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Description

06/28/2021	SEALED COMPLAINT as to TIMOTHY EARL O'MALLEY (1).	1
		1 Attachment ▼
06/28/2021	MOTION to Seal Case by USA as to TIMOTHY EARL O'MALLEY.	3
		1 Attachment ▼
06/28/2021	ORDER granting 3 Motion to Seal Case as to TIMOTHY EARL O'MALLEY (1). Signed by Magistrate Judge G. Michael Harvey on 6/28/2021. (zltpt)	4
06/30/2021	Arrest Warrant Returned Executed on 6/30/2021 in case as to TIMOTHY EARL O'MALLEY (bb) Modified on 6/30/2021	5
06/30/2021	Case unsealed as to TIMOTHY EARL O'MALLEY (Text entry; no document attached.)	
06/30/2021	Arrest of TIMOTHY EARL O'MALLEY in Florida. (Text entry; no document attached.)	
07/02/2021	Rule 5(c)(3) Documents Received as to TIMOTHY EARL O'MALLEY from US District Court Northern District of Florida Case Number 3:21-mj-262 (HTC)	6
07/06/2021	ORAL MOTION for Speedy Trial Waiver by USA as to TIMOTHY EARL O'MALLEY (1). (Text entry; no document attached.)	
07/06/2021	Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to TIMOTHY EARL O'MALLEY (1) held on 7/6/2021. Government does not seek the Defendant's pretrial detention. Defendant expresses intent to waive right to a preliminary hearing. Oral Motion by the Government for Speedy Trial Waiver as to TIMOTHY EARL O'MALLEY (1) Heard and Granted. Time between 7/6/2021 and 9/7/2021 (63 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 9/7/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR Gold FTR Time Frame: CTRM 6 [1:27:49-	

1:48:15], [2:51:35-2:59:51]; Defense Attorney: Michael Griffith; US Attorney: Jacob Steiner for Sean Murphy; Pretrial Officer: Dashanta Valentine-Lewis; (Text entry; no document attached.)

07/06/2021

MINUTE ORDER as to TIMOTHY EARL O'MALLEY (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 7/6/2021. (Text entry; no document attached.)

[8](#)

07/06/2021

ORDER Setting Conditions of Release as to TIMOTHY EARL O'MALLEY (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 7/6/2021.

[1 Attachment](#) ▼

[10](#)

09/05/2021

NOTICE Regarding the Status of Discovery as of August 23, 2021, by USA as to TIMOTHY EARL O'MALLEY

[11](#)

09/05/2021

Unopposed MOTION for Protective Order Regarding Discovery by USA as to TIMOTHY EARL O'MALLEY.

[1 Attachment](#) ▼

[12](#)

09/05/2021

Unopposed MOTION to Continue Status Hearing to December 6, 2021, Unopposed MOTION to Exclude Time From Speedy Trial Act in the Interests of Justice by USA as to TIMOTHY EARL O'MALLEY.

[13](#)

09/06/2021

MOTION for Leave to Appear Pro Hac Vice Michael Griffith Filing fee \$ 100, receipt number ADCDC-8713165. Fee Status: Fee Paid. by TIMOTHY EARL O'MALLEY.

[1 Attachment](#) ▼

09/06/2021

MINUTE ORDER as to Defendant TIMOTHY EARL O'MALLEY : Upon review of the Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act 12, it is hereby ORDERED that the Status Hearing currently scheduled for September 7, 2021 is continued to December 6, 2021, at 1:00 p.m., before Magistrate Judge Zia M. Faruqi. It is FURTHER ORDERED that the time between September 7, 2021 and December 6, 2021 shall be excluded from calculation under the Speedy Trial Act. The Court finds that the ends of justice served by the granting of such continuance outweigh the best interests of the public and Defendant in a speedy trial, because of the reasons outlined by Chief Judge Howell in Standing Order 21-47, and because the continuance will provide the parties with additional time to engage in the discovery process; So Ordered by Magistrate Judge Zia M. Faruqi on September 6, 2021. (Text entry; no document attached.)

[14](#)

09/07/2021

PROTECTIVE ORDER GOVERNING DISCOVERY : granting 11 Unopposed Motion by USA for Protective Order as to Defendant TIMOTHY EARL O'MALLEY; signed by Magistrate Judge Zia M. Faruqui on 9/7/2021.

