

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00398-BAH-1**

Case title: USA v. MCGREW

Date Filed: 06/11/2021

Magistrate judge case number: 1:21-mj-00452-GMH

Assigned to: Chief Judge Beryl A. Howell

**Defendant (1)**

**JAMES BURTON MCGREW**

represented by **John M. Pierce**  
PIERCE BAINBRIDGE P.C.  
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**LEAD ATTORNEY**  
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*Designation: Retained*

**Pending Counts**

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1)

18:231(a)(3); CIVIL DISORDER; Civil Disorder  
(1s)

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

18:1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR  
INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting  
(2s)

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers  
(3)

18:111(a)(1); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers  
(3s)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers  
Using a Dangerous Weapon  
(4)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING  
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers  
Using a Dangerous Weapon  
(4s)

18:1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Entering and Remaining in a Restricted Building or Grounds with a Deadly or  
Dangerous Weapon  
(5)

18:1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Entering and Remaining in a Restricted Building or Grounds with a Deadly or  
Dangerous Weapon  
(5s)

18:1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a  
Deadly or Dangerous Weapon  
(6)

18:1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a  
Deadly or Dangerous Weapon  
(6s)

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly  
or Dangerous Weapon  
(7)

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT;  
Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly  
or Dangerous Weapon  
(7s)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building  
(8)

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON

**Disposition**

CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building  
(8s)  
40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or  
Buildings  
(9)  
40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Acts of Physical Violence in the Capitol Grounds or  
Buildings  
(9s)  
40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol  
Building  
(10)  
40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol  
Building  
(10s)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

COMPLAINT in VIOLATION of 18 U.S.C. § 111(a); 18 U.S.C. § 231(a)(3); 18  
U.S.C. §§ 1512(c)(2), 2; 18 U.S.C. § 1752(a)(1); 18 U.S.C. § 1752(a)(2); 18 U.S.C.  
§ 1752(a)(4); 40 U.S.C. § 5104(e)(2)(D); 40 U.S.C. § 5104(e)(2)(F); 40 U.S.C. §  
5104(e)(2)(G)

