

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00181-CKK-1

Case title: USA v. CALDWELL

Date Filed: 03/03/2021

Magistrate judge case number: 1:21-mj-00207-ZMF

Assigned to: Judge Colleen Kollar-Kotelly

Defendant (1)

DANIEL RAY CALDWELL

represented by **John Hunter Smith**
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Pending Counts

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

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

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
Using a Dangerous Weapon.
(2)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
Using a Dangerous Weapon.
(2s)

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.
(3)

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.
(3s)

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.
(4)

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.
(4s)

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.
(5)

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.
(5s)

40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a
Capitol Building.
(6)

Disposition

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building. (6s)

40:5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Violence in the Capitol Grounds or Buildings. (7)

40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or Buildings. (7s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:231(a)(3), 18:111(a)(1), 18:1752(a)(1), (2), (4) and 40:5104(e)(2)(D), (F)

Disposition

Plaintiff

USA

represented by **James Dennis Peterson**

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Date Filed	#	Docket Text
02/08/2021	1	SEALED COMPLAINT as to DANIEL RAY CALDWELL (1). (Attachments: # 1 Statement of Facts) (zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/08/2021	3	MOTION to Seal Case by USA as to DANIEL RAY CALDWELL. (Attachments: # 1 Text of Proposed Order)(zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/08/2021	4	ORDER granting 3 Motion to Seal Case as to DANIEL RAY CALDWELL (1). Signed by Magistrate Judge Zia M. Faruqui on 02/08/2021. (zstd) [1:21-mj-00207-ZMF] (Entered: 02/08/2021)
02/10/2021		Case unsealed as to DANIEL RAY CALDWELL (bb) [1:21-mj-00207-ZMF] (Entered: 02/26/2021)
02/10/2021		Arrest of DANIEL RAY CALDWELL in US District Court for the Eastern District of Texas Sherman Division. (bb) (Entered: 03/31/2021)
03/03/2021	5	INDICTMENT as to DANIEL RAY CALDWELL (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zhsj) (Entered: 03/04/2021)
03/09/2021	8	Rule 5(c)(3) Documents Received as to DANIEL RAY CALDWELL from US District Court for the Eastern District of Texas Sherman Division Case Number 4:21-mj-107-KPJ (bb) (Entered: 03/31/2021)
03/26/2021	7	MOTION for Leave to Appear Pro Hac Vice John Hunter Smith Filing fee \$ 100, receipt number ADCDC-8331608. Fee Status: Fee Paid. by DANIEL RAY CALDWELL. (Attachments: # 1 Declaration Declaration of Attorney John Smith, # 2 Text of Proposed Order)(McLain, Patrick) (Entered: 03/26/2021)
03/29/2021		RESOLVED...NOTICE of Provisional Government Not Certified Status re 7 MOTION for Leave to Appear Pro Hac Vice John Hunter Smith Filing fee \$ 100, receipt number ADCDC-8331608. Fee Status: Fee Paid. by DANIEL RAY CALDWELL. (Attachments: # 1 Declaration Declaration of Attorney John Smith, # 2 Text of Proposed Order)(McLain, Patrick). Your attorney renewal government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information . Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 4/5/2021. (znmw) Modified on 5/13/2021 (znmw). (Entered: 03/29/2021)
03/29/2021		MINUTE ORDER as to DANIEL RAY CALDWELL (1). On March 26, 2021 the Court was advised that DANIEL RAY CALDWELL (1) had been transported to the District of Columbia and remains in custody. As DANIEL RAY CALDWELL (1) has been formally charged, the Court notes that there are no matters necessitating action by a Magistrate Judge at this time. The parties are directed to contact the chambers of the assigned District Judge to schedule a hearing or address any other matters. Signed by Magistrate Judge Zia M. Faruqui on 3/29/2021. (zpt) (Entered: 03/30/2021)
03/31/2021		MINUTE ORDER as to DANIEL RAY CALDWELL. A status hearing in this matter is scheduled for APRIL 7, 2021 at 3:45PM to take place by Zoom videoconference. Instructions for accessing Zoom shall be sent to counsel in advance of the hearing. Signed by Judge Colleen Kollar-Kotelly on 3/31/21. (lcckk3) (Entered: 03/31/2021)
04/05/2021	9	NOTICE OF ATTORNEY APPEARANCE James Dennis Peterson appearing for USA. (zhsj) (Entered: 04/05/2021)
04/06/2021	10	ORDER pursuant to the Due Process Protections Act and Local Rule of Criminal Procedure 5.1 confirming the disclosure obligation of the government under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and the possible consequences of violating such order under applicable law. Signed by Judge Colleen Kollar-Kotelly on 4/6/21. (lcckk3) (Entered: 04/06/2021)
04/06/2021		MINUTE ORDER granting 7 Motion for Admission of Attorney Pro Hac Vice with respect to John Hunter Smith, in order for him to appear as co-counsel for Defendant, CONTINGENT on said attorney filing a declaration certifying familiarity with this Court's Local Rules in advance of the status hearing scheduled for APRIL 7, 2021 at 3:45PM. Counsel should also register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions. Signed by Judge Colleen Kollar-Kotelly on 4/6/21. (lcckk3) (Entered: 04/06/2021)
04/06/2021	11	ENTERED IN ERROR.....Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) Modified on 4/12/2021 (znmw). (Entered: 04/06/2021)
04/06/2021	12	Unopposed MOTION for Protective Order by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) (Entered: 04/06/2021)

