

#Date ↓ ↑ Description

104/21/2021SEALED COMPLAINT as to KENNETH KELLY (1). [1:21-mj-00389-ZMF]

1 Attachment ▼

304/21/2021MOTION to Seal Case by USA as to KENNETH KELLY. [1:21-mj-00389-ZMF]

1 Attachment ▼

404/21/2021ORDER granting 3 Motion to Seal Case as to KENNETH KELLY (1). Signed by Magistrate Judge Zia M. Faruqui on 4/21/2021. (bb) [1:21-mj-00389-ZMF]

504/23/2021Arrest Warrant Returned Executed on 4/23/2021 in Ocala, FL as to KENNETH KELLY. (bb) [1:21-mj-00389-ZMF]

04/23/2021Case unsealed as to KENNETH KELLY (bb) [1:21-mj-00389-ZMF] (Text entry; no document attached.)

04/23/2021Arrest of KENNETH KELLY in Florida. (ztnr) [1:21-mj-00389-ZMF] (Text entry; no document attached.)

04/27/2021MINUTE ORDER. It is hereby ORDERED that Defendant KENNETH KELLY (1), appear for an initial appearance on Wednesday, May 5, 2021 at 1:00 p.m. before Magistrate Judge Robin M. Meriweather. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3114. Signed by Magistrate Judge G. Michael Harvey on 4/23/2021. (zpt) [1:21-mj-00389-ZMF] (Text entry; no document attached.)

704/28/2021INFORMATION as to KENNETH KELLY (1) count(s) 1, 2, 3, 4. (zhsj)

05/05/2021JOINT ORAL MOTION by USA and Defendant KENNETH KELLY to Exclude 30 Days Under the Speedy Trial Act. (Text entry; no document attached.)

05/05/2021Minute Entry for Initial Appearance and Arraignment as to KENNETH KELLY held by video before Magistrate Judge Robin M. Meriweather on 5/5/2021 : The Court advised the Government of its due process obligations under Rule 5(f). Defendant agrees to appear by video. Plea of Not Guilty entered by KENNETH KELLY to Counts 1, 2, 3 and 4. Counsel directed to contact Judge Kollar-Kotelly's courtroom deputy for a status hearing date. Joint Oral Motion by USA and Defendant to Exclude 30 Days Under the Speedy Trial Act. The Court will grant the parties' joint motion and toll the time for 30 days for any computation under the Speedy Trial Act, in the interest of justice. The defendant's passport shall be returned to him. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frames: 1:36:50 - 1:52:38 and 2:03:34 - 2:21:59. Defense Attorney: George Tragos; U.S. Attorney: Jacob Steiner standing in for Hava Mirell; Pretrial Officer: John Copes. (Text entry; no document attached.)

05/07/2021NOTICE OF HEARING as to KENNETH KELLY: Status Conference set for 5/10/2021 at 10:00 AM via Zoom before Judge Colleen Kollar-Kotelly. (Text entry; no document attached.)

905/07/2021ORDER pursuant to the Due Process Protections Act, confirming the disclosure obligation of the government under Local Criminal Rule 5.1 and Brady v. Maryland, 373 U.S. 83 (1963) and its progeny and the possible consequences of violating such order under applicable law. Signed by Judge Colleen Kollar-Kotelly on 5/7/21. (lcckk3)

1005/09/2021NOTICE of Filing Discovery Correspondence by USA as to KENNETH KELLY

1 Attachment ▼

05/10/2021Minute Entry for video conference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to KENNETH KELLY was scheduled, instead the hearing proceeded as hearing for ascertainment of counsel held on 5/10/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 5/5/2021 to 7/8/2021. Status Conference set for 7/8/2021 at 11:00 AM via Zoom before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: George Tragos; US Attorney: Hava Mirell. (Text entry; no document attached.)

05/11/2021MINUTE ORDER as to KENNETH KELLY. A status hearing was scheduled in this matter on May 10, 2021. The hearing proceeded as hearing for ascertainment of counsel because Defendant's counsel indicated that although he is a member of the District of Columbia bar, he had only recently submitted his application to become a member of this Court. Due to health concerns surrounding COVID-19, the hearing proceeded remotely by videoconference. Defendant, counsel for both parties, and a court reporter were present. During the hearing, the Court advised the Government of its continuing Brady obligations in this case. See ECF No. 9. The parties requested that the Court set a future status hearing to allow time for Defense counsel's membership application to be processed

