

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00034-CRC-1**

Case title: USA v. ROBERTSON et al

Magistrate judge case number: 1:21-mj-00036-RMM

Date Filed: 01/29/2021

Assigned to: Judge Christopher R.
Cooper

Defendant (1)

THOMAS ROBERTSON

represented by **Mark M Rollins**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
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ATTORNEY TO BE NOTICED
Designation: Retained

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)

18:1512(c)(2) and 2;
TAMPERING WITH A
WITNESS, VICTIM OR

Disposition

DISMISSED

DISMISSED

INFORMANT; Obstruction of an
Official Proceeding and Aiding
and Abetting
(1s)

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

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

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

DISMISSED

18:231(a)(3) and 2; CIVIL
DISORDER; Civil Disorder and
Aiding and Abetting
(2s)

DISMISSED

18:231(a)(3) and 2; CIVIL
DISORDER; Civil Disorder and
Aiding and Abetting
(2ss)

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

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

DISMISSED

18:1752(a)(1) and (b)(1)(A);
TEMPORARY RESIDENCE OF
THE PRESIDENT; Entering and
Remaining in a Restricted
Building or Grounds
(3s)

DISMISSED

18:1752(a)(1) and (b)(1)(A);
TEMPORARY RESIDENCE OF
THE PRESIDENT; Entering and
Remaining in a Restricted
Building or Grounds
(3ss)

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510

40 U.S.C. 5104(e)(2)(D);
FEDERAL STATUTES, OTHER;
Disorderly Conduct in a Capitol
Building
(4)

and \$2,000 in restitution.

DISMISSED

18:1752(a)(2) and (b)(1)(A);
TEMPORARY RESIDENCE OF
THE PRESIDENT; Disorderly
and Disruptive Conduct in a
Restricted Building or Grounds
(4s)

DISMISSED

18:1752(a)(2) and (b)(1)(A);
TEMPORARY RESIDENCE OF
THE PRESIDENT; Disorderly
and Disruptive Conduct in a
Restricted Building or Grounds
(4ss)

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

40:5104(e)(2)(D); VIOLENT
ENTRY AND DISORDERLY
CONDUCT ON CAPITOL
GROUNDS; Disorderly Conduct
in a Capitol Building
(5s)

DISMISSED

40:5104(e)(2)(D); VIOLENT
ENTRY AND DISORDERLY
CONDUCT ON CAPITOL
GROUNDS; Disorderly Conduct
in a Capitol Building
(5ss)

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

18:1512(c)(1); TAMPERING
WITH A WITNESS, VICTIM OR
INFORMANT; Obstruction of an
Official Proceeding
(6ss)

Defendant committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

Highest Offense Level
(Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints**Disposition**COMPLAINT in Violation of
18:1752(a) and 40:5104(e)(2)**Plaintiff**

USA

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Designation: Assistant U.S. Attorney

Date Filed	#	Page	Docket Text
01/12/2021	<u>1</u>		SEALED COMPLAINT as to THOMAS ROBERTSON (1), JACOB FRACKER (2). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:21-mj-00036-RMM] (Entered: 01/12/2021)
01/12/2021	<u>3</u>		MOTION to Seal Case by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:21-mj-00036-RMM] (Entered: 01/12/2021)
01/12/2021	<u>4</u>		ORDER granting <u>3</u> Motion to Seal Case as to THOMAS ROBERTSON (1), JACOB FRACKER (2). Signed by Magistrate Judge Robin M. Meriweather on 1/12/2021.

			(zstd) [1:21-mj-00036-RMM] (Entered: 01/12/2021)
01/13/2021	<u>5</u>		MOTION to Unseal Case by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(zltpt) [1:21-mj-00036-RMM] (Entered: 01/14/2021)
01/13/2021			Arrest of THOMAS ROBERTSON in US District Court Western District of Virginia Roanoke Division. (bb) Modified on 1/20/2021 (bb). [1:21-mj-00036-RMM] (Entered: 01/20/2021)
01/14/2021	<u>6</u>		Rule 5(c)(3) Documents Received as to THOMAS ROBERTSON from US District Court Western District of Virginia Roanoke Division Case Number 7:21-mj-5 (bb) [1:21-mj-00036-RMM] (Entered: 01/20/2021)
01/18/2021			MINUTE ORDER Granting <u>5</u> MOTION to Unseal Case by USA as to THOMAS ROBERTSON, JACOB FRACKER. Signed by Magistrate Judge G. Michael Harvey on 1/18/2021. (zpt) Modified on 1/22/2021 to add "minute"(ztnr) [1:21-mj-00036-RMM] (Entered: 01/18/2021)
01/18/2021			Case unsealed as to THOMAS ROBERTSON, JACOB FRACKER (zltpt) [1:21-mj-00036-RMM] (Entered: 01/19/2021)
01/19/2021			ORAL MOTION for Speedy Trial Waiver by THOMAS ROBERTSON (1) and JACOB FRACKER (2). (zpt) [1:21-mj-00036-RMM] (Entered: 01/26/2021)
01/19/2021			Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to THOMAS ROBERTSON (1), JACOB FRACKER (2) held on 1/19/2021. Oral Motion for Speedy Trial Waiver by THOMAS ROBERTSON (1) and JACOB FRACKER (2) Heard and Granted. Time between 1/19/2021 and 2/2/2021 (14 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Government does not request the Defendants' pretrial detention. Status Hearing for Ascertainment of Counsel set for 2/2/2020 at 03:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendants Placed on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Shelli Peterson; US Attorney: Elizabeth Aloji; Pretrial Officer: Christine Schuck; (zpt) [1:21-mj-00036-RMM] (Entered: 01/26/2021)
01/19/2021			MINUTE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER(2). MINUTE ORDER: 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 1/19/2021. (zpt) [1:21-mj-00036-RMM] (Entered: 01/26/2021)
01/19/2021	<u>12</u>		ORDER Setting Conditions of Release as to THOMAS ROBERTSON (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/19/2021. (Attachments: # <u>1</u> Appearance Bond) (zpt) (Entered: 02/08/2021)
01/29/2021	<u>8</u>		INDICTMENT as to THOMAS ROBERTSON (1) count(s) 1, 2, 3, 4, JACOB FRACKER (2) count(s) 1, 2, 3, 4. (zltf) (Entered: 02/01/2021)
02/01/2021	<u>10</u>		ENTERED IN ERROR.....NOTICE OF ATTORNEY APPEARANCE: Mark M Rollins appearing for THOMAS ROBERTSON, JACOB FRACKER (Rollins, Mark) Modified on 2/2/2021 (znmw). (Entered: 02/01/2021)
02/02/2021			NOTICE OF ERROR re <u>10</u> Notice of Attorney Appearance – Defendant; emailed to mark@rollinsandchan.com, cc'd 5 associated attorneys -- The PDF file you docketed contained errors: 1. Document linked to incorrect defendant(s), 2. Please refile document, 3. ENTERED IN ERROR; Refile only as to defendant Robertson. (znmw,) (Entered: 02/02/2021)
02/02/2021	<u>11</u>		NOTICE OF ATTORNEY APPEARANCE: Mark M Rollins appearing for THOMAS ROBERTSON (Rollins, Mark) (Entered: 02/02/2021)
02/02/2021			ORAL MOTION by USA to Toll Time Under the Speedy Trial Act as to Defendants THOMAS ROBERTSON (1) and JACOB FRACKER (2). (kk) (Entered: 03/08/2021)
02/02/2021			Minute Entry for Status Hearing regarding Ascertainment of Counsel and Arraignment as to THOMAS ROBERTSON (1) and JACOB FRACKER (2) held by video before Magistrate Judge Robin M. Meriweather on 2/2/2021 : Defendant Robertson (1) has retained counsel. Defendant Fracker (2) is still seeking counsel. Pleas of Not Guilty entered by each of Defendants THOMAS ROBERTSON (1) and JACOB FRACKER (2) to Counts 1, 2, 3 and 4. Oral Motion by USA to Toll Time Under the Speedy Trial Act, heard and granted. The Court will exclude time for 7 days under the Speedy Trial Act from 2/2/2021 to 2/9/2021, in the interest of justice. Bond Status of Defendants: Defendants continued on Personal Recognizance Bond. Court Reporter: FTR Gold – Ctrm. 16; FTR Time Frame: 3:25:23 – 3:34:31. Defense