04/06/2021	13	MEMORANDUM in Support of Pretrial Detention by USA as to DANIEL RAY CALDWELL (Bhatia, Puja) (Entered: 04/06/2021)
04/06/2021	15	UNOPPOSED MOTION to Continue and to Exclude Time Under the Speedy Trial Act by USA as to DANIEL RAY CALDWELL. (zhsj) (Entered: 04/07/2021)
04/07/2021	14	PROTECTIVE ORDER as to DANIEL RAY CALDWELL (1). Signed by Judge Colleen Kollar-Kotelly on 4/7/21. (lcckk3) (Entered: 04/07/2021)
04/07/2021		<p>MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on April 7, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. Defendant was arraigned on the charges in the 5 Indictment. Defendant confirmed that he had received a copy of the Indictment. Defendant was read the seven counts contained in the Indictment and entered a plea of "not guilty" as to all counts. During the status hearing, the Court discussed discovery and advised the government of its continuing Brady obligations in this case. <i>See</i> ECF No. 10. To allow the parties additional time to proceed with discovery, the Court has scheduled another status hearing for JUNE 2, 2021 at 11:00 AM.</p> <p>Counsel for Defendant indicated that Defendant may seek review of the Order of Detention Pending Trial, <i>see</i> ECF No. 8. Defendant shall file a notice by no later than APRIL 14, 2021 indicating whether he shall file a motion seeking review of the detention order and proposing a schedule for doing so.</p> <p>During the April 7, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. The time period through March 15, 2021 was excluded under the Speedy Trial Act pursuant to Standing Order No. 20-93, In re: Sixth Extension of Postponed Jury Trials Due to Ongoing Exigent Circumstances Caused by COVID-19 Pandemic. In addition, Defendant consented to exclude the time between his arrest on February 10, 2021, <i>see</i> Feb. 10, 2021 Minute Entry, and the Status Hearing on April 7, 2021, as well as the time between the April 7, 2021 Status Hearing and the next Status Hearing on June 2, 2021. As stated during the April 7, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between the date of Defendant's arrest on February 10, 2021 and the date of the April 7, 2021, as well as the time between the April 7, 2021 status hearing and the date of the next status hearing on June 2, 2021 serves the "ends of justice" as it will allow Defendant to receive and review discovery with his counsel. 18 U.S.C. § 3161(h)(7)(A). Taking into account this continuance, the Court has calculated that Defendant's 70-day deadline is August 11, 2021 and Defendant's 90-day deadline is August 31, 2021. Signed by Judge Colleen Kollar-Kotelly on 4/7/2021. (lcckk3) (Entered: 04/07/2021)</p>
04/07/2021		Minute Entry for proceedings held via videoconference before Judge Colleen Kollar-Kotelly: Arraignment/Status as to DANIEL RAY CALDWELL (1) on Counts 1,2,3,4,5,6,7 held on 4/7/2021. Plea of Not Guilty entered as to Counts 1,2,3,4,5,6,7. Speedy Trial (XT) is tolled in the Interest of Justice from 2/10/2021 to 6/2/2021. Status Conference set for 6/2/2021 at 11:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Lisa Edwards; Defense Attorney: John H. Smith; US Attorney: James D. Peterson. (dot) (Entered: 04/07/2021)
04/12/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to DANIEL RAY CALDWELL re 11 Unopposed MOTION to Continue and Exclude Time Under the Speedy Trial Act was entered in error and was refiled by the Clerk's Office as Docket Entry 15 . (znmw) (Entered: 04/12/2021)
04/14/2021	16	NOTICE OF ATTORNEY APPEARANCE: John Hunter Smith appearing for DANIEL RAY CALDWELL (Smith, John) (Entered: 04/14/2021)
