

#Date ↓ ↑ Description

101/07/2021SEALED COMPLAINT as to MARK LEFFINGWELL (1). [1:21-mj-00007-GMH]

1 Attachment ▼

01/07/2021Case unsealed as to MARK LEFFINGWELL (zstd) [1:21-mj-00007-GMH] (Text entry; no document attached.)

01/07/2021Arrest of MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Text entry; no document attached.)

301/07/2021Arrest Warrant Returned Executed on 1/7/2021 as to MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH]

01/07/2021MINUTE ORDER 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 1/7/2021. (zpt) [1:21-mj-00007-GMH] (Text entry; no document attached.)

01/07/2021ORAL MOTION to Appoint Counsel by MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Text entry; no document attached.)

01/07/2021ORAL MOTION for Temporary Detention by USA as to MARK LEFFINGWELL. (zpt)

[1:21-mj-00007-GMH] (Text entry; no document attached.)

01/07/2021Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Telephonic Initial Appearance as to MARK LEFFINGWELL (1) held on 1/7/2021. Oral Motion to Appoint Counsel by MARK LEFFINGWELL (1) Heard and Granted. Oral Motion by the Government for Temporary Detention (3 Day Hold) as to MARK LEFFINGWELL (1) Heard and Granted. Detention Hearing set for 1/8/2021 at 03:30 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Nancy Meyer Defense Attorney: Mark Carroll; US Attorney: Kelly Smith; Pretrial Officer: Masharia Holman; (zpt) Modified text on 1/8/2021 (zpt). [1:21-mj-00007-GMH] (Text entry; no document attached.)

01/08/2021ORAL MOTION for Release from Custody by MARK LEFFINGWELL. (zpt) [1:21-mj-00007-GMH] (Text entry; no document attached.)

01/08/2021Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Detention Hearing as to MARK LEFFINGWELL (1) held on 1/8/2021. Oral Motion for Release from Custody by MARK LEFFINGWELL (1) Heard and Granted. Government does not object to the Defendant's release with pre-trial release conditions imposed. Preliminary Hearing set for 1/29/2021 at 10:00 AM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Released on Personal Recognizance/Release Order Issued; Court Reporter: Nancy Meyer Defense Attorney: Mark Carroll; US Attorney: Kelly Smith; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00007-GMH] (Text entry; no document attached.)

501/08/2021ORDER Setting Conditions of Release as to MARK LEFFINGWELL (1) Third Party Custodian. Signed by Magistrate Judge G. Michael Harvey on 1/8/2021. (zpt)[1:21-mj-00007-GMH] (Additional attachment(s) added on 2/10/2021: # 1 Appearance Bond)

601/11/2021INDICTMENT as to MARK JEFFERSON LEFFINGWELL (1) count(s) 1, 2-3, 4, 5, 6, 7.

01/12/2021MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. A Video (VTC) Status Conference is set for 1/29/2021 at 2:00 PM before Judge Amy Berman Jackson. The Court's Deputy Clerk will provide counsel for the parties with the video connection information. Defense counsel is directed to forward the connection information to the defendant who is required to be present and participate in the Video (VTC) Status Conference. Signed by Judge Amy Berman Jackson on 1/12/2021. (Text entry; no document attached.)

701/13/2021NOTICE OF ATTORNEY APPEARANCE: Mark John Carroll appearing for MARK JEFFERSON LEFFINGWELL

01/27/2021MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. It is ORDERED that the Video (VTC) Status Conference set for 1/29/2021 at 2:00 PM before Judge Amy Berman Jackson will also include the defendant's arraignment. It is FURTHER ORDERED that the Pretrial Services Agency (PSA) Officer assigned to this case is directed to participate and dial into the Video (VTC) Status Conference. Signed by Judge Amy Berman Jackson on 1/27/2021. (Text entry; no document attached.)