			Attorneys: (1): Mark Rollins, (2): Michelle Peterson, standing in only; U.S. Attorney: Kelly Smith for Elizabeth Aloï; Pretrial Officer: Da'Shanta' Valentine-Lewis. (kk) Modified on 6/25/2021 (kk). (Entered: 03/08/2021)
02/12/2021	<u>14</u>		MOTION for Discovery by THOMAS ROBERTSON. (Rollins, Mark) (Entered: 02/12/2021)
02/17/2021	<u>17</u>		NOTICE OF ATTORNEY APPEARANCE Risa Berkower appearing for USA. (Berkower, Risa) (Main Document 17 replaced on 2/17/2021) (znmw). (Entered: 02/17/2021)
02/19/2021			MINUTE ORDER as to THOMAS ROBERTSON (1) and JACOB FRACKER (2): The parties are to appear for an Arraignment set for 2/25/2021 at 1:30 PM by VTC before Judge Christopher R. Cooper. The hearing will proceed by videoconferencing for the parties and by telephone for members of the public. Pursuant to Standing Order 20-20 (BAH), the Court will provide public access to the hearing. It is hereby ORDERED that the participants using the public access telephone line shall adhere to the rules set forth in Standing Order 20-20 (BAH), available on the Court's website. Toll Free Number: 888-204-5984; Access Code: 8981531. SO ORDERED by Judge Christopher R. Cooper on 2/19/2021.(lsj) (Entered: 02/19/2021)
02/25/2021			Minute Entry for video Arraignment held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) and JACOB FRACKER (2) on 2/25/2021. Defendants consent to appear by video and sworn. Defendants arraigned and waive the formal reading of the Indictment and enter of Plea of Not Guilty as to all counts (1-4). Status Conference set for 4/27/2021 at 10:00 AM by VTC before Judge Christopher R. Cooper. The Court finds it in the interest of justice to toll the speedy trial clock from 2/25/21 through 4/27/21. Defendants' oral motion to amend the conditions of release is RESERVED. The parties are directed to file the appropriate motions and reply. Defendants are to adhere to the conditions of release previously set forth. Bond Status of Defendants: remains on supervised release. Court Reporter: Lisa Moreira. Defense Attorneys: Mark M. Rollins (1) and Bernard F. Crane (2); US Attorneys: Elizabeth Ann Aloï and Risa Berkower. (lsj) (Entered: 02/25/2021)
02/25/2021	<u>18</u>		WITHDRAWN PURSUANT TO MINUTE ORDER OF 3/2/2021.....MOTION for Protective Order by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Berkower, Risa) Modified on 3/10/2021 (zhsj). (Entered: 03/10/2021)

			02/25/2021)
03/01/2021	<u>19</u>		MOTION to Withdraw Document <u>18</u> MOTION for Protective Order by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Aloi, Elizabeth) (Entered: 03/01/2021)
03/02/2021			MINUTE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER (2): The Government's <u>19</u> Motion to Withdraw its <u>18</u> Motion for Protective Order is hereby granted. Signed by Judge Christopher R. Cooper on 03/02/2021. (lccrc3) (Entered: 03/02/2021)
03/29/2021	<u>20</u>		Consent MOTION for Protective Order by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 03/29/2021)
03/30/2021	<u>21</u>		STIPULATED PROTECTIVE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER (2). Signed by Judge Christopher R. Cooper on 03/30/2021. (lccrc3) (Entered: 03/30/2021)
04/01/2021	<u>22</u>		Unopposed MOTION for Disclosure of <i>Grand Jury Material</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 04/01/2021)
04/02/2021			MINUTE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER (2): Pursuant to Federal Rule of Criminal Procedure 6(e)(3), the Court authorizes the government to disclose transcripts and other materials relating to the testimony of witnesses before the grand jury that returned the indictment in the instant case. Signed by Judge Christopher R. Cooper on 04/02/2021. (lccrc3) (Entered: 04/02/2021)
04/21/2021	<u>23</u>		Unopposed MOTION to Continue <i>and Exclude Time</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 04/21/2021)
04/21/2021	24		MOTION to Exclude Time Under the Speedy Trial Act by USA as to THOMAS ROBERTSON, JACOB FRACKER. See docket entry <u>23</u> to view document). (zstd) (Entered: 04/22/2021)
04/22/2021			MINUTE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER (2): The government's <u>23</u> Motion to Continue and Exclude Time is hereby granted. The status conference previously scheduled for April 27, 2021 is hereby vacated and reset to July 1, 2021 at 11:00 AM by videoconference. Video connection information will be provided to the parties separately. It is further ordered that the time between April 27, 2021 and July 1, 2021 shall be

			excluded from the otherwise applicable Speedy Trial Act calculations in the interest of justice to allow the government to produce, and the defense to review, voluminous forthcoming discovery. So Ordered. Signed by Judge Christopher R. Cooper on 04/22/2021. (lccrc3) (Entered: 04/22/2021)
04/22/2021			Set/Reset Hearings as to THOMAS ROBERTSON:Status Conference set for 7/1/2021 at 11:00 AM in Telephonic/VTC before Judge Christopher R. Cooper. (nbn) (Entered: 04/22/2021)
06/24/2021	<u>25</u>		MOTION for Order Permitting Production of Sealed Materials by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Berkower, Risa) (Entered: 06/24/2021)
06/25/2021			MINUTE ORDER as to THOMAS ROBERTSON (1), JACOB FRACKER (2): The United States may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery. Signed by Judge Christopher R. Cooper on 06/25/2021. (lccrc3) (Entered: 06/25/2021)
06/28/2021	<u>26</u>		<p>TRANSCRIPT OF ARRAIGNMENT HEARING in case as to THOMAS ROBERTSON, JACOB FRACKER before Judge Christopher R. Cooper held on February 25, 2021; Page Numbers: 1–17. Date of Issuance:June 28, 2021. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/19/2021. Redacted Transcript Deadline set for 7/29/2021. Release of Transcript Restriction set for 9/26/2021.(Moreira, Lisa) (Entered: 06/28/2021)</p>

