

APPEAL,CAP,CAT A,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00140-JDB-1**

Case title: USA v. BROCK

Magistrate judge case number: 1:21-mj-00023-GMH

Date Filed: 02/19/2021

Assigned to: Judge John D. Bates

Defendant (1)

LARRY RENDALL BROCK

represented by **Charles Burnham**
BURNHAM & GOROKHOV PLLC
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202-386-6920
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

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

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

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

Disposition

Oral motion by government to dismiss count; heard
and GRANTED.

Defendant sentenced to SIX (6) months on Count 1s
to run concurrently with Counts 2s, 3s, 4s, 5s and 6s.
No period of supervised release imposed. Special
Assesment of \$10.00.

Oral motion by government to dismiss count; heard
and GRANTED.

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

Defendant sentenced to TWELVE (12) months on Count 2s to run concurrently with Counts 1s, 3s, 4s,5s and 6s. TWELVE (12) months of Supervised to run concurrently with Counts 1s and 3s. Special Assesment of \$25.00.

18:1752(a)(3), 2; TEMPORARY RESIDENCE OF THE PRESIDENT; Impeding Ingress and Egress in a Restricted Building or Grounds and Aiding and Abetting
(3)

Oral motion by government to dismiss count; heard and GRANTED.

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

Defendant sentenced to TWELVE (12) months on Count 3s to run concurrently with Counts 1s, 2s, 4s, 5s and 6s. TWELVE (12) months of Supervised to run concurrently with Counts 1s and 2s. Special Assesment of \$25.00.

40:5104(e)(2)(A); FEDERAL STATUTES, OTHER; Entering and Remaining on the Floor of Congress
(4)

Oral motion by government to dismiss count; heard and GRANTED.

40:5104(e)(2)(A); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Entering and Remaining on the Floor of Congress.
(4s)

Defendant sentenced to SIX (6) months on Count 4s to run concurrently with Counts 1s, 2s, 3s, 5s and 6s. No period of supervised release imposed. Special Assesment of \$10.00.

40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building
(5)

Oral motion by government to dismiss count; heard and GRANTED.

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

Defendant sentenced to SIX (6) months on Count 5s to run concurrently with Counts 1s, 2s, 3s, 4s and 6s. No period of supervised release imposed. Special Assesment of \$10.00.

40:5104(e)(2)(E), 2; FEDERAL STATUTES, OTHER; Impeding Passage Through the Capitol Grounds or Buildings and Aiding and Abetting
(6)

Oral motion by government to dismiss count; heard and GRANTED.

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building.
(6s)

Defendant sentenced to SIX (6) months on Count 4s to run concurrently with Counts 1s, 2s, 3s, 4s, 5s. No period of supervised release imposed. Special Assessment of \$10.00.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:1752(a) and 40:5104(e)(2)

Disposition

Plaintiff

USA

represented by **April Holly Ayers-Perez**
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Date Filed	#	Docket Text
01/09/2021	<u>1</u>	SEALED COMPLAINT as to LARRY RENDALL BROCK (1). (Attachments: # <u>1</u> Affidavit in Support) (zstd) [1:21-mj-00023-GMH] (Entered: 01/11/2021)
01/09/2021	<u>3</u>	MOTION to Seal Case by USA as to LARRY RENDALL BROCK. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:21-mj-00023-GMH] (Entered: 01/11/2021)
01/09/2021	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to LARRY RENDALL BROCK (1). Signed by Magistrate Judge G. Michael Harvey on 1/9/2021. (zstd) [1:21-mj-00023-GMH] (Entered: 01/11/2021)
01/10/2021		Arrest of LARRY RENDALL BROCK in US District Court Northern District of Texas (Fort Worth). (bb) [1:21-mj-00023-GMH] (Entered: 01/25/2021)
01/10/2021		Case unsealed as to LARRY RENDALL BROCK (zstd) [1:21-mj-00023-GMH] (Entered: 02/19/2021)
01/15/2021	<u>5</u>	Rule 5(c)(3) Documents Received as to LARRY RENDALL BROCK from US District Court Northern District of Texas (Fort Worth) Case Number 4:21-mj-17 (BJ) (bb) [1:21-mj-00023-GMH] (Entered: 01/25/2021)

