

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00197-DLF-1**

Case title: USA v. KOSTOLSKY

Date Filed: 03/09/2021

Magistrate judge case number: 1:21-mj-00257-ZMF

Assigned to: Judge Dabney L. Friedrich

Defendant (1)

JACKSON KOSTOLSKY

represented by **Danielle Courtney Jahn**
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA
625 Indiana Ave, NW
Suite 500
Washington, DC 20004
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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 (1)
- 18:1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building (2)
- 40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Violent Entry and 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) and (a)(2) and 40:5104(e)(2)(D) and (G)

Disposition

Plaintiff

USA

represented by **Mona Furst**
DOJ-USAO
Office of the United States Attorney
301 North Main
Suite 1200
Wichita, KS 67052
316-269-6481
Email: mona.furst@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
02/23/2021	1	SEALED COMPLAINT as to JACKSON KOSTOLSKY (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00257-ZMF] (Entered: 02/24/2021)
02/23/2021	3	MOTION to Seal Case by USA as to JACKSON KOSTOLSKY. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00257-ZMF] (Entered: 02/24/2021)
02/23/2021	4	ORDER granting 3 Motion to Seal Case as to JACKSON KOSTOLSKY (1). Signed by Magistrate Judge Zia M. Faruqui on 02/23/2021. (zstd) [1:21-mj-00257-ZMF] (Entered: 02/24/2021)
02/26/2021	5	Arrest Warrant Returned Executed on 2/26/2021 in Allentown, Pennsylvania. as to JACKSON KOSTOLSKY. (bb) [1:21-mj-00257-ZMF] (Entered: 03/05/2021)
02/26/2021		Case unsealed as to JACKSON KOSTOLSKY (bb) [1:21-mj-00257-ZMF] (Entered: 03/05/2021)
02/26/2021		Arrest of JACKSON KOSTOLSKY. (ztl) [1:21-mj-00257-ZMF] (Entered: 03/06/2021)
03/04/2021		ORAL MOTION to Appoint Counsel by JACKSON KOSTOLSKY. (ztl) [1:21-mj-00257-ZMF] (Entered: 03/06/2021)
03/04/2021		JOINT ORAL MOTION for Speedy Trial by USA, and JACKSON KOSTOLSKY. (ztl) [1:21-mj-00257-ZMF] (Entered: 03/06/2021)
03/04/2021		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to JACKSON KOSTOLSKY held on 3/4/2021. Defendant present by video. Oral Motion to Appoint Counsel as to JACKSON KOSTOLSKY (1); heard and granted. Joint Oral Motion for Speedy Trial as to JACKSON KOSTOLSKY (1); heard and granted. Speedy Trial Excluded from 3/4/2021 to 5/6/2021 in the Interest of Justice (XT). Defendant waives right to preliminary hearing in 21 days. Preliminary Hearing set for 5/6/2021 at 1:00 PM by Telephonic/Video Conference. Judges: Dabney L. Friedrich, David S. Souter, U.S. District Judge. Defendant Remains in Remand. Reasoning: Court Remanded. FTR. Child. Defense Attorney.

