

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00118-RCL-1**

Case title: USA v. MUNCHEL et al

Magistrate judge case number: 1:21-mj-00071-ZMF

Date Filed: 02/12/2021

Assigned to: Judge Royce C.
Lamberth

Appeals court case number:
21-3010

Defendant (1)

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Pending Counts

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

18:1512(k);TAMPERING WITH
WITNESS, VICTIM, OR AN
INFORMANT; Conspiracy to
Commit Obstruction
(1s)

18:1512(k); TAMPERING WITH
WITNESS, VICTIM, OR AN
INFORMANT; Conspiracy to
Commit Obstruction
(1ss)

18 U.S.C. 1752(a)(1)-(2), (b), 2;
TEMPORARY RESIDENCE OF
THE PRESIDENT; Restricted
Building or Grounds
(2)

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

Disposition

DISMISSED

DISMISSED

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss-3ss, 5ss, 7ss and 6 months as to each of Counts 8ss-10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss-3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

DISMISSED

DISMISSED

(2s)

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

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

40 U.S.C. 5104(e)(1), (2), 2; FEDERAL STATUTES, OTHER; Violent Entry or Disorderly Conduct
(3)

DISMISSED

18:1752(a)(1), (b)(1)(A) and 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon and Aiding and Abetting
(3s)

DISMISSED

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

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

18:1752(a)(2), (b)(1)(A) and 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon and Aiding and Abetting
(4s)

DISMISSED

40:5104(e)(1)(A) and 18:2; VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Unlawful Possession of a Dangerous Weapon on Capitol Grounds or Buildings and Aiding and Abetting
(5s)

DISMISSED

18:1752(a)(2), (b)(1)(A); TEMPORARY RESIDENCE OF

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as

THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(5ss)

to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

40:5104(e)(2)(B); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Entering and Remaining in the Gallery of Congress
(6s)

DISMISSED

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building
(7s)

DISMISSED

40:5104(e)(1)(A); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Unlawful Possession of a Dangerous Weapon on Capitol Grounds or Buildings
(7ss)

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building
(8s)

DISMISSED

40:5104(e)(2)(B); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Entering and Remaining in the Gallery of Congress
(8ss)

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

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

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to

a Capitol Building
(9ss)

be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building
(10ss)

Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:371, 18:231(a)(3), 18:1752(a), and 40:5104(e)(2)

Disposition

Movant

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Date Filed	#	Docket Text
01/10/2021		Arrest of ERIC GAVELEK MUNCHEL in US District Court Middle District of Tennessee Nashville Division. (bb) (Entered: 04/02/2021)
01/15/2021	<u>1</u>	COMPLAINT as to ERIC GAVELEK MUNCHEL (1), LISA MARIE EISENHART (2). (Attachments: # <u>1</u> Affidavit in Support) (bb) [1:21-mj-00071-ZMF] (Entered: 01/16/2021)
01/24/2021	<u>3</u>	APPEAL of Release Order and Emergency Motion for Stay Pending Appeal as to by USA as to ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Proposed Order)(ztg) [1:21-mj-00071-ZMF] (Entered: 01/24/2021)
01/24/2021	<u>4</u>	ORDER, as to ERIC GAVELEK MUNCHEL, GRANTING the government's <u>3</u> Motion to Stay. Signed by Chief Judge Beryl A. Howell on January 24, 2021. (lcbah1) [1:21-mj-00071-ZMF] (Entered: 01/24/2021)

01/24/2021	<u>5</u>	TRANSPORT ORDER as to ERIC GAVELEK MUNCHEL. Signed by Chief Judge Beryl A. Howell on January 24, 2021. (lcbah1) [1:21-mj-00071-ZMF] (Entered: 01/24/2021)
02/03/2021	<u>12</u>	NOTICE OF ATTORNEY APPEARANCE: Sandra Gayle Roland appearing for ERIC GAVELEK MUNCHEL (Roland, Sandra) [1:21-mj-00071-ZMF] (Entered: 02/03/2021)
02/04/2021	<u>14</u>	MOTION to Adopt and Join Motion Filed by Co-Defendant re 13 Emergency MOTION to Rescind Stay of Release Order or to Conduct an Immediate Review of Detention by ERIC GAVELEK MUNCHEL as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Roland, Sandra) Modified relief on 2/8/2021 (znmw). [1:21-mj-00071-ZMF] (Entered: 02/04/2021)
02/05/2021		MINUTE ORDER (paperless), as to ERIC GAVELEK MUNCHEL and LISA MARIE EISENHART, DIRECTING, upon consideration of defendant Eisenhart's 15 Corrected Motion to Rescind Stay of Release Order or to Conduct an Immediate Review of Her Detention ("Eisenhart Motion") and defendant Munchel's <u>14</u> Motion to Adopt and Join Motion Filed by Co-Defendant ("Munchel Motion"), in particular defendants' representations that they both remain detained in the Middle District of Tennessee and have not been transported to Washington, DC, <i>see</i> Eisenhart Motion at 8; Munchel Motion at 3, the government to submit, by February 9, 2021, a status report informing the Court of the status of defendants' transport to this District and their anticipated arrival date. Signed by Chief Judge Beryl A. Howell on February 5, 2021. (lcbah1) [1:21-mj-00071-ZMF] (Entered: 02/05/2021)
02/09/2021	<u>18</u>	STATUS REPORT by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Baset, Ahmed) [1:21-mj-00071-ZMF] (Entered: 02/09/2021)
02/10/2021	<u>19</u>	Memorandum in Opposition by ERIC GAVELEK MUNCHEL re <u>3</u> MOTION to Review MOTION to Stay (Attachments: # <u>1</u> Exhibit)(Roland, Sandra) [1:21-mj-00071-ZMF] (Entered: 02/10/2021)
02/11/2021	<u>20</u>	NOTICE OF ATTORNEY APPEARANCE Justin Todd Sher appearing for USA. (zltf) [1:21-mj-00071-ZMF] (Entered: 02/11/2021)
02/11/2021	<u>65</u>	Rule 5(c)(3) Documents Received as to ERIC GAVELEK MUNCHEL from US District Court Middle District of Tennessee Nashville Division Case Number 3:21-mj-2668 (bb) (Entered: 04/02/2021)
02/12/2021	<u>21</u>	INDICTMENT as to ERIC GAVELEK MUNCHEL (1) count(s) 1, 2, 3, LISA MARIE EISENHART (2) count(s) 1, 2, 3. (zltf) (Main Document 21 replaced on 2/17/2021) (zltf). (Entered: 02/16/2021)
02/17/2021		<p>MINUTE ORDER. Detention Hearing set for 2/17/2021 at 01:00 PM as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2).</p> <p>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: 888-636-3807; Access Code: 6967853.</p> <p>Signed by Judge Royce C. Lamberth on 02/16/2021. (lrcrl2) (Entered: 02/17/2021)</p>