and to proceed with discovery. The Court ORDERS that the next Status Hearing shall take place on JULY 8, 2021 at 11:00 a.m. Defendant consented to holding the next status hearing remotely by videoconference. During the May 10, 2021 hearing, the Court discussed with Defendant his Speedy Trial Act rights. At the time of the May 10, 2021 hearing, the Court calculated that Defendant's 70-day deadline under the Speedy Trial Act was July 15, 2021. See 18 U.S.C. § 3161. During the hearing, Defendant consented to the tolling of his Speedy Trial rights between the date of his initial appearance on May 5, 2021 and the date of the hearing before this Court on May 10, 2021, as well as between the date of the May 10, 2021 hearing and the next status hearing on July 8, 2021. As stated during the May 10, 2021 hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between May 5, 2021 and the date of the next status hearing on July 8, 2021 serves the "ends of justice" as it will allow Defendant to obtain and review discovery. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is SEPTEMBER 16, 2021. Signed by Judge Colleen Kollar-Kotelly on 5/11/21. (lcckk3) (Text entry; no document attached.)

**11**05/17/2021NOTICE OF ATTORNEY APPEARANCE: George Tragos appearing for KENNETH KELLY

**12**05/07/2021ORDER Setting Conditions of Release : Defendant KENNETH KELLY placed on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather, nunc pro tunc to 5/5/2021. (Attachment: Appearance Bond)

**13**07/02/2021Unopposed MOTION for Protective Order by USA as to KENNETH KELLY.

**1 Attachment** ▼

**14**07/06/2021Protective Order Governing Discovery as to KENNETH KELLY (1). Signed by Judge Colleen Kollar-Kotelly on 7/6/2021. (lcckk3)

**16**07/07/2021Unopposed MOTION to Continue by KENNETH KELLY.

**1 Attachment** ▼

07/07/2021MINUTE ORDER granting Defendant's 16 Unopposed Motion to Continue as to KENNETH KELLY(1). The Status Conference that was set for 07/08/2021 is rescheduled for 9/2/2021 at 01:30 PM, before Judge Colleen Kollar-Kotelly, and it will be conducted via video-teleconference. Defendant shall file a signed written waiver of the Speedy Trial Act between July 8, 2021 through September 2, 2021. Signed by Judge Colleen Kollar-Kotelly on 07/07/2021. (Text entry; no document attached.)

**17**07/14/2021Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to KENNETH KELLY.

**1 Attachment** ▼

**18**07/19/2021Waiver of Speedy Trial Act by KENNETH KELLY. Modified Text on 7/20/2021 (zhshj).

**19**08/23/2021ORDER granting 17 Motion for Disclosure as to KENNETH KELLY (1). Signed by Judge Colleen Kollar-Kotelly on 8/23/21. (lcckk3)

09/02/2021MINUTE ORDER AS TO KENNETH KELLY: The Court held a September 2, 2021 Status Conference in this matter via videoconference (Zoom). Defendant, counsel for both parties, and a court reporter were present. The parties advised the Court that they have reached a plea agreement; accordingly, a plea hearing is set for September 17, 2021, at 10:00 a.m. The parties should provide the Court with the plea paperwork by September 15, 2021. Defendant has consented to proceeding with the plea hearing via videoconference (Zoom) due to concerns regarding COVID-19. Defendant consented also to the tolling of his Speedy Trial rights between September 2, 2021 and the plea hearing on September 17, 2021. The Court finds that a continuance of Defendant's Speedy Trial rights between September 2, 2021 and September 17, 2021 serves the "ends of justice" and "interest of the Defendant" as it will permit Defendant time to consult with counsel and prepare for the plea hearing. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is NOVEMBER 26, 2021. Signed by Judge Colleen Kollar-Kotelly on 09/02/2021. (Text entry; no document attached.)

09/02/2021Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to KENNETH KELLY held on 9/2/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 9/2/2021 to 9/17/2021. Plea Agreement Hearing set for 9/17/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: George Tragos; US Attorney: Hava Mirell. (Text entry; no document attached.)

09/17/2021Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Plea Agreement Hearing as to KENNETH KELLY held on 9/17/2021. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Plea entered by KENNETH KELLY (1), Guilty as to Count 4. Not Guilty on Counts 1,2,3. The Defendant paid the \$500.00 Restitution fee. Presentence Report due by 11/29/2021. Government's Memorandum in Aid of Sentencing due by 12/20/2021. Defendant's Memorandum in Aid of Sentencing due by 1/6/2022. Sentencing set for

1/14/2022 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Continued on Personal Recognizance; Court Reporter: Lisa Moreira; Defense Attorney: George Tragos; US Attorney: Hava Mirell. (dot) Modified on 9/20/2021 to correct date. (Text entry; no document attached.)

