

Date↓↑	Description	#
03/10/2021	SEALED COMPLAINT as to THOMAS F. SIBICK (1). [1:21-mj-00297-GMH]	1
	1 Attachment ▼	
03/10/2021	MOTION to Seal Case by USA as to THOMAS F. SIBICK. [1:21-mj-00297-GMH]	3
	1 Attachment ▼	
03/10/2021	ORDER granting 3 Motion to Seal Case as to THOMAS F. SIBICK (1). Signed by Magistrate Judge G. Michael Harvey on 3/10/2021. (zltf) [1:21-mj-00297-GMH]	4
03/12/2021	Notice of ERRATA by USA as to THOMAS F. SIBICK re 2 Unredacted Document filed by USA, 1 Complaint (Sealed) (zltf) [1:21-mj-00297-GMH]	5
03/12/2021	Arrest Warrant Returned Executed on 3/12/2021 as to THOMAS F. SIBICK in Buffalo, NY. (zltf) [1:21-mj-00297-GMH]	6
03/12/2021	Case unsealed as to THOMAS F. SIBICK (zltf) [1:21-mj-00297-GMH] (Text entry; no document attached.)	7
03/12/2021	MOTION For Emergency Appeal of Release Order by USA as to THOMAS F. SIBICK. [1:21-mj-00297-GMH]	
	1 Attachment ▼	
03/12/2021	MINUTE ORDER (paperless), as to THOMAS F. SIBICK, GRANTING the government's 7 Motion for Emergency Appeal of Release Order and DIRECTING the parties to appear via videoconference at a hearing on Tuesday, March 16, 2021, at 12:00 PM, before Chief Judge Beryl A. Howell, to review the magistrate judge's release decision. The parties are further DIRECTED to submit any documents related to the hearing by 12:00 PM on Monday, March 15, 2021. A videoconference link will be provided by the deputy clerk. Signed by Chief Judge Beryl A. Howell on March 12, 2021. (lcbah4) [1:21-mj-00297-GMH] (Text entry; no document attached.)	
03/12/2021	Set/Reset Hearings as to THOMAS F. SIBICK: Motion Hearing scheduled for 3/16/2021, at 12:00 PM before Chief Judge Beryl A. Howell. (ztg) [1:21-mj-00297-GMH] (Text entry; no document attached.)	
03/12/2021	Arrest of THOMAS F. SIBICK. (ztl) [1:21-mj-00297-GMH] (Text entry; no document attached.)	
03/12/2021	Case unsealed as to THOMAS F. SIBICK (Text entry; no document attached.)	8
03/15/2021	MEMORANDUM in Support of Pretrial Detention by USA as to THOMAS F. SIBICK [1:21-mj-00297-GMH]	9
03/15/2021	RESPONSE by THOMAS F. SIBICK re 7 MOTION For Emergency Appeal of Release Order [1:21-mj-00297-GMH]	10
03/16/2021	NOTICE OF ATTORNEY APPEARANCE Tara Ravindra appearing for USA. [1:21-mj-00297-GMH]	
03/16/2021	Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to THOMAS F. SIBICK held via videoconference on 3/16/2021. The Defendant agreed to appear via videoconference after consultation with counsel. 7 MOTION for Emergency Appeal of Release Order filed by USA, heard and granted; Magistrate Judge's Pretrial Release Order REVERSED. The Court will issue a warrant for the arrest of the Defendant and will enter an order for the transport of the Defendant to this jurisdiction. Once in custody, the Defendant will be held without bond pending trial. Bond Status of Defendant: Personal Recognizance pending execution of the arrest warrant. Present via videoconference: Defense Attorney: Alex Anzalone and Michelle Peterson; US Attorney: Cara A. Gardner and Tara	

Ravindra; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) [1:21-mj-00297-GMH] (Text entry; no document attached.) 11

03/16/2021  
 TRANSPORT ORDER as to THOMAS F. SIBICK. Signed by Chief Judge Beryl A. Howell on March 16, 2021. (lcbah4) [1:21-mj-00297-GMH] 12

03/17/2021  
 ORDER of DETENTION PENDING TRIAL as to THOMAS F. SIBICK. Signed by Chief Judge Beryl A. Howell on March 17, 2021. (lcbah4) [1:21-mj-00297-GMH] 13

03/19/2021  
 TRANSCRIPT OF PROCEEDINGS, in case as to THOMAS F. SIBICK, before Chief Judge Beryl A. Howell, held on 3-16-2021. Page Numbers: 52. Date of Issuance: 3-19-2021. Court Reporter: Elizabeth SaintLoth, Telephone number: 202-354-3242. 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 re porter 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 4/9/2021. Redacted Transcript Deadline set for 4/19/2021. Release of Transcript Restriction set for 6/17/2021. [1:21-mj-00297-GMH] 14

03/23/2021  
 NOTICE OF ATTORNEY APPEARANCE: Stephen F. Brennwald appearing for THOMAS F. SIBICK [1:21-mj-00297-GMH] 16

03/29/2021  
 NOTICE OF APPEAL - Final Judgment by THOMAS F. SIBICK Fee Status: No Fee Paid. Parties have been notified. [1:21-mj-00297-GMH]

03/29/2021  
 ORAL MOTION to Appoint Counsel by THOMAS F. SIBICK. (ztl) [1:21-mj-00297-GMH] (Text entry; no document attached.)

03/29/2021  
 ORAL MOTION for Speedy Trial by USA as to THOMAS F. SIBICK. (ztl) [1:21-mj-00297-GMH] (Text entry; no document attached.)

03/29/2021  
 Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to THOMAS F. SIBICK held on 3/29/2021. Defendant present by video. Due Process Order given to the Government. Oral Motion to Appoint Counsel by THOMAS F. SIBICK (1); heard and granted. Oral Motion by the Government for Speedy Trial as to THOMAS F. SIBICK (1); heard and granted. Defense did not object. Speedy Trial Excluded from 3/29/2021 to 4/15/2021 in the Interest of Justice (XT). Defendant waives right to Preliminary Hearing in 21 days. Preliminary Hearing set for 4/15/2021 at 2:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remain Held Without Bond; Court Reporter: Nancy Meyer; Defense Attorney: Stephen Brennwald; US Attorney: Jacob Steiner for Cara Gardner and Tara Ravindra; Pretrial Officer: Andre Sidbury. (ztl) [1:21-mj-00297-GMH] (Text entry; no document attached.) 17

03/30/2021  
 Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. Defendant is represented by CJA as to THOMAS F. SIBICK re 16 Notice of Appeal - Final Judgment. (zltf) [1:21-mj-00297-GMH]

03/30/2021  
 USCA Case Number as to THOMAS F. SIBICK 21-3015 for 16 Notice of Appeal - Final Judgment filed by THOMAS F. SIBICK. (zltf) [1:21-mj-00297-GMH] (Text entry; no document attached.) 18