02/17/2021	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE Leslie A. Goemaat appearing for USA. (Goemaat, Leslie) (Entered: 02/17/2021)
02/17/2021		Minute Entry for video Arraignment held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Defendants arraigned and enters a Plea of Not Guilty as to Counts 1, 2 and 3 and further waives the formal reading of the Indictment. Oral arguments submitted on detention; forthcoming Order. Status Conference set for 3/10/2021 at 1:00 PM by VTC before Judge Royce C. Lamberth. Bond Status of Defendants: committed. Court Reporter: Lisa Edwards. Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorneys: Ahmed Baset, Justin Sher and Leslie Goematt; Pretrial Officer: Christine Shuck. (zlsj) (Entered: 02/17/2021)
02/17/2021	<u>24</u>	MEMORANDUM OPINION as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 02/17/2021. (lcrcl2) (Entered: 02/17/2021)
02/17/2021	<u>25</u>	ORDER OF DETENTION PENDING TRIAL – Defendant Held Without Bond as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on 02/17/2021. (lcrcl2) (Entered: 02/17/2021)
02/17/2021	<u>27</u>	ORDER denying as moot <u>3</u> Motion for Review as to ERIC GAVELEK MUNCHEL (1); denying as moot <u>6</u> Motion for Review as to LISA MARIE EISENHART (2); granting <u>14</u> Motion to join as to ERIC GAVELEK MUNCHEL (1); denying as moot <u>15</u> Motion to Revoke Stay as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2); denying as moot <u>16</u> Motion for Review as as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 02/17/2021. (lcrcl2) (Entered: 02/17/2021)
02/17/2021	<u>28</u>	ORDER as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) excluding time from 02/17/2021 to 03/15/2021 under the Speedy Trial Act in the interest of justice. Signed by Judge Royce C. Lamberth on 02/17/2021. (lcrcl2) (Entered: 02/17/2021)
02/18/2021	<u>31</u>	NOTICE OF APPEAL – Final Judgment by ERIC GAVELEK MUNCHEL re <u>25</u> Order of Detention Pending Trial– Defendant HWOB. Fee Status: No Fee Paid. Parties have been notified. (Roland, Sandra) (Entered: 02/18/2021)
02/19/2021	<u>32</u>	<p>TRANSCRIPT OF ARRAIGNMENT AND DETENTION HEARING CONDUCTED VIA ZOOM in case as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART before Judge Royce C. Lamberth held on February 17, 2021; Page Numbers: 1–65. Date of Issuance: February 19, 2021. Court Reporter/Transcriber: Lisa Edwards. Telephone number (202) 354–3269. 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</p>

		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. Redaction Request due 3/12/2021. Redacted Transcript Deadline set for 3/22/2021. Release of Transcript Restriction set for 5/20/2021.(Edwards, Lisa) (Entered: 02/19/2021)
02/22/2021	<u>33</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. No Fee Paid, Defendant is Represented by Federal Public Defender's Office as to ERIC GAVELEK MUNCHEL re <u>31</u> Notice of Appeal – Final Judgment. (zhsj) (Entered: 02/22/2021)
02/24/2021		USCA Case Number as to ERIC GAVELEK MUNCHEL 21–3010 for <u>31</u> Notice of Appeal – Final Judgment filed by ERIC GAVELEK MUNCHEL. (zhsj) (Entered: 02/24/2021)
03/02/2021	<u>35</u>	MOTION to Seal <i>Notice of Filing and Motion to Seal</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2)(Baset, Ahmed) Modified event title on 3/9/2021 (znmw). (Entered: 03/02/2021)
03/02/2021	<u>36</u>	MOTION to Supplement the Record Pursuant to Fed. R. App. P. 10(e)(2)(B) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Goemaat, Leslie) (Entered: 03/02/2021)
03/03/2021	<u>37</u>	ORDER as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) granting <u>35</u> Motion to Seal and setting briefing schedule for <u>36</u> MOTION to Supplement the Record Pursuant to Fed. R. App. P. 10(e)(2)(B). The defendants shall file any opposition to the motion to supplement the record by 5:00 p.m. on 3/4/21 and the government shall file any reply by noon on 3/5/2021. Signed by Judge Royce C. Lamberth on 03/03/2021. (lcrcl2) (Entered: 03/03/2021)
03/04/2021	<u>38</u>	NOTICE of Filing (<i>First Discovery Letter</i>) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Exhibit Discovery Letter 1)(Goemaat, Leslie) (Entered: 03/04/2021)
03/04/2021	<u>39</u>	Memorandum in Opposition by ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>36</u> MOTION to Supplement the Record Pursuant to Fed. R. App. P. 10(e)(2)(B) (<i>Defendants' Joint Response</i>) (Smith, Gregory) (Entered: 03/04/2021)
03/05/2021	<u>41</u>	REPLY TO OPPOSITION to Motion by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>36</u> MOTION to Supplement the Record Pursuant to Fed. R. App. P. 10(e)(2)(B) (Attachments: # <u>1</u> Text of Proposed Order Proposed Order to Supplement Record Pursuant to Fed. R. App. P. 10(e)(2)(B))(Goemaat, Leslie) (Entered: 03/05/2021)
03/05/2021	<u>42</u>	ORDER as to LISA MARIE EISENHART (2) setting briefing schedule for <u>40</u> MOTION to Review Confinement Conditions or for Transfer to a More Suitable Jail Facility filed by LISA MARIE EISENHART. Response due by noon on 3/9/2021; Reply due by noon on 3/10/2021. Motion Hearing as to LISA MARIE EISENHART (2) and Status Conference as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) set for 3/10/2021 at 01:00 PM before Judge Royce C. Lamberth.

