

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00052-TJK-3

Case title: USA v. PEZZOLA et al

Date Filed: 01/29/2021

Assigned to: Judge Timothy J. Kelly

Defendant (3)

MATTHEW GREENE

represented by **Michael Adam Kasmarek , I**
KASMAREK LAW OFFICE, PLLC
440 East Washington Street
Syracuse, NY 13202
315-552-5620
Email: mak@kasmareklaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18 U.S.C. 371, 1512(c)(2), and 231(a)(3); CONSPIRACY TO DEFRAUD THE UNITED STATES; Conspiracy
(1)

18 U.S.C. 1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(2)

18 U.S.C. 231(a)(3), 2; CIVIL DISORDER; Obstruction of Law Enforcement During Civil Disorder and Aiding and Abetting
(3)

18 U.S.C. 1361, 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property and Aiding and Abetting
(6)

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds
(7)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly Conduct in a Restricted Building or Grounds
(8)

18 U.S.C. 1752(a)(4), 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly Conduct in a Restricted Building or Grounds and Aiding and Abetting
(9)

Disposition**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Movant**

PRESS COALITION

represented by **Charles D. Tobin**
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2218
Fax: 202-661-2299
Email: tobinc@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Lauren Russell
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2200
Fax: 202-661-2299
Email: russelll@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Maxwell S. Mishkin
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
(202) 508-1140

Fax: (202) 661-2299
Email: mishkinm@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Plaintiff
USA