06/28/2021	<u>27</u>		Unopposed MOTION to Continue <i>and Exclude Time Under the Speedy Trial Act</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Berkower, Risa) (Entered: 06/28/2021)
06/28/2021	29		MOTION to Exclude Time Under the Speedy Trial Act by USA as to THOMAS ROBERTSON, JACOB FRACKER. (See docket entry <u>27</u> to view document). (zstd) (Entered: 06/29/2021)
06/29/2021	<u>28</u>		<p>TRANSCRIPT OF PROCEEDINGS in case as to THOMAS ROBERTSON, JACOB FRACKER before Magistrate Judge Robin M. Meriweather held on 02/2/2021. Page Numbers: 1–9. Date of Issuance: 06/27/2021. Transcribing Court Reporter: Nancy J. Meyer. Telephone Number: 202–354–3118. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/20/2021. Redacted Transcript Deadline set for 7/30/2021. Release of Transcript Restriction set for 9/27/2021.(Meyer, Nancy) Modified text on 6/30/2021 (zntp). (Entered: 06/29/2021)</p>
06/30/2021	<u>30</u>		MOTION to Revoke <i>Release Order</i> by USA as to THOMAS ROBERTSON. (Aloi, Elizabeth) Modified event on 7/2/2021 (znmw). (Entered: 06/30/2021)
06/30/2021			MINUTE ORDER granting <u>27</u> <u>28</u> Motions to Continue and Exclude Time as to THOMAS ROBERTSON (1), JACOB FRACKER (2). The status conference previously scheduled for July 1, 2021 is hereby vacated and reset to August 3, 2021, at 10:00 AM by video. It is further ordered, in the interest of justice, that the time between July 1, 2021 and August 3, 2021 shall be excluded from the otherwise applicable Speedy Trial calculations to allow the government to produce, and the defense to

			review, voluminous forthcoming discovery. Signed by Judge Christopher R. Cooper on 06/30/2021. (lccrc3) (Entered: 06/30/2021)
07/04/2021	<u>31</u>		RESPONSE by THOMAS ROBERTSON re <u>30</u> MOTION to Revoke <i>Release Order</i> (Rollins, Mark) (Entered: 07/04/2021)
07/09/2021			ORAL MOTION to Commit Defendant to Custody of Attorney General by USA as to THOMAS ROBERTSON (1). (zpt) (Entered: 07/12/2021)
07/09/2021			ORAL MOTION for Release from Custody by THOMAS ROBERTSON (1). (zpt) (Entered: 07/12/2021)
07/09/2021			Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Initial Appearance re Revocation of Release as to THOMAS ROBERTSON (1) held on 7/9/2021. Oral Motion by the Government to Commit Defendant to Custody of Attorney General as to THOMAS ROBERTSON (1) Heard and Granted. Oral Motion for Release from Custody by THOMAS ROBERTSON (1) Heard and Denied. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: FTR Gold FTR Time Frame: CTRM 6 [3:18:12-3:35:38]; Defense Attorney: Mark Rollins; US Attorney: Elizabeth Aloï and Risa Berkower; Pretrial Officer: Christine Schuck; (zpt) (Entered: 07/12/2021)
07/12/2021	<u>32</u>		REPLY in Support by USA as to THOMAS ROBERTSON, JACOB FRACKER re <u>30</u> MOTION to Revoke <i>Release Order</i> (Attachments: # <u>1</u> Exhibit)(Aloi, Elizabeth) (Entered: 07/12/2021)
07/12/2021	<u>33</u>		NOTICE <i>Regarding Discovery Status</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER (Attachments: # <u>1</u> Exhibit)(Aloi, Elizabeth) (Entered: 07/12/2021)
07/12/2021			MINUTE ORDER as to THOMAS ROBERTSON (1): The Court hereby sets a hearing on the <u>30</u> Motion to Revoke Release Order for July 14, 2021, at 4:00 PM by videoconference. Video connection information will be provided to the parties separately. Signed by Judge Christopher R. Cooper on 07/12/2021. (lccrc3) (Entered: 07/12/2021)
07/14/2021	<u>34</u>		SUPPLEMENT by USA as to THOMAS ROBERTSON re <u>30</u> MOTION to Revoke <i>Release Order Supplemental</i> (Aloi, Elizabeth) Modified event title on 7/15/2021 (znmw). (Entered: 07/14/2021)
07/14/2021	<u>35</u>		SUPPLEMENT by THOMAS ROBERTSON re <u>31</u> RESPONSE re <u>30</u> MOTION to Revoke <i>Release Order</i> (Attachments: # <u>1</u> Affidavit Affidavit)(Rollins, Mark)

			Modified to add link on 7/15/2021 (znmw). (Entered: 07/14/2021)
07/14/2021			Minute Entry for video Motion Hearing held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 7/14/2021. Oral arguments submitted on Government's Motion <u>30</u> to Revoke Release Order. Due to technical difficulties with the jail, the Motion Hearing will continue on 7/15/2021 at 4:00 PM by before Judge Christopher R. Cooper. Bond Status of Defendant: committed. Court Reporter: Lisa Moreira; Defense Attorney: Mark M. Rollins; US Attorney: Elizabeth Ann Aloï. (lsj) (Entered: 07/15/2021)
07/15/2021			Minute Entry for video Motion Hearing held before Judge Christopher R. Cooper as to THOMAS ROBERTSON on 7/15/2021. Forthcoming Order. (lsj) (Entered: 07/19/2021)
07/16/2021			MINUTE ORDER as to THOMAS ROBERTSON: The hearing on the Government's Motion <u>30</u> to Revoke Release Order shall continue on July 21, 2021 at 10:00 AM in Courtroom 27A. Signed by Judge Christopher R. Cooper on 07/16/2021. (lccrc3) (Entered: 07/16/2021)
07/21/2021			Minute Entry for Motion Hearing held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 7/21/2021. Oral arguments continued from 7/15/2021 and submitted on Government's Motion <u>30</u> to Revoke Release Order. Motion taken under advisement; forthcoming Order. Bond Status of Defendant: committed. Court Reporter: Lisa Moreira; Defense Attorney: Mark M. Rollins; US Attorney: Elizabeth Ann Aloï. (lsj) (Entered: 07/21/2021)
07/22/2021		<u>36</u>	SUPPLEMENT by USA as to THOMAS ROBERTSON re <u>30</u> MOTION to Revoke <i>Release Order</i> (Attachments: # <u>1</u> Exhibit)(Aloï, Elizabeth) (Entered: 07/22/2021)
07/28/2021		<u>37</u>	ORDER granting <u>30</u> Motion to Revoke Release as to THOMAS ROBERTSON (1). See full Order for details. Signed by Judge Christopher R. Cooper on 07/28/2021. (lccrc3) (Entered: 07/28/2021)
07/30/2021		<u>38</u>	TRANSCRIPT OF MOTION HEARING in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on July 21, 2021; Page Numbers: 1–36. Date of Issuance: July 30, 2021. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or