		<p>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: 888–636–3807; Access Code: 6967853.</p> <p>Signed by Judge Royce C. Lamberth on 03/05/2021. (lcrcl2) (Entered: 03/05/2021)</p>
03/05/2021	<u>43</u>	ORDER granting <u>36</u> Motion to Supplement the Record Pursuant to Fed. R. App. P. 10(e)(2)(B) as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). The Clerk of Court shall transmit the record as supplemented to the Court of Appeals forthwith. Signed by Judge Royce C. Lamberth on 03/05/2021. (lcrcl2) (Entered: 03/05/2021)
03/09/2021	<u>46</u>	NOTICE of Filing (<i>Second Informal Discovery Letter</i>) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Exhibit Informal Discovery Letter Volume 2)(Goemaat, Leslie) (Entered: 03/09/2021)
03/10/2021		Minute Entry for video Status and Motion held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 3/10/2021. Oral arguments submitted in Defendant Eisenhart's Motion 40 to Review Confinement Conditions or for Transfer to a More Suitable Jail Facility. Motion taken under advisement; forthcoming Order. Further Status Conference set for 4/13/2021 at 10:00 AM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest to toll the speedy trial clock from 3/10/2021 through 4/13/2021. Bond Status of Defendants: remain committed. Court Reporter: Lisa Moreira; Defense Attorney: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Leslie A. Goemaat; DC Representatives: DC AAG Philip Medley and Erice Glover. (lsj) (Entered: 03/10/2021)
03/11/2021	<u>49</u>	ORDER as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) excluding time from 3/15/2021 to 4/13/2021 under the Speedy Trial Act in the interest of justice. Signed by Judge Royce C. Lamberth on 03/11/2021. (lcrcl2) (Entered: 03/11/2021)
03/17/2021	<u>51</u>	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Baset, Ahmed) (Entered: 03/17/2021)
03/26/2021	<u>55</u>	MANDATE of USCA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re 53 Notice of Appeal – Final Judgment, <u>31</u> Notice of Appeal – Final Judgment. In Accordance with the Judgment of 3/26/2021, the Case be Remanded to the District Court for it to Reconsider Forthwith its Orders Granting the Government's Oral Motion for Pretrial Detention. USCA Case Number 21–3010. (Attachments: # <u>1</u> USCA Judgment of 3/26/2021, # <u>2</u> USCA Opinion of 3/26/2021) (zhsj) (Entered: 03/26/2021)
03/26/2021	<u>56</u>	Consent MOTION to Expedite <i>Hearing</i> by ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Smith, Gregory) (Entered: 03/26/2021)
03/26/2021	<u>57</u>	ORDER granting <u>56</u> Motion to Expedite as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) and ordering parties to meet and confer forthwith and file proposed schedule. Signed by Judge Royce C. Lamberth on 3/26/2021. (lcrcl2) (Entered: 03/26/2021)

03/29/2021	<u>58</u>	RESPONSE TO ORDER OF THE COURT by ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>57</u> Order on Motion to Expedite (<i>Joint Report on behalf of All Parties</i>) (Smith, Gregory) (Entered: 03/29/2021)
03/29/2021	<u>59</u>	WITHDRAWAL of Motion by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Text of Proposed Order Proposed Release Order Pursuant to Special Conditions of Release)(Goemaat, Leslie) (Entered: 03/29/2021)
03/29/2021	<u>60</u>	ORDER as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) vacating <u>25</u> Order of Detention Pending Trial and 26 Order of Detention Pending Trial, ordering ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) released subject to conditions, ordering counsel for defendants to obtain and docket acknowledgements, ordering counsel for defendants to docket under seal contact information for third-party custodians, and ordering the USMS to release ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) forthwith. Signed by Judge Royce C. Lamberth on 3/29/2021. (lcrcl2) (Entered: 03/29/2021)
03/29/2021	<u>61</u>	ORDER Setting Conditions of Release as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on 3/29/2021. (lcrcl2) (Entered: 03/29/2021)
03/30/2021	<u>63</u>	RESPONSE TO ORDER OF THE COURT by ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>57</u> Order on Motion to Expedite and <u>60</u> Order of Release – <i>Defendants' Written Acknowledgements</i> (Smith, Gregory) (Entered: 03/30/2021)
04/02/2021	<u>67</u>	Unopposed MOTION for Protective Order by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Attachments: # <u>1</u> Text of Proposed Order Proposed Protective Order)(Goemaat, Leslie) (Entered: 04/02/2021)
04/06/2021	<u>68</u>	Protective Order Governing Discovery as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 4/6/2021. (lcrcl2) (Entered: 04/06/2021)
04/07/2021	<u>69</u>	NOTICE of Filing of Third Informal Discovery Letter by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Informal Discovery Letter Volume 3)(Goemaat, Leslie) (Entered: 04/07/2021)
04/09/2021	<u>70</u>	Unopposed MOTION for Order to Disclose 6(e) and Sealed Materials by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Goemaat, Leslie) Modified relief on 4/21/2021 (znmw). (Entered: 04/09/2021)
04/13/2021		Minute Entry video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 4/13/2021. Further Status Conference set for 6/23/2021 at 10:00 AM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest of justice to toll the speedy trial clock from 4/13/2021 through 6/23/21. Bond Status of Defendants: remain on personal recognizance; Court Reporter: Nancy Meyers; Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Leslie A. Goemaat. (lsj) (Entered: 04/13/2021)
05/06/2021	<u>73</u>	Unopposed MOTION For Authorization to Call his Mother on Mother's Day by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order)(Roland, Sandra) (Entered: 05/06/2021)
05/07/2021	<u>74</u>	ORDER granting <u>73</u> Motion for Authorization to Call his Mother on Mother's Day as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on

		5/7/2021. (lcrcl2) (Entered: 05/07/2021)
06/02/2021	<u>76</u>	SUPERSEDING INDICTMENT as to ERIC GAVELEK MUNCHEL (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, LISA MARIE EISENHART (2) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. (bb) (Entered: 06/02/2021)
06/23/2021		Minute Entry for proceedings held before Judge Royce C. Lamberth: Arraignment as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) held on 6/23/2021. Defendants ARRAIGNED and a plea of NOT GUILTY entered on counts 1s–8s as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). The Court finds it in the interest of justice to toll the speedy trial clock from 6/23/2021 through 9/20/2021 (XT). Excludable started as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Status Conference set for 9/20/2021 at 10:00 AM in Telephonic/VTC before Judge Royce C. Lamberth. Bond Status of Defendant: remain on PERSONAL RECOGNIZANCE BOND/appeared via video (1–2); Court Reporter: Lisa Bankins; Defense Attorney: Sandra Roland (1) and Greg Smith (2); US Attorney: Leslie Goemaat. (nbn) (Entered: 06/23/2021)
07/30/2021	<u>80</u>	NOTICE of Filing of Discovery Letter by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 4 of Informal Discovery)(Goemaat, Leslie) (Entered: 07/30/2021)
08/21/2021	<u>82</u>	NOTICE of Filing of Discovery Letter by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 5 of Informal Discovery)(Goemaat, Leslie) (Entered: 08/21/2021)
08/23/2021	<u>83</u>	Unopposed MOTION to Transfer Third–Party Custodian by ERIC GAVELEK MUNCHEL. (Roland, Sandra) (Entered: 08/23/2021)
09/02/2021	<u>87</u>	NOTICE of Withdrawal of Attorney Justin Sher by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Goemaat, Leslie) (Entered: 09/02/2021)
09/02/2021	<u>88</u>	NOTICE of Filing of First Formal Discovery Letter by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> First Formal Discovery Letter Dated May 24, 2021)(Goemaat, Leslie) (Entered: 09/02/2021)
09/02/2021	<u>89</u>	NOTICE of Filing of Memorandum Regarding Status of Capitol Breach Discovery as of July 12, 2021 by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Memorandum Regarding Status of Capitol Breach Discovery as of July 12, 2021)(Goemaat, Leslie) (Entered: 09/02/2021)
09/02/2021	<u>90</u>	STATUS REPORT Regarding the Status of Capitol Breach Discovery as of August 23, 2021 by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Goemaat, Leslie) Modified event title on 9/23/2021 (znmw). (Entered: 09/02/2021)
09/09/2021	<u>92</u>	NOTICE of Government's Position Regarding Defendant Munchel's Violation of Conditions of Pre–Trial Release by USA as to ERIC GAVELEK MUNCHEL re <u>91</u> Pretrial Violation Report (Goemaat, Leslie) (Entered: 09/09/2021)
09/13/2021	<u>94</u>	NOTICE of Filing of Discovery Letter (Volume 6) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 6 of Informal Discovery)(Goemaat, Leslie) (Entered: 09/13/2021)
09/15/2021	<u>95</u>	ORDER granting <u>83</u> Motion Transfer To An Alternative Third–Party Custodian as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on 9/15/2021. (lcrcl2) (Entered: 09/15/2021)

