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Date↓↑

Description

03/16/2021	SEALED COMPLAINT as to ROBERT SCHORNAK (1), DANIEL HERENDEEN (2). [1:21-mj-00312-RMM]	<u>1</u>
	1 Attachment ▼	
03/16/2021	MOTION to Seal Case by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN. [1:21-mj-00312-RMM]	<u>3</u>
	1 Attachment ▼	
03/16/2021	ORDER granting 3 Motion to Seal Case as to ROBERT SCHORNAK (1), DANIEL HERENDEEN (2). Signed by Magistrate Judge Robin M. Meriweather on 03/16/2021. (zstd) [1:21-mj-00312-RMM]	<u>4</u>
03/18/2021	Arrest Warrant Returned Executed on 3/18/2021 in Chesterfield, MI as to DANIEL HERENDEEN. (bb) [1:21-mj-00312-RMM]	<u>5</u>
03/18/2021	Case unsealed as to DANIEL HERENDEEN (bb) [1:21-mj-00312-RMM] (Text entry; no document attached.)	<u>6</u>
03/18/2021	Arrest Warrant Returned Executed on 3/18/2021 in Roseville, Michigan as to ROBERT SCHORNAK. (bb) [1:21-mj-00312-RMM]	
03/18/2021	Case unsealed as to ROBERT SCHORNAK (bb) [1:21-mj-00312-RMM] (Text entry; no document attached.)	
03/18/2021	Arrest of DANIEL HERENDEEN (2) in Eastern District of Michigan. (Text entry; no document attached.)	
03/18/2021	Arrest of ROBERT SCHORNAK (1) in Eastern District of Michigan. (Text entry; no document attached.)	<u>7</u>
03/24/2021	Rule 5(c)(3) Documents Received as to ROBERT SCHORNAK from US District Court for the Eastern District of Michigan Case Number 21:30134 (bb) [1:21-mj-00312-RMM]	<u>8</u>

03/26/2021

Rule 5(c)(3) Documents Received as to DANIEL HERENDEEN from US District Court for the Eastern District of Michigan Case Number 21-mj-30133 (bb) [1:21-mj-00312-RMM]

9

04/02/2021

INDICTMENT as to ROBERT SCHORNAK (1) count(s) 1, 2, 3, 4, 5, DANIEL HERENDEEN (2) count(s) 1, 2, 3, 4, 5.

11

04/06/2021

STANDING ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on April 6, 2021. (lcbah3)

12

04/13/2021

NOTICE OF ATTORNEY APPEARANCE: Colleen Pechman Fitzharris appearing for DANIEL HERENDEEN

04/14/2021

MINUTE ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 4/14/2021. (Text entry; no document attached.)

04/14/2021

ORAL MOTION to Appoint Counsel by ROBERT SCHORNAK (1). (Text entry; no document attached.)

04/14/2021

ORAL MOTION to Appoint Counsel by DANIEL HERENDEEN (2). (Text entry; no document attached.)

04/14/2021

ORAL MOTION for Speedy Trial Waiver by USA as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). (Text entry; no document attached.)

04/14/2021

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arrestment as to ROBERT SCHORNAK (1) Count 1,2,3,4,5 and DANIEL HERENDEEN (2) Count 1,2,3,4,5 held on 4/14/2021. Not Guilty Plea entered by ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) as to all counts. Oral Motion to Appoint Counsel by ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) Heard and Granted. Government does not seek the Defendants' pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) Heard and Granted. Time between 4/14/2021 and 4/16/2021 (2 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 4/16/2021 at 09:15 AM in Telephonic/VTC before Chief Judge Beryl A. Howell. Bond Status of Defendant: Defendants Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:10:57-1:28:32]; [1:35:21-2:11:24]; Defense Attorney: Eugene Ohm (1), Colleen Fitzharris (2); US Attorney: Jacob Steiner for Amanda Fretto; Pretrial Officer: John Copes; (Text entry; no document attached.)