**Disposition**

**Disposition**

**Plaintiff**

USA

represented by **Lucy Sun**  
DOJ-USAO  
595 Main Street  
Worcester, MA 01608  
508-368-0103  
Email: lucy.sun@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Docket Text
05/27/2021	<a href="#">3</a>	MOTION to Seal Case by USA as to JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zltp) [1:21-mj-00452-GMH] (Entered: 05/28/2021)
05/27/2021	<a href="#">4</a>	ORDER granting <a href="#">3</a> Motion to Seal Case as to JAMES BURTON MCGREW (1). Signed by Magistrate Judge G. Michael Harvey on 5/27/2021. (zltp) [1:21-mj-00452-GMH] (Entered: 05/28/2021)
05/28/2021	<a href="#">1</a>	SEALED COMPLAINT as to JAMES BURTON MCGREW (1). (Attachments: # <a href="#">1</a> Statement of Facts) (zltp) [1:21-mj-00452-GMH] (Entered: 05/28/2021)
05/30/2021	<a href="#">5</a>	Arrest Warrant Returned Executed on 5/30/2021 in Glendale, AZ as to JAMES BURTON MCGREW. (bb) [1:21-mj-00452-GMH] (Entered: 06/01/2021)
05/30/2021		Case unsealed as to JAMES BURTON MCGREW (bb) [1:21-mj-00452-GMH] (Entered: 06/01/2021)
05/30/2021		Arrest of JAMES BURTON MCGREW in Arizona. (ztnr) [1:21-mj-00452-GMH] (Entered: 06/02/2021)
06/09/2021	<a href="#">6</a>	ORDER as to JAMES BURTON MCGREW. Signed by Magistrate Judge Zia M. Faruqui on 6/8/2021. (ztl) [1:21-mj-00452-GMH] (Entered: 06/09/2021)
06/11/2021	<a href="#">7</a>	INDICTMENT as to JAMES BURTON MCGREW (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. (bb) (Entered: 06/15/2021)
06/16/2021	<a href="#">9</a>	NOTICE OF ATTORNEY APPEARANCE: John M. Pierce appearing for JAMES BURTON MCGREW (Pierce, John) (Entered: 06/16/2021)
06/18/2021	<a href="#">10</a>	STANDING ORDER as to JAMES BURTON MCGREW. Signed by Chief Judge Beryl A. Howell on June 18, 2021. (lcbah3) (Entered: 06/18/2021)
06/22/2021	<a href="#">11</a>	Unopposed MOTION to Exclude <i>Time Under the Speedy Trial Act</i> by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 06/22/2021)
06/24/2021		MINUTE ORDER granting <a href="#">11</a> Assented-to Motion For Exclusion of Time Under the Speedy Trial Act as to JAMES BURTON MCGREW. Upon consideration of the unopposed motion, it is hereby ORDERED that the time between the grand jury indictment of June 15, 2021, and the date of arraignment of the Defendant on June 24, 2021, shall be excluded under the Speedy Trial Act finding that the ends of justice served by excluding the period of this continuance outweigh the best interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. 3161(h)(7)(A). Signed by Chief Judge Beryl A. Howell on 6/24/2021. (ztg) (Entered: 06/24/2021)
06/24/2021		Set/Reset Hearings as to JAMES BURTON MCGREW: Status Conference scheduled for 6/25/2021, at 9:30 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) (Entered: 06/24/2021)
06/24/2021	<a href="#">13</a>	Unopposed MOTION for Protective Order by USA as to JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Sun, Lucy) (Entered: 06/24/2021)
06/24/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 6/24/2021 until 6/25/2021 as to Defendant JAMES BURTON MCGREW. (kk) (Entered: 06/24/2021)
06/24/2021		MINUTE ORDER granting <a href="#">13</a> Motion for Protective Order as to JAMES BURTON MCGREW (1). Signed by Chief Judge Beryl A. Howell on 6/24/2021. (ztg) (Entered: 06/24/2021)
06/24/2021	<a href="#">14</a>	PROTECTIVE ORDER as to JAMES BURTON MCGREW. Signed by Chief Judge Beryl A. Howell on June 24, 2021. (lcbah3) (Entered: 06/24/2021)
06/24/2021		Minute Entry for Initial Appearance as to JAMES BURTON MCGREW held by video before Magistrate Judge Zia M. Faruqui on 6/24/2021 : Case also called for an arraignment, but not held. The defendant consents to appearing by video. The Court advised the Government of its due process obligations under Rule 5(f). Status Hearing set before Chief Judge Beryl A. Howell on 6/25/2021 at 9:30 AM by telephonic/VTC. The defendant was previously ordered detained pending trial. Defense counsel stated that he has not had time to review the indictment with his client. Arraignment reset for 6/30/2021 at 11:30 AM before Magistrate Judge Zia M. Faruqui by telephonic/VTC. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 6/24/2021 until 6/25/2021, with no objection by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant remains committed. Court Reporter: FTR Gold - Ctrm. 6; FTR Time Frame: 12:13:28 - 12:25:42. Defense Attorney: John Pierce; U.S. Attorney: Jacob Steiner for Lucy Sun; Pretrial Officer: Shay Holman. (kk) (Entered: 06/25/2021)
06/25/2021	<a href="#">15</a>	Unopposed MOTION to Continue <i>For 60-Days Following the Defendant's Arraignment/Status Conference</i> by USA as to JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Sun, Lucy) (Entered: 06/25/2021)
06/25/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment held via videoconference on 6/25/2021 as to JAMES BURTON MCGREW on Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 of the Indictment filed on 6/11/2021; plea of not guilty to all counts of the Indictment entered by Defendant JAMES BURTON MCGREW. A Status Conference is scheduled for 8/19/2021, at 10:45 AM before Chief Judge Beryl A. Howell. Government's <a href="#">15</a> Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act, granted. Time under the



