

U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00077-RDM-1

Case title: USA v. STEELE-SMITH

Date Filed: 02/03/2021

Magistrate judge case number: 1:21-mj-00124-RMM

Assigned to: Judge Randolph D. Moss

**Defendant (1)**

**MELODY STEELE-SMITH**

represented by **Elizabeth Ann Mullin**  
OFFICE OF THE FEDERAL PUBLIC DEFENDER  
1650 King Street  
Suite 500  
Alexandria, VA 22314  
703-600-0879  
Fax: 703-600-0880  
Email: elizabeth\_mullin@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community Defender Appointment*

**Tony W. Miles**  
KAISERDILLON PLLC  
1099 14th Street NW  
Suite 8th Floor West  
Washington, DC 20005  
202-640-2850  
Email: tmiles@kaiserdillon.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community Defender Appointment*

**Pending Counts**

18 U.S.C. 1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting  
(1)

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds  
(2)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds  
(3)

40 U.S.C. 5104(e)(2)(C); FEDERAL STATUTES, OTHER; Entering and Remaining in Certain Rooms in a Capitol Building  
(4)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building  
(5)

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

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

**Disposition**

**Plaintiff**

USA

represented by **Brittany LaShaune Reed**  
U.S. ATTORNEY'S OFFICE  
650 Poydras Street  
Suite 1600  
New Orleans, LA 70130  
504-680-3031  
Email: brittany.reed2@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U.S. Attorney*

