

Date↓↑	#
Description	
01/19/2021 SEALED COMPLAINT as to JOSEPH RANDALL BIGGS (1). [1:21-mj-00126-RMM]	1
	1 Attachment ▼
01/19/2021 MOTION to Seal Case by USA as to JOSEPH RANDALL BIGGS. [1:21-mj-00126-RMM]	3
	1 Attachment ▼
01/19/2021 ORDER granting 3 Motion to Seal Case as to JOSEPH RANDALL BIGGS (1). Signed by Magistrate Judge Robin M. Meriweather on 1/19/2021. (zstd) [1:21-mj-00126-RMM]	4
01/20/2021 Case unsealed as to JOSEPH RANDALL BIGGS (bb) [1:21-mj-00126-RMM] (Text entry; no document attached.)	5
02/08/2021 NOTICE OF ATTORNEY APPEARANCE James B. Nelson appearing for USA. (zstd) [1:21-mj-00195-ZMF]	
01/20/2021 Arrest of JOSEPH RANDALL BIGGS in US District Court Middle District of Florida Orlando Division. (bb) [1:21-mj-00126-RMM] (Text entry; no document attached.)	6
02/09/2021 Joint MOTION to Toll Speedy Trial by USA as to JOSEPH RANDALL BIGGS. [1:21-mj-00126-RMM]	
	1 Attachment ▼
02/18/2021 ORDER Granting 6 Joint MOTION to Toll Speedy Trial by USA as to JOSEPH RANDALL BIGGS (1). Time between 2/9/2021 and 3/9/2021 (28 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Signed by Magistrate Judge Robin M. Meriweather on 2/19/2021. (zpt) (zpt). [1:21-mj-00126-RMM]	7
03/05/2021 NOTICE OF ATTORNEY APPEARANCE: John Daniel Hull, IV appearing for JOSEPH RANDALL BIGGS [1:21-mj-00126-RMM]	8
	1 Attachment ▼
03/08/2021 NOTICE OF HEARING as to ETHAN NORDEAN. VTC Arraignment set for 3/16/2021 at 2:00 PM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. (Text entry; no document attached.)	
03/09/2021 ORAL MOTION for Speedy Trial by USA as to JOSEPH RANDALL BIGGS. (Text entry; no document attached.)	
03/09/2021 Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to JOSEPH RANDALL BIGGS held on 3/9/2021. Defendant present by video. Due Process Order given to the Government. Defendant placed on Standard Conditions of Release. Oral Motion by the Government for Speedy Trial as to as to JOSEPH RANDALL BIGGS (2); heard and granted. Defense concur. Speedy Trial Excluded from 3/9/2021 to 3/30/2021 in the Interest of Justice (XT). Preliminary Hearing set for 3/31/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4: [1:56:36-2:12:20]; Defense Attorney: John Hull; US Attorney: Jason McCullough; Pretrial Officer: Da'Shanta Valentine-Lewis. (Text entry; no document attached.)	9
02/08/2021 ORDER, as to ETHAN NORDEAN, GRANTING the government's 8 Motion for Transport Order. Signed by Chief Judge Beryl A. Howell on February 8, 2021. (lcbah2) [1:21-mj-00195-ZMF]	
02/03/2021 Arrest of ETHAN NORDEAN in US District Court Western District of Washington. (bb) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	10
03/17/2021	

Receipt for Surrender of Passport as to JOSEPH RANDALL BIGGS. Passport Number 536415609 (zhshj) [1:21-mj-00126-RMM]	
02/22/2021 NOTICE OF ATTORNEY APPEARANCE: David Benjamin Smith appearing for ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF]	11
02/22/2021 NOTICE OF ATTORNEY APPEARANCE: Nicholas D. Smith appearing for ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF]	12
02/23/2021 Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review by ETHAN NORDEAN. (bb) [1:21-mj-00195-ZMF]	13
02/23/2021 MOTION to Unseal Case by USA as to ETHAN NORDEAN. [1:21-mj-00195-ZMF]	14
	1 Attachment ▼
02/25/2021 MINUTE ORDER granting 14 Motion to Unseal Case as to ETHAN NORDEAN, DIRECTING the Clerk's Office to unseal this case. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/25/2021. (ztg) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	
02/25/2021 Case unsealed as to ETHAN NORDEAN (bb) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	15
02/26/2021 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 by ETHAN NORDEAN. [1:21-mj-00195-ZMF]	16
02/26/2021 Rule 5(c)(3) Documents Received as to ETHAN NORDEAN from US District Court Western District of Washington Case Number 21-mj-67 (bb) [1:21-mj-00195-ZMF]	
02/26/2021 NOTICE OF HEARING ON MOTIONS in case as to ETHAN NORDEAN re 13 Motion to Lift Stay on Release Order and 15 Motion to Release from Custody Pursuant to 18 U.S.C. § 3060. The parties shall take notice that, unless this case is assigned to another Judge upon the filing of an indictment or information, a Motions Hearing is scheduled for 3/2/2021, at 11:00 AM via videoconference before Chief Judge Beryl A. Howell. Signed by Chief Judge Beryl A. Howell on February 26, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	
02/27/2021 MINUTE ORDER (paperless) as to ETHAN NORDEAN DIRECTING the government to submit, by March 1, 2021 at 4:00 PM, a response to defendant's pending 13 Motion to Lift Stay and 15 Motion to Release from Custody Pursuant to 18 U.S.C. § 3060. Signed by Chief Judge Beryl A. Howell on February 27, 2021. (lcbah2) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	
03/01/2021 Set/Reset Hearings as to ETHAN NORDEAN: Motion Hearing set for 3/2/2021 at 11:00 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) [1:21-mj-00195-ZMF] (Text entry; no document attached.)	17
03/01/2021 Memorandum in Opposition by USA as to ETHAN NORDEAN re 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review [1:21-mj-00195-ZMF]	18
03/01/2021 Memorandum in Opposition by USA as to ETHAN NORDEAN re 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 [1:21-mj-00195-ZMF]	
	1 Attachment ▼
03/01/2021 REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060, 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review [1:21-mj-00195-ZMF]	19
03/02/2021 NOTICE VACATING HEARING as to ETHAN NORDEAN. The parties shall take notice that the motion hearing scheduled to take place today, March 2, 2021, at 11:00 AM is VACATED. A new hearing date and time will be	

provided by the deputy clerk by the close of business today.(ztg) [1:21-mj-00195-ZMF] (Text entry; no document attached.)

03/02/2021

NOTICE OF HEARING as to ETHAN NORDEAN. The parties shall take notice that a Motion Hearing is scheduled for 3/3/2021, at 3:00 PM via videoconference before Chief Judge Beryl A. Howell. Connection details for the hearing will be provided to the parties by the deputy clerk.(ztg) [1:21-mj-00195-ZMF] (Text entry; no document attached.)

20

03/02/2021

SUPPLEMENT by ETHAN NORDEAN re 13 MOTION Defendant's Motion to Lift Stay on Release Order re 7 Order on Motion to Stay, Order on Motion for Review Declaration of Cory Nordean [1:21-mj-00195-ZMF]

21

03/02/2021

SUPPLEMENT by USA as to ETHAN NORDEAN re 19 Reply to opposition to Motion, 20 Supplement to any document, 17 Memorandum in Opposition [1:21-mj-00195-ZMF]

1 Attachment ▼

22

03/03/2021

RESPONSE by ETHAN NORDEAN re 21 Supplement to any document re: New Evidence Submitted by the Government [1:21-mj-00195-ZMF]

03/03/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to ETHAN NORDEAN held via videoconference on 3/3/2021. Defendant not present due to an institutional emergency. Defense counsel's oral motion for a waiver under Rule 43, heard and granted. 15 MOTION for Release from Custody pursuant to 18 U.S.C. s. 3060 filed by ETHAN NORDEAN, denied as moot; 6 MOTION for Review of Release Order filed by USA, denied; 13 Defendant's Motion to Lift Stay on Release Order, denied as moot. Magistrate's Release Order AFFIRMED. Defendant released on personal recognizance bond with a condition of home detention, he will be supervised by Western District of Washington. Bond Status of Defendant: personal recognizance with home detention condition/release issued. Present via videoconference: Defense Attorneys: David B. Smith and Nicholas D. Smith; US Attorney: James B. A. McCullough and James B. Nelson; Pretrial Officer: Masharia Holman. Court Reporter: Elizabeth Saint-Loth. (ztg) [1:21-mj-00195-ZMF] (Text entry; no document attached.)

23

03/03/2021

ORDER Setting Conditions of Release with Global Positioning System Monitoring. Signed by Chief Judge Beryl A. Howell on 3/3/2021. [1:21-mj-00195-ZMF]

1 Attachment ▼

24

03/03/2021

INDICTMENT as to ETHAN NORDEAN (1) count(s) 1, 2, 3, 4. (zltp)

03/04/2021

MINUTE ORDER as to ETHAN NORDEAN: Pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 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. Signed by Judge Timothy J. Kelly on 3/4/2021. (lctjk1) (Text entry; no document attached.)

26

03/10/2021

(FIRST SUPERSEDING INDICTMENT) filed by USA as to ETHAN NORDEAN (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, JOSEPH RANDALL BIGGS (2) count(s) 1, 2, 3, 4, 5, 6, ZACHARY REHL (3) count(s) 1, 2, 3, 4, 5, 6, CHARLES DONOHOE (4) count(s) 1, 2, 3, 4, 5, 6 (This document is SEALED and only available to authorized persons.) (zltp) Modified sealing on 3/19/2021 (bb). Modified on 3/19/2021 (zltp).

03/10/2021

Counts added: ETHAN NORDEAN (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, JOSEPH RANDALL BIGGS (2) count(s) 1, 2, 3, 4, 5, 6, ZACHARY REHL (3) count(s) 1, 2, 3, 4, 5, 6, CHARLES DONOHOE (4) count(s) 1, 2, 3, 4, 5, 6 (zltp) (Text entry; no document attached.)

27

03/15/2021

MOTION for Bill of Particulars as to Count Two of the Indictment by ETHAN NORDEAN.

03/15/2021

MINUTE ORDER as to ETHAN NORDEAN: It is hereby ORDERED that the arraignment set for March 16, 2021, is hereby CONTINUED to March 23, 2021, at 2:00 p.m. via videoconference. The parties shall contact the Courtroom

Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. Signed by Judge Timothy J. Kelly on 3/15/2021. (lctjk1) (Text entry; no document attached.)	28
03/17/2021 Government's MOTION to Unseal Superseding Indictment and Related Documents by USA as to ETHAN NORDEAN.	29
	1 Attachment ▼
03/12/2021 MOTION TO CONTINUE THE ARRAIGNMENT filed by USA as to ETHAN NORDEAN.(This document is SEALED and only available to authorized persons.) (zltf) Modified sealing on 3/19/2021	30
03/20/2021 MOTION to Revoke Pretrial Release by USA as to ETHAN NORDEAN.	31
03/20/2021 MOTION to Revoke Pretrial Release by USA as to JOSEPH RANDALL BIGGS.	32
03/21/2021 Memorandum in Opposition by ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release	1 Attachment ▼
03/22/2021 NOTICE OF HEARING as to JOSEPH RANDALL BIGGS (2). VTC Arraignment set for 3/23/2021 at 2:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)	34
03/23/2021 SUPPLEMENT by ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release Government Statements to Media about this Investigation	
03/23/2021 Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ETHAN NORDEAN (1) as to Counts 1s, 2s, 3s, 4s, 5s, and 6s and JOSEPH RANDALL BIGGS (2) as to Counts 1, 2, 3, 4, 5, and 6 held on 3/23/2021. BOTH defendants appeared by video. Plea of NOT GUILTY entered by ETHAN NORDEAN (1) as to Counts 1s, 2s, 3s, 4s, 5s, and 6s and JOSEPH RANDALL BIGGS (2) as to Counts 1, 2, 3, 4, 5, and 6. Speedy Trial Excludable (XT) started 3/23/2021 through 4/1/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Response to 31 MOTION to Revoke Pretrial Release by Defendant JOSEPH RANDALL BIGGS (2) due by 3/29/2021. VTC Motion Hearing/Status Conference set for 4/1/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains on Personal Recognizance/HISP, 2-Remains on Personal Recognizance/HISP; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: James B. Nelson, Jason Bradley Adam McCullough, and Luke Matthew Jones. (Text entry; no document attached.)	35
03/17/2021 Arrest Warrant Returned Executed on 3/17/2021 as to CHARLES DONOHOE in Kernersville, North Carolina. (zltf)	
03/19/2021 MINUTE ORDER as to ETHAN NORDEAN granting the Government's 28 Motion to Unseal. It is hereby ORDERED that 26 First Superseding Indictment and 29 Motion to Continue be UNSEALED. The Clerk of Court is instructed to unseal ECF Nos. 26 and 29. Signed by Judge Timothy J. Kelly on 3/19/2021. (lctjk1) (Text entry; no document attached.)	
03/19/2021 Document unsealed as to ETHAN NORDEAN. 29 SEALED MOTION filed by USA as to ETHAN NORDEAN.(This document is SEALED and only available to authorized persons.), 26 Sealed Document (Text entry; no document attached.)	36
03/26/2021 MEMORANDUM in Support of Pretrial Detention by USA as to CHARLES DONOHOE	37
03/27/2021 MOTION to Revoke Release Order and for Pretrial Detention by USA as to ZACHARY REHL.	
03/28/2021 Terminate Deadlines and Hearings as to JOSEPH RANDALL BIGGS: Preliminary Hearing set for 3/31/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui is VACATED. (Text entry; no document attached.)	
03/29/2021	

NOTICE OF HEARING as to CHARLES DONOHOE (4). VTC Arraignment set for 4/6/2021 at 2:45 PM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. (Text entry; no document attached.)

38

01/20/2021

Arrest Warrant Returned Executed on 1/20/2021 as to JOSEPH RANDALL BIGGS.

39

03/09/2021

ORDER Setting Conditions of Release as to JOSEPH RANDALL BIGGS (2) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqi on 3/9/2021. # 1 Appearance Bond

41

03/29/2021

SUPPLEMENT by ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release Regarding New Evidence Relevant to the Government's Motion to Revoke Release Order

3 Attachments ▼

42

03/29/2021

Memorandum in Opposition by JOSEPH RANDALL BIGGS re 31 MOTION to Revoke Pretrial Release

1 Attachment ▼

43

03/22/2021

Rule 5(c)(3) Documents Received as to CHARLES DONOHOE from US District Court for the Middle District of North Carolina Case Number 21-mj-103

45

03/31/2021

REPLY TO OPPOSITION to Motion by USA as to ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release

46

03/31/2021

REPLY TO OPPOSITION to Motion by USA as to JOSEPH RANDALL BIGGS re 31 MOTION to Revoke Pretrial Release

47

04/01/2021

Amended Memorandum in Opposition by JOSEPH RANDALL BIGGS re 31 MOTION to Revoke Pretrial Release Amended/Corrected.

1 Attachment ▼

04/01/2021

NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The VTC Motion Hearing set for 4/1/2021 is RESCHEDULED for 4/6/2021 at 11:30 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

49

04/05/2021

MOTION for Leave to File Sur-Reply in Response to New Arguments Raised in Government's Reply in Support of Motion to Revoke Release Order by ETHAN NORDEAN.

2 Attachments ▼

04/06/2021

NOTICE OF HEARING as to ZACHARY REHL (3). VTC Arraignment set for 4/14/2021 at 10:00 AM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. (Text entry; no document attached.)

04/06/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) held on 4/6/2021. Both defendants appeared by video. Oral argument on 30 MOTION to Revoke Pretrial Release and 31 MOTION to Revoke Pretrial Release, heard and taken under advisement. Speedy Trial Excludable (XT) started nunc pro tunc 4/1/2021 through 4/9/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Any supplemental memoranda due by 4/6/2021. VTC Oral Ruling set for 4/9/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains on Personal Recognizance/HISP, 2-Remains on Personal Recognizance/HISP; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: James B. Nelson, Jason Bradley Adam McCullough, and Luke Matthew Jones; Pretrial Officer: John Copes. (Text entry; no document attached.)