03/15/2021  
 Rule 5(c)(3) Documents Received as to THOMAS F. SIBICK from US District Court for the Western District of New York Case Number 21-mj-21 (bb) [1:21-mj-00297-GMH]

03/16/2021  
 Set/Reset Hearings as to THOMAS F. SIBICK: Motion Hearing RESCHEDULED for 3/16/2021, at 1:00 PM via videoconference before Chief Judge Beryl A. Howell. (ztg) [1:21-mj-00297-GMH] (Text entry; no document attached.) 19

04/09/2021	SEALED INDICTMENT as to THOMAS F. SIBICK (1) count(s) 1, 3, 4, 6, 8, 9, 10, 11, 12, 13, ALBUQUERQUE COSPER HEAD (2) count(s) 1, 2-3, 4, 8, 9, 10, 11, 12, 13, KYLE J. YOUNG (3) count(s) 1, 2-3, 4-5, 7, 8, 9, 10, 11, 12, 13.	21
04/09/2021	MOTION to Seal Case by USA as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3).	1 Attachment ▼
04/09/2021	ORDER granting 21 Motion to Seal Case as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). Signed by Magistrate Judge Zia M. Faruqui on 4/9/2021.	22
04/15/2021	Unopposed MOTION for Protective Order by USA as to THOMAS F. SIBICK.	1 Attachment ▼
04/15/2021	MOTION for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to THOMAS F. SIBICK.	1 Attachment ▼
04/14/2021	Arrest Warrant Returned Executed on 4/14/2021 in Johnson City, TN as to ALBUQUERQUE COSPER HEAD.	23
04/14/2021	Arrest Warrant Returned Executed on 4/14/2021 in Redfield, Iowa as to KYLE J. YOUNG.	24
04/14/2021	Case unsealed as to ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG (Text entry; no document attached.)	
04/14/2021	Arrest of ALBUQUERQUE COSPER HEAD in US District Court Eastern District of Tennessee Greeneville Division. (Text entry; no document attached.)	
04/14/2021	Arrest of Defendant KYLE J. YOUNG (3) in Redfield, Iowa. (Text entry; no document attached.)	
04/14/2021	Arrest of KYLE J. YOUNG in US District Court Southern District of Iowa. (Text entry; no document attached.)	
04/15/2021	MINUTE ORDER as to THOMAS F. SIBICK (1). The hearing currently scheduled for April 15, 2021 before Magistrate Judge G. Michael Harvey is hereby VACATED, as the Defendant: has had an initial appearance in this jurisdiction; has had counsel appointed; has been ordered held without bond pending trial; and has been charged by Indictment. As such, there are no pending matters necessitating action by a magistrate judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/15/2021. (Text entry; no document attached.)	25
04/16/2021	PROTECTIVE ORDER as to THOMAS F. SIBICK (1). Signed by Judge Amy Berman Jackson on 4/16/21.	26
04/16/2021	MINUTE ORDER as to THOMAS F. SIBICK (1). The government's motion for an order 24 is GRANTED. The government may provide materials protected by Federal Rule of Criminal Procedure 6(e) to the defendant as part of the discovery in this case, and where appropriate, it may also provide sealed materials, pursuant to the protective order 27. The Court will take up disclosure to co-defendants when it has been informed of the co-defendants' positions on the motion. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/16/21. (Text entry; no document attached.)	27
04/20/2021	NOTICE OF ATTORNEY APPEARANCE Cara Anne Gardner appearing for USA.	28
04/20/2021	MINUTE ORDER as to THOMAS F. SIBICK (1) Defendant's Arraignment and Status Conference to be held by Video (VTC) are set for 4/21/2021 at 1:00 PM before Judge Amy Berman Jackson. In a separate email the Court's Deputy	

Clerk will provide counsel with the Video Connection Information needed for the proceeding. If this date and time pose a conflict for counsel an appropriate motion should be filed to reschedule the matter. Signed by Judge Amy Berman Jackson on 4/20/2021. (Text entry; no document attached.)

04/21/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to THOMAS F. SIBICK (1) as to Counts: 1,3,4,6,8,9,10,11,12,13 held on 4/21/2021, Plea of Not Guilty entered by THOMAS F. SIBICK (1) as to Counts: 1,3,4,6,8,9,10,11,12,13. The Court makes a finding that it is in the Interests of Justice that the time between 4/21/2021 and 6/4/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 6/4/2021 at 11:00 AM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant appeared by Video, but Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Tara Ravindra by Video and Cara Anne Gardner by Telephone. (Text entry; no document attached.)

30

04/22/2021

ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel who have entered their appearances in this case or who do so in the future must review and comply with their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1. See Order for details. Signed by Judge Amy Berman Jackson on 4/22/21.

31

04/28/2021

NOTICE OF ATTORNEY APPEARANCE: Nicholas Wallace appearing for ALBUQUERQUE COSPER HEAD

32

04/28/2021

MEMORANDUM in Support of Pretrial Detention by USA as to ALBUQUERQUE COSPER HEAD

33

04/30/2021

SUPPLEMENT to 32 Government's Memorandum in Support of Pre-Trial Detention by USA as to ALBUQUERQUE COSPER HEAD Modified on 5/18/2021

35

05/17/2021

NOTICE OF ATTORNEY APPEARANCE: Katrina Young appearing for KYLE J. YOUNG

36

04/21/2021

Rule 5(c)(3) Documents Received as to ALBUQUERQUE COSPER HEAD from US District Court Eastern District of Tennessee Greeneville Division Case Number 2:21-mj-64

39

05/21/2021

MOTION for Order TO DISCLOSE ITEMS PROTECTED BY FEDERAL RULE OF CRIMINAL PROCEDURE 6(e) AND SEALED MATERIALS by USA as to KYLE J. YOUNG.

1 Attachment ▼

40

05/21/2021

Unopposed MOTION for Protective Order by USA as to KYLE J. YOUNG.

1 Attachment ▼

41

05/24/2021

Unopposed MOTION for Disclosure Items Protected by Fed. R. of Crim. Procedure 6(e) and Sealed Material by USA as to ALBUQUERQUE COSPER HEAD.

1 Attachment ▼

42

05/24/2021

Unopposed MOTION to Continue and Exclude Time Under Speedy Trial Act by USA as to ALBUQUERQUE COSPER HEAD.

1 Attachment ▼

05/24/2021

ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 5/24/2021 until 6/4/2021 as to Defendant KYLE J. YOUNG (3). (Text entry; no document attached.)

05/24/2021

Minute Entry for Initial Appearance and Arraignment as to KYLE J. YOUNG (3) held by video before Magistrate Judge Robin M. Meriweather on 5/24/2021 : The Court finds the defendant eligible for court-appointed counsel. The

defendant agrees to proceed by video. Government advised of its due process obligations under Rule 5(f) by the Court. Plea of Not Guilty entered by KYLE J. YOUNG (3) to Counts 1, 2-3, 4-5, 7, 8, 9, 10, 11, 12 and 13. The defendant had his detention hearing in the Southern District of Iowa where the Court ordered pretrial detention. Status Hearing set before Judge Amy Berman Jackson on 6/4/2021 at 11:00 AM by telephonic/VTC. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 5/24/2021 until 6/4/2021, with no opposition by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant continued Held Without Bond and remains committed. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 2:23:51 - 2:32:21. Defense Attorney: Katrina Young; U.S. Attorney: Jacob Steiner for Cara Gardner and Tara Ravindra; Pretrial Officer: Andre Sidbury. (Text entry; no document attached.)

