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Date↓↑

Description

01/26/2021	1
SEALED COMPLAINT as to TROY ELBERT FAULKNER (1). [1:21-mj-00167-GMH]	
	1 Attachment ▼
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MOTION to Seal Case by USA as to TROY ELBERT FAULKNER. [1:21-mj-00167-GMH]	
	1 Attachment ▼
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ORDER granting 3 Motion to Seal Case as to TROY ELBERT FAULKNER (1). Signed by Magistrate Judge G. Michael Harvey on 1/26/2021. (zltp) [1:21-mj-00167-GMH]	
01/29/2021	
Case unsealed as to TROY ELBERT FAULKNER (zstd) [1:21-mj-00167-GMH] (Text entry; no document attached.)	
02/01/2021	5
MOTION for Emergency Stay and MOTION for Review of Release Order by USA as to TROY ELBERT FAULKNER. [1:21-mj-00167-GMH]	
	1 Attachment ▼
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MOTION for Transport Order by USA as to TROY ELBERT FAULKNER. [1:21-mj-00167-GMH]	
	1 Attachment ▼
02/02/2021	7
ORDER, as to TROY ELBERT FAULKNER, GRANTING the government's 5 Motion to Stay. Signed by Chief Judge Beryl A. Howell on February 2, 2021. (lcbah3) [1:21-mj-00167-GMH]	
02/02/2021	8
ORDER, as to TROY ELBERT FAULKNER, GRANTING the government's 6 Motion to Transport. Signed by Chief Judge Beryl A. Howell on February 2, 2021. (lcbah3) [1:21-mj-00167-GMH]	
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SUPPLEMENT by USA as to TROY ELBERT FAULKNER re 5 MOTION to Stay MOTION to Review.

2 Attachments ▼

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02/17/2021

INDICTMENT as to TROY ELBERT FAULKNER (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zstd)

[12](#)

02/19/2021

STANDING ORDER as to TROY ELBERT FAULKNER. Signed by Chief Judge Beryl A. Howell on February 19, 2021. (lcbah2)

02/23/2021

NOTICE OF HEARING ON MOTION in case as to TROY ELBERT FAULKNER re 5 MOTION for Review of Release Order. The parties shall take notice that a Motion Hearing and an Arraignment is scheduled for 2/26/2021, at 12:00 PM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

02/26/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment/Motion Hearing as to TROY ELBERT FAULKNER held via videoconference on 2/26/2021. Defendant agreed to appear via videoconference after consultation with counsel. Plea of not guilty entered by Defendant TROY ELBERT FAULKNER to Counts 1, 2, 3, 4, 5, 6, 7 of the Indictment filed on 2/17/2021. Government's motion for pretrial detention, heard and DENIED. Magistrate's Release Order AFFIRMED. Defendant released on personal recognizance bond with location monitoring, he will be supervised by the Southern District of Ohio/Columbus. A Status Hearing is scheduled for 4/9/2021, at 1:00 PM before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until the next hearing date of 4/9/2021. The Court found that time under the Speedy Trial Act shall be excluded from 2/26/2021 through 4/9/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the government to complete discovery and allow defense counsel to review and discuss the discovery with this client. Bond Status of Defendant: Defendant released/release issued. Present via videoconference: Defense Attorneys: Stacey MacDonald and John Machado; US Attorney: Emory V. Cole; Pretrial Officer: John Copes (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

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02/26/2021

ORDER Setting Conditions of Release. Signed by Chief Judge Beryl A. Howell on 2/26/2021.

2 Attachments ▼

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03/03/2021

NOTICE OF ATTORNEY APPEARANCE: John L. Machado appearing for TROY ELBERT FAULKNER

[16](#)

04/07/2021

Unopposed MOTION for Protective Order by USA as to TROY ELBERT FAULKNER.

1 Attachment ▼

04/08/2021

MINUTE ORDER granting 16 Unopposed Motion for Protective Order as to TROY ELBERT FAULKNER. Signed by Chief Judge Beryl A. Howell on 4/8/2021. (Text entry; no document attached.)

[17](#)

04/08/2021

PROTECTIVE ORDER as to TROY ELBERT FAULKNER. Signed by Chief Judge Beryl A. Howell on April 8, 2021. (lcbah2)

[19](#)

04/09/2021

NOTICE OF FILING DISCOVERY LETTER by USA as to TROY ELBERT FAULKNER

1 Attachment ▼

04/09/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to TROY ELBERT FAULKNER held via videoconference on 4/9/2021. The Defendant agreed to participate via videoconference. A further Status Hearing is scheduled for 6/4/2021, at 9:30 AM before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until 6/4/2021. The Court found that time under the Speedy Trial Act shall be excluded from 4/9/2021 through 6/4/2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete discovery, to give the defendant and his counsel the opportunity to review the discovery, and to give the parties time to discuss resolution of this matter short of trial. Bond Status of Defendant: personal recognizance. Present via videoconference: Defense Attorney: John L. Machado (telephonically); US Attorney: Emory V. Cole; Pretrial Officer: Andre Sidbury (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

[20](#)

04/13/2021

NOTICE OF FILING by USA as to TROY ELBERT FAULKNER

[21](#)

04/16/2021

Unopposed MOTION to Modify Conditions of Release by TROY ELBERT FAULKNER.

