

#Date ↓ ↑ Description

101/12/2021 COMPLAINT as to KEVIN JAMES LYONS (1). [1:21-mj-00037-ZMF \*SEALED\*]

1 Attachment ▼

01/13/2021 Arrest of KEVIN JAMES LYONS in Northern District of Illinois. (zpt) Modified date on 2/1/2021 (zpt). [1:21-mj-00037-ZMF \*SEALED\*] (Text entry; no document attached.)

301/19/2021 Arrest Warrant, dated 1/12/2021, Returned Executed in the U.S. District Court for the District of Columbia on 1/19/2021 as to KEVIN JAMES LYONS. (zpt) [1:21-mj-00037-ZMF \*SEALED\*]

01/19/2021 ORAL MOTION for Speedy Trial Waiver by KEVIN JAMES LYONS. (zpt) [1:21-mj-00037-ZMF \*SEALED\*] (Text entry; no document attached.)

01/19/2021 Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to KEVIN JAMES LYONS (1) held on 1/19/2021. Oral Motion for Speedy Trial Waiver by KEVIN JAMES LYONS (1) Heard and Granted. Time between 1/19/2021 and 3/2/2021 (42 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Government does not seek the Defendant's pretrial detention. Defendant expresses intent to waive right to a Preliminary Hearing. Status Hearing set for 3/2/2021 at 10:00 AM in Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Lawrence Levin; US Attorney: Nicole Battle; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00037-ZMF \*SEALED\*] (Text entry; no document attached.)

01/19/2021 Case unsealed as to KEVIN JAMES LYONS (zltpt) (Text entry; no document attached.)

402/03/2021 INFORMATION as to KEVIN JAMES LYONS (1) count(s) 1, 2, 3. (zltpt) (Main Document 4 replaced on 2/4/2021) (zltpt).

02/04/2021 NOTICE OF HEARING as to KEVIN JAMES LYONS. The parties shall take notice that an Arraignment hearing is scheduled for 2/12/2021, at 10:45 AM before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

602/05/2021 STANDING ORDER as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on February 5, 2021. (lcbah3)

02/08/2021 NOTICE OF RESCHEDULED TIME OF HEARING as to KEVIN JAMES LYONS. The parties shall take notice that the Arraignment Hearing scheduled for 2/12/2021, at 10:45 AM is RESCHEDULED for 2/12/2021, at 9:15 AM before Chief Judge Beryl A. Howell. B (Text entry; no document attached.)

02/12/2021 Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment as to KEVIN JAMES LYONS held via videoconference on 2/12/2021. The Defendant agreed to participate via videoconference after consultation with counsel. A plea of not guilty was entered by KEVIN JAMES LYONS to Counts 1, 2, and 3 of the Information filed on 2/3/2021. A Status Hearing is scheduled for 4/9/2021, at 9:00 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 4/9/2021. The Court found that for the reasons stated on the record, time under the Speedy Trial Act shall be excluded from 2/12/2021 through 4/9/2021, in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorneys: Michelle M. Peterson and Lawrence Levin; US Attorney: Nicole L. Battle; Pretrial Officer: Andre Sidbury (telephonically). Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

03/02/2021 MINUTE ORDER The hearing currently scheduled for March 2, 2021 is hereby VACATED, as the government has formally charged KEVIN JAMES LYONS and there are no additional matters necessitating action by a magistrate judge. If a hearing has not been scheduled before the assigned district judge, the parties are respectfully directed to contact the chambers of the assigned district judge to schedule a hearing. Signed by Magistrate Judge Zia M. Faruqui on 3/2/2021. (Text entry; no document attached.)

701/19/2021 ORDER Setting Conditions of Release as to KEVIN JAMES LYONS (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021.

1 Attachment ▼

01/19/2021 MINUTE ORDER as to KEVIN JAMES LYONS (1). MINUTE 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 1/19/2021. (Text entry; no document attached.)

904/08/2021NOTICE of Appearance of Counsel Attorney: Lawrence Wolf Levin. by KEVIN JAMES LYONS. Modified event title on 4/27/2021 (znmw).

