

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00175-TJK-3

Case title: USA v. NORDEAN et al

Date Filed: 03/03/2021

Assigned to: Judge Timothy J. Kelly

Defendant (3)

ZACHARY REHL

represented by **Jonathon Alden Moseley**
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Pending Counts

- 18:371; CONSPIRACY TO DEFRAUD THE UNITED STATES; Conspiracy
(1)
18:1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT;
Obstruction of an Official Proceeding and Aiding and Abetting
(2)
18:231(A)(3), 2; CIVIL DISORDER; Obstruction of Law Enforcement During
Civil Disorder and Aiding and Abetting
(3)
18:1361, 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of
Government Property and Aiding and Abetting
(4)
18:1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and
Remaining in a Restricted Building or Grounds
(5)
18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly
Conduct in a Restricted Building or Grounds
(6)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Disposition

Disposition

Movant

CABLE NEWS NETWORK, INC.

represented by **Charles D. Tobin**
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Movant

AMERICAN BROADCASTING COMPANIES, INC.
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ABC NEWS

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Movant

ASSOCIATED PRESS

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Movant

BUZZFEED INC.
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BUZZFEED NEWS

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Movant

CBS BROADCASTING INC.
on behalf of
CBS NEWS

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Movant
DOW JONES & COMPANY, INC.
on behalf of
THE WALL STREET JOURNAL

represented by **Charles D. Tobin**
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Movant
E.W. SCRIPPS COMPANY

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Movant
GRAY MEDIA GROUP, INC.

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Movant
LOS ANGELES TIMES COMMUNICATIONS LLC

represented by **Charles D. Tobin**

on behalf of
THE LOS ANGELES TIMES

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Movant
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Movant
NBCUNIVERSAL MEDIA, LLC
doing business as
NBC NEWS

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Movant
WP COMPANY LLC
doing business as
THE WASHINGTON POST

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Date Filed	#	Docket Text
03/10/2021		Counts added: ETHAN NORDEAN (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, JOSEPH RANDALL BIGGS (2) count(s) 1, 2, 3, 4, 5, 6, ZACHARY REHL (3) count(s) 1, 2, 3, 4, 5, 6, CHARLES DONOHOE (4) count(s) 1, 2, 3, 4, 5, 6 (zltf) (Entered: 03/19/2021)
03/27/2021	37	MOTION to Revoke <i>Release Order and for Pretrial Detention</i> by USA as to ZACHARY REHL. (Jones, Luke) (Entered: 03/27/2021)
04/06/2021		NOTICE OF HEARING as to ZACHARY REHL (3). VTC Arraignment set for 4/14/2021 at 10:00 AM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. (zkh) (Entered: 04/06/2021)

