

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00282-TSC-3**

Case title: USA v. SHERRILL et al

Date Filed: 04/06/2021

Magistrate judge case number: 1:21-mj-00310-RMM

Assigned to: Judge Tanya S. Chutkan

**Defendant (3)****ELIAS IRIZARRY**represented by **Eugene Ohm**

FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community Defender Appointment*

**Pending Counts**

18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds.  
(1)

18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds.  
(2)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building.  
(3)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building.  
(4)

**Disposition****Highest Offense Level (Opening)**

Misdemeanor

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in Violation of 18:1752(a)(1), 18:1752(a)(2) and 40:5104(e)(2)

**Disposition****Plaintiff****USA**represented by **Grace Albinson**

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Date Filed	#	Docket Text
03/15/2021	<a href="#">9</a>	SEALED COMPLAINT as to ELLIOT BISHAI (1), ELIAS IRIZARRY (2). (Attachments: # <a href="#">1</a> Statement of Facts) (zstd)[1:21-mj-00310-RMM] Modified on 4/7/2021 (zhjs). Modified on 4/7/2021 (zhjs). (Entered: 03/16/2021)
03/15/2021	<a href="#">11</a>	MOTION to Seal Case by USA as to ELLIOT BISHAI, ELIAS IRIZARRY. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zstd)[1:21-mj-00310-RMM] Modified on 4/7/2021 (zhjs). (Entered: 03/16/2021)
03/15/2021	<a href="#">12</a>	ORDER granting 3 Motion to Seal Case as to ELLIOT BISHAI (1), ELIAS IRIZARRY (2). Signed by Magistrate Judge Robin M. Meriweather on 03/15/2021. (zstd)[1:21-mj-00310-RMM] Modified on 4/7/2021 (zhjs). (Entered: 03/16/2021)
03/16/2021		Case unsealed as to ELLIOT BISHAI, ELIAS IRIZARRY. (ztl) [1:21-mj-00310-RMM] (Entered: 04/05/2021)
03/16/2021		Arrest of ELIAS IRIZARRY in South Carolina. (ztl) [1:21-mj-00310-RMM] (Entered: 04/05/2021)