09/16/2021	<u>96</u>	STATUS REPORT <i>Regarding the Status of Capitol Breach Discovery as of September 14, 2021</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Goemaat, Leslie) Modified event title on 9/23/2021 (znmw). (Entered: 09/16/2021)
09/16/2021	<u>97</u>	Application for Access to Video Exhibits by PRESS COALITION as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (bb) (Entered: 09/16/2021)
09/16/2021		MINUTE ORDER granting <u>97</u> Motion to Access Video Exhibits as to ERIC GAVELEK MUNCHEL (1), LISA MARIE EISENHART (2). The government shall make the videos referenced in the application available to the applicants within 72 hours in accordance with Standing Order No. 21–28. It is FURTHER ORDERED that the applicants shall be permitted to record, copy, download, retransmit, and otherwise further publish these video exhibits. Signed by Judge Royce C. Lamberth on 09/16/2021. (lcrcl2) (Entered: 09/16/2021)
09/17/2021	<u>98</u>	Unopposed MOTION for Order Holding in Abeyance Order Granting Press Coalition Application (ECF 97) re Order on Motion to Access, by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Goemaat, Leslie) (Entered: 09/17/2021)
09/17/2021	<u>99</u>	Joint MOTION for Reconsideration re Order on Motion to Access, , MOTION to Stay <i>re Order on Motion to Access</i> by ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Smith, Gregory) (Entered: 09/17/2021)
09/17/2021	<u>100</u>	ORDER granting Motions <u>98</u> <u>99</u> for a Stay as to ERIC GAVELEK MUNCHEL (1), LISA MARIE EISENHART (2). The 9/16/2021 Minute Order is Stayed through the end of the status conference scheduled for 9/20/2021. Signed by Judge Royce C. Lamberth on 09/17/2021. (lcrcl2) (Entered: 09/17/2021)
09/17/2021	<u>101</u>	NOTICE of Filing of Discovery Letter (Volume 7) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 7 of Informal Discovery)(Goemaat, Leslie) (Entered: 09/17/2021)
09/20/2021		MINUTE ORDER as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART The 9/16/2021 Minute Order is hereby Stayed until further order of this Court. Signed by Judge Royce C. Lamberth on 09/20/2021. (lcrcl2) (Entered: 09/20/2021)
09/20/2021		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 9/20/2021. Further Status Conference set for 12/13/2021 at 10:00 AM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest of justice to toll the speedy trial clock from 9/20/2021 through 12/13/2021. Oral arguments submitted on Motion <u>98</u> and Joint Motion <u>99</u> . Motions taken under advisement; forthcoming Order. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Elizabeth Saint–Loth; Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Leslie A. Goemaat; Pretrial Officer: Christine Shuck; Press Coalition Counsel: Lauren Russell. (lsj) (Entered: 09/20/2021)
09/22/2021	<u>104</u>	NOTICE of Filing of Discovery Letter (Volume 8) by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 8 of Informal Discovery)(Goemaat, Leslie) (Entered: 09/22/2021)
09/23/2021		MINUTE ORDER as to ERIC GAVELEK MUNCHEL. Upon consideration of defendant's filing <u>105</u> , the Court accepts defendant's explanation and finds that no further modification of defendant's conditions of release is warranted at this time.

		Signed by Judge Royce C. Lamberth on 09/23/2021. (lcrcl2) (Entered: 09/23/2021)
09/25/2021	<u>106</u>	NOTICE of Filing of Discovery Letter by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Attachments: # <u>1</u> Discovery Letter, Volume 9)(Goemaat, Leslie) (Entered: 09/25/2021)
10/08/2021	<u>107</u>	MEMORANDUM OPINION as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. Signed by Judge Royce C. Lamberth on 10/8/2021. (lcrcl2) (Entered: 10/08/2021)
10/08/2021	<u>108</u>	ORDER vacating stay issued 9/20/2021, granting <u>97</u> Application for Access to Video Exhibits, and denying <u>99</u> Motion for Reconsideration re Order on Motion to Access, as to ERIC GAVELEK MUNCHEL (1), LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 10/8/2021. (lcrcl2) (Entered: 10/08/2021)
10/21/2021	<u>109</u>	STATUS REPORT Regarding the Status of Capitol Breach Discovery as of October 21, 2021 by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Goemaat, Leslie) Modified event title on 11/10/2021 (znmw). (Entered: 10/21/2021)
11/05/2021	<u>110</u>	NOTICE OF ATTORNEY APPEARANCE Karen E. Rochlin appearing for USA. (Rochlin, Karen) (Entered: 11/05/2021)
11/06/2021	<u>111</u>	STATUS REPORT Regarding Status of Discovery as of November 5, 2021 by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Rochlin, Karen) Modified event title on 11/10/2021 (znmw). (Entered: 11/06/2021)
11/10/2021		NOTICE OF ERROR re <u>111</u> Pretrial Memorandum; emailed to karen.rochlin@usdoj.gov, cc'd 16 associated attorneys --- The PDF file you docketed contained errors: 1. Event modified; In future, please use the event Status Report for such documents; Do not refile. (znmw,) (Entered: 11/10/2021)
12/13/2021		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 12/13/2021. Further Status Conference set for 3/10/2022 at 1:30 PM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest of justice to toll the speedy trial clock from 12/13/2021 through 3/10/2022. Bond Status of Defendants: remain on personal recognizance; Court Reporter: Bryan Wayne; Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorneys: Leslie A. Goemaat and Karen E. Rochlin. (lsj) (Entered: 12/13/2021)
02/10/2022	<u>116</u>	MEMORANDUM Regarding Status of Discovery As Of February 9, 2022 by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Rochlin, Karen) Modified text on 2/16/2022 (zstd). (Entered: 02/10/2022)
03/10/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 3/10/2022. Further Status Conference set for 5/12/2022 at 1:30 PM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest of justice to toll the speedy trial clock from 3/10/2022 through 5/12/2022. Bond Status of Defendants: remain on personal recognizance; Court Reporter: Cathryn Jones; Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Karen E. Rochlin; Pretrial Officer: Christine Schuck. (lsj) (Entered: 03/10/2022)
04/13/2022	<u>121</u>	ORDER granting <u>120</u> Sealed Motion as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on 4/12/2022. (lcrcl2) (Entered: 04/13/2022)