43

05/25/2021

PROTECTIVE ORDER as to KYLE J. YOUNG (3). Signed by Judge Amy Berman Jackson on 5/25/21.

05/25/2021

MINUTE ORDER as to KYLE J. YOUNG (3). The government's motion for an order 39 is GRANTED. The government may provide materials protected by Federal Rule of Criminal Procedure 6(e) to the defendant as part of the discovery in this case, and where appropriate, it may also provide sealed materials, pursuant to the protective order 43. The Court will take up disclosure to co-defendants if and when other individuals are indicted in this case. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/25/21. (Text entry; no document attached.)

06/02/2021

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2). It is ORDERED that a Video (VTC) Status Conference in this case is set for 6/4/2021 at 9:00 AM before Judge Amy Berman Jackson. The Court will take up consideration of the 42 44 Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act at the hearing on 6/4/2021. Signed by Judge Amy Berman Jackson on 6/2/2021. (Text entry; no document attached.)

06/02/2021

MINUTE ORDER as to KYLE J. YOUNG (3) It is ORDERED that a Video (VTC) Status Conference in this case is set for 6/4/2021 at 2:00 PM before Judge Amy Berman Jackson. Signed by Judge Amy Berman Jackson on 6/2/2021. (Text entry; no document attached.)

44

05/24/2021

MOTION to Exclude Time Under the Speedy Trial Act by USA as to ALBUQUERQUE COSPER HEAD. (See DE 42 to view document).

45

06/03/2021

NOTICE OF ATTORNEY APPEARANCE: Catherine C. Henry appearing for KYLE J. YOUNG

06/03/2021

Set/Reset Hearings as to KYLE J. YOUNG (3): The Video (VTC) Status Conference in this case presently set for 6/4/2021 at 2:00 PM is reset for 2:30 PM (new starting time) before Judge Amy Berman Jackson. The Zoom Video Connection information does not change. (Text entry; no document attached.)

06/04/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to ALBUQUERQUE COSPER HEAD (2) held on 6/4/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/4/2021 and 8/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 8/3/2021 at 2:30 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant appeared by Video, but Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: G. Nicholas Wallace; US Attorney: Cara Anne Gardner. (Text entry; no document attached.)

06/04/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1) held on 6/4/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/4/2021 and 8/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 8/3/2021 at 2:30 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant appeared by Video, but Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Tara Ravindra. (Text entry; no document attached.)

06/04/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to KYLE J. YOUNG (3) held on 6/4/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/4/2021 and 8/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 8/3/2021 at 3:30 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant appeared by Video, but Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: Katrina Young; US Attorney: Cara Anne Gardner (Text entry; no document attached.)

46

06/04/2021



Unopposed MOTION for Protective Order Governing Discovery by USA as to ALBUQUERQUE COSPER HEAD.

1 Attachment ▼

47

06/07/2021

PROTECTIVE ORDER as to ALBUQUERQUE COSPER HEAD (2). See Order for details. Signed by Judge Amy Berman Jackson on 6/7/21.

06/09/2021

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2). Upon consideration of the United States' Unopposed 42 44 Motion to Continue and Exclude Time Under the Speedy Trial Act, it is ORDERED that the 42 44 Motion is Granted in Part and Denied without prejudice in part for the reasons stated on the record on June 4, 2021. Signed by Judge Amy Berman Jackson on 6/9/2021. (Text entry; no document attached.)

06/20/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). In light of a petition filed with this Court by members of the media in Application for Access to Certain Sealed Video Exhibits v. USA, 21-mc-0082, and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that the parties in USA v. Sibick, 21-cr-0291-1, shall advise the Court by June 28, 2021 whether they object to the release of the videos referenced in and depicted in screenshots in the government's Memorandum in Support of Detention in the criminal matter and if so, on what basis. See 21-cr-0291, Dkt. 8 at 8-11, 17-18. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/20/21. (Text entry; no document attached.)

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05/21/2021

JUDGMENT of USCA as to THOMAS F. SIBICK re 16 Notice of Appeal - Final Judgment. The District Court's Pretrial Detention order entered on March 17, 2021 be affirmed. USCA Case Number 21-3015. (zftp)

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06/21/2021

TRANSCRIPT OF PROCEEDINGS in case as to ALBUQUERQUE COSPER HEAD before Magistrate Judge Robin M. Meriweather held on 05/06/2021. Page Numbers: 1-28. Date of Issuance: 06/16/2021. Transcribing Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. 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 21 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 7/12/2021. Redacted Transcript Deadline set for 7/22/2021. Release of Transcript Restriction set for 9/19/2021.

06/23/2021

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). In light of a petition filed with this Court by members of the media in Application for Access to Certain Sealed Video Exhibits v. USA, 21-mc-0082, and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that the parties in USA v. Sibick, et al., (all parties), shall advise the Court by June 28, 2021 whether they object to the release of the videos referenced in and depicted in screenshots in the government's Memorandum in Support of Detention in the criminal matter and if so, on what basis. See 21-cr-0291, Dkt. 8 at 8-11, 17-18. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/23/2021. (Text entry; no document attached.)

50

06/25/2021

RESPONSE to Minute Order Regarding Video Exhibit Release by USA as to THOMAS F. SIBICK.

51

06/25/2021

RESPONSE by ALBUQUERQUE COSPER HEAD to the Court's Minute Order entered on June 23, 2021 (Wallace, G.)

06/25/2021

MINUTE ORDER granting 41 Motion for Disclosure as to ALBUQUERQUE COSPER HEAD (2). The government's motion for an order 41 is GRANTED. The government may provide materials protected by Federal Rule of Criminal Procedure 6(e) to the defendant as part of the discovery in this case, and where appropriate, it may also provide sealed materials, pursuant to the protective order 47. The Court will take up disclosure to co-defendants if and when other individuals are indicted in this case. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/25/21. (Text entry; no document attached.)

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06/28/2021

RESPONSE by KYLE J. YOUNG Defendant's Response to Minute Order Regarding Video Exhibit Release

07/01/2021

ENTERED IN ERROR.MINUTE ORDER. The Court notes that responses to its order requesting the parties' positions on the release of videos referenced in the government's Memorandum in Support of Detention 8 were due on June 28, 2021 but that no response has been docketed by defendant THOMAS F. SIBICK (1). If defendant does not respond by Thursday, July 8, 2021, the Court will assume he has no objection to the release of the videos and will rule on the Application for Access to Certain Sealed Video Exhibits v. USA, 21-mc-0082, without the benefit of his input. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/1/21. (DMK) Modified on 7/1/2021 (Text entry; no document attached.)