04/14/2021	17	NOTICE To Seek Review Of Detention Order by DANIEL RAY CALDWELL (Attachments: # 1 Text of Proposed Order)(Smith, John) (Entered: 04/14/2021)
04/15/2021		MINUTE ORDER. The Court is in receipt of Defendant's 17 Notice to Seek Review of Detention Order. The Court ORDERS Defendant to file his motion for review of the detention order by APRIL 26, 2021, the Government to file a response by MAY 3, 2021 and Defendant to file a reply by MAY 7, 2021. Signed by Judge Colleen Kollar-Kotelly on 4/15/21. (lcckk3) (Entered: 04/15/2021)
04/15/2021		Set/Reset Deadlines as to DANIEL RAY CALDWELL: Defendant's Motion due by 4/26/2021. Government's Response due by 5/3/2021. Defendant's Reply due by 5/7/2021. (dot) (Entered: 04/15/2021)
04/17/2021	18	NOTICE OF DISCOVERY by USA as to DANIEL RAY CALDWELL (Bhatia, Puja) (Entered: 04/17/2021)
04/22/2021	19	MOTION for Disclosure OF GRAND JURY MATERIALS by USA as to DANIEL RAY CALDWELL. (Bhatia, Puja) (Entered: 04/22/2021)
04/26/2021	20	ORDER granting 19 Motion for Disclosure as to DANIEL RAY CALDWELL (1). Signed by Judge Colleen Kollar-Kotelly on 4/26/21. (lcckk3) (Entered: 04/26/2021)
04/26/2021	21	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by DANIEL RAY CALDWELL re 8 Rule 5 Documents Received (Attachments: # 1 Exhibit 2-22-2021 Det. Hrg. Transcript, # 2 Exhibit 3-4-2021 Det. Hrg. Transcript)(Smith, John) (Entered: 04/26/2021)
05/03/2021	22	MEMORANDUM in Opposition from Magistrate Judge Decision as to DANIEL RAY CALDWELL re 21 Appeal of Magistrate Judge Decision to District Court (Peterson, James) Modified Text on 5/3/2021 (zhsj). (Entered: 05/03/2021)
05/08/2021	23	REPLY by DANIEL RAY CALDWELL re 22 Opposition from Magistrate Judge Decision Appeal from Magistrate Judge Decision re 21 Appeal of Magistrate Judge Decision to District Court (Smith, John) Modified Text on 5/10/2021 (zhsj). (Entered: 05/08/2021)
05/21/2021	24	ORDER denying Defendant's 21 Motion to Revoke or Amend Magistrate's Order of Pretrial Detention (titled on docket as "Appeal of Magistrate Judge's Decision"). Signed by Judge Colleen Kollar-Kotelly on 5/21/21. (lcckk3) (Entered: 05/21/2021)
05/21/2021	25	MEMORANDUM OPINION as to DANIEL RAY CALDWELL accompanying 24 ORDER. Signed by Judge Colleen Kollar-Kotelly on 5/21/21. (lcckk3) (Entered: 05/21/2021)
06/02/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to DANIEL RAY CALDWELL held on 6/2/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 6/2/2021 to 8/16/2021 at 11:00 AM via Zoom before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Lisa Edwards; Defense Attorney: John H. Smith; US Attorney: James D. Peterson. (dot) (Entered: 06/02/2021)
06/03/2021		<p>MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on June 2, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present.</p> <p>The Court discussed with the parties the status of discovery. The Government indicated that it had produced to Defendant's counsel discovery pertinent to the defendant, and that its productions are ongoing given the availability of additional evidence, including body-worn camera videos. The parties requested that the Court schedule another status hearing in approximately 60 days to allow counsel for Defendant to obtain additional discovery from the Government and to review it with Defendant, and for the parties to discuss potential pre-trial resolution of the case. The Court ORDERS that the next Status Hearing is scheduled for AUGUST 16, 2021 at 11:00 a.m. With Defendant's consent, the next Status Hearing shall take place by Zoom.