04/16/2021

MINUTE ORDER granting 21 Unopposed Motion for Modification of Release Conditions as to TROY ELBERT FAULKNER. Upon consideration of the unopposed motion, it is hereby ORDERED that Defendant TROY ELBERT FAULKNER may work, travel, and temporarily reside in the Northern District of Ohio; it is FURTHER ORDERED that the Defendant shall continue to abide by all other release conditions imposed by the Court. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 4/16/2021. (Text entry; no document attached.)

[22](#)

04/28/2021

NOTICE OF FILING by USA as to TROY ELBERT FAULKNER

1 Attachment ▼

06/04/2021

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to TROY ELBERT FAULKNER held via videoconference on 6/4/2021. A further Status Hearing is scheduled for 8/6/2021, at 9:30 AM

before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until the next status hearing of 8/6/2021. The Court found that time under the Speedy Trial Act shall be excluded from 6/4/2021 through 8/6/2021, in the best interests of justice in order to give the government time to arrange for an inspection of the item at issue and for the Defendant to review the additional discovery. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: John L. Machado; US Attorney: Emory V. Cole; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

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06/11/2021

NOTICE OF FILING by USA as to TROY ELBERT FAULKNER

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06/22/2021

NOTICE OF FILING DISCOVERY LETTER by USA as to TROY ELBERT FAULKNER

1 Attachment ▼

[26](#)

07/13/2021

NOTICE OF FILING VIEWING LETTER by USA as to TROY ELBERT FAULKNER

1 Attachment ▼

[27](#)

08/02/2021

NOTICE OF FILING DISCOVERY LETTER by USA as to TROY ELBERT FAULKNER

1 Attachment ▼

[28](#)

08/02/2021

Unopposed MOTION to Continue Status Hearing by TROY ELBERT FAULKNER.

1 Attachment ▼

08/03/2021

MINUTE ORDER granting 28 Unopposed Motion to Continue Status Hearing as to TROY ELBERT FAULKNER. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for August 6, 2021, shall be RESCHEDULED for October 1, 2021, at 11:30 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from August 6, 2021 through October 1, 2021, for the reasons set out in the Defendants motion, including to allow completion of discovery. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 8/3/2021. (Text entry; no document attached.)

09/20/2021

Set/Reset Hearings as to TROY ELBERT FAULKNER: Status Hearing RESCHEDULED for 9/30/2021, at 12:00 PM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

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09/28/2021

NOTICE OF FILING DISCOVERY LETTER by USA as to TROY ELBERT FAULKNER

09/29/2021

Joint MOTION to Continue Status Hearing by TROY ELBERT FAULKNER.

09/29/2021

MINUTE ORDER granting 32 Joint Motion to Continue Status Hearing as to TROY ELBERT FAULKNER. Upon consideration of the joint motion, it is hereby ORDERED that the Status Hearing currently scheduled for September 30, 2021, shall be CONTINUED to December 3, 2021, at 9:00 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded with the consent of the parties from October 1, 2021 through December 3, 2021, for the reasons outlined in the motion and in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Signed by Chief Judge Beryl A. Howell on 9/29/2021. (Text entry; no document attached.)

12/01/2021

Joint MOTION to Continue Status Hearing by TROY ELBERT FAULKNER.

02/28/2022

Set/Reset Hearings as to TROY ELBERT FAULKNER: Status Hearing rescheduled for 3/4/2022, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

02/28/2022

Set/Reset Hearings as to TROY ELBERT FAULKNER: Status Hearing rescheduled for 3/4/2022, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

03/02/2022

Joint MOTION to Continue Status Hearing by TROY ELBERT FAULKNER.

04/27/2022

MINUTE ORDER (paperless), as to TROY ELBERT FAULKNER, DIRECTING the parties to inform the Court by May 2, 2022, at 12:00 PM whether any outstanding plea offer will have expired by May 6, 2022, and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule in the same report, so that the Court may set a trial schedule at the May 6, 2022 hearing. Signed by Chief Judge Beryl A. Howell on April 27, 2022. (lcbah2) (Text entry; no document attached.)

04/27/2022

Set/Reset Deadlines as to TROY ELBERT FAULKNER: Response to Order of the Court due by 12:00 PM on 5/2/2022. (Text entry; no document attached.)