represented by **Christopher Berridge**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 4th Street NW
Washington, DC 20001
(202) 252-6685
Email: christopher.berridge@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Erik Michael Kenerson
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Suite 11-449
Washington, DC 20530
(202) 252-7201
Email: erik.kenerson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
04/16/2021	34	SUPERSEDING INDICTMENT as to DOMINIC PEZZOLA (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, WILLIAM JOSEPH PEPE (2) count(s) 1s, 2s, 3s, 6s, 7s, 8s, 9s, MATTHEW GREENE (3) count(s) 1, 2, 3, 6, 7, 8, 9. (zltf) (Entered: 04/20/2021)
04/16/2021	36	MOTION to Seal Case by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order)(zltf) (Entered: 04/20/2021)
04/16/2021	37	ORDER granting 36 Motion to Seal Case as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), MATTHEW GREENE (3). Signed by Magistrate Judge Robin M. Meriweather on 4/16/2021. (zltf) (Entered: 04/20/2021)
04/21/2021	40	Arrest Warrant Returned Executed on 4/21/2021 in Fabius, NY as to MATTHEW GREENE. (bb) (Main Document 40 replaced on 4/23/2021) (bb). (Entered: 04/23/2021)
04/21/2021		Case unsealed as to MATTHEW GREENE (bb) (Entered: 04/23/2021)
04/21/2021		Arrest of MATTHEW GREENE in US District Court Northern District of New York. (bb) (Entered: 05/18/2021)
04/26/2021	42	ORDER as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) granting 39 Motion for Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. See Order for details. Signed by Judge Timothy J. Kelly on 04/26/2021. (lctjk3) (Entered: 04/26/2021)
04/27/2021	50	Rule 5(c)(3) Documents Received as to MATTHEW GREENE from US District Court Northern District of New York Case Number 5:21-MJ-235 (ML) (bb) (Entered: 05/18/2021)
04/30/2021	44	LEAVE TO FILE DENIED- Verified Petition for redress of grievance as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE This document is unavailable as the Court denied its filing. "Leave to file DENIED; The caption case is a criminal case and this individual has no right to file a document in that matter.". Signed by Judge Timothy J. Kelly on 4/30/2021. (zltf) (Entered: 04/30/2021)
05/24/2021		MINUTE ORDER as to MATTHEW GREENE (3): Pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. Signed by Judge Timothy J. Kelly on 05/24/2021. (lctjk3) (Entered: 05/24/2021)
05/24/2021		JOINT ORAL MOTION by USA and Defendant MATTHEW GREENE (3) to Exclude Time Under the Speedy Trial Act Until the Next Court Date. (kk) (Entered: 06/02/2021)
05/24/2021		Minute Entry for Initial Appearance and Arraignment as to MATTHEW GREENE (3) held by video before Magistrate Judge Robin M. Meriweather on 5/24/2021 : The defendant consents to appear by video. The Court advised the Government of its due process obligations under Rule 5(f). Plea of Not Guilty entered by MATTHEW GREENE (3) to Counts 1, 2, 3, 6, 7, 8 and 9. A detention hearing for the defendant was held in New York and pretrial detention was ordered. The parties are directed to contact Judge Kelly's courtroom deputy for a status hearing date. Joint Oral Motion by USA and Defendant to Exclude Time Under the Speedy Trial Act Until the Next Court Date before Judge Kelly. The Court will toll 10 days, until 6/3/2021, from any calculation under the Speedy Trial Act, in the interest of justice. Bond Status of Defendant: Defendant continued Held Without Bond and remains committed. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 2:00:33 - 2:11:08. Defense Attorneys: Michael Kasmarek and Michael Spano; U.S. Attorney: Erik Kenerson; Pretrial Officer: Andre Sidbury. (kk) (Entered: 06/02/2021)
05/25/2021		NOTICE OF HEARING as to MATTHEW GREENE (3). VTC Status Conference set for 8/2/2021 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 05/25/2021)
06/07/2021	59	NOTICE OF ATTORNEY APPEARANCE: Michael Adam Kasmarek, I appearing for MATTHEW GREENE (Kasmarek, Michael) (Entered: 06/07/2021)
06/07/2021	60	Unopposed MOTION for Speedy Trial <i>Exclusion</i> by USA as to MATTHEW GREENE. (Kenerson, Erik) (Entered: 06/07/2021)
06/07/2021	61	Unopposed MOTION for Protective Order by USA as to MATTHEW GREENE. (Kenerson, Erik) (Entered: 06/07/2021)
06/09/2021		MINUTE ORDER as to MATTHEW GREENE (3): It is hereby ORDERED, nunc pro tunc, that the 60 Unopposed Motion for Speedy Trial Exclusion is GRANTED. The time period from June 3, 2021, to August 2, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq., by consent of the parties. The Court finds for the reasons discussed in the 60 Motion, including that discovery is ongoing and defense counsel recently appeared in this matter, that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 06/09/2021. (lctjk3) (Entered: 06/09/2021)
06/09/2021		MINUTE ORDER as to MATTHEW GREENE (3): It is hereby ORDERED that the 61 Unopposed Motion for Protective Order is GRANTED. The 20 Protective Order entered as to Defendants DOMINIC PEZZOLA (1) and WILLIAM JOSEPH PEPE (2) shall apply to Defendant MATTHEW GREENE (3). Signed by Judge Timothy J. Kelly on 06/09/2021. (lctjk3) (Entered: 06/09/2021)
06/15/2021	63	MOTION to Revoke <i>Detention Order</i> by MATTHEW GREENE. (Attachments: # 1 Exhibit Exhibit One)(Kasmarek, Michael) (Entered: 06/15/2021)
06/29/2021	64	Memorandum in Opposition by USA as to MATTHEW GREENE re 63 MOTION to Revoke <i>Detention Order</i> (Attachments: # 1 Exhibit 1 - Exhibits Admitted Before Magistrate) (Kenerson, Erik) (Entered: 06/29/2021)
07/28/2021	67	NOTICE <i>Regarding Discovery</i> by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Attachments: # 1 Memorandum Regarding Discovery, # 2 Exhibit A - Examples of Defense Requests)(Kenerson, Erik) (Entered: 07/28/2021)
08/02/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) held on 8/2/2021. ALL Defendants appeared by video. Oral argument on 63 MOTION to Revoke <i>Detention Order</i> by Defendant GREENE (3), heard and DENIED. Speedy Trial Excludable (XT) started 8/2/2021 through 9/24/2021, in the interest of justice, as to ALL Defendants. VTC Bond Hearing as to DOMINIC PEZZOLA (1) set for 9/2/2021 at 11:00 AM before Judge Timothy J. Kelly. VTC Status Conference as to ALL Defendants set for 9/24/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance, 3-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-Martin Harold Tankleff and Steven Metcalf, 2-John M. Pierce, 3-Michael Adam Kasmarek; US Attorneys: Erik Michael Kenerson, Christopher Berridge, and James Pearce. (zkh) (Entered: 08/02/2021)
08/03/2021		NOTICE OF HEARING (Time Change) as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): VTC Status Conference set for 9/24/2021 at 11:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 08/03/2021)
08/03/2021	68	DETENTION ORDER as to MATTHEW GREENE (3). See Order for details. Signed by Judge Timothy J. Kelly on 08/03/2021. (lctjk3) (Entered: 08/03/2021)
08/26/2021	71	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenerson, Erik) (Entered: 08/26/2021)