</p> <p>During the June 2, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. As stated during the June 2, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between June 2, 2021 and the date of the next status hearing on August 16, 2021 serves the "ends of justice" as it will allow Defendant to obtain and review discovery with his counsel, and to discuss potential pre-trial disposition of this case. 18 U.S.C. 3161(h)(7)(A), (B)(i),(ii), (iv). In addition, Defendant consented to the tolling of his Speedy Trial rights between June 2, 2021 and the next Status Hearing on August 16, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is October 24, 2021 and his new 90-day deadline is November 14, 2021. Signed by Judge Colleen Kollar-Kotelly on 6/3/21. (lcckk3) (Entered: 06/03/2021)</p>
08/06/2021	26	MOTION to Withdraw as Attorney by John Hunter Smith. by DANIEL RAY CALDWELL. (Attachments: # 1 Text of Proposed Order)(Smith, John) (Entered: 08/06/2021)
08/06/2021	27	First MOTION to Continue Plea Deadline by DANIEL RAY CALDWELL. (Attachments: # 1 Text of Proposed Order)(Smith, John) (Entered: 08/06/2021)
08/06/2021		<p>MINUTE ORDER as to DANIEL RAY CALDWELL. The Court is in receipt of Attorney Smith's 26 Motion to Withdraw. The Court DENIES without prejudice the 26 Motion to Withdraw for failure to comply with the requirements set forth in LCRr 44.5(d), specifically that the motion "be served upon the defendant personally or at the defendant's last-known address, and upon all other parties."</p> <p>The Court is also in receipt of Defendant's 27 Motion to Continue Plea Deadline, in which Defendant requests that the Court order the Government to extend the time for Defendant to consider a pending plea offer in light of the 26 Motion to Withdraw. Pursuant to Fed. R. Crim. P. 11(c)(1), the Court "must not participate" in plea discussions, including discussions of the deadline for accepting or rejecting a plea offer. Accordingly, the court DENIES Defendant's 27 Motion to Continue. Signed by Judge Colleen Kollar-Kotelly on 8/6/21. (lcckk3) (Entered: 08/06/2021)</p>
08/12/2021	28	Second MOTION to Withdraw as Attorney John Hunter Smith and Patrick J. McLain by John Hunter Smith and Patrick J. McLain. by DANIEL RAY CALDWELL. (Attachments: # 1 Exhibit Caldwell Acknowledgement, # 2 Text of Proposed Order)(Smith, John) (Entered: 08/12/2021)
08/13/2021	29	STATUS REPORT by Government by USA as to DANIEL RAY CALDWELL (Attachments: # 1 Exhibit Examples of Defense Discovery Requests)(Peterson, James) (Entered: 08/13/2021)
08/16/2021		<p>MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on August 16, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present.</p> <p>In light of the pending 28 Motion to Withdraw as Defense Counsel, to which Defendant consented, the Court indicated that it would continue the status hearing to a later date to allow time for Defendant to obtain new counsel and for his new counsel to enter an appearance in this case. The Court ORDERS that the next Status Hearing is scheduled for AUGUST 26, 2021 at 10:00 a.m. With Defendant's consent, the next Status Hearing shall take place by Zoom. The Government indicated that it was willing to hold open a plea offer previously made to Defendant to allow for review of the offer with his new counsel.</p> <p>During the August 16, 2021 status hearing the Court discussed with Defendant his Speedy Trial Act rights. As stated during the August 16, 2021 status hearing the Court finds that a</p>