1004/08/2021Amended NOTICE of Appearance of Counsel (Correct Attorney Number) Attorney: Lawrence Wolf Levin. by KEVIN JAMES LYONS. Modified event title on 4/27/2021 (znmw).

1104/08/2021NOTICE OF ATTORNEY APPEARANCE: Lawrence Wolf Levin appearing for KEVIN JAMES LYONS

1204/08/2021Unopposed MOTION for Protective Order by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

1304/08/2021Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

1404/13/2021NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Stump, Monica Anne added.

04/21/2021MINUTE ORDER granting 12 Motion for Protective Order as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on 4/21/2021. (Text entry; no document attached.)

1504/21/2021PROTECTIVE ORDER as to KEVIN JAMES LYONS. Signed by Chief Judge Beryl A. Howell on April 21, 2021. (lcbah3)

04/23/2021Set/Reset Hearings as to KEVIN JAMES LYONS: Status Conference RESCHEDULED for 6/11/2021, at 11:00 AM before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

1604/08/2021MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS. (See Docket Entry 13 to View Document). (zhsj)

04/09/2021MINUTE ORDER as to KEVIN JAMES LYONS granting 13 United States' Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act. Upon consideration of the untimely filed unopposed motion (see 6 Standing Order, par. 6), it is hereby ORDERED that the Status Hearing scheduled for today, April 9, 2021, shall be CONTINUED to June 11, 2021, at 10:00 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that pursuant to 18 U.S.C 3161(h)(7)(A), (B)(i), (ii), and (iv), time under the Speedy Trial Act shall be excluded with the parties' consent, from April 9, 2021 through June 11, 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 allow for the completion of discovery by the government and its review by the Defendant. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 4/9/2021. (Text entry; no document attached.)

1705/04/2021MOTION for Disclosure ITEMS PROTECTED BY FEDERAL RULE OF CRIMINAL PROCEDURE 6(e) AND SEALED MATERIALS by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

05/04/2021MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, GRANTING the government's 17 Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), to provide to defendant, and any co-defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on May 4, 2021. (lcbah3) (Text entry; no document attached.)

1805/04/2021NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS

1 Attachment ▼

1905/17/2021NOTICE of Acceptance of Protective Order by KEVIN JAMES LYONS

2005/19/2021NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS

1 Attachment ▼

2106/03/2021Second MOTION to Continue (Unopposed) and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

06/03/2021MINUTE ORDER granting 21 United States' Second Motion to Continue and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for June 11, 2021, shall be CONTINUED to August 6, 2021, at 9:15 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from June 11, 2021 through August 6, 2021, for all the reasons set out in the government's motion and agreed to by the Defendant. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 6/3/2021. (Text entry; no document attached.)

2206/07/2021NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS

1 Attachment ▼

**23**06/09/2021SUPERSEDING INDICTMENT as to KEVIN JAMES LYONS (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s.

**25**07/12/2021NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS

**1 Attachment** ▼

**26**07/30/2021NOTICE of United States' Memorandum Regarding Status of Discovery by USA as to KEVIN JAMES LYONS

**1 Attachment** ▼

**27**08/02/2021NOTICE OF FILING DISCOVERY CORRESPONDENCE by USA as to KEVIN JAMES LYONS

**1 Attachment** ▼

08/04/2021Set/Reset Hearings as to KEVIN JAMES LYONS: Status Hearing RESCHEDULED for 8/9/2021 at 9:15 AM before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

08/09/2021Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment/Status Hearing as to KEVIN JAMES LYONS held via videoconference on 8/9/2021. The Defendant agreed to participate via videoconference under the CARES Act and after consultation with counsel. Plea of not guilty entered by Defendant KEVIN JAMES LYONS to Counts 1s, 2s, 3s, 4s, 5s, 6s of the Superseding Indictment filed on 6/9/2021. A Status Hearing is scheduled for 10/1/2021, at 9:00 AM before Chief Judge Beryl A. Howell. Government's unopposed oral request for exclusion of time under the Speedy Trial Act, granted. Time excluded under the Speedy Trial Act nunc pro tunc to 6/9/2021 through 10/1/2021, in the interests of justice in order to give the government time to complete discovery and the defense time to review the discovery, tour the Capitol, and discuss a potential disposition short of trial. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Lawrence Levin; US Attorney: Monica A. Stump; Pretrial Officer: Andre Sidbury (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) Modified on 8/9/2021 (Text entry; no document attached.)