04/14/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to ZACHARY REHL (3) as to Counts 1, 2, 3, 4, 5, and 6 held on 4/14/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to Counts 1, 2, 3, 4, 5, and 6. Speedy Trial Excludable (XT) started 4/14/2021 through 5/4/2021, in the interest of justice. Defendant's Response to 37 MOTION to Revoke Release Order due by 4/28/2021. Government's Reply due by 4/30/2021. VTC Motion Hearing set for 5/4/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Shelli Peterson and Shaka Johnson; US Attorney: Jason Bradley Adam McCullough. (zkh) (Entered: 04/14/2021)
04/14/2021		NOTICE OF HEARING as to ZACHARY REHL (3). The Motion Hearing currently set for 5/4/2021 is RESCHEDULED for 5/3/2021 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 04/14/2021)
04/19/2021	64	RESPONSE TO Court Order Issued during Oral Ruling on April 19, 2021 by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 Filing in U.S. v. Pezzola, 1:21-cr-175, containing photograph)(Jones, Luke) Modified text on 5/21/2021 (zltip). (Entered: 04/19/2021)
04/28/2021		NOTICE OF HEARING as to ZACHARY REHL (3). The VTC Motion Hearing currently set for 5/3/2021 is RESCHEDULED for 5/5/2021 at 12:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 04/28/2021)
05/04/2021	82	Unopposed MOTION for Protective Order by USA as to JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 05/04/2021)
05/04/2021	83	ORDER granting the Government's 82 Unopposed Motion for Protective Order as to JOSEPH RANDALL BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4). See Order for details. Signed by Judge Timothy J. Kelly on 5/4/2021. (lctjkl) (Entered: 05/04/2021)
05/05/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 5/5/2021. Case called for Motion Hearing but not held. Defendant appeared by video. Speedy Trial Excludable (XT) started nunc pro tunc 5/4/2021 through 6/3/2021, in the interest of justice. Defendant's Response to 37 MOTION to Revoke Release Order due by 5/17/2021. Government's Reply due by 5/24/2021. VTC Status Conference set for 6/3/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: Maria Jacob and Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (zkh) (Entered: 05/05/2021)
05/24/2021	91	REPLY in Support by USA as to ZACHARY REHL re 37 MOTION to Revoke Release Order and for Pretrial Detention (Jones, Luke) (Entered: 05/24/2021)
05/25/2021		NOTICE OF HEARING as to ZACHARY REHL (3). The VTC Status Conference currently set for 6/3/2021 is RESCHEDULED for 6/1/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 05/25/2021)
06/01/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 6/1/2021. Defendant appeared by video. Speedy Trial Excludable (XT) started 6/1/2021 through 6/9/2021, in the interest of justice. VTC Status Conference set for 6/9/2021 at 1:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones. (zkh) (Entered: 06/01/2021)
06/02/2021		NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3). VTC Status Conference set for 6/9/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 06/02/2021)
06/09/2021		MINUTE ORDER as to ZACHARY REHL (3), CHARLES DONOHOE (4): The hearings currently set for June 9, 2021, are hereby VACATED, and shall be rescheduled promptly. Signed by Judge Timothy J. Kelly on 6/9/2021. (lctjkl) (Entered: 06/09/2021)
06/16/2021		NOTICE OF HEARING as to ZACHARY REHL: Status Conference set for 6/21/2021 at 10:00 AM in Telephonic/VTC before Judge Timothy J. Kelly. (zcal) (Entered: 06/16/2021)
06/18/2021		MINUTE ORDER as to ZACHARY REHL (3): The hearing currently set for June 21, 2021, is hereby VACATED due to the unavailability of defense counsel and shall be rescheduled promptly. Signed by Judge Timothy J. Kelly on 6/18/2021. (lctjkl) (Entered: 06/18/2021)
06/23/2021		NOTICE OF HEARING as to ZACHARY REHL (3). VTC Status Conference set for 6/30/2021 at 12:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 06/23/2021)
06/30/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 6/30/2021. Defendant appeared by video for the initial thirty (30) minutes of the hearing and his appearance was waived for the remainder of the hearing. Oral argument on the government's 37 MOTION to Revoke Release Order and for Pretrial Detention, heard and GRANTED. Order to be issued by the court. Speedy Trial Excludable (XT) started 6/9/2021 through 7/28/2021, in the interest of justice, as to ZACHARY REHL (3). VTC Status Conference set for 7/28/2021 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Shaka Johnson; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (zkh) (Entered: 06/30/2021)
07/01/2021	104	DETENTION ORDER as to ZACHARY REHL (3). See Order for details. Signed by Judge Timothy J. Kelly on 7/1/2021. (lctjkl) (Entered: 07/01/2021)