04/27/2022

MINUTE ORDER (paperless), as to TROY ELBERT FAULKNER, DIRECTING the parties to inform the Court by May 2, 2022, at 12:00 PM whether any outstanding plea offer will have expired by May 6, 2022, and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule in the same report, so that the Court may set a trial schedule at the May 6, 2022 hearing. Signed by Chief Judge Beryl A. Howell on April 27, 2022. (lcbah2) (Text entry; no document attached.)

04/27/2022

Set/Reset Deadlines as to TROY ELBERT FAULKNER: Response to Order of the Court due by 12:00 PM on 5/2/2022. (Text entry; no document attached.)

[35](#)

05/02/2022

RESPONSE TO ORDER OF THE COURT by USA as to TROY ELBERT FAULKNER re Order, AND JOINT MOTION TO CONTINUE PLEA HEARING

1 Attachment ▼

05/02/2022

MINUTE ORDER granting [36] Joint Request to Continue Plea Hearing as to TROY ELBERT FAULKNER. Upon consideration of the joint request, it is hereby ORDERED that the Status Hearing/Plea Hearing scheduled for May 6, 2022, shall be CONTINUED to June 3, 2022, at 10:00 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from 5/6/2022 through 6/3/2022, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Signed by Chief Judge Beryl A. Howell on 5/2/2022. (Text entry; no document attached.)

[36](#)

05/02/2022

JOINT MOTION to Continue Plea Hearing by USA as to TROY ELBERT FAULKNER. (See Docket Entry 35 to View Document). (zhsj)

05/02/2022

MINUTE ORDER granting 36 Joint Request to Continue Plea Hearing as to TROY ELBERT FAULKNER. Upon consideration of the joint request, it is hereby ORDERED that the Status Hearing/Plea Hearing scheduled for May 6, 2022, shall be CONTINUED to June 3, 2022, at 10:00 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from 5/6/2022 through 6/3/2022, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Signed by Chief Judge Beryl A. Howell on 5/2/2022. (Text entry; no document attached.)

[37](#)

05/27/2022

Unopposed MOTION to Continue Plea Hearing by USA as to TROY ELBERT FAULKNER.

1 Attachment ▼

05/31/2022

MINUTE ORDER granting [37] Unopposed Motion to Continue the Plea Hearing as to TROY ELBERT FAULKNER. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing/Plea Hearing scheduled for June 3, 2022, shall be CONTINUED to August 5, 2022, at 9:30 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from 6/3/2022 through 8/5/2022, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Signed by Chief Judge Beryl A. Howell on 5/31/2022. (Text entry; no document attached.)

08/01/2022

MINUTE ORDER (paperless), as to TROY ELBERT FAULKNER, DIRECTING the parties to submit, by August 3, 2022 at 2:00 PM, (1) three proposed dates for trial, with the parties' position on exclusion of time under the Speedy Trial Act until trial; (2) anticipated length of trial; and (3) a schedule for pretrial motions and pretrial conference; and further DIRECTING the government to be prepared to review, at the August 5, 2022 status conference, the penalties defendant faces under the now rejected plea agreement compared to the penalties to which he will be subject if

convicted on all counts at trial. Signed by Chief Judge Beryl A. Howell on August 1, 2022. (lcbah2) (Text entry; no document attached.)

08/01/2022

Set/Reset Deadlines as to TROY ELBERT FAULKNER: Response to Order of the Court due by 2:00 PM on 8/3/2022. (Text entry; no document attached.)

08/03/2022

MINUTE ORDER (paperless), as to TROY ELBERT FAULKNER, DIRECTING the government, by 4PM on August 4, 2022, to (1) submit a report describing the source, length and location depicted for all photo and video evidence relied upon as support for the Statement of Offense filed in connection with defendant's plea agreement; (2) make such photo and video evidence available for the Court's review; and FURTHER DIRECTING the parties to provide their positions whether this photo and video evidence may be made publicly available without restriction. Signed by Chief Judge Beryl A. Howell on August 3, 2022. (lcbah2) (Text entry; no document attached.)

08/03/2022

NOTICE OF RESCHEDULED HEARING TIME as to TROY ELBERT FAULKNER. The parties shall take notice that the Plea Agreement Hearing currently scheduled to be heard at 9:30 AM on 8/5/2022, is RESCHEDULED for 8/5/2022, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

08/03/2022

Set/Reset Deadlines as to TROY ELBERT FAULKNER: Response to Order of the Court due by 4:00 PM on 8/4/2022. (Text entry; no document attached.)

05/31/2022

MINUTE ORDER granting 37 Unopposed Motion to Continue the Plea Hearing as to TROY ELBERT FAULKNER. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing/Plea Hearing scheduled for June 3, 2022, shall be CONTINUED to August 5, 2022, at 9:30 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from 6/3/2022 through 8/5/2022, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Signed by Chief Judge Beryl A. Howell on 5/31/2022. (Text entry; no document attached.)