04/14/2022	<u>122</u>	NOTICE OF WITHDRAWAL OF APPEARANCE of AUSA Leslie Goemaat by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Goemaat, Leslie) (Entered: 04/14/2022)
04/27/2022	<u>123</u>	Unopposed MOTION For Authorization to Call his Mother on Mother's Day by ERIC GAVELEK MUNCHEL as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Attachments: # <u>1</u> Text of Proposed Order)(Roland, Sandra) (Entered: 04/27/2022)
04/28/2022	<u>124</u>	ORDER granting <u>123</u> Motion For Authorization to Call his Mother on Mother's Day as to ERIC GAVELEK MUNCHEL (1). Signed by Judge Royce C. Lamberth on 4/28/2022. (lcrcl2) (Entered: 04/28/2022)
05/09/2022	<u>125</u>	Unopposed MOTION to Continue <i>Status Hearing</i> by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order)(Roland, Sandra) Modified defendant on 5/9/2022 (zstd). (Entered: 05/09/2022)
05/11/2022	<u>126</u>	ORDER granting <u>125</u> Motion to Continue as to ERIC GAVELEK MUNCHEL (1); Set/Reset Hearings as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART: Status Conference set for 5/17/2022 at 12:45 PM by VTC before Judge Royce C. Lamberth. Signed by Judge Royce C. Lamberth on 5/11/2022. (lcrcl2) (Entered: 05/11/2022)
05/17/2022		Minute Entry for proceedings held before Judge Royce C. Lamberth: Status Conference as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) held on 5/17/2022. The Court will toll the Speedy Trial Clock between 5/17/2022 and 8/8/2022, in the Interest of Justice (XT). Excludable started as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Status Conference set for 8/8/2022 at 12:30 PM in Telephonic/VTC before Judge Royce C. Lamberth. Bond Status of Defendant: both defendants remain on Personal Recognizance Bond; Court Reporter: Liz Saint-Loth; Defense Attorney: Sandra Roland (1) and Gregory Smith (2); US Attorney: Karen Rochlin. (nbn) (Entered: 05/18/2022)
07/30/2022	<u>132</u>	NOTICE OF ATTORNEY APPEARANCE: Elizabeth Ann Mullin appearing for ERIC GAVELEK MUNCHEL (Mullin, Elizabeth) (Entered: 07/30/2022)
08/04/2022	<u>133</u>	Joint STATUS REPORT by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Rochlin, Karen) (Entered: 08/04/2022)
08/08/2022		Minute Entry for Status Conference as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) held on 8/8/2022 before Judge Royce C. Lamberth. Speedy Trial Excludable started 8/8/2022 through 8/18/2022 in the interest of justice as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Status Conference set for 8/18/2022 at 12:30 PM via Telephone before Judge Royce C. Lamberth. Bond Status of Defendant: Both parties on personal recognizance; Court Reporter: Jeff Hook; Defense Attorney: Sandra Roland and Elizabeth Mullin (1) and Gregory Smith (2); US Attorney: Karen Rochlin. (zjch,) (Entered: 08/08/2022)
08/18/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 8/18/2022. Further Status Conference set for 8/26/2022 at 10:30 AM by VTC before Judge Royce C. Lamberth. The court finds it in the interest of justice to toll the speedy trial clock from 8/18/2022 through 8/26/2022. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Jan Dickman; Defense Attorneys: Sandra Gayle Roland and Elizabeth Ann Mullin (1) and Gregory Stuart Smith (2);

		US Attorney: Karen E. Rochlin. (lsj) (Entered: 08/18/2022)
08/24/2022		MINUTE ORDER as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART: Due to a scheduling conflict, it is hereby ORDERED that the status conference originally set for 08/26/2022 is VACATED, with rescheduling to follow at a later date. Signed by Judge Royce C. Lamberth on 08/24/2022. (lcrcl3) (Entered: 08/24/2022)
08/26/2022	<u>138</u>	MOTION for Authorization to Call His Mother Weekly by ERIC GAVELEK MUNCHEL as to ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order)(Roland, Sandra) Modified defendant on 8/26/2022 (zstd). (Entered: 08/26/2022)
09/09/2022		MINUTE ORDER as to ERIC GAVELEK MUNCHEL and LISA MARIE EISENHART: The parties shall appear for a Status Conference set for 10/3/2022 at 2:30 PM by VTC before Judge Royce C. Lamberth. The court finds it in the interest of justice to toll the speedy trial clock from 8/26/2022 through 10/3/2022. SO ORDERED by Judge Royce C. Lamberth on 9/9/2022. (lsj) (Entered: 09/09/2022)
09/12/2022		MINUTE ORDER: It is hereby ORDERED that <u>138</u> Motion For Authorization To Call His Mother Weekly as to ERIC GAVELEK MUNCHEL (1) is GRANTED. Mr. Munchel is authorized to call his mother once every seven days while refraining from discussing any aspect of his case during the calls. SO ORDERED by Judge Royce C. Lamberth on 09/12/2022. (lcrcl2) (Entered: 09/12/2022)
10/03/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 10/3/2022. Further Status Conference set for 12/2/2022 at 12:45 PM by VTC before Judge Royce C. Lamberth. The court finds it in the interest of justice to toll the speedy trial clock from 10/3/2022 through 12/2/2022. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Nancy Meyer; Defense Attorneys: Elizabeth Ann Mullin (1) and Gregory Stuart Smith (2); US Attorney: Karen E. Rochlin. (lsj) (Entered: 10/03/2022)
10/07/2022	<u>140</u>	SECOND SUPERSEDING INDICTMENT as to ERIC GAVELEK MUNCHEL (1) count(s) 1ss, 2ss, 3ss, 5ss, 7ss, 8ss, 9ss, 10ss, LISA MARIE EISENHART (2) count(s) 1ss, 2ss, 4ss, 6ss, 8ss, 9ss, 10ss. (zstd) (Entered: 10/12/2022)
10/13/2022		NOTICE OF AMENDED HEARING as to ERIC GAVELEK MUNCHEL and LISA MARIE EISENHART: Due to a scheduling conflict, the Status Conference is reset for 12/1/2022 at 12:45 PM by VTC before Judge Royce C. Lamberth. (lsj) (Entered: 10/13/2022)
10/14/2022	<u>142</u>	MOTION for Leave to Appear Pro Hac Vice Joseph W. Allen Filing fee \$ 100, receipt number ADCDC-9600769. Fee Status: Fee Paid. by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Declaration of Joseph William Allen, # <u>3</u> Exhibit Certificate of Good Standing)(Orenberg, Allen) (Entered: 10/14/2022)
11/18/2022	<u>143</u>	MOTION to Withdraw as Attorney by Sandra Roland & Elizabeth Mullin. by ERIC GAVELEK MUNCHEL as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Attachments: # <u>1</u> Text of Proposed Order)(Roland, Sandra) (Entered: 11/18/2022)
12/01/2022		