[15](#)

09/07/2021

ORDER granting 13 Motion by Defendant TIMOTHY EARL O'MALLEY for Admission of Attorney Michael J. Griffith Pro Hac Vice; signed by Magistrate Judge Zia M. Faruqui on 9/7/2021. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions

12/01/2021

Magistrate case closed for defendant TIMOTHY EARL O'MALLEY, pending deadlines, motions, and excludables. Merged Criminal Number 21-704 (CRC). (zstd) (Text entry; no document attached.)

END OF MAGISTRATE CASE #21-mj-504 // BEGINNING OF NEW CASE #21-cr-704 BELOW

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Date↓↑

Description

[16](#)

12/01/2021

INFORMATION as to TIMOTHY EARL O'MALLEY (1) count(s) 1, 2, 3, 4. (zstd)

12/03/2021

MINUTE ORDER as to TIMOTHY EARL O'MALLEY (1). The hearing currently scheduled for 9/7/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqui is hereby VACATED, as the Defendant: has had an initial appearance in this jurisdiction; has retained counsel; has been released on conditions; and has been charged by Information. 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 Zia M. Faruqui on 12/3/2021. (Text entry; no document attached.)

[18](#)

12/06/2021

NOTICE OF ATTORNEY APPEARANCE: Michael J Griffith appearing for TIMOTHY EARL O'MALLEY

12/06/2021

MINUTE ORDER as to TIMOTHY EARL O'MALLEY: The parties are directed for an Arraignment/Plea Agreement Hearing set for 12/15/2021 at 3:00 PM by VTC before Judge Christopher R. Cooper. Video connection information will be emailed to the parties. Signed by Judge Christopher R. Cooper on 12/6/2021. (Text entry; no document attached.)

12/15/2021

Minute Entry for proceedings held before Judge Christopher R. Cooper: Video Plea Agreement Hearing as to TIMOTHY EARL O'MALLEY (1) held on 12/15/2021. Defendant sworn and a plea of GUILTY entered and accepted by TIMOTHY EARL O'MALLEY (1) as to count 4. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to TIMOTHY EARL O'MALLEY (1). Sentencing set for 3/10/2022 at 10:00 AM in Telephonic/VTC

before Judge Christopher R. Cooper. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND/appeared via Zoom video; Court Reporter: Lisa Moreira; Defense Attorney: Michael Griffith; US Attorney: Sean Murphy. (Text entry; no document attached.)

[19](#)

12/15/2021

PLEA AGREEMENT as to TIMOTHY EARL O'MALLEY (1).

[20](#)

12/15/2021

STATEMENT OF OFFENSE by USA as to TIMOTHY EARL O'MALLEY (1).

[21](#)

12/28/2021

NOTICE of Filing Discovery Memoranda by USA as to TIMOTHY EARL O'MALLEY

[1 Attachment](#) ▼

[22](#)

12/29/2021

Unopposed MOTION for Order Motion to Disclose Fed. R. Crim. P. 6(e) and Sealed Materials by USA as to TIMOTHY EARL O'MALLEY.

[1 Attachment](#) ▼

12/31/2021

MINUTE ORDER: The Court grants the [22] Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. The government may provide in discovery materials protected by Rule 6(e) and sealed materials pursuant to the protective order governing discovery. This Order applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Christopher R. Cooper on 12/31/2021. (lccrc3) (Text entry; no document attached.)

[23](#)

01/05/2022

MOTION to Permit Video Sentencing of Defendant by TIMOTHY EARL O'MALLEY.

01/06/2022

MINUTE ORDER: The [23] Motion to Permit Video Sentencing as to TIMOTHY EARL O'MALLEY is hereby granted. Defendant is being sentenced on a misdemeanor offense, and the defendant and government consent to sentencing by video. See Fed. R. Crim. P. 43(b)(2). Defendant's sentencing scheduled for March 10, 2022, at 10:00 a.m. shall be conducted by Zoom. Video connection information will be provided separately. Signed by Judge Christopher R. Cooper on 1/6/2022. (lccrc3) (Text entry; no document attached.)

[27](#)

03/07/2022

Unopposed MOTION to Continue Sentencing Hearing by USA as to TIMOTHY EARL O'MALLEY.

