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Description

03/10/2021	SEALED COMPLAINT as to THOMAS F. SIBICK (1). [1:21-mj-00297-GMH]	1
		1 Attachment ▼
03/10/2021	MOTION to Seal Case by USA as to THOMAS F. SIBICK. [1:21-mj-00297-GMH]	3
		1 Attachment ▼
03/10/2021	ORDER granting 3 Motion to Seal Case as to THOMAS F. SIBICK (1). Signed by Magistrate Judge G. Michael Harvey on 3/10/2021. (zltpt) [1:21-mj-00297-GMH]	4
03/12/2021	Notice of ERRATA by USA as to THOMAS F. SIBICK re 2 Unredacted Document filed by USA, 1 Complaint (Sealed) (zltpt) [1:21-mj-00297-GMH]	5
03/12/2021	Arrest Warrant Returned Executed on 3/12/2021 as to THOMAS F. SIBICK in Buffalo, NY. (zltpt) [1:21-mj-00297-GMH]	6
03/12/2021	Case unsealed as to THOMAS F. SIBICK (zltpt) [1:21-mj-00297-GMH] (Text entry; no document attached.)	
03/12/2021	MOTION For Emergency Appeal of Release Order by USA as to THOMAS F. SIBICK. [1:21-mj-00297-GMH]	7
		1 Attachment ▼
03/12/2021	MINUTE ORDER (paperless), as to THOMAS F. SIBICK, GRANTING the government's 7 Motion for Emergency Appeal of Release Order and DIRECTING the parties to appear via videoconference at a hearing on Tuesday, March 16, 2021, at 12:00 PM, before Chief Judge Beryl A. Howell, to review the magistrate judge's release decision. The parties are further DIRECTED to submit any documents related to the hearing by 12:00 PM on Monday, March 15, 2021. A videoconference link will be provided by the deputy clerk. Signed by Chief Judge Beryl A. Howell on March 12, 2021. (lcbah4) [1:21-mj-00297-GMH] (Text entry; no document attached.)	
03/12/2021		

Set/Reset Hearings as to THOMAS F. SIBICK: Motion Hearing scheduled for 3/16/2021, at 12:00 PM before Chief Judge Beryl A. Howell. (ztg) [1:21-mj-00297-GMH] (Text entry; no document attached.)

03/12/2021

Arrest of THOMAS F. SIBICK. (ztl) [1:21-mj-00297-GMH] (Text entry; no document attached.)

03/12/2021

Case unsealed as to THOMAS F. SIBICK (Text entry; no document attached.)

8

03/15/2021

MEMORANDUM in Support of Pretrial Detention by USA as to THOMAS F. SIBICK [1:21-mj-00297-GMH]

9

03/15/2021

RESPONSE by THOMAS F. SIBICK re 7 MOTION For Emergency Appeal of Release Order [1:21-mj-00297-GMH]

10

03/16/2021

NOTICE OF ATTORNEY APPEARANCE Tara Ravindra appearing for USA. [1:21-mj-00297-GMH]

03/16/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to THOMAS F. SIBICK held via videoconference on 3/16/2021. The Defendant agreed to appear via videoconference after consultation with counsel. 7 MOTION for Emergency Appeal of Release Order filed by USA, heard and granted; Magistrate Judge's Pretrial Release Order REVERSED. The Court will issue a warrant for the arrest of the Defendant and will enter an order for the transport of the Defendant to this jurisdiction. Once in custody, the Defendant will be held without bond pending trial. Bond Status of Defendant: Personal Recognizance pending execution of the arrest warrant. Present via videoconference: Defense Attorney: Alex Anzalone and Michelle Peterson; US Attorney: Cara A. Gardner and Tara Ravindra; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) [1:21-mj-00297-GMH] (Text entry; no document attached.)

11

03/16/2021

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

12

03/17/2021

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

13

03/19/2021

TRANSCRIPT OF PROCEEDINGS, in case as to THOMAS F. SIBICK, before Chief Judge Beryl A. Howell, held on 3-16-2021. Page Numbers: 52. Date of Issuance: 3-19-2021. Court Reporter: Elizabeth SaintLoth, Telephone number: 202-354-3242. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats,

(multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 4/9/2021. Redacted Transcript Deadline set for 4/19/2021. Release of Transcript Restriction set for 6/17/2021. [1:21-mj-00297-GMH]

14

03/23/2021

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

16

03/29/2021

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

03/29/2021

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

03/29/2021

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

03/29/2021

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

17

03/30/2021

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

03/30/2021

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

18

03/15/2021

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

03/16/2021

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

[19](#)

04/09/2021

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

[21](#)

04/09/2021

MOTION to Seal Case by USA as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3).

[1 Attachment](#) ▼

[22](#)

04/09/2021

ORDER granting 21 Motion to Seal Case as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). Signed by Magistrate Judge Zia M. Faruqui on 4/9/2021.

[23](#)

04/15/2021

Unopposed MOTION for Protective Order by USA as to THOMAS F. SIBICK.

[1 Attachment](#) ▼

[24](#)

04/15/2021

MOTION for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to THOMAS F. SIBICK.

[1 Attachment](#) ▼

[25](#)

04/14/2021

Arrest Warrant Returned Executed on 4/14/2021 in Johnson City, TN as to ALBUQUERQUE COSPER HEAD.

[26](#)

04/14/2021

Arrest Warrant Returned Executed on 4/14/2021 in Redfield, Iowa as to KYLE J. YOUNG.

04/14/2021

Case unsealed as to ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG (Text entry; no document attached.)

04/14/2021

Arrest of ALBUQUERQUE COSPER HEAD in US District Court Eastern District of Tennessee Greeneville Division. (Text entry; no document attached.)

04/14/2021

Arrest of Defendant KYLE J. YOUNG (3) in Redfield, Iowa. (Text entry; no document attached.)

04/14/2021

Arrest of KYLE J. YOUNG in US District Court Southern District of Iowa. (Text entry; no document attached.)

04/15/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). The hearing currently scheduled for April 15, 2021 before Magistrate Judge G. Michael Harvey is hereby VACATED, as the Defendant: has had an initial appearance in this jurisdiction; has had counsel appointed; has been ordered held without bond pending trial; and has been charged by Indictment. As such, there are no pending matters necessitating action by a magistrate judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/15/2021. (Text entry; no document attached.)

27

04/16/2021

PROTECTIVE ORDER as to THOMAS F. SIBICK (1). Signed by Judge Amy Berman Jackson on 4/16/21.

04/16/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). The government's motion for an order 24 is GRANTED. The government may provide materials protected by Federal Rule of Criminal Procedure 6(e) to the defendant as part of the discovery in this case, and where appropriate, it may also provide sealed materials, pursuant to the protective order 27. The Court will take up disclosure to co-defendants when it has been informed of the co-defendants' positions on the motion. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/16/21. (Text entry; no document attached.)

28

04/20/2021

NOTICE OF ATTORNEY APPEARANCE Cara Anne Gardner appearing for USA.

04/20/2021

MINUTE ORDER as to THOMAS F. SIBICK (1) Defendant's Arraignment and Status Conference to be held by Video (VTC) are set for 4/21/2021 at 1:00 PM before Judge Amy Berman Jackson. In a separate email the Court's Deputy Clerk will provide counsel with the Video Connection Information needed for the proceeding. If this date and time pose a conflict for counsel an appropriate motion should be filed to reschedule the matter. Signed by Judge Amy Berman Jackson on 4/20/2021. (Text entry; no document attached.)

04/21/2021

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

30

04/22/2021

ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel who have entered their appearances in this case or who do so in the future must review and comply with their disclosure obligations under Brady v.

Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1. See Order for details. Signed by Judge Amy Berman Jackson on 4/22/21.

[31](#)

04/28/2021

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

[32](#)

04/28/2021

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

[33](#)

04/30/2021

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

[35](#)

05/17/2021

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

[36](#)

04/21/2021

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

[39](#)

05/21/2021

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

[1 Attachment](#) ▼

[40](#)

05/21/2021

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

[1 Attachment](#) ▼

[41](#)

05/24/2021

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

[1 Attachment](#) ▼

[42](#)

05/24/2021

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

1 Attachment ▼

05/24/2021

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

05/24/2021

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

43

05/25/2021

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

05/25/2021

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

06/02/2021

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

06/02/2021

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

44

05/24/2021

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

45

06/03/2021

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

06/03/2021

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

06/04/2021

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

06/04/2021

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

06/04/2021

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

[46](#)

06/04/2021

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

[1 Attachment](#) ▼

[47](#)

06/07/2021

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

06/09/2021

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

06/20/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). In light of a petition filed with this Court by members of the media in Application for Access to Certain Sealed Video Exhibits v. USA, 21-mc-0082, and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that the parties in USA v. Sibick, 21-cr-0291-1, shall advise the Court by June 28, 2021 whether they object to the release of the videos referenced in and depicted in screenshots in the government's

Memorandum in Support of Detention in the criminal matter and if so, on what basis. See 21-cr-0291, Dkt. 8 at 8-11, 17-18. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/20/21. (Text entry; no document attached.)