04/06/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to CHARLES DONOHOE (4) as to Counts 1, 2, 3, 4, 5, and 6 held on 4/6/2021. The defendant appeared by video. For the reasons stated on the record, oral motion by Attorney Shelli Peterson for Attorney Lisa Costner to appear pro hac vice on behalf of the defendant today, heard and GRANTED. Speedy Trial Excludable (XT) started 4/6/2021 through 4/12/2021, in the interest of justice. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Lisa Costner and Shelli Peterson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: John Copes. (Text entry; no document attached.)

51

04/06/2021

NOTICE of Delivery of Video Evidence by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS re Motion Hearing, Speedy Trial - Excludable Start, Set Deadlines/Hearings, 46 Reply to opposition to Motion, 45 Reply to opposition to Motion

52

04/06/2021

NOTICE of Submission of Evidence Referenced in April 6 Detention Hearing by ETHAN NORDEAN re 51 Notice (Other)

53

04/06/2021

SUPPLEMENT by JOSEPH RANDALL BIGGS to Opposition to Motion to Revoke

54

04/08/2021

NOTICE of Evidence Relevant to the Government's Detention Motion, Produced to Nordean on April 7, 2021 by ETHAN NORDEAN re 45 Reply to opposition to Motion

55

04/09/2021

NOTICE OF ATTORNEY APPEARANCE: Lisa S. Costner appearing for CHARLES DONOHOE (Main Document 55 replaced on 4/26/2021) (znmw).

04/09/2021

MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The Oral Ruling currently set for April 9, 2021, is hereby VACATED. Signed by Judge Timothy J. Kelly on 4/9/2021. (Text entry; no document attached.)

04/09/2021

Set/Reset Hearings as to CHARLES DONOHOE: Detention Hearing set for 4/12/2021 at 03:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. (Text entry; no document attached.)

56

04/12/2021

MOTION to Continue Detention Hearing by CHARLES DONOHOE.

1 Attachment ▼

57

04/13/2021

NOTICE of Brady Evidence Produced to Nordean on April 13, 2021 by ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release

04/14/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ZACHARY REHL (3) as to Counts 1, 2, 3, 4, 5, and 6 held on 4/14/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to Counts 1, 2, 3, 4, 5, and 6. Speedy Trial Excludable (XT) started 4/14/2021 through 5/4/2021, in the interest of justice. Defendant's Response to 37 MOTION to Revoke Release Order due by 4/28/2021. Government's Reply due by 4/30/2021. VTC Motion Hearing set for 5/4/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Shelli Peterson and Shaka Johnson; US Attorney: Jason Bradley Adam McCullough. (Text entry; no document attached.)

04/14/2021

NOTICE OF HEARING as to ZACHARY REHL (3). The Motion Hearing currently set for 5/4/2021 is RESCHEDULED for 5/3/2021 at 2:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)

58

04/14/2021

TRANSCRIPT OF MOTION HEARING in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 4-6-21; Page Numbers: 1-69; Date of Issuance: 4-14-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 5/5/2021. Redacted Transcript Deadline set for 5/15/2021. Release of Transcript Restriction set for 7/13/2021.

59

04/14/2021

TRANSCRIPT OF MOTION HEARING in case as to JOSEPH RANDALL BIGGS before Judge Timothy J. Kelly held on 4-6-21; Page Numbers: 1-69; Date of Issuance: 4-14-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 rep order 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 5/5/2021. Redacted Transcript Deadline set for 5/15/2021. Release of Transcript Restriction set for 7/13/2021.

60

04/15/2021

RESPONSE by CHARLES DONOHOE re: 56 Opposing Detention.

1 Attachment ▼

61

04/15/2021

SUPPLEMENT by CHARLES DONOHOE re 60 Response to document

04/15/2021

NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Oral Ruling set for 4/16/2021 at 12:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)

62

04/15/2021

ORDER Granting 56 MOTION to Continue Detention Hearing by CHARLES DONOHOE (4). Detention Hearing continued to 4/19/2021 at 03:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Signed by Magistrate Judge G. Michael Harvey on 4/15/2021.

04/16/2021

NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). The VTC Oral Ruling currently set for 4/16/2021 is RESCHEDULED for 4/19/2021 at 12:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)

04/19/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Oral Ruling as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) held on 4/19/2021. BOTH defendants appeared by video. For the reasons stated on the record, Government's 30 and 31 MOTION to Revoke Pretrial Release, GRANTED. Conditions of release REVOKED for ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). Order to be entered by the court. Oral Motion by defendants ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) for a temporary stay of detention order, heard and DENIED. Speedy Trial Excludable (XT) started nunc pro tunc 4/9/2021 through 5/4/2021, in the interest of justice, as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Status Conference set for 5/4/2021 at 11:30 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Conditions of Release REVOKED/Order Pending to Report, 2-Conditions of Release REVOKED/Order Pending to Report; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

04/19/2021

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Status Hearing as to CHARLES DONOHOE (1) held on 4/19/2021. Matter was set for a Detention Hearing but was not held. Detention Hearing continued to 4/21/2021 at 03:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: FTR-Gold; FTR Time Frame: CTRM 6 [3:33:59-3:46:57]; Defense Attorney: Lisa Costner; US Attorney: Jason McCullough and Luke Jones; Pretrial Officer: Andre Sidbury; (Text entry; no document attached.)

64

04/19/2021

RESPONSE TO Court Order Issued during Oral Ruling on April 19, 2021 by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE.

1 Attachment ▼

65

04/20/2021
DETENTION ORDER as to ETHAN NORDEAN (1). See Order for details. Signed by Judge Timothy J. Kelly on 4/20/2021. (lctjk1)

66

04/20/2021
DETENTION ORDER as to JOSEPH RANDALL BIGGS (2). See Order for details. Signed by Judge Timothy J. Kelly on 4/20/2021. (lctjk1)

67

04/21/2021
NOTICE OF APPEAL - Final Judgment by JOSEPH RANDALL BIGGS re 66 Order of Detention Pending Trial- Defendant HWOB. Filing fee \$ 505, receipt number ADCDC-8389908. Fee Status: Fee Paid. Parties have been notified.

04/21/2021
ORAL MOTION to Commit Defendant to Custody of Attorney General by USA as to CHARLES DONOHUE (4). (Text entry; no document attached.)

04/21/2021
ORAL MOTION for Release from Custody by CHARLES DONOHUE (4). (Text entry; no document attached.)

04/21/2021
Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Detention Hearing as to CHARLES DONOHUE (4) held on 4/21/2021. Matter was held but did not conclude. Continued Detention Hearing set for 4/22/2021 at 03:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: FTR-Gold; FTR Time Frame: CTRM 6 [3:13:35-5:36:32]; Defense Attorney: Lisa Costner; US Attorney: Jason McCullough and Luke Jones; Pretrial Officer: John Copes; (Text entry; no document attached.)

68

04/22/2021
Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid on 4/21/2021 as to JOSEPH RANDALL BIGGS re 67 Notice of Appeal - Final Judgment. (zltp)

69

04/22/2021
NOTICE OF APPEAL - Final Judgment by ETHAN NORDEAN re Status Conference, Speedy Trial - Excludable Start, Set Hearings, Motion Hearing, Speedy Trial - Excludable Start, Set Deadlines/Hearings, 65 Order of Detention Pending Trial- Defendant HWOB. Fee Status: No Fee Paid. Parties have been notified.

04/22/2021
ORAL MOTION for Speedy Trial Waiver by USA as to CHARLES DONOHUE (2). (Text entry; no document attached.)

04/22/2021
Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Continued Detention Hearing as to CHARLES DONOHUE (4) held on 4/22/2021. Oral Motion by the Government to Commit Defendant to Custody of Attorney General as to CHARLES DONOHUE (4) Heard and Granted. Oral Motion for Release from Custody by CHARLES DONOHUE (4) Heard and Denied. Oral Motion by the Government for Speedy Trial Waiver Nunc Pro Tunc as to CHARLES DONOHUE (4) Heard and Granted. Time between 4/12/2021 and 5/4/2021 (22 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Jeffrey Hook; Defense Attorney: Lisa Costner; US Attorney: Jason McCullough and Luke Jones; Pretrial Officer: Shay Holman; (Text entry; no document attached.)

70

04/23/2021
NOTICE of Conditions of Confinement following April 20 Detention Order by ETHAN NORDEAN re 65 Order of Detention Pending Trial- Defendant HWOB

71

04/23/2021
TRANSCRIPT OF ORAL RULING in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 4-19-21; Page Numbers: 1-83; Date of Issuance: 4-23-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 ref erenced 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 5/14/2021. Redacted Transcript Deadline set for 5/24/2021. Release of Transcript Restriction set for 7/22/2021.

72

04/23/2021

TRANSCRIPT OF ORAL RULING in case as to JOSEPH RANDALL BIGGS before Judge Timothy J. Kelly held on 4-19-21; Page Numbers: 1-83; Date of Issuance: 4-23-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 5/14/2021. Redacted Transcript Deadline set for 5/24/2021. Release of Transcript Restriction set for 7/22/2021.

73

04/26/2021

Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. Defendant is represented by CJA, as to ETHAN NORDEAN re 69 Notice of Appeal - Final Judgment. (zltp)

74

04/26/2021

TRANSCRIPT OF DETENTION HEARING (CONT.) in case as to CHARLES DONOHOE before Magistrate Judge G. Michael Harvey held on April 22, 2021. Page Numbers: 1 - 56. Date of Issuance: April 26, 2021. Court Reporter: Jeff Hook. Telephone number: 202-354-3373. 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 5/17/2021. Redacted Transcript Deadline set for 5/27/2021. Release of Transcript Restriction set for 7/25/2021.

04/26/2021

USCA Case Number as to JOSEPH RANDALL BIGGS 21-3021 for 67 Notice of Appeal - Final Judgment filed by JOSEPH RANDALL BIGGS. (zltp) (Text entry; no document attached.)

04/26/2021

USCA Case Number as to ETHAN NORDEAN 21-3022 for 69 Notice of Appeal - Final Judgment, filed by ETHAN NORDEAN. (zltp) (Text entry; no document attached.)

04/26/2021

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Status Hearing as to CHARLES DONOHOE (4) held on 4/26/2021. Control Status Hearing set for 5/3/2021 03:30 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: FTR-Gold; FTR Time Frame: CTRM 6 [3:10:41-3:38:26]; Defense Attorney: Lisa Costner; US Attorney: Luke Jones; Pretrial Officer: Andre Sidbury; (Text entry; no document attached.)

75

04/28/2021

TRANSCRIPT OF PROCEEDINGS in case as to CHARLES DONOHOE before Magistrate Judge G. Michael Harvey held on April 21, 2021; Page Numbers: 1-87. Date of Issuance: April 28, 2021. Transcriber: Janice Dickman, Telephone number: 202-354-3267, 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 5/19/2021. Redacted Transcript Deadline set for 5/29/2021. Release of Transcript Restriction set for 7/27/2021.

04/28/2021

NOTICE OF HEARING as to ZACHARY REHL (3). The VTC Motion Hearing currently set for 5/3/2021 is RESCHEDULED for 5/5/2021 at 12:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)

76

04/21/2021

ORDER Delaying Transport as to CHARLES DONOHOE (1). Signed by Magistrate Judge G. Michael Harvey on 4/21/2021.

04/28/2021	ORDER for Transport as to CHARLES DONOHOE (4). Signed by Magistrate Judge G. Michael Harvey on 4/28/2021.	77
04/29/2021	Unopposed MOTION for Order to Transport Defendant by USA as to CHARLES DONOHOE.	78
	1 Attachment ▼	
04/29/2021	NOTICE of Government's Violation of the Due Process Protections Act and Local Criminal Rule 5.1 by ETHAN NORDEAN	79
04/30/2021	ORDER granting the Government's 78 Motion for Order to Transport Defendant as to CHARLES DONOHOE (4). See Order for details. Signed by Judge Timothy J. Kelly on 4/30/2021. (lctjk1)	80
05/03/2021	NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2). VTC Status Conference set for 5/4/2021 at 12:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)	81
05/03/2021	MOTION to Revoke Detention Order by CHARLES DONOHOE. Modified on 7/8/2021 (zhsj).	82
05/04/2021	Unopposed MOTION for Protective Order by USA as to JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE.	
	1 Attachment ▼	
05/04/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4) held on 5/4/2021. ALL defendants appeared by video. Speedy Trial Excludable (XT) started 5/4/2021 through 6/3/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). Government Response to 81 MOTION to Revoke due by 5/17/2021. Defendant DONOHOE (4) Reply due by 5/24/2021. VTC Status Conference set for 6/3/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (Text entry; no document attached.)	
05/04/2021	Set/Reset Deadlines as to CHARLES DONOHOE (4): Government Response due by 5/17/2021. Defendant Reply due by 5/24/2021. (Text entry; no document attached.)	83
05/04/2021	ORDER granting the Government's 82 Unopposed Motion for Protective Order as to JOSEPH RANDALL BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4). See Order for details. Signed by Judge Timothy J. Kelly on 5/4/2021. (lctjk1)	
05/05/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 5/5/2021. Case called for Motion Hearing but not held. Defendant appeared by video. Speedy Trial Excludable (XT) started nunc pro tunc 5/4/2021 through 6/3/2021, in the interest of justice. Defendant's Response to 37 MOTION to Revoke Release Order due by 5/17/2021. Government's Reply due by 5/24/2021. VTC Status Conference set for 6/3/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Maria Jacob and Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (Text entry; no document attached.)	84
05/13/2021	REPLY by USA as to ETHAN NORDEAN re 79 Notice (Other)	85
05/16/2021	REPLY by ETHAN NORDEAN Regarding the Government's Violation of the Due Process Protections Act and Rule 5.1	
	1 Attachment ▼	
		87

05/17/2021	Memorandum in Opposition by USA as to CHARLES DONOHOE re 81 MOTION to Revoke Detention Order	88
05/19/2021	MOTION to Compel the production of evidence and for a bill of particulars by ETHAN NORDEAN.	89
05/19/2021	MOTION for a Bill of Particulars by ETHAN NORDEAN. (See docket entry 88 to view document.) (zltp)	90
05/24/2021	REPLY TO OPPOSITION to Motion by CHARLES DONOHOE re 81 MOTION to Revoke Detention Order	91
05/24/2021	REPLY in Support by USA as to ZACHARY REHL re 37 MOTION to Revoke Release Order and for Pretrial Detention	
05/25/2021	NOTICE OF HEARING as to ZACHARY REHL (3). The VTC Status Conference currently set for 6/3/2021 is RESCHEDULED for 6/1/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	
06/01/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 6/1/2021. Defendant appeared by video. Speedy Trial Excludable (XT) started 6/1/2021 through 6/9/2021, in the interest of justice. VTC Status Conference set for 6/9/2021 at 1:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (Text entry; no document attached.)	
06/02/2021	NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3). VTC Status Conference set for 6/9/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	92
06/02/2021	MOTION for Protective Order by USA as to ETHAN NORDEAN.	
	2 Attachments ▼	93
06/02/2021	Memorandum in Opposition by USA as to ETHAN NORDEAN re 89 MOTION for Bill of Particulars, 88 MOTION to Compel the production of evidence and for a bill of particulars	
06/03/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4) held on 6/3/2021. Defendants NORDEAN (1) and BIGGS (2) appeared by video. For the reasons stated on the record, Defendant DONOHOE'S (4) appearance was WAIVED. Speedy Trial Excludable (XT) started 6/3/2021 through 7/15/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). VTC Motion Hearing set for 6/9/2021 at 11:00 AM before Judge Timothy J. Kelly for Defendant DONOHOE (4). VTC Status Conference set for 7/15/2021 at 2:00 PM before Judge Timothy J. Kelly for Defendants NORDEAN (1), BIGGS (2) and DONOHOE (4). Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough, Luke Matthew Jones, and Nadia Moore. (Text entry; no document attached.)	
06/03/2021	Set/Reset Hearings as to CHARLES DONOHOE (4): VTC Motion Hearing set for 6/9/2021 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	94
06/03/2021	First MOTION to Dismiss Case by ETHAN NORDEAN.	95
06/03/2021	MOTION for Leave to File Excess Pages re Motion to Dismiss the First Superseding Indictment by ETHAN NORDEAN.	96
06/03/2021	NOTICE OF FILING by JOSEPH RANDALL BIGGS	
	1 Attachment ▼	97

