

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00041-CJN-1**

Case title: USA v. FITCHETT, ET AL

Date Filed: 01/15/2021

Magistrate judge case number: 1:21-mj-00012-GMH

Assigned to: Judge Carl J. Nichols

Defendant (1)

CINDY FITCHETT
also known as
CINDY SUE FITCHETT

represented by **Peter D. Greenspun**
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LEAD ATTORNEY
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Designation: Retained

Pending Counts

- 18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building (1)
- 18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building (2)
- 40:5104(e)(2)(A); FEDERAL STATUTES, OTHER; Violent Entry and Disorderly Conduct in a Capitol Building (3)
- 40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating , or Picketing in a Capitol Building (4)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in VIOLATION of 18 U.S.C. 1752(a); 40 U.S.C. 5104(e)(2)

Disposition

Plaintiff

USA

represented by **Seth Adam Meinero**
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TERMINATED: 03/16/2021
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Date Filed	#	Docket Text
01/07/2021	1	SEALED COMPLAINT as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6). (Attachments: # 1 Statement of Facts) (zlt) Modified Defendants on 1/8/2021 (zlt). [1:21-mj-00012-GMH] (Entered: 01/08/2021)
01/12/2021	6	Arrest Warrant Returned Executed on 1/12/2021 as to CINDY FITCHETT (bb) [1:21-mj-00012-GMH] (Entered: 01/13/2021)