		<p>purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 8/20/2021. Redacted Transcript Deadline set for 8/30/2021. Release of Transcript Restriction set for 10/28/2021.(Moreira, Lisa) (Entered: 07/30/2021)</p>
07/30/2021	<u>39</u>	<p>Consent MOTION to Continue <i>Status Hearing</i>, MOTION to Exclude <i>Time Under Speedy Trial Act</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 07/30/2021)</p>
08/02/2021		<p>MINUTE ORDER granting <u>39</u> Motion to Continue Status Conference and Exclude Time as to THOMAS ROBERTSON (1), JACOB FRACKER (2). The status conference previously scheduled for August 3, 2021 is hereby vacated and will be rescheduled to a date after August 11, 2021. It is further ordered that, in the interest of justice, the time between August 3 and August 11, 2021, shall be excluded from the otherwise applicable Speedy Trial Act calculations to enable the parties to continue their discussions of a potential disposition of this matter short of trial. Signed by Judge Christopher R. Cooper on 08/02/2021. (lccrc3) (Entered: 08/02/2021)</p>
08/03/2021		<p>MINUTE ORDER as to THOMAS ROBERTSON, JACOB FRACKER: The Court hereby sets a status conference by video on August 17, 2021, at 11:30 AM. Video connection information will be provided to the parties separately. In the interest of justice, the time between August 11 and August 17, 2021, shall be excluded from the otherwise applicable Speedy Trial Act calculations to enable the parties to continue their discussions of a potential disposition of this matter short of trial. Signed by Judge Christopher R. Cooper on 08/03/2021. (lccrc3) (Entered: 08/03/2021)</p>
08/17/2021		<p>Minute Entry for video Status Conference held before Judge Christopher R. Cooper as to THOMAS</p>

			ROBERTSON (1) and JACOB FRACKER (2) on 8/17/2021. Further Status Conference set for 9/23/2021 at 3:00 PM by VTC before Judge Christopher R. Cooper. The Court finds it in the interest of justice to toll the speedy trial clock from 8/17/2021 through 9/23/2021, over the objection of Defendant Robertson (1). Bond Status of Defendants: remains committed (1) and remains on personal recognizance (2). Court Reporter: Bryan Wayne. Defense Attorneys: Mark M. Rollins (1) and Bernard F. Crane (2); US Attorneys: Elizabeth Ann Aloï and Risa Berkower. (lsj) (Entered: 08/17/2021)
08/20/2021			NOTICE OF AMENDED HEARING as to THOMAS ROBERTSON (1) and JACOB FRACKER (2): To accommodate the jail's availability, the Status Conference is reset for 9/23/2021 at 3:30 PM by VTC before Judge Christopher R. Cooper. (lsj) (Entered: 08/20/2021)
09/16/2021	<u>41</u>		NOTICE <i>Regarding Status of Discovery as of August 23, 2021</i> , by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloï, Elizabeth) (Entered: 09/16/2021)
09/17/2021	<u>42</u>		NOTICE <i>Regarding Status of Discovery as of September 14, 2021</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloï, Elizabeth) (Entered: 09/17/2021)
09/23/2021			Minute Entry for video Status Conference held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) and JACOB FRACKER (2) on 9/23/2021. Defendants consent to proceed by video. Further Status Conference set for 11/10/2021 at 2:00 PM by VTC before Judge Christopher R. Cooper. Over the objection of Defendant Robertson, the Court finds it in the interest of justice to toll the speedy trial clock from 9/23/2021 through 11/10/2021. Bond Status of Defendants: remains committed as to DEF 1; remains on PR as to DEF 2; Court Reporter: Lisa Moreira; Defense Attorneys: Mark M. Rollins (1) and Bernard F. Crane (2); US Attorney: Elizabeth Ann Aloï. (lsj) (Entered: 09/23/2021)
09/27/2021			NOTICE OF AMENDED HEARING as to THOMAS ROBERTSON (1) and JACOB FRACKER (2): To accommodate the jail, the Status Conference is reset for 11/1/2021 at 3:00 PM by VTC before Judge Christopher R. Cooper. (lsj) (Entered: 09/27/2021)
10/22/2021	<u>45</u>		NOTICE <i>of Discovery Status</i> by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloï, Elizabeth) (Entered: 10/22/2021)
10/25/2021	<u>46</u>		MOTION for Reconsideration re <u>37</u> <i>to Modify Conditions of Release</i> by THOMAS ROBERTSON. (Attachments: #

			<u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) Modified event title and added link on 10/26/2021 (znmw). (Entered: 10/25/2021)
10/29/2021			NOTICE OF CORRECTED HEARING as to THOMAS ROBERTSON (1) and JACOB FRACKER (2): An entry was entered in error setting the hearing on 11/1/201. The Status Conference is set for 11/10/2021 at 3:00 PM by VTC before Judge Christopher R. Cooper. (lsj) (Entered: 10/29/2021)
11/05/2021	<u>47</u>		NOTICE <i>Regarding Status of Discovery as of November 5 2021</i> , by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloi, Elizabeth) (Entered: 11/05/2021)
11/08/2021	<u>48</u>		<p>TRANSCRIPT OF VTC INITIAL APPEARANCE ON RULE 5 in case as to THOMAS ROBERTSON before Magistrate Judge G. Michael Harvey held on 1–19–21; Page Numbers: 1–23; Date of Issuance: 11–8–21; Court Reporter: Timothy R. Miller, Telephone Number (202) 354–3111. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 11/29/2021. Redacted Transcript Deadline set for 12/9/2021. Release of Transcript Restriction set for 2/6/2022.(Miller, Timothy) (Entered: 11/08/2021)</p>
11/10/2021			Minute Entry for video Status Conference held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) and JACOB FRACKER (2) on 11/10/2021. Defendants consent to appear by video. Further Status Conference set for 1/20/2022 at 3:00 PM by VTC before Judge Christopher R. Cooper. The Court finds it in the interest of justice to toll the speedy trial clock from 11/10/2021 through 1/20/2022. Forthcoming

		Pretrial Order. Bond Status of Defendants: remains committed (1) and personal recognizance (2); Court Reporter: Lisa Moreira; Defense Attorneys: Camille Wagner (stand-in for Mark Rollins (1)) and Bernard Crane (2); US Attorneys: Elizabeth Ann Aloï and Risa Berkower. (lsj) (Entered: 11/10/2021)
11/10/2021	<u>51</u>	Memorandum in Opposition by USA as to THOMAS ROBERTSON re <u>46</u> MOTION for Reconsideration (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 11/10/2021)
11/12/2021		MINUTE ORDER: Defendant Thomas Robertson moves for reconsideration of this Court's <u>37</u> Order granting the government's motion to revoke his pretrial release. "Although the Federal Rules do not specifically provide for motions for reconsideration in criminal cases," recognizing "the utility of such motions," courts have imported the "as justice requires" standard from civil cases. <u>United States v. Hassanshahi</u> , 145 F. Supp. 3d 75, 80 (D.D.C. 2015). This standard provides that courts may exercise discretion and grant reconsideration when there has been a clear error or significant change in law or facts. <u>See id.</u> Also, under 18 U.S.C. § 3142(f)(2)(B), a court "may" reopen a hearing if it "finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community." Here, Robertson does not raise any error of law, nor does he present any new information that would have a "material bearing" on whether there are conditions of release that will reasonably assure the safety of the community. He states that "[t]he duration of time he has served" (three months) "has taught him to comply with all court orders strictly," and it "has taken a toll on his mental and physical health." Mot. at 2–3. But "the mere passage of time, without a substantial change in the 'underlying reasons for this court's prior decisions' regarding pretrial detention is generally not sufficient to warrant reconsiderations," and he provides no other information about his health. <u>United States v. Bikundi</u> , 73 F. Supp. 3d 51, 55 (D.D.C. 2014). The only new information he raises is the unfortunate loss of his father. That, however, has no bearing on the question of pretrial detention. Accordingly, finding no grounds to alter or amend its prior ruling, it is hereby ORDERED that <u>46</u> Defendant's Motion for Reconsideration to Modify Bond Condition to Home Detention is DENIED. Signed by Judge Christopher R. Cooper on 11/12/2021. (lccrc3) (Entered: 11/12/2021)
12/01/2021	<u>52</u>	