09/20/2021Set/Reset Hearings as to KEVIN JAMES LYONS: Status Hearing RESCHEDULED for 9/30/2021, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (Text entry; no document attached.)

**29**09/23/2021NOTICE of United States' Memorandum Regarding Status of Discovery as of September 14, 2021 by USA as to KEVIN JAMES LYONS

**1 Attachment** ▼

**30**09/23/2021Joint MOTION to Continue September 30, 2021 Status Hearing and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

**1 Attachment** ▼

09/24/2021MINUTE ORDER granting 30 Joint Motion to Continue September 30, 2021 Status Hearing and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. 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 via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that for the reasons outlined in the motion and at the request of the parties, time under the Speedy Trial Act shall be excluded from September 30, 2021 through December 3, 2021, in the 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 9/24/2021. (Text entry; no document attached.)

**31**10/22/2021NOTICE of United States' Memorandum Regarding Status of Discovery as of October 21, 2021 by USA as to KEVIN JAMES LYONS

**32**11/06/2021NOTICE of United States' Memorandum Regarding Status of Discovery as of November 5, 2021 by USA as to KEVIN JAMES LYONS

**33**11/17/2021Joint MOTION to Continue December 3, 2021 Status Hearing and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

**1 Attachment** ▼

11/23/2021MINUTE ORDER as to KEVIN JAMES LYONS, granting 33 Joint Motion to Continue December 3, 2021 Status Hearing and to Exclude Time Under the Speedy Trial Act. Upon consideration of the joint motion, it is hereby ORDERED that the Status Hearing currently scheduled for December 3, 2021, shall be CONTINUED to February 11, 2022, at 9:30 AM via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from 12/3/2021 through 2/11/2022, with the parties' consent 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 11/23/2021. (Text entry; no document attached.)

**34**12/20/2021Rule 5(c)(3) Documents Received as to KEVIN JAMES LYONS from US District Court Northern District of Illinois Eastern Division Case Number 21-cr-23

**36**02/02/2022Joint MOTION to Continue February 11, 2022 Status Hearing and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

02/02/2022MINUTE ORDER granting 36 Second Joint Motion to Continue February 11, 2022 Status Hearing and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the joint motion, it is hereby ORDERED that the Status Hearing currently scheduled for February 11, 2022, shall be CONTINUED to April 8, 2022, at 9:30 AM via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from February 11, 2022 through April 8, 2022, 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. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 2/2/2022. (Text entry; no document attached.)

3702/11/2022NOTICE of United States' Memorandum Regarding Status of Discovery as of February 9, 2022 by USA as to KEVIN JAMES LYONS

3802/16/2022NOTICE OF ATTORNEY APPEARANCE Benjamin Edward Kringer appearing for USA.

3902/17/2022NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to KEVIN JAMES LYONS

4003/14/2022Unopposed MOTION to Continue Status Hearing on April 8, 2022 by KEVIN JAMES LYONS.

4103/14/2022NOTICE of Proposed Order by KEVIN JAMES LYONS. Modified on 3/15/2022 to Reflect Order (zhsj).

03/15/2022MINUTE ORDER granting 40 Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for April 8, 2022, shall be CONTINUED to June 10, 2022, at 9:30 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial shall be excluded 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. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 3/15/2022. (Text entry; no document attached.)

05/27/2022MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the parties jointly to file a statement, by June 3, 2022, informing the Court whether any outstanding plea offers will have expired by June 10, 2022 and if so, the parties shall provide the Court with three proposed trial start dates during the week of September 12, 2022 and/or during October 2022, a proposed motions schedule, and an estimated trial duration, so that the Court may set a trial schedule at or before the June 10, 2022 status conference. Signed by Chief Judge Beryl A. Howell on May 27, 2022. (lcbah3) (Text entry; no document attached.)

