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Date↓↑

Description

01/16/2021

COMPLAINT as to ROBERT GIESWEIN (1). [1:21-mj-00085-ZMF]

1

1 Attachment ▼

01/19/2021

Arrest of ROBERT GIESWEIN in US District Court for the District of Colorado. (Text entry; no document attached.)

01/27/2021

INDICTMENT as to ROBERT GIESWEIN (1) count(s) 1, 2-4, 5, 6. (zhshj)

3

01/29/2021

Rule 5(c)(3) Documents Received as to ROBERT GIESWEIN from US District Court for the District of Colorado Case Number 21-mj-10- STV

5

03/29/2021

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

7

03/29/2021

MINUTE ORDER as to ROBERT GIESWEIN. The Court hereby schedules a status conference for April 15, 2021 at 1:30 PM via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 3/29/2021. (lcegs3) (Text entry; no document attached.)

03/29/2021

ORAL MOTION to Appoint Counsel by ROBERT GIESWEIN. (Text entry; no document attached.)

03/29/2021

ORAL MOTION for Speedy Trial by USA as to ROBERT GIESWEIN. (Text entry; no document attached.)

03/29/2021

Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to ROBERT GIESWEIN held on 3/29/2021. Defendant present by video. Oral Motion to Appoint Counsel by ROBERT GIESWEIN (1); heard and granted. Oral Motion by the Government for Speedy Trial as to ROBERT GIESWEIN (1); heard and granted. Defense objects to exclusion of time. Speedy Trial Excluded from 3/29/2021 to 4/15/2021 in the Interest of Justice (XT). Arraignment/Status Hearing set for 4/15/2021 at 1:30 PM by Telephonic/VTC before Judge Emmet G. Sullivan. Bond Status of Defendant: Defendant Remain Held Without Bond; Court Reporter: Nancy Meyer; Defense Attorney: Ann Rigby; US Attorney: Jacob Steiner for Erik Kenerson; Pretrial Officer: Andre Sidbury. (Text entry; no document attached.)

03/30/2021

Set/Reset Hearings as to ROBERT GIESWEIN: Status Conference set for 4/15/2021 at 1:30 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

8

04/10/2021

NOTICE OF ATTORNEY APPEARANCE: Ann Mason Rigby appearing for ROBERT GIESWEIN

9

01/19/2021

Arrest Warrant Returned Executed on 1/19/2021 as to ROBERT GIESWEIN.

10

04/14/2021

Unopposed MOTION for Protective Order by USA as to ROBERT GIESWEIN.

1 Attachment ▼

11

04/14/2021

MOTION for Speedy Trial Exclusion by USA as to ROBERT GIESWEIN.

1 Attachment ▼

12

04/15/2021

Unopposed MOTION for Disclosure of Grand Jury and Sealed Material by USA as to ROBERT GIESWEIN.

1 Attachment ▼

04/15/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan: Arraignment/Status Conference as to ROBERT GIESWEIN held on 4/15/2021. Plea Of Not Guilty Entered By The Defendant As To All Counts. Status Conference/ Motion Hearing In Regards To 11 Motion for Speedy Trial Exclusion set for 5/19/2021 at 03:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Defendant Response To 11 Motion for Speedy Trial Exclusion due by 4/29/2021. Government Reply To Defendant Response due by 5/6/2021. Bond Status of Defendant: APPEARED VIA VTC; REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON; (Text entry; no document attached.)

04/15/2021

MINUTE ORDER granting 12 unopposed motion for disclosure of grand jury and sealed material as to ROBERT GIESWEIN (1). It is hereby ORDERED that the United States may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e). It is FURTHER ORDERED that the United States may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery. It is FURTHER ORDERED that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Emmet G. Sullivan on 4/15/2021. (lcegs3) (Text entry; no document attached.)

13

04/14/2021

MOTION to Continue by USA as to ROBERT GIESWEIN. See docket entry 11 to view document). (zstd)

04/15/2021

MINUTE ORDER granting 10 unopposed motion for protective order as to ROBERT GIESWEIN (1). The terms presented in [10-1] Protective Order Governing Discovery are hereby incorporated by reference into this Order. Signed by Judge Emmet G. Sullivan on 4/15/2021. (lcegs3) (Text entry; no document attached.)

[15](#)

04/23/2021

Memorandum in Opposition by ROBERT GIESWEIN re 11 MOTION for Speedy Trial Exclusion

[1 Attachment ▼](#)

[16](#)

04/26/2021

STANDING ORDER as to ROBERT GIESWEIN requiring the government to produce any evidence in its possession that is favorable to the defendant and material to either the defendant's guilt or punishment. Signed by Judge Emmet G. Sullivan on 04/26/21.

[17](#)

05/04/2021

REPLY in Support by USA as to ROBERT GIESWEIN re 13 MOTION to Continue, 11 MOTION for Speedy Trial Exclusion

05/19/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan: Status Conference as to ROBERT GIESWEIN held on 5/19/2021. The Court Will Grant Over Defendant's Objection 11 Motion For Speedy Trial Exclusion and 13 Motion To Continue by USA. Status Conference set for 7/29/2021 at 3:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Speedy Trial Is Tolerated 5/19/21 - 7/29/21 In The Interest Of Justice (XT). Oral Request By The Defendant For Trial Date Heard And Denied. Bond Status of Defendant: APPEARED VIA VTC; REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON; (Text entry; no document attached.)

[18](#)

06/08/2021

MOTION for Release from Custody, MOTION for Hearing by ROBERT GIESWEIN.

[7 Attachments ▼](#)

06/09/2021

MINUTE ORDER. In view of 18 motion for release from custody, the parties shall abide by the following briefing schedule: (1) the government shall file its opposition by no later than June 15, 2021; and (2) Mr. Gieswein shall file his reply by no later than June 18, 2021. It is FURTHER ORDERED that a Motion Hearing shall take place on June 29, 2021 at 1:30 pm via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 6/9/2021. (lcegs3) (Text entry; no document attached.)

06/10/2021

Set/Reset Deadlines/Hearings as to ROBERT GIESWEIN: Government Opposition due by 6/15/2021. Defendant Reply due by 6/18/2021. Motion Hearing set for 6/29/2021 at 01:30 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

[19](#)

06/15/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 18 MOTION for Release from Custody MOTION for Hearing

**2 Attachments ▼**

20

06/19/2021

MOTION for Leave to File Late his Reply in Support of Motion to Revoke Detention Order, by ROBERT GIESWEIN.

**2 Attachments ▼**

06/22/2021

MINUTE ORDER treating as opposed and granting over objection 20 motion for leave to file reply brief out of time. It is hereby ORDERED that Mr. Gieswein shall file his reply brief by no later than June 22, 2021. Signed by Judge Emmet G. Sullivan on 6/22/2021. (lcegs3) (Text entry; no document attached.)

21

06/22/2021

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 18 MOTION for Release from Custody MOTION for Hearing

06/22/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Defendant Reply Brief due by 6/22/2021. (Text entry; no document attached.)

22

06/25/2021

SURREPLY re 18 by USA as to ROBERT GIESWEIN Regarding Defendant's Reply Brief, As Directed by Minute Order Dated June 23, 2021.

**1 Attachment ▼**

06/25/2021

MINUTE ORDER. Due to unforeseen circumstances, it is necessary to reschedule the Motion Hearing currently scheduled for June 30, 2021. The Motion Hearing shall now take place on July 1, 2021 at 4:00 PM via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 6/25/21. (lcegs3) (Text entry; no document attached.)

06/26/2021

Set/Reset Hearings as to ROBERT GIESWEIN:Motion Hearing set for 7/1/2021 at 4:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

23

06/22/2021

Application for Access to Video Exhibits by THE PRESS COALITION as to ROBERT GIESWEIN. (zstd)

06/23/2021

MINUTE ORDER. The government is directed to file a response to Mr. Gieswein's arguments within his 21 reply brief regarding whether there is a rebuttable presumption in this case by no later than June 25, 2021. The government's response shall be no more than 5 pages. Signed by Judge Emmet G. Sullivan on 6/23/2021. (lcegs3) (Text entry; no document attached.)

06/23/2021

MINUTE ORDER. Due to unforeseen circumstances, it is necessary to reschedule the Motion Hearing currently scheduled for June 29, 2021. The Motion Hearing shall now take place on July 1, 2021 at 1:00 PM via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 6/23/2021. (lcegs3) (Text entry; no document attached.)

06/24/2021

Set/Reset Hearings as to ROBERT GIESWEIN: Motion Hearing set for 7/1/2021 at 01:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

06/24/2021

Set/Reset Deadlines as to ROBERT GIESWEIN: Defendant's Reply Brief due by 6/25/2021. (Text entry; no document attached.)

06/25/2021

MINUTE ORDER. Due to unforeseen circumstances, it is necessary to reschedule the motion hearing currently scheduled for July 1, 2021. The Motion Hearing shall now take place on June 30, 2021 at 3:30 PM via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 6/25/2021. (lcegs3) (Text entry; no document attached.)

24

06/30/2021

NOTICE of Hearing Exhibits by USA as to ROBERT GIESWEIN

07/01/2021

MINUTE ORDER as to ROBERT GIESWEIN. The parties shall be prepared to address at the July 1, 2021 Motion Hearing whether they object to 23 Application for Access to Video Exhibits. Signed by Judge Emmet G. Sullivan on 7/1/2021. (lcegs3) (Text entry; no document attached.)

07/01/2021

MINUTE ORDER. In view of the discussion at the July 1, 2021 Motion Hearing, the government is directed to respond to 23 Application for Access to Video Exhibits by no later than July 12, 2021. It is FURTHER ORDERED that Mr. Gieswein shall submit his response by no later than July 19, 2021. It is FURTHER ORDERED that The Press Coalition shall file any reply by no later than July 26, 2021. Signed by Judge Emmet G. Sullivan on 7/1/2021. (lcegs3) (Text entry; no document attached.)