06/08/2021	Unopposed MOTION for Extension of Time to File Response/Reply to Defendant Nordean's Motion to Dismiss (Doc. 83) by USA as to ETHAN NORDEAN.	1 Attachment ▼	
			98
06/08/2021	Unopposed MOTION for Extension of Time to File Response/Reply to File Response to Defendant Nordean's Motion to Dismiss (Doc. 94) (Amended to Reflect Correct Docket Number of Motion to Dismiss)) by USA as to ETHAN NORDEAN.	1 Attachment ▼	
06/09/2021	MINUTE ORDER as to ZACHARY REHL (3), CHARLES DONOHOE (4): The hearings currently set for June 9, 2021, are hereby VACATED, and shall be rescheduled promptly. Signed by Judge Timothy J. Kelly on 6/9/2021. (lctjk1) (Text entry; no document attached.)		
06/09/2021	MINUTE ORDER as to ETHAN NORDEAN (1) granting the Government's 98 Unopposed Motion for Extension of Time. It is hereby ORDERED, for good cause shown, that the Government's motion is GRANTED. The Government shall file its opposition to Defendant Nordean's 94 Motion to Dismiss by July 1, 2021. Defendant shall file any reply in support of his motion to dismiss by July 15, 2021. Further, because the Government filed ECF No. 98 as a corrected version of ECF No. 97 and requests the same relief in both motions, it is hereby ORDERED that the Government's 97 Unopposed Motion for Extension of Time is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 6/9/2021. (lctjk1) (Text entry; no document attached.)		
06/10/2021	NOTICE OF HEARING as to CHARLES DONOHOE (4). VTC Motion Hearing set for 6/23/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)		
			99
06/10/2021	REPLY in Support by ETHAN NORDEAN re 88 MOTION to Compel the production of evidence and for a bill of particulars		
			100
06/15/2021	NOTICE of additional relevant evidence produced following Nordean's detention hearings by ETHAN NORDEAN	1 Attachment ▼	
06/16/2021	NOTICE OF HEARING as to ZACHARY REHL: Status Conference set for 6/21/2021 at 10:00 AM in Telephonic/VTC before Judge Timothy J. Kelly. (zcal) (Text entry; no document attached.)		
06/18/2021	MINUTE ORDER as to ZACHARY REHL (3): The hearing currently set for June 21, 2021, is hereby VACATED due to the unavailability of defense counsel and shall be rescheduled promptly. Signed by Judge Timothy J. Kelly on 6/18/2021. (lctjk1) (Text entry; no document attached.)		
06/23/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to CHARLES DONOHOE (4) held on 6/23/2021. Defendant appeared by video. Oral argument heard, and for the reasons stated on the record, Defendant's 81 MOTION to Revoke Detention Order is DENIED. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)		
06/23/2021	NOTICE OF HEARING as to ZACHARY REHL (3). VTC Status Conference set for 6/30/2021 at 12:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)		
			101
06/23/2021	DETENTION ORDER as to CHARLES DONOHOE (4). See Order for details. Signed by Judge Timothy J. Kelly on 6/23/2021. (lctjk1)		
			102
06/28/2021	Unopposed MOTION for Protective Order (INTERIM) by USA as to ETHAN NORDEAN.	1 Attachment ▼	
			103
06/29/2021	ORDER granting the Government's 102 Unopposed Motion for Protective Order as to ETHAN NORDEAN (1). See Order for details. Signed by Judge Timothy J. Kelly on 6/29/2021. (lctjk1)		

06/30/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 6/30/2021. Defendant appeared by video for the initial thirty (30) minutes of the hearing and his appearance was waived for the remainder of the hearing. Oral argument on the government's 37 MOTION to Revoke Release Order and for Pretrial Detention, heard and GRANTED. Order to be issued by the court. Speedy Trial Excludable (XT) started 6/9/2021 through 7/28/2021, in the interest of justice, as to ZACHARY REHL (3). VTC Status Conference set for 7/28/2021 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)	104
07/01/2021	DETENTION ORDER as to ZACHARY REHL (3). See Order for details. Signed by Judge Timothy J. Kelly on 7/1/2021. (lctjk1)	
07/01/2021	NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). VTC Status Conference set for 7/15/2021 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	105
07/01/2021	MOTION to Dismiss Case Unopposed Motion to Join Nordean Motion to Dismiss by JOSEPH RANDALL BIGGS.	106
07/01/2021	Memorandum in Opposition by USA as to ETHAN NORDEAN re 94 First MOTION to Dismiss Case	107
06/25/2021	JUDGMENT of USCA (certified copy) as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS re 69 Notice of Appeal - Final Judgment, 67 Notice of Appeal - Final Judgment. The district courts pretrial detention orders entered on April 20, 2021 is affirmed. USCA Case Number 21-3021; 21-3022. (zltp)	108
07/06/2021	NOTICE OF APPEAL - Final Judgment by CHARLES DONOHOE re 101 Order, Order of Detention Pending Trial-Defendant HWOB. Fee Status: No Fee Paid. Parties have been notified. (Main Document 108 replaced on 7/8/2021) (zltp).	109
07/06/2021	NOTICE of Evidence Referenced During June 30, 2021 Hearing by USA as to ZACHARY REHL	1 Attachment ▼
07/06/2021	Unopposed MOTION to Seal Certain Exhibits (Text Messages) considered during Detention Hearings by USA as to CHARLES DONOHOE.	6 Attachments ▼
07/06/2021	NOTICE of Exhibits used during Detention Hearings by USA as to CHARLES DONOHOE	1 Attachment ▼
07/08/2021	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by a CJA appointed attorney as to CHARLES DONOHOE re 108 Notice of Appeal - Final Judgment. (zltp)	112
07/08/2021	MINUTE ORDER as to CHARLES DONOHOE (4) granting the United States' 110 Unopposed Motion to Seal Unredacted Exhibits. Upon consideration of the motion and the factors set forth in United States v. Hubbard, 650 F.2d 293, 317-22 (D.C. Cir. 1980), it is hereby ORDERED that the motion is GRANTED, and the redacted versions of these exhibits shall remain on the public docket. In addition, to preserve the record, it is further ORDERED that the United States shall, by July 14, 2021, file entirely unredacted versions of the exhibits under seal. Signed by Judge Timothy J. Kelly on 7/8/2021. (lctjk1) (Text entry; no document attached.)	
07/08/2021	Set/Reset Deadlines as to CHARLES DONOHOE (4): Unredacted versions of the exhibits due by 7/14/2021. (Text entry; no document attached.)	

07/11/2021		113
REPLY in Support by ETHAN NORDEAN re 94 First MOTION to Dismiss Case		
07/12/2021		115
NOTICE of Filing of Exhibits Under Seal (Text Messages) considered during Detention Hearings by USA as to CHARLES DONOHOE re 110 Unopposed MOTION for Order Seal Unredacted Exhibits (Text Messages) considered during Detention Hearings, Order on Motion for Order, Modified text on 7/13/2021 (zstd).		
07/13/2021		116
TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 6-3-21; Page Numbers: 1-36; Date of Issuance: 7-13-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 8/3/2021. Redacted Transcript Deadline set for 8/13/2021. Release of Transcript Restriction set for 10/11/2021.		
07/13/2021		117
TRANSCRIPT OF STATUS CONFERENCE in case as to JOSEPH RANDALL BIGGS before Judge Timothy J. Kelly held on 6-3-21; Page Numbers: 1-36; Date of Issuance: 7-13-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 8/3/2021. Redacted Transcript Deadline set for 8/13/2021. Release of Transcript Restriction set for 10/11/2021.		
07/13/2021		118
TRANSCRIPT OF STATUS CONFERENCE in case as to CHARLES DONOHOE before Judge Timothy J. Kelly held on 6-3-21; Page Numbers: 1-36; Date of Issuance: 7-13-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 8/3/2021. Redacted Transcript Deadline set for 8/13/2021. Release of Transcript Restriction set for 10/11/2021.		
07/14/2021		119
NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE.		
	22 Attachments ▼	
07/14/2021		120
NOTICE of Filing of Memorandum Regarding Status of Discovery in January 6, 2021 Cases by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE		
	1 Attachment ▼	
07/14/2021		121
Unopposed MOTION for Leave to File Sur-Reply and Set Further Briefing Schedule by USA as to ETHAN NORDEAN.		
	1 Attachment ▼	

07/15/2021	MINUTE ORDER as to JOSEPH RANDALL BIGGS (2) granting Defendant's 105 Unopposed Motion to Join Defendant Nordean's 94 Motion to Dismiss. It is hereby ORDERED that the motion is GRANTED. Signed by Judge Timothy J. Kelly on 7/15/2021. (lctjk1) (Text entry; no document attached.)	
07/15/2021	MINUTE ORDER as to ETHAN NORDEAN (1) granting the United States' 121 Unopposed Motion for Leave to File Sur-Reply and Set Further Briefing Schedule. It is hereby ORDERED, for good cause shown, that the motion is GRANTED. It is further ORDERED that the United States shall file any sur-reply to Defendant Nordean's 94 Motion to Dismiss by July 29, 2021, and Defendant Nordean shall file any response to the sur-reply by August 5, 2021. Signed by Judge Timothy J. Kelly on 7/15/2021. (lctjk1) (Text entry; no document attached.)	
07/15/2021	Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4) held on 7/15/2021. ALL Defendants appeared by video. Oral argument heard on 88 MOTION to Compel and 89 MOTION for a Bill of Particulars, and taken under advisement. Speedy Trial Excludable (XT) started 7/15/2021 through 9/21/2021, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), and CHARLES DONOHOE (4). Joint Status Report as to Defendant NORDEAN (1) due by 7/26/2021. VTC Status Conference/Motion Hearing set for 9/21/2021 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 4-Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (Text entry; no document attached.)	
07/15/2021	Set/Reset Deadlines as to ETHAN NORDEAN (1): Joint Status Report due by 7/26/2021. (Text entry; no document attached.)	
07/16/2021	USCA Case Number as to CHARLES DONOHOE 21-3046 for 108 Notice of Appeal - Final Judgment filed by CHARLES DONOHOE. (zltf) (Text entry; no document attached.)	122
07/20/2021	MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f) by ETHAN NORDEAN.	123
07/21/2021	MOTION to Substitute Attorney by CHARLES DONOHOE.	1 Attachment ▼
07/22/2021	NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): VTC Status Conference set for 7/28/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	124
07/26/2021	NOTICE OF ATTORNEY APPEARANCE: Shaka Johnson appearing for ZACHARY REHL	
07/26/2021	MINUTE ORDER as to CHARLES DONOHOE (4) granting Defendant's 103 Motion to Substitute Counsel. Defendant's counsel, Lisa S. Costner, moves to withdraw her representation as CJA counsel and substitute the Federal Public Defender for the Middle District of North Carolina. The Court finds that the substitution will not unduly delay trial of this case, be unfairly prejudicial to any party, or otherwise not be in the interest of justice. See LCrR 44.5(d). Accordingly, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Lisa S. Costner's representation of Defendant as CJA counsel is hereby terminated, and the Federal Public Defender for the Middle District of North Carolina, specifically Federal Public Defender Lisa S. Costner, is hereby appointed to represent Defendant. Signed by Judge Timothy J. Kelly on 7/26/2021. (lctjk1) (Text entry; no document attached.)	125
07/26/2021	First MOTION to Continue Status by ZACHARY REHL.	126
07/26/2021	STATUS REPORT by USA as to ETHAN NORDEAN	1 Attachment ▼
07/27/2021	RESPONSE by ETHAN NORDEAN re 126 Status Report	127
07/27/2021	MINUTE ORDER as to ZACHARY REHL (3) granting Defendant's 125 Unopposed Motion to Continue. It is hereby ORDERED, for good cause shown, that the motion is GRANTED. The status conference currently set for July 28,	

2021, is hereby RESCHEDULED for September 21, 2021, at 11:00 a.m. via videoconference and teleconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. It is further ORDERED that the time period from July 28, 2021, to September 21, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq., with the consent of the parties. The Court finds that, because of the voluminous discovery in cases arising out of the Capitol breach and defense counsel's representation that he needs more time for effective preparation in this case, the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 7/27/2021. (lctjk1) (Text entry; no document attached.)

128

07/28/2021

MOTION to Adopt 94 First MOTION to Dismiss Case filed by ETHAN NORDEAN by CHARLES DONOHOE (4).

1 Attachment ▼

07/29/2021

MINUTE ORDER as to CHARLES DONOHOE (4) granting Defendant's 128 Unopposed Motion to Adopt Defendant Nordean's 94 Motion to Dismiss. It is hereby ORDERED that the motion is GRANTED. Signed by Judge Timothy J. Kelly on 7/29/2021. (lctjk1) (Text entry; no document attached.)

129

07/29/2021

MOTION for Protective Order Removal of Sensitivity Designation by ETHAN NORDEAN.

130

07/29/2021

SURREPLY by USA as to ETHAN NORDEAN re 94 First MOTION to Dismiss Case, 105 MOTION to Dismiss Case Unopposed Motion to Join Nordean Motion to Dismiss Modified event title on 8/12/2021 (znmw). Modified text on 8/16/2021 (zltp).

131

07/29/2021

NOTICE of Delivery of Video Evidence by USA as to ETHAN NORDEAN re 129 MOTION for Protective Order Removal of Sensitivity Designation

132

07/29/2021

RESPONSE by ETHAN NORDEAN re 131 Notice (Other) re: Capitol CCTV video evidence improperly designated Highly Sensitive by the government

133

08/01/2021

ERRATA by USA as to ETHAN NORDEAN re 94 First MOTION to Dismiss Case filed by ETHAN NORDEAN, 105 MOTION to Dismiss Case Unopposed Motion to Join Nordean Motion to Dismiss filed by JOSEPH RANDALL BIGGS.

1 Attachment ▼

134

08/03/2021

Memorandum in Opposition by USA as to ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)

135

08/04/2021

REPLY in Support by ETHAN NORDEAN re 94 First MOTION to Dismiss Case re: Response to the Government's Surreply Brief

136

08/08/2021

REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)

1 Attachment ▼

137

08/08/2021

MOTION for Bond and to Reopen Detention Hearing 18 USC 3142 (f) by JOSEPH RANDALL BIGGS.