07/01/2021

NOTICE OF CORRECTED DOCKET ENTRY: The Court's Minute Order issued this date was entered in error by the Court and counsel are instructed to disregard the order. (Text entry; no document attached.)

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07/01/2021

RESPONSE by THOMAS F. SIBICK to Court's July 1, 2021 Minute Order Regarding Media Request

07/06/2021

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3), as entered on this date in Application for Access to Certain Sealed Video Exhibits v. USA, 21-mc-0082, granting in part and denying in part [Dkt. # 1] petitioners' Application for Access to Certain Sealed Video Exhibits ("Application"). Petitioners seek access to certain videos which they assert were provided to the court in USA v. Sibick, 21-cr-0291-ABJ, as part of the government's brief seeking pretrial detention of defendant Thomas F. Sibick. See Application, citing Govt's Mem. in Support of Detention, USA v. Sibick, 21-cr-0291 8. Petitioners contend that the public has a right to access the videos, which are judicial records provided to "influence the court" in its decisionmaking. Application at 3, citing Leopold v. United States, 964 F.3d 1121, 1127-28 (D.C. Cir. 2020) and United States v. Hubbard, 650 F.2d 293, 317-21 (D.C. Cir. 1980). The government has advised that its detention brief included screenshots from five videos: 1) an Instagram video created by defendant, 2) an annotated clip from Officer Michael Fanone's body-worn camera video, 3) an open-source video posted to YouTube, 4) Officer Fanone's body-worn camera video, and 5) surveillance footage for the Lower West Terrace of the United States Capitol. Govt's Response to Minute Order 50 at 1. It has further advised that Videos 1 and 2 were submitted to the court to review for defendant's detention hearing and that an open-source link to Video 3 was provided in its detention brief. Id. at 2. As for Videos 4 and 5, the government states those videos have never been submitted to the court and that Video 5 is subject to a Protective Order in the criminal case. Id. Given this, the government argues that the Application should be granted as to Videos 1 and 2, found to be moot as to Video 3, and denied as to Videos 4 and 5. Defendant Sibick does not object to the videos' release, USA v. Sibick, 21-cr-0291, Def. Sibick's Response 53, and his co-defendants take no position on the Application. See Def. Head's Response 51 ; Def. Young's Response 52. Upon review of the Application, the argument of the parties in the criminal case, and the applicable law, the Court hereby GRANTS the application as to Videos 1 and 2 and DENIES it as moot as to Video 3 since that video is publicly available. The Court further finds that Videos 4 and 5 are not "judicial records" subject to public access because they were not provided to the court. Accordingly, the Application as to Videos 4 and 5 is hereby DENIED. The government is ORDERED to make Videos 1 and 2 promptly available using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/6/21. (Text entry; no document attached.)

07/14/2021

MINUTE ORDER as to KYLE J. YOUNG (3). The Video (VTC) Status Conference in this case presently set for 8/3/2021 at 3:30 PM is reset as a Video (VTC) Status Conference on 8/3/2021 (same date) at 2:30 PM (new starting time) before Judge Amy Berman Jackson. Signed by Judge Amy Berman Jackson on 7/15/2021. (Text entry; no document attached.)

07/14/2021

Set/Reset Hearing as to KYLE J. YOUNG (3): Video (VTC) Status Conference reset for 8/3/2021 at 2:30 PM before Judge Amy Berman Jackson. (Text entry; no document attached.)

54

07/21/2021

NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

2 Attachments ▼

55

07/21/2021

NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK

1 Attachment ▼

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07/21/2021

NOTICE OF DISCOVERY by USA as to KYLE J. YOUNG

1 Attachment ▼

57

07/21/2021	NOTICE OF DISCOVERY by USA as to ALBUQUERQUE COSPER HEAD	1 Attachment ▼	58
07/21/2021	NOTICE OF DISCOVERY by USA as to ALBUQUERQUE COSPER HEAD	1 Attachment ▼	59
07/21/2021	NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG	1 Attachment ▼	60
07/14/2021	MANDATE of USCA as to THOMAS F. SIBICK re 16 Notice of Appeal - Final Judgment. In accordance with the judgment of May 21, 2021, district court's pretrial detention order entered on March 17, 2021 be affirmed. USCA Case Number 21-3015.	1 Attachment ▼	61
07/30/2021	PRETRIAL MEMORANDUM REGARDING STATUS OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG	1 Attachment ▼	62
08/03/2021	NOTICE OF ATTORNEY APPEARANCE: Sam Moore appearing for KYLE J. YOUNG		
08/03/2021	Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 8/3/2021. All Defendants consent to proceed by Video. Oral Motion by Katrina Young and Catherine Henry as Appointed Counsel for Defendant KYLE J. YOUNG (3) to withdraw in light of the appearance of retained counsel, was Heard and Granted. The appearances of Katrina Young and Catherine Henry are terminated in this case. Another Video (VTC) Status Conference is set for 9/28/2021 at 10:00 AM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 8/3/2021 and 9/28/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: All Defendants Remain Committed; Court Reporter: Janice Dickman; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore, and Katrina Young; US Attorneys: Cara Anne Gardner and Tara Ravindra. (Text entry; no document attached.)		
08/25/2021	MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). It is ORDERED that due to the need to clean and disinfect the video rooms at the defendants' facilities, that the Status Conference in this case presently set for 9/28/2021 at 10:00 AM is reset for 9/28/2021 (same date) at 10:30 AM (new starting time) before Judge Amy Berman Jackson. The same zoom connection information previously sent to counsel will be used for this new starting time. Signed by Judge Amy Berman Jackson on 8/25/2021. (Text entry; no document attached.)		63
05/03/2021	Rule 5(c)(3) Documents Received as to KYLE J. YOUNG from US District Court Southern District of Iowa Case Number 4:21-mj-251-CFB		
05/06/2021	ORAL MOTION by USA to Commit Defendant ALBUQUERQUE COSPER HEAD (2) to the Custody of the U.S. Attorney General. (Text entry; no document attached.)		
05/06/2021	ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act for 30 Days Until 6/5/2021 as to Defendant ALBUQUERQUE COSPER HEAD (2). (Text entry; no document attached.)		
05/06/2021	Minute Entry for Initial Appearance and Arraignment as to ALBUQUERQUE COSPER HEAD (2) held by video before Magistrate Judge Robin M. Meriweather on 5/6/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Defendant found eligible for court-appointed counsel. The defendant agrees to appear virtually rather than in-person for this hearing. Oral Motion by USA to Commit Defendant to the Custody of the U.S. Attorney General. The defense withdraws its request for a detention hearing. The defendant waives his right to have a detention hearing and written findings of fact in support of an order of detention. Government's motion granted; Pretrial Detention Ordered. Plea of Not Guilty entered by ALBUQUERQUE COSPER HEAD (2) to Counts 1, 2-3, 4, 8,		



9, 10, 11, 12 and 13. Parties directed to contact Judge Amy Berman Jackson's courtroom deputy to schedule a status hearing date. Oral Motion by USA to Exclude Time Under the Speedy Trial Act for 30 Days Until 6/5/2021, with no objection by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant Held Without Bond. Defendant remains committed. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 2:18:15 - 2:31:57. Defense Attorney: G. Nicholas Wallace; U.S. Attorney: Jacob Steiner for Cara Gardner and Tara Ravindra; Pretrial Officer: Shay Holman. (Text entry; no document attached.)