		continuance of Defendant's Speedy Trial rights between August 16, 2021 and the date of the next status hearing on August 26, 2021 serves the "ends of justice" as it will allow Defendant to obtain new counsel and for the parties to proceed with discovery. 18 U.S.C. 3161(h)(7)(A). In addition, Defendant consented to the tolling of his Speedy Trial rights between August 16, 2021 and the next Status Hearing on August 26, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is November 3, 2021 and his new 90-day deadline is November 24, 2021. Signed by Judge Colleen Kollar-Kotelly on 8/16/21. (lcckk3) (Entered: 08/16/2021)
08/16/2021	30	NOTICE OF ATTORNEY APPEARANCE: Robert Lee Jenkins, Jr appearing for DANIEL RAY CALDWELL (Jenkins, Robert) (Entered: 08/16/2021)
08/16/2021	31	ORDER as to DANIEL RAY CALDWELL granting 28 Motion to Withdraw as Attorney. Patrick John McLain and John Hunter Smith withdrawn from case. Signed by Judge Colleen Kollar-Kotelly on 8/16/21. (lcckk3) (Entered: 08/16/2021)
08/16/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to DANIEL RAY CALDWELL held on 8/16/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 8/16/2021 to 8/26/2021. Status Conference set for 8/26/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Elizabeth Saint-Loth; Defense Attorney: John H. Smith; US Attorney: James D. Peterson. (dot) (Entered: 08/17/2021)
08/25/2021	32	Consent MOTION to Continue by Government by USA as to DANIEL RAY CALDWELL. (Peterson, James) (Entered: 08/25/2021)
08/25/2021	33	MOTION to Exclude Time Under the Speedy Trial Act by USA as to DANIEL RAY CALDWELL. (See Docket Entry 32 to View Documet). (zhsj) (Entered: 08/25/2021)
08/26/2021		MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on August 26, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. The Court discussed the status of discovery. The Government indicated that it was in the process of transferring discovery pertinent to this Defendant to Defendant's new counsel. The parties requested that the Court schedule another status hearing in approximately 60 days to allow Defendants counsel to receive discovery and review it with Defendant. The Court ORDERS that the next Status Hearing is scheduled for NOVEMBER 8, 2021 at 10:00 a.m. The Government also indicated during the status hearing that it will to hold open a plea offer previously made to Defendant to allow for review of the offer with his new counsel, and that it would confer with Defendant's counsel regarding an appropriate deadline for the plea offer. During the August 26, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. As stated during the August 26, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between August 16, 2021 and the date of the next status hearing on November 8, 2021 serves the "ends of justice" as it will allow Defendant time to obtain discovery and review it with his counsel, and for the parties to discuss the disposition of the case. 18 U.S.C. 3161(h)(7)(A), (B)(i),(ii), (iv). In addition, Defendant consented to the tolling of his Speedy Trial rights between August 26, 2021 and the next Status Hearing on November 8, 2021. Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is January 17, 2022 and his new 90-day deadline is February 7, 2022. Signed by Judge Colleen Kollar-Kotelly on 8/26/21. (lcckk3) (Entered: 08/26/2021)
08/26/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to DANIEL RAY CALDWELL held on 8/26/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 8/26/2021 to 11/8/2021. Status Conference set for 11/8/2021 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Lisa Edwards; Defense Attorney: Robert L. Jenkins; US Attorney: James D. Peterson. (dot) (Entered: 08/27/2021)