		Speedy Trial Act excluded by the Court from 6/25/2021 through 8/19/2021, in the interests of justice in order to give the government time to produce discovery and the Defendant time to review and discuss the discovery with his counsel. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorney: John M. Pierce; US Attorney: Lucy Sun; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 06/25/2021)
06/25/2021	18	MOTION to Exclude Speedy Trial Time by USA as to JAMES BURTON MCGREW. (See Docket Entry <a href="#">15</a> to view document). (znmw) (Entered: 07/26/2021)
07/01/2021	<a href="#">16</a>	Unopposed MOTION for Disclosure of <i>6(e) and Sealed Materials</i> by USA as to JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Sun, Lucy) (Entered: 07/01/2021)
07/02/2021	<a href="#">17</a>	NOTICE of Preliminary Discovery by USA as to JAMES BURTON MCGREW (Attachments: # <a href="#">1</a> Preliminary Discovery Letter)(Sun, Lucy) (Entered: 07/02/2021)
07/02/2021		MINUTE ORDER (paperless) as to JAMES BURTON MCGREW GRANTING the government's <a href="#">16</a> Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), to provide to defendant, and any co-defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on July 2, 2021. (lcbah3) (Entered: 07/02/2021)
08/06/2021	<a href="#">19</a>	Unopposed MOTION to Continue Status Conference 2 Business Days by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 08/06/2021)
08/06/2021		MINUTE ORDER denying <a href="#">19</a> Motion to Continue Status Conference as to JAMES BURTON MCGREW. Upon consideration of the Defendant's motion, it is hereby ORDERED that the Status Conference originally scheduled for August 19, 2021, shall be RESCHEDULED for August 13, 2021, at 1:00 PM via videoconference before Chief Judge Beryl A. Howell. Signed by Chief Judge Beryl A. Howell on 8/6/2021. (ztg) (Entered: 08/06/2021)
08/13/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to JAMES BURTON MCGREW held via videoconference on 8/13/2021. The Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 10/15/2021, at 2:00 PM before Chief Judge Beryl A. Howell. The Court excluded time under the Speedy Trial Act from 8/13/2021 through 10/15/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the parties to complete discussions about a potential disposition short of trial and allow the defense to file any appropriate motions. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorney: John M. Pierce; US Attorney: M. First for Lucy Sun. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 08/13/2021)
08/30/2021	<a href="#">20</a>	NOTICE REGARDING DEFENSE COUNSEL JOHN PIERCE, ESQ. by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 08/30/2021)
09/03/2021		MINUTE ORDER (paperless) as to JAMES BURTON MCGREW, REFERRING, in light of the government's <a href="#">20</a> Notice Regarding Defense Counsel John Pierce, Esq., this matter to the criminal duty magistrate judge for temporary appointment of counsel to consult with defendant on ascertainment of and possible appointment of new counsel. Signed by Chief Judge Beryl A. Howell on September 3, 2021. (lcbah3) (Entered: 09/03/2021)
09/08/2021	<a href="#">21</a>	NOTICE Regarding Defense Counsel John Pierce, Esq. by JAMES BURTON MCGREW re <a href="#">20</a> Notice (Other) (Pierce, John) (Entered: 09/08/2021)
09/08/2021		MINUTE ORDER (paperless) VACATING, in light of defendant's <a href="#">21</a> Notice Regarding Defense Counsel John Pierce, Esq., the Court's September 3, 2021 minute order referring this matter to the criminal duty magistrate judge. Signed by Chief Judge Beryl A. Howell on September 8, 2021. (lcbah3) (Entered: 09/08/2021)
10/15/2021	<a href="#">22</a>	NOTICE Regarding Status of General Discovery by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 10/15/2021)