16

04/15/2021

Consent MOTION for Protective Order by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN.

1 Attachment ▼

17

04/15/2021

First MOTION to Continue and Exclude Time by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN.

1 Attachment ▼

18

04/16/2021

PROTECTIVE ORDER as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on April 16, 2021. (lcbah3)

04/16/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 4/16/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 5/14/2021, at 9:40 AM before Chief Judge Beryl A. Howell. Government's 17 Motion to Continue and Exclude Time Under the Speedy Trial Act, Granted in Part and Denied in Part for the reasons stated in open court. The defendants agreed to exclude time under the Speedy Trial Act from today until the next hearing date of 5/14/2021. The Court found that time under the Speedy Trial Act shall be excluded from 4/16/2021 through 5/14/2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the government to complete discovery and the defendants and their counsel to review discovery and discuss a resolution of this matter short of trial. Bond Status of Defendants: Defendant #1 and #2 Personal recognizance. Present via videoconference: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

19

04/15/2021

MOTION to Exclude Time Under the Speedy Trial Act by USA as to ROBERT SCHORNAK. (See DE 17 to view document).

04/16/2021

MINUTE ORDER granting 16 Motion for Protective Order as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2). Signed by Chief Judge Beryl A. Howell on 4/16/2021. (Text entry; no document attached.)

20

04/27/2021

NOTICE of Filing (Request for Bill of Particulars) by ROBERT SCHORNAK

21

04/14/2021

ORDER Setting Conditions of Release as to ROBERT SCHORNAK (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/14/2021.

1 Attachment ▼

22

04/14/2021

ORDER Setting Conditions of Release as to DANIEL HERENDEEN (2) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/14/2021.

1 Attachment ▼

23

05/06/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

26

05/14/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

05/14/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 5/14/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 6/11/2021, at 12:00 PM before Chief Judge Beryl A. Howell. Government directed to extend plea offers within a week and report to the Court as to the progress on the plea offers. The defendants agreed to exclude time under the Speedy Trial Act from today until the next status hearing of 6/11/2021. The Court found that time under the Speedy Trial shall be excluded from 5/14/2021 through 6/11/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete discovery and extend plea offers and to give the defendants time to review the discovery and consider the plea offers extended by the government. Bond Status of Defendants: Personal Recognizance. Present via videoconference: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

05/14/2021

MINUTE ORDER (paperless) as to ROBERT SCHORNAK (1) and DANIEL HERENDEEN (2) DIRECTING the government to submit, by May 21, 2021, a status report updating the Court as to the governments progress concerning plea offers, including whether the government has extended any plea offer to defendants. Signed by Chief Judge Beryl A. Howell on May 14, 2021. (lcbah3) (Text entry; no document attached.)

05/17/2021

Set/Reset Deadlines as to ROBERT SCHORNAK, DANIEL HERENDEEN: Government's Status Report due by 5/21/2021. (Text entry; no document attached.)

27

05/21/2021

STATUS REPORT by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

33

06/11/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

06/11/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 6/11/2021. The defendants consented to appear via videoconference after consultation with counsel. A further Status Hearing is scheduled for 7/9/2021, at 10:00 AM before Chief Judge Beryl A. Howell. The defendants agreed to exclude time under the Speedy Trial Act

from today until the next hearing date of 7/9/2021. The Court found that time under the Speedy Trial Act shall be excluded from 6/11/2021 through 7/9/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete the voluminous discovery in this case. Bond Status of Defendants #1 and #2: Personal recognizance. Present: Defense Attorneys: #1 Eugene Ohm; #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Shay Holman. Court Reporter: Crystal Pilgrim. (Text entry; no document attached.)