07/01/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan: Motion Hearing as to ROBERT GIESWEIN held on 7/1/2021 re 18 Motion for Release from Custody. The Court Will Take This Under Advisement. Bond Status of Defendant: APPEARED VIA VTC; REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON; Pretrial Officer: CHRISTINE SCHUCK; (Text entry; no document attached.)

07/02/2021

Set/Reset Deadlines as to ROBERT GIESWEIN: Government Response to 23 Application for Access to Video Exhibits due by 7/12/2021. Defendant Response due by 7/18/2021. Press Coalition due by 7/26/2021. (Text entry; no document attached.)

25

07/12/2021

RESPONSE by USA as to ROBERT GIESWEIN re 23 Application for Access to Video Exhibits Modified text on 7/13/2021 (zstd).

[26](#)

07/19/2021

NOTICE of Discovery Memorandum by USA as to ROBERT GIESWEIN

2 Attachments ▼

[27](#)

07/26/2021

REPLY MEMORANDUM in Further Support by PRESS COALITION as to ROBERT GIESWEIN re 23 MOTION Application for Access to Video Exhibits Modified text on 7/26/2021 (zstd).

[28](#)

07/27/2021

ORDER denying 18 Motion for Release from Custody as to ROBERT GIESWEIN (1). Signed by Judge Emmet G. Sullivan on 7/27/2021. (lcegs3)

[29](#)

07/27/2021

MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on 7/27/2021. (lcegs3)

07/29/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan:Status Conference as to ROBERT GIESWEIN held on 7/29/2021. Parties Updated The Court On The Status Of This Case. Government Oral Motion To Toll Speedy Trial Time Heard. Defendant Objects To Tolling Of Speedy Trial Time. The Court Orders Briefing In Regards To Tolling of Speedy Trial Time. Defendant Objection To Tolling Of Speedy Trial Time due by 8/2/2021. Government Reply To Defendant Objection due no later than 12:00AM on 8/5/2021. Status Conference set for 8/11/2021 at 03:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Oral Motion OF The Tolling Of Speedy Trial Time Is Currently Tolling Speedy Trial Time.Bond Status of Defendant: APPEARED VIA VTC - REMAINS ON PERSONAL RECOGNIZANCE; Court Reporter: JAN DICKMAN; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON; (Text entry; no document attached.)

[30](#)

08/02/2021

RESPONSE by ROBERT GIESWEIN Opposition to Government's July 29 Oral Motion to Exclude Time Under Speedy Trial Act, Modified event title on 8/3/2021 (znmw).

[31](#)

08/05/2021

Unopposed MOTION for Extension of Time to File Response/Reply to Defendant's Opposition to Government's July 29 Oral Motion to Exclude Time Under Speedy Trial Act by USA as to ROBERT GIESWEIN.

1 Attachment ▼

[32](#)

08/06/2021

Unopposed MOTION for Leave to File Late Reply in Support of Government's July 29 Oral Motion to Exclude Time under the Speedy Trial Act by USA as to ROBERT GIESWEIN.

2 Attachments ▼

08/06/2021

MINUTE ORDER granting 32 motion for an enlargement of time. The Clerk of Court is directed to file the government's reply, ECF No. 32-1, as a separate docket entry. It is FURTHER ORDERED that 31 motion for enlargement of time is DENIED as moot. Signed by Judge Emmet G. Sullivan on 8/6/2021. (lcegs3) (Text entry; no document attached.)

33

08/06/2021

Government's Reply to Defendant's Opposition to Motion to Exclude Time Under Speedy Trial Act filed by USA as to ROBERT GIESWEIN. (zstd) Modified on 8/9/2021 to change event title and unseal (zstd).

08/09/2021

MINUTE ORDER as to ROBERT GIESWEIN. In 25 the government's response to the Application for Access to Video Exhibits, the government and Mr. Gieswein state that they do not object to the public release of the four video exhibits the government submitted to the Court ahead of the July 1, 2021 Motion Hearing. Accordingly, it is hereby ORDERED that the government is DIRECTED to promptly make the video exhibits submitted for the July 1, 2021 Motion Hearing, see Notice, ECF No. 24, 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. Signed by Judge Emmet G. Sullivan on 8/9/2021. (lcegs3) (Text entry; no document attached.)

08/09/2021

MINUTE ORDER denying 23 Application for Access to Video Exhibits as to ROBERT GIESWEIN (1). Applicants seek access to certain Capitol surveillance footage clips that depict Mr. Gieswein, and which were "referenced" in the government's opposition to Mr. Gieswein's motion for revocation of the detention order. See Appl., ECF No. 23, para. 5. Applicants contend that the videos were "plainly 'intended to influence the court' in its decision-making, and as a result they are judicial records subject to a 'strong presumption in favor of public access.'" Id., para. 6 (quoting *Leopold v. United States*, 964 F.3d 1121, 1127-28 (D.C. Cir. 2020)). The government opposes the application, arguing that the surveillance videos at issue are not "judicial records." Gov't's Resp., ECF No. 25 at 4-5. According to the government, its opposition to Mr. Gieswein's motion included screenshots from the surveillance videos, but the videos themselves "were not provided to the Court for review, nor were they played or admitted during the hearing on the defendant's detention, which took place on July 1, 2021." Id. at 4. Mr. Gieswein "agrees that no member of the public has a right to view discovery materials that are not entered into the judicial record, such as videos that have not been submitted to this Court, even though they may be the source for screenshots that were submitted to the Court." Id. The government also points out that the videos are subject to a Protective Order in this case. Id. at 5. "[W]hether something is a judicial record depends on 'the role it plays in the adjudicatory process.'" *SEC v. Am. Int'l Grp.*, 712 F.3d 1, 3 (D.C. Cir. 2013) (quoting *United States v. El-Sayegh*, 131 F.3d 158, 163 (D.C. Cir. 1997)). Documents and other materials constitute judicial records when they are "'intended to influence' the court and the court 'ma[kes] decisions about them.'" *Leopold*, 964 F.3d at 1128 (quoting *MetLife, Inc. v. Fin. Stability Oversight Council*, 865 F.3d 661, 663 (D.C. Cir. 2017)). However, "if a document was never part of [the underlying] record, it cannot have played any role in the adjudicatory process." *SEC*, 712 F.3d at 4; see also Order, ECF No. 6 at 2, In re Application for Access to Certain Sealed Video Exhibits, No. 21-81-TSC (D.D.C. July 20, 2021) ("[T]he D.C. Circuit has made it clear that, for an item to be considered a judicial record, 'it is very much a prerequisite' that the item be filed with or reviewed by the court." (citation omitted)). Here, the Court agrees with the government and Mr. Gieswein that the surveillance videos at issue are not "judicial records." It is undisputed that only screenshots from the surveillance videos were included in the government's opposition to Mr. Gieswein's motion to revoke the detention order, and the screenshots are publicly available. The surveillance videos Applicants seek to access were not filed with or submitted to the Court, and in reaching a decision with regard Mr. Gieswein's motion, the Court never reviewed the videos or played them in open court. Rather, the Court relied on the government's descriptions and screenshots of the footage, but not the footage itself. Accordingly, upon consideration of the Application, the response and reply thereto, the applicable law, and the entire record, the Court DENIES 23 the Application for Access to Video Exhibits. See Order, ECF No. 6 at 2, In re Application for Access to Certain Sealed Video Exhibits, No. 21-81-TSC (D.D.C. July 20, 2021) (denying petition for access to video exhibits where the magistrate judge never reviewed the videos, but instead only relied on descriptions of the video and screenshots); Min. Order (July 6, 2021), *United States v. Sibick*, No. 21-291-ABJ (D.D.C. July 6, 2021) (declining to order the government to turn over certain video exhibits because only photographic stills of the videos were submitted to the court for review); In re Application

for Access to Certain Sealed Video Exhibits, No. 21-mc-74-EGS (D.D.C. July 2, 2021) ("Petitioners also seek video exhibits from the detention hearing held in the Northern District of Georgia; however, the government has represented that all exhibits in that proceeding were still shots of videos, and there are no video exhibits to be made available to the public from that hearing."). Signed by Judge Emmet G. Sullivan on 8/9/2021. (lcegs3) (Text entry; no document attached.)

34

08/10/2021

NOTICE OF APPEAL (Interlocutory) by ROBERT GIESWEIN re 28 Order on Motion for Release from Custody, Order on Motion for Hearing, 29 Memorandum Opinion. Fee Status: No Fee Paid. Parties have been notified. (Printed PDF and replaced on 8/11/2021) (zstd).

35

08/10/2021

NOTICE Regarding Notice of Appeal & Position on Excluding Time From Speedy Trial Act, by ROBERT GIESWEIN

36

08/11/2021

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 FPD as to ROBERT GIESWEIN re 34 Notice of Appeal - Interlocutory. (zstd)

08/11/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan:Status Conference as to ROBERT GIESWEIN held on 8/11/2021. The Court Will Issue An Order. Parties Are To Provide The Court With Language For The Order due no later than 5:00PM on 8/12/2021. Due To 34 Notice Of Appeal And The Court's Independent Finding, The Court will Toll Speedy Trial Until The Next Scheduled Hearing In The Interest Of Justice (XT). Status Conference set for 9/17/2021 at 4:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Jury Selection is tentatively set for 2/15/2022 at 9:00 AM in Courtroom 24A before Judge Emmet G. Sullivan.Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON/EMILY MILLER; (Text entry; no document attached.)

37

08/12/2021

TRANSCRIPT OF PROCEEDINGS in case as to ROBERT GIESWEIN before Judge Emmet G. Sullivan held on 08/11/2021; Page Numbers: 54. Date of Issuance:08/12/2021. Court Reporter/Transcriber L. Bankins, Telephone number 202-354-3243, 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 repor ter 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.

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08/12/2021

Unopposed MOTION for Extension of Time to File Language of Proposed Order by USA as to ROBERT GIESWEIN.

**1 Attachment ▼**

08/13/2021



USCA Case Number as to ROBERT GIESWEIN 21-3052 for 34 Notice of Appeal - Interlocutory filed by ROBERT GIESWEIN. (zhsj) (Text entry; no document attached.)