01/29/2021Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to MARK JEFFERSON LEFFINGWELL as to Counts: 1,2-3,4,5,6,7 held on 1/29/2021. Plea of Not Guilty entered as to all Counts (1-7). Oral request by the Defendant for a Criminal Guideline Calculation was Heard and Granted. The Clerk is directed to refer this to the United States Probation Office for the preparation of a Guideline Calculation in this case. Defendant's conditions of release are modified as follows: Defendant shall stay away from any State Capitol. Another Video (VTC) Status Conference is set for 3/31/2021 at 12:00 PM before Judge

Amy Berman Jackson. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond with Third (3rd) Party Custody; Court Reporter: Crystal Pilgrim; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge; Pretrial Services Agency Officer: Andre Sidbury. (jth) Modified on 1/29/2021 to include the modification of defendant's conditions of pretrial release (Text entry; no document attached.)

**902/16/2021**ORDER. 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 Amy Berman Jackson on 2/16/2021. (lcabj1)

**1203/30/2021**Unopposed MOTION for Protective Order Governing Discovery by USA as to MARK JEFFERSON LEFFINGWELL.

**1 Attachment ▼**

**03/31/2021**Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to MARK JEFFERSON LEFFINGWELL held on 3/31/2021. The Court makes a finding that it is in the Interests of Justice that the time between 3/31/2021 and 6/3/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Another Video (VTC) Status Conference is set for 6/3/2021 at 11:00 AM before Judge Amy Berman Jackson. If the proceeding on 6/3/2021 is to be converted to a plea, the plea paperwork must be submitted to chambers by 6/1/2021. The defendant will be required to appear in person or by Video for any plea hearing. Bond Status of Defendant: Defendant Appeared by Telephone, but Remains on Personal Recognizance Bond (PR); Court Reporter: Janice Dickman; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge. (Text entry; no document attached.)

**04/01/2021**MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. 12 Motion for Protective Order is denied without prejudice. Paragraph 4(d) of the proposed order [12-1] calls for the filing of documents under seal, without an accompanying motion for leave to file under seal as required by this court's Local Rules. Therefore, it is ORDERED that the government must submit a revised proposed order which provides that if any party wishes to submit sensitive material to the Court, it must be filed in accordance with Local Criminal Rule 49(f)(6). Signed by Judge Amy Berman Jackson on 4/1/2021. (lcabj1) (Text entry; no document attached.)

**1304/01/2021**Unopposed MOTION for Protective Order of Discovery Materials (Revised) by USA as to MARK JEFFERSON LEFFINGWELL.

**1 Attachment ▼**

**1404/05/2021**PROTECTIVE ORDER to MARK JEFFERSON LEFFINGWELL. See Order for details. Signed by Judge Amy Berman Jackson on 4/5/2021. (lcabj1)

**1504/09/2021**SUPERSEDING INDICTMENT as to MARK JEFFERSON LEFFINGWELL (1) count(s) 1s, 2s-3s, 4s, 5s, 6s, 7s.

**06/03/2021**Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Arraignment and Status Conference as to MARK JEFFERSON LEFFINGWELL as to Counts 1s,2s-3s,4s,5s,6s,7s held on 6/3/2021. Plea of Not Guilty entered as to counts 1s,2s-3s,4s,5s,6s,7s. Another Video (VTC) Status Conference is set for 9/8/2021 at 11:00 AM before Judge Amy Berman Jackson. If the 9/8/2021 Status Conference is to be converted to a Plea Hearing counsel must submit the signed paperwork to the Court's Deputy Clerk by 12:00 PM (noon) on 9/7/2021. The Court makes a finding that it is in the Interests of Justice that the time between 6/3/2021 and 9/8/2021 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: Mark John Carroll; US Attorney: Christopher Berridge. (Text entry; no document attached.)