07/09/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Conference as to Defendant #1 ROBERT SCHORNAK, #2 DANIEL HERENDEEN held via videoconference on 7/9/2021. The defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 9/24/2021, at 9:00 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from 7/9/2021 through 9/24/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the government to complete discovery and the defendants to review the discovery and discuss resolution of this case short of trial. Bond Status of Defendants #1 and #2: personal recognizance. Present via videoconference: Defense Attorney: #1 Eugene Ohm and #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[38](#)

09/23/2021

STATUS REPORT by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

[39](#)

09/23/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

[40](#)

09/23/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

[41](#)

09/23/2021

STATUS REPORT REGARDING DISCOVERY by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

[42](#)

09/23/2021

NOTICE OF FILING by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

1 Attachment ▼

09/24/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to Defendant #1 ROBERT SCHORNAK and #2 DANIEL HERENDEEN held via videoconference on 9/24/2021; the defendants agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 11/12/2021, at 10:15 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from 9/24/2021 through 11/12/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the defendants time to review the discovery and decide whether they wish to resolve this

case short of trial. Bond Status of Defendants: Personal Recognizance. Present via videoconference: Defense Attorneys: #1 Eugene Ohm and #2 Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[45](#)

11/11/2021

NOTICE OF ATTORNEY APPEARANCE Anita Eve appearing for USA.

11/12/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Conference as to DANIEL HERENDEEN held via videoconference on 11/12/2021; the Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 12/17/2021, at 9:40 AM before Chief Judge Beryl A. Howell. Time under the Speedy Trial Act excluded from 11/12/2021 through 12/17/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the parties time to continue discussions for a resolution of this matter short of trial. Oral request by Pretrial for reduction of Defendant's reporting to Pretrial, denied. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Colleen P. Fitzharris; US Attorney: Amanda Fretto; Pretrial Officer: Shay Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

11/12/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Plea Agreement Hearing as to ROBERT SCHORNAK held via videoconference on 11/12/2021; the Defendant agreed to participate via videoconference under the CARES Act and after consultation with counsel. Defendant sworn; plea of guilty entered by Defendant ROBERT SCHORNAK to Count 2 of the Indictment filed on 4/2/2021; case referred to the Probation Office for presentence investigation; Sentencing Hearing scheduled for 2/18/2022, at 9:30 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. Government directed to file by 11/19/2021, a notice regarding the videos that support the Statement of Offense and any objection as to the release of the videos publicly; Defendant's response due on the same date, 11/19/2021. The Defendant shall continue to be released on his own personal recognizance pending sentencing. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Eugene Ohm; US Attorney: Amanda Fretto; Pretrial Officer: Shay Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[46](#)

11/12/2021

PLEA AGREEMENT as to ROBERT SCHORNAK.

[47](#)

11/12/2021

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

[48](#)

11/12/2021

WAIVER of Trial by Jury as to ROBERT SCHORNAK. Approved by Chief Judge Beryl A. Howell on 11/12/2021.

11/12/2021

MINUTE ORDER (paperless), as to ROBERT SCHORNAK (1), DIRECTING the government, by November 19, 2021, to: (1) submit to the Court a report identifying the video evidence on which the factual statements in the 47 Statement of Offense associated with ROBERT SCHORNAK's plea are based, including the length and source(s) of each video, (2) make any such video evidence available for the Court's review, and (3) provide the government's position on whether this video evidence may be made publicly available without restriction; and FURTHER DIRECTING the defendant, by November 19, 2021, to file a notice as to his position on public release of such video evidence. Signed by Chief Judge Beryl A. Howell on November 12, 2021. (lcbah3) (Text entry; no document attached.)

11/19/2021

RESPONSE by USA as to ROBERT SCHORNAK Response to November 12, 2021 Minute Order Regarding Video Evidence

11/22/2021

NOTICE OF HEARING as to DANIEL HERENDEEN. The parties shall take notice that a Revocation Hearing is scheduled for 11/22/2021 at 2:00 PM via videoconference before Chief Judge Beryl A. Howell. A videoconference link will be provided by the deputy clerk. (Text entry; no document attached.)