08/13/2021

MINUTE ORDER granting 38 unopposed motion for extension of time to file language of proposed order. It is hereby ORDERED that the parties shall submit the proposed order concerning the defense discovery database by no later than August 18, 2021. Signed by Judge Emmet G. Sullivan on 8/13/2021. (lcegs3) (Text entry; no document attached.)

08/15/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Proposed Order due by 8/18/2021. (Text entry; no document attached.)

39

08/18/2021

Consent MOTION for Extension of Time to File Proposed Order, by ROBERT GIESWEIN.

1 Attachment ▼

08/19/2021

MINUTE ORDER granting 39 consent motion for extension of time. It is hereby ORDERED that the parties shall submit the proposed order concerning the defense discovery database by no later than August 25, 2021. Signed by Judge Emmet G. Sullivan on 8/19/2021. (lcegs3) (Text entry; no document attached.)

08/19/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Parties Proposed Order due by 8/25/2021. (Text entry; no document attached.)

40

08/25/2021

STATUS REPORT Regarding Discovery by USA as to ROBERT GIESWEIN

41

08/25/2021

MOTION for Reconsideration Of Order Requiring Government to Fund Defense Discovery Vendor by September 10, 2021 by USA as to ROBERT GIESWEIN.

42

08/25/2021

NOTICE of Proposed Order Consistent with the Court's August 11 Oral Order Regarding Discovery, by ROBERT GIESWEIN

2 Attachments ▼

43

08/25/2021

RESPONSE by ROBERT GIESWEIN re 41 MOTION for Reconsideration Of Order Requiring Government to Fund Defense Discovery Vendor by September 10, 2021, Opposing Motion

09/01/2021

MINUTE ORDER. It is hereby ORDERED that the government shall file a status report by no later than September 14, 2021, updating the Court on the progress of discovery production in this case. Signed by Judge Emmet G. Sullivan on 9/1/2021. (lcegs3) (Text entry; no document attached.)

09/02/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Status Report due by 9/14/2021. (Text entry; no document attached.)

09/07/2021

MINUTE ORDER. Due to unforeseen circumstances, it is necessary to reschedule the status conference currently scheduled for September 17, 2021. The status conference shall now take place on September 24, 2021 at 1:15 p.m. via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. The Court regrets any inconvenience to the parties. Signed by Judge Emmet G. Sullivan on 9/7/2021. (lcegs3) (Text entry; no document attached.)

09/07/2021

Set/Reset Hearings as to ROBERT GIESWEIN:Status Conference set for 9/24/2021 at 01:15 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

[44](#)

09/14/2021

STATUS REPORT Regarding Discovery as of September 14, 2021 by USA as to ROBERT GIESWEIN

09/15/2021

MINUTE ORDER. The parties are directed to file a joint status report indicating the estimated length of the trial in this case by no later than September 16, 2021. Signed by Judge Emmet G. Sullivan on 9/15/2021. (lcegs3) (Text entry; no document attached.)

09/15/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Status Report due by 9/16/2021 (Text entry; no document attached.)

[45](#)

09/15/2021

MOTION to Continue Status Conference by USA as to ROBERT GIESWEIN.

1 Attachment ▼

09/16/2021

MINUTE ORDER granting 45 motion to continue status conference. The status conference shall now take place on September 22, 2021 at 11:30 a.m. via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 9/16/2021. (lcegs3) (Text entry; no document attached.)

[46](#)

09/16/2021

Joint STATUS REPORT Regarding Estimated Trial Length by USA as to ROBERT GIESWEIN

09/17/2021

Set/Reset Hearings as to ROBERT GIESWEIN:Status Conference set for 9/22/2021 at 11:30 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

09/20/2021

Joint MOTION to Continue Status Conference by USA as to ROBERT GIESWEIN.

1 Attachment ▼

09/21/2021

TRANSCRIPT OF PROCEEDINGS in case as to ROBERT GIESWEIN before Judge Emmet G. Sullivan held on 07/01/2021; Page Numbers: 80. Date of Issuance:09/21/2021. Court Reporter/Transcriber L. Bankins, Telephone number 202-354-3243, 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 10/12/2021. Redacted Transcript Deadline set for 10/22/2021. Release of Transcript Restriction set for 12/20/2021.

09/21/2021

MINUTE ORDER granting 47 joint motion to continue status conference. A status conference shall now take place on September 23, 2021 at 4:00 p.m. via video teleconference. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 9/21/2021. (lcegs3) (Text entry; no document attached.)

09/22/2021

Set/Reset Hearings as to ROBERT GIESWEIN:Status Conference set for 9/23/2021 at 4:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

09/23/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan:Status Conference as to ROBERT GIESWEIN held on 9/23/2021. Status Conference set for 10/19/2021 at 12:30 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Parties Updated The Court In Regards To Discovery. The Court Will Issue An Order Putting in Place A Motion Schedule. Motion Hearing set for 1/12/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Current Pending Motion Is Tolling Speedy Trial. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: JANICE DICKMAN; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON/EMILY MILLER; (Text entry; no document attached.)

10/04/2021

NOTICE OF CORRECTED DOCKET ENTRY: as to ROBERT GIESWEIN re 50 SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by USA as to ROBERT GIESWEIN. (This document is SEALED and only available to authorized persons.) was entered in error and counsel was instructed to refile said pleading in correct case 21-cr-52 (TJK). (zstd) (Text entry; no document attached.)

10/08/2021

MINUTE ORDER. In view of the scheduled January 12, 2022 motion hearing, the parties are directed to file a joint status report by no later than October 15, 2021 proposing a briefing schedule on the motions to be filed. In the event that counsel are unable to agree on a joint recommendation, each party shall file an individual recommendation by that time. Signed by Judge Emmet G. Sullivan on 10/8/2021. (lcegs3) (Text entry; no document attached.)

10/08/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Status Report due by 10/15/2021 (Text entry; no document attached.)

[51](#)

10/15/2021

Joint STATUS REPORT Regarding Proposed Motions Schedule by USA as to ROBERT GIESWEIN

10/18/2021

MINUTE ORDER. In view of 51 joint status report, motions shall be filed by no later than November 24, 2021; any responses thereto shall be filed by no later than December 15, 2021; and any replies shall be filed by no later than December 29, 2021. Signed by Judge Emmet G. Sullivan on 10/18/2021. (lcegs3) (Text entry; no document attached.)

10/18/2021

MINUTE ORDER. Due to the Court's calendar, it is necessary to reschedule the trial currently scheduled to commence on February 15, 2022. Jury selection shall now occur on February 16, 2022 at 9:00 a.m. The Court regrets any inconvenience to the parties. Signed by Judge Emmet G. Sullivan on 10/18/2021. (lcegs3) (Text entry; no document attached.)

10/19/2021

Set/Reset Hearings as to ROBERT GIESWEIN:Jury Selection set for 2/16/2022 at 09:00 AM in Courtroom 24A- In Person before Judge Emmet G. Sullivan. (Text entry; no document attached.)

10/19/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Motions due by 11/24/2021. Responses due by 12/15/2021 Replies due by 12/29/2021. (Text entry; no document attached.)

[52](#)

10/19/2021

STATUS REPORT Regarding Discovery by USA as to ROBERT GIESWEIN

10/19/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan:Status Conference as to ROBERT GIESWEIN held on 10/19/2021. Defendant Consents To This Hearing Being Held Via VTC. The Court Will Grant Defense Counsel Oral Request That Government Status Report In Regards To Discovery Be Due A Day Before The Scheduled Status Conference. Over the Defendant's Objection, The Court Will Toll Speedy Trial 10/19/2021 - 11/16/2021 In The Interests Of Justice (XT). Status Conference set for 11/16/2021 at 3:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY; US Attorney: ERIK KENERSON/EMILY MILLER; (Text entry; no document attached.)

11/01/2021

MINUTE ORDER granting 49 sealed motion for leave to file document under seal. Signed by Judge Emmet G. Sullivan on 11/1/2021. (lcegs3) (Text entry; no document attached.)

[54](#)

11/05/2021

STATUS REPORT Regarding Discovery by USA as to ROBERT GIESWEIN

[55](#)

11/16/2021

NOTICE OF ATTORNEY APPEARANCE: Elizabeth Ann Mullin appearing for ROBERT GIESWEIN

11/16/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan: Status Conference as to ROBERT GIESWEIN held on 11/16/2021. Defendant Consents To Appearing Via VTC. Government Updated The Court In Regards To Discovery. Defendant Requests Change To Motions Schedule With No Objection From The Government. Motions due by 12/1/2021. Responses due by 12/22/2021. Replies, If Any, due by 1/5/2022. Motion Hearing set for 1/19/2022 at 01:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. Defendant Informs The Court That It Will File A Motion For Bond. Defendant Motion For Bond due by 11/17/2021. Government Response To Motion For Bond due by 12/6/2021. Defendant Reply To Government Response To Motion For Bond due by 12/13/2021. Status Conference set for 12/21/2021 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. The Court Adopts The Chief Judge's Standing Order When It Comes To The Tolling Of Speedy Trial Time. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: JANICE DICKMAN; Defense Attorney: ANN RIGBY/ELIZABETH MULLIN; US Attorney: ERIK KENERSON/EMILY MILLER; (Text entry; no document attached.)

[56](#)

11/18/2021

MOTION for Leave to File Late his Motion to Reopen Detention Hearing, by ROBERT GIESWEIN.

2 Attachments ▼

11/18/2021

MINUTE ORDER granting 56 motion for leave to file late. Mr. Gieswein shall file his motion by no later than November 18, 2021. Signed by Judge Emmet G. Sullivan on 11/18/2021. (lcegs3) (Text entry; no document attached.)

[57](#)

11/18/2021

MOTION to Reopen Detention Hearing, by ROBERT GIESWEIN.

5 Attachments ▼

11/19/2021

Set/Reset Deadlines as to ROBERT GIESWEIN: Defendant Motion due by 11/18/2021. (Text entry; no document attached.)