**09/08/2021**Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Status Conference as to MARK JEFFERSON LEFFINGWELL held on 9/8/2021. Another Video (VTC) Status Conference is set for 10/26/2021 at 2:00 PM before Judge Amy Berman Jackson. If the Status Conference is to be converted to a disposition counsel must transmit the draft paperwork to the Court's Deputy Clerk by 12:00 PM (noon) on 10/22/2021 and the signed paperwork, including any waivers, by the morning of 10/26/2021. The Court makes a finding that it is in the Interests of Justice that the time between 9/8/2021 and 10/26/2021 shall be excluded from the Speedy Trial Act calculation (START XT). Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond (PR); Court Reporter: Lisa Edwards; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge. (Text entry; no document attached.)

**1909/16/2021**NOTICE of Status of Discovery as of 8.23.21 by USA as to MARK JEFFERSON LEFFINGWELL

**2009/16/2021**NOTICE of Status of Discovery as of 9.14.21 by USA as to MARK JEFFERSON LEFFINGWELL

**21**10/21/2021Unopposed MOTION for Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to MARK JEFFERSON LEFFINGWELL.

**1 Attachment ▼**

10/21/2021MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. 21 Motion for an Order is GRANTED. The government may provide in discovery both sealed materials, pursuant to the previously entered protective order, and materials protected by Federal Rule of Criminal Procedure 6(e). The Court will address the applicability to any co-defendants if and when they are joined. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/21/2021. (lcabj1) (Text entry; no document attached.)

10/21/2021MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. The Video (VTC) Status Conference in this case set for 10/26/2021 at 2:00 PM before Judge Amy Berman Jackson is CONVERTED to a Video (VTC) Plea Agreement Hearing and is set for 10/26/2021 at 2:00 PM (same date and time) before Judge Amy Berman Jackson. The Video connection information previously sent to the parties will remain the same. Signed by Judge Amy Berman Jackson on 10/21/2021. (Text entry; no document attached.)

**22**10/22/2021NOTICE of Status of Discovery as of 10.21.21 by USA as to MARK JEFFERSON LEFFINGWELL  
10/26/2021Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Plea Agreement Hearing as to MARK JEFFERSON LEFFINGWELL held on 10/26/2021. Plea of Guilty to Count: 2s entered by MARK JEFFERSON LEFFINGWELL. Refer to PROBATION OFFICE for Presentence Investigation. Video (VTC) Sentencing set for 2/10/2022 at 2:00 PM before Judge Amy Berman Jackson. Sentencing Memoranda from the parties are due by 1/27/2022. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Tim Miller; Defense Attorney: Mark John Carroll; US Attorney: Christopher Berridge. (Text entry; no document attached.)

**24**10/26/2021WAIVER of Trial by Jury as to MARK JEFFERSON LEFFINGWELL. Approved by Judge Amy Berman Jackson on 10/26/2021.

**25**10/26/2021PLEA AGREEMENT as to MARK JEFFERSON LEFFINGWELL.

**26**10/26/2021STATEMENT OF OFFENSE by USA as to MARK JEFFERSON LEFFINGWELL.

**28**01/12/2022NOTICE OF ATTORNEY APPEARANCE Jennifer M Rozzoni appearing for USA.

**31**01/27/2022SENTENCING MEMORANDUM by USA as to MARK JEFFERSON LEFFINGWELL

**32**01/27/2022NOTICE of Filing of Items Incompatible with CM/ECF Filing by USA as to MARK JEFFERSON LEFFINGWELL

**33**01/27/2022NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to MARK JEFFERSON LEFFINGWELL

01/31/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. Both parties are ORDERED to submit a notice by February 3, 2022, providing more detail concerning defendant's demeanor and what he said during the debrief with the USAO and law enforcement. The government is FURTHER ORDERED to inform the Court in its notice whether it disputes defendant's characterization of his encounter with the two officers involved at the Central Cell Block. Signed by Judge Amy Berman Jackson on 1/31/2022. (lcabj1) (Text entry; no document attached.)

**34**01/27/2022Application for Access to Video Exhibits by PRESS COALITION as to MARK JEFFERSON LEFFINGWELL.

02/03/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. The parties must inform the Court of their positions as to the press motion [34] by February 8, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/3/2022. (lcabj1) (Text entry; no document attached.)