02/11/2021	<u>6</u>	NOTICE OF ATTORNEY APPEARANCE Justin Todd Sher appearing for USA. (zltp) [1:21-mj-00023-GMH] (Entered: 02/11/2021)
02/19/2021	<u>7</u>	INFORMATION as to LARRY RENDALL BROCK (1) count(s) 1, 2, 3, 4, 5, 6. (zstd) (Entered: 02/19/2021)
02/23/2021		Set/Reset Hearings as to LARRY RENDALL BROCK: Arraignment set for 2/25/2021 at 10:00 AM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 02/23/2021)
02/23/2021	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Charles Burnham appearing for LARRY RENDALL BROCK (Burnham, Charles) (Entered: 02/23/2021)
02/23/2021	<u>10</u>	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Ayers-Perez, April Holly added. (Ayers-Perez, April) (Entered: 02/23/2021)
02/25/2021		Minute Entry: Arraignment as to LARRY RENDALL BROCK (1) held on 2/25/2021 before Judge John D. Bates on Counts 1,2,3,4,5 and 6: Plea of NOT GUILTY entered by LARRY RENDALL BROCK (1) as to all Counts. Parties discussed discovery. Status Conference set for 4/27/2021 at 10:00 AM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 02/25/2021 and 04/27/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez. (tb) (Entered: 02/25/2021)
03/15/2021	<u>11</u>	MOTION to Modify Conditions of Release by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Burnham, Charles) (Entered: 03/15/2021)
03/15/2021		MINUTE ORDER as to LARRY RENDALL BROCK:: Upon consideration of <u>11</u> defendants Motion to Modify Conditions of Release, and the entire record herein, it is hereby ORDERED that the government shall file any opposition to defendants motion by not later than March 25, 2021. SO ORDERED by Judge John D. Bates on 03/15/2021. (tb) (Entered: 03/15/2021)
03/22/2021		NOTICE of Provisional/Government Not Certified Status re <u>11</u> MOTION to Modify Conditions of Release . Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information . Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 3/29/2021. (znmw) (Entered: 03/22/2021)
03/25/2021	<u>12</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>11</u> MOTION to Modify Conditions of Release (Attachments: # <u>1</u> Exhibit Government Exhibit A, # <u>2</u> Exhibit Government Exhibit B)(Ayers-Perez, April) (Entered: 03/25/2021)
04/12/2021	<u>13</u>	ORDER Setting Conditions of Release as to LARRY RENDALL BROCK (1) Release. Approved by Judge John D. Bates on 02/25/2021. (tb) (Entered: 04/12/2021)
04/17/2021	<u>14</u>	ORDER: Granting in part and denying in part <u>11</u> defendant's Motion to Modify Conditions of Release as to LARRY RENDALL BROCK. See text of Order for

		details.. Signed by Judge John D. Bates on 04/16/2021. (tb) (Entered: 04/17/2021)
04/27/2021		Minute Entry: Status Conference as to LARRY RENDALL BROCK held on 4/27/2021 before Judge John D. Bates: Oral motion by defendant to modify conditions of release; heard and taken under advisement. Parties along with PSA shall submit proposed language regarding adjusting release conditions. Status Conference set for 6/24/2021 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 04/27/2021 and 06/24/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez; Pretrial Officer: Andre Sidbury. (tb) (Entered: 04/27/2021)
04/27/2021	<u>15</u>	ENTERED IN ERROR.....Unopposed MOTION for Protective Order by USA as to LARRY RENDALL BROCK. (Attachments: # <u>1</u> Text of Proposed Order)(Ayers-Perez, April) Modified on 4/28/2021 (zhsj). (Entered: 04/27/2021)
04/27/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to LARRY RENDALL BROCK re <u>15</u> Unopposed MOTION for Protective Order was entered in error, and however the judge has already signed the order. See Docket Entry <u>16</u> . (zhsj) (Entered: 04/28/2021)
04/28/2021	<u>16</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to LARRY RENDALL BROCK. Signed by Judge John D. Bates on 04/28/2021. (tb) (Entered: 04/28/2021)
05/12/2021	<u>17</u>	ORDER modifying conditions of pretrial release as to LARRY RENDALL BROCK. See text of Order for details. SO ORDERED by Judge John D. Bates on 05/12/2021. (tb) (Entered: 05/13/2021)
06/21/2021	<u>20</u>	NOTICE of Discovery Letter by USA as to LARRY RENDALL BROCK (Attachments: # <u>1</u> Notice to Counsel/Party Discovery Letter)(Ayers-Perez, April) (Entered: 06/21/2021)
06/23/2021	<u>22</u>	MOTION to Modify Conditions of Release by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit transcript)(Burnham, Charles) (Entered: 06/23/2021)
06/23/2021	<u>24</u>	SUPERSEDING INDICTMENT as to LARRY RENDALL BROCK (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s. (zhsj) (Entered: 06/24/2021)
06/23/2021	26	MOTION to Reconsider Electronic Monitoringby LARRY RENDALL BROCK. (See Docket Entry <u>22</u> to View Document). (zhsj) (Entered: 06/25/2021)
06/24/2021		Minute Entry: Arraignment/Status Hearing as to LARRY RENDALL BROCK (1) held on 6/24/2021 before Judge John D. Bates on Counts 1s,2s,3s,4s,5s and 6s. Plea of NOT GUILTY entered by LARRY RENDALL BROCK as to Counts 1s through 6s. Response to motion to modify conditions of release <u>22</u> due by 6/30/2021. Reply due by 7/2/2021. Status Conference set for 8/25/2021 at 04:00 PM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 06/24/2021 and 08/25/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Lisa Moreira; Defense Attorney: Charles Burnham; Pretrial Officer: John Copes. (tb) (Entered: 06/24/2021)
06/30/2021	<u>27</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>22</u> MOTION to Modify Conditions of Release , 26 MOTION for Reconsideration (Attachments: # <u>1</u> Exhibit Gov't Exhibit A, # <u>2</u> Exhibit Gov't Exhibit B)(Ayers-Perez, April) (Entered: 06/30/2021)