[58](#)

12/01/2021

MOTION to Dismiss Case for Violation of Speedy Trial Rights by ROBERT GIESWEIN.

[59](#)

12/01/2021

MOTION for Bill of Particulars Regarding Count One by ROBERT GIESWEIN.

1 Attachment ▼

[60](#)

12/01/2021

MOTION to Dismiss Count One of the Indictment by ROBERT GIESWEIN.

[61](#)

12/01/2021

MOTION to Dismiss Count Two through Count Four, and IN THE ALTERNATIVE, MOTION for Bill of Particulars Regarding Counts Two-Four, MOTION for Discovery Regarding Grand Jury Proceedings Regarding Counts Two-Four, by ROBERT GIESWEIN.

1 Attachment ▼

[62](#)

12/01/2021

NOTICE OF ATTORNEY APPEARANCE Jason Bradley Adam McCullough appearing for USA.

[63](#)

12/01/2021

MOTION in Limine to Preclude Certain Defense Arguments by USA as to ROBERT GIESWEIN.

[64](#)

12/01/2021

MOTION to Change Venue by ROBERT GIESWEIN.

1 Attachment ▼

[65](#)

12/01/2021

MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses by USA as to ROBERT GIESWEIN.

[66](#)

12/06/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 57 MOTION to Reopen Detention Hearing & for Release

[67](#)

12/13/2021

MANDATE of USCA as to ROBERT GIESWEIN re 34 Notice of Appeal - Interlocutory. In accordance with the judgment of October 19, 2021 the district court's July 27, 2021, order be affirmed. USCA Case Number 21-3052.

1 Attachment ▼

[68](#)

12/13/2021

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 57 MOTION to Reopen Detention Hearing & for Release

2 Attachments ▼

12/14/2021

MINUTE ORDER. Due to the Court's calendar, it is necessary to reschedule the trial currently scheduled to commence on February 16, 2022. Jury selection shall now occur on February 24, 2022 at 9:00 a.m. The Court regrets any inconvenience to the parties. Signed by Judge Emmet G. Sullivan on 12/14/2021. (lcegs3) (Text entry; no document attached.)

12/15/2021

Set/Reset Hearings as to ROBERT GIESWEIN: Jury Selection set for 2/24/2022 at 9:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

12/21/2021

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan: Status Conference Held In Lieu Of Bond Hearing as to ROBERT GIESWEIN on 12/21/2021. The Court Wants Further Supplemental Briefings In Regards To Bond. The Parties Will Submit An Order To The Court. DOC and Government Pleading due by 1/5/2022. Defendant Response due by 1/10/2022. Bond Hearing set for 1/12/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: LISA MOREIRA; Defense Attorney: ANN RIGBY/ELIZABETH MULLIN; US Attorney: ERIK KENERSON/JASON MCCULLOUGH; (Text entry; no document attached.)

[69](#)

12/21/2021

Joint MOTION for Order to Enter the Proposed Briefing and Scheduling Order by USA as to ROBERT GIESWEIN.

[1 Attachment ▼](#)

12/23/2021

MINUTE ORDER granting 69 motion for entry of proposed scheduling order. It is hereby ORDERED that the government shall file a brief by no later than January 5, 2022 addressing: (1) the response by the United States Marshals Service (USMS) to address the deficiencies identified in USMS's letter of November 1, 2021, since the implementation of the Memorandum of Understanding between the District of Columbia Department of Corrections (DOC) and USMS was entered on or about November 10, 2021, with particular focus on corrective action the USMS has requested that the DOC take at the Central Treatment Facility (CTF), and whether DOC has taken such corrective action; (2) the status of COVID-19 pandemic conditions at CTF, including the number of detainees and staff (if known) who have tested positive between today's date and the date of filing; and (3) the DOC's response to COVID-19 conditions at CTF, including any mandatory lockdowns and/or limitations on inmates' access to discovery, recreation, hygiene, attorney visits that are in place as of the date of filing. It is FURTHER ORDERED that the D.C. Department of Corrections shall file a pleading addressing the same topics by no later than January 5, 2022. It is FURTHER ORDERED that Mr. Gieswein shall file any response by no later than January 10, 2022. It is FURTHER ORDERED that a hearing is scheduled regarding Mr. Gieswein's 57 Motion to Reopen Detention Hearing on January 12, 2022 at 11:00 a.m. via video teleconference. It is FURTHER ORDERED that the parties shall abide by the following modified schedule regarding the pretrial motions: (1) the parties shall submit their oppositions to the motions filed on December 1, 2021 by no later than December 24, 2021; and (2) the parties shall submit any replies by no later than January 10, 2022. Signed by Judge Emmet G. Sullivan on 12/23/2021. (lcegs3) (Text entry; no document attached.)

12/23/2021

Set/Reset Deadlines as to ROBERT GIESWEIN: Government Brief due by 1/5/2022. D.C. Department of Corrections Pleading due by 1/5/2022. Defendant Response due by 1/10/2022. Parties Oppositions To The Motions due by 12/24/2021. Parties Replies due by 01/10/2022. (Text entry; no document attached.)

12/23/2021

MINUTE ORDER. The District of Columbia Department of Corrections ("DOC") and/or the District of Columbia are hereby DIRECTED to make an appearance in this case forthwith. In view of the DOC's ex parte request for an extension of time in which to file its brief, the parties and the DOC/the District of Columbia are encouraged to attempt to reach an agreement regarding modifying the filing deadlines. The parties shall file a joint proposed modified briefing schedule by no later than December 30, 2021. If the parties and the DOC/the District of Columbia are unable to reach an agreement, they shall file their proposals separately. Signed by Judge Emmet G. Sullivan on 12/23/2021. (lcegs3) (Text entry; no document attached.)

12/23/2021

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Proposed Modified Briefing Schedule due by 12/30/2021. (Text entry; no document attached.)

[70](#)

12/24/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 61 MOTION to Dismiss Count Two through Count Four, and IN THE ALTERNATIVE MOTION for Bill of Particulars Regarding Counts Two-Four MOTION for Discovery Regarding Grand Jury Proceedings Regarding Counts Two-Four

[71](#)

12/24/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 58 MOTION to Dismiss Case for Violation of Speedy Trial Rights

[72](#)

12/24/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 64 MOTION to Change Venue

[73](#)

12/24/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 59 MOTION for Bill of Particulars Regarding Count One

[74](#)

12/24/2021

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 60 MOTION to Dismiss Count One of the Indictment

[75](#)

12/24/2021

Memorandum in Opposition by ROBERT GIESWEIN re 63 MOTION in Limine to Preclude Certain Defense Arguments

[76](#)

12/24/2021

RESPONSE by ROBERT GIESWEIN re 65 MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses

[77](#)

12/29/2021

Joint MOTION for Order to Enter the Modified Scheduling Order by USA as to ROBERT GIESWEIN.

**1 Attachment ▼**

12/29/2021

MINUTE ORDER granting 77 joint motion for entry of proposed order. The Court hereby ORDERS that (1) the Government and the District of Columbia Department of Corrections shall file briefs addressing the topics set forth in the Court's Minute Order of December 23, 2021 by no later than January 10, 2022; and (2) Mr. Gieswein shall file any



response to the Government's and the Department of Corrections' filings by no later than January 15, 2022. It is FURTHER ORDERED that the hearing to address Mr. Gieswein's Motion to Reopen Detention Hearing, ECF No. 57, that is currently scheduled for January 12, 2022 is CONTINUED. The Court shall hear arguments on the Motion to Reopen at the pretrial motions hearing already scheduled for January 19, 2022 at 1:00 p.m. via video teleconference. Signed by Judge Emmet G. Sullivan on 12/29/2021. (lcegs3) (Text entry; no document attached.)

01/03/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Government And The District Of Columbia Department Of Corrections Briefs due 1/10/2022. Defendant Response To The Government due by 1/15/2022. (Text entry; no document attached.)

[78](#)

01/06/2022

NOTICE of Change of Address by Eric Sebastian Glover. (zhsj)

[79](#)

01/06/2022

NOTICE OF ATTORNEY APPEARANCE Eric Sebastian Glover appearing for DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS. (zhsj)

[80](#)

01/06/2022

RESPONSE TO MINUTE ORDER OF THE COURT on December 23, 2021 by DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS as to ROBERT GIESWEIN.

2 Attachments ▼

[81](#)

01/10/2022

REPLY in Support by USA as to ROBERT GIESWEIN re 65 MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses

[82](#)

01/10/2022

MOTION to Continue the Deadline to Report the USMS Report on Conditions at the D.C. Jail by USA as to ROBERT GIESWEIN.

1 Attachment ▼

[83](#)

01/10/2022

REPLY in Support by USA as to ROBERT GIESWEIN re 63 MOTION in Limine to Preclude Certain Defense Arguments

[84](#)

01/11/2022

MOTION for Leave to File Rule 12 Reply Briefs Out of Time, by ROBERT GIESWEIN.

10 Attachments ▼

[85](#)

01/11/2022

RESPONSE by ROBERT GIESWEIN re 82 MOTION to Continue the Deadline to Report the USMS Report on Conditions at the D.C. Jail

[86](#)

01/11/2022

NOTICE of Filing Proposed Order on Trial Deadlines, submitted on behalf of both parties by ROBERT GIESWEIN.

[1 Attachment ▼](#)

01/11/2022

MINUTE ORDER granting 84 motion for leave to file reply briefs out of time. Mr. Gieswein shall file his reply briefs by no later than January 11, 2022. Signed by Judge Emmet G. Sullivan on 1/11/2022. (lcegs3) (Text entry; no document attached.)

01/11/2022

MINUTE ORDER. In view of Mr. Gieswein's consent in 85 response, the Court hereby grants 82 motion to continue the deadline to report the USMS report on conditions at the D.C. Jail. It is hereby ORDERED that the government shall file a brief addressing the topics set forth in the Court's Minute Order of December 23, 2021 by no later than January 17, 2022. Signed by Judge Emmet G. Sullivan on 1/11/2022. (lcegs3) (Text entry; no document attached.)