05/27/2022Set/Reset Deadlines as to KEVIN JAMES LYONS: Joint response to Order of the Court due by 6/3/2022. (Text entry; no document attached.)

4203/14/2022MOTION to Exclude Time Under the Speedy Trial Act by KEVIN JAMES LYONS. (See Docket Entry 40 to View Document). (zhsj)

03/15/2022MINUTE ORDER granting 40 Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for April 8, 2022, shall be CONTINUED to June 10, 2022, at 9:30 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial shall be excluded 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. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 3/15/2022. (Text entry; no document attached.)

4406/03/2022NOTICE of Joint Response to Minute Order by USA as to KEVIN JAMES LYONS re Order

4506/03/2022Joint MOTION to Continue the June 10, 2022 Status Conference, Joint MOTION to Exclude Time under the Speedy Trial Act by USA as to KEVIN JAMES LYONS.

1 Attachment ▼

06/03/2022MINUTE ORDER granting 45 Joint Motion to Continue the June 10, 2022 Status Conference and Exclude Time Under the Speedy Trial Act as to KEVIN JAMES LYONS. Upon consideration of the joint motion, it is hereby ORDERED that the Status Hearing currently scheduled for June 10, 2022, shall be CONTINUED to August 12, 2022, at 9:15 AM via videoconference before Chief Judge Beryl A. Howell; the parties are DIRECTED to submit by noon on August 5, 2022, a joint status report with three proposed trial dates; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from June 10, 2022 through August 12, 2022, for the reasons outlined in the motion and in the 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 6/3/2022. (ztg) Modified to add joint status report deadline on 6/3/2022 (Text entry; no document attached.)

4607/27/2022NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Fedor, Maria Y. added. Substituting for attorney Benjamin Edward Kringer

**47**08/04/2022Unopposed MOTION to Continue Status Hearing and Case in Chief by KEVIN JAMES LYONS.

**48**08/04/2022NOTICE of Unopposed Motion to Continue Status Hearing and Case in Chief by KEVIN JAMES LYONS re 47 Unopposed MOTION to Continue Status Hearing and Case in Chief

**49**08/04/2022PROPOSED ORDER re 47 Unopposed MOTION to Continue Status Hearing and Case in Chief by KEVIN JAMES LYONS. Modified to correct title on 8/4/2022

08/04/2022MINUTE ORDER granting 47 Unopposed Motion to Continue Status Hearing and Motion to Continue Case in Chief as to KEVIN JAMES LYONS. Upon consideration of the unopposed motion, it is hereby ORDERED that the Status Hearing currently scheduled for August 12, 2022, shall be CONTINUED to September 16, 2022, at 9:15 AM before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from August 12, 2022 through September 16, 2022, in the 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 8/4/2022. (Text entry; no document attached.)

09/12/2022MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the parties to inform the Court, by noon on September 14, 2022, whether any outstanding plea offers will have expired by September 16, 2022 and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule, so that the Court may set a trial schedule at or before the September 16, 2022 hearing. Signed by Chief Judge Beryl A. Howell on September 12, 2022. (lcbah3) (Text entry; no document attached.)

09/12/2022Set/Reset Deadlines as to KEVIN JAMES LYONS: Response to Order of the Court due by noon on 9/14/2022. (Text entry; no document attached.)

**50**09/12/2022MOTION to Continue by KEVIN JAMES LYONS.

**51**09/12/2022NOTICE of Motion to Continue by KEVIN JAMES LYONS re 50 MOTION to Continue

**52**09/12/2022MOTION to Compel by KEVIN JAMES LYONS.

**53**09/12/2022NOTICE to Compel by KEVIN JAMES LYONS re 52 MOTION to Compel

**54**09/12/2022NOTICE of Motion to Continue (AMENDED) by KEVIN JAMES LYONS re 51 Notice (Other), 50 MOTION to Continue

09/12/2022MINUTE ORDER granting 50 Motion to Continue as to KEVIN JAMES LYONS. Upon consideration of the Defendant's motion, it is hereby ORDERED that the Status Hearing currently scheduled for September 16, 2022, shall be CONTINUED to October 14, 2022, at 9:30 AM via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from September 16, 2022 through October 14, 2022, in the 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 9/12/2022. (Text entry; no document attached.)