		telephonic VTC before Magistrate Judge Adam M. Mierweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FR-GOLD, Defense Attorney: Dani Jahn; US Attorney: Jacob Steiner for Nicole McClain; Pretrial Officer: Masharia Holman. (ztl) [1:21-mj-00257-ZMF] (Entered: 03/06/2021)
03/04/2021	8	ORDER Setting Conditions of Release as to JACKSON KOSTOLSKY (1) Personal Recognizance Signed by Magistrate Judge Zia M. Faruqui on 3/4/2021. # 1 Appearance Bond (ztl). (Entered: 03/07/2021)
03/04/2021	16	Rule 5(c)(3) Documents Received as to JACKSON KOSTOLSKY from US District Court for the Eastern District of Pennsylvania Case Number 21mj362 (bb) (Entered: 03/30/2021)
03/05/2021	6	NOTICE OF ATTORNEY APPEARANCE: Danielle Courtney Jahn appearing for JACKSON KOSTOLSKY (Jahn, Danielle) [1:21-mj-00257-ZMF] (Entered: 03/05/2021)
03/08/2021	9	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Furst, Mona added. Substituting for attorney Nicole E. McClain (Furst, Mona) [1:21-mj-00257-ZMF] (Entered: 03/08/2021)
03/09/2021	10	INFORMATION as to JACKSON KOSTOLSKY (1) count(s) 1, 2, 3, 4. (bb) (Entered: 03/11/2021)
03/16/2021		MINUTE ORDER. 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 Dabney L. Friedrich on March 16, 2021. (lcldf2) (Entered: 03/16/2021)
03/17/2021	12	NOTICE of Filing Discovery Correspondence by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Discovery Letter)(Furst, Mona) (Entered: 03/17/2021)
03/24/2021		NOTICE OF HEARING as to JACKSON KOSTOLSKY. Arraignment and Status Conference set for 3/25/2021 at 2:00 PM via video before Judge Dabney L. Friedrich. (zjch) (Entered: 03/24/2021)
03/25/2021		Minute Entry for Status and Arraignment as to JACKSON KOSTOLSKY on Counts 1,2,3,4 held on 3/25/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 3/25/2021 through 5/25/2021 in the interest of justice. Status Conference set for 5/25/2021 at 10:30 AM in Telephonic/VTC before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Danielle Courtney Jahn; US Attorney: Mona Furst; Prob Officer: Christine Schuck. (zjch) (Entered: 03/25/2021)
03/26/2021	13	Unopposed MOTION for Protective Order Governing Discovery by USA as to JACKSON KOSTOLSKY. (Attachments: # 1 Text of Proposed Order)(Furst, Mona) (Entered: 03/26/2021)
03/26/2021	14	NOTICE of Filing Discovery Correspondence by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Discovery Letter)(Furst, Mona) (Entered: 03/26/2021)
03/30/2021	15	ORDER granting the government's 13 Motion for Protective Order as to JACKSON KOSTOLSKY. See text for details. Signed by Judge Dabney L. Friedrich on March 30, 2021. (lcldf2) (Entered: 03/30/2021)
04/01/2021	17	Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to JACKSON KOSTOLSKY. (Attachments: # 1 Text of Proposed Order)(Furst, Mona) (Entered: 04/01/2021)
04/07/2021		MINUTE ORDER granting the government's 17 Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. Accordingly, it is ORDERED that the government may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e) and it may also provide sealed materials, pursuant to the previously entered protective order governing discovery. It is FURTHER ORDERED that this Order shall apply to the disclosure of materials described above to any co-defendants who may later be joined. So Ordered by Judge Dabney L. Friedrich on April 7, 2021. (lcldf2) (Entered: 04/07/2021)
04/14/2021	18	NOTICE of Filing Discovery Correspondence by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Discovery Letter)(Furst, Mona) (Entered: 04/14/2021)
05/17/2021	19	NOTICE of Filing Discovery Correspondence by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Discovery Letter)(Furst, Mona) (Entered: 05/17/2021)
05/19/2021	20	MOTION to Continue and, MOTION to Exclude Time Under the Speedy Trial Act by USA as to JACKSON KOSTOLSKY. (Attachments: # 1 Text of Proposed Order)(Furst, Mona) (Entered: 05/19/2021)
05/25/2021		MINUTE ORDER as to JACKSON KOSTOLSKY. Consistent with the discussion during the status conference held on May 25, 2021, and for the reasons stated--namely, the need for the defense to review voluminous and forthcoming discovery and to determine how best to defend this case, see 18 U.S.C. § 3161(h)(7)(B)(iv)--the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the government's 20 Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act is granted, and the time from May 25, 2021 through July 28, 2021 shall be excluded in computing the date for a speedy trial in this case. A status conference is set for July 28, 2021 at 11:30 a.m. via videoconference. So Ordered by Judge Dabney L. Friedrich on May 25, 2021. (lcldf2) (Entered: 05/25/2021)