02/03/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. The parties are ORDERED to file supplemental submissions by February 8, 2022 addressing the applicability of the "Official Victim" adjustment under **◆3A1.2** of the Guidelines when, according to both the Plea Agreement and the Probation Office, the applicable offense guideline is **◆2A2.4** (Obstructing or Impeding Officers). See Application Note 2 to **◆3A1.2**. Signed by Judge Amy Berman Jackson on 2/3/2022. (lcabj1) (Text entry; no document attached.)

02/07/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. A Telephone Conference Call is set for 2/8/2022 at 2:30 PM (Eastern Standard Time) before Judge Amy Berman Jackson. In a separate email, the Court's Deputy Clerk will provide counsel with the number and pass code they will need to access the call. Signed by Judge Amy Berman Jackson on 2/7/2022. (Text entry; no document attached.)

02/08/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. Before the Court is an Application for Access to Video Exhibits [34] submitted by a coalition of media organizations. It asks for access to three video exhibits the government submitted to the Court in connection with its sentencing memorandum. "The common-law right of public access to judicial records is a fundamental element of the rule of law, important to maintaining the integrity and legitimacy of an independent Judicial Branch." In re Leopold to Unseal Certain Elec. Surveillance Applications & Orders, 964 F.3d 1121, 1127 (D.C. Cir. 2020). In weighing the factors identified in United States v.

Hubbard, 650 F.2d 293, 31721 (D.C. Cir. 1980), and notwithstanding defendant's objection, the Court finds that there is a strong public interest in understanding the events of January 6; the videos do not implicate strong privacy interests because defendant has already pled guilty to assaulting an officer and there will not be a trial that could be impacted by additional publicity; and the videos are necessary to understanding the Court's forthcoming sentencing decision. Accordingly, the Application for Access to Video Exhibits [34] is GRANTED and the government is ORDERED to make the three videos referenced in paragraph 5 of the motion promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/8/2022. (lcabj1) (Text entry; no document attached.)

02/08/2022Minute Entry for proceedings held before Judge Amy Berman Jackson: SEALED Telephone Conference Call as to MARK JEFFERSON LEFFINGWELL held on 2/8/2022. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: Mark John Carroll; US Attorney: Jennifer M. Rozzoni. (Text entry; no document attached.)

**44**02/08/2022NOTICE Related to Public Release of Proposed Exhibits by USA as to MARK JEFFERSON LEFFINGWELL re 34 MOTION to Access

02/08/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. The Telephone Conference Call set for 2/8/2022 will be a scheduling conference to discuss with the parties the handling of sealed information and is therefore a SEALED CALL. Signed by Judge Amy Berman Jackson on 2/8/2022. (Text entry; no document attached.)

02/08/2022Minute Entry for proceedings held before Judge Amy Berman Jackson: SEALED Telephone Conference Call as to MARK JEFFERSON LEFFINGWELL held on 2/8/2022. Bond Status of Defendant: Defendant Remains on Personal Recognizance Bond; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: Mark John Carroll; US Attorney: Jennifer M. Rozzoni. (Text entry; no document attached.)

02/08/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. Before the Court is an Application for Access to Video Exhibits 34 submitted by a coalition of media organizations. It asks for access to three video exhibits the government submitted to the Court in connection with its sentencing memorandum. "The common-law right of public access to judicial records is a fundamental element of the rule of law, important to maintaining the integrity and legitimacy of an independent Judicial Branch." In re Leopold to Unseal Certain Elec. Surveillance Applications & Orders, 964 F.3d 1121, 1127 (D.C. Cir. 2020). In weighing the factors identified in United States v. Hubbard, 650 F.2d 293, 31721 (D.C. Cir. 1980), and notwithstanding defendant's objection, the Court finds that there is a strong public interest in understanding the events of January 6; the videos do not implicate strong privacy interests because defendant has already pled guilty to assaulting an officer and there will not be a trial that could be impacted by additional publicity; and the videos are necessary to understanding the Court's forthcoming sentencing decision. Accordingly, the Application for Access to Video Exhibits 34 is GRANTED and the government is ORDERED to make the three videos referenced in paragraph 5 of the motion promptly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/8/2022. (lcabj1) (Text entry; no document attached.)