01/12/2021		Case unsealed as to CINDY FITCHETT (bb) [1:21-mj-00012-GMH] (Entered: 01/13/2021)
01/12/2021		Arrest of CINDY FITCHETT in US District Court for the Eastern District of Virginia. (bb) (Entered: 02/03/2021)
01/15/2021	7	INFORMATION as to CINDY FITCHETT (1) count(s) 1, 2, 3, 4, MICHAEL THOMAS CURZIO (2) count(s) 1, 2, 3, 4, DOUGLAS SWEET (3) count(s) 1, 2, 3, 4, TERRY BROWN (4) count(s) 1, 2, 3, 4, BRADLEY FRANCIS RUKSTALES (5) count(s) 1, 2, 3, 4, THOMAS GALLGHER (6) count(s) 1, 2, 3, 4. (bb) (Main Document 7 replaced on 1/19/2021) (bb). [1:21-mj-00012-GMH] (Entered: 01/17/2021)
01/19/2021	9	NOTICE OF ATTORNEY APPEARANCE: Peter D. Greenspun appearing for CINDY FITCHETT (zltpl) [1:21-mj-00012-GMH] (Entered: 01/19/2021)
01/19/2021		Arrest of CINDY FITCHETT in Suffolk, Washington. (zpt) [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arraignment as to CINDY FITCHETT (1) Count 1,2,3,4 held on 1/19/2021. Not Guilty Plea entered by CINDY FITCHETT (1) as to all counts. Government does not request Defendant's pretrial detention. Oral Motion for Speedy Trial Waiver by CINDY FITCHETT (1) Heard and Granted. Time between 1/19/2021 and 3/19/2021 (59 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 3/19/2021 at 12:00 PM in Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Peter Greenspun; US Attorney: Tara Ravindra; Pretrial Officer: Christine Schuck; (zpt) Modified text on 1/26/2021 (zpt). [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021		MINUTE ORDER as to CINDY FITCHETT (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021. (zpt) [1:21-mj-00012-GMH] (Entered: 01/26/2021)
01/19/2021	25	ORDER Setting Conditions of Release as to CINDY FITCHETT (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021. (Attachments: # 1 Appearance Bond) (zpt) (Attachment 1 replaced on 2/8/2021) (zpt). (Entered: 02/08/2021)
01/21/2021	10	Amended INFORMATION by USA as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) re 2 Information - Felony, (bb) Modified on 1/27/2021 to add defendant numbers.(ztnr) [1:21-mj-00012-GMH] (Entered: 01/22/2021)
02/03/2021	20	Rule 5(c)(3) Documents Received as to CINDY FITCHETT from US District Court for the Eastern District of Virginia Case Number 2:21-mj-20-1 (bb) (Entered: 02/03/2021)
02/10/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Telephone Status Conference set for 3/19/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 2/10/2021. (zcal) (Entered: 02/10/2021)
02/17/2021	31	NOTICE OF ATTORNEY APPEARANCE Seth Adam Meinero appearing for USA. (Meinero, Seth Adam) (Entered: 02/17/2021)
02/17/2021		MINUTE ORDER as to MICHAEL THOMAS CURZIO. After review of Defendant's 29 Motion for Modification of Pretrial Detention Order, it is hereby ORDERED that the Government shall file any response no later than February 18, 2021, at 3:00 p.m. Signed by Judge Carl J. Nichols on February 17, 2021. (lccjn1) (Entered: 02/17/2021)
03/16/2021	37	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Ravindra, Tara) (Entered: 03/16/2021)
03/17/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): Status Conference RESET for 3/30/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 3/17/2021. (zcal) (Entered: 03/17/2021)
03/18/2021	39	STIPULATION Regarding Return of Digital Media Evidence and Admissibility and Use of Digital Media Evidence by USA (Meinero, Seth Adam) (Entered: 03/18/2021)
03/24/2021	40	MOTION to Continue and to Exclude Time under Speedy Trial Act by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/24/2021)
03/24/2021	41	MOTION to Exclude Time by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (See docket entry 40 to view document). (zstd) (Entered: 03/26/2021)
03/27/2021	42	MOTION for Protective Order by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 03/27/2021)
03/29/2021	46	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # 1 Preliminary-Discovery Letter (Mar. 29, 2021))(Meinero, Seth Adam) (Entered: 03/29/2021)
03/30/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 3/30/2021. Arraignment as to BRADLEY FRANCIS RUKSTALES (5) as to Counts 1,2,3,4 held on 3/30/2021. Not Guilty Plea Entered as to all counts. Further Orders to be issued by the Court. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance. Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Liza Yang and Peter Greenspun (1), A. Eduardo Balarezo (2), Cara Halverson (3), Sara Lockwood (4), David Benowitz, Shawn Sukumar, Rammy Barbari, and Serguel Akiti (5), Sebastian Norton, I (6); US Attorney: Seth Meinero; Pretrial Officer: Masharia Holman. (zcal) (Entered: 03/30/2021)
04/06/2021		MINUTE ORDER. After review of the government's 42 Motion for Protective Order, it is hereby ORDERED that the Motion is DENIED without prejudice. While the Court is otherwise prepared to approve the proposed Protective Order, paragraph 4.d, for the filing of documents under seal, appears to be inconsistent with Local Rule of Criminal Procedure 49(f)(6)(i), which requires an accompanying motion for leave to file under seal. Signed by Judge Carl J. Nichols on April 6, 2021. (lccjn1) (Entered: 04/06/2021)
04/06/2021	49	Unopposed MOTION for Protective Order (Resubmitted) by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 04/06/2021)
04/12/2021	51	ORDER granting 40 Motion to Continue. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021	52	PROTECTIVE ORDER. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn1) (Entered: 04/12/2021)
04/12/2021		MINUTE ORDER as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6): After oversight of the holiday, the Status Conference is RESET for 6/1/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 4/12/2021. (zcal) (Entered: 04/12/2021)
05/18/2021	59	Unopposed MOTION for Disclosure of Items Protected by Rule 6(e) and Sealed Materials by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER. (Attachments: # 1 Text of Proposed Order)(Meinero, Seth Adam) (Entered: 05/18/2021)
05/24/2021	60	NOTICE OF ATTORNEY APPEARANCE Susan Lehr appearing for USA. (Lehr, Susan) (Entered: 05/24/2021)
05/25/2021	61	NOTICE of Filing Discovery Correspondence by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Attachments: # 1 Preliminary-Discovery Letter (5.25.2021))(Meinero, Seth Adam) (Entered: 05/25/2021)
05/28/2021		MINUTE ORDER. After review of the United States' 59 Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials, it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that the United States may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e) and sealed materials pursuant to the previously entered protective order governing discovery. It is further ORDERED that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. Signed by Judge Carl J. Nichols on May 28, 2021. (lccjn1) (Entered: 05/28/2021)
06/01/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) held on 6/1/2021. Speedy Trial as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), THOMAS GALLGHER (6) is Excluded from 6/1/2021 to 7/1/2021, in the Interest of Justice, XT. Status Conference set for 7/1/2021 at 09:45 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance, Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), A. Eduardo Balarezo (2), Cara Halverson (3), Sarah Lockwood (4), David Benowitz, Rammy Barbari, and Shawn Sukumar (5), and Sebastian Norton, I (6); US Attorney: Seth Meinero. (zcal) (Entered: 06/01/2021)
06/25/2021		NOTICE OF HEARING as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6). The Telephonic/VTC Status Conference currently set for 7/1/2021 is RESCHEDULED for 7/9/2021 at 1:00 PM before Judge Carl J. Nichols. (zkh) (Entered: 06/25/2021)
07/09/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) held on 7/9/2021. Speedy Trial as to CINDY FITCHETT (1), MICHAEL THOMAS CURZIO (2), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5), and THOMAS GALLGHER (6) is Excluded from 7/9/2021 to 8/10/2021, in the Interest of Justice, XT. Video Plea Agreement set for 7/15/2021 at 4:00 PM as to THOMAS GALLGHER (6). Plea documents due by 7/12/2021 COB. Telephone Status Conference set for 7/12/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. So Ordered by Judge Carl J. Nichols on 7/9/2021. (zcal) (Entered: 07/09/2021)