			First MOTION to Dismiss Count <i>One</i> by THOMAS ROBERTSON. (Rollins, Mark) (Entered: 12/01/2021)
12/15/2021	<u>53</u>		Memorandum in Opposition by USA as to THOMAS ROBERTSON re <u>52</u> First MOTION to Dismiss Count <i>One</i> (Berkower, Risa) (Entered: 12/15/2021)
12/17/2021	<u>54</u>		PRETRIAL ORDER as to THOMAS ROBERTSON and JACOB FRACKER. See full Order for details. Signed by Judge Christopher R. Cooper on 12/17/2021. (lccrc3) (Entered: 12/17/2021)
01/19/2022	<u>58</u>		SUPERSEDING INDICTMENT as to THOMAS ROBERTSON (1) count(s) 1s, 2s, 3s, 4s, 5s, JACOB FRACKER (2) count(s) 1s, 3s, 4s, 5s. (zstd) (Entered: 01/20/2022)
01/20/2022	<u>60</u>		NOTICE OF ATTORNEY APPEARANCE: Camille Wagner appearing for THOMAS ROBERTSON as <i>Second Chair</i> (Wagner, Camille) (Main Document 60 replaced with PDF copy on 1/21/2022) (zstd). (Entered: 01/20/2022)
01/24/2022			MINUTE ORDER as to THOMAS ROBERTSON and JACOB FRACKER: The parties are hereby directed to appear for a status conference on January 27, 2022, at 3:30 p.m. by VTC, before Judge Christopher R. Cooper. Video connection information will be provided separately. Signed by Judge Christopher R. Cooper on 1/24/2022. (lccrc3) (Entered: 01/24/2022)
01/27/2022			Minute Entry for video Status Conference held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) and JACOB FRACKER (2) on 1/27/2022. Defendants arraigned on superseding indictment and waives the formal reading and enters a Plea of Not Guilty as to all counts. The Court finds it in the interest of justice to toll the speedy trial clock from 1/27/2022 through 4/4/2022. Bond Status of Defendant: remains committed (1) and personal recognizance (2); Court Reporter: Lisa Moreira; Defense Attorneys: Mark M. Rollins (1) and Bernard F. Crane (2); US Attorney: Risa Berkower. (lsj) (Entered: 01/27/2022)
02/10/2022	<u>61</u>		NOTICE of Status of Discovery by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloi, Elizabeth) (Entered: 02/10/2022)
02/14/2022	<u>62</u>		MOTION in Limine to Exclude Improper Character Evidence by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 02/14/2022)
02/25/2022	<u>63</u>		OPINION AND ORDER denying <u>52</u> Motion to Dismiss as to THOMAS ROBERTSON (1), denying 56 Motion to

			Dismiss as to JACOB FRACKER (2), and granting defendant Fracker's 57 Motion to Adopt and Join defendant Robertson's Motion to Dismiss. See full Opinion and Order for details. Signed by Judge Christopher R. Cooper on 2/25/2022. (lccrc3) (Entered: 02/25/2022)
02/28/2022	<u>64</u>		Memorandum in Opposition by THOMAS ROBERTSON re <u>62</u> MOTION in Limine to Exclude Improper Character Evidence (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) (Entered: 02/28/2022)
03/04/2022	<u>65</u>		MOTION in Limine to Limit Cross Examination of Secret Service Agency Witnesses by USA as to THOMAS ROBERTSON, JACOB FRACKER. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 03/04/2022)
03/07/2022	<u>66</u>		REPLY TO OPPOSITION to Motion by USA as to THOMAS ROBERTSON, JACOB FRACKER re <u>62</u> MOTION in Limine to Exclude Improper Character Evidence (Aloi, Elizabeth) (Entered: 03/07/2022)
03/14/2022	<u>67</u>		EXHIBIT LIST by USA as to THOMAS ROBERTSON, JACOB FRACKER (Aloi, Elizabeth) (Entered: 03/14/2022)
03/23/2022	<u>74</u>		SECOND SUPERSEDING INDICTMENT as to THOMAS ROBERTSON (1) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss. (zstd) (Entered: 03/24/2022)
03/25/2022			NOTICE OF AMENDED HEARING as to THOMAS ROBERTSON (1): Pretrial Conference set for 3/29/2022 at 10:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. (lsj) (Entered: 03/25/2022)
03/29/2022			Minute Entry for Pretrial Conference held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 3/29/2022. Jury Trial to commence on 4/4/2022 at 9:00 AM in Courtroom 20 before Judge Cooper. Bond Status of Defendant: remains committed; Court Reporter: Lisa Moreira; Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloi and Risa Berkower. (lsj) (Entered: 03/29/2022)
03/31/2022	<u>76</u>		Proposed Jury Instructions by USA as to THOMAS ROBERTSON. (Aloi, Elizabeth) Modified defendant on 4/1/2022 (zstd). (Entered: 03/31/2022)
04/01/2022	<u>77</u>		ORDER re: public access to trial exhibits. See full Order for details. Signed by Judge Christopher R. Cooper on 4/1/2022. (lccr3) (Entered: 04/01/2022)
04/01/2022	<u>78</u>		STIPULATION of the Parties by USA (Aloi, Elizabeth) (Entered: 04/01/2022)