07/06/2021	109	NOTICE of Evidence Referenced During June 30, 2021 Hearing by USA as to ZACHARY REHL (Attachments: # 1 PowerPoint from June 30, 2021 Hearing)(Jones, Luke) (Entered: 07/06/2021)
07/14/2021	119	NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 4/21/2021 Letter (All Defendants), # 2 4/30/2021 Letter (Nordean), # 3 5/5/2021 Letter (Rehl), # 4 5/19/2021 Letter (Nordean), # 5 6/2/2021 Letter (All Defendants), # 6 6/2/2021 Letter (Nordean), # 7 6/2/2021 Letter (Biggs), # 8 6/2/2021 Letter (Rehl), # 9 6/2/2021 Letter (Donohoe), # 10 6/3/2021 Letter (Biggs, Rehl, Donohoe), # 11 6/3/2021 Letter (Rehl), # 12 7/1/2021 Letter (Nordean), # 13 7/2/2021 Letter (Biggs, Rehl, Donohoe), # 14 7/2/2021 Letter (Nordean), # 15 7/6/2021 Letter (All Defendants), # 16 7/6/2021 Letter (Nordean), # 17 7/7/2021 Letter (Nordean), # 18 7/7/2021 Letter (All Defendants), # 19 7/9/2021 Letter (All Defendants), # 20 7/13/2021 Letter (All Defendants), # 21 7/13/2021 Letter (All Defendants), # 22 7/14/2021 Letter (All Defendants))(Jones, Luke) (Attachment 5 replaced on 7/14/2021) (zltip). (Entered: 07/14/2021)
07/14/2021	120	NOTICE of Filing of Memorandum Regarding Status of Discovery in January 6, 2021 Cases by USA as to ETHAN NORDEAN, JOSEPH RANDALL BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 Memorandum Regarding Status of Discovery)(Jones, Luke) (Entered: 07/14/2021)
07/22/2021		NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): VTC Status Conference set for 7/28/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 07/22/2021)
07/26/2021	124	NOTICE OF ATTORNEY APPEARANCE: Shaka Johnson appearing for ZACHARY REHL (Johnson, Shaka) (Entered: 07/26/2021)
07/26/2021	125	First MOTION to Continue Status by ZACHARY REHL. (Johnson, Shaka) (Entered: 07/26/2021)
07/27/2021		MINUTE ORDER as to ZACHARY REHL (3) granting Defendant's 125 Unopposed Motion to Continue. It is hereby ORDERED, for good cause shown, that the motion is GRANTED. The status conference currently set for July 28, 2021, is hereby RESCHEDULED for September 21, 2021, at 11:00 a.m. via videoconference and teleconference. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to participate. It is further ORDERED that the time period from July 28, 2021, to September 21, 2021, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq., with the consent of the parties. The Court finds that, because of the voluminous discovery in cases arising out of the Capitol breach and defense counsel's representation that he needs more time for effective preparation in this case, 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 7/27/2021. (lctjkl) (Entered: 07/27/2021)
08/23/2021	147	TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 6-30-21; Page Numbers: 1-75; Date of Issuance: 8-23-21; 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 . Redaction Request due 9/13/2021. Redacted Transcript Deadline set for 9/23/2021. Release of Transcript Restriction set for 11/21/2021.(Miller, Timothy) (Entered: 08/23/2021)
08/23/2021	149	MOTION for Order to Transport Defendant to District of Columbia by USA as to ZACHARY REHL. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 08/23/2021)
08/26/2021	153	MOTION to Withdraw as Attorney by Shaka M. Johnson. by ZACHARY REHL. (Johnson, Shaka) (Entered: 08/26/2021)
09/06/2021		MINUTE ORDER as to Zachary Rehl (3) granting 153 Motion to Withdraw as Attorney. The Court finds that allowing the withdrawal will not unduly delay trial of this case, be unfairly prejudicial to any party, or otherwise not be in the interest of justice. See LCR 44.5(d). Accordingly, it is hereby ORDERED that the motion is GRANTED, but only upon another attorney entering his or her appearance to represent the Defendant. The Defendant's case is hereby referred to the criminal duty magistrate judge for ascertainment of counsel. Signed by Judge Timothy J. Kelly on 9/6/2021. (lctjkl) (Entered: 09/06/2021)
09/06/2021	159	NOTICE OF ATTORNEY APPEARANCE: Jonathon Alden Moseley appearing for ZACHARY REHL (Moseley, Jonathon) (Entered: 09/06/2021)
09/09/2021		MINUTE ORDER as to ZACHARY REHL (3): In light of Defendant's change of counsel, it is hereby ORDERED that Defendant shall file any response to the Government's 149 Motion for Order to Transport Defendant by September 20, 2021. Signed by Judge Timothy J. Kelly on 9/9/2021. (lctjkl) (Entered: 09/09/2021)
09/09/2021		MINUTE ORDER as to ZACHARY REHL (3). On September 6, 2021, Judge Kelly referred this case to the criminal duty magistrate judge for the purposes of ascertaining new counsel for Defendant Rehl. In response to the Court's inquiry, Mr. Johnson (original counsel) and Mr. Moseley (proposed new counsel) both confirmed that Defendant Rehl wanted to terminate