10/12/2021	34	Supplemental STATUS REPORT <i>Regarding Discovery</i> by USA as to DANIEL RAY CALDWELL (Attachments: # 1 Exhibit August 23, 2021 Status Memo)(Peterson, James) (Entered: 10/12/2021)
10/27/2021	35	Third STATUS REPORT by Government <i>Memo Re Status of Discovery</i> by USA as to DANIEL RAY CALDWELL (Peterson, James) (Entered: 10/27/2021)
11/05/2021	36	Supplemental STATUS REPORT by Government <i>Memo Re Status of Discovery</i> by USA as to DANIEL RAY CALDWELL (Peterson, James) (Entered: 11/05/2021)
11/08/2021		MINUTE ORDER as to DANIEL RAY CALDWELL. The Court held a status hearing in this matter on November 8, 2021. Due to the health concerns surrounding COVID-19 and with Defendant's consent, the status hearing was held by videoconference. Defendant, counsel for both parties, and a court reporter were present. The Court discussed the status of discovery. The Government indicated that discovery pertinent to this Defendant has been provided. Defendant's review of the discovery with his counsel is ongoing. The parties indicated that discussions regarding pre-trial disposition of this matter are ongoing. The parties requested that the Court schedule another status hearing in approximately 90 days to allow Defendant additional time to review discovery. The Court ORDERS that the next Status Hearing is scheduled for FEBRUARY 11, 2022 at 11:00 a.m. Defendant's counsel indicated that Defendant intends to file a motion for reconsideration of the Court's 24 Order denying Defendant's 21 Motion to Revoke or Amend Magistrate's Order of Pretrial Detention. As discussed during the status hearing, the Court ORDERS that Defendant shall file his motion to reconsider by NOVEMBER 8, 2021; the government shall file its response by DECEMBER 1, 2021; and Defendant shall file his reply by DECEMBER 8, 2021. During the November 8, 2021 status hearing, the Court discussed with Defendant his Speedy Trial Act rights. Defendant consented to the exclusion of time from November 8, 2021, through the date of the next status hearing on February 11, 2022. As stated during the November 8, 2021 status hearing, the Court finds that a continuance of Defendant's Speedy Trial rights between November 8, 2021 and the date of the next status hearing on February 11, 2022 serves the "ends of justice" and outweighs the best interests of both the community and Defendant, in light of the ongoing COVID-19 pandemic, see Standing Order No. 21-62 (BAH) (D.D.C. Nov. 1, 2021), at 6-7 (excluding time through December 15, 2021) and because the continuance will allow the parties to review discovery and consider plea negotiations. 18 U.S.C. 3161(h)(7)(A), (B)(i),(ii), (iv). Taking into account this continuance, the Court has calculated that Defendant's new 70-day deadline is April 22, 2022 and his new 90-day deadline is May 12, 2022. Signed by Judge Colleen Kollar-Kotelly on 11/8/21. (lcckk3) (Entered: 11/08/2021)
11/08/2021		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to DANIEL RAY CALDWELL held on 11/8/2021. Speedy Trial (XT) is tolled in the Interest of Justice from 11/8/2021 to 2/11/2022. Status Conference set for 2/11/2022 at 11:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Committed; Court Reporter: Janice Dickman; Defense Attorney: James D. Peterson; US Attorney: Robert L. Jenkins, Jr. (dot) (Entered: 11/08/2021)
11/08/2021	37	STRICKEN PURSUANT TO MINUTE ORDER FILED ON 12/2/2021.....MOTION for Reconsideration re 24 Order by DANIEL RAY CALDWELL. (Jenkins, Robert) Modified on 12/7/2021 (zhsj). (Entered: 11/08/2021)
11/30/2021	38	Amended MOTION for Reconsideration re 25 Memorandum Opinion by DANIEL RAY CALDWELL. (Jenkins, Robert) (Entered: 11/30/2021)
12/01/2021	39	MEMORANUM IN OPPOSITION by USA as to DANIEL RAY CALDWELL re 37 MOTION for Reconsideration re 24 Order, 38 Amended MOTION for Reconsideration re 25 Memorandum Opinion by Government. (Peterson, James) Modified Text on 12/2/2021 (zhsj). (Entered: 12/01/2021)