		Minute Entry for video Status Conference held before Judge Royce C. Lamberth: as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 12/1/2022. Case called; Defense Counsel Allen unavailable. Status Conference reset for 12/2/2022 at 11:00 AM by VTC before Judge Royce C. Lamberth. The Court finds it in the interest of justice to toll the speedy trial clock from 12/1/2022 through 12/2/2022. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Janet Davis; Defense Attorneys: Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Karen E. Rochlin. (lsj) (Entered: 12/01/2022)
12/02/2022		Minute Entry for video Status Conference held before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) on 12/2/2022. Defendants arraigned on Second Superseding Indictment <u>140</u> . Defendants enter a Plea of Not Guilty on all counts and waives the formal reading of the Indictment. Jury Selection /Trial set to commence on 4/11/2023 at 10:00 AM in Courtroom 15 (in person) before Judge Royce C. Lamberth. Pretrial Motions due by 2/15/2023 with all responses and replies due according to local rules. Bond Status of Defendants: remains on personal recognizance; Court Reporter: Janet Davis; Defense Attorneys: Allen Orenberg, Joseph Allen and Sandra Gayle Roland (1) and Gregory Stuart Smith (2); US Attorney: Karen E. Rochlin. (lsj) (Entered: 12/02/2022)
12/02/2022		MINUTE ORDER as to ERIC GAVELEK MUNCHEL (1): Defendant's Motion <u>142</u> for Leave to Appear Pro Hac Vice Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). <u>Click for instructions.</u> is GRANTED. Defendant's Motion <u>143</u> to Withdraw as Attorney is GRANTED. Sandra Gayle Roland withdrawn from case. SO ORDERED by Judge Royce C. Lamberth on 12/2/2022. (lsj) (Entered: 12/02/2022)
12/05/2022	<u>146</u>	NOTICE OF ATTORNEY APPEARANCE: Joseph William Allen appearing for ERIC GAVELEK MUNCHEL (Allen, Joseph) Modified to correct defendant on 12/5/2022 (zstd). (Entered: 12/05/2022)
12/27/2022	<u>147</u>	Unopposed MOTION for Modification of Bond Conditions by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order)(Allen, Joseph) Modified text on 12/28/2022 (zstd). (Entered: 12/27/2022)
01/03/2023	<u>148</u>	ORDER: It is hereby ORDERED that Defendant ERIC GAVELEK MUNCHEL's <u>147</u> Motion to Modify is GRANTED. See Order for details. Signed by Judge Royce C. Lamberth on 1/3/2023. (lcrcl2) (Entered: 01/03/2023)
02/08/2023	<u>149</u>	Unopposed MOTION to Modify Conditions of Release by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 02/08/2023)
02/08/2023	<u>150</u>	Unopposed MOTION to Modify Conditions of Release <i>Temporary</i> by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 02/08/2023)
02/13/2023	<u>151</u>	ORDER: granting <u>150</u> Motion to Modify Conditions of Release as to ERIC GAVELEK MUNCHEL (1). See Order for details. Signed by Judge Royce C. Lamberth on 2/10/2023. (lcrcl2) (Entered: 02/13/2023)
02/13/2023	<u>152</u>	ORDER: granting <u>149</u> Motion to Modify Conditions of Release as to ERIC GAVELEK MUNCHEL (1). See Order for details. Signed by Judge Royce C. Lamberth on 2/10/2023. (lcrcl2) (Entered: 02/13/2023)

02/14/2023	<u>153</u>	Unopposed MOTION for Extension of Time to <i>File Pretrial Motions</i> by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 02/14/2023)
02/15/2023	<u>156</u>	ORDER granting <u>153</u> Motion for Extension of Time as to ERIC GAVELEK MUNCHEL (1). Pretrial motions due by 3/6/2023. See Order for details. Signed by Judge Royce C. Lamberth on 2/15/2023. (lcrcl2) (Entered: 02/15/2023)
02/15/2023		Set/Reset Deadlines as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2): Pretrial Motions due by 3/6/2023. (zsmc) (Entered: 02/16/2023)
03/03/2023	<u>159</u>	Motion to Adopt and Join Co–Defendant's Motion by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) Modified event title and text on 3/3/2023 (zstd). (Entered: 03/03/2023)
03/03/2023	<u>160</u>	ORDER granting Motion <u>159</u> to Modify Conditions of Release as to ERIC GAVELEK MUNCHEL (1); granting <u>158</u> Motion to Modify Conditions of Release as to LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 03/03/2023. (lcrcl1) (Entered: 03/03/2023)
03/06/2023	<u>161</u>	MOTION to Dismiss Count <i>1, 2, 3, 5, 7, 8, 9, and 10 of the Superseding Indictment as Defective</i> by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/06/2023)
03/06/2023	<u>162</u>	MOTION to Change Venue <i>to the Middle District Court of Tennessee</i> by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/06/2023)
03/06/2023	<u>163</u>	MOTION for Discovery , MOTION for Hearing by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/06/2023)
03/06/2023	<u>167</u>	MOTION in Limine <i>Regarding Cross–Examination of U.S. Secret Service Witnesses</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Gordon, Michael) (Entered: 03/06/2023)
03/06/2023	<u>169</u>	MOTION in Limine <i>Regarding Evidence about the Specific Locations of U.S. Capitol Police Surveillance Cameras</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Gordon, Michael) (Entered: 03/06/2023)
03/06/2023	<u>179</u>	MOTION in Limine <i>to Preclude Improper Defense Arguments and Evidence about Law Enforcement</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Gordon, Michael) (Entered: 03/06/2023)
03/07/2023	<u>180</u>	MOTION for Return of Property/PostTrial , MOTION for Return of Property/PreTrial by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/07/2023)
03/07/2023	<u>181</u>	MOTION to Produce Witness List by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) Modified text on 3/7/2023 (zstd). (Entered: 03/07/2023)
03/07/2023	<u>182</u>	MOTION to Adopt Co–Defendant's Motions by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) Modified event title and text on 3/7/2023 (zstd). (Entered: 03/07/2023)
03/07/2023	<u>183</u>	