		Mr. Johnson's representation and instead retain Mr. Moseley. It is therefore ORDERED that Mr. Johnson's representation is terminated, effective September 6, 2021, when Mr. Moseley entered his appearance. See Min. Order (Sept. 6, 2021) (noting that the Motion to Withdraw as Attorney 153 was granted "but only upon another attorney entering his or her appearance to represent the Defendant."). Mr. Moseley is now counsel of record for Mr. Rehl. Signed by Magistrate Judge Zia M. Faruqui on 9/9/2021. (zpt) (Entered: 09/10/2021)
09/13/2021	163	NOTICE of Accused Zachary Rehls Coverage Under Prior Protective Order by ZACHARY REHL re 83 Order on Motion for Protective Order (Moseley, Jonathon) (Entered: 09/13/2021)
09/15/2021		ENTERED IN ERROR..... MINUTE ORDER as to ETHAN NORDEAN (1) and JOSEPH RANDALL BIGGS (2) granting Nordean's 164 Motion to Access Sealed Portion of 9/13/21 Hearing Transcript, joined 165 by Biggs. For good cause shown, it is hereby ORDERED that the court reporter's notes and transcription of the sealed portion of the proceeding of September 13, 2021, be made available to Nordean and Biggs, while otherwise remaining under seal. Signed by Judge Timothy J. Kelly on 9/15/2021. (lctjk1) Modified to mark entry as error on 9/16/2021 (zkh). (Entered: 09/15/2021)
09/16/2021	167	Unopposed MOTION pursuant to Rule 36 to Correct a Clerical Error to redact personal names of family including minor child by ZACHARY REHL. (Moseley, Jonathon) (Entered: 09/16/2021)
09/16/2021		MINUTE ORDER as to ZACHARY REHL (3) granting 167 Rehl's Unopposed Motion for Leave to Redact or Substitute A Redacted Version of Docket # 86. For good cause shown, it is ORDERED that the motion is GRANTED. The Clerk of the Court is instructed to seal ECF No. 86, along with any attachments. By September 20, 2021, Defendant Rehl shall file on the public docket a copy of his Memorandum in Opposition to Detention, with attachments, that redacts the information identified in Rehl's motion. Signed by Judge Timothy J. Kelly on 9/16/2021. (lctjk1) Modified to link filing on 9/16/2021 (zkh). (Entered: 09/16/2021)
09/16/2021	168	NOTICE of Filing of Memorandum Regarding Status of Discovery in January 6, 2021 Cases by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re 120 Notice (Other), (Attachments: # 1 Memorandum Regarding Status of Discovery in January 6, 2021 Cases)(McCullough, Jason) (Entered: 09/16/2021)
09/17/2021	171	NOTICE of Correspondence to Defendants in Advance of September 21, 2021, Hearing on Motions to Dismiss by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 Exhibit Sept. 17, 2021 Letter to Defense Counsel)(Jones, Luke) (Entered: 09/17/2021)
09/18/2021	172	RESPONSE by ZACHARY REHL re 149 MOTION for Order to Transport Defendant to District of Columbia in Opposition (Moseley, Jonathon) (Entered: 09/18/2021)
09/18/2021	173	Memorandum in Opposition by ZACHARY REHL re 149 MOTION for Order to Transport Defendant to District of Columbia (Attachments: # 1 Exhibit Exhibits for Memorandum of Law)(Moseley, Jonathon) (Entered: 09/18/2021)
09/20/2021		NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): VTC Status Conference set for 9/21/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 09/20/2021)