		for 8/10/2021 at 4:00 PM as to CINDY FITCHETT (1), DOUGLAS SWEET (3), TERRY BROWN (4), and BRADLEY FRANCIS RUKSTALES (5). Bond Status of Defendant: Defendants 1, 3-6 remain on Personal Recognizance, Defendant 2 remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), A. Eduardo Balarezo (2), Cara Halverson (3), Terrance McGowan (4), David Benowitz, and Shawn Sukumar (5), and Sebastian Norton, I (6); US Attorney: Seth Meinerer and Susan Lehr. (zcal) (Entered: 07/09/2021)
07/09/2021		Set/Reset Hearings as to CINDY FITCHETT (1), DOUGLAS SWEET (3), TERRY BROWN (4), BRADLEY FRANCIS RUKSTALES (5)-Status Conference set for 8/10/2021 at 04:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 07/09/2021)
08/09/2021		Set/Reset Hearings as to CINDY FITCHETT (1) and BRADLEY FRANCIS RUKSTALES (5): Plea Agreement Hearing set for 8/10/2021 at 04:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 08/09/2021)
08/10/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Plea Agreement Hearing as to CINDY FITCHETT (1) and DOUGLAS SWEET (2) held on 8/10/2021. GUILTY Plea entered by CINDY FITCHETT (1): Count 4 and DOUGLAS SWEET (3): Count 4. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to CINDY FITCHETT(1) and DOUGLAS SWEET (3). Sentencing Memorandum due by 11/2/2021. Sentencing set for 11/9/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendants remain on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Peter Greenspun and Liza Yang (1), and Cara Halverson (3); US Attorney: Seth Meinerer and Susan Lehr. (zcal) (Entered: 08/10/2021)
08/10/2021	81	PLEA AGREEMENT as to CINDY FITCHETT (1). (zcal) (Entered: 08/10/2021)
08/10/2021	82	STATEMENT OF OFFENSE by USA as to CINDY FITCHETT (1). (zcal) (Entered: 08/10/2021)
08/10/2021	85	WAIVER of Trial by Jury as to CINDY FITCHETT (1). Approved by Judge Carl J. Nichols on 8/8/2021. (zcal) Modified on 8/10/2021 to change approved date. (zstd). (Entered: 08/11/2021)
10/22/2021	106	STATUS REPORT OF DISCOVERY AS OF OCTOBER 21, 2021 by USA as to CINDY FITCHETT, MICHAEL THOMAS CURZIO, DOUGLAS SWEET, TERRY BROWN, BRADLEY FRANCIS RUKSTALES, THOMAS GALLGHER (Meinerer, Seth) (Entered: 10/22/2021)

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