		MOTION for Advance Notice and Exclusion of all Co-Conspirator Statements and Hearsay by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/07/2023)
03/07/2023	<u>184</u>	MOTION to Suppress , MOTION for Hearing by ERIC GAVELEK MUNCHEL. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Allen, Joseph) (Entered: 03/07/2023)
03/07/2023	<u>185</u>	MOTION to Amend/Correct <u>181</u> MOTION to Produce Witness List filed by ERIC GAVELEK MUNCHEL (Attachments: # <u>1</u> Text of Proposed Order Amended Order)(Allen, Joseph) Modified text on 3/7/2023 (zstd). (Entered: 03/07/2023)
03/07/2023	186	MOTION to Exclude by ERIC GAVELEK MUNCHEL. (See docket entry <u>183</u> to view document.) (zstd) (Entered: 03/07/2023)
03/15/2023	<u>188</u>	NOTICE OF ATTORNEY APPEARANCE Rebekah Lederer appearing for USA. NOA: <i>co-counsel</i> (Lederer, Rebekah) (Entered: 03/15/2023)
03/17/2023	<u>189</u>	MOTION for Extension of Time to File Response/Reply by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Lederer, Rebekah) (Entered: 03/17/2023)
03/17/2023	<u>190</u>	ORDER granting <u>189</u> Motion for Extension of Time. Signed by Judge Royce C. Lamberth on 3/17/2023. (lcrcl2) (Entered: 03/17/2023)
03/17/2023		Set/Reset Deadlines as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2): Responses due by 3/27/2023. Replies due by 4/10/2023. (smc) (Entered: 03/20/2023)
03/27/2023	<u>191</u>	RESPONSE by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re 173 MOTION to Suppress <i>Statements</i> , <u>184</u> MOTION to Suppress MOTION for Hearing (Gordon, Michael) (Entered: 03/27/2023)
03/27/2023	<u>192</u>	RESPONSE by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>162</u> MOTION to Change Venue <i>to the Middle District Court of Tennessee</i> , 175 MOTION to Change Venue (Lederer, Rebekah) (Entered: 03/27/2023)
03/27/2023	<u>193</u>	MOTION for Leave to File Excess Pages <i>in the GOVT Response to the MTD</i> by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Attachments: # <u>1</u> Exhibit Omnibus Response to Defendant's MTD)(Lederer, Rebekah) (Entered: 03/27/2023)
03/31/2023	<u>195</u>	Joint MOTION for Bench Trial with Stipulated Facts by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART. (Gordon, Michael) (Entered: 03/31/2023)
04/03/2023		MINUTE ORDER as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2): It is hereby ORDERED that 194 Motion to Modify Conditions of Release is GRANTED. It is hereby ORDERED that both defendants' conditions of release be modified such that they can travel together for the purpose of attending their upcoming trial on 4/18/2023. Before travel, the defendants shall file with Pretrial Services a proposed itinerary for the trip. SO ORDERED by Judge Royce C. Lamberth on 4/3/2023. (lcrcl2) Modified on 4/4/2023 (zsmc). (Entered: 04/03/2023)
04/18/2023	<u>199</u>	

		EXHIBIT LIST by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Gordon, Michael) (Entered: 04/18/2023)
04/18/2023	<u>200</u>	MEMORANDUM OPINION re <u>161</u> , 176 , 177 as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 4/18/2023. (lcrc12) Modified on 4/18/2023 (zsmc). (Entered: 04/18/2023)
04/18/2023	<u>201</u>	ORDER denying <u>161</u> , 176 , 177 as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). Signed by Judge Royce C. Lamberth on 4/18/2023. (lcrc12) Modified on 4/18/2023 (zsmc). (Entered: 04/18/2023)
04/18/2023		Minute Entry for Stipulated Bench Trial held on 4/18/2023 before Judge Royce C. Lamberth as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2): The Court grants <u>195</u> Joint Motion for Stipulated Bench Trial and finds the defendants, ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) guilty on all charges. Case Referred to the Probation Office for Presentence Investigation as to both defendants. Sentencing set for 9/8/2023 at 12:30 PM in Courtroom 15 (In Person) before Judge Royce C. Lamberth. For reasons stated on the record: Motions <u>162</u> , <u>163</u> , 164 , 165 , 166 , <u>167</u> , <u>169</u> , 170 , 171 , 172 , 173 , 174 , 175 , <u>179</u> , <u>181</u> , <u>183</u> and <u>184</u> are denied as moot. Motions 178 , <u>182</u> , <u>185</u> and <u>193</u> are granted. Motions <u>161</u> , 176 and 177 are denied. Bond Status of Defendants: Continued on Personal Recognizance Bonds. US Attorneys: Michael Gordon and Rebekah Lederer. Defense Attorneys: 1-Joseph Allen 2- Gregory Smith. Court Reporter: Bryan Wayne. (smc) (Entered: 04/18/2023)
04/18/2023	<u>202</u>	JOINT STATEMENT OF ELEMENTS AND FACTS FOR STIPULATED TRIAL by USA as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). "Let this be filed." by Judge Royce C. Lamberth on 4/18/2023. (zsmc) (Main Document 202 replaced on 4/19/2023) (zsmc). (Entered: 04/18/2023)
04/18/2023	<u>203</u>	AGREEMENT AND WAIVER OF JURY TRIAL RIGHTS as to ERIC GAVELEK MUNCHEL (1). "Let this be filed." by Judge Royce C. Lamberth on 4/18/2023. (smc) (Main Document 203 replaced on 4/19/2023) (zsmc). (Entered: 04/18/2023)
04/18/2023	<u>205</u>	EXHIBIT LIST FOR THE GOVERNMENT for BENCH TRIAL WITH STIPULATED FACTS as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2). (smc) (Entered: 04/18/2023)
04/26/2023		MINUTE ORDER as to LISA MARIE EISENHART: It is hereby ORDERED <u>206</u> Motion to Modify Conditions of Release is GRANTED. The bond conditions shall be modified to allow the defendants to communicate via phone and to have contact and travel for the purpose of communication between the defendants if, and only if, authorized by U.S. Pretrial Services. It is SO ORDERED. SO ORDERED by Judge Royce C. Lamberth on 4/26/2023. (lcrc12) Modified on 4/26/2023 (zsmc). (Entered: 04/26/2023)
08/31/2023	<u>219</u>	SENTENCING MEMORANDUM by ERIC GAVELEK MUNCHEL (Allen, Joseph) (Entered: 08/31/2023)
08/31/2023	<u>221</u>	SENTENCING MEMORANDUM by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART (Gordon, Michael) (Entered: 08/31/2023)
09/06/2023	<u>222</u>	RESPONSE by USA as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re <u>210</u> MOTION to Continue <i>Sentencing Hearing</i> (Gordon, Michael) (Entered: 09/06/2023)