09/20/2021	180	NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 7/28/2021 Letter (All Defendants), # 2 7/28/2021 Letter (All Defendants), # 3 7/28/2021 Letter (All Defendants), # 4 7/29/2021 Letter (All Defendants), # 5 8/9/2021 Letter (Biggs), # 6 8/24/2021 Letter (All Defendants), # 7 9/9/2021 Letter (Biggs), # 8 9/9/2021 Letter (Nordean, Donohoe), # 9 9/11/2021 Letter (Nordean, Biggs, Donohoe), # 10 9/16/2021 Letter (Nordean), # 11 9/16/2021 Letter (Biggs, Rehl, Donohoe), # 12 9/16/2021 Letter (Rehl), # 13 9/16/2021 Letter (Rehl), # 14 9/20/2021 Letter (All Defendants), # 15 9/20/2021 Letter (Donohoe), # 16 9/20/2021 Letter (Nordean, Biggs, Rehl))(Jones, Luke) (Entered: 09/20/2021)
09/21/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ZACHARY REHL (3) held on 9/21/2021. Defendant appeared by audio. Oral argument heard on the Government's 149 MOTION for Order to Transport Defendant, and taken under advisement. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Jonathon Alden Moseley; US Attorneys: Jason Bradley Adam McCullough and Luke Matthew Jones; Pretrial Officer: Christine Schuck. (zkh) (Entered: 09/21/2021)
09/21/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference/Motion Hearing as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 9/21/2021. Defendant NORDEAN appeared by audio. Defendants BIGGS and DONOHOE appeared by video. Defendant REHL's Appearance was Waived. Oral argument heard on Defendant Nordean's 94 First MOTION to Dismiss Case, and taken under advisement. Speedy Trial Excludable (XT) started 9/21/2021 through 10/26/2021, in the interest of justice, as to ALL defendants. VTC Status Conference set for 10/26/2021 at 11:00 AM before Judge Timothy J. Kelly. Jury Selection/Trial set to commence on 5/18/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Jonathon Alden Moseley, 4-Lisa S. Costner and Ira Knight; US Attorneys: Jason Bradley Adam McCullough, Luke Matthew Jones, and James Pearce; Pretrial Officer: Christine Schuck. (zkh) (Entered: 09/21/2021)
09/25/2021	184	MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with by ZACHARY REHL. (Attachments: # 1 Text of Proposed Order, # 2 Memorandum in Support Memorandum of Law)(Moseley, Jonathon) (Entered: 09/25/2021)
09/26/2021	185	ENTERED IN ERROR..... MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law by ZACHARY REHL. (Moseley, Jonathon) Modified on 9/27/2021 (zltpt). (Entered: 09/26/2021)
09/26/2021	186	Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law by ZACHARY REHL. (Moseley, Jonathon) (Entered: 09/26/2021)
09/26/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to ZACHARY REHL re 185 MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law was entered in error and counsel refiled said pleading. The correct docket entry is 186 . (zltpt) (Entered: 09/27/2021)
09/28/2021	188	SUPPLEMENT by ZACHARY REHL re 186 Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law disclosing permits independently released to BUZZFEED possibly making this motion moot (Attachments: # 1 Exhibit Permits Issued by US Capitol Police for Jan 6 demonstrations released to BUZZFEED)(Moseley, Jonathon) (Entered: 09/28/2021)
09/30/2021	190	MOTION for Release from Custody , Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing by ZACHARY REHL. (Attachments: # 1 Text of Proposed Order)(Moseley, Jonathon) (Entered: 09/30/2021)
09/30/2021	191	NOTICE Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing by ZACHARY REHL. (Attachments: # 1 Exhibit 1: Transcript of Bail Hearing Magistrate Pennsylvania, # 2 Exhibit 2. Court's Form Order for Pretrial Detention, # 3 Exhibit 3. U.S. Capitol Police Permits for Demonstrations Jan. 6, # 4 Exhibit 4. January 6 demonstrator given 3 years probation, # 5 Exhibit 5. Reuters News Report of FBI Report of No Advance Planning of Jan. 6 Attacks)(Moseley, Jonathon) Modified text on 10/1/2021 (zltpt). Modified on 10/1/2021 (znmw). (Entered: 09/30/2021)