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08/30/2021

NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

1 Attachment ▼

65

08/30/2021

NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

1 Attachment ▼

66

09/10/2021

MOTION to Reopen Detention Hearing by THOMAS F. SIBICK.

2 Attachments ▼

09/13/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). The government's response to defendant's motion to reopen his detention hearing is due by Friday, September 17, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/13/21. (Text entry; no document attached.)

67

09/16/2021

Application for Access to Video Exhibits by PRESS COALITION as to ALBUQUERQUE COSPER HEAD.

68

09/17/2021

Memorandum in Opposition by USA as to THOMAS F. SIBICK re 66 MOTION to Reopen Detention Hearing

09/21/2021

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). In light of the application for access to video exhibits 67 filed by a coalition of members of the press, and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that all parties in USA v. Sibick, et al. shall advise the Court by September 28, 2021 whether they object to the release of the two videos referenced in and depicted in screenshots in the government's memorandum in support of detention of defendant Head (2), and if so, on what basis. See Gov't Mem. in Supp. 32 at 11, 22; id. at Exs. 1 & 2. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/21/21. (Text entry; no document attached.)

09/22/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED that defendant Sibick shall notify the Court by Friday, September 24, 2021 whether Exhibit 3 to 68 the government's opposition to defendant's motion to reopen the detention hearing, which was separately provided to the Court and defense counsel on September 17, is the newly-produced video that defendant refers to in his motion. If it is not, the defense is ORDERED to provide a copy of the video referenced in the motion to the government and the Court's Deputy Clerk by September 24. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/22/21. (Text entry; no document attached.)

69

09/22/2021

RESPONSE TO ORDER OF THE COURT Response to Court's Minute Order of September 22, 2021 by THOMAS F. SIBICK Modified event title on 9/24/2021 (znmw).

09/23/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). Given defendant's request to appear in person with respect to the bond issue and the advance notice that is required to ensure that he is tested for the coronavirus before he is transported, the hearing on the pending motion will not be conducted at the September 28 status conference, but it will be held on October 1, 2021 at 9:30 am. Counsel and defendant's parents may attend in person as well; anyone who enters the courthouse must comply with the mask requirements, and no one should attend in person if he or she has tested positive for the virus, is experiencing any COVID-19 symptoms, or has come in contact with an infected individual. The Court reiterates that it has ordered the defense to produce the videos it expects the Court to review and consider in advance of the hearing: by September 24. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/23/21. (Text entry; no document attached.)

09/23/2021

Set/Reset Hearings as to THOMAS F. SIBICK (1): Bond Hearing set for 10/1/2021 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. (Text entry; no document attached.)

70

09/23/2021	STATUS REPORT REGARDING STATUS OF DISCOVERY AS OF AUGUST 23, 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG Modified event title on 10/6/2021 (znmw).	71
09/23/2021	STATUS REPORT REGARDING STATUS OF DISCOVERY AS OF SEPTEMBER 14, 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG Modified event title on 10/6/2021 (znmw).	72
09/27/2021	RESPONSE TO ORDER OF THE COURT In Reply to 9/21 Minute Order by KYLE J. YOUNG re Order, Set Deadlines, Modified event title and defendant on 10/6/2021 (znmw).	73
09/27/2021	RESPONSE TO ORDER OF THE COURT by ALBUQUERQUE COSPER HEAD to the Court's Minute Order entered on September 21, 2021 (Wallace, G.) Modified event title on 10/6/2021 (znmw).	74
09/27/2021	RESPONSE TO ORDER OF THE COURT by USA as to ALBUQUERQUE COSPER HEAD re Order, Set Deadlines, Modified event title on 10/6/2021 (znmw).	75
09/28/2021	Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 9/28/2021. Another Video (VTC) Status Conference is set for 11/29/2021 at 2:00 PM before Judge Amy Berman Jackson. The Court makes a finding as to Defendants ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) that it is in the Interest of Justice that the time between 9/28/2021 and 11/29/2021 shall be excluded from the Speedy Trial Act calculation (START XT). The Court makes a finding as to Defendant THOMAS F. SIBICK (1) that the time between 9/28/2021 and 10/1/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: All Defendants Remain Committed; Court Reporter: Janice Dickman; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindar and Cara Anne Gardner. (Text entry; no document attached.)	75
09/28/2021	NOTICE of Discovery Letter by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG	76
	<a href="#">1 Attachment ▼</a>	
09/28/2021	NOTICE of Response to this Court's September 21, 2021 Minute Order by THOMAS F. SIBICK	78
09/30/2021	NOTICE of Submission of Character Letters by THOMAS F. SIBICK	
	<a href="#">6 Attachments ▼</a>	
10/01/2021	Minute Entry for proceedings held before Judge Amy Berman Jackson: Motion Hearing as to THOMAS F. SIBICK (1) held on 10/1/2021 re: Defendant's 66 Motion to Reopen Detention Hearing. For the reasons stated on the record in open Court Defendant's 66 Motion is DENIED. Another Status Conference is set for 10/25/2021 at 11:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the proceeding on 10/25/2021 is to be converted to a disposition, the parties must email the appropriate paperwork to the Court's Deputy Clerk by 10/21/2021. The Court makes a finding that it is in the Interests of Justice that the time between 10/1/2021 and 10/25/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Committed, Commitment Issued; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Tara Ravindra; Pretrial Services Agency Officer: Shay Holman (appeared by telephone). (Text entry; no document attached.)	79
10/01/2021	EXHIBIT LIST by USA as to THOMAS F. SIBICK (1).	80
10/01/2021	EXHIBIT LIST by THOMAS F. SIBICK (1).	81
10/13/2021	ORDER granting 67 Application for Access to Video Exhibits as to ALBUQUERQUE COSPER HEAD (2). Upon consideration of the videos, the argument of the applicants and the parties in the criminal case, and the applicable	

law, the Application is hereby GRANTED. The government is ORDERED to make the two videos promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28. See order for details. Signed by Judge Amy Berman Jackson on 10/13/21.