10/15/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to JAMES BURTON MCGREW held via videoconference on 10/15/2021; the Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 12/17/2021, at 9:30 AM before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today through the next hearing date of 12/17/2021. The Court found that time under the Speedy Trial Act shall be excluded from 10/15/2021 through 12/17/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the government to produce further discovery, for the Defendant to review the discovery with counsel, and for all parties to further discuss a potential resolution of this matter. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorney: John M. Pierce; US Attorney: Lucy Sun. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 10/15/2021)
10/21/2021	<a href="#">23</a>	MOTION for Reconsideration by JAMES BURTON MCGREW. (Pierce, John) Modified event title on 10/25/2021 (znmw). (Entered: 10/21/2021)
10/22/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, ISSUING the following SCHEDULING ORDER for briefing of defendant's <a href="#">23</a> Motion for Reconsideration of Detention Order: (1) by 5 PM on October 25, 2021, the government shall file its opposition to the motion; and (2) by 5 PM on October 26, 2021, defendant shall file any reply in support of his motion. Signed by Chief Judge Beryl A. Howell on October 22, 2021. (lcbah3) (Entered: 10/22/2021)
10/25/2021		NOTICE OF HEARING ON MOTION in case as to JAMES BURTON MCGREW re <a href="#">23</a> MOTION for Reconsideration of Detention Order. The parties shall take notice that a Motion Hearing is scheduled for 10/28/2021, at 2:00 PM via videoconference before Chief Judge Beryl A. Howell. A videoconference link will be provided by the deputy clerk. (ztg) (Entered: 10/25/2021)
10/25/2021	<a href="#">24</a>	Memorandum in Opposition by USA as to JAMES BURTON MCGREW re <a href="#">23</a> MOTION for Bond (Attachments: # <a href="#">1</a> Exhibit A)(Sun, Lucy) (Entered: 10/25/2021)
10/25/2021	<a href="#">25</a>	MOTION for Leave to Appear Pro Hac Vice William L. Shipley Filing fee \$ 100, receipt number ADCDC-8822229. Fee Status: Fee Paid. by JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> Affidavit of William L. Shipley, # <a href="#">2</a> [Proposed] Order)(Pierce, John) (Entered: 10/25/2021)
10/25/2021		Set/Reset Hearings as to JAMES BURTON MCGREW: Motion Hearing RESCHEDULED for 10/28/2021, at 3:15 PM via videoconference before Chief Judge Beryl A. Howell. A videoconference link will be provided by the deputy clerk. (ztg) (Entered: 10/25/2021)
10/25/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, DIRECTING the government, by 5 PM on October 26, 2021, to submit to the Court a report on the length and source(s) of the video evidence described in the government's <a href="#">24</a> Opposition to Defendant's Motion for Reconsideration of Detention Order ("Gov't's Opp'n"), and make such video evidence available for the Court's review; and FURTHER DIRECTING the parties to provide their positions, by 5 PM on October 26, 2021, on whether this video evidence may be made publicly available without restriction. The video evidence should include: (1) the video defendant asserts shows him "picking up a police baton off the floor" and "handing it back to the Officer," <a href="#">23</a> Def.'s Mot. Recons Detention Order ("Def.'s Mot.") at 7; see also Gov't's Opp'n at 8 n.4; (2) "the video of the defendant at the Lower West Terrace," Gov't's Opp'n at 11 n.7; see also Def.'s Mot. at 13-15; and (3) "[t]he 40-minute CCTV video of the Upper West Terrace [sic] entrance released by order of Judge Kelly on October 18," Def.'s Mot. at 6; see also Gov't's Opp'n at 6. Signed by Chief Judge Beryl A. Howell on October 25, 2021. (lcbah3) (Entered: 10/25/2021)