48

05/21/2021

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

49

06/21/2021

TRANSCRIPT OF PROCEEDINGS in case as to ALBUQUERQUE COSPER HEAD before Magistrate Judge Robin M. Meriweather held on 05/06/2021. Page Numbers: 1-28. Date of Issuance: 06/16/2021. Transcribing Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public term inal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 7/12/2021. Redacted Transcript Deadline set for 7/22/2021. Release of Transcript Restriction set for 9/19/2021.

06/23/2021

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

50

06/25/2021

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

51

06/25/2021

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

06/25/2021

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

52

06/28/2021

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

07/01/2021

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

07/01/2021

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

53

07/01/2021

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

07/06/2021

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

07/14/2021

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

07/14/2021

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

[54](#)

07/21/2021

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

2 Attachments ▼

[55](#)

07/21/2021

NOTICE OF DISCOVERY by USA as to THOMAS F. SIBICK

1 Attachment ▼

[56](#)

07/21/2021

NOTICE OF DISCOVERY by USA as to KYLE J. YOUNG

1 Attachment ▼

[57](#)

07/21/2021

NOTICE OF DISCOVERY by USA as to ALBUQUERQUE COSPER HEAD

1 Attachment ▼

[58](#)

07/21/2021

NOTICE OF DISCOVERY by USA as to ALBUQUERQUE COSPER HEAD

1 Attachment ▼

[59](#)

07/21/2021

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

1 Attachment ▼

[60](#)

07/14/2021

MANDATE of USCA as to THOMAS F. SIBICK re 16 Notice of Appeal - Final Judgment. In accordance with the judgment of May 21, 2021, district court's pretrial detention order entered on March 17, 2021 be affirmed. USCA Case Number 21-3015.

1 Attachment ▼

[61](#)

07/30/2021

PRETRIAL MEMORANDUM REGARDING STATUS OF DISCOVERY by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

1 Attachment ▼

[62](#)

08/03/2021

NOTICE OF ATTORNEY APPEARANCE: Sam Moore appearing for KYLE J. YOUNG

08/03/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 8/3/2021. All Defendants consent to proceed by Video. Oral Motion by Katrina Young and Catherine Henry as Appointed Counsel for Defendant KYLE J. YOUNG (3) to withdraw in light of the appearance of retained counsel, was Heard and Granted. The appearances of Katrina Young and Catherine Henry are terminated in this case. Another Video (VTC) Status Conference is set for 9/28/2021 at 10:00 AM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 8/3/2021 and 9/28/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendants: All Defendants Remain Committed; Court Reporter: Janice Dickman; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore, and Katrina Young; US Attorneys: Cara Anne Gardner and Tara Ravindra. (Text entry; no document attached.)

08/25/2021

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). It is ORDERED that due to the need to clean and disinfect the video rooms at the defendants' facilities, that the Status Conference in this case presently set for 9/28/2021 at 10:00 AM is reset for 9/28/2021 (same date) at 10:30 AM (new starting time) before Judge Amy Berman Jackson. The same zoom connection information previously sent to counsel will be used for this new starting time. Signed by Judge Amy Berman Jackson on 8/25/2021. (Text entry; no document attached.)

63

05/03/2021

Rule 5(c)(3) Documents Received as to KYLE J. YOUNG from US District Court Southern District of Iowa Case Number 4:21-mj-251-CFB

05/06/2021

ORAL MOTION by USA to Commit Defendant ALBUQUERQUE COSPER HEAD (2) to the Custody of the U.S. Attorney General. (Text entry; no document attached.)

05/06/2021

ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act for 30 Days Until 6/5/2021 as to Defendant ALBUQUERQUE COSPER HEAD (2). (Text entry; no document attached.)

05/06/2021

Minute Entry for Initial Appearance and Arraignment as to ALBUQUERQUE COSPER HEAD (2) held by video before Magistrate Judge Robin M. Meriweather on 5/6/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Defendant found eligible for court-appointed counsel. The defendant agrees to appear virtually rather than in-person for this hearing. Oral Motion by USA to Commit Defendant to the Custody of the U.S. Attorney General. The defense withdraws its request for a detention hearing. The defendant waives his right to have a detention hearing and written findings of fact in support of an order of detention. Government's motion granted; Pretrial Detention Ordered. Plea of Not Guilty entered by ALBUQUERQUE COSPER HEAD (2) to Counts 1, 2-3, 4, 8, 9, 10, 11, 12 and 13. Parties directed to contact Judge Amy Berman Jackson's courtroom deputy to schedule a status hearing date. Oral Motion by USA to Exclude Time Under the Speedy Trial Act for 30 Days Until 6/5/2021, with no objection by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant Held Without Bond. Defendant remains committed. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 2:18:15 - 2:31:57. Defense Attorney: G. Nicholas Wallace; U.S. Attorney: Jacob Steiner for Cara Gardner and Tara Ravindra; Pretrial Officer: Shay Holman. (Text entry; no document attached.)

64

08/30/2021

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

1 Attachment ▼

65

08/30/2021

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

1 Attachment ▼

66

09/10/2021

MOTION to Reopen Detention Hearing by THOMAS F. SIBICK.

2 Attachments ▼

09/13/2021

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

67

09/16/2021

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

68

09/17/2021

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

09/21/2021

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

09/22/2021

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

69

09/22/2021

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

09/23/2021

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

09/23/2021

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

[70](#)

09/23/2021

STATUS REPORT REGARDING STATUS OF DISCOVERY AS OF AUGUST 23, 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG Modified event title on 10/6/2021 (znmw).

[71](#)

09/23/2021

STATUS REPORT REGARDING STATUS OF DISCOVERY AS OF SEPTEMBER 14, 2021 by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG Modified event title on 10/6/2021 (znmw).

[72](#)

09/27/2021

RESPONSE TO ORDER OF THE COURT In Reply to 9/21 Minute Order by KYLE J. YOUNG re Order, Set Deadlines, Modified event title and defendant on 10/6/2021 (znmw).

[73](#)

09/27/2021

RESPONSE TO ORDER OF THE COURT by ALBUQUERQUE COSPER HEAD to the Court's Minute Order entered on September 21, 2021 (Wallace, G.) Modified event title on 10/6/2021 (znmw).

[74](#)

09/27/2021

RESPONSE TO ORDER OF THE COURT by USA as to ALBUQUERQUE COSPER HEAD re Order, Set Deadlines, Modified event title on 10/6/2021 (znmw).

09/28/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 9/28/2021. Another Video (VTC) Status Conference is set for 11/29/2021 at 2:00 PM before Judge Amy Berman Jackson. The Court makes a finding as to Defendants ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) that it is in the Interest of Justice that the time between 9/28/2021 and 11/29/2021 shall be excluded from the Speedy Trial Act calculation (START XT). The Court makes a finding as to Defendant THOMAS F. SIBICK (1) that the time between 9/28/2021 and 10/1/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: All Defendants Remain Committed; Court Reporter: Janice Dickman; Defense Attorneys: 1) Stephen F. Brennwald; 2) G. Nicholas Wallace; 3) Samuel C. Moore; US Attorneys: Tara Ravindar and Cara Anne Gardner. (Text entry; no document attached.)

[75](#)

09/28/2021

NOTICE of Discovery Letter by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG

[1 Attachment](#) ▼

[76](#)

09/28/2021

NOTICE of Response to this Court's September 21, 2021 Minute Order by THOMAS F. SIBICK

[78](#)

09/30/2021

NOTICE of Submission of Character Letters by THOMAS F. SIBICK

[6 Attachments](#) ▼

10/01/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Motion Hearing as to THOMAS F. SIBICK (1) held on 10/1/2021 re: Defendant's 66 Motion to Reopen Detention Hearing. For the reasons stated on the record in open Court Defendant's 66 Motion is DENIED. Another Status Conference is set for 10/25/2021 at 11:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the proceeding on 10/25/2021 is to be converted to a disposition, the parties must email the appropriate paperwork to the Court's Deputy Clerk by 10/21/2021. The Court makes a finding that it is in the Interests of Justice that the time between 10/1/2021 and 10/25/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Committed, Commitment Issued; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Tara Ravindra; Pretrial Services Agency Officer: Shay Holman (appeared by telephone). (Text entry; no document attached.)