**Melissa Joy Jackson**  
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA  
555 4th Street, NW  
Washington, DC 20530  
202-252-7786  
Email: melissa.jackson@usdoj.gov  
**TERMINATED: 02/22/2021**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
01/19/2021	<a href="#">1</a>	SEALED COMPLAINT as to MELODY STEELE-SMITH (1). (Attachments: # <a href="#">1</a> Affidavit in Support) (bb) [1:21-mj-00124-RMM] (Entered: 01/19/2021)
01/19/2021	<a href="#">3</a>	MOTION to Seal Case by USA as to MELODY STEELE-SMITH. (Attachments: # <a href="#">1</a> Text of Proposed Order)(bb) [1:21-mj-00124-RMM] (Entered: 01/19/2021)
01/19/2021	<a href="#">4</a>	ORDER granting <a href="#">3</a> Motion to Seal Case as to MELODY STEELE-SMITH (1). Signed by Magistrate Judge Robin M. Meriweather on 1/19/2021. (bb) [1:21-mj-00124-RMM] (Entered: 01/19/2021)
01/20/2021		Case unsealed as to MELODY STEELE-SMITH (bb) [1:21-mj-00124-RMM] (Entered: 01/21/2021)
01/20/2021		Arrest of MELODY STEELE-SMITH in Eastern District of Virginia. (zpt) [1:21-mj-00124-RMM] (Entered: 02/01/2021)
01/22/2021	<a href="#">5</a>	ORDER Setting Conditions of Bond : Defendant MELODY STEELE-SMITH placed on Personal Recognizance Bond, signed by Magistrate Judge G. Michael Harvey on 1/22/2021. (kk) [1:21-mj-00124-RMM] (Additional attachment(s) added on 2/8/2021: # <a href="#">1</a> Appearance Bond) (zpt). (Entered: 01/25/2021)
01/22/2021	<a href="#">7</a>	Arrest Warrant, dated 1/19/2021, Returned Executed in the U.S. District for the District of Columbia on 1/22/2021 as to MELODY STEELE-SMITH. (zpt) [1:21-mj-00124-RMM] (Entered: 02/01/2021)
01/22/2021		ORAL MOTION to Appoint Counsel by MELODY STEELE-SMITH. (zpt) [1:21-mj-00124-RMM] (Entered: 02/01/2021)
01/22/2021		JOINT ORAL MOTION for Speedy Trial Waiver by MELODY STEELE-SMITH. (zpt) [1:21-mj-00124-RMM] (Entered: 02/01/2021)
01/22/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to MELODY STEELE-SMITH (1) held on 1/22/2021. Oral Motion to Appoint Counsel by MELODY STEELE-SMITH (1) Heard and Granted. Government does not seek the Defendant's pretrial detention. Joint Oral Motion for Speedy Trial by MELODY STEELE-SMITH (1) Heard and Granted. Time between 1/22/2021 and 2/12/2021 (21 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 2/12/2021 at 10:30 AM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Placed on Personal Recognizance; FTR Time Frame: CTRM 5 [2:10:59-2:26:50]; Defense Attorney: Tony Miles; US Attorney: Kelly Smith for Melissa Jackson; Pretrial Officer: Takeysha Robinson; (zpt) [1:21-mj-00124-RMM] (Entered: 02/01/2021)
01/22/2021		MINUTE ORDER as to MELODY STEELE-SMITH (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 1/22/2021. (zpt) (Entered: 02/09/2021)
02/03/2021	<a href="#">8</a>	INDICTMENT as to MELODY STEELE-SMITH (1) count(s) 1, 2, 3, 4, 5. (zltp) (Entered: 02/04/2021)
02/09/2021		NOTICE OF HEARING as to MELODY STEELE-SMITH: Arraignment set for 2/12/2021, at 10:30 AM, by video, before Judge Randolph D. Moss. The Courtroom Deputy Clerk will distribute video conference instructions to the parties. (kt) (Entered: 02/09/2021)
02/11/2021		MINUTE ORDER as to MELODY STEELE-SMITH (1). In light of the fact that Magistrate Case for defendant MELODY STEELE-SMITH has closed and merged into Criminal Number 21-77, and an indictment has been filed, the preliminary hearing previously scheduled for February 12, 2021 before Judge Meriweather is VACATED. The parties are respectfully directed to address any scheduling requests to the presiding district judge, Judge Randolph D. Moss. Signed by Magistrate Judge Robin M. Meriweather on 2/11/2021. (zpt) (Entered: 02/12/2021)
02/11/2021		Terminate Deadlines and Hearings as to MELODY STEELE-SMITH: Preliminary Hearing Vacated. See Minute Order dated 2/11/2021. (zpt) (Entered: 02/12/2021)
02/12/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Arraignment/Status Conference as to MELODY STEELE-SMITH held on 2/12/2021. Defendant consents to proceeding by video/telephone. Due Process Protections Act Order read into the record by the Court. Defendant arraigned on Counts 1, 2, 3, 4, and 5. Plea of Not Guilty entered as to ALL Counts. Telephonic Status Conference set for 4/8/2021, at 11:30 AM, before Judge Randolph D. Moss. The Courtroom Deputy Clerk will circulate the teleconference information. Speedy Trial (XT) is tolled in the interest of justice from 2/12/2021 to 4/8/2021. Bond Status of Defendant: Defendant remains on a PR Bond; Court Reporter: Jeff Hook; Defense Attorney: Tony W. Miles; U.S. Attorney: Melissa J. Jackson. (kt) Modified on 2/12/2021 to add speedy trial text (kt). (Entered: 02/12/2021)
02/22/2021	<a href="#">11</a>	NOTICE OF ATTORNEY APPEARANCE Brittany LaShaune Reed appearing for USA. (Reed, Brittany) (Entered: 02/22/2021)
04/08/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Telephonic Status Conference as to MELODY STEELE-SMITH held on 4/8/2021. Defendant consented to proceeding by telephone. A further Status Conference is set for 6/11/2021, at 2:30 PM, by telephone, before Judge Randolph D. Moss. The parties shall utilize the same teleconference number and access code. Speedy Trial (XT) is tolled in the interest of justice from 4/8/2021 to 6/11/2021. Bond Status of Defendant: Defendant remains on a PR Bond; Court Reporter: Jeff Hook; Defense Attorney: Tony Miles; U.S. Attorney: Brittany Reed. (kt) (Entered: 04/08/2021)
05/17/2021	<a href="#">13</a>	NOTICE OF ATTORNEY APPEARANCE: Elizabeth Ann Mullin appearing for MELODY STEELE-SMITH (Mullin, Elizabeth) (Entered: 05/17/2021)
06/10/2021	<a href="#">15</a>	Unopposed MOTION to Continue and to Exclude Time Under the Speedy Trial Act by USA as to MELODY STEELE-SMITH. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Reed, Brittany) (Entered: 06/10/2021)