10/25/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, DENYING without prejudice defendant's <a href="#">25</a> Motion for Admission Pro Hac Vice of William L. Shipley because the enclosed [25-1] Declaration of William L. Shipley in Support for Admission to Practice Pro Hac Vice does not comply with LCR 44.1(d). In particular, the declaration (a) lacks the attorney's office telephone number and (b) includes an incorrect declarant name in the body text. Signed by Chief Judge Beryl A. Howell on October 25, 2021. (lcbah3) (Entered: 10/25/2021)
10/25/2021	<a href="#">26</a>	Amended MOTION for Leave to Appear Pro Hac Vice William L. Shipley Fee Status: No Fee Paid. by JAMES BURTON MCGREW. (Attachments: # <a href="#">1</a> [Corrected] Affidavit of William L. Shipley, # <a href="#">2</a> [Proposed] Order)(Pierce, John) (Entered: 10/25/2021)
10/25/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING defendant's <a href="#">26</a> Motion for Admission Pro Hac Vice of William L. Shipley. Mr. Shipley may enter an appearance pro hac vice for the purpose of representing defendant in this action. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCR 44.5(a). Click for Instructions Signed by Chief Judge Beryl A. Howell on October 25, 2021. (lcbah3) (Entered: 10/25/2021)
10/26/2021	<a href="#">27</a>	Unopposed MOTION for Leave to File the Defendant's Medical Records Under Seal by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 10/26/2021)
10/26/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING the government's <a href="#">27</a> Assented-to Motion to Seal Medical Records. Signed by Chief Judge Beryl A. Howell on October 26, 2021. (lcbah3) (Entered: 10/26/2021)
10/26/2021	<a href="#">28</a>	NOTICE of the Government's Response to the Court's October 25, 2021 Order by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 10/26/2021)
10/26/2021	<a href="#">29</a>	REPLY TO OPPOSITION to Motion by JAMES BURTON MCGREW re <a href="#">23</a> MOTION for Bond (Attachments: # <a href="#">1</a> Exhibit)(Pierce, John) (Entered: 10/26/2021)
10/26/2021	<a href="#">30</a>	MOTION for Disclosure by JAMES BURTON MCGREW. (Pierce, John) (Entered: 10/26/2021)
10/26/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING, in light of the government's lack of objection as noted in its <a href="#">28</a> Response to the Court's October 25, 2021 Order, <a href="#">30</a> Defendant's Petition for Release of Video Evidence to Public; and DIRECTING the government promptly to make the video exhibits identified in its <a href="#">28</a> Response publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. Signed by Chief Judge Beryl A. Howell on October 26, 2021. (lcbah3) (Entered: 10/26/2021)
10/27/2021	<a href="#">31</a>	RESPONSE TO ORDER OF THE COURT Regarding Status of General Discovery by USA as to JAMES BURTON MCGREW (Sun, Lucy) Modified event title on 10/29/2021 (znmw). (Entered: 10/27/2021)
10/28/2021	<a href="#">33</a>	NOTICE OF ATTORNEY APPEARANCE: William Lee Shipley, Jr appearing for JAMES BURTON MCGREW (Shipley, William) (Entered: 10/28/2021)
10/28/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, ISSUING the following SCHEDULING ORDER for supplemental briefing related to video evidence pertinent to defendant's <a href="#">23</a> Motion for Reconsideration of Detention Order: (1) by end of day TODAY, October 28, 2021, the government shall submit a revised version of its <a href="#">28</a> Response to the Court's October 25, 2021 Order, listing all videos cited, described, mentioned, screenshotted from, or otherwise relied upon in its <a href="#">24</a> Opposition to the Defendants Motion for Reconsideration of the Detention Order, and furnish all such videos to the Court; (2) by Saturday, October 30, 2021, defendant shall submit any desired supplemental explanations related to its motion. Signed by Chief Judge Beryl A. Howell on October 28, 2021. (lcbah3) (Entered: 10/28/2021)