[79](#)

10/01/2021

EXHIBIT LIST by USA as to THOMAS F. SIBICK (1).

[80](#)

10/01/2021

EXHIBIT LIST by THOMAS F. SIBICK (1).

[81](#)

10/13/2021

ORDER granting 67 Application for Access to Video Exhibits as to ALBUQUERQUE COSPER HEAD (2). Upon consideration of the videos, the argument of the applicants and the parties in the criminal case, and the applicable law, the Application is hereby GRANTED. The government is ORDERED to make the two videos promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28. See order for details. Signed by Judge Amy Berman Jackson on 10/13/21.

[82](#)

10/14/2021

Second MOTION to Access Video Exhibits by PRESS COALITION as to THOMAS F. SIBICK.

[83](#)

10/16/2021

MOTION for Bond by THOMAS F. SIBICK.

[84](#)

10/18/2021

NOTICE of Filing of Letters in Support of Bond Motion by THOMAS F. SIBICK

[13 Attachments](#) ▼

10/18/2021

MINUTE ORDER. In light of the Second Motion to Access Video Exhibits 82 as to defendant SIBICK (1), and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that any party in USA v. Sibick, et al. must file any opposition to the motion 82 by Thursday, October 21, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/18/21. (Text entry; no document attached.)

10/18/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED that the government's response to defendant's motion for bond 83 is due by October 22, 2021 and any reply by defendant is due by October 27, 2021. Signed by Judge Amy Berman Jackson on 10/18/21. (Text entry; no document attached.)

[85](#)

10/21/2021

RESPONSE by USA as to THOMAS F. SIBICK re 82 Second MOTION to Access Video Exhibits

[86](#)

10/22/2021

Consent MOTION Reschedule October 25, 2021 Hearing by THOMAS F. SIBICK.

[1 Attachment](#) ▼

10/22/2021

MINUTE ORDER granting 86 consent motion to reschedule hearing as to THOMAS F. SIBICK (1). On October 1, 2021, the Court held a hearing on defendant's 66 Motion to Reopen Detention and denied the motion. But it informed the defendant at that time that he could file a motion to review the detention order in this case on other grounds if he chose to do so. No schedule for the filing of the motion was established, but the Court scheduled a status conference and no other type of hearing for October 25, noting, because the possibility of a disposition had been mentioned, that "[i]f the proceeding on 10/25/2021 is to be converted to a disposition, the parties must email the appropriate paperwork to the Court's Deputy Clerk by 10/21/2021." On October 16, defendant filed his 83 motion for bond. The Court promptly set a schedule for briefing that motion, which extended beyond October 25: "It is ORDERED that the government's response to defendant's motion for bond is due by October 22, 2021 and any reply by defendant is due by October 27, 2021." Thus is it not at all clear why counsel for the defendant understood the hearing on October 25 to be anything other than a status conference. Since the Court was not informed that a plea agreement had been reached on October 21, and the bond motion was not yet fully briefed, the Court then directed its Deputy Clerk to ask the parties if they wished to re-set the status conference as a bond hearing on another date so that the Court would have the benefit of the parties' submissions in advance of any bond hearing. The Court still finds that to be advisable, but given the circumstances described in the consent motion, the hearing will be re-set for an in-person proceeding in Courtroom 3 at 9:30 am on Tuesday, October 26. Any reply to the government's opposition must be filed, then, by noon on Monday, October 25. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/22/21. (Text entry; no document attached.)

10/22/2021

Set/Reset Deadlines/Hearings as to THOMAS F. SIBICK (1): Defendant's Reply, if any, to the 83 Motion for Bond is due by 12:00 PM (noon) on 10/25/2021. Bond Hearing set for 10/26/2021 at 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. (Text entry; no document attached.)

[87](#)

10/22/2021

RESPONSE by USA as to THOMAS F. SIBICK re 83 MOTION for Bond

[89](#)

10/26/2021

ORDER Setting Conditions of Release as to THOMAS F. SIBICK (1). Defendant Placed on Personal Recognizance Bond - 3rd Party Custody on Home Confinement. Signed by Judge Amy Berman Jackson on 10/26/2021.

1 Attachment ▼

[90](#)

10/28/2021

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

10/28/2021

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

[91](#)

10/22/2021

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

10/26/2021

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

10/26/2021

Minute Entry for proceedings held before Judge Amy Berman Jackson: Motion Hearing as to THOMAS F. SIBICK (1) held on 10/26/2021 re: 83 Defendant's Motion to Modify Bond. For the reasons stated on the record in open Court, Defendant's 83 Motion to Modify Bond is GRANTED. Defendant Placed on Personal Recognizance Bond (Home Incarceration with additional conditions). The Court makes a finding that it is in the Interests of Justice that the time

between 10/25/2021 and 11/29/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 11/29/2021 at 2:00 PM before Judge Amy Berman Jackson. Bond Status of Defendant: Defendant Released, Release Order Issued; Court Reporter: Tim Miller Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Tara Ravindra; Pretrial Officer: Christine Schuck. (Text entry; no document attached.)

92

10/29/2021

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

1 Attachment ▼

93

10/29/2021

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

10/30/2021

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

11/02/2021

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of the defendant's motion 92 to modify his conditions of release, and the report 94 of the Pretrial Services Agency, the motion is hereby GRANTED in part. The conditions of defendant's release are hereby modified to remove the condition that he not possess or access any internet-capable device, and he will be permitted to leave the house to access not only any porch or patio, but also the yard, walkways, or driveway, as long as he remains within the physical boundary of the property. The US Probation and Pretrial Office of the Western District of New York will be authorized to select SmartLINK technology as the method of location monitoring, and if it chooses to use that technology, it may return defendant's smartphone to him. Finally, the US Probation and Pretrial Office in the Western District of New York is authorized, in its discretion, to require the defendant to seek advance approval for any outdoor activities, such as raking or shoveling, that will take him beyond the immediate periphery of the home. In no event may those activities extend beyond the property line. See Amended Conditions of Release for details. Signed by Judge Amy Berman Jackson on 11/2/2021. (Text entry; no document attached.)

95

11/02/2021

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

TRANSCRIPT OF BOND MOTION HEARING AND STATUS CONFERENCE in case as to THOMAS F. SIBICK before Judge Amy Berman Jackson held on 10-26-21; Page Numbers: 1-47; Date of Issuance: 11-4-21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 11/25/2021. Redacted Transcript Deadline set for 12/5/2021. Release of Transcript Restriction set for 2/2/2022.

[97](#)

11/05/2021

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

11/08/2021

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

[98](#)

11/22/2021

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

11/29/2021

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

[100](#)

12/01/2021

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

12/26/2021

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

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

12/27/2021

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

01/04/2022

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

[103](#)

01/10/2022

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

[104](#)

01/11/2022

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

[105](#)

01/11/2022

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

[106](#)

01/11/2022

NOTICE Regarding Proposed Pretrial Motions Schedule by THOMAS F. SIBICK

01/14/2022

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

[108](#)

01/26/2022

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

1 Attachment ▼

[109](#)

02/09/2022

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

[110](#)

02/11/2022

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

[111](#)

02/11/2022

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

02/28/2022

MINUTE ORDER granting in part and denying in part 108 Motion to Modify Conditions of Release as to THOMAS F. SIBICK (1). Defendant's motion sought his release on what was referred to as a curfew from 9:30 a.m. to 5:00 p.m. so that defendant could engage in productive activities working on a renovation project. It further sought advance approval of the Court for any reasonable employment-related request. In its opposition 109, the government objected to the substitution of a curfew for the home detention requirement currently in effect, although it is not opposed to granting permission to the defendant to attend verified employment or job interviews. In reply 111, counsel indicated that he used the term "curfew" in error, but he reiterated the request that the defendant receive advance approval to leave the house between 9:30 and 5:00 to perform the renovation work described in the motion or any other full time employment. On February 28, 2022, Pretrial Services filed an updated report 112 stating that it objects to his motion to be placed on a curfew and to his accessing LinkedIn.com but not to his accessing Indeed.com. Upon consideration of all of these submissions, the motion will be GRANTED IN PART AND DENIED IN PART. Defendant's conditions of release 89, as modified on November 2, 2021 95, will be further modified to clarify that the restriction on the use of social media includes LinkedIn.com, but, as the Court has previously stated, he is free to search for employment on employers' websites or job listings such as Indeed.com. The condition that the defendant remain on home detention except for medical necessities and court appearances or other activities approved by the Court will remain; the Court will approve release for the purpose of specific employment activities at specific locations and times if and when such activities have been verified and approved by Pretrial Services, but it will not issue a blanket order relaxing the conditions imposed on the defendant in advance. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/28/22. (Text entry; no document attached.)