09/30/2021	192	MOTION to Re-Open Detention Hearing by ZACHARY REHL. (See docket entry 190 to view document.) (zltpt) (Entered: 10/01/2021)
10/01/2021	194	MOTION for Waiver of Motion formatting rules to allow table of contents and table of authorities to be filed as supplement by ZACHARY REHL. (Moseley, Jonathon) (Entered: 10/01/2021)
10/04/2021		MINUTE ORDER as to ZACHARY REHL (3) denying Rehl's 194 Motion for Waiver of Motion Formatting Rules Under Local Rules. Because the Local Rules of Criminal Procedure do not require a party to include a table of contents or table of authorities, no waiver is necessary. Thus, it is hereby ORDERED that Rehl's Motion for Waiver is DENIED. Signed by Judge Timothy J. Kelly on 10/4/2021. (lctjk1) (Entered: 10/04/2021)
10/06/2021	198	FIRST SUPPLEMENT and Notice of Brady Material Produced After Bail Hearing on September 13 in Support of His Renewed Motion for Release of Accused Zachary Rehl from Pre-Trial Detention and Motion to Re-Open Detention Hearing re 190 by ZACHARY REHL. (Moseley, Jonathon) Modified text on 10/13/2021 (zltpt). (Entered: 10/06/2021)
10/08/2021	200	SECOND SUPPLEMENT documenting that Rehl was not an organizer of January 6 events by ZACHARY REHL. (Moseley, Jonathon) Modified on 10/13/2021 (zltpt). (Entered: 10/08/2021)
10/09/2021	203	THIRD SUPPLEMENT disclosing Friday dawn FBI raid Oct 8 of Rehl's friend and Proud Boys deputy Aaron Whallon Wolkind showing FBI still trying to find evidence against Rehl by ZACHARY REHL. (Moseley, Jonathon) Modified text on 10/13/2021 (zltpt). (Entered: 10/09/2021)
10/10/2021	204	MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl by ZACHARY REHL. (Attachments: # 1 Memorandum in Support, # 2 Text of Proposed Order)(Moseley, Jonathon) (Entered: 10/10/2021)
10/11/2021	205	Consent MOTION for Order Setting Briefing Schedule by USA as to ZACHARY REHL. (Attachments: # 1 Text of Proposed Order)(Jones, Luke) (Entered: 10/11/2021)
10/13/2021		MINUTE ORDER as to ZACHARY REHL (3) granting the Government's 205 Consent Motion for Order Setting Briefing Schedule. It is hereby ORDERED that the Government shall file its responses to Defendant Rehl's 184 motion for a bill of particulars, 185 186 motion for issuance of a subpoena to U.S. Capitol Police, 190 191 motion for release and to re-open his detention hearing and 198 200 203 supplemental filings, and 204 motion to compel discovery by October 15, 2021. It is further ORDERED that Defendant Rehl shall file any reply in support of the above motions by Friday, October 22, 2021. Signed by Judge Timothy J. Kelly on 10/13/2021. (lctjk1) (Entered: 10/13/2021)
10/13/2021	206	NOTICE of Judge Lamberth's Contempt Order against Warden of D.C. Jail for Civil Rights Violation re January 6 Detainee by ETHAN NORDEAN as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE re 122 MOTION for Bond and to reopen Detention Decision pursuant to § 3142(f) (Smith, Nicholas) (Entered: 10/13/2021)
10/15/2021	208	Memorandum in Opposition by USA as to ZACHARY REHL re 184 MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with, 185 MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law, 204 MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl, 186 Amended MOTION Issuance Of A Subpoena To The U.S. Capitol Police with included memorandum of law (Jones, Luke) (Entered: 10/15/2021)