**45**02/08/2022NOTICE OF ATTORNEY APPEARANCE James Pearce appearing for USA.

02/08/2022MINUTE ORDER as to MARK JEFFERSON LEFFINGWELL. After consultation with the parties and with their consent, the Court's [SEALED] minute order of January 26, 2022 granting defendant's [SEALED] motion 29 to seal the sentencing submissions and proceedings in this case is hereby MODIFIED as follows: the video sentencing hearing now scheduled for February 10, 2022 at 2:00 pm will be conducted on the public record. Also, the parties are ordered to review sentencing materials that, with the Courts permission, were initially filed under seal, in particular, defendants motion for leave to file under seal 29, defendant's sentencing memorandum 30, letters in support of the defendant [30-3], defendant's response to the Courts Minute Order of January 31, 2022 37, and the government's supplemental sentencing notice 38, and to file redacted versions on the public docket by February 14, 2022. Signed by Judge Amy Berman Jackson on 2/8/2022. (Text entry; no document attached.)

**46**02/08/2022NOTICE Second Supplemental Sentencing Notice Pursuant to February 3, 2022 Minute Order by USA as to MARK JEFFERSON LEFFINGWELL

**1 Attachment** ▼

02/10/2022Minute Entry for proceedings held before Judge Amy Berman Jackson: Video (VTC) Sentencing held on 2/10/2022 as to MARK JEFFERSON LEFFINGWELL. Count 2s: Sentenced to Six (6) months incarceration with credit for time served, followed by Twenty Four (24) months of supervised release. \$100.00 Special Assessment and Restitution in the amount of \$2,000.00 were imposed. Oral Motion by the Government to Dismiss All Remaining

Counts (1,1s,2-3,3s,4,4s,5,5s,6,6s,7,7s) was HEARD and GRANTED. Bond Status of Defendant: Defendant permitted to voluntarily surrender when designated with all previously imposed conditions of release remaining in effect; Court Reporter: Tim Miller; Defense Attorney: Mark John Carroll; US Attorneys: Jennifer M. Rozzoni and James Pearce; Probation Officer: Carmen Newton. (Text entry; no document attached.)

**47**02/14/2022SENTENCING MEMORANDUM by MARK JEFFERSON LEFFINGWELL

**2 Attachments** ▼

**50**02/17/2022RESPONSE to the Court's Inquiry regarding military disability compensation by MARK JEFFERSON LEFFINGWELL. (Main Document 50 replaced on 2/17/2022 to indicate that this is a public not sealed document) (zjth). Modified on 2/17/2022 to reflect that this is a response not a motion.

**51**02/18/2022JUDGMENT as to MARK JEFFERSON LEFFINGWELL. Statement of Reasons Not Included. Signed by Judge Amy Berman Jackson on 2/18/2022. (zftp) (Main Document 51 replaced on 2/24/2022) (zftp). Modified filed date on 2/24/2022 (zftp).

**52**02/18/2022STATEMENT OF REASONS as to MARK JEFFERSON LEFFINGWELL. re 51 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 2/18/2022. (zftp) Modified filed date on 2/24/2022 (zftp).

**53**04/05/2022TRANSCRIPT OF SENTENCING in case as to MARK JEFFERSON LEFFINGWELL before Judge Amy Berman Jackson held on 2-10-22; Page Numbers: 1-64; Date of Issuance: 4-5-22; 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](http://www.dcd.uscourts.gov). Redaction Request due 4/26/2022. Redacted Transcript Deadline set for 5/6/2022. Release of Transcript Restriction set for 7/4/2022.