02/28/2022

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

[113](#)

03/26/2022

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

03/31/2022

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

03/31/2022

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

03/31/2022

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

03/31/2022

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

03/31/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3) held on 3/31/2022. Another Video (VTC) Status Conference for Defendant THOMAS F. SIBICK (1) is set for 5/17/2022 at 9:30 AM before Judge Amy Berman Jackson. A Video (VTC) Plea Agreement Hearing for Defendant ALBUQUERQUE COSPER HEAD (2)

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

03/31/2022

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

[115](#)

04/01/2022

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

04/06/2022

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

04/06/2022

MINUTE ORDER granting in part and denying in part 113 Motion to Clarify as to THOMAS F. SIBICK (1). The defendant's conditions of release 89, as modified by the Court's Minute Orders of November 2, 2021 and February 28, 2022, are hereby modified to include the following: defendant may be permitted by the U.S. Probation Office for the Western District of New York to leave his residence between 9:00 am and 5:00 pm on weekdays to attend verified job interviews or to perform work at specified times and specified locations paid or unpaid that has been verified and approved by the Probation Office in advance. As of today's date, what has been verified and approved is that he may leave his residence between 9:00 am and 5:00 pm on Monday through Friday beginning on April 11, 2022 through April 29, 2022 to perform work at the address that has been supplied to the Probation Office. Any extension of this arrangement or work at any other address or under any other individual's supervision must be verified and approved by the Probation Office before the work may begin; the Probation Office is authorized to approve additional verified employment without seeking the Court's permission each time. The other conditions of the defendant's release remain unchanged, and he must continue to notify the Probation Office of weekly appointments and provide verification. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/6/2022. (Text entry; no document attached.)

[116](#)

05/04/2022

Consent MOTION to Docket Redacted Statement of Offense by USA as to KYLE J. YOUNG.

05/04/2022

MINTUE ORDER as to KYLE J. YOUNG (3) granting [116] the government's motion to publicly docket a redacted version of the Statement of Offense as to defendant Young. Signed by Judge Amy Berman Jackson on 5/4/22. (Text entry; no document attached.)

[117](#)

05/04/2022

Consent MOTION to Docket Redacted Statement of Offense by USA as to ALBUQUERQUE COSPER HEAD.

05/05/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Plea Agreement Hearing as to KYLE J. YOUNG (3) held on 5/5/2022. Plea of Guilty entered as to Count: 4s. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing set for 8/25/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 8/18/2022. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: Janice Dickman; Defense Attorney: Samuel C. Moore; US Attorney: Cara Anne Gardner and Kimberly Louise Paschall. (Text entry; no document attached.)

05/05/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) granting [117] the government's motion to publicly docket a redacted version of the Statement of Offense as to defendant Head. Signed by Judge Amy Berman Jackson on 5/5/22. (Text entry; no document attached.)

[118](#)

05/05/2022

WAIVER of Trial by Jury as to KYLE J. YOUNG (3). Approved by Judge Amy Berman Jackson on 5/5/2022.

[119](#)

05/05/2022

PLEA AGREEMENT as to KYLE J. YOUNG (3).

[120](#)

05/05/2022

STATEMENT OF OFFENSE (Redacted) by USA as to KYLE J. YOUNG (3).

05/06/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Plea Agreement Hearing as to ALBUQUERQUE COSPER HEAD (2) held on 5/6/2022. Plea of Guilty entered by ALBUQUERQUE COSPER HEAD (2) as to Count: 4s. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing set for 9/23/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 9/16/2022. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: G. Nicholas Wallace; US Attorneys: Cara Anne Gardner and Kimberly Louise Paschall. (Text entry; no document attached.)

[122](#)

05/06/2022

WAIVER of Trial by Jury as to ALBUQUERQUE COSPER HEAD (2). Approved by Judge Amy Berman Jackson on 5/6/2022.

[123](#)

05/06/2022

PLEA AGREEMENT as to ALBUQUERQUE COSPER HEAD (2).

[124](#)

05/06/2022

STATEMENT OF OFFENSE (Redacted) by USA as to ALBUQUERQUE COSPER HEAD (2).

05/06/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Plea Agreement Hearing as to ALBUQUERQUE COSPER HEAD (2) held on 5/6/2022. Plea of Guilty entered by ALBUQUERQUE COSPER HEAD (2) as to Count: 4s. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing set for 9/23/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 9/16/2022. Bond Status of Defendant: Defendant Remains Committed; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: G. Nicholas Wallace; US Attorneys: Cara Anne Gardner and Kimberly Louise Paschall. (Text entry; no document attached.)

[127](#)

05/16/2022

MOTION for Bond by THOMAS F. SIBICK.

05/17/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1) held on 5/17/2022. In regard to Defendant's [127] Motion for Modification of Conditions of Release, the Court requested that the Pretrial Services Agency confer with New York and file an update with the Court with their position on the motion. Government Response to the [127] Motion is due by 5/27/2022, any Reply is due by 6/3/2022. If the Court determines that a hearing is necessary it will schedule it at that time. Another Video (VTC) Status Conference is set for 7/15/2022 at 2:00 PM before Judge Amy Berman Jackson. The Court makes a finding that it is in the Interests of Justice that the time between 5/17/2022 and 7/15/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorney: Cara Anne Gardner; Pretrial Officer: Christine Schuck (appeared by telephone). (Text entry; no document attached.)

[129](#)

05/27/2022

RESPONSE by USA as to THOMAS F. SIBICK re 127 MOTION to Modify Conditions of Release

[130](#)

06/02/2022

REPLY TO OPPOSITION to Motion by THOMAS F. SIBICK re [127] MOTION to Modify Conditions of Release

2 Attachments ▼

[131](#)

06/03/2022

ORDER denying 127 Motion to Modify Conditions of Release as to THOMAS F. SIBICK (1). See Order for details. Signed by Judge Amy Berman Jackson on 6/3/22.

[132](#)

07/11/2022

Consent MOTION to Continue Status Hearing by THOMAS F. SIBICK.

1 Attachment ▼

07/12/2022

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of defendant's [132] Consent Motion to Continue Status Hearing, containing a request to exclude time from the speedy trial clock, it is ORDERED that the [132] Motion is GRANTED. The Video (VTC) Status Conference presently set for 7/15/2022 at 2:00 PM is VACATED and RESET as a Video (VTC) Status Conference on 8/17/2022 at 2:00 PM before Judge Amy Berman Jackson. If the proceeding on 8/17/2022 is to be converted to a disposition the parties are directed to email the paperwork to the Court's Deputy Clerk by 8/15/2022. The parties must also notify the Court's Deputy Clerk by 8/15/2022 if they want to appear in person for the proceeding on 8/17/2022. It is further ORDERED that the Court makes a finding that it is in the Interests of Justice that the time between 7/15/2022 and 8/17/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Signed by Judge Amy Berman Jackson on 7/12/2022. (Text entry; no document attached.)

07/19/2022

MINUTE ORDER as to KYLE J. YOUNG (3). Due to a scheduling conflict that has arisen on the Court's calendar, and with the consent of counsel, It is ORDERED that Sentencing in this case presently set for 8/25/2022 at 10:00 AM is RESET for 9/26/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. The deadline for the filing of the parties sentencing memoranda remains 8/18/2022. Signed by Judge Amy Berman Jackson on 7/19/2022. (Text entry; no document attached.)

08/05/2022

MINUTE ORDER as to KYLE J. YOUNG (3). Sentencing in this case presently set for 9/26/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson is RESET for 9/27/2022 at 1:00 PM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Signed by Judge Amy Berman Jackson on 8/5/2022. (Text entry; no document attached.)