3 Attachments ▼

138

08/09/2021

MEMORANDUM OPINION AND ORDER as to ETHAN NORDEAN (1) denying Defendant's 88 Motion to Compel and for Bill of Particulars. See document for details. Signed by Judge Timothy J. Kelly on 8/9/2021. (lctjk1)

139

08/10/2021

NOTICE of Second Declaration of Michael Nordean by ETHAN NORDEAN re 136 Reply to opposition to Motion	140
08/11/2021 NOTICE of Recent Authority re Government's Motions to Revoke Release Orders in January 6 Cases by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)	1 Attachment ▼
08/12/2021 TRANSCRIPT OF MOTION HEARING in case as to CHARLES DONOHOE before Judge Timothy J. Kelly held on 6-23-21; Page Numbers: 1-79; Date of Issuance: 8-12-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 9/2/2021. Redacted Transcript Deadline set for 9/12/2021. Release of Transcript Restriction set for 11/10/2021.	141
08/12/2021 Memorandum in Opposition by USA as to ETHAN NORDEAN re 129 MOTION for Protective Order Removal of Sensitivity Designation	142
08/08/2021 MOTION to Reopen Detention Hearing by JOSEPH RANDALL BIGGS. (See Docket Entry 137 to view document). (znmw)	143
08/18/2021 MANDATE of USCA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS re 69 Notice of Appeal - Final Judgment, 67 Notice of Appeal - Final Judgment. In accordance to the judgment of 6/25/2021, the district court's pretrial detention orders entered on April 20, 2021 be affirmed. USCA Case Number 21-3021, 21-3022.	1 Attachment ▼
08/19/2021 REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re 129 MOTION for Protective Order Removal of Sensitivity Designation on Capitol CCTV videos	146
08/23/2021 TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 6-30-21; Page Numbers: 1-75; Date of Issuance: 8-23-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 9/13/2021. Redacted Transcript Deadline set for 9/23/2021. Release of Transcript Restriction set for 11/21/2021.	1 Attachment ▼
08/23/2021 Joint MOTION for Extension of Time to File Response/Reply as to 137 MOTION for Bond and to Reopen Detention Hearing 18 USC 3142 (f), 143 MOTION for Hearing by USA as to JOSEPH RANDALL BIGGS.	147
08/23/2021 MOTION for Order to Transport Defendant to District of Columbia by USA as to ZACHARY REHL.	1 Attachment ▼
08/24/2021	149

MINUTE ORDER as to JOSEPH RANDALL BIGGS (2) granting the parties' 148 Joint Motion for Extension of Time. It is hereby ORDERED, nunc pro tunc and for good cause shown, that the parties' motion is GRANTED. It is further ORDERED that Defendant Biggs shall file his supplement to his 137 Motion to Reopen Detention Hearing today; the Government shall file its response to Biggs's 137 Motion to Reopen Detention Hearing and supplement by September 7, 2021; and Biggs shall file any reply by September 14, 2021. Signed by Judge Timothy J. Kelly on 8/24/2021. (lctjk1) (Text entry; no document attached.)

152

08/25/2021

NOTICE of Ongoing Discovery Dispute Concerning Material Bearing on Pending Bail Motion by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)

153

08/26/2021

MOTION to Withdraw as Attorney by Shaka M. Johnson. by ZACHARY REHL.

154

09/01/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 7-15-21; Page Numbers: 1-88; Date of Issuance: 9-1-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 9/22/2021. Redacted Transcript Deadline set for 10/2/2021. Release of Transcript Restriction set for 11/30/2021.

155

09/01/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to JOSEPH R. BIGGS before Judge Timothy J. Kelly held on 7-15-21; Page Numbers: 1-88; Date of Issuance: 9-1-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 9/22/2021. Redacted Transcript Deadline set for 10/2/2021. Release of Transcript Restriction set for 11/30/2021.

156

09/01/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to CHARLES DONOHUE before Judge Timothy J. Kelly held on 7-15-21; Page Numbers: 1-88; Date of Issuance: 9-1-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 9/22/2021. Redacted Transcript Deadline set for 10/2/2021. Release of Transcript Restriction set for 11/30/2021.

157

09/02/2021

ENTERED IN ERROR. NOTICE OF ATTORNEY APPEARANCE: Ira Knight appearing for CHARLES DONOHUE Modified on 9/3/2021 (zltp).

09/02/2021

NOTICE OF CORRECTED DOCKET ENTRY: as to CHARLES DONOHUE re 157 Notice of Attorney Appearance - Defendant was entered in error and counsel was instructed to refile said pleading. The correct NOA is docket entry 158. (zltp) (Text entry; no document attached.)

158

09/03/2021

NOTICE OF ATTORNEY APPEARANCE: Ira Knight appearing for CHARLES DONOHOE

09/06/2021

MINUTE ORDER as to Zachary Rehl (3) granting 153 Motion to Withdraw as Attorney. The Court finds that allowing the withdrawal will not unduly delay trial of this case, be unfairly prejudicial to any party, or otherwise not be in the interest of justice. See LCrR 44.5(d). Accordingly, it is hereby ORDERED that the motion is GRANTED, but only upon another attorney entering his or her appearance to represent the Defendant. The Defendant's case is hereby referred to the criminal duty magistrate judge for ascertainment of counsel. Signed by Judge Timothy J. Kelly on 9/6/2021. (lctjk1) (Text entry; no document attached.)

159

09/06/2021

NOTICE OF ATTORNEY APPEARANCE: Jonathon Alden Moseley appearing for ZACHARY REHL

160

09/07/2021

NOTICE of Submission of Video Clip Evidence Produced by the Government on August 31 by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)

09/08/2021

NOTICE OF HEARING as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2): VTC Motion Hearing set for 9/13/2021 at 2:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)

09/08/2021

Attorney update in case as to ETHAN NORDEAN. Attorney Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for WP COMPANY LLC,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for TEGNA, INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for PRO PUBLICA, INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for NEW YORK TIMES COMPANY,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for NBCUNIVERSAL MEDIA, LLC,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for NATIONAL PUBLIC RADIO, INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for LOS ANGELES TIMES COMMUNICATIONS LLC,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for GRAY MEDIA GROUP, INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for GANNETT CO., INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for E.W. SCRIPPS COMPANY,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for DOW JONES & COMPANY, INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for CBS BROADCASTING INC.,Charles D. Tobin,Maxwell S. Mishkin,Lauren Russell for BUZZFEED INC. added. (zltp) (Text entry; no document attached.)

162

09/10/2021

NOTICE of Recent Authority in The Dream Defenders v. Ron DeSantis (N.D. Fla. Sept. 9, 2021) by ETHAN NORDEAN re 94 First MOTION to Dismiss Case

1 Attachment ▼

163

09/13/2021

NOTICE of Accused Zachary Rehls Coverage Under Prior Protective Order by ZACHARY REHL re 83 Order on Motion for Protective Order

09/13/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2) held on 9/13/2021. Defendant NORDEAN (1) appeared by telephone. Defendant BIGGS (2) appeared by video. Oral argument heard and taken under advisement as to 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f) filed by NORDEAN (1) and on 137 MOTION for Bond and to Reopen Detention Hearing 18 USC 3142 (f) filed by BIGGS (2). Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

09/14/2021

MINUTE ORDER as to JOSEPH R. BIGGS (2): As discussed at yesterday's hearing, it is hereby ORDERED, for good cause shown, that Defendant Biggs's unopposed request for an extension of time to file a reply in support of his 137 Motion for Bond and to Reopen Detention Hearing 18 USC 3142 (f) is GRANTED. It is further ORDERED that Biggs shall file any reply by September 16, 2021. Signed by Judge Timothy J. Kelly on 9/14/2021. (lctjk1) (Text entry; no document attached.)

164

09/14/2021

MOTION to Access Sealed Portion of 9/13/21 Hearing Transcript by ETHAN NORDEAN.

1 Attachment ▼

165

09/14/2021

NOTICE of Joining Motion to Receive September 13, 2021 Bail Hearing Transcript by JOSEPH R. BIGGS

166

09/15/2021	NOTICE of Additional Unproduced Brady Material by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)	
09/15/2021	ENTERED IN ERROR. MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) granting Nordean's 164 Motion to Access Sealed Portion of 9/13/21 Hearing Transcript, joined 165 by Biggs. For good cause shown, it is hereby ORDERED that the court reporter's notes and transcription of the sealed portion of the proceeding of September 13, 2021, be made available to Nordean and Biggs, while otherwise remaining under seal. Signed by Judge Timothy J. Kelly on 9/15/2021. (lctjk1) Modified to mark entry as error on 9/16/2021 (Text entry; no document attached.)	
09/16/2021	MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2) granting Nordean's 164 Motion to Access Sealed Portion of 9/13/21 Hearing Transcript, joined 165 by Biggs. For good cause shown, it is hereby ORDERED that the court reporter's notes and transcription of the sealed portion of the proceeding of September 13, 2021, be made available to Nordean and Biggs, while otherwise remaining under seal. Signed by Judge Timothy J. Kelly on 9/16/2021. (lctjk1) (Text entry; no document attached.)	167
09/16/2021	Unopposed MOTION pursuant to Rule 36 to Correct a Clerical Error to redact personal names of family including minor child by ZACHARY REHL.	
09/16/2021	MINUTE ORDER as to ZACHARY REHL (3) granting 167 Rehl's Unopposed Motion for Leave to Redact or Substitute A Redacted Version of Docket # 86. For good cause shown, it is ORDERED that the motion is GRANTED. The Clerk of the Court is instructed to seal ECF No. 86, along with any attachments. By September 20, 2021, Defendant Rehl shall file on the public docket a copy of his Memorandum in Opposition to Detention, with attachments, that redacts the information identified in Rehl's motion. Signed by Judge Timothy J. Kelly on 9/16/2021. (lctjk1) Modified to link filing on 9/16/2021 (Text entry; no document attached.)	168
09/16/2021	NOTICE of Filing of Memorandum Regarding Status of Discovery in January 6, 2021 Cases by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re 120 Notice (Other)	1 Attachment ▼
09/17/2021	NOTICE of Recent Authority Relevant to Motions to Dismiss by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, CHARLES DONOHOE	1 Attachment ▼
09/17/2021	NOTICE of Correspondence to Defendants in Advance of September 21, 2021, Hearing on Motions to Dismiss by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE	1 Attachment ▼
09/18/2021	RESPONSE by ZACHARY REHL re 149 MOTION for Order to Transport Defendant to District of Columbia in Opposition	
09/18/2021	Memorandum in Opposition by ZACHARY REHL re 149 MOTION for Order to Transport Defendant to District of Columbia	
09/19/2021	RESPONSE by ETHAN NORDEAN re 171 Notice (Other), re Government's Notice of New Section 231(a)(3) Argument and Effort to Transfer Defendant Rehl to D.C. Jail	1 Attachment ▼
09/20/2021	NOTICE of Joining Nordean Response re: new DOJ section 231 argument and Notice re: issues raised by efforts to transfer Zach Rehl to DC Jail by JOSEPH R. BIGGS	
09/20/2021		

NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): VTC Status Conference set for 9/21/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

176

09/08/2021

MOTION to Intervene by WP COMPANY LLC, TEGNA, INC., PRO PUBLICA, INC., NEW YORK TIMES COMPANY, NBCUNIVERSAL MEDIA, LLC, NATIONAL PUBLIC RADIO, INC., LOS ANGELES TIMES COMMUNICATIONS LLC, GRAY MEDIA GROUP, INC., GANNETT CO., INC., E.W. SCRIPPS COMPANY, DOW JONES & COMPANY, INC., CBS BROADCASTING INC., BUZZFEED INC., ASSOCIATED PRESS, AMERICAN BROADCASTING COMPANIES, INC., CABLE NEWS NETWORK, INC. as to ETHAN NORDEAN. "Leave to File Granted" by Judge Timothy J. Kelly on 9/8/2021.

2 Attachments ▼

09/09/2021

MINUTE ORDER as to ZACHARY REHL (3): In light of Defendant's change of counsel, it is hereby ORDERED that Defendant shall file any response to the Government's 149 Motion for Order to Transport Defendant by September 20, 2021. Signed by Judge Timothy J. Kelly on 9/9/2021. (lctjk1) (Text entry; no document attached.)

09/09/2021

MINUTE ORDER as to ZACHARY REHL (3). On September 6, 2021, Judge Kelly referred this case to the criminal duty magistrate judge for the purposes of ascertaining new counsel for Defendant Rehl. In response to the Court's inquiry, Mr. Johnson (original counsel) and Mr. Moseley (proposed new counsel) both confirmed that Defendant Rehl wanted to terminate Mr. Johnson's representation and instead retain Mr. Moseley. It is therefore ORDERED that Mr. Johnson's representation is terminated, effective September 6, 2021, when Mr. Moseley entered his appearance. See Min. Order (Sept. 6, 2021) (noting that the Motion to Withdraw as Attorney 153 was granted "but only upon another attorney entering his or her appearance to represent the Defendant."). Mr. Moseley is now counsel of record for Mr. Rehl. Signed by Magistrate Judge Zia M. Faruqi on 9/9/2021. (Text entry; no document attached.)

177

09/20/2021

RESPONSE by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS re 174 and 175 Notice of Information Relevant to Bail Proceedings (ECF 174, 175) Modified to add links on 9/21/2021 (znmw).

178

09/20/2021

REDACTED TRANSCRIPT OF MOTION HEARING in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 9-13-21; Page Numbers: 1-102; Date of Issuance: 9-20-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 10/11/2021. Redacted Transcript Deadline set for 10/21/2021. Release of Transcript Restriction set for 12/19/2021.

179

09/20/2021

REDACTED TRANSCRIPT OF MOTION HEARING in case as to JOSEPH R. BIGGS before Judge Timothy J. Kelly held on 9-13-21; Page Numbers: 1-102; Date of Issuance: 9-20-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 10/11/2021. Redacted Transcript Deadline set for 10/21/2021. Release of Transcript Restriction set for 12/19/2021.

180

09/20/2021

NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

16 Attachments ▼

181

09/20/2021

RESPONSE by USA as to ETHAN NORDEAN re 166 Notice (Other)

182

09/21/2021

SUPPLEMENT by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f) DECLARATION of Hendrik Block dated 9/21/21

09/21/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 9/21/2021. Defendant appeared by audio. Oral argument heard on the Government's 149 MOTION for Order to Transport Defendant, and taken under advisement. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Jonathon Alden Moseley; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

09/21/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference/Motion Hearing as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 9/21/2021. Defendant NORDEAN appeared by audio. Defendants BIGGS and DONOHOE appeared by video. Defendant REHL's Appearance was Waived. Oral argument heard on Defendant Nordean's 94 First MOTION to Dismiss Case, and taken under advisement. Speedy Trial Excludable (XT) started 9/21/2021 through 10/26/2021, in the interest of justice, as to ALL defendants. VTC Status Conference set for 10/26/2021 at 11:00 AM before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 5/18/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Jonathon Alden Moseley, 4-Lisa S. Costner and Ira Knight; US Attorneys: Jason Bradley Adam McCullough, Luke Matthew Jones, and James Pearce; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

184

09/25/2021

MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with by ZACHARY REHL.

2 Attachments ▼

185

09/26/2021

ENTERED IN ERROR. MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law by ZACHARY REHL. Modified on 9/27/2021 (zltp).

186

09/26/2021

Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law by ZACHARY REHL.

09/26/2021

NOTICE OF CORRECTED DOCKET ENTRY: as to ZACHARY REHL re 185 MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law was entered in error and counsel refiled said pleading. The correct docket entry is 186. (zltp) (Text entry; no document attached.)

187

09/27/2021

SUPPLEMENT by JOSEPH R. BIGGS re 137 MOTION for Bond and to Reopen Detention Hearing 18 USC 3142 (f) Second and Final Supplement to Motion to Reopen Hearing and for Release from Detention

09/28/2021

MINUTE ORDER as to ETHAN NORDEAN (1) denying as moot Nordean's 27 Motion for Bill of Particulars. In March, Nordean filed a motion for a bill of particulars regarding the first indictment, but the Government filed around the same time 26 the First Superseding Indictment. Nordean then filed in May a motion to compel and for a bill of particulars that this Court denied. See ECF 138. Given both the First Superseding Indictment and this Court's 138 order, it is hereby ORDERED that Nordean's 27 Motion is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 9/28/2021. (lctjk1) (Text entry; no document attached.)

09/28/2021

MINUTE ORDER as to ETHAN NORDEAN (1) denying as moot the Government's 92 Motion for Protective Order. Because this Court granted the Government's later filed Motion for Protective Order (INTERIM), see ECF 103, it is hereby ORDERED that the Government's 92 Motion is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 9/28/2021. (lctjk1) (Text entry; no document attached.)