04/01/2022	<u>79</u>		STIPULATION <i>of the Parties (Certification of Electoral College Vote)</i> by USA (Aloi, Elizabeth) (Entered: 04/01/2022)
04/01/2022	<u>80</u>		STIPULATION <i>by the Parties (Capitol Buildings and Grounds)</i> by USA (Attachments: # <u>1</u> Exhibit)(Aloi, Elizabeth) (Entered: 04/01/2022)
04/01/2022	<u>81</u>		STIPULATION <i>of the Parties (Interstate Commerce)</i> by USA (Aloi, Elizabeth) (Entered: 04/01/2022)
04/01/2022	<u>82</u>		STIPULATION <i>of the Parties (Official Duties)</i> by USA (Aloi, Elizabeth) (Entered: 04/01/2022)
04/01/2022	<u>83</u>		STIPULATION <i>of the Parties (Federally Protected Function)</i> by USA (Aloi, Elizabeth) (Entered: 04/01/2022)
04/03/2022	<u>84</u>		MOTION in Limine <i>to Admit Exhibit</i> by USA as to THOMAS ROBERTSON. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Aloi, Elizabeth) Modified defendant on 4/4/2022 (zstd). (Entered: 04/03/2022)
04/04/2022			Minute Entry for proceedings held before Judge Christopher R. Cooper on 4/4/2022 as to THOMAS ROBERTSON (1). Defendant arraigned on the superseding indictment and enters a Plea of Not Guilty as to Counts 1ss-6ss and waives the formal reading. Voir Dire commenced and to continue on 4/5/2022 at 9:00 AM in Courtroom 20/27A (in person) before Judge Christopher R. Cooper. Jury Trial to commence on 4/5/2022 at 9:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. Bond Status of Defendant: remains committed; Court Reporters: Lisa Moreira (AM) and Bryan Wayne (PM); Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloi and Risa Berkower. (lsj) (Entered: 04/04/2022)
04/05/2022			Minute Entry for Jury Trial held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 4/5/2022. Voir Dire commenced and concluded with twelve jurors and two alternates selected and sworn. Jury Trial commenced as to Counts 1ss-6ss. Jury Trial to continue on 4/6/2022 at 9:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. Bond Status of Defendant: remains committed; Court Reporters: Lisa Moreira (AM) and Bryan Wayne (PM); Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloi and Risa Berkower; Government Witnesses: Cpt. Ronald Ortega and James Ervin. (lsj) (Entered: 04/05/2022)
04/06/2022			

		Minute Entry for Jury Trial held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 4/6/2022 as to Counts 1ss–6ss. Trial resumed with same jury and alternates. Jury Trial to continue on 4/7/2022 at 9:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. Bond Status of Defendant: remains committed; Court Reporters: Lisa Moreira (AM) and Bryan Wayne (PM); Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloï and Risa Berkower; Government Witnesses: William Hackerman, Lynne Witt, Chad Potter, Noah Duckett, Daniel Schwager, Paul Wade and Jacob Fracker. (lsj) (Entered: 04/06/2022)
04/07/2022		Minute Entry for Jury Trial held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 4/7/2022 as to Counts 1ss–6ss. Trial resumed with same jury and alternates. Government formally rests case in chief. Defendant's oral Motion for Rule 29 (Motion for Judgment of Acquittal) is RESERVED. Defense proceeds to presentation of case and formally rests. Government presents rebuttal case and formally rests. Jury receives charge instructions. Jury Trial to resume on 4/8/2022 at 9:30 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. Bond Status of Defendant: remains committed; Court Reporters: Lisa Moreira (AM) and Bryan Wayne (PM); Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloï and Risa Berkower; Government Witnesses: Jacob Fracker (continued from 4/6/2022) and Kathryn Camiliere. Defense Witnesses: George Bobbouine and Edward Lavado. Government's Rebuttal Witness: Kathryn Camiliere. (lsj) (Entered: 04/07/2022)
04/08/2022		Minute Entry for Jury Trial held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 4/8/2022 as to Counts 1ss–6ss. Trial resumed with same jury and alternates. Closing arguments submitted to the jury and alternate jurors released. Jury deliberations commenced and to continue on 4/11/2022 at 9:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. Bond Status of Defendant: remains committed; Court Reporter: Lisa Moreira; Defense Attorneys: Mark M. Rollins and Camille Wagner; US Attorneys: Elizabeth Ann Aloï and Risa Berkower. (lsj) (Entered: 04/08/2022)
04/08/2022	<u>86</u>	Final Jury Instructions as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/08/2022)
04/08/2022	<u>87</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/08/2022)

04/08/2022	<u>90</u>		Jury Note #1 as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/08/2022	<u>91</u>		Jury Note #2 as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/08/2022	<u>92</u>		Signature Page of Foreperson as to THOMAS ROBERTSON (1) on April 8, 2022 Jury Notes 1–2. (Access to the PDF Document is restricted pursuant to the E–Government Act. Access is limited to Counsel of Record and the Court.) (zlsj) (Entered: 04/11/2022)
04/09/2022	<u>88</u>		REPLY by USA as to THOMAS ROBERTSON <i>to Jury Note</i> (Aloi, Elizabeth) Modified defendant on 4/11/2022 (zstd). (Entered: 04/09/2022)
04/10/2022	<u>89</u>		REPLY by THOMAS ROBERTSON <i>Jury Note</i> (Wagner, Camille) (Entered: 04/10/2022)
04/11/2022	<u>93</u>		Court's Response to Jury Note #2 <u>91</u> as to THOMAS ROBERTSON (1). Signed by Judge Christopher R. Cooper on 4/11/2022. (lsj) (Entered: 04/11/2022)
04/11/2022	<u>94</u>		Jury Note #3 as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/11/2022	<u>95</u>		Signature Page of Foreperson as to THOMAS ROBERTSON (1) on Jury Note #3. (Access to the PDF Document is restricted pursuant to the E–Government Act. Access is limited to Counsel of Record and the Court.) (zlsj) (Entered: 04/11/2022)
04/11/2022	<u>96</u>		Court's Response as to Jury Note #3 <u>94</u> as to THOMAS ROBERTSON (1). Signed by Judge Christopher R. Cooper on 4/11/2022. (zlsj) (Entered: 04/11/2022)
04/11/2022			MINUTE ORDER as to THOMAS ROBERTSON (1): The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations, all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. Approved by Judge Christopher R. Cooper on 4/11/2022. (lsj) (Entered: 04/11/2022)
04/11/2022			Minute Entry for Jury Trial held before Judge Christopher R. Cooper as to THOMAS ROBERTSON (1) on 4/11/2022 as to Counts 1ss–6ss. Jury deliberations resumed and concluded with same jury. Jury verdict entered as to THOMAS ROBERTSON (1): Guilty on Counts 1ss–6ss. Jury polled with unanimous verdict. Jury discharged without any further consideration in this case. Presentence investigation report ordered. Sentencing date forthcoming. Bond Status of Defendant: remains committed; Court Reporter: Lisa Moreira; Defense Attorneys: Mark M. Rollins and Camille Wagner; US

		Attorneys: Elizabeth Ann Aloï and Risa Berkower. (lsj) (Entered: 04/11/2022)
04/11/2022	<u>97</u>	Jury Note #4 as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/11/2022	<u>98</u>	Court's Response as to Jury Note #4 as to THOMAS ROBERTSON (1). Signed by Judge Christopher R. Cooper on 4/11/2022. (lsj) (Entered: 04/11/2022)
04/11/2022	<u>99</u>	Signature Page of Foreperson as to THOMAS ROBERTSON (1) on Jury Note #4. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zlsj) (Entered: 04/11/2022)
04/11/2022	<u>100</u>	Jury Note #5 as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/11/2022	<u>101</u>	Signature Page of Foreperson as to THOMAS ROBERTSON (5) on Jury Note #5. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zlsj) (Entered: 04/11/2022)
04/11/2022	<u>102</u>	JURY VERDICT FORM as to THOMAS ROBERTSON (1) (lsj) (Entered: 04/11/2022)
04/11/2022	<u>103</u>	Signature Page of Foreperson as to THOMAS ROBERTSON (1) on Jury Verdict Form. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zlsj) (Entered: 04/11/2022)
04/21/2022	<u>104</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 4, 2022; Page Numbers: 1-101. Date of Issuance: April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354-3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy,</p>