08/05/2022

MINUTE ORDER as to KYLE J. YOUNG (3). Sentencing in this case presently set for 9/26/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson is RESET for 9/27/2022 at 1:00 PM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Signed by Judge Amy Berman Jackson on 8/5/2022. (Text entry; no document attached.)

[134](#)

08/16/2022

Joint MOTION for Extension of Time to File Sentencing Memoranda by KYLE J. YOUNG.

08/17/2022

MINUTE ORDER granting [134](#) Joint Motion for Extension of Time to File Sentencing Memoranda as to KYLE J. YOUNG (3). Sentencing memos are due September 12, 2022. The parties are reminded that the sentencing hearing is scheduled for September 27, 2022 at 1:00 PM, as set forth in the August 5, 2022 minute order. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/17/22. (Text entry; no document attached.)

08/17/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1) held on 8/17/2022. Any pretrial Motion listed in Fed. R. Crim. P. 12(b)(3) or filed pursuant to Fed. R. Crim. P. 21, and the notice of any evidence the government intends to seek to introduce pursuant to Fed. R. Evid. 404(b) or prior convictions it seeks to use for impeachment under Fed. R. Evid. 609 must be filed by 9/30/2022. The Oppositions are due by 10/14/2022, and Replies are due by 10/21/2022. Another Video (VTC) Status Conference is set for 9/16/2022 at 9:30 AM before Judge Amy Berman Jackson. If the proceeding on that date is to be converted to a disposition, the parties must email the draft paperwork to the Court's Deputy Clerk by 9/14/2022, and the signed paperwork in final form, including any necessary waivers, by the morning of 9/16/2022. The Court makes a finding that it is in the Interests of Justice that the time between 8/17/2022 and 9/30/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Kimberly Louise Paschall. (Text entry; no document attached.)

08/31/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2). Upon consideration of Defendant's [137] Unopposed Motion to Continue Sentencing Hearing and all Corresponding Deadlines, it is ORDERED that the [137] Motion is GRANTED. Sentencing presently set for 9/23/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson is RESET for 10/27/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are now due by 10/17/2022. Signed by Judge Amy Berman Jackson on 8/31/2022. (Text entry; no document attached.)

08/31/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2). It is ORDERED that the parties file any objections to the Draft PreSentence Investigation Report with the Probation Office by 9/30/2022. Signed by Judge Amy Berman Jackson on 8/31/2022. (Text entry; no document attached.)

[137](#)

08/30/2022

Unopposed MOTION to Continue Sentencing Hearing and Corresponding Deadlines by ALBUQUERQUE COSPER HEAD. (Wallace, G.)

[138](#)

09/12/2022

Consent MOTION To Docket Redacted Sentencing Memorandum by USA as to KYLE J. YOUNG.

[1 Attachment](#) ▼

[139](#)

09/12/2022

SENTENCING MEMORANDUM by KYLE J. YOUNG

[2 Attachments](#) ▼

09/13/2022

MINUTE ORDER as to KYLE J. YOUNG (3). [138] Motion to Docket Redacted Sentencing Memorandum is GRANTED. The Clerk is directed to file [138-1] on the public docket. Signed by Judge Amy Berman Jackson on 9/13/2022. (lcabj1) (Text entry; no document attached.)

[140](#)

09/13/2022

REDACTED DOCUMENT by USA as to KYLE J. YOUNG of Sentencing Memorandum (zhjsj)

09/13/2022

MINUTE ORDER as to KYLE J. YOUNG (3). 138 Motion to Docket Redacted Sentencing Memorandum is GRANTED. The Clerk is directed to file [138-1] on the public docket. Signed by Judge Amy Berman Jackson on 9/13/2022. (lcabj1) (Text entry; no document attached.)

09/16/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1) held on 9/16/2022. Another Video (VTC) Status Conference is set for 10/24/2022 at 9:30 AM before Judge Amy Berman Jackson. If the proceeding on 10/24/2022 is to be converted to a disposition, the parties must email the draft paperwork to the Court's Deputy Clerk 10/21/2022, and the final signed paperwork, including any necessary waivers, by the morning of 10/24/2022. The Court makes a finding that it is in the Interests of Justice that the time between 9/16/2022 and 10/24/2022 shall be excluded from the Speedy Trial Act calculation (START XT).

Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorneys: Cara Anne Gardner and Kimberly Louise Paschall. (Text entry; no document attached.)

09/25/2022

MINUTE ORDER as to KYLE J. YOUNG (3). It is ORDERED that the parties must inform the Court in writing by 10:00 a.m. on Tuesday, September 27, 2022 of their positions on whether, given the government's request pursuant to 18 U.S.C. § 3664(d)(5) ("If the victim's losses are not ascertainable by the date that is 10 days prior to sentencing, the attorney for the Government or the probation officer shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing.") that the Court set a date ninety days from now for determination of the amount of any restitution owed the Metropolitan Police Department for expenses it incurred related to the victims' injuries, the Court is permitted to enter judgment in this case, and subsequently amend the order of restitution under section (d)(5). The government must also clarify whether it is seeking also to defer the determination of the amount of any restitution owed any individual officer who was a victim of the offense conduct or whether it is not seeking such restitution in this case. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/25/22. (Text entry; no document attached.)

[145](#)

09/26/2022

RESPONSE TO ORDER OF THE COURT by USA as to KYLE J. YOUNG re Order, Set Deadlines

[146](#)

09/26/2022

RESPONSE TO ORDER OF THE COURT by KYLE J. YOUNG re Order, Set Deadlines

09/27/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Sentencing held on 9/27/2022 as to KYLE J. YOUNG (3). Count 4s: Defendant Sentenced to Eighty-Six (86) months incarceration, followed by Thirty-Six (36) months of supervised release. Special Assessment of \$100.00 was imposed. Restitution in the amount of \$2,000.00 was Ordered. (to be amended by a future order). All Remaining Counts: 1, 1s, 2-3, 2s-3s, 4-5, 5s, 7, 7s, 8, 8s, 9, 9s, 10, 10s, 11, 11s, 12, 12s, 13, 13s, WERE DISMISSED ON AN ORAL MOTION BY THE GOVERNMENT. It is FURTHER ORDERED that a Restitution Hearing is set for 12/16/2022 at 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. The Government's Restitution Memorandum is due by 12/5/2022, Defendant's Response is due by 12/12/2022. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Tammy Nestor; Defense Attorney: Samuel C. Moore; US Attorneys: Kimberly Louise Paschall and Cara Anne Gardner; Probation Officer: Crystal Lustig. (Text entry; no document attached.)

09/27/2022

Set/Reset Hearing as to KYLE J. YOUNG (3): Restitution Hearing is set for 12/16/2022 at 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. (Text entry; no document attached.)

[148](#)

09/29/2022

Consent MOTION for Extension of Time to File Pretrial Motions by THOMAS F. SIBICK.

09/30/2022

MINUTE ORDER granting [148] defendant's consent motion to extend motions deadlines as to THOMAS F. SIBICK (1). It is ORDERED that the September 30, 2022 deadline for the parties to file pretrial motions and notices is hereby VACATED. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/30/22. (Text entry; no document attached.)

[149](#)

09/29/2022

JUDGMENT as to KYLE J. YOUNG. Statement of Reasons Not Included. Signed by Judge Amy Berman Jackson on 9/29/2022. (zltf)

[150](#)

09/29/2022

STATEMENT OF REASONS as to KYLE J. YOUNG. re [149] 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 Amy Berman Jackson on 9/29/2022. (zltf)

[151](#)

10/13/2022

MOTION to Access Video Exhibits by PRESS COALITION as to KYLE J. YOUNG.

10/17/2022

MINUTE ORDER as to THOMAS F. SIBICK (1), ALBUQUERQUE COSPER HEAD (2), KYLE J. YOUNG (3). In light of a petition filed with this Court by members of the media in Application for Access to Video Exhibits [151], and pursuant to Standing Order No. 21-28 (BAH), it is ORDERED that the parties in USA v. Sibick, 21-cr-0291, shall advise the Court by October 19, 2022 whether they object to the release of the videos referenced in and depicted in screenshots in the government's sentencing memorandum for defendant Kyle J. Young in this matter and if so, on what basis. See Government's Sentencing Memorandum [140] at 10 n.4. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/17/22. (Text entry; no document attached.)