09/28/2021

MINUTE ORDER as to ETHAN NORDEAN (1) granting Nordean's 49 Motion for Leave to File Sur-Reply in Response to New Arguments Raised in Government's Reply in Support of Motion to Revoke Release Order. It is hereby ORDERED, for good cause shown and nunc pro tunc, that Nordean's 49 motion for leave to file a sur-reply is GRANTED. The Clerk is directed to docket Nordean's sur-reply, ECF No. [49-1], with exhibit, ECF No. [49-2]. Signed

by Judge Timothy J. Kelly on 9/28/2021. (lctjk1) Modified to provide additional instruction on 9/28/2021 (Text entry; no document attached.)

188

09/28/2021

SUPPLEMENT by ZACHARY REHL re 186 Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law disclosing permits independently released to BUZZFEED possibly making this motion moot

1 Attachment ▼

189

09/28/2021

SUR-REPLY by ETHAN NORDEAN re 30 MOTION to Revoke Pretrial Release

1 Attachment ▼

09/30/2021

MINUTE ORDER as to ETHAN NORDEAN (1): Currently pending before the Court are Nordean's 129 Motion to Remove Sensitivity Designation From Certain Capitol Videos Produced in Discovery, and the Press Coalition's 176 Motion to Intervene regarding the same. As noted in Chief Judge Howell's recent decision in United States v. Torrens, No. 21-cr-204, ECF No. 83 at 12, "many videos taken from the U.S. Capitol CCV system have been disclosed both through proceedings in the Capitol cases, and during former President Donald Trump's second impeachment proceedings." This Court therefore ORDERS the Government to file a status report by October 7, 2021, addressing whether the videos at issue have been released, if other footage from the same cameras has been released, if footage depicting the same area of the U.S. Capitol building has been released, and whether the Government still opposes Nordean's 129 Motion to Remove Sensitivity Designation. Signed by Judge Timothy J. Kelly on 9/30/2021. (lctjk1) (Text entry; no document attached.)

190

09/30/2021

MOTION for Release from Custody, Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing by ZACHARY REHL.

1 Attachment ▼

191

09/30/2021

NOTICE Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing by ZACHARY REHL.

5 Attachments ▼

192

09/30/2021

MOTION to Re-Open Detention Hearing by ZACHARY REHL. (See docket entry 190 to view document.) (zltp)

194

10/01/2021

MOTION for Waiver of Motion formatting rules to allow table of contents and table of authorities to be filed as supplement by ZACHARY REHL.

10/04/2021

MINUTE ORDER as to ZACHARY REHL (3) denying Rehl's 194 Motion for Waiver of Motion Formatting Rules Under Local Rules. Because the Local Rules of Criminal Procedure do not require a party to include a table of contents or table of authorities, no waiver is necessary. Thus, it is hereby ORDERED that Rehl's Motion for Waiver is DENIED. Signed by Judge Timothy J. Kelly on 10/4/2021. (lctjk1) (Text entry; no document attached.)

196

10/04/2021

SUPPLEMENT by JOSEPH R. BIGGS re 137 MOTION for Bond and to Reopen Detention Hearing 18 USC 3142 (f) Biggs' Third Supplement to Motion to Reopen Hearing and for Release from Detention

197

10/05/2021

NOTICE of Brady material produced after September 13 bail hearing by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)

198

10/06/2021

FIRST SUPPLEMENT and Notice of Brady Material Produced After Bail Hearing on September 13 in Support of His Renewed Motion for Release of Accused Zachary Rehl from Pre-Trial Detention and Motion to Re-Open Detention Hearing re 190 by ZACHARY REHL. Modified text on 10/13/2021 (zltp).

199

10/07/2021

MOTION for Extension of Time to File Status Report in re ECF 129 by USA as to ETHAN NORDEAN.

10/08/2021	200
SECOND SUPPLEMENT documenting that Rehl was not an organizer of January 6 events by ZACHARY REHL. Modified on 10/13/2021 (zltp).	
10/08/2021	201
MINUTE ORDER as to ETHAN NORDEAN (1) granting the Government's 199 Motion for Extension of Time to File Status Report in re ECF 129. It is hereby ORDERED, nunc pro tunc and for good cause shown, that the Government's motion for an extension is GRANTED. It is further ORDERED that the Government shall file the status report today, October 8, 2021. Signed by Judge Timothy J. Kelly on 10/8/2021. (lctjk1) (Text entry; no document attached.)	
10/08/2021	202
NOTICE of Multiple Government Plea Agreements Concerning Parading in the Capitol Offenses Involving Conduct More Serious Than Nordean's by ETHAN NORDEAN as to ETHAN NORDEAN re 94 First MOTION to Dismiss Case Modified text to remove unassociated defendants on 10/12/2021 (zltp).	
10/08/2021	203
RESPONSE TO ORDER OF THE COURT by USA as to ETHAN NORDEAN re Order on Motion for Extension of Time, Set/Reset Deadlines	
10/09/2021	204
THIRD SUPPLEMENT disclosing Friday dawn FBI raid Oct 8 of Rehl's friend and Proud Boys deputy Aaron Whallon Wollkind showing FBI still trying to find evidence against Rehl by ZACHARY REHL. Modified text on 10/13/2021 (zltp).	
10/10/2021	205
MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl by ZACHARY REHL.	
	2 Attachments ▼
10/11/2021	206
MINUTE ORDER as to ETHAN NORDEAN (1), DIRECTING the government, after consultation with and consent of the parties, promptly to make the videos at issue in Nordean's 129 Motion to Remove Sensitivity Designation, and the Press Coalition's 176 Motion to Intervene regarding the same, publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. It is further ORDERED that Nordean's 129 Motion to Remove Sensitivity Designation is GRANTED, and the Press Coalition's 176 Motion to Intervene is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 10/11/2021. (lctjk1) (Text entry; no document attached.)	
10/11/2021	207
Consent MOTION for Order Setting Briefing Schedule by USA as to ZACHARY REHL.	
	1 Attachment ▼
10/13/2021	208
MINUTE ORDER as to ZACHARY REHL (3) granting the Government's 205 Consent Motion for Order Setting Briefing Schedule. It is hereby ORDERED that the Government shall file its responses to Defendant Rehl's 184 motion for a bill of particulars, 185 186 motion for issuance of a subpoena to U.S. Capitol Police, 190 191 motion for release and to re-open his detention hearing and 198 200 203 supplemental filings, and 204 motion to compel discovery by October 15, 2021. It is further ORDERED that Defendant Rehl shall file any reply in support of the above motions by Friday, October 22, 2021. Signed by Judge Timothy J. Kelly on 10/13/2021. (lctjk1) (Text entry; no document attached.)	
10/13/2021	209
NOTICE of Judge Lamberth's Contempt Order against Warden of D.C. Jail for Civil Rights Violation re January 6 Detainee by ETHAN NORDEAN as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f)	
10/14/2021	210
NOTICE of Comprehensive January 6 Plea Agreement Database Published on 10/13/21 by ETHAN NORDEAN re 94 First MOTION to Dismiss Case	
	1 Attachment ▼
10/15/2021	211

Memorandum in Opposition by USA as to ZACHARY REHL re 184 MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with, 185 MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law, 204 MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl, 186 Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law

209

10/15/2021

NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Kenerson, Erik Michael added.

210

10/15/2021

Memorandum in Opposition by USA as to ZACHARY REHL re 192 MOTION Re-Open Detention Hearing, 203 Supplemental MOTION for Release from Custody by pre-trial release on bail, disclosing Friday dawn FBI raid Oct 8 of Rehl's friend and Proud Boys deputy Aaron Whallon Wolkind showing FBI still trying to find evidence against Rehl, 190 MOTION for Release from Custody, Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing, 200 MOTION for Release from Custody from pre-trial detention, 2nd Supplement documenting that Rehl was not an organizer of January 6 events, 198 MOTION for Release from Custody Zachary Rehls Supplement And Notice Of Brady Material Produced After Bail Hearing On September 13 In Support Of His Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open D, 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing

2 Attachments ▼

10/20/2021

NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): Telephonic/VTC Status Conference set for 10/26/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

211

10/21/2021

NOTICE of remote hearing access limitations for Zachary Rehl at Philadelphia Detention Center by ZACHARY REHL

212

10/25/2021

REPLY TO OPPOSITION to Motion by ZACHARY REHL re 184 MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with, 204 MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl

1 Attachment ▼

213

10/25/2021

NOTICE OF FILING VIDEO EXHIBITS by ZACHARY REHL re 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing

10/25/2021

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4): It is hereby ORDERED that the status conferences scheduled for tomorrow, October 26, 2021, at 10:00 a.m. and 11:00 a.m. are VACATED. The parties shall contact the Courtroom Deputy at (202) 354-3495 to set a new date. Signed by Judge Timothy J. Kelly on 10/25/2021. (lctjk1) (Text entry; no document attached.)

214

10/25/2021

STATUS REPORT Regarding Discovery as of October 21, 2021 by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

10/27/2021

NOTICE OF HEARING as to ZACHARY REHL (3): VTC Status Conference/Motion Hearing set for 11/2/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

10/27/2021

NOTICE OF HEARING as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): VTC Status Conference set for 11/3/2021 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

215

10/31/2021

NOTICE of Filing of Supplemental Authority, Memorandum Opinion of Judge Royce Lamberth in USA v. Russell Taylor by ZACHARY REHL re 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing

1 Attachment ▼

11/02/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing/Status Conference as to ZACHARY REHL (3) held on 11/2/2021. Defendant appeared by video. Oral argument heard and taken under advisement as to defendant's 190 MOTION for Release from Custody and, Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Jonathon Alden Moseley; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (Text entry; no document attached.)

216

11/02/2021

NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

3 Attachments ▼

11/03/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 11/3/2021. Defendant NORDEAN appeared by audio. Defendants BIGGS and DONOHOE appeared by video. Defendant REHL's Appearance was Waived. Scheduling Order to be entered by the court. Speedy Trial Excludable (XT) started nunc pro tunc 10/26/2021 through 12/7/2021, in the interest of justice, as to ALL defendants. VTC Status Conference set for 12/7/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Jonathon Alden Moseley, 4-Lisa S. Costner and Ira Knight; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (Text entry; no document attached.)

217

11/03/2021

NOTICE of Declaration of Judy Nordean re Additional Commitments Concerning Nordean's Proposed Release Conditions by ETHAN NORDEAN re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f) 11/03/2021

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH RANDALL BIGGS (2), CHARLES DONOHOE (4): It is hereby ORDERED that the parties shall submit supplemental briefing on two issues related to the pending 94 First Motion to Dismiss. The parties' briefs shall address the following issues: First, as Defendant Nordean notes, several courts have construed "corruptly" to mean acting "with the intent to secure an unlawful advantage or benefit either for one's self or for another." See ECF No. 113 at 19 (citing cases); see also *United States v. Aguilar*, 515 U.S. 593, 616 (1995) (Scalia, J., concurring in part). Is this an appropriate definition of "corruptly" as the word is used in Section 1512(c)? And if the Court adopted that definition, would Section 1512(c)(2) cover the conduct alleged in the First Superseding Indictment? Second, the Government has argued that "corruptly" means acting "wrongfully" and "with an intent to obstruct." ECF No. 133-1 at 8. What does it mean to act "wrongfully"? Does someone act "wrongfully" merely acting "unlawfully," as the Government appears to suggest in its sur-reply, ECF No. 133-1 at 8, or is something more required? The Government shall submit its brief by November 17, 2021; Defendants shall file any response to the Government's brief by November 24, 2021; and the Government shall file any reply by December 3, 2021. Signed by Judge Timothy J. Kelly on 11/3/2021. (lctjk1) (Text entry; no document attached.)

11/03/2021

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): It is hereby ORDERED, for the reasons explained on the record at the status conference today, that the time period from October 26, 2021 to December 7, 2021 is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and Defendants in a speedy trial under 18 U.S.C. § 3161(h)(7)(A), for the reasons explained on the record: (1) the Government's ongoing production of voluminous discovery to Defendants; and (2) the public health limitations on the Court's ability to try a multi-defendant, six-week trial, as reflected in Standing Order No. 21-62: In Re: Updated Status of Court Operations, including Jury Trials, and Speedy Trial Act Exclusions in Light of the Current Circumstances Relating to the COVID-19 Pandemic, the findings of which the Court adopts after consideration of the specific circumstances of this case, and the Court's Continuity of Operations Plan referenced in that Order. The Court also notes, as acknowledged by the parties, that time is also excluded under the Speedy Trial Act during this time, in light of the Court's request for additional briefing on the pending 94 First Motion to Dismiss. See 18 U.S.C. § 3161(h)(1)(D). Signed by Judge Timothy J. Kelly on 11/3/2021. (lctjk1) (Text entry; no document attached.)

218

11/05/2021

STATUS REPORT Regarding Discovery as of November 5, 2021 by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

219

11/10/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 11-3-21; Page Numbers: 1-36; Date of Issuance: 11-10-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 12/1/2021. Redacted Transcript Deadline set for 12/11/2021. Release of Transcript Restriction set for 2/8/2022.

220

11/10/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to JOSEPH R. BIGGS before Judge Timothy J. Kelly held on 11-3-21; Page Numbers: 1-36; Date of Issuance: 11-10-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 12/1/2021. Redacted Transcript Deadline set for 12/11/2021. Release of Transcript Restriction set for 2/8/2022.

221

11/10/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 11-3-21; Page Numbers: 1-36; Date of Issuance: 11-10-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 12/1/2021. Redacted Transcript Deadline set for 12/11/2021. Release of Transcript Restriction set for 2/8/2022.

222

11/10/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to CHARLES DONOHOE before Judge Timothy J. Kelly held on 11-3-21; Page Numbers: 1-36; Date of Issuance: 11-10-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 12/1/2021. Redacted Transcript Deadline set for 12/11/2021. Release of Transcript Restriction set for 2/8/2022.

223

11/12/2021

NOTICE of Private Letter to Judge and AUSA in support of bail and home conditions by ZACHARY REHL

224

11/17/2021

SUPPLEMENT by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, CHARLES DONOHOE re 130 Memorandum in Opposition, 106 Memorandum in Opposition to 94 First Motion to Dismiss

225

11/18/2021

Unopposed MOTION for Joinder in and support of Motion to Dismiss First Superseding Complaint filed by Ethan Nordean by ZACHARY REHL.