[39](#)

08/04/2022

RESPONSE TO ORDER OF THE COURT by USA as to TROY ELBERT FAULKNER re Order

[40](#)

08/05/2022

RESPONSE TO ORDER OF THE COURT by TROY ELBERT FAULKNER re Order, Minute Order of August 3, 2022

08/05/2022

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Plea Agreement Hearing as to TROY ELBERT FAULKNER held via videoconference on 8/5/2022; the Defendant agreed to participate via videoconference under the CARES Act and after consultation of counsel. Defendant sworn, plea of guilty entered by TROY ELBERT FAULKNER to Count 1 of the Indictment filed on 2/17/2021; case referred to the Probation Office for presentence investigation; sentencing scheduled for 10/14/2022, at 11:00 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. Defendant's motion for the removal of GPS monitoring, heard and granted; Pretrial's request for guidance regarding the use of medical marijuana, the Defendant shall be permitted to use medical marijuana. The Defendant will continue to be released pending sentencing under the same conditions of release with the modification regarding GPS and the use of medical marijuana; Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: John L. Machado; US Attorney: Emory V. Cole; Pretrial Officers: Shay Holman and Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

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STATEMENT OF OFFENSE by USA, TROY ELBERT FAULKNER as to TROY ELBERT FAULKNER	
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WAIVER of Trial by Jury as to TROY ELBERT FAULKNER. Approved by Chief Judge Beryl A. Howell on 8/5/2022.	
09/30/2022	
NOTICE OF RESCHEDULED HEARING as to TROY ELBERT FAULKNER. The parties shall take notice that the Sentencing Hearing currently scheduled for October 14, 2022, is RESCHEDULED for 11/3/2022, at 9:30 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. (Text entry; no document attached.)	
09/30/2022	
NOTICE OF RESCHEDULED HEARING as to TROY ELBERT FAULKNER. The parties shall take notice that the Sentencing Hearing currently scheduled for October 14, 2022, is RESCHEDULED for 11/3/2022, at 9:30 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell. (Text entry; no document attached.)	
10/20/2022	47
SENTENCING MEMORANDUM by USA as to TROY ELBERT FAULKNER	
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SENTENCING MEMORANDUM by TROY ELBERT FAULKNER	
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SENTENCING MEMORANDUM by TROY ELBERT FAULKNER	
1 Attachment ▼	
11/03/2022	53
JUDGMENT as to TROY ELBERT FAULKNER. Statement of Reasons Not Included. Signed by Chief Judge Beryl A. Howell on 11/3/2022. (zhsj)	
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STATEMENT OF REASONS as to TROY ELBERT FAULKNER re [53] Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Chief Judge Beryl A. Howell on 11/3/2022. (zhsj)	
11/03/2022	

Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Sentencing held on 11/3/2022 as to TROY ELBERT FAULKNER. Defendant sentenced on Count 1 to serve a term of five (5) months incarceration with credit for time served and a term of thirty-six (36) months of supervised release; a special assessment in the amount of \$100.00 and restitution to be disbursed to the Architect of the Capitol in the amount of \$10,560.00, ordered; imposition of a fine waived; oral motion by the government for dismissal of Count(s) 2, 3, 4, 5, 6, and 7, granted. Counts 2, 3, 4, 5, 6, and 7 DISMISSED as to Defendant TROY ELBERT FAULKNER. Oral motion by Defendant for self-surrender and prison camp designation closest to his residence, granted; oral motion by the Defendant for use of medical marijuana, granted. The Defendant shall be allowed to use medical marijuana as needed as long as he has a current medical card per Ohio State laws. Bond Status of Defendant: Personal Recognizance; the Defendant will remain released pending self-surrender under the current conditions of release. Present: Defense Attorney: John L. Machado; US Attorney: Emory V. Cole; Probation Officer: Hana Field; Pretrial Officer: Christine Schuck; Court Reporter: Sara Wick. (Text entry; no document attached.)

11/08/2022

MINUTE ORDER as to TROY ELBERT FAULKNER regarding [55] Motion to Amend Sentence. Upon consideration of the Defendant's opposed motion to amend sentence, the motion is hereby DENIED. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 11/8/2022. (Text entry; no document attached.)

[55](#)

11/08/2022

MOTION to Amend/Correct 53 Judgment by TROY ELBERT FAULKNER.

11/08/2022

MINUTE ORDER as to TROY ELBERT FAULKNER regarding 55 Motion to Amend Sentence. Upon consideration of the Defendant's opposed motion to amend sentence, the motion is hereby DENIED. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 11/8/2022. (Text entry; no document attached.)