		to video evidence, and turnin to the Court any cited video not included in the government's revised index or videos; and (3) by 12 noon on Monday, November 1, 2021, the government shall submit any reply to defendant's explanations. Signed by Chief Judge Beryl A. Howell on October 28, 2021. (lcbah3) (Entered: 10/28/2021)
10/28/2021		Minute Entry for proceedings held before Judge Beryl A. Howell: Motion Hearing as to JAMES BURTON MCGREW held via videoconference on 10/28/2021; the Defendant agreed to participate via videoconference after consultation with counsel. Motion Hearing continued to 11/2/2021, at 11:00 AM before Chief Judge Beryl A. Howell. Bond Status of Defendant: Defendant committed. Present: Defense Attorney: John Pierce and William Shipley; US Attorney: Lucy Sun; Pretrial Officer: Shay Holman. Court Reporter: Elizabeth Saint-Loth. (ztg) Modified on 11/1/2021 (ztg). (Entered: 10/28/2021)
10/28/2021	<a href="#">34</a>	NOTICE of the Government's Response to the Court's Order by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 10/28/2021)
10/29/2021	<a href="#">35</a>	NOTICE of the Government's Supplemental Response <a href="#">34</a> Notice of Government's Response to the Court's Order by USA as to JAMES BURTON MCGREW (Sun, Lucy) Modified link and text on 11/2/2021 (bb). (Entered: 10/29/2021)
10/29/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, DIRECTING defendant to include in his filing of supplemental explanations of video evidence due by Saturday, October 30, 2021, <i>see</i> Min. Order (Oct. 28, 2021), his position on public release of the new videos (Nos. 8 through 14) described in the government's <a href="#">34</a> Response to the Court's Orders and <a href="#">35</a> Supplemental Response to the Court's Orders, as well as his position on public release of any additional videos defendant submits to the Court. Signed by Chief Judge Beryl A. Howell on October 29, 2021. (lcbah3) (Entered: 10/29/2021)
10/29/2021	<a href="#">38</a>	SUPERSEDING INDICTMENT as to JAMES BURTON MCGREW (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s. (bb) (Entered: 11/01/2021)
10/30/2021	<a href="#">36</a>	SUPPLEMENT to <a href="#">29</a> Reply in Support re <a href="#">23</a> Motion to Revoke Detention Order by JAMES BURTON MCGREW (Pierce, John) Modified text and link on 11/2/2021 (bb). (Entered: 10/30/2021)
11/01/2021	<a href="#">37</a>	REPLY to <a href="#">36</a> Supplement to Defendant's Reply in Support re <a href="#">23</a> Motion for Reconsideration by USA as to JAMES BURTON MCGREW (Sun, Lucy) Modified link and text on 11/2/2021 (bb). (Entered: 11/01/2021)
11/01/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, DIRECTING the government, in light of (1) the government's lack of objection as noted in its <a href="#">37</a> Response to the Defendant's Reply and its <a href="#">35</a> Supplemental Response to the Court's Orders; and (2) defendant not having indicated any objection to video release following the Court's request for defendant's position, <i>see</i> Min. Order (Oct. 29, 2021), promptly to make the video exhibits identified in its <a href="#">34</a> Response to the Court's Orders, <a href="#">35</a> Supplemental Response, and <a href="#">37</a> Response (collectively, Videos 1 through 17) publicly available without restrictions by providing access using the "drop box" technical solution described in Standing Order 21-28, In re: Media Access to Video Exhibits in Pretrial Capitol Cases. Signed by Chief Judge Beryl A. Howell on November 1, 2021. (lcbah3) (Entered: 11/01/2021)
11/02/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment and Motion Hearing as to JAMES BURTON MCGREW held via videoconference on 11/2/2021; the Defendant agreed to participate via videoconference after consultation with counsel. Defendant arraigned on Count: 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s of the Superseding Indictment filed on 10/29/2021; reading of the Superseding Indictment waived; plea of not guilty as to all counts of the Superseding Indictment entered by Defendant JAMES BURTON MCGREW; Defendant's <a href="#">23</a> Motion for Reconsideration of Detention Order, heard and DENIED; the Defendant will be held without bond pending trial. The Status Hearing currently scheduled for 12/7/2021, at 9:30 AM will proceed as scheduled. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorneys: John M. Pierce and William L. Shipley; US Attorney: Lucy Sun; Pretrial Officer: Andre Sidbury (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 11/02/2021)
11/02/2021	<a href="#">40</a>	ORDER OF DETENTION PENDING TRIAL as to JAMES BURTON MCGREW. Signed by Chief Judge Beryl A. Howell on November 2, 2021. (lcbah3) (Entered: 11/02/2021)
11/09/2021	<a href="#">41</a>	NOTICE of the Government's Prior Discovery Updates by USA as to JAMES BURTON MCGREW (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit)(Sun, Lucy) (Entered: 11/09/2021)
11/09/2021	<a href="#">42</a>	NOTICE of the Government's Discovery Update by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 11/09/2021)
11/17/2021	<a href="#">44</a>	Unopposed MOTION for Disclosure of Medical Records by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 11/17/2021)
11/17/2021	<a href="#">48</a>	MOTION for Leave to Appear by Telephone by JAMES BURTON MCGREW. (Pierce, John) (Entered: 11/17/2021)
11/18/2021	<a href="#">49</a>	Unopposed MOTION to Continue Motion Hearing Presently Set for November 22, 2021 by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 11/18/2021)