**22**09/17/2021 PLEA AGREEMENT as to KENNETH KELLY.

**23**09/17/2021 STATEMENT OF OFFENSE by USA as to KENNETH KELLY.

**24**09/17/2021 SUBMISSION IN SUPPORT OF GUILTY PLEA by USA as to KENNETH KELLY.

**25**09/17/2021 WAIVER of Trial by Jury as to KENNETH KELLY. Approved by Judge Colleen Kollar-Kotelly on 9/17/21.

**26**10/18/2021 NOTICE of Filing Discovery Memoranda by USA as to KENNETH KELLY

**4 Attachments** ▼

**27**10/24/2021 NOTICE of Filing Discovery Memorandum by USA as to KENNETH KELLY

**1 Attachment** ▼

**29**11/18/2021 Unopposed MOTION to Modify Conditions of Release Amend Terms of Pretrial Release by KENNETH KELLY. Modified event on 11/19/2021 (znmw).

**30**11/22/2021 ORDER denying 29 Motion to Modify Conditions of Release as to KENNETH KELLY (1). Signed by Judge Colleen Kollar-Kotelly on 11/22/21. (lcckk3)

**33**11/24/2021 NOTICE of Filing Discovery Memorandum by USA as to KENNETH KELLY

**1 Attachment** ▼

**34**12/06/2021 Unopposed MOTION to Travel by KENNETH KELLY.

**2 Attachments** ▼

**35**12/09/2021 ORDER granting Defendant's 34 Unopposed Motion to Travel as to KENNETH KELLY (1). Signed by Judge Colleen Kollar-Kotelly on 12/09/21.

**36**12/20/2021 SENTENCING MEMORANDUM by USA as to KENNETH KELLY

**1 Attachment** ▼

**37**01/06/2022 SENTENCING MEMORANDUM by KENNETH KELLY.

**3 Attachments** ▼

**38**01/07/2022 MOTION to File CCTV Video Under Seal by KENNETH KELLY. Modified Text on 1/10/2022 (zhsj).

**39**01/07/2022 MOTION Review Highly sensitive video evidence in court by KENNETH KELLY.

**40**01/07/2022 NOTICE OF FILING OF EXHIBITS PURSUANT TO LOCAL CRIMINAL RULE 49 by KENNETH KELLY. Modified Text on 1/10/2022 (zhsj).

01/07/2022 MINUTE ORDER granting Defendant's 38 Unopposed Motion to file evidence under seal as to KENNETH KELLY (1). Signed by Judge Colleen Kollar-Kotelly on 1/7/2022. (Text entry; no document attached.)

01/07/2022 MINUTE ORDER as to KENNETH KELLY (1) granting Defendant's 39 Motion for an Order of Compliance with the Parties' 14 Protective Order. The evidence to be filed under seal in this case is designated as "highly sensitive" and it is subject to the terms of the parties' 14 Protective Order. The parties agree that this evidence, which was provided by the Government to the Defendant, may be provided to the Court in connection with Defendant's sentencing, so that the Court may review it in camera. Signed by Judge Colleen Kollar-Kotelly on 01/07/2022. (Text entry; no document attached.)

**41**01/10/2022 NOTICE of Filing Character letters by KENNETH KELLY

01/14/2022 Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Sentencing held on 1/14/2022 as to KENNETH KELLY (1). Counts 1, 2, 3, Dismissed on Motion of the Government. Count 4, Defendant sentenced to Twelve (12) Months Probation, to include Sixty (60) days of home detention and a Special Assessment of \$10.00 imposed. Bond Status of Defendant: Probation; Court Reporter: Lisa Moreira; Defense Attorney: George Tragos; US Attorney: Hava Mirell; Prob Officer: Hana Field. (Text entry; no document attached.)

**45**02/07/2022 JUDGMENT as to KENNETH KELLY. Statement of Reasons Not Included. Signed by Judge Colleen Kollar-Kotelly on 2/7/2022. (zhsj)

**46**02/07/2022 STATEMENT OF REASONS as to KENNETH KELLY re 45 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 Colleen Kollar-Kotelly on 2/7/2022. (zhsj)

**48**02/09/2022 TRANSCRIPT OF SENTENCING in case as to KENNETH KELLY before Judge Colleen Kollar-Kotelly held on January 14, 2022; Page Numbers: 1-58. Date of Issuance: February 9, 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](http://www.dcd.uscourts.gov). Redaction Request due 3/2/2022. Redacted Transcript Deadline set for 3/12/2022. Release of Transcript Restriction set for 5/10/2022.