03/22/2021		ORAL MOTION to Appoint Counsel by ELIAS IRIZARRY. (ztl) [1:21-mj-00310-RMM] (Entered: 04/05/2021)
03/22/2021		ORAL MOTION for Speedy Trial by USA as to ELIAS IRIZARRY. (ztl) [1:21-mj-00310-RMM] (Entered: 04/05/2021)
03/22/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: Initial Appearance as to ELIAS IRIZARRY held on 3/22/2021. Defendant present by video.Oral Motion to Appoint Counsel as to ELIAS IRIZARRY (2); heard and granted. Defendant placed on Standard Conditions of Release. Oral Motion by the Government for Speedy Trial as to ELIAS IRIZARRY (2); heard and granted. Defense objects. Speedy Trial excluded from 3/22/2021 to 4/7/2021 in the Interest of Justice (XT). Defendant waives his right to a Preliminary Hearing in 21 days. Preliminary Hearing set for 4/7/2021 at 12:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqi. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Lisa Bankins; Defense Attorney: Eugene Ohm; US Attorney: Troy Edwards for Rachel Fletcher; Pretrial Officer: Christine Schuck. (ztl) [1:21-mj-00310-RMM] (Entered: 04/05/2021)
03/22/2021	<a href="#">14</a>	ORDER Setting Conditions of Release as to ELIAS IRIZARRY (2) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqi on 3/22/2021. (ztl)[1:21-mj-00310-RMM] Modified on 4/7/2021 (zhsj). (Entered: 04/05/2021)
04/06/2021	<a href="#">19</a>	INFORMATION as to GRAYSON SHERRILL (1) count(s) 1, 2, 3, 4, ELLIOT BISHAI (2) count(s) 1, 2, 3, 4, ELIAS IRIZARRY (3) count(s) 1, 2, 3, 4. (zhsj) (Entered: 04/07/2021)
04/07/2021		MINUTE ORDER as to ELLIOT BISHAI (2) and ELIAS IRIZARRY (3). The hearing currently scheduled for April 7, 2021 before Magistrate Judge G. Michael Harvey is hereby VACATED, as the Defendant has had an initial appearance in this jurisdiction; has retained counsel; has been released on conditions; and has been charged by Information. As such, there are no pending matters necessitating action by a Magistrate Judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/7/2021. (zpt) (Entered: 04/07/2021)
04/12/2021		Set/Reset Hearings as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY: Arraignment set for 4/16/2021 at 11:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 04/12/2021)
04/16/2021		Minute Entry: Arraignment as to GRAYSON SHERRILL (1),ELLIOT BISHAI (2) and ELIAS IRIZARRY (3) held on 04/16/2021 before Judge Tanya S. Chutkan on Counts 1, 2,3 and 4: Plea of NOT GUILTY entered by GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3) as to all counts. Defendant ELLIOT BISHAI must contact DC Pretrial Services from now on. Parties shall produce protective order for counsel only. Government is expected to produce as much discovery it can to defense counsel. Status Conference set for 5/19/2021 at 12:00 PM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 04/16/2021 and 05/19/2021 shall be excluded from the speedy trial calculation as to all defendants. Defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Joanne Slaight (1), Don Brown (2) and Eugene Ohm (3); US Attorney: Rachel Fletcher. (tb) (Entered: 04/17/2021)
04/27/2021	<a href="#">26</a>	NOTICE of Filing (Request for Bill of Particulars) by ELIAS IRIZARRY (Ohm, Eugene) (Entered: 04/27/2021)
05/04/2021	<a href="#">27</a>	MOTION for Protective Order by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY. (Fletcher, Rachel) (Entered: 05/04/2021)
05/04/2021	<a href="#">28</a>	NOTICE Of Filing by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY (Attachments: # <a href="#">1</a> Attachment)(Fletcher, Rachel) (Entered: 05/04/2021)
05/11/2021		MINUTE ORDER as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3): Denying without prejudice the United States' <a href="#">27</a> Motion for Protective Order for failure to comply with Local Criminal Rule 47(c), which requires that "[e]ach motion... shall be accompanied by a proposed order."SO ORDERED by Judge Tanya S. Chutkan on 05/10/2021. (tb) (Entered: 05/11/2021)
05/14/2021	<a href="#">29</a>	MOTION for Protective Order by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fletcher, Rachel) (Entered: 05/14/2021)
05/18/2021	<a href="#">31</a>	RESPONSE by GRAYSON SHERRILL as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY re <a href="#">29</a> MOTION for Protective Order (Attachments: # <a href="#">1</a> Appendix Modified Protective Order)(Slaight, Joanne) (Entered: 05/18/2021)
05/19/2021		Minute Entry: Status Conference as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3) held on 5/19/2021 before Judge Tanya S. Chutkan: Parties discussed possible dispositions. Status Conference set for 7/21/2021 at 10:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 05/19/2021 and 07/21/2021 shall be excluded from the speedy trial calculation as to all defendants. Defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Joanne Slaight (1), Don Brown (2) and Eugene Ohm (3); US Attorney: Rachel Fletcher. (tb) (Entered: 05/20/2021)
06/16/2021	<a href="#">34</a>	PROTECTIVE ORDER GOVERNING DISCOVERY AS TO ALL DEFENDANTS. Signed by Judge Tanya S. Chutkan on 06/15/21. (Attachment: # <a href="#">1</a> Attachment A) (mac) (Entered: 06/16/2021)
07/13/2021	<a href="#">35</a>	Memorandum Regarding Status Of Discovery by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY. (Attachments: # <a href="#">1</a> Exhibit)(Fletcher, Rachel) Modified Text on 7/15/2021 (zhsj). (Entered: 07/13/2021)
07/15/2021	<a href="#">36</a>	NOTICE United States' Memorandum Regarding Status Of Discovery by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY (Attachments: # <a href="#">1</a> Exhibit)(Fletcher, Rachel) (Entered: 07/15/2021)
07/21/2021		Minute Entry: Status Conference as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3) held on 7/21/2021 before Judge Tanya S. Chutkan: Defendant's 33 motion for leave to appear pro hac vice Donald M. Brown, Jr.; GRANTED. Parties discussed discovery. Status Conference set for 9/7/2021 at 10:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) as to all defendants that time between 07/21/2021 and 09/07/2021 shall be excluded from the speedy trial calculation. All defendants remain on release.; Court Reporter: Bryan Wayne; Defense Attorney: Joanne Slaight (1), Don Brown (2) and Eugene Ohm (3); US Attorney: Rachel Fletcher; Pretrial Service: John Copes. (tb) (Entered: 07/21/2021)
09/06/2021	<a href="#">43</a>	NOTICE of Memorandum Regarding Status of Discovery by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY (Fletcher, Rachel) (Entered: 09/06/2021)
09/07/2021		Minute Entry: Status Conference as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3) held on 9/7/2021 before Judge Tanya S. Chutkan: Parties discussed discovery. Status Conference set for 10/20/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 09/07/2021 and 10/20/2021 shall be excluded from the speedy trial calculation as to all defendants. Defendants remain on release. Court Reporter: Bryan Wayne; Defense Attorney: Joanne Slaight (1), Don Brown (2) and Eugene Ohm (3); US Attorney: Rachel Fletcher. (tb) (Entered: 09/07/2021)
10/05/2021	<a href="#">45</a>	NOTICE OF ATTORNEY APPEARANCE Grace Albinson appearing for USA. (Albinson, Grace) (Entered: 10/05/2021)
10/19/2021	<a href="#">47</a>	MOTION for Disclosure of 6e and sealed materials by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Albinson, Grace) (Entered: 10/19/2021)
10/20/2021		Minute Entry for video proceedings held before Judge Tanya S. Chutkan: Status Conference as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2), ELIAS IRIZARRY (3) held on 10/20/2021. Oral ruling GRANTING <a href="#">47</a> Motion for Disclosure as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2), ELIAS IRIZARRY (3). Oral motion from the government for 60 day continuance; Heard and Granted. Oral motion from the government to exclude speedy from now until next court date; Heard and Granted. Speedy Trial Act Excludable (XT) started 10/20/2021 until 12/3/2021 as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY. Status Conference set for 12/3/2021 at 1:00 PM in Telephonic/VTC before Judge Tanya S. Chutkan. Bond Status of Defendants: All Remain on PR/All Appeared via video; Court Reporter: Janice Dickman Defense Attorney: 1-Joanne Slaight/2-Donald Brown/3-Eugene Ohm; US Attorney: Grace Albinson/Rachel Fletcher. (zacr) (Entered: 10/20/2021)
10/25/2021	<a href="#">50</a>	NOTICE of Filing of Discovery Memorandum by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY (Attachments: # <a href="#">1</a> Exhibit 1)(Albinson, Grace) (Entered: 10/25/2021)
11/08/2021	<a href="#">51</a>	NOTICE of Filing of Discovery Memorandum by USA as to GRAYSON SHERRILL, ELLIOT BISHAI, ELIAS IRIZARRY (Attachments: # <a href="#">1</a> Exhibit 1)(Albinson, Grace) (Entered: 11/08/2021)
11/09/2021		Set/Reset Hearings as to GRAYSON SHERRILL (1), ELLIOT BISHAI (2) and ELIAS IRIZARRY (3): Status Conference reset for 12/15/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 11/09/2021)

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