01/11/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Defendant Reply Briefs due by 1/11/2022. (Text entry; no document attached.)

01/11/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Government Brief due by 1/17/2022. (Text entry; no document attached.)

[87](#)

01/11/2022

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 64 MOTION to Change Venue

[88](#)

01/11/2022

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 61 MOTION to Dismiss Count Two through Count Four, and IN THE ALTERNATIVE MOTION for Bill of Particulars Regarding Counts Two-Four MOTION for Discovery Regarding Grand Jury Proceedings Regarding Counts Two-Four

[89](#)

01/11/2022

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 59 MOTION for Bill of Particulars Regarding Count One

[90](#)

01/11/2022

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re 60 MOTION to Dismiss Count One of the Indictment

[5 Attachments ▼](#)

[91](#)

01/14/2022

SUPERSEDING INDICTMENT as to ROBERT GIESWEIN (1) count(s) 1s, 2s, 3s, 4s, 5s-6s, 7s, 8s. (zstd)

[93](#)

01/15/2022

RESPONSE by ROBERT GIESWEIN re 80 Response to Order of the Court by Department of Corrections

[94](#)

01/17/2022

RESPONSE TO ORDER OF THE COURT by USA as to ROBERT GIESWEIN re Order on Motion for Order, Order on Motion for Order

1 Attachment ▼

[95](#)

01/18/2022

Unopposed MOTION to Supplement Motion for Transfer of Venue, and for Deferral of Argument re Same, re 64 MOTION to Change Venue by ROBERT GIESWEIN.

1 Attachment ▼

[96](#)

01/18/2022

NOTICE of Hearing Exhibits by USA as to ROBERT GIESWEIN

01/19/2022

MINUTE ORDER granting 95 Unopposed MOTION to Supplement Motion for Transfer of Venue, and for Deferral of Argument re Same, re 64 MOTION to Change Venue. Defendant's Supplement shall be filed by no later than January 24, 2022; the Government's Response shall be filed by no later than January 31, 2022; and Defendant's Reply shall be filed by no later than February 4, 2022. Signed by Judge Emmet G. Sullivan on 1/19/2022. (lcegs3) (Text entry; no document attached.)

01/19/2022

Minute Entry for proceedings held Via VTC before Judge Emmet G. Sullivan:Arraignment/Status Conference Held In Lieu Of Motion Hearing as to ROBERT GIESWEIN on 1/19/2022. Defendant Consents To Appearing Via Phone For This Hearing. The Court Discussed With The Parties The Current Status Of The Defendant In Quarantine And Rescheduling Of Motions Hearing And Jury Trial. Parties Agree To The Motion Hearing And Jury Trial Being Rescheduled. Supplements/New Motions due by 2/4/2022. Responses due by 2/11/2022. Replies due by 2/14/2022. Motion Hearing set for 2/24/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Voir Dire/Jury Selection is now set for 4/20/2022 at 9:00 AM in Ceremonial Courtroom before Judge Emmet G. Sullivan. Defendant Was Arraigned On Superseding Indictment That Was Filed On 1/14/2022. Plea Of Not Guilty Entered By ROBERT GIESWEIN On counts 1s, 2s, 3s, 4s, 5s-6s, 7s, 8s. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY/ ELIZABETH MULLIN; US Attorney: ERIK KENERSON/ JASON MCCULLOUGH/EMILY MILLER; (Text entry; no document attached.)

[97](#)

01/19/2022

Second Application to Access to Video Exhibits by PRESS COALITION as to ROBERT GIESWEIN. Modified text on 1/20/2022 (zstd).

01/26/2022

MINUTE ORDER. In view of 97 second application for access to video exhibits, Mr. Gieswein is directed to submit a response stating his position regarding prompt public release of the video evidence mentioned in 96 notice of hearing exhibits by no later than February 14, 2022. Signed by Judge Emmet G. Sullivan on 1/26/2022. (lcegs3) (Text entry; no document attached.)

01/26/2022

Set/Reset Deadlines as to ROBERT GIESWEIN: Defendant Response Stating Position Regarding Prompt Public Release Of The Video Evidence Mentioned In 96 Notice Of Hearing Exhibits due by 2/14/2022. (Text entry; no document attached.)

[98](#)

02/03/2022

Joint MOTION for Extension of Time to File New Motions re Superseding Indictment, Joint MOTION for Hearing on Second Set of Motions by ROBERT GIESWEIN.

1 Attachment ▼

[99](#)

02/04/2022

Unopposed MOTION for Extension of Time to File Memorandum Regarding Status of Discovery by USA as to ROBERT GIESWEIN.

1 Attachment ▼

[100](#)

02/04/2022

MOTION to Dismiss Count Two and Four of the Superseding Indictment by ROBERT GIESWEIN.

[101](#)

02/04/2022

SUPPLEMENT by ROBERT GIESWEIN re [64] MOTION to Change Venue

1 Attachment ▼

02/07/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:United States Memorandum due by 2/7/2022. (Text entry; no document attached.)

02/07/2022

MINUTE ORDER granting [99] unopposed motion for extension of time to file memorandum regarding status of discovery. The United States shall file a memorandum describing the status of implementation of its discovery plan in relation to voluminous data by no later than Monday, February 7, 2022. Signed by Judge Emmet G. Sullivan on 2/7/2022. (lcegs3) (Text entry; no document attached.)

[102](#)

02/07/2022

MOTION to Continue Filing Deadline by USA as to ROBERT GIESWEIN.

1 Attachment ▼

[103](#)

02/09/2022

STATUS REPORT Regarding Discovery by USA as to ROBERT GIESWEIN

02/10/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:United States Memorandum due by 2/9/2022. (Text entry; no document attached.)

02/10/2022

MINUTE ORDER treating as opposed and granting over objection [102] motion to continue filing deadline. It is hereby ORDERED that the United States shall file a memorandum describing the status of implementation of its discovery plan in relation to voluminous data by no later than February 9, 2022. Signed by Judge Emmet G. Sullivan on 2/10/2022. (lcegs3) (Text entry; no document attached.)

[104](#)

02/11/2022

Consent MOTION to Continue Deadline for Motions and Responses, and for Entry of Proposed Order On Trial Deadlines by USA as to ROBERT GIESWEIN.

1 Attachment ▼

02/14/2022

MINUTE ORDER granting 104 consent motion to continue deadline for motions and responses. It is hereby ORDERED that the motions hearing currently scheduled for February 24, 2022 shall now take place on April 12, 2022 at 11:00 a.m. via video teleconference. It is FURTHER ORDERED that any new motions shall be filed by no later than March 7, 2022; responses to the motions, including the response to Mr. Gieswein's motion to dismiss counts two and four of the superseding indictment, ECF No. 100, shall be filed by March 22, 2022; and replies to the motions, including the reply to Mr. Gieswein's motion to dismiss counts two and four of the superseding indictment, ECF No. 100, shall be filed by no later than March 28, 2022. It is FURTHER ORDERED that the government's response to the motion to transfer venue shall be filed by no later than February 25, 2022, and any replies shall be filed by no later than March 11, 2022. It is FURTHER ORDERED that 98 joint motion for extension of time is denied as moot. The Court defers ruling on the other trial-related deadlines at this time. See Mot. For Entry of Proposed Order on Trial Deadlines, ECF No. 105. Signed by Judge Emmet G. Sullivan on 2/14/2022. (lcegs3) (Text entry; no document attached.)

02/15/2022

Set/Reset Deadlines/Hearings as to ROBERT GIESWEIN:Motions due 3/7/2022. Responses To The Motions, Including The Response To Defendant's Motion To Dismiss Counts Two And Four Of The Superseding Indictment, ECF No. 100, due by 3/22/2022. Replies To The Motions, Including The Reply To Defendant's Motion To Dismiss Counts Two And Four Of The Superseding Indictment, ECF No. 100, due by 3/28/2022. Government's Response To The Motion To Transfer Venue due by 2/25/2022. Replies due by 3/11/2022. Motion Hearing set for 4/12/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

[105](#)

02/11/2022

MOTION for Order for Entry of Proposed Order on Trial Deadlines by USA as to ROBERT GIESWEIN. (See docket entry [104] to view document.) (zstd)

02/14/2022

MINUTE ORDER granting [104] consent motion to continue deadline for motions and responses. It is hereby ORDERED that the motions hearing currently scheduled for February 24, 2022 shall now take place on April 12, 2022 at 11:00 a.m. via video teleconference. It is FURTHER ORDERED that any new motions shall be filed by no later than March 7, 2022; responses to the motions, including the response to Mr. Gieswein's motion to dismiss counts two and four of the superseding indictment, ECF No. 100, shall be filed by March 22, 2021; and replies to the motions,

including the reply to Mr. Gieswein's motion to dismiss counts two and four of the superseding indictment, ECF No. 100, shall be filed by no later than March 28, 2022. It is FURTHER ORDERED that the government's response to the motion to transfer venue shall be filed by no later than February 25, 2022, and any replies shall be filed by no later than March 11, 2022. It is FURTHER ORDERED that [98] joint motion for extension of time is denied as moot. The Court defers ruling on the other trial-related deadlines at this time. See Mot. For Entry of Proposed Order on Trial Deadlines, ECF No. 105. Signed by Judge Emmet G. Sullivan on 2/14/2022. (lcegs3) (Text entry; no document attached.)

02/15/2022

Set/Reset Deadlines/Hearings as to ROBERT GIESWEIN:Motions due 3/7/2022. Responses To The Motions, Including The Response To Defendant's Motion To Dismiss Counts Two And Four Of The Superseding Indictment, ECF No. 100, due by 3/22/2022. Replies To The Motions, Including The Reply To Defendant's Motion To Dismiss Counts Two And Four Of The Superseding Indictment, ECF No. 100, due by 3/28/2022. Government's Response To The Motion To Transfer Venue due by 2/25/2022. Replies due by 3/11/2022. Motion Hearing set for 4/12/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

02/16/2022

MINUTE ORDER. It is hereby ORDERED that the commencement of jury selection currently scheduled for April 20, 2022 is CONVERTED to a motions hearing. It is FURTHER ORDERED that the motions hearing currently scheduled for April 12, 2022 is CANCELLED. The Courtroom Deputy Clerk is directed to contact the parties to obtain available dates to reschedule the trial in this case. Signed by Judge Emmet G. Sullivan on 2/16/2022. (lcegs3) (Text entry; no document attached.)