11/18/2021		Notice of Rescheduled Hearing as to JAMES BURTON MCGREW. The parties shall take notice that the Motion Hearing currently scheduled for November 22, 2021, is RESCHEDULED for November 23, 2021, at 11:15 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) Modified on 11/19/2021 (ztg). (Entered: 11/18/2021)
11/18/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING the government's <a href="#">49</a> Motion to Continue Hearing; DIRECTING the parties to appear by video on November 23, 2021, at 11:15 AM; DENYING AS MOOT the <a href="#">48</a> Defendant's Motion to Allow the Undersigned Attorney to Participate Via Zoom; and FURTHER DIRECTING the government to file a notice with the Court by end of day TODAY, November 18, 2021, indicating whether or not the <a href="#">44</a> Government's Unopposed Motion for Release of Medical Records is moot, in light of the government's representation that it "will be providing to the Court the defendant's medical records as to his treatment while at the D.C. Department of Corrections as part of its filing tomorrow," <a href="#">49</a> Mot. Continue Hr'g. Signed by Chief Judge Beryl A. Howell on November 18, 2021. (lcbah3) (Entered: 11/18/2021)
11/18/2021	<a href="#">50</a>	NOTICE of the Government's Response to the Court's November 18, 2021 Order by USA as to JAMES BURTON MCGREW (Sun, Lucy) (Entered: 11/18/2021)
11/19/2021		MINUTE ORDER (paperless) DENYING AS MOOT, in light of the government's <a href="#">50</a> Response to the Court's November 18, 2021 Order, the <a href="#">44</a> Government's Unopposed Motion for Release of Medical Records. Signed by Chief Judge Beryl A. Howell on November 19, 2021. (lcbah3) (Entered: 11/19/2021)
11/19/2021		Set/Reset Hearings as to JAMES BURTON MCGREW: Motion Hearing set for 11/23/2021, at 11:15 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) (Entered: 11/19/2021)
11/19/2021	<a href="#">51</a>	Unopposed MOTION for Leave to File Government's Response and Exhibit A Under Seal by USA as to JAMES BURTON MCGREW. (Sun, Lucy) (Entered: 11/19/2021)
11/19/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING the government's <a href="#">51</a> Unopposed Motion to Seal Government's Response and Exhibit A. Signed by Chief Judge Beryl A. Howell on November 19, 2021. (lcbah3) (Entered: 11/19/2021)
11/23/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to JAMES BURTON MCGREW held via videoconference on 11/23/2021; the Defendant agreed to participate via videoconference after consultation with counsel. Defendant's Sealed Motion for Medical Treatment, heard and granted. Parties' directed to report by 12/7/2021, regarding the Defendant's attendance to his scheduled medical appointment; the parties were further directed to update the Court on the Defendant's medical treatment at the scheduled Status Hearing on December 17, 2021. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorneys: John M. Pierce and William L. Shipley; US Attorney: Lucy Sun; Dr. Eleni O'Donovan, Director of Correctional Medicine at D.C. Jail; Eric Glover, General Counsel of the DC Department of Corrections; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 11/23/2021)
11/23/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, GRANTING IN PART AND DENYING IN PART AS MOOT the requests contained in defendant's <a href="#">45</a> Update on Medical Status and Petition for Medical Treatment; DIRECTING the U.S. Marshals Service to expedite the approval of the specialist appointment identified in open court; DIRECTING the parties to file a joint status report, by December 7, 2021, advising the Court as to whether the specialist appointment sought by defendant has taken place and providing any other relevant updates; and AUTHORIZING the D.C. Department of Corrections to release information pertaining to this appointment to government or defense counsel upon request. Counsel for defendant indicates that this action fulfills the purpose of the <a href="#">45</a> Petition. Finally, because medical records have been furnished to both parties as of November 17, 2021, the records request in the <a href="#">45</a> Petition is moot. Signed by Chief Judge Beryl A. Howell on November 23, 2021. (lcbah3) (Entered: 11/23/2021)
12/01/2021		MINUTE ORDER (paperless), as to JAMES BURTON MCGREW, DIRECTING defendant to file, by December 3, 2021, an explanation of the statement made by attorney William L. Shipley in the [26-1] Corrected Declaration of William L. Shipley in Support for Admission to Practice <i>Pro Hac Vice</i> that he is "a member in good standing of all the jurisdictions in which [he is] admitted to practice." Specifically, it has come to the attention of the Court that according to the public records of the State Bar of California (available at <a href="https://apps.calbar.ca.gov/attorney/Licensee/Detail/138051">https://apps.calbar.ca.gov/attorney/Licensee/Detail/138051</a> ), an individual appearing to be Mr. Shipley was admitted to that Bar in 1988 but is presently not eligible to practice law in that jurisdiction. Under Local Criminal Rule 44.1(d), an applicant for admission <i>pro hac vice</i> must make a declaration setting forth, among other things, "a list of all bars to which the attorney has been admitted." Accordingly, the Court requests an explanation of how the statement in Mr. Shipley's [26-1] Declaration can be reconciled with his apparent 1988 admission in California and subsequent ineligibility to practice. Signed by Chief Judge Beryl A. Howell on December 1, 2021. (lcbah3) (Entered: 12/01/2021)
12/01/2021	<a href="#">54</a>	RESPONSE by JAMES BURTON MCGREW re Order,,,, (Shipley, William) (Entered: 12/01/2021)

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