09/12/2022MINUTE ORDER as to KEVIN JAMES LYONS, DIRECTING the government to respond by noon on September 22, 2022, to the Defendant's 52 MOTION to Compel; the Defendant is DIRECTED to file any reply by 2:00 PM on September 26, 2022. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 9/12/2022. (Text entry; no document attached.)

**55**09/22/2022RESPONSE by USA as to KEVIN JAMES LYONS re 52 MOTION to Compel GOVERNMENTS OPPOSITION TO DEFENDANTS MOTION TO COMPEL

**56**09/26/2022MOTION to Compel Response to Government by KEVIN JAMES LYONS.

**57**09/26/2022NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Crawford, Jason M. added.

**58**10/04/2022Joint STATUS REPORT by USA as to KEVIN JAMES LYONS

10/11/2022MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DENYING AS MOOT defendant's 52 Motion to Compel and 56 Motion to Compel Response to Government, in light of the parties' 58 Joint Status Report, and DIRECTING the parties to inform the Court, by noon on October 12, 2022, whether any outstanding plea offers will have expired by October 14, 2022 and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule, so that the Court may set a trial schedule at or before the October 14, 2022 hearing. Signed by Chief Judge Beryl A. Howell on October 11, 2022. (lcbah3) (Text entry; no document attached.)

10/11/2022Set/Reset Deadlines as to KEVIN JAMES LYONS: Response to Order of the Court due by noon on 10/12/2022. (Text entry; no document attached.)

**59**10/11/2022Joint STATUS REPORT by USA as to KEVIN JAMES LYONS

10/12/2022MINUTE ORDER (paperless) DIRECTING the parties, by October 13 at 4 p.m., to provide the Court with three proposed trial dates between December 5, 2022 and February 17, 2023, given that Mr. Lyons was arrested on January 13, 2021, and this case has been pending for nearly two years, and alternatively DIRECTING that if parties are unable to propose dates in this timeframe, the parties submit a detailed notice of the trials for which they are

scheduled to appear during this time. Signed by Chief Judge Beryl A. Howell on October 12, 2022. (lcbah3) (Text entry; no document attached.)

10/12/2022Set/Reset Deadlines as to KEVIN JAMES LYONS: Response to Order of the Court due by 4:00 PM on 10/13/2022. (Text entry; no document attached.)

**60**10/13/2022Joint STATUS REPORT by USA as to KEVIN JAMES LYONS

10/13/2022MINUTE ORDER (paperless) ISSUING, upon consideration of the parties' 60 Joint Status Report, the following SCHEDULING ORDER: (1) By December 13, 2022, the parties shall file any pretrial motions, including any motions in limine, with any opposition due by December 27, 2022, and any replies due by January 3, 2023; (2) By January 13, 2023, the parties shall file a Joint Pretrial Statement, see 6 Standing Order ¶ 9; (3) On January 20, 2023, at 12 p.m., the parties are directed to appear for a pretrial conference in Courtroom 22A before Chief Judge Beryl A. Howell; (4) On February 6, 2023, at 9:00 a.m., the parties are directed to appear for jury selection in Courtroom 22A before Chief Judge Beryl A. Howell. The parties are DIRECTED, if they are unavailable to appear for trial on February 6, 2023, to provide the Court, by 9 a.m. on October 14, 2022, with the reasons for their unavailability such that the Court should alternatively schedule the trial to begin on March 6, 2023. Signed by Chief Judge Beryl A. Howell on October 13, 2022. (lcbah3) (Text entry; no document attached.)