02/17/2022

Set/Reset Hearings as to ROBERT GIESWEIN:Motion Hearing set for 4/20/2022 at 09:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (Text entry; no document attached.)

02/25/2022

NOTICE OF CORRECTED DOCKET ENTRY: as to ROBERT GIESWEIN re [106] Supplement to any document was entered in error and counsel was instructed to refile said pleading using the correct event Responses and Replies: Memorandum in Opposition. (zstd) (Text entry; no document attached.)

[106](#)

02/25/2022

SUPPLEMENT by USA as to ROBERT GIESWEIN re [72] Memorandum in Opposition, [101] Supplement to any document

[107](#)

02/28/2022

Memorandum in Opposition by USA as to ROBERT GIESWEIN re 64 MOTION to Change Venue (Supplemental Response)

[108](#)

03/02/2022

NOTICE of Filing Joint Proposed Order regarding Trial Date, by ROBERT GIESWEIN.

1 Attachment ▼

[109](#)

03/02/2022

Joint MOTION to Continue Deadline for Motions and Responses by USA as to ROBERT GIESWEIN.

[1 Attachment ▼](#)

03/03/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Additional Motions due by 3/16/2022. Responses To Those Motions (Including To Presently Pending ECF No. 100) due by 3/30/2022. Replies due by 4/6/2022. (Text entry; no document attached.)

03/03/2022

MINUTE ORDER. In view of [108] notice of filing of joint proposed order re-scheduling trial, it is hereby ORDERED that jury selection in this case shall commence on October 24, 2022 at 9:00 a.m. Signed by Judge Emmet G. Sullivan on 3/3/2022. (lcegs3) (Text entry; no document attached.)

03/03/2022

Set/Reset Hearings as to ROBERT GIESWEIN:Jury Selection set for 10/24/2022 at 9:00 AM in Ceremonial Courtroom before Judge Emmet G. Sullivan. (Text entry; no document attached.)

03/03/2022

MINUTE ORDER granting [109] joint motion to continue deadline for motions and responses. It is hereby ORDERED that any additional motions shall be filed by no later than March 16, 2022; that responses to those motions (including to presently pending ECF No. 100) shall be filed by no later than March 30, 2022; and that any replies shall be filed by no later than April 6, 2022. Signed by Judge Emmet G. Sullivan on 3/3/2022. (lcegs3) (Text entry; no document attached.)

[110](#)

03/11/2022

REPLY TO OPPOSITION to Motion by ROBERT GIESWEIN re [64] MOTION to Change Venue and [101] Supplement to Motion

[1 Attachment ▼](#)

[111](#)

03/16/2022

Unopposed MOTION to Continue Deadline for Motions and Responses, Unopposed MOTION for Hearing by USA as to ROBERT GIESWEIN.

[1 Attachment ▼](#)

[112](#)

03/16/2022

SUPPLEMENT by ROBERT GIESWEIN re 60 MOTION to Dismiss Count One of the Indictment, Providing Supplemental Authority in Support of Motion

[1 Attachment ▼](#)

03/17/2022

MINUTE ORDER granting [111] unopposed motion to continue deadline for motions and responses. It is hereby ORDERED that a motions hearing shall take place on October 5, 2022 at 11:00 a.m. It is FURTHER ORDERED that any motions presently filed shall be addressed at the currently scheduled April 20, 2022, motions hearing, including ECF No. 100. It is FURTHER ORDERED that the government's response to ECF No. 100 shall be filed by no later than March 30, 2022; and that the defendant's reply, if any, shall be filed by no later than April 6, 2022. It is FURTHER ORDERED that any additional motions shall be filed by no later than August 31, 2022; that responses to those motions shall be filed by no later than September 14, 2022; and that any replies shall be filed by no later than September 21, 2022. Signed by Judge Emmet G. Sullivan on 3/17/2022. (lcegs3) (Text entry; no document attached.)

03/17/2022

MINUTE ORDER granting 111 unopposed motion to continue deadline for motions and responses. It is hereby ORDERED that a motions hearing shall take place on October 5, 2022 at 11:00 a.m. It is FURTHER ORDERED that any motions presently filed shall be addressed at the currently scheduled April 20, 2022, motions hearing, including ECF No. 100. It is FURTHER ORDERED that the government's response to ECF No. 100 shall be filed by no later than March 30, 2022; and that the defendant's reply, if any, shall be filed by no later than April 6, 2022. It is FURTHER ORDERED that any additional motions shall be filed by no later than August 31, 2022; that responses to those motions shall be filed by no later than September 14, 2022; and that any replies shall be filed by no later than September 21, 2022. Signed by Judge Emmet G. Sullivan on 3/17/2022. (lcegs3) (Text entry; no document attached.)

[113](#)

03/29/2022

RESPONSE by USA as to ROBERT GIESWEIN re 100 MOTION to Dismiss Count Two and Four of the Superseding Indictment

04/15/2022

Set/Reset Deadlines as to ROBERT GIESWEIN: Joint Status Report due by 4:00PM on 4/15/2022. (zacr) (Text entry; no document attached.)

04/15/2022

MINUTE ORDER. The parties are directed to file a joint status report by no later than April 15, 2022 at 4:00 p.m. informing the Court of the following: the number of witnesses, if any, expected to testify on April 20, 2022; whether any motions have been resolved or will be resolved by the parties; and the projected duration of the hearing. Signed by Judge Emmet G. Sullivan on 4/15/2022. (lcegs3) (Text entry; no document attached.)

[114](#)

04/15/2022

Joint STATUS REPORT Regarding Motions Hearing by USA as to ROBERT GIESWEIN

04/15/2022

Set/Reset Hearings as to ROBERT GIESWEIN: Motion Hearing set for 4/20/2022 at 9:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. (zacr) (Text entry; no document attached.)

04/15/2022

Set/Reset Deadlines as to ROBERT GIESWEIN: Joint Status Report due by 4:00PM on 4/15/2022. (zacr) (Text entry; no document attached.)

[115](#)

04/18/2022

Supplemental STATUS REPORT regarding Motions Hearing by ROBERT GIESWEIN

[116](#)

04/18/2022

NOTICE Of Additional Authority Regarding Voir Dire by USA as to ROBERT GIESWEIN re [64] MOTION to Change Venue

[117](#)

04/18/2022



NOTICE OF BRIEF FILED IN U.S. v. MILLER by USA as to ROBERT GIESWEIN re [112] Supplement to any document

1 Attachment ▼

[118](#)

04/18/2022

NOTICE of Filing Additional Support for Motion to Transfer Venue, by ROBERT GIESWEIN re [64] MOTION to Change Venue

1 Attachment ▼

[119](#)

04/19/2022

NOTICE OF ATTORNEY APPEARANCE James Pearce appearing for USA.

04/20/2022

Minute Entry for proceedings held before Judge Emmet G. Sullivan: Motions Hearing as to ROBERT GIESWEIN held via video on 4/20/2022. Oral arguments were heard and the Court made the following rulings: [41] MOTION for Reconsideration Of Order Requiring Government to Fund Defense Discovery Vendor by September 10, 2021 filed by USA is GRANTED and the oral order from the 8/11/2021 Status Conference is VACATED; [57] MOTION to Reopen Detention Hearing & for Release, filed by ROBERT GIESWEIN is DENIED for reasons stated on the record; [58] MOTION to Dismiss Case for Violation of Speedy Trial Rights filed by ROBERT GIESWEIN is DENIED for reasons stated on the record; [59] MOTION for Bill of Particulars Regarding Count One filed by ROBERT GIESWEIN is DENIED for reasons stated on the record; [60] MOTION to Dismiss Count One of the Indictment filed by ROBERT GIESWEIN is TAKEN UNDER ADVISEMENT; [61] MOTION to Dismiss Count Two through Count Four, and IN THE ALTERNATIVE MOTION for Bill of Particulars Regarding Counts Two-Four MOTION for Discovery Regarding Grand Jury Proceedings Regarding Counts Two-Four, filed by ROBERT GIESWEIN is DENIED AS MOOT; [63] MOTION in Limine to Preclude Certain Defense Arguments filed by USA is TAKEN UNDER ADVISEMENT, [64] MOTION to Change Venue filed by ROBERT GIESWEIN is TAKEN UNDER ADVISEMENT, [65] MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses filed by USA is TAKEN UNDER ADVISEMENT; [97] Second MOTION to Access to Video Exhibits filed by PRESS COALITION is GRANTED, however the ruling is stayed for 14 days to allow the defendant to file a Motion for Reconsideration by 5/4/2022 and for the government to respond by 5/18/2022; [100] MOTION to Dismiss Count Two and Four of the Superseding Indictment filed by ROBERT GIESWEIN is DENIED for the reasons stated on the record. Motion Hearing set for 10/5/2022 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Government's oral motion for tolling of Speedy Trial through the next hearing; Heard and GRANTED. The Court found that time under the Speedy Trial Act shall be excluded (XT) from 4/20/2022 through 10/05/2022 for the reasons stated on the record. All Responses to open motions are due by 5/8/2022. Replies are due by 5/14/2022. Bond Status of Defendant: Remains Committed/Appeared via video; Court Reporter: Lisa Bankins Defense Attorney: Ann Rigby & Elizabeth Mullin; US Attorney: Erik Kenerson/Jason McCullough/James Pearce. (zacr) (Text entry; no document attached.)

