

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00467-JEB-1

Case title: USA v. RAU

Date Filed: 07/13/2021

Magistrate judge case number: 1:21-mj-00524-RMM

Assigned to: Judge James E. Boasberg

Defendant (1)**ERIK RAU**

represented by **Michelle M. Peterson**
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

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

Disposition

Defendant sentenced to forty-five (45) days incarceration, Restitution in the
amount of \$500, and a \$10 Special Assessment.

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

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

Disposition

DISMISSED ON ORAL MOTION BY THE GOVERNMENT.

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

DISMISSED ON ORAL MOTION BY THE GOVERNMENT.

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

DISMISSED ON ORAL MOTION BY THE GOVERNMENT.

Highest Offense Level (Terminated)

Misdemeanor

Complaints

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

Disposition**Plaintiff****USA**

represented by **Leslie A. Goemaat**
U.S. ATTORNEY'S OFFICE
555 4th St. NW
Washington, DC 20530
202-803-1608
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
07/13/2021	1	COMPLAINT as to ERIK RAU (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00524-RMM] (Entered: 07/13/2021)
07/13/2021	3	INFORMATION as to ERIK RAU (1) count(s) 1, 2, 3, 4. (zstd) (Entered: 07/14/2021)
07/15/2021		MINUTE ORDER as to ERIK RAU (1): Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 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. So ORDERED by Judge James E. Boasberg on 7/15/2021. (nbn) (Entered: 07/15/2021)
07/15/2021	5	Arrest Warrant Returned Executed on 7/15/2021 in Columbus, OH as to ERIK RAU. (bb) (Entered: 07/15/2021)
07/15/2021		Arrest of ERIK RAU in Ohio. (bb) (Entered: 07/15/2021)
07/15/2021		MINUTE ORDER as to ERIK RAU (1): After discussion with the parties, the Court ORDERS an Arraignment/Plea Agreement Hearing is set for 7/23/2021 at 12:00 PM before Judge James E. Boasberg. The hearing will proceed by videoconference for the parties and by telephone for members of the public. Pursuant to Standing Order 20-20 (BAH), the Court will provide public access to the hearing. It is hereby ORDERED that the participants using the public access telephone line shall adhere to the rules set forth in Standing Order 20-20 (BAH), available on the Court's website. Toll Free Number: 866-434-5269; Access Code: 2989848. So ORDERED by Judge James E. Boasberg on 7/15/2021. (nbn) (Entered: 07/15/2021)
07/23/2021		Minute Entry for proceedings held before Judge James E. Boasberg: Video Arraignment/Plea Agreement Hearing as to ERIK RAU (1) held on 7/23/2021. Defendant arraigned, sworn, and a plea of GUILTY entered and accepted by ERIK RAU (1) on count 3. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to ERIK RAU (1). Sentencing set for 9/29/2021 at 11:30 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (PR); Court Reporter: Lisa Griffith; Defense Attorney: Shelli Peterson; US Attorney: Leslie Goemaat. (nbn) (Entered: 07/23/2021)
07/23/2021	7	WAIVER of Trial by Jury as to ERIK RAU (1). Approved by Judge James E. Boasberg on 7/23/2021. (nbn) (Entered: 07/23/2021)
07/23/2021	8	PLEA AGREEMENT as to ERIK RAU (1). (nbn) (Entered: 07/23/2021)

07/23/2021	9	STATEMENT OF OFFENSE by USA as to ERIK RAU (1). (nbn) (Entered: 07/23/2021)
07/23/2021		Set/Reset Hearings as to ERIK RAU: Sentencing set for 9/29/2021 at 11:30 AM in Telephonic/VTC before Judge James E. Boasberg. (nbn) (Entered: 07/23/2021)
09/24/2021	13	SENTENCING MEMORANDUM by USA as to ERIK RAU (Goemaat, Leslie) (Entered: 09/24/2021)
09/24/2021	14	NOTICE of Filing of Video Exhibit by USA as to ERIK RAU (Goemaat, Leslie) (Entered: 09/24/2021)
09/24/2021	15	NOTICE OF ATTORNEY APPEARANCE: Michelle M. Peterson appearing for ERIK RAU (Peterson, Michelle) (Entered: 09/24/2021)
09/24/2021	16	NOTICE of Filing of Memoranda Regarding Status of Capitol Breach Discovery by USA as to ERIK RAU (Attachments: # 1 Status of Capitol Breach Discovery as of July 12, 2021, # 2 Status of Capitol Breach Discovery as of August 23, 2021, # 3 Status of Capitol Breach Discovery as of September 14, 2021)(Goemaat, Leslie) (Entered: 09/24/2021)
09/25/2021	17	NOTICE of Filing of Discovery Letter by USA as to ERIK RAU (Attachments: # 1 Letter regarding Volume 2 of Discovery)(Goemaat, Leslie) (Entered: 09/25/2021)
09/25/2021	18	SENTENCING MEMORANDUM by ERIK RAU (Attachments: # 1 Exhibit, # 2 Exhibit)(Peterson, Michelle) (Entered: 09/25/2021)
09/29/2021		Minute Entry for proceedings held before Judge James E. Boasberg: Video Sentencing held on 9/29/2021 as to ERIK RAU (1). Defendant sentenced to forty-five (45) days incarceration, Restitution in the amount of \$500, and a \$10 Special Assessment on count 3. Oral motion by the Government to DISMISS the remaining counts HEARD and GRANTED. Appeal rights given. Bond Status of Defendant: PERSONAL RECOGNIZANCE BOND (PR)/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: Shelli Peterson; US Attorney: Leslie Gomaat, Prob Officer: Crystal Lustig. (znbn) Modified to add Special Assessment on 10/1/2021 (znbn). (Entered: 09/29/2021)
10/05/2021	21	JUDGMENT as to ERIK RAU. Statement of Reasons Not Included. Signed by Judge James E. Boasberg on 10/5/2021. (zstd) (Entered: 10/06/2021)
10/05/2021	22	STATEMENT OF REASONS as to ERIK RAU re 21 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 James E. Boasberg on 10/5/2021. (zstd) (Entered: 10/06/2021)

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