11/22/2021

MINUTE ORDER (paperless), as to ROBERT SCHORNAK (1), DIRECTING the government, in light of the government's consent to release video evidence, see 50 Response to Minute Order Regarding Video Exhibit Release, and no timely objection posed by defendant, promptly to make the video exhibits identified in the government's 50 Response 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 Chief Judge Beryl A. Howell on November 22, 2021. (lcbah3) (Text entry; no document attached.)

11/22/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Hearing on Violation as to DANIEL HERENDEEN held via videoconference on 11/22/2021; Defendant agreed to participate via videoconference after consultation with counsel; Defendant will continue to be released on his own personal recognizance with the following additional conditions: The Defendant shall report for periodic drug testing for controlled substances, he shall attend mental health treatment, and provide Pretrial Services with access to his treatment records; so ORDERED by Chief Judge Beryl A. Howell orally in open court. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Colleen P. Fitzharris; US Attorney: Anita Eve; Pretrial Officer: Shay Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

12/16/2021

NOTICE OF RESCHEDULED TIME OF HEARING as to DANIEL HERENDEEN. The parties shall take notice that the Status Hearing currently scheduled for 12/17/2021, at 9:40 AM is converted to a Plea Agreement Hearing and is rescheduled to be heard at 10:30 AM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

12/17/2021

MINUTE ORDER (paperless), as to DANIEL HERENDEEN (2), DIRECTING the parties, by noon on December 21, 2021, to submit jointly a report that: (1) identifies the video evidence on which the factual statements in the Statement of Offense associated with DANIEL HERENDEEN's plea are based, including the length and source(s) of each video; and (2) provides the parties' positions on whether this video evidence may be made publicly available without restriction; and FURTHER DIRECTING the government, concurrently with such filing, to make any referenced video evidence available for the Court's review, to the extent it has not already been provided. Signed by Chief Judge Beryl A. Howell on December 17, 2021. (lcbah3) (Text entry; no document attached.)

12/17/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Plea Agreement Hearing as to DANIEL HERENDEEN held via videoconference on 12/17/2021; the Defendant agreed to participate via videoconference under the CARES Act and after consultation with counsel. Defendant sworn; plea of guilty to Count 2 of the Indictment filed on 4/2/2021, entered by DANIEL HERENDEEN; case referred to the Probation Office for presentence investigation; Sentencing Hearing scheduled for 3/3/2022, at 9:30 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. Bond Status of Defendant: Defendant will remain released on his own personal recognizance pending sentencing under the same conditions of release previously set by the Court. Present via videoconference: Defense Attorney: Colleen P. Fitzharris; US Attorney: Anita Eve; Pretrial Officer: Shay Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[54](#)

12/17/2021

PLEA AGREEMENT as to DANIEL HERENDEEN.

[55](#)

12/17/2021

STATEMENT OF OFFENSE by USA, DANIEL HERENDEEN as to DANIEL HERENDEEN.

[56](#)

12/17/2021

WAIVER of Trial by Jury as to DANIEL HERENDEEN. Approved by Chief Judge Beryl A. Howell on 12/17/2021.

12/17/2021

Set/Reset Deadlines as to DANIEL HERENDEEN: Response to Order of the Court due by noon on 12/21/2021. (Text entry; no document attached.)

[57](#)

12/21/2021

NOTICE in Response to Court Order by USA as to DANIEL HERENDEEN

12/21/2021

MINUTE ORDER (paperless), as to DANIEL HERENDEEN (2), DIRECTING the government, in light of the parties' agreement that video evidence may be released, see 57 Response to Minute Order Regarding Video Exhibit Release at 1, promptly to make the video exhibits identified in the government's 57 Response 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 Chief Judge Beryl A. Howell on December 21, 2021. (lcbah3) (Text entry; no document attached.)