12/01/2021	41	SUPERSEDING INDICTMENT as to DANIEL RAY CALDWELL (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s. (zhsj) (Entered: 12/03/2021)
12/02/2021	40	MOTION to Strike <i>Docket Entry 37</i> by DANIEL RAY CALDWELL. (Jenkins, Robert) (Entered: 12/02/2021)
12/02/2021		MINUTE ORDER as to DANIEL RAY CALDWELL (1). The Court is in receipt of Defendant's 40 Motion to Strike Docket Entry 37 , in which Defendant requests that his 37 Motion for Reconsideration be stricken from the docket in light of his subsequent filing of an 38 Amended Motion for Reconsideration. In its opposition to Defendant's motion for reconsideration, the Government indicates that it "does not object to the timing of the recent amended pleading[.]" ECF No. 38, at 10. Accordingly, the Court GRANTS Defendant's 40 Motion to Strike his 37 Original Motion for Reconsideration and ORDERS that the pleading filed at ECF No. 37 shall be STRICKEN. However, because Defendant filed his amended motion one day before the deadline for the Government's opposition to his original motion, the Court ORDERS the Government to respond to the argument raised in Defendant's amended motion that the Court should consider "the now availability of a suitable third party custodian." See ECF No. 38, at 2, 13-14. The Government shall file a brief response to this argument by no later than DECEMBER 10, 2021. In addition, the Court ORDERS that Defendant's deadline for a reply in support of his amended motion for reconsideration shall be modified to DECEMBER 17, 2021. Signed by Judge Colleen Kollar-Kotelly on 12/2/21. (lcckk3) (Entered: 12/02/2021)
12/02/2021		Set/Reset Deadlines as to DANIEL RAY CALDWELL: Government's Response due by 12/10/2021. Defendant's Reply due by 12/17/2021. (dot) (Entered: 12/06/2021)
12/10/2021	43	SUPPLEMENTAL Memorandum in Opposition by USA as to DANIEL RAY CALDWELL re 38 Amended MOTION for Reconsideration re 25 Memorandum Opinion <i>Supplemental by Government</i> (Attachments: # 1 Exhibit Status Update - Inmate E Discovery)(Peterson, James) Modified text on 12/14/2021 (zhsj). (Entered: 12/10/2021)
12/17/2021	44	MOTION for Leave to File <i>Reply Brief Out of Time</i> by DANIEL RAY CALDWELL. (Attachments: # 1 Text of Proposed Order)(Jenkins, Robert) (Entered: 12/17/2021)
12/17/2021		MINUTE ORDER. The Court is in receipt of Defendant's 44 Motion to Extend Time to File Reply Brief, in which Defendant seeks a one-week extension to file a reply to the Government's opposition to Defendant's motion for reconsideration of the Court's detention order. Defendant seeks this extension due to his counsel's heavy caseload, including two recent trials. The Government does not oppose Defendant's requested extension. The Court GRANTS Defendant's Motion. Because Defendant's proposed deadline with the requested extension falls on a federal holiday, the Court ORDERS that Defendant shall file his reply by no later than DECEMBER 27, 2021. Signed by Judge Colleen Kollar-Kotelly on 12/17/21. (lcckk3) (Entered: 12/17/2021)
12/17/2021		Set/Reset Deadlines as to DANIEL RAY CALDWELL: Defendant's Reply due by 12/27/2021. (dot) (Entered: 12/22/2021)
12/27/2021	45	REPLY in Support by DANIEL RAY CALDWELL re 38 Amended MOTION for Reconsideration re 25 Memorandum Opinion (Jenkins, Robert) (Entered: 12/27/2021)
01/19/2022	46	ORDER as to DANIEL RAY CALDWELL (1) denying Defendant's 38 Amended MOTION for Reconsideration of Defendant's Motion for Release. Signed by Judge Colleen Kollar-Kotelly on 1/19/22. (lcckk3) (Entered: 01/19/2022)
01/19/2022	47	MEMORANDUM OPINION as to DANIEL RAY CALDWELL accompanying 46 Order. Signed by Judge Colleen Kollar-Kotelly on 1/19/22. (lcckk3) (Entered: 01/19/2022)

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