11/18/2021	226
RESPONSE by ETHAN NORDEAN re 224 Supplement to any document re The Government's Supplemental Brief on the Meaning of the Term "Corruptly" in the Context of Obstruction of Congress	
11/19/2021	
MINUTE ORDER as to ZACHARY REHL (3) granting Defendant's 225 Unopposed Motion to Join Defendant Nordean's 94 Motion to Dismiss. It is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Defendant Rehl may file a response to the Government's 224 Supplement under the timeline outlined in this Court's November 3, 2021 Minute Order. Signed by Judge Timothy J. Kelly on 11/19/2021. (lctjk1) (Text entry; no document attached.)	
11/19/2021	
Set/Reset Deadlines as to ZACHARY REHL (3): Response due by 11/24/2021. (Text entry; no document attached.)	
	227
11/19/2021	
SUPPLEMENT by ZACHARY REHL as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re Order, Set Deadlines, Supplemental Brief In Support Of 94 Ethan Nordeans Motion To Dismiss The First Superseding Indictment.	
	1 Attachment ▼
	228
11/12/2021	
MOTION for Leave to File Confidential Letters From Wife Regarding Bailby ZACHARY REHL. (See Docket Entry 223 to View Document). (zhshj)	
11/15/2021	
MINUTE ORDER as to ZACHARY REHL (3) denying Defendant's 223 Motion. It is hereby ORDERED that Defendant Rehl's motion asking the Court to accept a letter from his wife via mail is DENIED. Defendant is directed to Local Criminal Rule 49(f)(1), which states that "[e]xcept when requested by a judge, correspondence shall not be directed by the parties or their attorneys to a judge, nor shall papers be left with or mailed to a judge for filing." Defendant Rehl may seek leave to file the letter on the public docket, or, if warranted, to file it under seal. Signed by Judge Timothy J. Kelly on 11/15/2021. (lctjk1) (Text entry; no document attached.)	
	230
11/23/2021	
MOTION for Discovery of Grand Jury Transcript, Minutes, Notes, and Evidentiary Exhibits by ZACHARY REHL.	
	5 Attachments ▼
	231
11/23/2021	
MOTION for Hearing upon Zachary Rehls Request For Scheduling Hearing, Argument, And Decision On Motion For Grand Jury Information by ZACHARY REHL.	
	232
11/23/2021	
Amended MOTION for Hearing upon Zachary Rehls Request For Scheduling Hearing, Argument, And Decision On Motion For Grand Jury Information by ZACHARY REHL.	
	233
11/24/2021	
RESPONSE by JOSEPH R. BIGGS re 224 Supplement to any document Defendant Biggs Response to Government Supplemental Brief on 18 U.S.C. Section 1512(c)(2) Modified text to remove unassociated defendants on 11/28/2021 (zltf).	
	234
11/25/2021	
MOTION to Compel Brady disclosures and discovery previously delivered to prior counsel but still not available to current counsel by ZACHARY REHL.	
	4 Attachments ▼
11/30/2021	
NOTICE OF HEARING as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): The VTC Status Conference currently set for 12/7/2021 is RESCHEDULED for 12/14/2021 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)	
	235
12/01/2021	
ERRATA by ZACHARY REHL re 227 Supplemental Brief In Support Of Ethan Nordeans Motion To Dismiss The First Superseding Indictment Modified text on 12/16/2021 (zltf).	
	236
12/03/2021	

REPLY by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE Reply To The Defendants' Responses To 224 The United States' Supplemental Brief On 18 U.S.C. § 1512(C)(2) Modified to include linkage on 12/7/2021 (zltp).

237

12/05/2021

Unopposed MOTION Direction to pre-trial services to interview Defendant to qualify for public defender Motion For Instructions For Evaluation For Qualifying For Public Defender by ZACHARY REHL.

1 Attachment ▼

238

12/06/2021

REPLY by ETHAN NORDEAN re 236 Reply to document re The Government's Supplemental "Reply" re the Meaning of the Term "Corruptly" in the Context of Obstruction of Congress Modified to remove unassociated defendants on 12/16/2021 (zltp).

239

12/06/2021

MOTION for Extension of Time to File Response/Reply to to Motions to Compel (ECF 230, 234) by USA as to ZACHARY REHL.

1 Attachment ▼

241

12/07/2021

RESPONSE by ZACHARY REHL re 239 MOTION for Extension of Time to File Response/Reply to to Motions to Compel (ECF 230, 234)

5 Attachments ▼

242

12/07/2021

NOTICE of Attorney Status by ZACHARY REHL

243

12/08/2021

NOTICE of Nordean's Placement in the SHU without Explanation by ETHAN NORDEAN

12/08/2021

MINUTE ORDER as to ZACHARY REHL (3) granting the Government's 239 Motion for an Extension of Time to Respond to Defendant's Motions to Compel. It is hereby ORDERED, for good cause shown, that the Government's motion is GRANTED. It is further ORDERED that the Government shall respond to Defendant Rehl's Motions to Compel by December 16, 2021. Signed by Judge Timothy J. Kelly on 12/8/2021. (lctjk1) (Text entry; no document attached.)

244

12/08/2021

MOTION for Reconsideration re Order on Motion for Extension of Time to File Response/Reply, Set/Reset Deadlines, by ZACHARY REHL.

1 Attachment ▼

246

12/09/2021

MOTION to Withdraw as Attorney Conditional on Documentation of available attorney by Jonathon A. Moseley. by ZACHARY REHL.

5 Attachments ▼

247

11/22/2021

MANDATE of USCA as to CHARLES DONOHOE re 108 Notice of Appeal - Final Judgment. In accordance to the judgment from September 27, 2021, it is ordered and adjudged that the district court's June 23, 2021 order be affirmed. USCA Case Number 21-3046.

1 Attachment ▼

248

12/12/2021

NOTICE of and Response to New Authority in US v. Sandlin, 21-cr-88-DLF, and US v. Reffitt, 21-cr-32-DLF by ETHAN NORDEAN

249

12/12/2021

SUPPLEMENT by ZACHARY REHL re 246 MOTION to Withdraw as Attorney Conditional on Documentation of available attorney by Jonathon A. Moseley.

250

12/13/2021

SUPPLEMENT by ZACHARY REHL Defendant Zachary Rehls Second Supplemental Brief In Support Of Ethan Nordean's 94 Motion To Dismiss The First Superseding Indictment re: Nordean's Notice of Supplemental Authority Modified to include linkage on 12/16/2021 (zltlp).

12/14/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 12/14/2021. Defendant appeared by video. For the reasons stated on the record, defendant's 246 MOTION to Withdraw as Attorney is GRANTED. Jonathon Alden Moseley is terminated as counsel for the defendant and Carmen D. Hernandez is appointed under the CJA to represent Defendant REHL(3). Joint Status Report due by 12/21/2021. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Jonathon Alden Moseley, Michelle M. Peterson, and Carmen D. Hernandez; US Attorneys: Luke Matthew Jones, Jason Bradley Adam McCullough, Erik Michael Kenerson, and James Pearce. (Text entry; no document attached.)

12/14/2021

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHUE (4) held on 12/14/2021. Defendant NORDEAN appeared by audio. Defendants BIGGS and DONOHUE appeared by video. Defendant REHL's Appearance was Waived. For the reasons stated on the record, the 122 MOTION for Bond by defendant NORDEAN, 137 MOTION for Bond by defendant BIGGS, 190 MOTION for Release from Custody and 192 MOTION to Re-Open Detention Hearing both by defendant REHL, are all DENIED. Speedy Trial Excludable (XT) started 12/14/2021 through 1/11/2022, in the interest of justice, as to ALL defendants. Government Submission due by 12/21/2021. Defense Responses due by 12/30/2021. Government Reply due by 1/6/2022. VTC Status Conference set for 1/11/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Lisa S. Costner and Ira Knight; US Attorneys: Luke Matthew Jones, Jason Bradley Adam McCullough, Erik Michael Kenerson and James Pearce. (Text entry; no document attached.)

12/14/2021

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), and ZACHARY REHL (3), denying Defendants' 122 137 190 Motions to Reopen Bail Proceedings. It is hereby ORDERED, for the reasons set forth on the record today and below, that Defendants Nordean, Biggs, and Rehl's motions to reopen bail proceedings are DENIED. Further, the Court notes that even if the conditions proposed by Nordean included a ban on his possession of electronic devices--a ban that could make it hard for him to review electronic evidence in the case--and even if he abided by that condition, he would still have access to less sophisticated means of communication, such as the use of a land-line telephone or the regular mail, that he could use to exercise leadership, conduct planning, and communicate with associates. Signed by Judge Timothy J. Kelly on 12/14/2021. (lctjk1) (Text entry; no document attached.)

251

12/15/2021

NOTICE OF ATTORNEY APPEARANCE: Carmen D. Hernandez appearing for ZACHARY REHL

252

12/17/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 12-14-21; Page Numbers: 1-47; Date of Issuance: 12-17-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 1/7/2022. Redacted Transcript Deadline set for 1/17/2022. Release of Transcript Restriction set for 3/17/2022.

253

12/17/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to JOSEPH R. BIGGS before Judge Timothy J. Kelly held on 12-14-21; Page Numbers: 1-47; Date of Issuance: 12-17-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 1/7/2022. Redacted Transcript Deadline set for 1/17/2022. Release of Transcript Restriction set for 3/17/2022.

254

12/17/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 12-14-21; Page Numbers: 1-47; Date of Issuance: 12-17-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 1/7/2022. Redacted Transcript Deadline set for 1/17/2022. Release of Transcript Restriction set for 3/17/2022.

255

12/17/2021

TRANSCRIPT OF STATUS CONFERENCE in case as to CHARLES DONOHOE before Judge Timothy J. Kelly held on 12-14-21; Page Numbers: 1-47; Date of Issuance: 12-17-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 1/7/2022. Redacted Transcript Deadline set for 1/17/2022. Release of Transcript Restriction set for 3/17/2022.

256

12/21/2021

Joint STATUS REPORT Regarding Motions Filed by Prior Counsel by USA as to ZACHARY REHL

257

12/21/2021

NOTICE Government's Submission Regarding Defendants' Ability to Confer with Counsel and Prepare for Trial by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

258

12/22/2021

RESPONSE by ETHAN NORDEAN re 257 Notice (Other) re Nordean's Ability to Confer with Counsel and Prepare for Trial

259

12/27/2021

NOTICE of DC Jail Covid-19 Lockdown by ETHAN NORDEAN

260

12/27/2021

NOTICE OF APPEAL (Interlocutory) by ETHAN NORDEAN re Status Conference, Speedy Trial - Excludable Start, Set Deadlines/Hearings, Order on Motion for Bond, Order on Motion for Hearing, Order on Motion for Release from Custody, Order on Motion for Miscellaneous Relief. Fee Status: No Fee Paid. Parties have been notified.

261

12/27/2021

NOTICE OF APPEAL (Interlocutory) by JOSEPH R. BIGGS re Status Conference, Speedy Trial - Excludable Start, Set Deadlines/Hearings, Order on Motion for Bond, Order on Motion for Release from Custody, Order on Motion for Miscellaneous Relief, Order on Motion for Hearing. Filing fee \$ 505, receipt number ADCDC-8950338. Fee Status: Fee Paid. Parties have been notified.

262

12/28/2021

ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4), denying Defendants' 94 105 128 225 Motion to Dismiss. See Order for details. Signed by Judge Timothy J. Kelly on 12/28/2021. (lctjk1)

263

12/28/2021

MEMORANDUM OPINION as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4), in support of 262 ORDER denying Defendants' 94 105 128 225 Motion to Dismiss. Signed by Judge Timothy J. Kelly on 12/28/2021. (lctjk1)

264

12/28/2021

NOTICE OF APPEAL (Interlocutory) by ZACHARY REHL re Order on Motion for Bond, Order on Motion for Hearing, Order on Motion for Release from Custody, Order on Motion for Miscellaneous Relief. Fee Status: No Fee Paid. Parties have been notified.

265

12/29/2021

Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by a CJA appointed attorney as to ETHAN NORDEAN re 260 Notice of Appeal - Interlocutory. (zltp)

267

12/29/2021

MOTION for Discovery and for an Evidentiary Hearing in Support of Nordean's Claim of Selective Enforcement and Selective Prosecution by ETHAN NORDEAN.

268

12/29/2021

Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid as to JOSEPH R. BIGGS re 261 Notice of Appeal - Interlocutory. (zltp)

269

12/29/2021

Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee was not paid as the defendant is represented by a CJA appointed attorney as to ZACHARY REHL re 264 Notice of Appeal - Interlocutory. (zltp)

270

12/30/2021

RESPONSE by JOSEPH R. BIGGS as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re 257 Notice (Other) Biggs's Response to Government's 6th Amendment Submission

01/03/2022

USCA Case Number as to ETHAN NORDEAN 21-3096 for 260 Notice of Appeal - Interlocutory, filed by ETHAN NORDEAN. (zltp) (Text entry; no document attached.)

01/03/2022

USCA Case Number as to JOSEPH R. BIGGS 21-3097 for 261 Notice of Appeal - Interlocutory filed by JOSEPH R. BIGGS. (zltp) (Text entry; no document attached.)

01/03/2022

USCA Case Number as to ZACHARY REHL 21-3098 for 264 Notice of Appeal - Interlocutory filed by ZACHARY REHL. (zltp) (Text entry; no document attached.)

271

12/29/2021

MOTION for an Evidentiary Hearing by ETHAN NORDEAN. (See docket entry 267 to view document.) (zltp)

272

01/06/2022

REPLY by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE Regarding Defendants' Ability to Confer With Counsel and Prepare for Trial

01/11/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 1/11/2022. Defendant NORDEAN (1) appeared by audio. Defendants BIGGS (2), and DONOHOE (4) appeared by video. Defendant REHL (3) NOT PRESENT. Oral argument heard and taken under advisement. VTC Status Conference set for 2/8/2022 at 10:00 AM before Judge Timothy J. Kelly. Government's notification to defendants of any 404(b) evidence due by 2/11/2022. Pretrial Motions due by 3/16/2022. Responses due by 3/30/2022. Replies due by 4/6/2022. Pretrial Statement due by 4/13/2022. VTC Pretrial Conference set for 4/22/2022 at 9:30 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Lisa S. Costner and Ira Knight; US Attorneys: Luke Matthew Jones, Jason Bradley Adam McCullough, Erik Michael Kenerson. (Text entry; no document attached.)

273

01/11/2022

TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 9-21-21; Page Numbers: 1-24; Date of Issuance: 1-11-22; Court Reporter: Timothy R. Miller, Telephone Number (202)

354-3111. 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 2/1/2022. Redacted Transcript Deadline set for 2/11/2022. Release of Transcript Restriction set for 4/11/2022.

274

01/11/2022

TRANSCRIPT OF STATUS CONFERENCE/MOTION HEARING in case as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHUE before Judge Timothy J. Kelly held on 9-21-21; Page Numbers: 1-83; Date of Issuance: 1-11-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 2/1/2022. Redacted Transcript Deadline set for 2/11/2022. Release of Transcript Restriction set for 4/11/2022.

275

01/11/2022

TRANSCRIPT OF MOTION HEARING/STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 11-2-21; Page Numbers: 1-41; Date of Issuance: 1-11-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 2/1/2022. Redacted Transcript Deadline set for 2/11/2022. Release of Transcript Restriction set for 4/11/2022.

276

01/11/2022

TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 12-14-21; Page Numbers: 1-20; Date of Issuance: 1-11-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 2/1/2022. Redacted Transcript Deadline set for 2/11/2022. Release of Transcript Restriction set for 4/11/2022.

279

01/12/2022

Memorandum in Opposition by USA as to ETHAN NORDEAN re 271 MOTION for Hearing, 267 MOTION for Discovery and for an Evidentiary Hearing in Support of Nordean's Claim of Selective Enforcement and Selective Prosecution

280

01/18/2022

REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re 267 MOTION for Discovery and for an Evidentiary Hearing in Support of Nordean's Claim of Selective Enforcement and Selective Prosecution

281

01/21/2022

ORDER as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2) denying Defendants Nordean and Biggs's [258] [259] [270] renewed motions for release under 18 U.S.C. § 3142(i) and ordering that Nordean and Biggs be transported to the District of Columbia. See Order for details. Signed by Judge Timothy J. Kelly on 1/21/2022. (lctjk1)

282

01/21/2022

SCHEDULING ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). See Order for details. Signed by Judge Timothy J. Kelly on 1/21/2022. (lctjk1)

02/04/2022

NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1): VTC Status Conference set for 2/8/2022 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

285

02/07/2022

NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE

18 Attachments ▼

02/08/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 2/8/2022. ALL defendants appeared by video. Speedy Trial Excludable (XT) started 2/8/2022 through 3/8/2022, in the interest of justice, as to JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). VTC Status Conference set for 3/8/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Lisa S. Costner and Ira Knight; US Attorneys: Luke Matthew Jones, Jason Bradley Adam McCullough, and Erik Michael Kenerson. (Text entry; no document attached.)

286

02/08/2022

MOTION to Adopt Motion of Codefendant Nordean by ZACHARY REHL.