05/25/2021		Minute Entry for Status Conference as to JACKSON KOSTOLSKY held on 5/25/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 5/25/2021 to 7/28/2021 in the interest of justice. Status Conference set for 7/28/2021 at 11:30 AM in Telephonic/VTC before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Dani Jahn; US Attorney: Mona Furst. (zjch) (Entered: 05/25/2021)
07/12/2021	22	NOTICE of Memorandum Regarding Status of Discovery by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Exhibit A)(Furst, Mona) (Entered: 07/12/2021)
07/12/2021	23	NOTICE of Amended Memorandum Regarding Status of Discovery by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Exhibit A)(Furst, Mona) (Entered: 07/12/2021)
07/28/2021		Minute Entry for Status Conference as to JACKSON KOSTOLSKY held on 7/28/2021 before Judge Dabney L. Friedrich. Speedy Trial Excludable (XT) started 7/28/2021 through 9/28/2021 in the interest of justice. Status Conference set for 9/28/2021 at 11:30 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Dani Jahn; US Attorney: Mona Furst. (zjch) (Entered: 07/28/2021)
07/28/2021		MINUTE ORDER as to JACKSON KOSTOLSKY. A hearing is scheduled for September 28, 2021 at 11:30 a.m. via videoconference. Consistent with the discussion in the status conference held on July 28, 2021, and for the reasons stated--namely, the need for the defense to review forthcoming discovery and to determine how best to defend this case, see 18 U.S.C. § 3161(h)(7)(B)(iv)--the Court finds that the "ends of justice outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). Accordingly, pursuant to the Speedy Trial Act and with the consent of the defendant, the time from July 28, 2021 through September 28, 2021 shall be excluded in computing the date for a speedy trial in this case. So Ordered by Judge Dabney L. Friedrich on July 28, 2021. (lcldf2) (Entered: 07/28/2021)
08/26/2021	25	NOTICE of United States' Memorandum Regarding Status of Discovery as of August 23, 2021 by USA as to JACKSON KOSTOLSKY (Furst, Mona) (Entered: 08/26/2021)
09/16/2021	26	NOTICE of United States' Memorandum Regarding Status of Discovery as of September 14, 2021 by USA as to JACKSON KOSTOLSKY (Furst, Mona) (Entered: 09/16/2021)
09/20/2021		NOTICE OF HEARING as to JACKSON KOSTOLSKY. Plea Agreement Hearing set for 9/28/2021 at 11:30 AM via video before Judge Dabney L. Friedrich. (zjch,) (Entered: 09/20/2021)
09/28/2021		Minute Entry for Plea Agreement Hearing as to JACKSON KOSTOLSKY held on 9/28/2021 before Judge Dabney L. Friedrich. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to JACKSON KOSTOLSKY. GUILTY Plea entered by JACKSON KOSTOLSKY as to Count 4. Sentencing Memorandum due by 12/14/2021. Responses due by 12/17/2021. Sentencing set for 12/21/2021 at 11:00 AM via video before Judge Dabney L. Friedrich. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: Dani Jahn; US Attorney: Mona Furst. (zjch,) (Entered: 09/28/2021)
09/28/2021	28	PLEA AGREEMENT as to JACKSON KOSTOLSKY (zjch,) (Entered: 09/28/2021)
09/28/2021	29	WAIVER of Trial by Jury as to JACKSON KOSTOLSKY. Approved by Judge Dabney L. Friedrich on 9/28/2021. (zjch,) (Entered: 09/28/2021)
09/28/2021	30	STATEMENT OF OFFENSE by USA, JACKSON KOSTOLSKY as to JACKSON KOSTOLSKY (zjch,) (Entered: 09/28/2021)
09/28/2021	31	ENTERED IN ERROR.....STATEMENT OF OFFENSE by USA, JACKSON KOSTOLSKY as to JACKSON KOSTOLSKY (zjch,) Modified on 9/29/2021 DUPLICATE FILING(zjch,). (Entered: 09/28/2021)
09/28/2021	32	ENTERED IN ERROR....PLEA AGREEMENT as to JACKSON KOSTOLSKY (zjch,) Modified on 9/29/2021. DUPLICATE FILING (zjch,). (Entered: 09/28/2021)
09/30/2021	33	NOTICE of Filing Discovery Correspondence by USA as to JACKSON KOSTOLSKY (Attachments: # 1 Discovery 8 E-mail (dated September 11, 2021), # 2 Discovery 9 Letter (dated September 25, 2021))(Furst, Mona) (Entered: 09/30/2021)
11/06/2021	34	NOTICE of United States' Memorandum Regarding Status of Discovery as of October 21, 2021 by USA as to JACKSON KOSTOLSKY (Furst, Mona) (Entered: 11/06/2021)
11/06/2021	35	NOTICE of United States' Memorandum Regarding Status of Discovery as of November 5, 2021 by USA as to JACKSON KOSTOLSKY (Furst, Mona) (Entered: 11/06/2021)

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