Order by USA as to STEPHEN MICHAEL AYRES, MATTHEW PERNA. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Mohanty, Nihar) (Entered: 03/29/2021)
03/30/2021	<a href="#">24</a>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2). Signed by Judge John D. Bates on 03/30/2021. (tb) (Entered: 03/31/2021)
03/30/2021		MINUTE ORDER as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2): The Court has made modifications to paragraphs 4(d) and 4(e) of [23-1] the Proposed Protective Order Governing Discovery and suggests that those changes be considered with respect to any similar orders submitted to this Court in the future. SO ORDERED by Judge John D. Bates on 03/30/2021. (tb) Modified on 3/31/2021 (tb). (Entered: 03/31/2021)
03/31/2021	<a href="#">25</a>	NOTICE of Discovery by USA as to STEPHEN MICHAEL AYRES, MATTHEW PERNA (Attachments: # <a href="#">1</a> Exhibit)(Mohanty, Nihar) (Entered: 03/31/2021)
04/06/2021	<a href="#">26</a>	STATUS REPORT by USA as to STEPHEN MICHAEL AYRES, MATTHEW PERNA (Mohanty, Nihar) (Entered: 04/06/2021)
04/08/2021	<a href="#">27</a>	NOTICE of Discovery by USA as to STEPHEN MICHAEL AYRES, MATTHEW PERNA (Attachments: # <a href="#">1</a> Exhibit)(Mohanty, Nihar) (Entered: 04/08/2021)
05/07/2021		Minute Entry: Status Conference as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2) held on 5/7/2021 before Judge John D. Bates: The government discussed potential disposition and was encouraged by the Court to keep up with the discovery process in the meantime. Status Conference set for 7/7/2021 at 11:30 AM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 05/07/2021 and 07/07/2021 shall be excluded from the speedy trial calculation. Defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Eugene Ohm (1) and J. Gerald Ingram (2); US Attorney: Nihar Mohanty. (tb) (Entered: 05/07/2021)
06/08/2021		MINUTE ORDER as to STEPHEN MICHAEL AYRES (1) and MATTHEW PERNA (2): It is hereby ORDERED that the status hearing set for July 7, 2021 is RESCHEDULED to July 19, 2021 at 2:00 p.m. by videoconference. SO ORDERED by Judge John D. Bates on 06/08/2021. (tb) (Entered: 06/08/2021)
07/22/2021		Set/Reset Hearings as to STEPHEN MICHAEL AYRES, MATTHEW PERNA: Status Conference set for 8/2/2021 at 11:30 AM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 07/22/2021)
08/02/2021		Minute Entry: Status Conference as to STEPHEN MICHAEL AYRES (1), MATTHEW PERNA (2) held on 8/2/2021 before Judge John D. Bates: Status Conference set for 9/17/2021 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 7/7/21 and 9/17/21 shall be excluded from the speedy trial calculation. Defendants remain on PR Bond; Court Reporter: Nancy Meyer; Defense Attorneys: Eugene Ohm (1) and J. Gerald Ingram (2); US Attorney: Nihar Mohanty; Pretrial Officer: Ms. Valentine-Lewis. (zgdf) (Entered: 08/02/2021)

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