[62](#)

02/06/2022

SENTENCING MEMORANDUM by USA as to ROBERT SCHORNAK

1 Attachment ▼

[63](#)

02/08/2022

SENTENCING MEMORANDUM by USA as to ROBERT SCHORNAK

[64](#)

02/11/2022

SENTENCING MEMORANDUM by ROBERT SCHORNAK

12 Attachments ▼

02/14/2022

MINUTE ORDER (paperless), as to ROBERT SCHORNAK (1), DIRECTING the government, by February 15, 2022, to: (1) submit to the Court a supplemental report identifying any video evidence (including videos from which screenshots are included in the government's briefing) on which the factual statements in the government's [62] Sentencing Memorandum are based, but only to the extent such videos were not already identified in the analogous

[50] report submitted by the government in conjunction with defendant's plea hearing; (2) make any such additional video evidence available for the Court's review; and (3) provide the government's position on whether this additional video evidence may be made publicly available without restriction; and FURTHER DIRECTING defendant, by noon on February 16, 2022, to file a notice as to his position on public release of such additional video evidence. The parties are welcome to include defendant's position in the government's supplemental report, in lieu of a separate filing by defendant, if the parties' counsel so coordinate. Signed by Chief Judge Beryl A. Howell on February 14, 2022. (lcbah3) (Text entry; no document attached.)

02/14/2022

Set/Reset Deadlines as to ROBERT SCHORNAK: Government's response to Order of the Court due by 2/15/2022; defendant's response to Order of the Court due by noon on 2/16/2022. (Text entry; no document attached.)

[65](#)

02/14/2022

SUPPLEMENT by ROBERT SCHORNAK re [64] Sentencing Memorandum

2 Attachments ▼

[67](#)

02/15/2022

NOTICE by USA as to ROBERT SCHORNAK

[68](#)

02/15/2022

RESPONSE TO ORDER OF THE COURT by ROBERT SCHORNAK re Order

02/16/2022

MINUTE ORDER (paperless), as to ROBERT SCHORNAK (1), DIRECTING the government, in light of the parties' agreement that additional video evidence may be released, see 67 Government's Response to Minute Order Regarding Additional Video Exhibits and Release at 1; 68 Defendant's Response to Court's Order of February 14, 2022, promptly to make the video exhibits identified in the government's 67 Response 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 Chief Judge Beryl A. Howell on February 16, 2022. (lcbah3) (Text entry; no document attached.)

[69](#)

02/17/2022

First MOTION to Continue Sentencing Hearing by USA as to DANIEL HERENDEEN.

02/18/2022

MINUTE ORDER granting 69 Motion for Continuance of Sentencing Hearing as to DANIEL HERENDEEN (2). Upon consideration of the joint motion, it is hereby ORDERED that the sentencing hearing currently scheduled for March 3, 2022, shall be CONTINUED to April 1, 2022, at 11:00 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/18/2022. (Text entry; no document attached.)

02/18/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 2/18/2022 as to ROBERT SCHORNAK (1). Defendant sentenced on Count 2 of the Indictment to serve a term of thirty-six (36) months of Probation with special conditions of intermittent confinement and home detention; the defendant shall pay a \$25.00 special assessment; restitution ordered in the amount of \$500.00 for its disbursement to the victim: Architect of the Capitol; imposition of a fine waived. Oral motion by the government for the dismissal of Counts 1, 3, 4, and 5, granted. Counts 1, 3, 4, and 5 are dismissed as to Defendant ROBERT SCHORNAK. Oral request by the Defendant

for a recommendation for prison camp placement at FCI Milan, granted. Bond Status of Defendant: Defendant placed on Probation. Present: Defense Attorney: Eugene Ohm; US Attorney: Anita Eve; Probation Officer: Carmen I. Newton; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

02/18/2022

MINUTE ORDER granting [69] Motion for Continuance of Sentencing Hearing as to DANIEL HERENDEEN (2). Upon consideration of the joint motion, it is hereby ORDERED that the sentencing hearing currently scheduled for March 3, 2022, shall be CONTINUED to April 1, 2022, at 11:00 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/18/2022. (Text entry; no document attached.)