	<b>82</b>
10/14/2021 Second MOTION to Access Video Exhibits by PRESS COALITION as to THOMAS F. SIBICK.	
	<b>83</b>
10/16/2021 MOTION for Bond by THOMAS F. SIBICK.	
	<b>84</b>
10/18/2021 NOTICE of Filing of Letters in Support of Bond Motion by THOMAS F. SIBICK	
	<b>13 Attachments</b> ▼
10/18/2021 MINUTE ORDER. In light of the Second Motion to Access Video Exhibits 82 as to defendant SIBICK (1), and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that any party in USA v. Sibick, et al. must file any opposition to the motion 82 by Thursday, October 21, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/18/21. (Text entry; no document attached.)	
10/18/2021 MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED that the government's response to defendant's motion for bond 83 is due by October 22, 2021 and any reply by defendant is due by October 27, 2021. Signed by Judge Amy Berman Jackson on 10/18/21. (Text entry; no document attached.)	
	<b>85</b>
10/21/2021 RESPONSE by USA as to THOMAS F. SIBICK re 82 Second MOTION to Access Video Exhibits	
	<b>86</b>
10/22/2021 Consent MOTION Reschedule October 25, 2021 Hearing by THOMAS F. SIBICK.	
	<b>1 Attachment</b> ▼
10/22/2021 MINUTE ORDER granting 86 consent motion to reschedule hearing as to THOMAS F. SIBICK (1). On October 1, 2021, the Court held a hearing on defendant's 66 Motion to Reopen Detention and denied the motion. But it informed the defendant at that time that he could file a motion to review the detention order in this case on other grounds if he chose to do so. No schedule for the filing of the motion was established, but the Court scheduled a status conference and no other type of hearing for October 25, noting, because the possibility of a disposition had been mentioned, that "[i]f the proceeding on 10/25/2021 is to be converted to a disposition, the parties must email the appropriate paperwork to the Court's Deputy Clerk by 10/21/2021." On October 16, defendant filed his 83 motion for bond. The Court promptly set a schedule for briefing that motion, which extended beyond October 25: "It is ORDERED that the government's response to defendant's motion for bond is due by October 22, 2021 and any reply by defendant is due by October 27, 2021." Thus is it not at all clear why counsel for the defendant understood the hearing on October 25 to be anything other than a status conference. Since the Court was not informed that a plea agreement had been reached on October 21, and the bond motion was not yet fully briefed, the Court then directed its Deputy Clerk to ask the parties if they wished to re-set the status conference as a bond hearing on another date so that the Court would have the benefit of the parties' submissions in advance of any bond hearing. The Court still finds that to be advisable, but given the circumstances described in the consent motion, the hearing will be re-set for an in-person proceeding in Courtroom 3 at 9:30 am on Tuesday, October 26. Any reply to the government's opposition must be filed, then, by noon on Monday, October 25. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/22/21. (Text entry; no document attached.)	
10/22/2021 Set/Reset Deadlines/Hearings as to THOMAS F. SIBICK (1): Defendant's Reply, if any, to the 83 Motion for Bond is due by 12:00 PM (noon) on 10/25/2021. Bond Hearing set for 10/26/2021 at 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. (Text entry; no document attached.)	
	<b>87</b>
10/22/2021 RESPONSE by USA as to THOMAS F. SIBICK re 83 MOTION for Bond	
	<b>89</b>
10/26/2021 ORDER Setting Conditions of Release as to THOMAS F. SIBICK (1). Defendant Placed on Personal Recognizance Bond - 3rd Party Custody on Home Confinement. Signed by Judge Amy Berman Jackson on 10/26/2021.	
	<b>1 Attachment</b> ▼
	<b>90</b>

10/28/2021

MOTION to Hold in Abeyance re Order on Motion to Access, by USA as to THOMAS F. SIBICK.

10/28/2021

MINUTE ORDER granting 90 the government's unopposed motion to hold in abeyance the October 26, 2021 minute order directing it to release the video exhibit of THOMAS F. SIBICK (1). It is ORDERED that the government shall file a status report on November 5, 2021, if the Court has not been notified of a resolution of the issue by that date. Signed by Judge Amy Berman Jackson on 10/28/21. (Text entry; no document attached.)

91

10/22/2021

MOTION for Waiver of Speedy Trial by THOMAS F. SIBICK. (See DE 86 to view document).

10/26/2021

MINUTE ORDER. Pending before the Court is the Second Application for Access to Video Exhibits 82 filed by a coalition of members of the press seeking videos presented by defendant Thomas Sibick (1) in support of his first motion to reopen his detention hearing 66. The instant application references "video clips presented by the defense" at the October 1, 2021 hearing and cites defendant's Exhibit List 80, which lists a single one-minute video. Second Application at 2. Pursuant to Standing Order No. 21-28 (BAH), the Court ordered to parties in this criminal matter to advise the Court by October 21, 2021 of any objections to the request for release. No defendant filed any objection, and the government filed notice of its agreement with the release. Resp. to Minute Order regarding Video Exhibit Release 85. The Court received and reviewed two copies of the same one-minute video from the defense in support of the motion to reopen, so the video is a judicial record "intended to influence the court." In re Leopold to Unseal Certain Elec. Surveillance Applications & Orders, 964 F.3d 1121, 1128 (D.C. Cir. 2020). In light of the press coalition's arguments, the applicable law as previously set forth in the Order of October 13, 2021 81, and the lack of any objection by the parties, the Application 82 is hereby GRANTED. The government is ORDERED to make the one-minute video promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order No. 21-28. If the government does not have the video readily accessible, counsel for defendant Sibick shall provide the video to government counsel to allow for prompt compliance with this order. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/26/21. (Text entry; no document attached.)

10/26/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Motion Hearing as to THOMAS F. SIBICK (1) held on 10/26/2021 re: 83 Defendant's Motion to Modify Bond. For the reasons stated on the record in open Court, Defendant's 83 Motion to Modify Bond is GRANTED. Defendant Placed on Personal Recognizance Bond (Home Incarceration with additional conditions). The Court makes a finding that it is in the Interests of Justice that the time between 10/25/2021 and 11/29/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 11/29/2021 at 2:00 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant Released, Release Order Issued; Court Reporter: Tim Miller Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Tara Ravindra; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

92

10/29/2021

Unopposed MOTION to Amend/Correct Order Setting Conditions of Release by THOMAS F. SIBICK.

1 Attachment ▼

93

10/29/2021

NOTICE REGARDING STATUS OF DISCOVERY AS OF OCTOBER 21, 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

10/30/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). Defendant is correct that the prohibition on the use or possession of internet-capable devices was not supposed to be included in the conditions of release and the order will be modified accordingly. The Court also agrees that it granted the defendant's request to be permitted to leave the house to go outside, and it was the Court's intention to include any yard or grassy area and not simply a porch or patio. But the Court did not have any information concerning the size of the property, nor did it have the benefit of any input from the Pretrial Services Agency in the defendant's district, so it needs more information concerning whether the activities he would like to include within the scope of the order, such as shoveling the driveway, can be accommodated with the form of GPS monitoring referenced in the order and/or whether other modifications are required, and whether those adjustments are recommended. Therefore, this Court's Pretrial Services Agency must consult with the Pretrial Services Agency in New York and inform the Court in a docketed report of that agency's views about the motion. Signed by Judge Amy Berman Jackson on 10/30/21. (Text entry; no document attached.)