10/15/2021	209	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Kenerson, Erik Michael added. (Kenerson, Erik) (Entered: 10/15/2021)
10/15/2021	210	Memorandum in Opposition by USA as to ZACHARY REHL re 192 MOTION Re-Open Detention Hearing, 203 Supplemental MOTION for Release from Custody by pre-trial release on bail, disclosing Friday dawn FBI raid Oct 8 of Rehl's friend and Proud Boys deputy Aaron Whallon Wolkind showing FBI still trying to find evidence against Rehl, 190 MOTION for Release from Custody, Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing, 200 MOTION for Release from Custody from pre-trial detention, 2nd Supplement documenting that Rehl was not an organizer of January 6 events, 198 MOTION for Release from Custody Zachary Rehls Supplement And Notice Of Brady Material Produced After Bail Hearing On September 13 In Support Of His Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open D, 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing (Attachments: # 1 Exhibit 1 - ICANN Lookup, # 2 Exhibit 2 - GiveSendGo Screenshot)(Kenerson, Erik) (Entered: 10/15/2021)
10/20/2021		NOTICE OF HEARING (Time Change) as to ZACHARY REHL (3): Telephonic/VTC Status Conference set for 10/26/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 10/20/2021)
10/21/2021	211	NOTICE of remote hearing access limitations for Zachary Rehl at Philadelphia Detention Center by ZACHARY REHL (Moseley, Jonathon) (Entered: 10/21/2021)
10/25/2021	212	REPLY TO OPPOSITION to Motion by ZACHARY REHL re 184 MOTION for Bill of Particulars pursuant to analysis by Judge Amit Mehta of unidentified, unknown number of those aided and abetted and conspired with, 204 MOTION to Compel Supporting Documents of Rehl's alleged (uncited) statements or quotes upon which the Government relies for his indictment and arrest ad for continued prosecution of Rehl (Attachments: # 1 Exhibit Letter requesting transmission of Brady discovery over technical problems)(Moseley, Jonathon) (Entered: 10/25/2021)
10/25/2021	213	NOTICE OF FILING VIDEO EXHIBITS by ZACHARY REHL re 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing (Moseley, Jonathon) (Entered: 10/25/2021)
10/25/2021		MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), CHARLES DONOHOE (4): It is hereby ORDERED that the status conferences scheduled for tomorrow, October 26, 2021, at 10:00 a.m. and 11:00 a.m. are VACATED. The parties shall contact the Courtroom Deputy at (202) 354-3495 to set a new date. Signed by Judge Timothy J. Kelly on 10/25/2021. (lctjk1) (Entered: 10/25/2021)
10/25/2021	214	STATUS REPORT Regarding Discovery as of October 21, 2021 by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE (Jones, Luke) (Entered: 10/25/2021)
10/27/2021		NOTICE OF HEARING as to ZACHARY REHL (3): VTC Status Conference/Motion Hearing set for 11/2/2021 at 10:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 10/27/2021)
10/27/2021		NOTICE OF HEARING as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): VTC Status Conference set for 11/3/2021 at 11:00 AM before Judge Timothy J. Kelly. (zkh) (Entered: 10/27/2021)
10/31/2021	215	NOTICE of Filing of Supplemental Authority, Memorandum Opinion of Judge Royce Lamberth in USA v. Russell Taylor by ZACHARY REHL re 191 MOTION for Release from Custody Memorandum of Law in Support of Renewed Motion For Release Of Accused Zachary Rehl From Pre-Trial Detention And Motion To Re-Open Detention Hearing (Attachments: # 1 Exhibit Memorandum Opinion in USA v. Russell Taylor Case No. 1:21-cr-392-RCL-2, by Judge Royce Lamberth)(Moseley, Jonathon) (Entered: 10/31/2021)
11/02/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Motion Hearing/Status Conference as to ZACHARY REHL (3) held on 11/2/2021. Defendant appeared by video. Oral argument heard and taken under advisement as to defendant's 190 MOTION for Release from Custody and, Renewed Motion For Release From Pre-Trial Detention and Motion To Re-Open Detention Hearing. Bond Status of Defendant: Remains Committed; Court Reporter: Timothy Miller; Defense Attorney: Jonathon Alden Moseley; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (zkh) (Entered: 11/02/2021)