02/18/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 2/18/2022 as to ROBERT SCHORNAK (1). Defendant sentenced on Count 2 of the Indictment to serve a term of thirty-six (36) months of Probation with special conditions of intermittent confinement and home detention; the defendant shall pay a \$25.00 special assessment; restitution ordered in the amount of \$500.00 for its disbursement to the victim: Architect of the Capitol; imposition of a fine waived. Oral motion by the government for the dismissal of Counts 1, 3, 4, and 5, granted. Counts 1, 3, 4, and 5 are dismissed as to Defendant ROBERT SCHORNAK. Oral request by the Defendant for a recommendation for prison camp placement at FCI Milan, granted. Bond Status of Defendant: Defendant placed on Probation. Present: Defense Attorney: Eugene Ohm; US Attorney: Anita Eve; Probation Officer: Carmen I. Newton; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[71](#)

02/18/2022

JUDGMENT as to ROBERT SCHORNAK. Statement of Reasons Not Included. Signed by Chief Judge Beryl A. Howell on 2/18/2021. (zhsj)

[72](#)

02/18/2022

STATEMENT OF REASONS as to ROBERT SCHORNAK re 71 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Chief Judge Beryl A. Howell on 2/18/2022. (zhsj)

02/18/2022

MINUTE ORDER granting 69 Motion for Continuance of Sentencing Hearing as to DANIEL HERENDEEN (2). Upon consideration of the joint motion, it is hereby ORDERED that the sentencing hearing currently scheduled for March 3, 2022, shall be CONTINUED to April 1, 2022, at 11:00 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/18/2022. (Text entry; no document attached.)

02/18/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 2/18/2022 as to ROBERT SCHORNAK (1). Defendant sentenced on Count 2 of the Indictment to serve a term of thirty-six (36) months of Probation with special conditions of intermittent confinement and home detention; the defendant shall pay a \$25.00 special assessment; restitution ordered in the amount of \$500.00 for its disbursement to the victim: Architect of the Capitol; imposition of a fine waived. Oral motion by the government for the dismissal of Counts 1, 3, 4, and 5, granted. Counts 1, 3, 4, and 5 are dismissed as to Defendant ROBERT SCHORNAK. Oral request by the Defendant for a recommendation for prison camp placement at FCI Milan, granted. Bond Status of Defendant: Defendant placed on Probation. Present: Defense Attorney: Eugene Ohm; US Attorney: Anita Eve; Probation Officer: Carmen I. Newton; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[75](#)

03/11/2022

NOTICE OF WITHDRAWAL OF APPEARANCE Amanda Fretto-Lingwood by USA as to ROBERT SCHORNAK, DANIEL HERENDEEN

[77](#)

03/18/2022

SENTENCING MEMORANDUM by DANIEL HERENDEEN

4 Attachments ▼

[79](#)

03/21/2022

SENTENCING MEMORANDUM by USA as to DANIEL HERENDEEN

1 Attachment ▼

[80](#)

03/21/2022

SENTENCING MEMORANDUM by USA as to DANIEL HERENDEEN

1 Attachment ▼

[81](#)

03/21/2022

NOTICE of Exhibit to Sentencing Memorandum by DANIEL HERENDEEN re [77] Sentencing Memorandum

1 Attachment ▼

03/23/2022

MINUTE ORDER (paperless), as to DANIEL HERENDEEN (2), DIRECTING the government, by March 25, 2022, to: (1) submit to the Court a supplemental report identifying any video evidence (including videos from which screenshots are included in the government's briefing) on which the factual statements in the government's [79] Sentencing Memorandum are based, but only to the extent such videos were not already identified in the analogous [57] report submitted by the government in conjunction with defendant's plea hearing; (2) make any such additional video evidence available for the Court's review; and (3) provide the government's position on whether this additional video evidence may be made publicly available without restriction; and FURTHER DIRECTING defendant, by noon on March 28, 2022, to file a notice as to his position on public release of such additional video evidence. The parties are welcome to include defendant's position in the government's supplemental report, in lieu of a separate filing by defendant, if the parties' counsel so coordinate. Signed by Chief Judge Beryl A. Howell on March 23, 2022. (lcbah3) (Text entry; no document attached.)