		06/30/2021)
07/02/2021	<u>28</u>	REPLY TO OPPOSITION to Motion by LARRY RENDALL BROCK re 26 MOTION for Reconsideration (Burnham, Charles) (Entered: 07/02/2021)
07/20/2021	<u>29</u>	SUPPLEMENT by LARRY RENDALL BROCK re 26 MOTION for Reconsideration of <i>Electronic Monitoring</i> (Burnham, Charles) (Entered: 07/20/2021)
08/16/2021	<u>30</u>	MEMORANDUM OPINION & ORDER granting <u>22</u> Motion to Modify Conditions of Release as to LARRY RENDALL BROCK. See text of Memorandum Opinion & Order for details. Signed by Judge John D. Bates on 08/16/2021. (tb) (Entered: 08/16/2021)
08/24/2021	<u>31</u>	NOTICE of <i>Discovery Status Memo</i> by USA as to LARRY RENDALL BROCK (Ayers-Perez, April) (Entered: 08/24/2021)
08/25/2021	<u>33</u>	NOTICE of <i>Discovery Letter</i> by USA as to LARRY RENDALL BROCK (Attachments: # <u>1</u> Supplement)(Ayers-Perez, April) (Entered: 08/25/2021)
08/25/2021		Minute Entry: Status Conference as to LARRY RENDALL BROCK held on 8/25/2021 before Judge John D. Bates: Parties discussed posture of case. Status Conference set for 10/25/2021 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 08/25/2021 and 10/25/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Jan Dickman; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez. (tb) (Entered: 08/26/2021)
09/03/2021		MINUTE ORDER as to LARRY RENDALL BROCK: In light of <u>30</u> the Court's Memorandum Opinion & Order granting <u>22</u> defendant's unsealed Motion to Reconsider Electronic Monitoring or in the Alternative to Modify Certain Restrictions on Travel, it is hereby ORDERED that <u>19</u> defendant's sealed Motion to Reconsider Electronic Monitoring or in the Alternative to Modify Certain Restrictions on Travel and <u>18</u> defendant's accompanying Motion to Seal are TERMINATED. SO ORDERED by Judge John D. Bates on 09/03/2021. (tb) (Entered: 09/03/2021)
09/23/2021	<u>34</u>	NOTICE of <i>Filing Discovery Status Update</i> by USA as to LARRY RENDALL BROCK (Ayers-Perez, April) (Entered: 09/23/2021)
10/21/2021	<u>35</u>	Joint MOTION to Continue <i>October 25, 2021 Status Conference</i> , Joint MOTION to Exclude <i>Time under the Speedy Trial Act</i> by USA as to LARRY RENDALL BROCK. (Attachments: # <u>1</u> Text of Proposed Order)(Ayers-Perez, April) (Entered: 10/21/2021)
10/21/2021		MINUTE ORDER: Upon consideration of <u>35</u> the United States' Joint Motion to Continue October 25, 2021 Status Conference for 60 Days, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the status conference scheduled for October 25, 2021 shall be RESCHEDULED to December 22, 2021 at 11:00 a.m. in Telephonic/VTC; and it is further ORDERED that the time between October 25, 2021 and December 22, 2021 shall be excluded from the speedy trial calculation in the interest of justice. SO ORDERED. Signed by Judge John D. Bates on 10/21/2021. (lcjdb2) (Entered: 10/21/2021)
10/21/2021		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference Rescheduled to 12/22/2021 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. (jth) (Entered: 10/22/2021)