09/16/2021	75	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenson, Erik) (Entered: 09/16/2021)
09/23/2021	78	MOTION to Continue <i>Status Conference</i> , MOTION for Speedy Trial <i>Exclusion</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order)(Kenson, Erik) (Entered: 09/23/2021)
09/23/2021		MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), MATTHEW GREENE (3): It is hereby ORDERED, by consent of the parties, that the status conference scheduled for September 24, 2021, is VACATED. The Court shall promptly reschedule the status conference consistent with the representations of the parties. Signed by Judge Timothy J. Kelly on 09/23/2021. (lctjk3) (Entered: 09/23/2021)
09/27/2021		MINUTE ORDER as to DOMINIC PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that the parties shall appear for a status conference on October 27th at 2:00 p.m. via videoconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. It is further ORDERED that, nunc pro tunc, the time period from September 24, 2021, to October 27, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that, because of the government's ongoing production of voluminous discovery in this matter, see ECF Nos. 71 and 78, and with the consent of the parties, the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 09/27/2021. (lctjk3) (Entered: 09/27/2021)
10/20/2021	82	MOTION for Protective Order (<i>Second Protective Order</i>) by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Text of Proposed Order, # 2 Declaration Attachment A - Declaration of Thomas DiBiase, # 3 Attachments to Attachment A, # 4 Declaration Attachment B - Declaration of Jason Baltimore)(Kenson, Erik) (Entered: 10/20/2021)
10/21/2021	83	MOTION to Access <i>Video Exhibits</i> by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Proposed Order)(Tobin, Charles) (Entered: 10/21/2021)
10/21/2021	84	Corporate Disclosure Statement by DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE identifying Corporate Parent AT&T INC., Corporate Parent NEWS CORPORATION, Corporate Parent NASH HOLDINGS LLC, Corporate Parent RUBY NEWCO, LLC, Corporate Parent GRAY TELEVISION, INC., Corporate Parent NEWS PREFERRED HOLDINGS, INC., Corporate Parent VIACOMCBS INC., Corporate Parent NANTMEDIA HOLDINGS, LLC., Corporate Parent The Walt Disney Company, Other Affiliate COMCAST CORPORATION, Other Affiliate VANGUARD GROUP, INC., Other Affiliate BLACKROCK INC., Other Affiliate NBCUNIVERSAL MEDIA LLC, Other Affiliate NATIONAL AMUSEMENTS, INC. for PRESS COALITION. (Tobin, Charles) (Entered: 10/21/2021)
10/22/2021		ENTERED IN ERROR..... ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Defendants DOMINIC J. PEZZOLA (1) and WILLIAM JOSEPH PEPE (2) shall file any opposition to the Governments 82 Motion for Second Protective Order by October 25, 2021. Signed by Judge Timothy J. Kelly on 10/22/2021. (lctjk3) Modified to remove order on 10/22/2021 (zkh). (Entered: 10/22/2021)
10/22/2021	85	MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Movant Press Coalition's 83 Motion to Access Video Exhibits is DENIED AS MOOT. Movant's 83 motion appears to request the same materials as its previous 79 Application for Access to Video Exhibits, which the Court granted on September 28, 2021. Signed by Judge Timothy J. Kelly on 10/22/2021. (lctjk3) (Entered: 10/22/2021)
10/22/2021	86	MOTION to Access <i>Video Exhibits (Corrected)</i> by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE. (Attachments: # 1 Proposed Order)(Tobin, Charles) (Entered: 10/22/2021)
10/25/2021		MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that the Government shall file any opposition to Movant Press Coalition's 86 Motion to Intervene by October 29, 2021. Signed by Judge Timothy J. Kelly on 10/25/2021. (lctjk3) (Entered: 10/25/2021)
10/26/2021	89	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenson, Erik) (Entered: 10/26/2021)
10/27/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3) held on 10/27/2021. ALL defendants appeared by video. For the reasons stated on the record, Defendant PEZZOLA's 65 MOTION to Modify <i>Bail</i> is DENIED. Speedy Trial Excludable (XT) started 10/27/2021 through 1/11/2022, in the interest of justice, as to ALL defendants. Government Status Report due by 12/3/2021. VTC Status Conference set for 1/11/2022 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains on Personal Recognizance, 3-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-Martin Harold Tankleff and Steven Metcalf, 2-John M. Pierce, 3-Michael Adam Kasmarek; US Attorney: Erik Michael Kenson. (zkh) (Entered: 10/27/2021)
10/29/2021	91	Memorandum in Opposition by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE re 86 MOTION to Access <i>Video Exhibits (Corrected)</i> (Kenson, Erik) (Entered: 10/29/2021)
10/29/2021	92	REPLY in Support by PRESS COALITION as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE re 86 MOTION to Access <i>Video Exhibits (Corrected)</i> (Tobin, Charles) (Entered: 10/29/2021)
11/02/2021	93	ORDER granting the Government's 82 Motion for Protective Order as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3). See Order for details. Signed by Judge Timothy J. Kelly on 11/2/2021. (lctjk3) (Entered: 11/02/2021)
11/02/2021		MINUTE ORDER as to DOMINIC J. PEZZOLA (1), WILLIAM JOSEPH PEPE (2), and MATTHEW GREENE (3): It is hereby ORDERED that Movant Press Coalition's 86 Motion to Intervene is DENIED. Generally, intervenors may seek access only to judicial records, which are documents filed with courts that play a role in the adjudicatory process. See <i>United States v. El-Sayegh</i> , 131 F.3d 158, 163 (D.C. Cir. 1997). Moreover, the concept of judicial records "assumes a judicial decision[.]" and without one, documents cannot be judicial records. <i>Id.</i> at 162. Movant Press Coalition seeks access to materials that the government seeks to produce to the defendants in discovery, as opposed to judicial records to which a right of access may attach. Of course, should any of the materials produced to the defendants later play a role in an adjudicatory process, they may be subject to such a motion. Signed by Judge Timothy J. Kelly on 11/2/2021. (lctjk3) (Entered: 11/02/2021)
11/05/2021	94	STATUS REPORT <i>Regarding Discovery</i> by USA as to DOMINIC J. PEZZOLA, WILLIAM JOSEPH PEPE, MATTHEW GREENE (Kenson, Erik) (Entered: 11/05/2021)

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