10/13/2022Set/Reset Deadlines/Hearings as to KEVIN JAMES LYONS: Pretrial motions, including motions in limine due by 12/13/2022; oppositions due by 12/27/2022; replies due by 1/3/2023; Joint Pretrial Statement due by 1/13/2023; Pretrial Conference scheduled for 1/20/2023, at 12:00 PM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell; Jury Selection/Jury Trial scheduled for 2/6/2023 at 9:00 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell; if unable to appear for trial on 2/6/2023, parties' response to Order of the Court due by 9:00 AM on 10/14/2022. (Text entry; no document attached.)

**61**10/13/2022Supplemental STATUS REPORT on Behalf of Kevin Lyons by KEVIN JAMES LYONS

10/14/2022Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to KEVIN JAMES LYONS held on 10/14/2022. The Defendant agreed to participate via videoconference after consultation with counsel. Time excluded under the Speedy Trial Act from 10/14/2022 through the trial date of 2/6/2023, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the Defendant and his counsel time to prepare for trial. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Lawrence W. Levin; US Attorney: Jason M. Crawford; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

**63**12/02/2022Joint STATUS REPORT by USA as to KEVIN JAMES LYONS

**64**12/05/2022MOTION to Dismiss Count Six by KEVIN JAMES LYONS.

**65**12/07/2022Memorandum in Opposition by USA as to KEVIN JAMES LYONS re 64 Motion to dismiss count(s) 6

**66**12/16/2022Joint STATUS REPORT by USA as to KEVIN JAMES LYONS

**2 Attachments** ▼

**67**12/16/2022MOTION Regarding Trial Deadlines by USA as to KEVIN JAMES LYONS. (See Docket Entry 66 to View Document). (zhjsj)

**68**01/06/2023NOTICE OF ATTORNEY APPEARANCE Sean Patrick McCauley appearing for USA.

01/12/2023MINUTE ORDER (paperless) DIRECTING, by January 17, 2023 at noon, the parties to show cause why the pretrial conference scheduled for January 20, 2023 should not be vacated in light of the 66 Joint Status Report, which indicated that the parties have agreed to conduct a stipulated trial in lieu of a jury trial on February 6, 2023. Signed by Chief Judge Beryl A. Howell on January 12, 2023. (lcbah3) (Text entry; no document attached.)

01/12/2023Set/Reset Deadlines as to KEVIN JAMES LYONS:Parties' show cause due by noon on 1/17/2023 (Text entry; no document attached.)

**69**01/12/2023RESPONSE TO ORDER OF THE COURT by USA as to KEVIN JAMES LYONS re Order on Motion for Miscellaneous Relief, Joint Status Report of the Parties, RESPONSE TO ORDER TO SHOW CAUSE by USA as to KEVIN JAMES LYONS

01/13/2023MINUTE ORDER as to KEVIN JAMES LYONS, VACATING, in light of the parties 69 Joint Status Report, the Pretrial Conference currently scheduled for January 20, 2023, and the Jury Trial currently scheduled for February 6, 2023; DIRECTING the parties to appear for a Status Hearing on March 3, 2023, at 9:30 AM in Courtroom 22A- In Person before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from February 6, 2023, through March 3, 2023, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 1/13/2023. (Text entry; no document attached.)

**70**02/06/2023Unopposed MOTION to Continue and Reset by KEVIN JAMES LYONS.

04/03/2023MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, in preparation for the Stipulated Bench Trial scheduled for April 7, 2023, at 9:30 a.m., DIRECTING the government and defendant to submit, by Thursday, April 6, 2023, at 12:00 p.m., their positions regarding the estimated guidelines calculations and sentencing ranges that will apply to each charge. Signed by Judge Beryl A. Howell on April 3, 2023. (lcbah3) (Text entry; no document attached.)

04/04/2023MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the government, in anticipation of the stipulated trial scheduled to take place in this matter on April 7, 2023, to submit its exhibit list with corresponding descriptions and purposes of any video evidence, the length of each video, and a timestamp of when defendant is seen in the video, and to provide those exhibits to the Court, by April 4, 2023 at 4:00 p.m., and FURTHER DIRECTING the parties to provide their positions, by 2 p.m. on April 5, 2023, on whether video evidence on the government's Exhibit List may be made publicly available without restriction. Signed by Judge Beryl A. Howell on April 4, 2023. (lcbah3) (Text entry; no document attached.)