1 Attachment ▼

02/08/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1) held on 2/8/2022. Defendant appeared by audio. Oral argument on Defendant NORDEAN's [266] SEALED MOTION and [267] MOTION for Discovery, heard and taken under advisement. Speedy Trial Excludable (XT) started 2/8/2022 through 3/8/2022, in the interest of justice, as to ETHAN NORDEAN (1). VTC Status Conference set for 3/8/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: David Benjamin Smith and Nicholas D. Smith; US Attorneys: Luke Matthew Jones, Jason Bradley Adam McCullough, and Erik Michael Kenerson. (Text entry; no document attached.)

287

02/09/2022

MOTION for Order Limited Unsealing of Transcript for Provision to the Parties by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE.

1 Attachment ▼

288

02/09/2022

MOTION to Continue the Deadline to Submit Its Update on USMS Transport of Nordean and Biggs by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS.

1 Attachment ▼

02/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) granting the Government's [287] Motion for Limited Unsealing of the Transcript of the Hearing on February 8, 2022. It is hereby ORDERED that, for good cause shown, the sealed transcript from the February 8, 2022, hearing is unsealed for the limited purpose of allowing the court reporter to provide copies of the sealed transcript to the parties in this case. It is further ORDERED that the transcript shall remain sealed for all other purposes. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.)

02/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2) granting the Government's [288] Motion to Continue. It is hereby ORDERED, for good cause shown, that the Government's motion is GRANTED. It is further ORDERED that the Government shall provide an update on the status of the transport of Defendants Nordean and Biggs by February 11, 2022. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.)

02/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHUE (4) granting the Government's [287] Motion for Limited Unsealing of the Transcript of the Hearing on February 8, 2022. It is hereby ORDERED that, for good cause shown, the sealed transcript from the February 8, 2022, hearing is unsealed for the limited purpose of allowing the court reporter to provide copies of the sealed transcript to the parties in this case. It is further ORDERED that the transcript shall remain sealed for all other purposes. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.) 02/09/2022	
MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH R. BIGGS (2) granting the Government's [288] Motion to Continue. It is hereby ORDERED, for good cause shown, that the Government's motion is GRANTED. It is further ORDERED that the Government shall provide an update on the status of the transport of Defendants Nordean and Biggs by February 11, 2022. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.) 02/09/2022	
MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHUE (4) granting the Government's [287] Motion for Limited Unsealing of the Transcript of the Hearing on February 8, 2022. It is hereby ORDERED that, for good cause shown, the sealed transcript from the February 8, 2022, hearing is unsealed for the limited purpose of allowing the court reporter to provide copies of the sealed transcript to the parties in this case. It is further ORDERED that the transcript shall remain sealed for all other purposes. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.) 02/09/2022	
MINUTE ORDER as to Zachary Rehl (3) granting in part and denying in part Rehl's [286] Motion to Adopt Motion of Codefendant Nordean. It is hereby ORDERED that Rehl's motion is GRANTED as it pertains to joining Defendant Nordean's sealed [266] motion. But Rehl also moves "to join and adopt" all future "motions filed by co-defendants unless he moves not to adopt and join a particular motion." ECF No. 286 at 1. It is hereby ORDERED that this request for joining all future motions is DENIED. Rehl may move to join any motion filed by a co-defendant after the motion is filed. Signed by Judge Timothy J. Kelly on 2/9/2022. (lctjk1) (Text entry; no document attached.)	290
02/10/2022 STATUS REPORT Regarding Discovery as of February 9, 2022 by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHUE	291
02/11/2022 NOTICE of Correspondence Pursuant To Federal Rule of Evidence 404(b) by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHUE	292
02/11/2022 STATUS REPORT Regarding Transport of Defendants to the District of Columbia by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS	293
02/12/2022 NOTICE OF INTENTION TO JOIN NORDEAN MOTION AT ECF 266 by JOSEPH R. BIGGS as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHUE	
02/15/2022 MINUTE ORDER as to JOSEPH R. BIGGS (2): Defendant Biggs filed a "Notice of Intention to Join Nordean Motion at ECF 266." ECF No. 293. It is hereby ORDERED that, if Biggs wishes to join a co-defendant's motion, he shall file a motion to that effect. Signed by Judge Timothy J. Kelly on 2/15/2022. (lctjk1) (Text entry; no document attached.)	297
03/02/2022 MOTION for Joinder MOTION TO JOIN ETHAN NORDEAN'S MOTION FILED AT ECF 266 by JOSEPH R. BIGGS as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHUE.	
03/04/2022 NOTICE OF HEARING (Time Change) as to ETHAN NORDEAN (1): VTC Status Conference set for 3/8/2022 at 2:00 PM before Judge Timothy J. Kelly. (Text entry; no document attached.)	300
03/06/2022 NOTICE of Nordean's Opposition to the Government's Motion to Continue March 8, 2022 Status Conference by ETHAN NORDEAN	302
03/07/2022 NOTICE of Defendant Biggs' Waiver of Appearance at March 8 Status Conference and Opposition to Motion to Continue by JOSEPH R. BIGGS Modified text to remove unassociated defendants on 3/7/2022 (zltp).	303

03/07/2022

MOTION Join Co-Defendant Nordean's Motion filed at ECF 266 by CHARLES DONOHOE.

1 Attachment ▼

03/07/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) granting in part and denying in part the Government's [299] Motion to Continue. The Government moved to continue the status conferences scheduled for March 8, 2022, to March 15, 2022. But Nordean's counsel is unavailable March 15, 2022. See ECF No. 300 at 2. Accordingly, it is hereby ORDERED that the status conferences scheduled for tomorrow, March 8, 2022, are VACATED and will be rescheduled promptly. Signed by Judge Timothy J. Kelly on 3/7/2022. (lctjk1) (Text entry; no document attached.)

304

03/07/2022

STATUS REPORT REGARDING DISCOVERY AND THE UPCOMING TRIAL DATE by ZACHARY REHL

03/07/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) granting in part and denying in part the Government's 299 Motion to Continue. The Government moved to continue the status conferences scheduled for March 8, 2022, to March 15, 2022. But Nordean's counsel is unavailable March 15, 2022. See ECF No. 300 at 2. Accordingly, it is hereby ORDERED that the status conferences scheduled for tomorrow, March 8, 2022, are VACATED and will be rescheduled promptly. Signed by Judge Timothy J. Kelly on 3/7/2022. (lctjk1) (Text entry; no document attached.)

305

03/07/2022

SECOND SUPERSEDING INDICTMENT as to ETHAN NORDEAN (1) count(s) 1ss, 2ss, 3ss, 4ss-5ss, 6ss-7ss, 8ss, JOSEPH R. BIGGS (2) count(s) 1s, 2s, 3s, 4s-5s, 6s-7s, 8s, ZACHARY REHL (3) count(s) 1s, 2s, 3s, 4s-5s, 6s-7s, 8s, CHARLES DONOHOE (4) count(s) 1s, 2s, 3s, 4s-5s, 6s-7s, 8s, ENRIQUE TARRIO (5) count(s) 1, 2, 3, 4-5, 6-7, 8, DOMINIC J. PEZZOLA (6) count(s) 1, 2, 3, 4-5, 6-7, 8. (zltf)

307

03/07/2022

MOTION to Seal Case by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA.

1 Attachment ▼

308

03/07/2022

ORDER granting [307] Motion to Seal Case as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), DOMINIC J. PEZZOLA (6). Signed by Magistrate Judge Zia M. Faruqi on 3/7/2022. (zltf)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltf) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltf) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): In light of the filing of the [305] Second Superseding Indictment, which joins several new Defendants and includes new allegations and charges, it is hereby ORDERED that the pretrial motions briefing schedule set in the [282] Scheduling Order is VACATED. Signed by Judge Timothy J. Kelly on 3/9/2022. (lctjk1) (Text entry; no document attached.)

03/09/2022

Terminate Deadlines and Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). (Text entry; no document attached.)

03/09/2022

Set/Reset Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). VTC Pretrial Conference/Motion Hearing set for 4/22/2022 at 9:30 AM before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 5/18/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Timothy J. Kelly. (Text entry; no document attached.)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltp) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/09/2022

Set/Reset Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). VTC Pretrial Conference/Motion Hearing set for 4/22/2022 at 9:30 AM before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 5/18/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Timothy J. Kelly. (Text entry; no document attached.)

03/07/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) granting in part and denying in part the Government's [299] Motion to Continue. The Government moved to continue the status conferences scheduled for March 8, 2022, to March 15, 2022. But Nordean's counsel is unavailable March 15, 2022. See ECF No. 300 at 2. Accordingly, it is hereby ORDERED that the status conferences scheduled for tomorrow, March 8, 2022, are VACATED and will be rescheduled promptly. Signed by Judge Timothy J. Kelly on 3/7/2022. (lctjk1) (Text entry; no document attached.)

309

03/08/2022

Arrest Warrant, dated 3/7/2022, Returned Executed on 3/8/2022 as to ENRIQUE TARRIO. (zltp)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltp) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltp) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/08/2022

Case unsealed as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA (zltp) (Text entry; no document attached.)

03/08/2022

Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

03/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): In light of the filing of the [305] Second Superseding Indictment, which joins several new Defendants and includes new allegations and charges, it is hereby ORDERED that the pretrial motions briefing schedule set in the [282] Scheduling Order is VACATED. Signed by Judge Timothy J. Kelly on 3/9/2022. (lctjk1) (Text entry; no document attached.)

03/09/2022

Terminate Deadlines and Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). (Text entry; no document attached.)

03/09/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): In light of the filing of the [305] Second Superseding Indictment, which joins several new Defendants and includes new allegations and charges, it is hereby ORDERED that the pretrial motions briefing schedule set in the [282] Scheduling Order is VACATED. Signed by Judge Timothy J. Kelly on 3/9/2022. (lctjk1) (Text entry; no document attached.)

03/09/2022

Terminate Deadlines and Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4). (Text entry; no document attached.)

311

03/13/2022

TRANSCRIPT OF STATUS CONFERENCE in case as to JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE before Judge Timothy J. Kelly held on 2-8-22; Page Numbers: 1-37; Date of Issuance: 3-13-22; Court

Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form

03/14/2022

NOTICE OF HEARING as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): VTC Arraignment/Status Conference set for 3/22/2022 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

312

03/13/2022

REDACTED TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN before Judge Timothy J. Kelly held on 2-8-22; Page Numbers: 1-66; Date of Issuance: 3-13-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form

03/14/2022

NOTICE OF HEARING as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): VTC Arraignment/Status Conference set for 3/22/2022 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

03/21/2022

NOTICE OF HEARING as to ZACHARY REHL (3): The VTC Arraignment/Status Conference currently set for 3/22/2022 is RESCHEDULED for 3/23/2022 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

314

03/21/2022

MOTION to Vacate Trial Date, MOTION to Exclude Time under the Speedy Trial Act by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA.

1 Attachment ▼

03/22/2022

NOTICE OF HEARING as to ETHAN NORDEAN (1): The VTC Arraignment/Status Conference currently set for 3/22/2022 is RESCHEDULED for 3/23/2022 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

315

03/22/2022

STATUS REPORT BIGGS PRETRIAL DETENTION STATUS REPORT: BRIEF HISTORY, TRAVELOGUE AND CURRENT CONDITIONS by JOSEPH R. BIGGS as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA

03/22/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Status Conference as to JOSEPH R. BIGGS (2) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and CHARLES DONOHOE (4) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and DOMINIC J. PEZZOLA (6) as to Counts 1, 2, 3, 4-5, 6-7, and 8 held on 3/22/2022. Case called for Arraignment/Status Conference as to ENRIQUE TARRIO (5), but for the reasons stated on the record, Arraignment not held. ALL defendants appeared by video. Plea of NOT GUILTY entered by JOSEPH R. BIGGS (2) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and by CHARLES DONOHOE (4) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and by DOMINIC J. PEZZOLA (6) as to Counts 1, 2, 3, 4-5, 6-7, and 8. Speedy Trial Excludable (XT) started 3/22/2022 through 4/5/2022, in the interest of justice, as to JOSEPH R. BIGGS (2), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6). Any response to Government's 314 MOTION to Vacate Trial Date due by 3/25/2022. Any reply by the government due by 3/29/2022. VTC Arraignment as to Defendant TARRIO (5) set for 3/30/2022 at 10:00AM. VTC Status Conference for ALL defendants set for 4/5/2022 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 2-Remains Committed, 4-Remains Committed, 5-Remains Committed, 6-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Ira Knight and Lisa S. Costner, 5-Nayib Hassan and Sabino Jauregui, 6-Martin Harold Tankleff; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (Text entry; no document attached.)

03/22/2022

Set/Reset Hearings as to ENRIQUE TARRIO (5): VTC Arraignment set for 3/30/2022 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

03/23/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ETHAN NORDEAN (1) as to Counts 1ss, 2ss, 3ss, 4ss-5ss, and 6ss-7ss and as to ZACHARY REHL (3) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s held on 3/23/2022. Defendant NORDEAN (1) appeared in person. Defendant REHL (3) appeared by video. Plea of NOT GUILTY entered by ETHAN NORDEAN (1) as to Counts 1ss, 2ss, 3ss, 4ss-5ss, and 6ss-7ss and by ZACHARY REHL (3) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s. Speedy Trial Excludable (XT) started 3/23/2022 through 4/5/2022, in the interest of justice, as to ETHAN NORDEAN (1) and ZACHARY REHL (3). Any response to Government's [314] MOTION to Vacate Trial Date due by 3/25/2022. Any reply by the government due by 3/30/2022. VTC Status Conference set for 4/5/2022 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-

Remains Committed, 3-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 2-Nicholas D. Smith, 3-Carmen D. Hernandez; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (Text entry; no document attached.)

03/22/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment/Status Conference as to JOSEPH R. BIGGS (2) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and CHARLES DONOHOE (4) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and DOMINIC J. PEZZOLA (6) as to Counts 1, 2, 3, 4-5, 6-7, and 8 held on 3/22/2022. Case called for Arraignment/Status Conference as to ENRIQUE TARRIO (5), but for the reasons stated on the record, Arraignment not held. ALL defendants appeared by video. Plea of NOT GUILTY entered by JOSEPH R. BIGGS (2) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and by CHARLES DONOHOE (4) as to Counts 1s, 2s, 3s, 4s-5s, and 6s-7s and by DOMINIC J. PEZZOLA (6) as to Counts 1, 2, 3, 4-5, 6-7, and 8. Speedy Trial Excludable (XT) started 3/22/2022 through 4/5/2022, in the interest of justice, as to JOSEPH R. BIGGS (2), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6). Any response to Government's [314] MOTION to Vacate Trial Date due by 3/25/2022. Any reply by the government due by 3/29/2022. VTC Arraignment as to Defendant TARRIO (5) set for 3/30/2022 at 10:00AM. VTC Status Conference for ALL defendants set for 4/5/2022 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 2-Remains Committed, 4-Remains Committed, 5-Remains Committed, 6-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Ira Knight and Lisa S. Costner, 5-Nayib Hassan and Sabino Jauregui, 6-Martin Harold Tankleff; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (Text entry; no document attached.)

03/22/2022

Set/Reset Hearings as to ENRIQUE TARRIO (5): VTC Arraignment set for 3/30/2022 at 10:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

316

03/23/2022

NOTICE OF ATTORNEY APPEARANCE: Martin Harold Tankleff appearing for DOMINIC J. PEZZOLA by Martin Tankleff and Steve Metcalf

03/24/2022

MINUTE ORDER as to JOSEPH R. BIGGS (2), CHARLES DONOHOE (4), ENRIQUE TARRO (5), and DOMINIC J. PEZZOLA (6). At the status conference held on Wednesday, March 23, 2022, for Defendants Ethan Nordean and Zachary Rehl, the Court granted the Government's oral motion for an extension of time to file a reply in support of its [314] motion. Thus, it is hereby ORDERED that the Government shall file any reply in support of its [314] motion by March 30, 2022. Signed by Judge Timothy J. Kelly on 3/24/2022. (lctjk1) (Text entry; no document attached.)