[154](#)

10/17/2022

Consent MOTION to Docket Sentencing Memorandum with Redacted Exhibit by ALBUQUERQUE COSPER HEAD.

[2 Attachments](#) ▼

10/17/2022

MINUTE ORDER granting [154] Consent Motion of ALBUQUERQUE COSPER HEAD (2) to Docket Redacted Exhibit Pertaining to his Sentencing Memorandum. The Clerk of Court is directed to file [154-1] defendant's Sentencing Memorandum and Motion for Downward Variance and [154-2] redacted Exhibit A to the sentencing memorandum on the public docket. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/17/22. (Text entry; no document attached.)

[155](#)

10/17/2022

Consent MOTION to Docket Redacted Sentencing Memorandum by USA as to ALBUQUERQUE COSPER HEAD.

[156](#)

10/18/2022

RESPONSE TO ORDER OF THE COURT by ALBUQUERQUE COSPER HEAD re Order, Set Deadlines, (Wallace, G.)

[157](#)

10/18/2022

RESPONSE TO ORDER OF THE COURT by USA as to KYLE J. YOUNG re Order, Set Deadlines

[158](#)

10/19/2022

RESPONSE TO ORDER OF THE COURT by KYLE J. YOUNG re Order, Set Deadlines

10/19/2022

MINUTE ORDER granting [151] Motion to Access as to KYLE J. YOUNG (3). Upon consideration of the Application for Access to Video Exhibits [151], the absence of objections to the application by any party, see [156] [157] [158], and the applicable law, the application is hereby GRANTED. The government is ORDERED to make the requested video exhibits promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/19/22. (Text entry; no document attached.)

10/19/2022

MINUTE ORDER granting [160] government's sealed motion for leave to file document under seal (This document is SEALED and only available to authorized persons.) as to ALBUQUERQUE COSPER HEAD (2). The Clerk of Court is directed to file UNDER SEAL [160-1] Government's Sentencing Memorandum. Signed by Judge Amy Berman Jackson on 10/19/22. (Text entry; no document attached.)

[159](#)

10/19/2022

REDACTED DOCUMENT by USA as to ALBUQUERQUE COSPER HEAD of Sentencing Memorandum

[161](#)

10/17/2022

SENTENCING MEMORANDUM (Redacted) by ALBUQUERQUE COSPER HEAD.

1 Attachment ▼

[162](#)

10/17/2022

MOTION for Downward Departure by ALBUQUERQUE COSPER HEAD. (See Docket Entry [161] to View Document). (zhsj)

10/19/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) granting [155] the government's motion to publicly docket a redacted version of the Sentencing Memorandum as to defendant Head. The parties are reminded that Local Criminal Rule 49(f)(6) governs the filing of documents under seal and requires that a document a party seeks to file under seal on a public docket must be attached to and "accompanied by a motion to seal. The document will be treated as sealed, pending the outcome of the ruling on the motion." LCrR 49(f)(6)(i). SO ORDERED. Signed by Judge Amy Berman Jackson on 10/19/22. (Text entry; no document attached.)

10/21/2022

MINUTE ORDER as to THOMAS F. SIBICK (1). Due to an unavoidable conflict that has arisen on the Court's calendar, it is ORDERED that the Video (VTC) Status Conference presently set for 10/24/2022 at 9:30 AM is VACATED and will be rescheduled for a date and time to be determined. Counsel for the parties are directed to confer on available dates in which this matter may be rescheduled. The parties may contact the Court's Deputy Clerk to see if their proposed dates are available on the Court's calendar. It is further ORDERED that the parties must also file a Notice with the Court by 10/28/2022 as to their respective positions on the Waiver of Time Under the Speedy Trial Clock from 10/24/2022 until the next hearing date. Signed by Judge Amy Berman Jackson on 10/21/2022. (Text entry; no document attached.)

[165](#)

10/25/2022

MOTION for Leave to File Late Supplement to Defendant's Sentencing Memorandum by ALBUQUERQUE COSPER HEAD.

[1 Attachment](#) ▼

10/25/2022

MINUTE ORDER granting [165] Motion for Leave to File Late Supplement to Sentencing Memorandum as to ALBUQUERQUE COSPER HEAD (2). Defendant's Sentencing Memorandum is hereby supplemented with [165-1] the attached letter. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/25/22. (Text entry; no document attached.)

10/27/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson. Sentencing held on 10/27/2022 as to ALBUQUERQUE COSPER HEAD (2). Count 4s: Sentenced to Ninety (90) months incarceration with credit for time served, followed by Thirty-Six (36) months of supervised release. Special Assessment of \$100.00 was imposed. Restitution in the amount of \$2,000.00 was Ordered. (to be amended by a future order). All Remaining Counts: 1, 10, 10s, 11, 11s, 12, 12s, 13, 13s, 1s, 2-3, 2s-3s, 4, 8, 8s, 9, 9s, WERE DISMISSED ON ORAL MOTION BY THE GOVERNMENT. It is FURTHER ORDERED that a Restitution Hearing is set for 12/16/2022 at 9:30 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. The Government's Restitution Memorandum is due by 12/5/2022, Defendant's Response is due by 12/12/2022. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Janice Dickman; Defense Attorney: G. Nicholas Wallace; US Attorney: Cara Anne Gardner and Kimberly Louise Paschall; Probation Officer: Crystal Lustig. (Text entry; no document attached.)

[166](#)

10/28/2022

NOTICE of Filing by USA as to THOMAS F. SIBICK re Order, Set Deadlines

[167](#)

10/28/2022

NOTICE of Waiver of Speedy Trial by THOMAS F. SIBICK

[169](#)

11/01/2022

NOTICE of Defendant's position regarding presence at restitution hearing and request that hearing be by video by ALBUQUERQUE COSPER HEAD (Wallace, G.)

[170](#)

11/04/2022

TRANSCRIPT OF PROCEEDINGS in case as to KYLE J. YOUNG before Judge Amy Berman Jackson held on 9/27/22; Page Numbers: 1-92. Court Reporter/Transcriber Tammy Nestor, Telephone number 202-354-3127, 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 11/25/2022. Redacted Transcript Deadline set for 12/5/2022. Release of Transcript Restriction set for 2/2/2023.

11/20/2022

MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED that a Video (VTC) Status Conference is set for 11/22/2022 at 11:00 AM before Judge Amy Berman Jackson. The Court's Deputy Clerk will provide counsel with the information needed to make the video connection. Signed by Judge Amy Berman Jackson on 11/20/2022. (Text entry; no document attached.)

[171](#)

11/01/2022

JUDGMENT as to ALBUQUERQUE COSPER HEAD. Statement of Reasons Not Included. Signed by Judge Amy Berman Jackson on 11/1/2022. (zltf)

11/22/2022

Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to THOMAS F. SIBICK (1) held on 11/22/2022. Another Status Conference is set for 12/19/2022 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the Status Conference on 12/19/2022 is to be converted to a Plea Agreement Hearing, the parties must email the draft paperwork to the Court's Deputy Clerk by 12/15/2022. The Court makes a finding that it is in the Interests of Justice that the time Nunc Pro Tunc from 10/24/2022 until 12/19/2022 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorney: Cara Anne Gardner. (Text entry; no document attached.)

[172](#)

11/01/2022

STATEMENT OF REASONS as to ALBUQUERQUE COSPER HEAD. re [171] 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 Amy Berman Jackson on 11/1/2022. (zltf)

[173](#)

12/05/2022

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

[1 Attachment](#) ▼

12/07/2022

MINUTE ORDER granting [174] unopposed motion to conduct the December 16, 2022 restitution hearing by videoconference. Defendants ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3) seek to waive their presence in person at the December 16, 2022 hearing to determine the total amended restitution amount. Under Federal Rule of Criminal Procedure 43(c), a defendant who has pled guilty may waive his continued presence at sentencing in a noncapital case. Here, since both defendants entered pleas of guilty, both appeared in person at their individual sentencing hearings, both expressly waive their continued presence in person at the upcoming hearing to amend the order of restitution imposed at sentencing, and both will participate by videoconference if that is practicable, it is ORDERED that the December 16, 2022 hearing will be conducted by video. Defendants may be present at the hearing by video as practicable, and any counsel who wishes may appear in person. The Court's Deputy Clerk will provide counsel the video connection information needed to join the proceeding. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/7/22. (Text entry; no document attached.)

[174](#)

12/06/2022

MOTION to Conduct Restitution Hearing via Videoconference by ALBUQUERQUE COSPER HEAD. (Wallace, G.)