7104/04/2023MEMORANDUM OPINION AND ORDER, as to KEVIN JAMES LYONS, DENYING defendant's 64 Motion to Dismiss Count Six. See Order for further details. Signed by Judge Beryl A. Howell on April 4, 2023. (lcbah3)

7204/04/2023EXHIBIT LIST by USA as to KEVIN JAMES LYONS

7304/05/2023NOTICE OF ATTORNEY APPEARANCE Michael John Romano appearing for USA.

7404/05/2023RESPONSE TO ORDER OF THE COURT by USA as to KEVIN JAMES LYONS re Order, Joint Report of the Parties

7504/06/2023RESPONSE TO ORDER OF THE COURT by USA as to KEVIN JAMES LYONS re Order, Government's preliminary sentencing guidelines calculation

7604/06/2023RESPONSE TO ORDER OF THE COURT by KEVIN JAMES LYONS re Order

7704/06/2023STIPULATION of facts for bench trial by USA

04/06/2023MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the government, in light of both the government and defendant's agreement noted in the 74 Joint Report and Position of the Parties Regarding Public Release of Evidence, promptly to make the video exhibits identified in its 72 Exhibit List publicly 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. Signed by Judge Beryl A. Howell on April 6, 2023. (lcbah3) (Text entry; no document attached.)

04/07/2023Minute Entry for proceedings held before Judge Beryl A. Howell: Stipulated Trial as to KEVIN JAMES LYONS held on 4/7/2023. Defendant sworn, Counts 1 through 6 of the Superseding Indictment against the defendant read into the record by the government; exhibits moved into evidence without objection; defendant KEVIN JAMES LYONS agreed that having reviewed the evidence against him the government was able to meet its burden of proving beyond a reasonable doubt each of the charges against him; The Court based on the agreed statement of facts signed by Defendant KEVIN JAMES LYONS, after consultation with his counsel, found the defendant guilty on all six counts charged in the Superseding Indictment; case referred to the Probation Office for presentence investigation; Sentencing Hearing scheduled for 7/14/2023, at 9:30 AM in Courtroom 26A- In Person before Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance; the defendant shall remain released under his current conditions of release. Present: Defense Attorney: Lawrence W. Levin; US Attorney: Sean P. McCauley and Michael Romano; Pretrial Officer: Christine Schuck. Court Reporter: Sherry Lindsey. (Text entry; no document attached.)

7904/07/2023STATEMENT OF FACTS FOR STIPULATED TRIAL by USA, KEVIN JAMES LYONS as to KEVIN JAMES LYONS

8004/07/2023AGREEMENT AND WAIVER OF JURY TRIAL RIGHTS as to KEVIN JAMES LYONS.

8104/07/2023EXHIBIT LIST of Exhibits Admitted at a Stipulated Trial by USA as to KEVIN JAMES LYONS

8204/11/2023NOTICE OF FILING TRIAL EXHIBITS INTRODUCED INTO EVIDENCE by USA as to KEVIN JAMES LYONS

8506/16/2023RESPONSE by KEVIN JAMES LYONS to Presentence Report

07/02/2023NOTICE TO PARTIES regarding sentencing scheduled for July 14, 2023, of defendant KEVIN JAMES LYONS. As required by Rule 32(h), Federal Rules of Criminal Procedure, the parties are hereby notified that the Court is contemplating a departure from the applicable advisory guideline sentencing range under U.S.S.G. § 5K2.5 ("If the offense caused property damage or loss not taken into account within the guidelines, the court may increase the sentence above the authorized guideline range."), based upon defendant's thefts of a wallet and framed photograph of the Speaker of the House with Former Representative John Lewis, while inside the U.S. Capitol Building, on January 6, 2021, see 86 Presentence Investigation Report, ¶¶ 33, 34, which thefts may not be conduct taken into account within the guideline, U.S.S.G. § 2J1.2, applicable to Count 6 (Obstruction of an Official

Proceeding, in violation of 18 U.S.C. § 1512(c)(2)). Signed by Judge Beryl A. Howell on July 2, 2023. (lcbah3) (Text entry; no document attached.)