		<p>which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Moreira, Lisa) (Entered: 04/21/2022)</p>
04/21/2022	<u>105</u>	<p>TRANSCRIPT OF JURY TRIAL, PM SESSION, in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 4, 2022; Page Numbers: 102–230. Date of Issuance: 4/21/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Wayne, Bryan) (Entered: 04/21/2022)</p>
04/21/2022	<u>106</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 5, 2022; Page Numbers: 230–352. Date of Issuance: April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p>

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04/21/2022	<u>107</u>	<p>TRANSCRIPT OF JURY TRIAL, PM SESSION, in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 5, 2022; Page Numbers: 353–481. Date of Issuance: 4/21/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Wayne, Bryan) (Entered: 04/21/2022)</p>
04/21/2022	<u>108</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 6, 2022; Page Numbers: 482–626. Date of Issuance: April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the Transcript Order Form</p>

		<p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Moreira, Lisa) (Entered: 04/21/2022)</p>
04/21/2022	<u>109</u>	<p>TRANSCRIPT OF JURY TRIAL, PM SESSION, in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 6, 2022; Page Numbers: 627–778. Date of Issuance: 4/21/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Wayne, Bryan) (Entered: 04/21/2022)</p>
04/21/2022	<u>110</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS</p>

		<p>ROBERTSON before Judge Christopher R. Cooper held on April 7, 2022; Page Numbers: 779–935. Date of Issuance: April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Moreira, Lisa) (Entered: 04/21/2022)</p>
04/21/2022	<u>111</u>	<p>TRANSCRIPT OF JURY TRIAL, PM SESSION, in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 7, 2022; Page Numbers: 936–1012. Date of Issuance: 4/21/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p>

		Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Wayne, Bryan) (Entered: 04/21/2022)
04/21/2022	<u>112</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 8, 2022; Page Numbers: 1013–1102. Date of Issuance:April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Moreira, Lisa) (Entered: 04/21/2022)</p>
04/21/2022	<u>113</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to THOMAS ROBERTSON before Judge Christopher R. Cooper held on April 11, 2022; Page Numbers: 1103–1111. Date of Issuance:April 21, 2022. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and</p>

		<p>the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/12/2022. Redacted Transcript Deadline set for 5/22/2022. Release of Transcript Restriction set for 7/20/2022.(Moreira, Lisa) (Entered: 04/21/2022)</p>
04/25/2022	<u>114</u>	<p>MOTION for Acquittal by THOMAS ROBERTSON as to THOMAS ROBERTSON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) Modified defendant on 4/26/2022 (zstd). (Entered: 04/25/2022)</p>
05/05/2022		<p>MINUTE ORDER: The Sentencing Hearing as to THOMAS ROBERTSON is hereby scheduled for August 4, 2022, at 2:00 PM in Courtroom 27A–In Person before Judge Christopher R. Cooper. The Probation Office is directed to prepare a Presentence Investigation Report. The parties shall file their Sentencing Memos on or before July 28, 2022. So Ordered by Judge Christopher R. Cooper on 5/5/2022. (lccrc3) (Entered: 05/05/2022)</p>
05/05/2022	<u>115</u>	<p>MOTION to Continue <i>Sentencing</i> by THOMAS ROBERTSON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) Modified defendant on 5/5/2022 (zstd). (Entered: 05/05/2022)</p>
05/06/2022		<p>MINUTE ORDER: The Court grants the <u>115</u> Motion to Continue Sentencing Date as to THOMAS ROBERTSON. The Sentencing Hearing as to Defendant Robertson is hereby rescheduled to August 11, 2022, at 2:00 PM in Courtroom 27A–In Person before Judge Christopher R. Cooper. Sentencing memos due August 4, 2022. Signed by Judge Christopher R. Cooper on 5/6/2022. (lccrc3) (Entered: 05/06/2022)</p>
05/09/2022	<u>116</u>	<p>Memorandum in Opposition by USA as to THOMAS ROBERTSON re <u>114</u> MOTION for Acquittal (Berkower, Risa) Modified defendant on 5/10/2022 (zstd). (Entered: 05/09/2022)</p>
07/05/2022	<u>117</u>	<p>ORDER denying Defendant THOMAS ROBERTSON's <u>114</u> Motion for Judgment of Acquittal. See full Order for details. Signed by Judge Christopher R. Cooper on 7/5/2022. (lccrc3) (Entered: 07/05/2022)</p>
07/05/2022	<u>118</u>	<p>MEMORANDUM OPINION re: <u>117</u> Order denying Defendant THOMAS ROBERTSON's <u>114</u> Motion for</p>

		Judgment of Acquittal. See full Memorandum Opinion for details. Signed by Judge Christopher R. Cooper on 7/5/2022. (lccrc3) (Entered: 07/05/2022)
07/28/2022	<u>121</u>	SENTENCING MEMORANDUM by THOMAS ROBERTSON (Attachments: # <u>1</u> Letter from Defendant, # <u>2</u> Law Enforcement Awards, # <u>3</u> Military Awards Etc, # <u>4</u> Character letter from Gregory Jones, # <u>5</u> Character Letter from Dennis Deacon, # <u>6</u> Character Letter from Julianna Boyles, # <u>7</u> Character Letter Edward Lavado, # <u>8</u> Character Letter from Samantha Robertson)(Rollins, Mark) (Entered: 07/28/2022)
08/04/2022	<u>124</u>	SENTENCING MEMORANDUM by USA as to THOMAS ROBERTSON (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Exhibit Ex. A-1, # <u>3</u> Exhibit Ex. A-2, # <u>4</u> Exhibit Ex. A-3, # <u>5</u> Exhibit Ex. B, # <u>6</u> Exhibit Ex. B-1, # <u>7</u> Errata Ex. B-2, # <u>8</u> Exhibit Ex. B-3, # <u>9</u> Exhibit Ex. B-4, # <u>10</u> Exhibit Ex. B-5, # <u>11</u> Exhibit Ex. C-1, # <u>12</u> Exhibit Ex. C-2, # <u>13</u> Exhibit Ex. C-2)(Aloi, Elizabeth) Modified defendant on 8/9/2022 (zstd). (Entered: 08/04/2022)
08/10/2022	<u>130</u>	NOTICE <i>3 additional Character Letters</i> by THOMAS ROBERTSON re <u>121</u> Sentencing Memorandum, (Attachments: # <u>1</u> Exhibit Character Letter from Kenna Robertson, # <u>2</u> Exhibit Character Letter from Barry Moran, # <u>3</u> Exhibit Character Letter from Dr. William Stankard)(Rollins, Mark) (Entered: 08/10/2022)
08/11/2022		Minute Entry for Sentencing held before Judge Christopher R. Cooper on 8/11/2022 as to THOMAS ROBERTSON (1). It is the judgment of the Court, that the Defendant is committed to the custody of the Bureau of Prisons for a concurrent term on 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution. The Court makes a finding and ORDERS the Defendant to pay restitution pursuant to the Government's motion, for reasons stated on the record. Bond Status of Defendant: remains committed; Court Reporter: Lisa Moreira; Defense Attorney: Mark M. Rollins; US Attorneys: Elizabeth Ann Aloi and Risa Berkower; Prob Officer: Sherry Baker. (lsj) (Entered: 08/12/2022)
08/12/2022	<u>134</u>	Motion For A Recommendation To A Specific Bureau Of Prisons Designation by THOMAS ROBERTSON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) Modified text on 8/15/2022 (zstd). (Entered: 08/12/2022)