03/08/2022

MINUTE ORDER: The Court grants the [27] Motion to Continue the Sentencing Hearing as to TIMOTHY EARL O'MALLEY, and hereby vacates the sentencing hearing scheduled for March 10, 2022. The sentencing hearing will

be reset for March 28, 2022, at 2:00 PM by VTC before Judge Christopher R. Cooper. Video connection information will be provided separately. Signed by Judge Christopher R. Cooper on 3/8/2022. (lccrc3) (Text entry; no document attached.)

[29](#)

03/25/2022

Unopposed MOTION to Continue Sentencing Hearing by USA as to TIMOTHY EARL O'MALLEY.

03/25/2022

MINUTE ORDER: The Court grants the [29] Motion to Continue Sentencing Hearing. The Sentencing Hearing previously scheduled for March 28 is hereby vacated. The hearing will be rescheduled in a forthcoming Minute Order. Signed by Judge Christopher R. Cooper on 3/25/2022. (lccrc3) (Text entry; no document attached.)

03/28/2022

MINUTE ORDER: The Sentencing Hearing as to TIMOTHY EARL O'MALLEY is hereby reset for April 12, 2022, at 3:00 PM by VTC before Judge Christopher R. Cooper. Sentencing Memoranda shall be due April 5, 2022. Signed by Judge Christopher R. Cooper on 3/28/2022. (lccrc3) (Text entry; no document attached.)

[30](#)

04/05/2022

SENTENCING MEMORANDUM by USA as to TIMOTHY EARL O'MALLEY

[2 Attachments](#) ▼

[31](#)

04/08/2022

SENTENCING MEMORANDUM by TIMOTHY EARL O'MALLEY

[33](#)

04/12/2022

NOTICE of Filing of Video Exhibit Pursuant to LCrR 49 by USA as to TIMOTHY EARL O'MALLEY

04/12/2022

Minute Entry for video Sentencing held before Judge Christopher R. Cooper on 4/12/2022 as to TIMOTHY EARL O'MALLEY. It is the judgment of the Court, that the Defendant is sentenced to a term of 24 months (2 years) of Probation and to pay a \$10 special assessment, on Count 4. Counts 1-3 are Dismissed on the Government's Oral Motion, heard and GRANTED. Bond Status of Defendant: remains on personal recognizance; Court Reporter: Lisa Moreira; Defense Attorney: Michael J. Griffith; US Attorney: Sean P. Murphy; Prob Officer: Hana Field. (Text entry; no document attached.)

[36](#)

04/18/2022

JUDGMENT as to TIMOTHY EARL O'MALLEY. Statement of Reasons Not Included. Signed by Judge Christopher R. Cooper on 4/18/2022. (zstd)

[37](#)

04/18/2022

STATEMENT OF REASONS as to TIMOTHY EARL O'MALLEY re 36 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 Christopher R. Cooper on 4/18/2022. (zstd)

10/13/2022

APPLICATION for Access To Video Exhibits by PRESS COALITION as to TIMOTHY EARL O'MALLEY. (zstd)

10/14/2022

MINUTE ORDER granting 38 Motion for Access to Video Exhibits as to TIMOTHY EARL O'MALLEY. The Court hereby grants the Press Coalition's Application for Access to the Video Exhibit referenced in the Government's Notice of Filing of Video Exhibit, ECF No. 33. Consistent with Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases, it is hereby ordered that the government shall make available via drop box within 72 hours the video exhibit submitted to the Court for the purposes of sentencing in this matter. The government shall provide counsel for the Press Coalition with any necessary access credentials. It is further ordered that the members of the Press Coalition are authorized to record, copy, download, retransmit, and otherwise further publish the video exhibits. SO ORDERED by Judge Christopher R. Cooper on 10/14/2022. (lccrc3) (Text entry; no document attached.)

11/30/2022

TRANSCRIPT OF SENTENCING in case as to TIMOTHY EARL O'MALLEY before Judge Christopher R. Cooper held on April 12, 2022; Page Numbers: 1-41. Date of Issuance: November 30, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354-3187, Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 12/21/2022. Redacted Transcript Deadline set for 12/31/2022. Release of Transcript Restriction set for 2/28/2023.