**88**07/03/2023SENTENCING MEMORANDUM by KEVIN JAMES LYONS

**89**07/04/2023SENTENCING MEMORANDUM by USA as to KEVIN JAMES LYONS

07/05/2023MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the government, by Tuesday, July 11, 2023, at 12 PM, to (1) submit a report describing the source, length, relevant timestamps, and location for each of those exhibits not already included in the government's 72 Exhibit List submitted in advance of defendant's sentencing, if any; and FURTHER DIRECTING the parties to provide their positions whether this photo and video evidence may be made publicly available without restriction by that same date and time. Signed by Judge Beryl A. Howell on July 5, 2023. (lcbah3) (Text entry; no document attached.)

07/06/2023Set/Reset Deadlines as to KEVIN JAMES LYONS: Responses to Order of the Court due by 12:00 PM on 7/11/2023. (Text entry; no document attached.)

**90**07/11/2023ERRATA by USA as to KEVIN JAMES LYONS re 89 Sentencing Memorandum

**91**07/11/2023RESPONSE TO ORDER OF THE COURT by USA as to KEVIN JAMES LYONS re Order, Notice of Filing of Additional Video Exhibits for Sentencing

**92**07/11/2023RESPONSE TO ORDER OF THE COURT by USA as to KEVIN JAMES LYONS re Order, Joint Report and Position of the Parties

07/11/2023MINUTE ORDER (paperless), as to KEVIN JAMES LYONS, DIRECTING the government, in light of both the government and defendant's agreement noted in the 92 Joint Report and Position of the Parties Regarding Public Release of Evidence, promptly to make the video exhibit identified in its 91 Notice of Filing of Exhibits publicly 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. Signed by Judge Beryl A. Howell on July 11, 2023. (lcbah3) (Text entry; no document attached.)

07/14/2023Minute Entry for proceedings held before Judge Beryl A. Howell: Sentencing held on 7/14/2023 as to KEVIN JAMES LYONS. Counts 1s, 2s, 3s, 4s, 5s, 6s of the Superseding Indictment. Defendant sentenced to a term of twelve (12) months as to each Counts 1 and 2, fifty-one (51) months as to Count 6, and six (6) months as to Counts 3, 4, and 5, with all counts to be served concurrently for a total of fifty-one months (51) months; the Defendant is further sentenced to serve terms of twelve (12) months of supervised release as to Counts 1 and 2, to be served concurrently, and a thirty-six (36) month term of supervised release as to Count 6, with all counts to be served concurrently for a total of thirty-six (36) months; he is ordered to pay a \$180.00 total special assessment and \$2,000.00 restitution payable to the Clerk of Court for the U.S. District Court for the District of Columbia for its disbursement to the victim, Architect of the Capitol; imposition of a fine waived. Oral motion by the government to detain the Defendant, heard and denied; oral motion by counsel for the Defendant requesting self-surrender and for a recommendation for prison camp placement closest to Chicago, Illinois, heard and granted. The Defendant will remain released pending self-surrender. Bond Status of Defendant: Personal Recognizance. Defense Attorney: Lawrence W. Levin; US Attorneys: Sean P. McCauley and Jason M. Crawford; Probation Officer: Robert Walters; Pretrial Officer: Jade Friedman. Court Reporter: Elizabeth Saint-Loth. (Text entry; no document attached.)

**94**07/14/2023JUDGMENT as to KEVIN JAMES LYONS. Statement of Reasons Not Included. Signed by Judge Beryl A. Howell on 7/14/2023. (zhsj)

**95**07/14/2023STATEMENT OF REASONS as to KEVIN JAMES LYONS re 94 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 Beryl A. Howell on 7/14/2023. (zhsj)