[120](#)

04/20/2022

NOTICE of Additional Authority by USA as to ROBERT GIESWEIN re [64] MOTION to Change Venue

1 Attachment ▼

04/21/2022

MINUTE ORDER. For the reasons stated during the April 20, 2022 motions hearing, the Court hereby GRANTS [41] motion for reconsideration of order requiring government to fund defense discovery vendor by September 10, 2021. The Court's August 11, 2021 Order regarding discovery is hereby VACATED. It is FURTHER ORDERED that, for the reasons stated during the April 20, 2022 motions hearing, [57] motion to reopen detention hearing is DENIED; [58] motion to dismiss case for violation of speedy trial rights is DENIED; [59] motion for bill of particulars regarding Count

One is DENIED; [61] motion to dismiss Count Two through Count Four is DENIED as moot; and [100] motion to dismiss Count Two and Four of the Superseding Indictment is DENIED. It is FURTHER ORDERED that [97] second application for access to video exhibits is GRANTED. The Court's Order granting [97] second application for access to video exhibits is STAYED until May 4, 2022. Mr. Gieswein may file any motion for reconsideration with regard to the Court's Order granting the second application for access to video exhibits by no later than May 4, 2022; and any response shall be filed by no later than May 18, 2022. Signed by Judge Emmet G. Sullivan on 4/21/2022. (lcegs3) (Text entry; no document attached.)

04/25/2022

NOTICE OF ERROR as to ROBERT GIESWEIN regarding [122] Transcript. The following error(s) need correction: The court reporter will refile in correct case. (zstd) (Text entry; no document attached.)

[121](#)

04/25/2022

TRANSCRIPT OF PROCEEDINGS in case as to ROBERT GIESWEIN before Judge Emmet G. Sullivan held on 04/20/2022; Page Numbers: 85. Date of Issuance:04/25/2022. Court Reporter/Transcriber L. Bankins, Telephone number 202-354-3243, 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 5/16/2022. Redacted Transcript Deadline set for 5/26/2022. Release of Transcript Restriction set for 7/24/2022.

[122](#)

04/25/2022

ENTERED IN ERROR. TRANSCRIPT OF PROCEEDINGS in case as to ROBERT GIESWEIN before Judge Emmet G. Sullivan held on 02/10/2022; Page Numbers: 152. Date of Issuance:04/25/2022. Court Reporter/Transcriber L. Bankins, Telephone number 202-354-3243, 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 5/16/2022. Redacted Transcript Deadline set for 5/26/2022. Release of Transcript Restriction set for 7/24/2022. Modified on 4/26/2022 (zstd).

04/25/2022

NOTICE OF ERROR as to ROBERT GIESWEIN regarding 122 Transcript. The following error(s) need correction: The court reporter will refile in correct case. (zstd) (Text entry; no document attached.)

[123](#)

05/03/2022

NOTICE OF SUPPLEMENTAL AUTHORITY REGARDING DEFENDANT'S MOTION TO DISMISS COUNT ONE by USA as to ROBERT GIESWEIN re [112] Supplement to any document, [117] Notice (Other), [60] MOTION to Dismiss Count One of the Indictment

1 Attachment ▼

[124](#)

05/04/2022

RESPONSE by USA as to ROBERT GIESWEIN re 118 Notice (Other) Response to In Lux Research Poll

1 Attachment ▼

[125](#)

05/18/2022

Unopposed MOTION for Extension of Time to File Replies from May 18 to May 20, by ROBERT GIESWEIN.

1 Attachment ▼

[126](#)

05/20/2022

REPLY in Support by ROBERT GIESWEIN re [64] MOTION to Change Venue, Specifically Reply to Government Response re In Lux Research Data [124]

[127](#)

05/20/2022

REPLY in Support by ROBERT GIESWEIN re [60] MOTION to Dismiss Count One of the Indictment, Specifically Reply to Arguments in Brief Filed by Government from United States v. Miller [117]

05/23/2022

MINUTE ORDER granting nunc pro tunc [125] unopposed motion for extension of time. It is hereby ORDERED that Mr. Gieswein shall file replies to open motions by no later than May 20, 2022. Signed by Judge Emmet G. Sullivan on 5/23/2022. (lcegs3) (Text entry; no document attached.)

05/25/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Defendant Replies To Open Motions due by 5/20/2022. (Text entry; no document attached.)

[128](#)

05/31/2022

NOTICE of Additional Authority by ROBERT GIESWEIN re 60 MOTION to Dismiss Count One of the Indictment

1 Attachment ▼

08/02/2022

MINUTE ORDER as to ROBERT GIESWEIN directing the parties to submit a joint status report, by no later than August 16, 2022, proposing a schedule for the following: (1) any required expert disclosures; (2) deadline for United States for grand jury and Jenks Act disclosures as to each witness it expects to call in its case-in-chief; (3) deadline for any Brady material not already disclosed; (4) three proposed dates and times for a pretrial conference during the week of October 17, 2022. Signed by Judge Emmet G. Sullivan on 8/2/2022. (lcegs1) (Text entry; no document attached.)

08/03/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Status Report due by 8/16/2022 (Text entry; no document attached.)

[129](#)

08/03/2022

SUPERSEDING SECOND INDICTMENT as to ROBERT GIESWEIN (1) count(s) 1ss, 2ss, 3ss, 4ss-6ss, 7ss, 8ss-9ss, 10ss, 11ss. (zstd)

09/01/2022

MINUTE ORDER as to ROBERT GIESWEIN. In view of the parties' failure to comply with the Court's August 2, 2022 Minute Order, the parties are hereby ORDERED to submit a joint status report by no later than September 15, 2022 proposing a schedule for the following: (1) any required expert disclosures; (2) deadline for United States for grand jury and Jenks Act disclosures as to each witness it expects to call in its case-in-chief; (3) deadline for any Brady material not already disclosed; (4) three proposed dates and times for a pretrial conference during the week of October 17, 2022. Signed by Judge Emmet G. Sullivan on 9/1/2022. (lcegs3) (Text entry; no document attached.)

09/02/2022

Set/Reset Deadlines as to ROBERT GIESWEIN:Joint Status Report due by 9/15/2022 (Text entry; no document attached.)

08/05/2022

Minute Entry for proceedings held before Judge Emmet G. Sullivan:Arraignment/Status Conference as to ROBERT GIESWEIN held on 8/5/2022 on counts 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss, 8ss, 9ss, 10ss, 11ss. Plea Of Not Guilty Entered By ROBERT GIESWEIN as to Counts 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss, 8ss, 9ss, 10ss, 11ss. The Parties Updated The Court In Regards To The Current Posture Of This Matter. The Court Will Grant The Parties Request To Continue The Jury Selection/Trial Scheduled To Start On October 24, 2022. Motion Hearing set for 4/26/2023 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Jury Selection/Trial is now set for 5/2/2022 at 09:00 AM in Courtroom 24A- In Person before Judge Emmet G. Sullivan. The Parties Will Issue A Pre-Trial Order. Pending Motions Are Tolling Speedy Trial Time. Bond Status of Defendant: APPEARED VIA VTC - REMAINS COMMITTED; Court Reporter: LISA BANKINS; Defense Attorney: ANN RIGBY/ELIZABETH MULLIN; US Attorney: ERIK KENERSON; (Text entry; no document attached.)

08/08/2022

Set/Reset Hearings as to ROBERT GIESWEIN: Jury Selection/Trial set for 5/2/2023 at 09:00 AM in Courtroom 24A- In Person before Judge Emmet G. Sullivan. (Text entry; no document attached.)

09/01/2022

MINUTE ORDER as to ROBERT GIESWEIN. In view of the parties' failure to comply with the Court's August 2, 2022 Minute Order, the parties are hereby ORDERED to submit a joint status report by no later than September 15, 2022 proposing a schedule for the following: (1) any required expert disclosures; (2) deadline for United States for grand jury and Jenks Act disclosures as to each witness it expects to call in its case-in-chief; (3) deadline for any Brady material not already disclosed; (4) three proposed dates and times for a pretrial conference during the week of October 17, 2022. Signed by Judge Emmet G. Sullivan on 9/1/2022. (lcegs3) (Text entry; no document attached.)

[131](#)

09/15/2022

Joint STATUS REPORT by USA as to ROBERT GIESWEIN

[132](#)

10/06/2022

PRETRIAL ORDER as to ROBERT GIESWEIN. Signed by Judge Emmet G. Sullivan on 10/6/2022. (lcegs1)

10/19/2022

Minute Entry for proceedings held before Judge Trevor N. McFadden:Status Conference as to ROBERT GIESWEIN held via videoconference on 10/19/2022. Defendant's presence was waived; however, the defendant appeared later in the hearing. Motion Hearing will remain set for 3/31/2023 at 11:00 AM, but will be in-person, in Courtroom 2 before Judge Trevor N. McFadden. Pretrial Conference rescheduled to 4/28/2023 at 11:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Jury Selection remains set for 5/2/2023 at 9:00 AM in Courtroom 2 before Judge Trevor N.

McFadden. Jury Trial is set for 5/2/2023 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Witness Lists do not need to be filed, rather should be provided to the Courtroom Deputy the day of trial. Time under the Speedy Trial Act remains tolling based on the pending motions and in the interests of justice. Bond Status of Defendant: remains committed. Defense Attorneys: Ann M. Rigby, Elizabeth A. Mullin; US Attorneys: Erik M. Kenerson, Jason McCullough; Court Reporter: Lisa Edwards. (Text entry; no document attached.)

10/17/2022

NOTICE OF HEARING as to ROBERT GIESWEIN. The parties shall take notice that a VTC Status Conference is set for 10/19/2022 at 10:00 AM before Judge Trevor N. McFadden. (Text entry; no document attached.)