06/10/2021		MINUTE ORDER as to MELODY STEELE-SMITH: Upon consideration of the government's unopposed motion for a continuance and to toll time under the Speedy Trial Act, 18 U.S.C. § 3161, Dkt. <a href="#">15</a> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the status conference scheduled for June 11, 2021 at 2:30PM is VACATED and RESCHEDULED for August 3, 2021 at 2:00PM to proceed by telephone. The parties shall utilize the same teleconference number and access code as used previously. It is further ORDERED that time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, from June 11, 2021 to August 3, 2021. The parties represent that "due to the number of individuals currently charged across the Capitol Attack investigation and the nature of those charges, the on-going investigation of many other individuals, the volume and nature of potentially discoverable materials, and the reasonable time necessary for effective preparation by all parties taking into account the exercise of due diligence, the failure to grant such a continuance in this proceeding would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice." Dkt. <a href="#">15</a> at 7. Given the defendant's need to receive and review discovery, and in order to provide the defendant with time to make a considered decision about how she would like to proceed in this matter, the Court finds that the continuance would serve the interests of justice and that those interests outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Finally, it is ORDERED that, absent any compelling need, future motions for a continuance shall be filed no later than three calendar days before the scheduled hearing. Signed by Judge Randolph D. Moss on 6/10/2021. (lcrdm3) (Entered: 06/10/2021)
06/10/2021	<a href="#">16</a>	MOTION to Exclude Speedy Trial Time by USA as to MELODY STEELE-SMITH. (See Docket Entry <a href="#">15</a> to view document). (znmw) (Entered: 06/14/2021)
08/03/2021		MINUTE ORDER as to MELODY STEELE-SMITH (1): Pursuant to the Due Process Protections Act, it is hereby ORDERED 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 Randolph D. Moss on 08/03/2021. (lcrdm3) (Entered: 08/03/2021)
08/03/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Telephonic Status Conference as to MELODY STEELE-SMITH held on 8/3/2021. Defendant consented to appearing by telephone. The Government is ordered to provide discovery to Defendant no later than 8/13/2021. A further Status Conference is set for 8/17/2021, at 10:00 AM, by video, before Judge Randolph D. Moss. The Courtroom Deputy Clerk will circulate instructions for appearing by video. Speedy Trial (XT) is tolled in the interest of justice from 8/3/2021 to 8/17/2021. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: Elizabeth Mullin; U.S. Attorney: Susan Lehr (stand-in for Brittany Reed). (kt) Modified on 8/17/2021 to add speedy trial language. (kt). (Entered: 08/03/2021)
08/05/2021		MINUTE ORDER AS TO MELODY STEELE-SMITH (1): Upon the Court's own motion, and in light of the Court's order that the Government provide discovery to Defendant on or before August 13, 2021, Minute Entry (August 3, 2021), it is hereby ORDERED that the parties shall file a joint status report on or before August 9, 2021, indicating the nature of the discovery that the Government has identified to date and that can be produced by the August 13, 2021 deadline. Signed by Judge Randolph D. Moss on 08/05/2021. (lcrdm3) (Entered: 08/05/2021)
08/09/2021	<a href="#">18</a>	STATUS REPORT Regarding Discovery by USA as to MELODY STEELE-SMITH (Reed, Brittany) (Entered: 08/09/2021)
08/13/2021	<a href="#">19</a>	MOTION to Compel Rule 16 and Brady Material by MELODY STEELE-SMITH. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Mullin, Elizabeth) (Entered: 08/13/2021)
08/17/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to MELODY STEELE-SMITH held on 8/17/2021. Defendant consented to proceeding by video. The Government shall provide to the Defendant the specific body-worn camera footage, as identified on the record by the Court, on or before 8/31/2021. For the reasons stated on the record, Defendant's <a href="#">19</a> Motion to Compel is granted in part and denied in part. A further Status Conference is set for 10/22/2021, at 3:30 PM, by video, before Judge Randolph D. Moss. The parties shall utilize the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 8/17/2021 to 10/22/2021. Bond Status of Defendant: PR Bond; Court Reporter: Jeff Hook; Defense Attorney: Elizabeth Mullin; U.S. Attorney: Brittany Reed. (kt) (Entered: 08/17/2021)
10/22/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to MELODY STEELE-SMITH held on 10/22/2021. Defendant consented to appearing by video. A further Status Conference is set for 12/17/2021, at 1:30 PM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting to the hearing. Speedy Trial (XT) is tolled in the interest of justice from 10/22/2021 to 12/17/2021. Bond Status of Defendant: Defendant remains on a PR Bond; Court Reporter: Jeff Hook; Defense Attorney: Elizabeth Mullin; U.S. Attorney: Brittany Reed. (kt) (Entered: 10/22/2021)
10/22/2021	<a href="#">22</a>	Unopposed MOTION for Protective Order by USA as to MELODY STEELE-SMITH. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Reed, Brittany) (Entered: 10/22/2021)

10/26/2021	<a href="#">23</a>	PROTECTIVE ORDER: Upon consideration of the government's second motion for protective order, Dkt. <a href="#">22</a> , it is hereby ORDERED that the motion is GRANTED. The parties shall comply with the directives in the attached protective order. See document for details. Signed by Judge Randolph D. Moss on 10/26/2021. (lcrdm3) (Entered: 10/26/2021)
11/22/2021	<a href="#">24</a>	Consent MOTION change time of status hearing conference by MELODY STEELE-SMITH. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Mullin, Elizabeth) (Entered: 11/22/2021)
11/22/2021		MINUTE ORDER as to MELODY STEELE-SMITH: Upon consideration of the consent motion to change time, Dkt. <a href="#">24</a> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the video status conference scheduled in this matter for December 17, 2021, at 1:30 p.m., is hereby RESCHEDULED for December 17, 2021, at 10:00 a.m. The parties are to use the same access information for the video status conference previously provided by the Deputy Clerk of Court. Signed by Judge Randolph D. Moss on 11/22/2021. (lcrdm3) (Entered: 11/22/2021)

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