12/07/2022

MINUTE ORDER granting [174] unopposed motion to conduct the December 16, 2022 restitution hearing by videoconference. Defendants ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3) seek to waive their

presence in person at the December 16, 2022 hearing to determine the total amended restitution amount. Under Federal Rule of Criminal Procedure 43(c), a defendant who has pled guilty may waive his continued presence at sentencing in a noncapital case. Here, since both defendants entered pleas of guilty, both appeared in person at their individual sentencing hearings, both expressly waive their continued presence in person at the upcoming hearing to amend the order of restitution imposed at sentencing, and both will participate by videoconference if that is practicable, it is ORDERED that the December 16, 2022 hearing will be conducted by video. Defendants may be present at the hearing by video as practicable, and any counsel who wishes may appear in person. The Court's Deputy Clerk will provide counsel the video connection information needed to join the proceeding. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/7/22. (Text entry; no document attached.)

[175](#)

12/12/2022

REPLY by ALBUQUERQUE COSPER HEAD re [173] Notice (Other) Memorandum on Restitution (Wallace, G.)

[176](#)

12/12/2022

REPLY by KYLE J. YOUNG re [173] Notice (Other) Restitution

12/13/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3). 18 U.S.C. § 3663A mandates that the Court must order restitution to victims of certain crimes, including crimes resulting in bodily injury to a victim. It is ordered that the parties must file supplemental submissions regarding restitution by 5:00 pm Thursday, December 15, 2022, addressing the fact that neither defendant's plea agreement refers to restitution other than in connection with the damage to the Capitol building, and given the terms of the plea agreement, the Rule 11 colloquy with each defendant did not address restitution to the victim police officer as a component of the sentence. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/13/22. (Text entry; no document attached.)

12/13/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3). 18 U.S.C. § 3663A mandates that the Court must order restitution to victims of certain crimes, including crimes resulting in bodily injury to a victim. It is ordered that the parties must file supplemental submissions regarding restitution by 5:00 pm Thursday, December 15, 2022, addressing the fact that neither defendant's plea agreement refers to restitution other than in connection with the damage to the Capitol building, and given the terms of the plea agreement, the Rule 11 colloquy with each defendant did not address restitution to the victim police officer as a component of the sentence. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/13/22. (Text entry; no document attached.)

12/13/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3). 18 U.S.C. § 3663A mandates that the Court must order restitution to victims of certain crimes, including crimes resulting in bodily injury to a victim. It is ordered that the parties must file supplemental submissions regarding restitution by 5:00 pm Thursday, December 15, 2022, addressing the fact that neither defendant's plea agreement refers to restitution other than in connection with the damage to the Capitol building, and given the terms of the plea agreement, the Rule 11 colloquy with each defendant did not address restitution to the victim police officer as a component of the sentence. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/13/22. (Text entry; no document attached.)

12/14/2022

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of Defendant's [177] Consent Motion to Continue Status Hearing, containing a request to exclude time under the Speedy Trial Act, it is ORDERED that the [177] Motion is GRANTED. The status conference presently set for Monday, December 19, 2022, at 10:00 AM is RESET to Friday, January 27, 2023, at 1:30 PM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the status conference is to be converted to a Plea Agreement Hearing, the parties must email the draft paperwork to the Court's Deputy Clerk by 12:00 PM (noon) on Wednesday, January 25, 2023. It is FURTHER ORDERED that the Court finds that it is in the Interests of Justice that the time between 12/19/2022 and 1/27/2023 shall be excluded from the

Speedy Trial Act calculation (START XT). Signed by Judge Amy Berman Jackson on 12/14/2022. (Text entry; no document attached.)

[177](#)

12/14/2022

Consent MOTION to Continue Status Hearing by THOMAS F. SIBICK.

[178](#)

12/15/2022

RESPONSE TO ORDER OF THE COURT by ALBUQUERQUE COSPER HEAD re Order, Set Deadlines, (Wallace, G.)

[179](#)

12/15/2022

RESPONSE TO ORDER OF THE COURT by USA as to ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG re Order, Set Deadlines

12/15/2022

MINUTE ORDER as to ALBUQUERQUE COSPER HEAD (2) and KYLE J. YOUNG (3). It is ORDERED that the hearing set for December 16, 2022 is hereby VACATED in light of 179 the government's withdrawal of its request for additional restitution and to vacate the hearing. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/15/22. (Text entry; no document attached.)

[180](#)

12/14/2022

MOTION to Exclude Time under the Speedy Trial Act by THOMAS F. SIBICK.(See docket entry [177] to view document.) (zltp)

01/24/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). In response to communications between the Court's Deputy Clerk and counsel, it is ORDERED that defendant Sibick may travel to Washington, D.C. from Thursday, January 26 through Sunday, January 29, 2023 to meet with counsel even if the hearing currently set for Friday, January 27 needs to be postponed due to counsel's availability. Defendant must provide the Pretrial Services Agency his itinerary by January 25 and must notify the agency within one business day of his return. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/24/23. (Text entry; no document attached.)

01/26/2023

MINUTE ORDER granting [182] motion to continue the January 27, 2023 hearing as to THOMAS F. SIBICK (1) to a date to be determined after the Deputy Clerk confers with the parties about their availability. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/26/23. (Text entry; no document attached.)

[182](#)

01/26/2023

Unopposed MOTION to Continue Status Hearing by THOMAS F. SIBICK.

01/26/2023

MINUTE ORDER granting 182 motion to continue the January 27, 2023 hearing as to THOMAS F. SIBICK (1) to a date to be determined after the Deputy Clerk confers with the parties about their availability. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/26/23. (Text entry; no document attached.)

01/26/2023

MOTION to Exclude Time under the Speedy Trial Act by THOMAS F. SIBICK. (See docket entry 182 to view document.)(zltf)

01/27/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED by the Court that the VACATED Status Conference that was previously set for 1/27/2023 at 1:30 PM is RESET for 3/3/2023 at 2:00 PM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the new hearing date is to be converted to a disposition, the parties must email the draft paperwork to the Court's Deputy Clerk by 3/1/2023. It is FURTHER ORDERED that given the representations in Defendant's 182 Unopposed Motion to Continue Status Hearing, that the Court makes a finding that it is in the Interests of Justice that the time between 1/27/2023 and 3/3/2023 shall be excluded from the Speedy Trial Act calculation (START ST). Signed by Judge Amy Berman Jackson on 1/27/2023. (Text entry; no document attached.)

01/27/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). It is ORDERED by the Court that the VACATED Status Conference that was previously set for 1/27/2023 at 1:30 PM is RESET for 3/3/2023 at 2:00 PM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. If the new hearing date is to be converted to a disposition, the parties must email the draft paperwork to the Court's Deputy Clerk by 3/1/2023. It is FURTHER ORDERED that given the representations in Defendant's [182] Unopposed Motion to Continue Status Hearing, that the Court makes a finding that it is in the Interests of Justice that the time between 1/27/2023 and 3/3/2023 shall be excluded from the Speedy Trial Act calculation (START ST). Signed by Judge Amy Berman Jackson on 1/27/2023. (Text entry; no document attached.)

03/02/2023

Consent MOTION to Docket Redacted Statement of Offense and to Seal Unredacted Statement of Offense by USA as to THOMAS F. SIBICK.

1 Attachment ▼

03/03/2023

Minute Entry for proceedings held before Judge Amy Berman Jackson: Arraignment and Plea Agreement Hearing as to THOMAS F. SIBICK (1) as to Counts: 1ss,2s-3s held on 3/3/2023. Plea of Guilty entered as to Counts: 1ss,2s-3s. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to THOMAS F. SIBICK (1). Sentencing set for 7/28/2023 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 7/18/2023. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond under his existing conditions of release; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorney: Kimberly Louise Paschall. (Text entry; no document attached.)

03/03/2023

MINUTE ORDER granting 185 government's consent motion as to THOMAS F. SIBICK (1). The Clerk of Court is directed to file the redacted version of the Statement of Offense on the public docket and to file the unredacted version under seal. Signed by Judge Amy Berman Jackson on 3/3/23. (Text entry; no document attached.)