11/02/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of the defendant's motion 92 to modify his conditions of release, and the report 94 of the Pretrial Services Agency, the motion is hereby GRANTED in part. The conditions of defendant's release are hereby modified to remove the condition that he not possess or access any internet-capable device, and he will be permitted to leave the house to access not only any porch or patio, but also

the yard, walkways, or driveway, as long as he remains within the physical boundary of the property. The US Probation and Pretrial Office of the Western District of New York will be authorized to select SmartLINK technology as the method of location monitoring, and if it chooses to use that technology, it may return defendant's smartphone to him. Finally, the US Probation and Pretrial Office in the Western District of New York is authorized, in its discretion, to require the defendant to seek advance approval for any outdoor activities, such as raking or shoveling, that will take him beyond the immediate periphery of the home. In no event may those activities extend beyond the property line. See Amended Conditions of Release for details. Signed by Judge Amy Berman Jackson on 11/2/2021. (Text entry; no document attached.)

95

11/02/2021

MODIFIED ORDER Setting Conditions of Release as to THOMAS F. SIBICK (1) Defendant Placed on Personal Recognizance Bond - 3rd Party Custody on Home Confinement. Signed by Judge Amy Berman Jackson on 11/2/2021.

96

11/04/2021

TRANSCRIPT OF BOND MOTION HEARING AND STATUS CONFERENCE in case as to THOMAS F. SIBICK before Judge Amy Berman Jackson held on 10-26-21; Page Numbers: 1-47; Date of Issuance: 11-4-21; 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](http://www.dcd.uscourts.gov). Redaction Request due 11/25/2021. Redacted Transcript Deadline set for 12/5/2021. Release of Transcript Restriction set for 2/2/2022.

97

11/05/2021

STATUS REPORT Regarding the Court's October 28, 2021 Minute Order by USA as to THOMAS F. SIBICK

11/08/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of the government's status report 97 and the issues raised therein, the minute order of October 26, 2021 granting the press coalition's Second Application for Access to Video Exhibits 82, which defendant Sibick did not object to, is hereby amended as follows: counsel for defendant Sibick, not the government, is ORDERED to make the one-minute video promptly available without restrictions to counsel for the press coalition. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/8/21. (Text entry; no document attached.)

98

11/22/2021

NOTICE OF FILING OF UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF NOVEMBER 5 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

11/29/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 11/29/2021. Another Video (VTC) Status Conference is set for 1/14/2022 at 3:00 PM before Judge Amy Berman Jackson. If the proceeding on 1/14/2022 is to be converted to a disposition, the parties must email the draft paperwork to the Court's Deputy Clerk by 1/12/2022 and the signed paperwork, including any necessary waivers by the morning of 1/14/2022. The Court makes a finding that it is in the Interests of Justice that the time between 11/29/2021 and 1/14/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Defendant Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young (3) Remain Committed; Court Reporter: William Zaremba; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner. (Text entry; no document attached.)

100

12/01/2021

SUPERSEDING INDICTMENT as to THOMAS F. SIBICK (1) count(s) 1s, 3s, 4s, 6s, 8s, 9s, 10s, 11s, 12s, 13s, ALBUQUERQUE COSPER HEAD (2) count(s) 1s, 2s-3s, 4s, 8s, 9s, 10s, 11s, 12s, 13s, KYLE J. YOUNG (3) count(s) 1s, 2s-3s, 4s-5s, 7s, 8s, 9s, 10s, 11s, 12s, 13s. (zstd)

12/26/2021

MINUTE ORDER as to THOMAS F. SIBICK (1) granting in part 102 defendant's emergency motion for modification of conditions of release. The Court grants the first part of defendant's motion for permission to attend the wake accompanied by his father, provided that he notifies the Pretrial Services Agency by December 28, 2021 of the



schedule and location of the wake. The Court will address the second part of defendant's motion in a separate order. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/26/21. (Text entry; no document attached.)

12/27/2021

MINUTE ORDER as to THOMAS F. SIBICK (1): Defendants motion 102 is sealed pending a ruling on the motion to seal that counsel has indicated an intent to file, which must justify the need for a seal at this time. SO ORDERED by Judge Amy Berman Jackson on 12/27/2021. (Text entry; no document attached.)

01/04/2022

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), and KYLE J. YOUNG (3). It is ORDERED that defendants must file a notice by January 11, 2022 informing the Court whether they intend to file any motion or motions pursuant to Fed. R. Crim. Proc. 12(b)(3)(B)(i)-(v) alleging any defect or defects in the indictment, any motions to suppress statements or evidence pursuant to Rule 12(b)(3)(C), or any motions for severance under Rule 12(b)(3)(D), and proposing -- after consultation with government counsel -- a schedule for the briefing of such motions. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/4/22. (Text entry; no document attached.)

103

01/10/2022

NOTICE Regarding ECF No. 102 by USA as to THOMAS F. SIBICK

104

01/11/2022

NOTICE Regarding Motions and Scheduling by KYLE J. YOUNG as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG re Order, Set Deadlines

105

01/11/2022

NOTICE of Response to the Court's Order on January 4, 2022 by ALBUQUERQUE COSPER HEAD (Wallace, G.)

106

01/11/2022

NOTICE Regarding Proposed Pretrial Motions Schedule by THOMAS F. SIBICK

01/14/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 1/14/2022. Defense Motions are due by 4/14/2022; Government Oppositions are due by 5/5/2022; any Replies are due by 5/19/2022. Video (VTC) Arraignment and another Status Conference is set for 2/28/2022 at 2:00 PM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 1/14/2022 and 2/28/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Defendant Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young (3) Remain Committed; Court Reporter: Janice Dickman; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner. (Text entry; no document attached.)

108

01/26/2022

MOTION to Modify Conditions of Release by THOMAS F. SIBICK.

1 Attachment ▼

109

02/09/2022

RESPONSE by USA as to THOMAS F. SIBICK re [108] MOTION to Modify Conditions of Release

110

02/11/2022

NOTICE OF FILING OF UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF FEBRUARY 9 2022 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

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02/11/2022

REPLY TO OPPOSITION to Motion by THOMAS F. SIBICK re 108 MOTION to Modify Conditions of Release

02/28/2022

MINUTE ORDER granting in part and denying in part 108 Motion to Modify Conditions of Release as to THOMAS F. SIBICK (1). Defendant's motion sought his release on what was referred to as a curfew from 9:30 a.m. to 5:00 p.m. so that defendant could engage in productive activities working on a renovation project. It further sought advance approval of the Court for any reasonable employment-related request. In its opposition 109, the government objected to the substitution of a curfew for the home detention requirement currently in effect, although it is not opposed to granting permission to the defendant to attend verified employment or job interviews. In reply 111, counsel indicated that he used the term "curfew" in error, but he reiterated the request that the defendant receive advance approval to leave the house between 9:30 and 5:00 to perform the renovation work described in the motion or any other full time employment. On February 28, 2022, Pretrial Services filed an updated report 112 stating that it objects to his motion to be placed on a curfew and to his accessing LinkedIn.com but not to his accessing Indeed.com. Upon consideration

of all of these submissions, the motion will be GRANTED IN PART AND DENIED IN PART. Defendant's conditions of release 89, as modified on November 2, 2021 95, will be further modified to clarify that the restriction on the use of social media includes LinkedIn.com, but, as the Court has previously stated, he is free to search for employment on employers' websites or job listings such as Indeed.com. The condition that the defendant remain on home detention except for medical necessities and court appearances or other activities approved by the Court will remain; the Court will approve release for the purpose of specific employment activities at specific locations and times if and when such activities have been verified and approved by Pretrial Services, but it will not issue a blanket order relaxing the conditions imposed on the defendant in advance. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/28/22. (Text entry; no document attached.)