09/06/2023	<u>223</u>	REPLY TO OPPOSITION to Motion by LISA MARIE EISENHART as to ERIC GAVELEK MUNCHEL, LISA MARIE EISENHART re 210 MOTION to Continue <i>Sentencing Hearing</i> (Smith, Gregory) (Entered: 09/06/2023)
09/07/2023		MINUTE ORDER: It is hereby ORDERED that Motion 210 to Continue as to ERIC GAVELEK MUNCHEL (1) and LISA MARIE EISENHART (2) is DENIED. SO ORDERED by Judge Royce C. Lamberth on 9/7/2023. (lcrcl2) (Entered: 09/07/2023)
09/08/2023		Minute Entry for Sentencing held before Judge Royce C. Lamberth on 9/8/2023 as to ERIC GAVELEK MUNCHEL (1). It is the judgment of the Court, that the Defendant is hereby committed to the custody of the Bureau of Prisons for a term of 57 months as to each of Counts 1ss–3ss, 5ss, 7ss and 6 months as to each of Counts 8ss–10ss, with all counts to be served concurrently. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1ss–3ss, 5ss and 7ss, to be served concurrently and to pay a \$530 special assessment and \$2,000 in restitution. Bond Status of Defendant: personal recognizance; Court Reporter: Lisa Moreira; Defense Attorney: Joseph Allen; US Attorney: Michael Gordon; Prob Officers: Sherry Baker and Robert Walters. (lsj) (Entered: 09/11/2023)
09/14/2023	<u>229</u>	JUDGMENT as to ERIC GAVELEK MUNCHEL. Statement of Reasons Not Included. Signed by Judge Royce C. Lamberth on 9/14/2024. (zhsj) (Entered: 09/18/2023)
09/14/2023	<u>230</u>	STATEMENT OF REASONS as to ERIC GAVELEK MUNCHEL re <u>229</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 Royce C. Lamberth on 9/14/2023. (zhsj) (Entered: 09/18/2023)
09/17/2023	<u>228</u>	NOTICE OF APPEAL – Final Judgment by ERIC GAVELEK MUNCHEL Fee Status: No Fee Paid. Parties have been notified. (Allen, Joseph) (Entered: 09/17/2023)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,)
)
 v.)
)
ERIC GAVELEK MUNCHEL,)
)
 Defendant.)
_____)

Case No. 21-CR-00118-RCL-1

NOTICE OF APPEAL

COMES NOW Defendant, Eric Gavelek Munchel by and through undersigned counsel, and hereby notices an appeal of judgment, including his convictions on Counts 1, 3, 5, 7, 8, and 10 of the Second Superseding Indictment, and his sentence, entered on or about September 8, 2023. Defendant is currently released on his own recognizance. Undersigned counsel will not appear on appeal.

Respectfully submitted,



Joseph W. Allen, MO BAR #57669
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Branson, MO 65616
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joe@mybransonattorney.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of September 2023, I filed the foregoing Notice of Appeal by the Court's CM/ECF system. All case registered parties will be served by CM/ECF.

A handwritten signature in black ink that reads "Gallen". The signature is written in a cursive style with a large initial "G" and a long tail on the "l".

Joseph W. Allen

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

ERIC GAVELEK MUNCHEL

JUDGMENT IN A CRIMINAL CASE

Case Number: 21-CR-118-1 (RCL)

USM Number: 25014-509

Joseph Allen

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) 1, 2, 3, 5, 7, 8, 9, 10 of the Second Superseding Indictment filed on 10/7/2022
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(k)	Conspiracy to Commit Obstruction	1/6/2021	1
18 USC §§ 1512(c)(2), 2	Obstruction of an Official Proceeding, Aiding and Abetting	1/6/2021	2
18 USC § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	3

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.

9/8/2023

Date of Imposition of Judgment

Royce C. Lamberth

Signature of Judge

Royce C. Lamberth, United States District Court Judge

Name and Title of Judge

1/14/23

Date

DEFENDANT: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
and (b)(1)(A)	with a Deadly or Dangerous Weapon		
18 USC § 1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted	1/6/2021	5
and (b)(1)(A)	Building or Grounds with a Deadly or Dangerous Weapon		
40 USC § 5104(e)(1)(A)	Unlawful Possession of a Dangerous Weapon on Capitol Grounds or Buildings	1/6/2021	7
40 USC § 5104(e)(2)(B)	Entering and Remaining in the Gallery of Congress	1/6/2021	8
40 USC § 5104(e)(2)(D)	Disorderly Conduct in a Capitol Building	1/6/2021	9
40 USC § 5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building	1/6/2021	10

DEFENDANT: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

IMPRISONMENT

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

Fifty-seven (57) months as to each of Counts 1ss, 2ss, 3ss, 5ss and 7ss, and Six (6) months as to each of Counts 8ss, 9ss and 10ss. All terms of incarceration to run concurrently.

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

Placement at a facility as close to Nashville, TN, as possible.

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 after 12/16/2023.

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: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

SUPERVISED RELEASE

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

Thirty-Six (36) month term as to each of Counts 1ss, 2ss, 3ss, 5ss, and 7ss to be served concurrent to each other.

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: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

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: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

SPECIAL CONDITIONS OF SUPERVISION

You shall comply with the following special conditions:

You are ordered to make restitution to the Architect of the Capitol in the amount of \$2,000. Restitution payments shall be made to the Clerk of the Court for the United States District Court, District of Columbia, for disbursement to the victim.

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.

You are permitted to associate with Lisa Marie Eisenhart without first getting the permission of the probation officer.

NOTICE OF APPEAL

You have the right to appeal your conviction(s) of guilt to the U.S. Court of Appeals for the D.C. Circuit.

Pursuant to 18 U.S.C. § 3742(a), you also have a statutory right to appeal your sentence to the D.C. Circuit under certain circumstances, including if you think the sentence was imposed in violation of law or as a result of an incorrect application of the sentencing guidelines or is more severe than the maximum established in the guideline range. You may also appeal your sentence if you believe you received ineffective assistance of counsel at sentencing.

Pursuant to 28 U.S.C. § 2255, you also have the right to challenge the conviction entered or sentence imposed, to the extent permitted by that statute.

Any notice of appeal must be filed within fourteen days of the entry of judgment or within fourteen days of the filing of a notice of appeal by the government. 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. On appeal, you may also apply for court-appointed counsel.

DEFENDANT: ERIC GAVELEK MUNCHEL
 CASE NUMBER: 21-CR-118-1 (RCL)

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	\$ 530.00	\$ 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>
Clerk of the Court for the United States District Court for the District of Columbia for disbursement to the following victim:			
Architect of the Capitol Office of the Chief Financial Officer Ford House Office Building Room H2-205B Washington, DC 20515		\$2,000.00	
TOTALS	\$ 0.00	\$ 2,000.00	

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

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: ERIC GAVELEK MUNCHEL
CASE NUMBER: 21-CR-118-1 (RCL)

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 \$ 2,530.00 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.