03/03/2023

Minute Entry for proceedings held before Judge Amy Berman Jackson: Arraignment and Plea Agreement Hearing as to THOMAS F. SIBICK (1) as to Counts: 1ss,2ss-3ss held on 3/3/2023. Plea of Guilty entered as to Counts: 1ss,2ss-3ss. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to THOMAS F. SIBICK (1). Sentencing set for 7/28/2023 at 10:00 AM in Courtroom 3 (In Person) before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 7/18/2023. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond under his existing conditions of release; Court Reporter: Janice Dickman; Defense Attorney: Stephen F. Brennwald; US Attorney: Kimberly Louise Paschall. (jth) Modified on 3/6/2023 to correct counts. (ztnr) (Text entry; no document attached.)

[188](#)

03/03/2023

WAIVER OF INDICTMENT by THOMAS F. SIBICK (1). Signed by Judge Amy Berman Jackson on 3/3/2023.

[189](#)

03/03/2023

WAIVER of Trial by Jury as to THOMAS F. SIBICK (1). Approved by Judge Amy Berman Jackson on 3/3/2023.

[190](#)

03/03/2023

PLEA AGREEMENT as to THOMAS F. SIBICK (1).

[191](#)

03/03/2023

STATEMENT OF OFFENSE (Redacted/Public) by USA as to THOMAS F. SIBICK (1).

04/07/2023

MINUTE ORDER as to THOMAS F. SIBICK. Upon consideration of Defendant's [193] Unopposed Motion to Permit Travel (This document is SEALED and only available to authorized persons.) is it ORDERED that the [193] Motion is GRANTED. Defendant must provide Pretrial Services with his itinerary immediately and he must contact them within 24 hours of his return. Signed by Judge Amy Berman Jackson on 4/7/2023. (Text entry; no document attached.)

04/07/2023

MINUTE ORDER as to THOMAS F. SIBICK. Upon consideration of Defendant's 193 Unopposed Motion to Permit Travel (This document is SEALED and only available to authorized persons.) is it ORDERED that the 193 Motion is GRANTED. Defendant must provide Pretrial Services with his itinerary immediately and he must contact them within 24 hours of his return. Signed by Judge Amy Berman Jackson on 4/7/2023. (Text entry; no document attached.)

05/08/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of Defendant's [194] Unopposed Motion to Permit Travel (This document is SEALED and only available to authorized persons.) is it ORDERED that the motion is GRANTED. Defendant must provide Pretrial Services with his itinerary immediately and he must contact them within 24 hours of his return. Signed by Judge Amy Berman Jackson on 5/8/2023. (Text entry; no document attached.)

05/08/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of Defendant's 194 Unopposed Motion to Permit Travel (This document is SEALED and only available to authorized persons.) is it ORDERED that the motion is GRANTED. Defendant must provide Pretrial Services with his itinerary immediately and he must contact them within 24 hours of his return. Signed by Judge Amy Berman Jackson on 5/8/2023. (Text entry; no document attached.)

05/24/2023

MINUTE ORDER granting in part [195] Sealed Motion (This document is SEALED and only available to authorized persons.) as to THOMAS F. SIBICK (1). It is ORDERED that the first request for permission to travel is GRANTED. Defendant is permitted to travel on the date to the locations as set forth in his motion. It is FURTHER ORDERED that the government and the Pretrial Services Agency inform the Court of their position on defendant's second request in the motion by Friday, May 25, 2023. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/24/23. (Text entry; no document attached.)

05/24/2023

MINUTE ORDER granting in part 195 Sealed Motion (This document is SEALED and only available to authorized persons.) as to THOMAS F. SIBICK (1). It is ORDERED that the first request for permission to travel is GRANTED. Defendant is permitted to travel on the date to the locations as set forth in his motion. It is FURTHER ORDERED that the government and the Pretrial Services Agency inform the Court of their position on defendant's second request in the motion by Friday, May 26, 2023. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/24/23. (DMK) Modified to correct deadline on 5/24/2023 (Text entry; no document attached.)

05/30/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). In light of the responses of the government and the Pretrial Services Agency [196] [197] to the minute order of May 24, 2023, it is ORDERED that the government and the PSA inform the Court of their updated positions on defendant's second request in his May 24, 2023 motion by June 5, 2023. The Court will not rule on defendant's second request until PSA has had the opportunity to complete the necessary assessment and provide its position to the Court. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/30/23. (Text entry; no document attached.)

05/30/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). In light of the responses of the government and the Pretrial Services Agency 196 197 to the minute order of May 24, 2023, it is ORDERED that the government and the PSA inform the Court of their updated positions on defendant's second request in his May 24, 2023 motion by June 5, 2023. The Court will not rule on defendant's second request until PSA has had the opportunity to complete the necessary assessment and provide its position to the Court. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/30/23. (Text entry; no document attached.)

06/28/2023

MINUTE ORDER as to THOMAS F. SIBICK (1) granting [203] Unopposed Motion to Permit Travel. Defendant must provide Pretrial Services with his precise itinerary at least two business days in advance of his travel, and he must contact them within one business day of his return. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/28/2023. (lcabj1) (Text entry; no document attached.)

07/03/2023

Set/Reset Hearing as to THOMAS F. SIBICK (1): Sentencing presently set for 7/28/2023 at 10:00 AM in Courtroom 3 In Person before Judge Amy Berman Jackson is RESET for 7/28/2023 at 10:00 AM in Courtroom 25A (SAME DATE AND STARTINGTIME - NEW COURTROOM LOCATION) In Person before Judge Amy Berman Jackson. (Text entry; no document attached.)

[204](#)

07/18/2023

Unopposed MOTION for Leave to File Redacted Document and Under Seal by USA as to THOMAS F. SIBICK, ALBUQUERQUE COSPER HEAD, KYLE J. YOUNG.

[1 Attachment](#) ▼

07/18/2023

MINUTE ORDER granting [204] Motion for Leave to File as to THOMAS F. SIBICK (1). The government may file a redacted copy of its sentencing memorandum on the public docket and the unredacted copy of its sentencing memorandum under seal. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/18/23. (Text entry; no document attached.)

[205](#)

07/18/2023

SENTENCING MEMORANDUM by USA as to THOMAS F. SIBICK

[1 Attachment](#) ▼

07/21/2023

SENTENCING MEMORANDUM by THOMAS F. SIBICK

3 Attachments ▼

07/25/2023

SENTENCING MEMORANDUM by THOMAS F. SIBICK

07/28/2023

Minute Entry for proceedings held before Judge Amy Berman Jackson: Sentencing held on 7/28/2023 as to THOMAS F. SIBICK. Count 1ss: Sentenced to Fifty (50) months incarceration with credit for time already served to run concurrently with the term of incarceration imposed in Counts 2ss and 3ss, followed by Thirty-Six (36) months of supervised release to run concurrently with the term of supervised release imposed in Counts 2ss and 3ss. Special Assessment of \$100.00 on Count 1ss. Restitution for the entire case in the amount of \$7,500.79 was Ordered.

Counts 2ss-3ss: Sentenced to Fifty (50) months incarceration on Count 2ss with credit for time already served to run concurrently with the term of incarceration imposed in Counts 1ss and 3ss. and Twelve (12) months incarceration on Count 3ss with credit for time already served to run concurrently with the term of incarceration imposed in Counts 1ss, and 2ss, followed by Thirty-Six (36) months of supervised release on Count 2ss to run concurrently with the term of supervised release imposed in Counts 1ss and 3ss and Twelve (12) months on supervised release on Count 3ss to run concurrently with the term of supervised release imposed in Counts 1ss and 2ss. Special Assessment of \$100.00 on Count 2ss and \$25.00 on Count 3ss. Restitution for the entire case in the amount of \$7,500.79 was Ordered. Oral Motion by the Government to Dismiss all Remaining Counts:

1,1s,3,3s,4,4s,6,6s,8,8s,9,9s,10,10s,11,11s,12,12s,13,13s was GRANTED. Bond Status of Defendant: Defendant is permitted to voluntarily surrender when designated with all previously imposed conditions of release remaining in effect; Court Reporter: Jeff Hook; Defense Attorney: Stephen F. Brennwald; US Attorney: Kimberly Louise Paschall; Probation Officer: Crystal Lustig. (Text entry; no document attached.)

08/03/2023

MINUTE ORDER as to THOMAS F. SIBICK (1). Upon consideration of Defendant's [212] Sealed Motion (This document is SEALED and only available to authorized persons), it is ORDERED that the [212] Motion is GRANTED. The Court will incorporate into the Judgment the recommendation contained in the motion. Signed by Judge Amy Berman Jackson on 8/3/2023. (Text entry; no document attached.)