03/23/2022

Set/Reset Deadlines as to DANIEL HERENDEEN: Government's response to Order of the Court due by 3/25/2022; Defendant's response to Order of the Court due by noon on 3/28/2022. (Text entry; no document attached.)

[82](#)

03/24/2022

SENTENCING MEMORANDUM by USA as to DANIEL HERENDEEN

03/26/2022

MINUTE ORDER (paperless), as to DANIEL HERENDEEN (2), DIRECTING the government, by 2 PM on March 28, 2022, to submit a notice clarifying: (1) the extent, if any, to which the videos identified in the [57] Response to Minute Order Regarding Video Exhibit Release and the anticipated response to the Courts March 23, 2022 minute order

(collectively, "Herendeen Video Reports") are the same as any of the video exhibits identified in the corresponding filings for co-defendant ROBERT SCHORNAK (1), specifically the government's [50] Response to Minute Order Regarding Video Exhibit Release and [67] Response to Minute Order Regarding Additional Video Exhibits and Release (collectively, "Schornak Video Reports"); and (2) whether, for the purposes of evaluating the conduct of DANIEL HERENDEEN (2), the videos identified in the Herendeen Video Reports comprise the full set of relevant exhibits or whether the exhibits listed in the Schornak Video Reports are relevant as well. Signed by Chief Judge Beryl A. Howell on March 26, 2022. (lcbah3) (Text entry; no document attached.)

[83](#)

03/26/2022

NOTICE of Video Evidence by USA as to DANIEL HERENDEEN re Order, Order

[84](#)

03/27/2022

RESPONSE TO ORDER OF THE COURT by DANIEL HERENDEEN re Order, Regarding Public Release of Video Exhibit 5

03/28/2022

MINUTE ORDER (paperless), as to DANIEL HERENDEEN (2), DIRECTING the government, in light of the parties' agreement that additional video evidence may be released, see [83] Government's Response to Minute Order Regarding Video Exhibit Release at 2; [84] Daniel Herendeen's Response to Minute Order Regarding Public Release of Video Exhibit 5, promptly to make the video exhibits identified in the government's [83] Response 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 Chief Judge Beryl A. Howell on March 28, 2022. (lcbah3) (Text entry; no document attached.)

04/01/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 4/1/2022 as to DANIEL HERENDEEN (2). Defendant sentenced on Count 2 of the Indictment to serve a term of thirty-six (36) months of Probation with conditions of intermittent confinement and home detention; a special assessment of \$25.00 and restitution in the amount of \$500.00 to the victim, Architect of the Capitol, ordered; the financial obligations are payable to the Clerk of the Court for the U.S. District Court for the District of Columbia; oral motion by the government to dismiss the remaining Counts of the Indictment, granted; Counts 1, 3, 4, and 5 dismissed as to Defendant Daniel Herendeen. Bond Status of Defendant: Defendant placed on Probation. Present: Defense Attorney: Colleen P. Fitzharris; US Attorney: Anita Eve; Probation Officer: Carmen I. Newton; Pretrial Officer: Christine Schuck and Shal Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[87](#)

04/01/2022

JUDGMENT as to DANIEL HERENDEEN. Statement of Reasons Not Included. Signed by Chief Judge Beryl A. Howell on 4/1/2022. (zhjsj)

[88](#)

04/01/2022

STATEMENT OF REASONS as to DANIEL HERENDEEN re 87 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Chief Judge Beryl A. Howell on 4/1/2022. (zhjsj)