11/02/2021	216	NOTICE Regarding Discovery Correspondence by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE (Attachments: # 1 9/21/2021 Letter (All Defendants), # 2 10/15/2021 Letter (All Defendants), # 3 10/21/2021 Letter (All Defendants))(Jones, Luke) (Entered: 11/02/2021)
11/03/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4) held on 11/3/2021. Defendant NORDEAN appeared by audio. Defendants BIGGS and DONOHOE appeared by video. Defendant REHL's Appearance was Waived. Scheduling Order to be entered by the court. Speedy Trial Excludable (XT) started nunc pro tunc 10/26/2021 through 12/7/2021, in the interest of justice, as to ALL defendants. VTC Status Conference set for 12/7/2021 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendants: 1-Remains Committed, 2-Remains Committed, 3-Remains Committed, 4-Remains Committed; Court Reporter: Timothy Miller; Defense Attorneys: 1-David Benjamin Smith and Nicholas D. Smith, 2-John Daniel Hull, IV, 3-Jonathon Alden Moseley, 4-Lisa S. Costner and Ira Knight; US Attorneys: Luke Matthew Jones and Erik Michael Kenerson. (zkh) (Entered: 11/03/2021)
11/03/2021		MINUTE ORDER as to ETHAN NORDEAN (1), JOSEPH R. BIGGS (2), ZACHARY REHL (3), and CHARLES DONOHOE (4): It is hereby ORDERED, for the reasons explained on the record at the status conference today, that the time period from October 26, 2021 to December 7, 2021 is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and Defendants in a speedy trial under 18 U.S.C. § 3161(h)(7)(A), for the reasons explained on the record: (1) the Government's ongoing production of voluminous discovery to Defendants; and (2) the public health limitations on the Court's ability to try a multi-defendant, six-week trial, as reflected in Standing Order No. 21-62: In Re: Updated Status of Court Operations, including Jury Trials, and Speedy Trial Act Exclusions in Light of the Current Circumstances Relating to the COVID-19 Pandemic, the findings of which the Court adopts after consideration of the specific circumstances of this case, and the Court's Continuity of Operations Plan referenced in that Order. The Court also notes, as acknowledged by the parties, that time is also excluded under the Speedy Trial Act during this time, in light of the Court's request for additional briefing on the pending 94 First Motion to Dismiss. See 18 U.S.C. § 3161(h)(1)(D). Signed by Judge Timothy J. Kelly on 11/3/2021. (lctjk1) (Entered: 11/03/2021)
11/05/2021	218	STATUS REPORT Regarding Discovery as of November 5, 2021 by USA as to ETHAN NORDEAN, JOSEPH R. BIGGS, ZACHARY REHL, CHARLES DONOHOE (Jones, Luke) (Entered: 11/05/2021)
11/10/2021	221	TRANSCRIPT OF STATUS CONFERENCE in case as to ZACHARY REHL before Judge Timothy J. Kelly held on 11-3-21; Page Numbers: 1-36; Date of Issuance: 11-10-21; 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 . Redaction Request due 12/1/2021. Redacted Transcript Deadline set for 12/11/2021. Release of Transcript Restriction set for 2/8/2022.(Miller, Timothy) (Entered: 11/10/2021)
11/12/2021	223	NOTICE of Private Letter to Judge and AUSA in support of bail and home conditions by ZACHARY REHL (Moseley, Jonathon) (Entered: 11/12/2021)
11/15/2021		MINUTE ORDER as to ZACHARY REHL (3) denying Defendant's 223 Motion. It is hereby ORDERED that Defendant Rehl's motion asking the Court to accept a letter from his wife via mail is DENIED. Defendant is directed to Local Criminal Rule 49(f)(1), which states that "[e]xcept when requested by a judge, correspondence shall not be directed by the parties or their attorneys to a judge, nor shall papers be left with or mailed to a judge for filing." Defendant Rehl may seek leave to file the letter on the public docket, or, if warranted, to file it under seal. Signed by Judge Timothy J. Kelly on 11/15/2021. (lctjk1) (Entered: 11/15/2021)

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