10/19/2022

Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference as to ROBERT GIESWEIN held via videoconference on 10/19/2022. Defendant's presence was waived; however, the defendant appeared later in the hearing. Motion Hearing will remain set for 3/31/2023 at 11:00 AM, but will be in-person, in Courtroom 2 before Judge Trevor N. McFadden. Pretrial Conference rescheduled to 4/28/2023 at 11:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Jury Selection remains set for 5/2/2023 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Jury Trial is set for 5/2/2023 at 9:00 AM in Courtroom 2 before Judge Trevor N. McFadden. Witness Lists do not need to be filed, rather should be provided to the Courtroom Deputy the day of trial. Time under the Speedy Trial Act remains tolling based on the pending motions and in the interests of justice. Bond Status of Defendant: remains committed. Defense Attorneys: Ann M. Rigby, Elizabeth A. Mullin; US Attorneys: Erik M. Kenerson, Jason McCullough; Court Reporter: Lisa Edwards. (Text entry; no document attached.)

[133](#)

12/30/2022

Unopposed MOTION to Continue Deadline for Rule 404 Notice by USA as to ROBERT GIESWEIN.

1 Attachment ▼

12/30/2022

MINUTE ORDER granting the United States' [133] Unopposed Motion to Continue Deadline for Rule 404 Notice. It is hereby ORDERED that the United States shall notify the defendant of its intention to introduce any evidence governed by Fed. R. Evid. 404(b) no later than January 20, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/30/2022. (lctnm2) (Text entry; no document attached.)

01/03/2023

Set/Reset Deadlines as to ROBERT GIESWEIN: United States' notice to defendant of its intention to introduce any evidence governed by Fed. R. Evid. 404(b) due by 1/20/2023 (Text entry; no document attached.)

01/09/2023

MINUTE ORDER granting [134] Motion for Leave to Appear Pro Hac Vice as to ROBERT GIESWEIN (1). Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for instructions. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/9/2023. (lctnm2) (Text entry; no document attached.)

[134](#)

01/08/2023

MOTION for Leave to Appear Pro Hac Vice Blake Weiner Filing fee \$ 100, receipt number ADCDC-9772973. Fee Status: Fee Paid. by ROBERT GIESWEIN.

3 Attachments ▼

01/09/2023

MINUTE ORDER granting 134 Motion for Leave to Appear Pro Hac Vice as to ROBERT GIESWEIN (1). Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for instructions. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/9/2023. (lctnm2) (Text entry; no document attached.)

[135](#)

01/10/2023

MOTION to Substitute Attorney by ROBERT GIESWEIN.

01/11/2023

MINUTE ORDER as to ROBERT GIESWEIN (1) granting 135 Motion to Substitute Attorney. Attorneys Rigby and Mullin will no longer represent Mr. Gieswein. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/11/2023. (lctnm2) (Text entry; no document attached.)

01/11/2023

MINUTE ORDER as to ROBERT GIESWEIN (1) granting [135] Motion to Substitute Attorney. Attorneys Rigby and Mullin will no longer represent Mr. Gieswein. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/11/2023. (lctnm2) (Text entry; no document attached.)

01/20/2023

Set/Reset Deadlines as to ROBERT GIESWEIN: Notice pursuant to Fed. R. Evid. 404(b) due by 2/17/2023. Expert notice and pretrial motions due by 2/24/2023; oppositions due by 3/15/2023, replies due by 3/22/2023. (Text entry; no document attached.)

[136](#)

01/19/2023

Joint MOTION for Extension of Time to Comply with Pretrial Deadlines by USA as to ROBERT GIESWEIN.

**1 Attachment ▼**

01/20/2023

MINUTE ORDER as to ROBERT GIESWEIN granting [136] Joint Motion for Extension of Time to Comply with Pretrial Deadlines. It is hereby ORDERED that the pretrial schedule is modified as follows: any required notice pursuant to Fed. R. Evid. 404(b) shall be produced by February 17, 2023; any government expert notice and pretrial motions shall be produced or filed by February 24, 2023; oppositions to any motions shall be filed by March 15, 2023; and any replies shall be filed by March 22, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/20/2023. (lctnm2) (Text entry; no document attached.)

02/14/2023

NOTICE OF HEARING as to ROBERT GIESWEIN. The parties shall take notice that a Plea Agreement Hearing is set for 3/6/2023 at 10:30 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. (Text entry; no document attached.)

03/06/2023

Minute Entry for proceedings held before Judge Trevor N. McFadden: Plea Agreement Hearing as to ROBERT GIESWEIN held on 3/6/2023. Defendant entered a plea of Guilty as to Counts 4 and 9 of the Second Superseding Indictment. Case referred to the Probation Office for Presentence Investigation. Sentencing Memoranda due by 6/2/2023. Sentencing set for 6/9/2023 at 10:00 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. All jury trial related dates and deadlines are vacated. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Blake Weiner; US Attorney: Jason McCullough; Court Reporter: Lisa Edwards. (Text entry; no document attached.)

03/06/2023

MINUTE ORDER as to ROBERT GIESWEIN. In light of the March 6, 2023 plea hearing, the defendant's [60] Motion to Dismiss Count One of the Indictment, [64] Motion for Change of Venue, and the government's [63] Motion in Limine to Preclude Certain Defense Arguments, [65] Motion in Limine to Limit Cross-Examination of Secret Service Agency Witnesses, [105] Motion for Order for Entry of Proposed Order on Trial Deadlines, are denied as moot. Signed by Judge Trevor N. McFadden on 3/6/2023. (Text entry; no document attached.)

01/20/2023

MINUTE ORDER as to ROBERT GIESWEIN granting 136 Joint Motion for Extension of Time to Comply with Pretrial Deadlines. It is hereby ORDERED that the pretrial schedule is modified as follows: any required notice pursuant to Fed. R. Evid. 404(b) shall be produced by February 17, 2023; any government expert notice and pretrial motions shall be produced or filed by February 24, 2023; oppositions to any motions shall be filed by March 15, 2023; and any replies shall be filed by March 22, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/20/2023. (lctnm2) (Text entry; no document attached.)

[137](#)

03/06/2023

PLEA AGREEMENT as to ROBERT GIESWEIN.

[138](#)

03/06/2023

STATEMENT OF OFFENSE by USA, ROBERT GIESWEIN as to ROBERT GIESWEIN.

[139](#)

03/06/2023

WAIVER of Trial by Jury as to ROBERT GIESWEIN. Approved by Judge Trevor N. McFadden on 3/6/2023.

03/06/2023

MINUTE ORDER as to ROBERT GIESWEIN. In light of the March 6, 2023 plea hearing, the defendant's 60 Motion to Dismiss Count One of the Indictment, 64 Motion for Change of Venue, and the government's 63 Motion in Limine to Preclude Certain Defense Arguments, 65 Motion in Limine to Limit Cross-Examination of Secret Service Agency Witnesses, 105 Motion for Order for Entry of Proposed Order on Trial Deadlines, are denied as moot. Signed by Judge Trevor N. McFadden on 3/6/2023. (Text entry; no document attached.)

[140](#)

04/07/2023

Unopposed MOTION to Continue Sentencing by USA as to ROBERT GIESWEIN.

[1 Attachment ▼](#)

04/07/2023

MINUTE ORDER as to ROBERT GIESWEIN granting [140] Unopposed Motion to Continue Sentencing. The Sentencing previously set for June 9, 2023, is rescheduled to June 23, 2023, at 10:00 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Any memoranda in aid of sentencing shall now be due by June 16, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/7/2023. (lctnm2) (Text entry; no document attached.)

04/07/2023

Set/Reset Deadlines/Hearings as to ROBERT GIESWEIN: Sentencing Memoranda due by 6/16/2023. Sentencing rescheduled to 6/23/2023 at 10:00 AM in Courtroom 2- In Person before Judge Trevor N. McFadden. (Text entry; no document attached.)

04/07/2023



MINUTE ORDER as to ROBERT GIESWEIN granting 140 Unopposed Motion to Continue Sentencing. The Sentencing previously set for June 9, 2023, is rescheduled to June 23, 2023, at 10:00 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Any memoranda in aid of sentencing shall now be due by June 16, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/7/2023. (lctnm2) (Text entry; no document attached.)

[146](#)

06/16/2023

SENTENCING MEMORANDUM by ROBERT GIESWEIN

**6 Attachments ▼**

06/16/2023

NOTICE OF ERROR as to ROBERT GIESWEIN regarding [147] Sentencing Memorandum. The following error(s): As stated in ECF [149], AUSA filed in error and refiled as docket entry [148]. (zltp) (Text entry; no document attached.)

[147](#)

06/16/2023

SENTENCING MEMORANDUM by USA as to ROBERT GIESWEIN

**3 Attachments ▼**

[148](#)

06/17/2023

SENTENCING MEMORANDUM by USA as to ROBERT GIESWEIN

**3 Attachments ▼**

[149](#)

06/17/2023

NOTICE Of Corrected Sentencing Memorandum by USA as to ROBERT GIESWEIN

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06/21/2023

RESPONSE by ROBERT GIESWEIN to Government's Sentencing Memorandum

06/23/2023

Minute Entry for proceedings held before Judge Trevor N. McFadden: Sentencing held on 6/23/2023 as to ROBERT GIESWEIN. Defendant sentenced to a term of Forty-Eight (48) Months of Incarceration on each of Counts 4ss, 9ss, with terms to run concurrently, followed by a term of Thirty-Six (36) Months of Supervised Release on each of Counts 4ss, 9ss, with terms to run concurrently. Special Assessment of \$100 imposed on each of Counts 4ss, 9ss, for a total amount of \$200. Restitution imposed in the amount of \$2,000. Oral motion by the Government to dismiss all remaining counts, heard and granted. Bond Status of Defendant: Committed/Commitment Issued. Defense Attorney: Blake Weiner; US Attorneys: Erik M. Kenerson, Jason McCullough; Probation Officer: Sherry Baker; Court Reporter: Lisa Edwards. (Text entry; no document attached.)

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06/22/2023

NOTICE Of Sentencing Exhibits by USA as to ROBERT GIESWEIN

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06/23/2023



JUDGMENT as to ROBERT GIESWEIN. Statement of Reasons Not Included. Signed by Judge Trevor N. McFadden on 6/23/2023. (zltp)

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06/23/2023

STATEMENT OF REASONS as to ROBERT GIESWEIN. re 152 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Trevor N. McFadden on 6/23/2023. (zltp)