03/24/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): Defendants Nordean, Biggs, Rehl, and Donohoe have orally opposed the Government's [314] Motion to Vacate Trial Date. It is hereby ORDERED that these Defendants shall file by tomorrow, March 25, 2022, in addition to any written opposition to the motion they may file, a status report representing whether they would be prepared to go forward with trial on May 18, 2022, if the Court denied the Government's [314] Motion. Signed by Judge Timothy J. Kelly on 3/24/2022. (lctjk1) (Text entry; no document attached.)

03/24/2022

MINUTE ORDER as to JOSEPH R. BIGGS (2), CHARLES DONOHOE (4), ENRIQUE TARRO (5), and DOMINIC J. PEZZOLA (6). At the status conference held on Wednesday, March 23, 2022, for Defendants Ethan Nordean and Zachary Rehl, the Court granted the Government's oral motion for an extension of time to file a reply in support of its [314] motion. Thus, it is hereby ORDERED that the Government shall file any reply in support of its [314] motion by March 30, 2022. Signed by Judge Timothy J. Kelly on 3/24/2022. (lctjk1) (Text entry; no document attached.)

03/24/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): Defendants Nordean, Biggs, Rehl, and Donohoe have orally opposed the Government's [314] Motion to Vacate Trial Date. It is hereby ORDERED that these Defendants shall file by tomorrow, March 25, 2022, in addition to any written opposition to the motion they may file, a status report representing whether they would be prepared to go forward with trial on May 18, 2022, if the Court denied the Government's [314] Motion. Signed by Judge Timothy J. Kelly on 3/24/2022. (lctjk1) (Text entry; no document attached.)

03/25/2022

MINUTE ORDER as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): It is hereby ORDERED that Ms. Santha Sonenberg is appointed as a conflicts attorney to determine whether Mr. John Daniel Hull's representation of Defendant Biggs in the instant case and of Defendant Tarrío in other matters creates any conflict of interest and, if so, whether the conflict can be waived by any or all codefendants. It is further ORDERED that Ms. Sonenberg shall file a status report by April 7, 2022, proposing a deadline for her to submit a final report and recommendation. Signed by Judge Timothy J. Kelly on 3/25/2022. (lctjk1) (Text entry; no document attached.)

03/25/2022

NOTICE OF CORRECTED DOCKET ENTRY: as to DOMINIC J. PEZZOLA re [324] Notice (Other) was entered in error, due to noncompliance with local rules of document format, and counsel is instructed to refile said pleading.

According to Local Rule 49(f)(4), every document shall contain a heading under the caption describing the nature of the document. The case number on every document shall be followed by the initials of the judge to whom the case has been assigned. (zltp) (Text entry; no document attached.)

03/25/2022 317

Second STATUS REPORT UPDATED JOE BIGGS PRETRIAL DETENTION STATUS REPORT by JOSEPH R. BIGGS

03/25/2022
Set/Reset Deadlines as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): Ms. Sonenberg's status report due by 4/7/2022. (Text entry; no document attached.)

03/25/2022 318
RESPONSE by CHARLES DONOHOE re [314] MOTION to Vacate Trial Date MOTION to Exclude Time under the Speedy Trial Act and Status Report

03/25/2022 319
Memorandum in Opposition by JOSEPH R. BIGGS re [314] MOTION to Vacate Trial Date MOTION to Exclude Time under the Speedy Trial Act DEFENDANT BIGGS OPPOSITION TO GOVERNMENT MOTION TO VACATE

03/25/2022 320
Memorandum in Opposition by ETHAN NORDEAN as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA re [314] MOTION to Vacate Trial Date MOTION to Exclude Time under the Speedy Trial Act And Motion to Sever Defendants Tarrio and Pezzola Pursuant to Rule 14(a)

03/25/2022 321
MOTION to Sever Defendant Nordean's trial from that of Defendants Pezzola and Tarrio Pursuant to Rule 14(a) by ETHAN NORDEAN.

03/25/2022 322
TRANSCRIPT OF ARRAIGNMENT & STATUS CONFERENCE in case as to ETHAN NORDEAN, ZACHARY REHL before Judge Timothy J. Kelly held on 3-23-22; Page Numbers: 1-41; Date of Issuance: 3-25-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form

03/25/2022 323
NOTICE OF ATTORNEY APPEARANCE: Steven Alan Metcalf, II appearing for DOMINIC J. PEZZOLA

03/25/2022 324
NOTICE of Position Regarding Trial Dates by DOMINIC J. PEZZOLA

03/26/2022 325
RESPONSE by ZACHARY REHL re [314] MOTION to Vacate Trial Date MOTION to Exclude Time under the Speedy Trial Act

03/30/2022 326
NOTICE OF HEARING as to ENRIQUE TARRIO (5): The VTC Arraignment currently set for 3/30/2022 is RESCHEDULED for 4/5/2022 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

03/30/2022 327
NOTICE of Waiver of Presence at April 5, 2022 Status Conference by ETHAN NORDEAN

03/30/2022 328
REPLY in Support by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA re [314] MOTION to Vacate Trial Date MOTION to Exclude Time under the Speedy Trial Act

04/03/2022 329
REPLY in Support by ETHAN NORDEAN re [321] MOTION to Sever Defendant Nordean's trial from that of Defendants Pezzola and Tarrio Pursuant to Rule 14(a)

04/04/2022
NOTICE OF ATTORNEY APPEARANCE: Nayib Hassan appearing for ENRIQUE TARRIO

04/04/2022

NOTICE OF ATTORNEY APPEARANCE: Sabino Jauregui appearing for ENRIQUE TARRIO

04/05/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6) held on 4/5/2022. Defendants BIGGS (2), TARRIO (5), and PEZZOLA (6) appeared by video. Presence waived for defendants NORDEAN (1), REHL (3), and DONOHOE (4). For the reasons stated on the record, order to be entered by the court vacating the current Jury Selection/Trial set for May 18, 2022. Speedy Trial Excludable (XT) started 4/5/2022 through 4/21/2022, in the interest of justice, as to ALL defendants. VTC Status Conference set for 4/21/2022 at 2:00 PM before Judge Timothy J. Kelly. Discovery due by 6/17/2022. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed, 5-Remains Committed, 6-Remains Committed; Court Reporter: Nancy Meyer; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Ira Knight and Lisa S. Costner, 5-Nayib Hassan and Sabino Jauregui, 6-Steven Alan Metcalf, II; US Attorneys: Luke Matthew Jones, Erik Michael Kenerson, and Jason Bradley Adam McCullough. (Text entry; no document attached.)

04/05/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ENRIQUE TARRIO (5) as to Counts 1, 2, 3, 4, 5, 6 and 7 held on 4/5/2022. Defendant appeared by video. Plea of NOT GUILTY entered by ENRIQUE TARRIO (5) as to Counts 1, 2, 3, 4, 5, 6 and 7. Bond Status of Defendant: Remains Committed; Court Reporter: Nancy Meyer; Defense Attorneys: Nayib Hassan and Sabino Jauregui; US Attorneys: Luke Matthew Jones, Erik Michael Kenerson, and Jason Bradley Adam McCullough. (Text entry; no document attached.)

04/05/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6) held on 4/5/2022. Defendants BIGGS (2), TARRIO (5), and PEZZOLA (6) appeared by video. Presence waived for defendants NORDEAN (1), REHL (3), and DONOHOE (4). For the reasons stated on the record, order to be entered by the court vacating the current Jury Selection/Trial set for May 18, 2022. Speedy Trial Excludable (XT) started 4/5/2022 through 4/21/2022, in the interest of justice, as to ALL defendants. VTC Status Conference set for 4/21/2022 at 2:00 PM before Judge Timothy J. Kelly. Discovery due by 6/17/2022. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed, 5-Remains Committed, 6-Remains Committed; Court Reporter: Nancy Meyer; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 4-Ira Knight and Lisa S. Costner, 5-Nayib Hassan and Sabino Jauregui, 6-Steven Alan Metcalf, II; US Attorneys: Luke Matthew Jones, Erik Michael Kenerson, and Jason Bradley Adam McCullough. (Text entry; no document attached.)

331

04/05/2022

MOTION for Bond and Mandatory Release Pursuant to 18 USC 3164 by ETHAN NORDEAN.

332

04/06/2022

STATUS REPORT Regarding Due Date for Report and Recommendation by SANTHA SONENBERG as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA

333

04/06/2022

TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN, JOSEPH R. BIGGS, CHARLES DONOHOE before Judge Timothy J. Kelly held on 5-4-21; Page Numbers: 1-24; Date of Issuance: 4-6-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. 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 4/27/2022. Redacted Transcript Deadline set for 5/7/2022. Release of Transcript Restriction set for 7/5/2022.

334

04/07/2022

NOTICE of Trial Availability by ETHAN NORDEAN as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE, ENRIQUE TARRIO, DOMINIC J. PEZZOLA

04/08/2022

NOTICE OF HEARING as to CHARLES DONOHOE (4): VTC Plea Agreement Hearing set for 4/8/2022 at 11:00 AM before Judge Timothy J. Kelly. (Text entry; no document attached.)

04/08/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Plea Agreement Hearing as to CHARLES DONOHOE (4) held on 4/8/2022. Defendant appeared by video. Plea of GUILTY entered as to Counts 1s and 6s. Joint Status Report due by 7/8/2022. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Ira Knight and Lisa S. Costner; US Attorneys: Jason Bradley Adam McCullough, Luke Matthew Jones, and Erik Michael Kenerson. (Text entry; no document attached.)

335

04/08/2022

PLEA AGREEMENT as to CHARLES DONOHOE (4).

336

04/08/2022

STATEMENT OF OFFENSE by USA as to CHARLES DONOHOE (4).

337

04/08/2022

WAIVER of Trial by Jury as to CHARLES DONOHOE (4). Approved by Judge Timothy J. Kelly on 4/8/2022.

338

04/12/2022

ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6) granting the Government's [314] Motion to Vacate Trial Date and to Exclude Time Under the Speedy Trial Act. See Order for details. Signed by Judge Timothy J. Kelly on 4/12/2022. (lctjk1)

339

04/12/2022

ORDER as to ETHAN NORDEAN (1) denying without prejudice Defendant's [321] Motion to Sever. See Order for details. Signed by Judge Timothy J. Kelly on 4/12/2022. (lctjk1)

04/13/2022

Terminate Deadlines and Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO(5), and DOMINIC J. PEZZOLA (6). (Text entry; no document attached.)

04/13/2022

MINUTE ORDER as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): Upon consideration of Ms. Sonenberg's [332] Status Report, it is hereby ORDERED that Ms. Sonenberg shall submit her final conflicts report and recommendation by June 30, 2022. It is further ORDERED that in order to complete her report, Ms. Sonenberg is authorized to have direct communication with Joseph Biggs and Enrique Tarrio, who are represented parties under Rule of Professional Conduct 4.2. Accordingly, the Pretrial Services Agency is authorized to disclose contact information for both of these defendants to Ms. Sonenberg. Signed by Judge Timothy J. Kelly on 4/13/2022. (lctjk1) (Text entry; no document attached.)

04/13/2022

REFERRAL TO PROBATION OFFICE for Presentence Investigation as to CHARLES DONOHOE (4). (Text entry; no document attached.)

04/13/2022

MINUTE ORDER as to CHARLES DONOHOE (4): It is hereby ORDERED that this case is referred to the U.S. Probation Office for the District of Columbia for a Presentence Investigation. Signed by Judge Timothy J. Kelly on 4/13/2022. (lctjk1) (Text entry; no document attached.)

04/13/2022

Set/Reset Deadlines as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): Final conflicts report and recommendation due by 6/30/2022. (Text entry; no document attached.)

04/13/2022

Terminate Deadlines and Hearings as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4), ENRIQUE TARRIO(5), and DOMINIC J. PEZZOLA (6). (Text entry; no document attached.)

04/13/2022

Set/Reset Deadlines as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): Final conflicts report and recommendation due by 6/30/2022. (Text entry; no document attached.)

04/13/2022

MINUTE ORDER as to JOSEPH R. BIGGS (2) and ENRIQUE TARRIO (5): Upon consideration of Ms. Sonenberg's [332] Status Report, it is hereby ORDERED that Ms. Sonenberg shall submit her final conflicts report and recommendation by June 30, 2022. It is further ORDERED that in order to complete her report, Ms. Sonenberg is authorized to have direct communication with Joseph Biggs and Enrique Tarrio, who are represented parties under Rule of Professional Conduct 4.2. Accordingly, the Pretrial Services Agency is authorized to disclose contact

information for both of these defendants to Ms. Sonenberg. Signed by Judge Timothy J. Kelly on 4/13/2022. (lctjk1) (Text entry; no document attached.)

340

04/15/2022

TRANSCRIPT OF STATUS CONFERENCE in case as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE before Judge Timothy J. Kelly held on 1-11-22; Page Numbers: 1-59; Date of Issuance: 4-15-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form

341

04/18/2022

MOTION to Revoke Detention Order by ENRIQUE TARRIO.

342

04/19/2022

Memorandum in Opposition by USA as to ETHAN NORDEAN re [331] MOTION for Bond and Mandatory Release Pursuant to 18 USC 3164

1 Attachment ▼

343

04/20/2022

REPLY TO OPPOSITION to Motion by ETHAN NORDEAN re [331] MOTION for Bond and Mandatory Release Pursuant to 18 USC 3164

344

04/21/2022

MOTION to Compel GOVERNMENT TO PROVIDE NOTICE OF INTENT TO USE SPECIFIED EVIDENCE IN ITS CASE-IN-CHIEF AT TRIAL by ZACHARY REHL.

2 Attachments ▼

345

04/21/2022

Third STATUS REPORT UPDATED BIGGS JAIL CONDITIONS STATUS REPORT SHU AND TRIAL PREP ISSUES by JOSEPH R. BIGGS

04/21/2022

Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6) held on 4/21/2022. Appearance by ALL defendants WAIVED. Scheduling order to be entered by the court. Speedy Trial Excludable (XT) started 4/21/2022 through 5/19/2022, in the interest of justice, as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6). VTC Control Status Hearing set for 5/19/2022 at 2:00 PM before Judge Timothy J. Kelly. VTC Pretrial Conference/Motion Hearing set for 7/13/2022 at 10:00 AM before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 8/8/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 5-Remains Committed, 6-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Carmen D. Hernandez, 5-Nayib Hassan and Sabino Jauregui, 6-Steven Alan Metcalf, II; US Attorney: Luke Matthew Jones, Erik Michael Kenerson, and Jason Bradley Adam McCullough. (Text entry; no document attached.)

346

04/22/2022

SCHEDULING ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6). See Order for details. Signed by Judge Timothy J. Kelly on 4/22/2021. (lctjk1)

04/22/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): Because Defendants in this case made their initial appearances in different district courts across the country, it is not clear based on the docket that the Government was given the warnings the Due Process Protections Act requires. Thus, pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 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. Signed by Judge Timothy J. Kelly on 4/22/2022. (lctjk1) (Text entry; no document attached.)

04/22/2022

Set/Reset Deadlines as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): Joint Pretrial Statement due by 7/6/2022. (Text entry; no document attached.)

04/22/2022

MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): Because Defendants in this case made their initial appearances in different district courts across the country, it is not clear based on the docket that the Government was given the warnings the Due Process Protections Act requires. Thus, pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 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. Signed by Judge Timothy J. Kelly on 4/22/2022. (lctjk1) (Text entry; no document attached.) 04/22/2022

Set/Reset Deadlines as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), ENRIQUE TARRIO (5), and DOMINIC J. PEZZOLA (6): Joint Pretrial Statement due by 7/6/2022. (Text entry; no document attached.)