04/01/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 4/1/2022 as to DANIEL HERENDEEN (2). Defendant sentenced on Count 2 of the Indictment to serve a term of thirty-six (36) months of Probation with conditions of intermittent confinement and home detention; a special assessment of \$25.00 and

restitution in the amount of \$500.00 to the victim, Architect of the Capitol, ordered; the financial obligations are payable to the Clerk of the Court for the U.S. District Court for the District of Columbia; oral motion by the government to dismiss the remaining Counts of the Indictment, granted; Counts 1, 3, 4, and 5 dismissed as to Defendant Daniel Herendeen. Bond Status of Defendant: Defendant placed on Probation. Present: Defense Attorney: Colleen P. Fitzharris; US Attorney: Anita Eve; Probation Officer: Carmen I. Newton; Pretrial Officer: Christine Schuck and Shal Holman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[90](#)

05/11/2022

TRANSCRIPT OF PROCEEDINGS, in case as to ROBERT SCHORNAK, before Chief Judge Beryl A. Howell, held on 2-18-2022. Page Numbers: 1 - 100. Date of Issuance: 5-11-2022. Court Reporter: Elizabeth Saint-Loth, 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 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 6/1/2022. Redacted Transcript Deadline set for 6/11/2022. Release of Transcript Restriction set for 8/9/2022.

[91](#)

06/12/2022

TRANSCRIPT OF PROCEEDINGS, in case as to DANIEL HERENDEEN, before Chief Judge Beryl A. Howell, held on 4-01-2022. Page Numbers: 1 - 84. Date of Issuance: 6-12-2022. 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 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 7/3/2022. Redacted Transcript Deadline set for 7/13/2022. Release of Transcript Restriction set for 9/10/2022.

[92](#)

04/06/2023

Emergency MOTION to Continue Date to Self-Surrender by DANIEL HERENDEEN.

[93](#)

04/06/2023

Unopposed MOTION for Extension of Time to Self Surrender by ROBERT SCHORNAK.

[1 Attachment](#) ▼

04/06/2023

MINUTE ORDER as to ROBERT SCHORNAK (1), DENYING [93] Emergency Motion to Extend Deadline for Self-Surrender. Signed by Judge Beryl A. Howell on 4/6/2023. (Text entry; no document attached.)

04/06/2023

MINUTE ORDER as to ROBERT SCHORNAK (1), DENYING 93 Emergency Motion to Extend Deadline for Self-Surrender. Signed by Judge Beryl A. Howell on 4/6/2023. (Text entry; no document attached.)

[94](#)

04/06/2023

ERRATA by DANIEL HERENDEEN re 92 Motion to Continue

[95](#)

04/06/2023

ORDER, as to DANIEL HERENDEEN, GRANTING defendant's 92 Emergency Unopposed Motion to Delay Self-Surrender. See Order for further details. Signed by Judge Beryl A. Howell on April 6, 2023. (lcbah3)

[96](#)

06/22/2023

Emergency MOTION for Extension of Time to Self-Surrender by DANIEL HERENDEEN.

[1 Attachment](#) ▼

06/22/2023

ORDER, as to DANIEL HERENDEEN, GRANTING defendant's [96] Emergency Motion to Delay Self-Surrender for at least 30 days, and further DIRECTING that BOP designate defendant to serve his second period of intermittent confinement with no less than ten days' notice. Signed by Judge Beryl A. Howell on June 22, 2023. (lcbah3) (Text entry; no document attached.)

[97](#)

06/22/2023

ORDER, as to DANIEL HERENDEEN, GRANTING defendant's 96 Emergency Motion to Delay Self-Surrender for at least 30 days, and further DIRECTING that BOP designate defendant to serve his second period of intermittent confinement with no less than ten days' notice. Signed by Judge Beryl A. Howell on June 22, 2023. (lcbah3) (ztg). Modified to add document on 6/23/2023