08/17/2022	<u>140</u>		JUDGMENT as to THOMAS ROBERTSON. Statement of Reasons Not Included. Signed by Judge Christopher R. Cooper on 8/17/2022. (zstd) (Entered: 08/18/2022)
08/17/2022	<u>141</u>		STATEMENT OF REASONS as to THOMAS ROBERTSON re <u>140</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Christopher R. Cooper on 8/17/2022. (zstd) (Entered: 08/18/2022)
08/22/2022	<u>143</u>		NOTICE OF APPEAL – Final Judgment by THOMAS ROBERTSON re Sentencing,,, Fee Status: No Fee Paid. Parties have been notified. (Rollins, Mark) (Main Document 143 replaced on 8/23/2022) (zstd). (Entered: 08/22/2022)
08/22/2022	<u>144</u>		Final MOTION for Rule 24(a)(1) by THOMAS ROBERTSON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Rollins, Mark) (Entered: 08/22/2022)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA)
)
 vs.) Criminal No. 1:21-cr-00034-CRC
)
Thomas Robertson)

NOTICE OF APPEAL

Name and address of appellant: Thomas Robertson
Cellblock C Cell 5
1201 James Madison Highway
Orange, Virginia 22960

Name and address of appellant’s attorney: Mark Rollins
Rollins and Chan Law Firm
419 7th Street, NW
Suite 405
Washington, DC 20004

Offense: All Counts - Judgment and Sentence Entered on August 11, 2022

Concise statement of judgment or order, giving date, and any sentence:

Sentence imposed on August 11, 2022; 87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. The Defendant shall receive credit for time served and further ordered to pay a special assessment of \$510 and \$2,000 in restitution.

Name and institution where now confined, if not on bail: Central Virginia Regional Jail

I, the above named appellant, hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the above-stated judgment.

08/22/2022
DATE
Thomas Robertson
APPELLANT
Mark Rollins /s/ *Mark Rollins*
ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE
CJA, NO FEE
PAID USDC FEE
PAID USCA FEE

Does counsel wish to appear on appeal? YES NO
Has counsel ordered transcripts? YES NO
Is this appeal pursuant to the 1984 Sentencing Reform Act? YES NO

Rule 24. Proceeding in Forma Pauperis ✓

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

THOMAS ROBERTSON

JUDGMENT IN A CRIMINAL CASE

Case Number: 21-CR-34-1 (CRC)

USM Number: 31566-509

Mark M Rollins and Camille Wagner

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____
- pleaded nolo contendere to count(s) _____ which was accepted by the court.
- was found guilty on count(s) 1ss, 2ss, 3ss, 4ss, 5ss and 6ss after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1512(c)(2) and 2	Obstruction of an Official Proceedings and Aiding and Abetting	1/6/2021	1ss
18 USC 231(a)(3) and 2	Civil Disorder and Aiding and Abetting	1/6/2021	2ss

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) _____
- Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

8/11/2022

Date of Imposition of Judgment



Signature of Judge

Honorable Christopher R. Cooper, U.S.D.C. Judge

Name and Title of Judge

8/17/22

Date

DEFENDANT: THOMAS ROBERTSON
CASE NUMBER: 21-CR-34-1 (CRC)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1751(a)(1) and (b)(1)(A)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	3ss
18 USC 1752(a)(2) and (b)(1)(A)	Disorderly Conduct in a Capitol Building	1/6/2021	4ss
40 USC 5104(e)(2)(D)	Disorderly Conduct in a Capitol Building	1/6/2021	5ss
18 USC 1512(c)(1)	Obstruction of an Official Proceeding	1/13/2021	6ss

DEFENDANT: THOMAS ROBERTSON
CASE NUMBER: 21-CR-34-1 (CRC)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

87 months as to Counts 1ss, 3ss, 4ss and 6ss. As to Count 2ss, the Defendant is sentenced to 60 months. As to Count 5ss, the Defendant is sentenced to 6 months. All terms shall be served concurrently and the Defendant shall receive credit for time served.

The court makes the following recommendations to the Bureau of Prisons:

Placement at FCI Petersburg, to be close to the Defendant's family.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: THOMAS ROBERTSON
CASE NUMBER: 21-CR-34-1 (CRC)

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

36 months to be served concurrently on Counts 1ss, 2ss, 3ss, 4ss and 6ss.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: THOMAS ROBERTSON
CASE NUMBER: 21-CR-34-1 (CRC)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: THOMAS ROBERTSON
CASE NUMBER: 21-CR-34-1 (CRC)

ADDITIONAL SUPERVISED RELEASE TERMS

You shall comply with the following special conditions:

1. Mental Health Treatment - You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
2. Re-entry Progress Hearing - Within sixty days of release from incarceration you will appear before the Court for a re-entry progress hearing. The United States Probation Office in the district you are supervised will submit a progress report to the court within the thirty days of the recommencement of supervision; upon receipt of the progress report, the Court will determine if your appearance is required.

The Probation Office shall release the presentence investigation report to all appropriate agencies, which includes the United States Probation Office in the approved district of residence, in order to execute the sentence of the Court. Treatment agencies shall return the presentence report to the Probation Office upon the defendant's completion or termination from treatment.

NOTICE OF APPEAL

Pursuant to 18 USC § 3742, you have the right to appeal the verdict and sentence. If you choose to appeal, you must file any appeal within 14 days after the Court enters judgment. If you are unable to afford the cost of an appeal, you may request permission from the Court to file an appeal without cost to you.

As defined in 28 USC § 2255, you also have the right to challenge the conviction entered or sentence imposed if new and currently unavailable information becomes available to you or, on a claim that you received ineffective assistance of counsel in entering a plea of guilty to the offense(s) of conviction or in connection with sentencing.

If you are unable to afford the cost of an appeal, you may request permission from the Court to file an appeal without cost to you.

DEFENDANT: THOMAS ROBERTSON
 CASE NUMBER: 21-CR-34-1 (CRC)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 510.00	\$ 2,000.00	\$	\$	\$

The determination of restitution is deferred until _____ . An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Architect of the Capitol		\$2,000.00	
Office of the Chief Financial Officer			
Attn: Kathy Sherrill, CPA			
Ford House Office Building			
Room H2-205B			
Washington, DC 20515			

TOTALS	\$	0.00	\$	2,000.00
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Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: THOMAS ROBERTSON
 CASE NUMBER: 21-CR-34-1 (CRC)

SCHEDULE OF PAYMENTS

Having assessed the defendant’s ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 2,510.00 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant’s ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

The financial obligations are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, you shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons’ Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
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- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant’s interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JvTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.