02/28/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to THOMAS F. SIBICK (1) as to Counts: 1s,3s,4s,6s,8s,9s,10s,11s,12s,13s; ALBUQUERQUE COSPER HEAD (2) as to Counts: 1s,2s-3s,4s,8s,9s,10s,11s,12s,13s; KYLE J. YOUNG (3) as to Counts: 1s,2s-3s,4s-5s,7s,8s,9s,10s,11s,12s,13s held on 2/28/2022, Plea of Not Guilty entered by each defendant THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) as to the Counts that apply to each individual defendant. Another Video (VTC) Status Conference is set for 3/31/2022 at 3:00 PM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 2/28/2022 and 3/31/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Defendant Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young Remain Committed; Court Reporter: Lisa Griffith; Defense Attorneys: 1) Stephen F. Brennwald; 2) Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner. (Text entry; no document attached.)

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03/26/2022

MOTION to Clarify 2/28/2022 Minute Order Regarding Defendant's Motion to Modify Conditions of Release by THOMAS F. SIBICK.

03/31/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 3/31/2022. Another Video (VTC) Status Conference for Defendant THOMAS F. SIBICK (1) is set for 5/17/2022 at 9:30 AM before Judge Amy Berman Jackson. A Video (VTC) Plea Agreement Hearing for Defendant ALBUQUERQUE COSPER HEAD (2) is set for 5/6/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/4/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/6/2022. A Plea Agreement Hearing for Defendant KYLE J. YOUNG (3) is set for 5/5/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/3/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/5/2022. Defendant's THOMAS F. SIBICK (1) 113 Motion to Clarify was HEARD and TAKEN UNDER ADVISEMENT. The Court makes a finding that it is in the Interests of Justice that the time between 3/31/2022 and 5/17/2022 as to THOMAS F. SIBICK (1); the time between 3/31/2022 and 5/6/2022 as to ALBUQUERQUE COSPER HEAD (2); and the time between 3/31/2022 and 5/5/2022 as to KYLE J. YOUNG (3) shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young (3) Remain Committed; Court Reporter: Bryan A. Wayne; Defense Attorneys: 1) Stephen F. Brennwald; 2) Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

03/31/2022

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). As discussed on the record during the Status Conference held this date, it is ORDERED that the Motions Schedule in this case is VACATED and will be rescheduled if necessary. Signed by Judge Amy Berman Jackson on 3/31/2022. (Text entry; no document attached.)

03/31/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 3/31/2022. Another Video (VTC) Status Conference for Defendant THOMAS F. SIBICK (1) is set for 5/17/2022 at 9:30 AM before Judge Amy Berman Jackson. A Video (VTC) Plea Agreement Hearing for Defendant ALBUQUERQUE COSPER HEAD (2) is set for 5/6/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/4/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/6/2022. A Plea Agreement Hearing for Defendant KYLE J. YOUNG (3) is set for 5/5/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/3/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/5/2022. Defendant's THOMAS F. SIBICK (1) [113] Motion to Clarify was HEARD and TAKEN UNDER ADVISEMENT. The Court makes a finding that it is in the Interests of Justice that the time between 3/31/2022 and 5/17/2022 as to THOMAS F. SIBICK (1); the time between 3/31/2022 and 5/6/2022 as to ALBUQUERQUE COSPER HEAD (2); and the time between 3/31/2022 and

5/5/2022 as to KYLE J. YOUNG (3) shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young (3) Remain Committed; Court Reporter: Bryan A. Wayne; Defense Attorneys: 1) Stephen F. Brennwald; 2) Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

03/31/2022

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). As discussed on the record during the Status Conference held this date, it is ORDERED that the Motions Schedule in this case is VACATED and will be rescheduled if necessary. Signed by Judge Amy Berman Jackson on 3/31/2022. (Text entry; no document attached.)

03/31/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 3/31/2022. Another Video (VTC) Status Conference for Defendant THOMAS F. SIBICK (1) is set for 5/17/2022 at 9:30 AM before Judge Amy Berman Jackson. A Video (VTC) Plea Agreement Hearing for Defendant ALBUQUERQUE COSPER HEAD (2) is set for 5/6/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/4/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/6/2022. A Plea Agreement Hearing for Defendant KYLE J. YOUNG (3) is set for 5/5/2022 at 2:00 PM before Judge Amy Berman Jackson. Counsel must submit the paperwork to the Court's Deputy Clerk by 5/3/2022 and the signed paperwork in final form, including any necessary waivers, by the morning of 5/5/2022. Defendant's THOMAS F. SIBICK (1) [113] Motion to Clarify was HEARD and TAKEN UNDER ADVISEMENT. The Court makes a finding that it is in the Interests of Justice that the time between 3/31/2022 and 5/17/2022 as to THOMAS F. SIBICK (1); the time between 3/31/2022 and 5/6/2022 as to ALBUQUERQUE COSPER HEAD (2); and the time between 3/31/2022 and 5/5/2022 as to KYLE J. YOUNG (3) shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: Thomas F. Sibick (1) Remains on Personal Recognizance Bond; Defendants Albuquerque Cosper Head (2) and Kyle J. Young (3) Remain Committed; Court Reporter: Bryan A. Wayne; Defense Attorneys: 1) Stephen F. Brennwald; 2) Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindra and Cara Anne Gardner; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

03/31/2022

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). As discussed on the record during the Status Conference held this date, it is ORDERED that the Motions Schedule in this case is VACATED and will be rescheduled if necessary. Signed by Judge Amy Berman Jackson on 3/31/2022. (Text entry; no document attached.)

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04/01/2022

NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Paschall, Kimberly Louise added.

04/06/2022

MINUTE ORDER as to KYLE J. YOUNG (3). Due to the unavailability of a video conferencing room at the defendant's facility, it is ORDERED that the Video (VTC) Plea Agreement Hearing presently set for 5/5/2022 at 2:00 PM is RESET for 5/5/2022 (same date) at 3:00 PM (new starting time) before Judge Amy Berman Jackson. The same video connection information already distributed to counsel will be used for this new starting time. Signed by Judge Amy Berman Jackson on 4/6/2022. (Text entry; no document attached.)