12/03/2021	<u>36</u>	NOTICE of Filing Discovery Status Update by USA as to LARRY RENDALL BROCK (Attachments: # <u>1</u> Supplement Attachment A, # <u>2</u> Supplement Attachment B)(Ayers-Perez, April) (Entered: 12/03/2021)
12/03/2021	<u>37</u>	NOTICE of Filing Discovery Status Update by USA as to LARRY RENDALL BROCK (Ayers-Perez, April) (Entered: 12/03/2021)
12/21/2021	<u>38</u>	MOTION to Continue <i>status hearing</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 12/21/2021)
12/21/2021		MINUTE ORDER: Upon consideration of <u>38</u> defendant's Motion to Continue Status, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the status conference scheduled for December 22, 2021 shall be RESCHEDULED to January 27, 2022 at 11:00 AM in Telephonic/VTC; and it is further ORDERED that the time between December 22, 2021 and January 27, 2022 shall be excluded from the speedy trial calculation in the interest of justice as the continuance will afford defendant more time to review discovery and explore a possible plea. SO ORDERED. Signed by Judge John D. Bates on 12/21/2021. (lcjdb2) (Entered: 12/21/2021)
01/18/2022	<u>39</u>	Consent MOTION to Modify Conditions of Release by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Text of Proposed Order)(Burnham, Charles) (Entered: 01/18/2022)
01/18/2022	<u>40</u>	Consent MOTION minor change in time of status hearing by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 01/18/2022)
01/18/2022		MINUTE ORDER: Upon consideration of <u>40</u> defendant's Motion to Change Time of Status, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the status conference scheduled for January 27, 2022 at 11:00 AM shall be RESCHEDULED to January 27, 2022 at 3:00 PM in Telephonic/VTC. SO ORDERED. Signed by Judge John D. Bates on 1/18/2022. (lcjdb2) (Entered: 01/18/2022)
01/18/2022	<u>41</u>	ORDER granting <u>39</u> Motion to Modify Conditions of Release as to LARRY RENDALL BROCK. See text of Order for details. Signed by Judge John D. Bates on 1/18/2022. (lcjdb2) (Entered: 01/18/2022)
01/19/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference reset for 1/27/2022 at 03:00 PM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 01/19/2022)
01/26/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference reset for 1/28/2022 at 02:30 PM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 01/26/2022)
01/27/2022		MINUTE ORDER: It is hereby ORDERED that the status conference scheduled for January 27, 2022 is hereby RESCHEDULED to January 31, 2022 at 10:00 AM via Zoom; and it is further ORDERED that the time between January 27, 2022 and January 31, 2022 shall be excluded from the speedy trial calculation in the interest of justice as the continuance will enable defendant to attend the status conference and participate in his defense. SO ORDERED. Signed by Judge John D. Bates on 1/27/2022. (lcjdb2) (Entered: 01/27/2022)
01/27/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference set for 1/31/2022 at 10:00 AM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 01/27/2022)

01/31/2022		Minute Entry: Status Conference as to LARRY RENDALL BROCK held on 1/31/2022 before Judge John D. Bates: Parties discussed posture of the case, established a motions and trial schedule. Another Video Status Conference is set for 4/8/2022 at 10:30 AM in Telephonic/VTC before Judge John D. Bates. Defense Motions are due by 6/24/2022, Government Responses are due by 7/15/2022, any Replies are due by 7/29/2022, The Court will await receipt of the motions before scheduling a motions hearing. Jury Trial is set for 11/14/2022 at 9:30 AM in Courtroom 30A (In Person) before Judge John D. Bates. The Court finds in the interest of justice (XT) that the time between 1/31/2022 and 11/14/2022 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Lisa Moreira; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez. (jth) (Entered: 01/31/2022)
02/10/2022	<u>43</u>	NOTICE of Filing United States' Memorandum Regarding Status of Discovery as of February 9, 2022 by USA as to LARRY RENDALL BROCK (Ayers-Perez, April) (Entered: 02/10/2022)
04/08/2022		Minute Entry for Video Status Conference proceeding held before Judge John D. Bates as to LARRY RENDALL BROCK on 4/8/2022. Defendant remains on release. US Attorneys: April Ayers-Perez and Emily Miller; Defense Attorney: Charles Burnham; Court Reporter: Sara Wick. (zgdg) (Entered: 04/08/2022)
06/24/2022	<u>45</u>	Consent MOTION for Extension of Time to file <i>Pretrial Motions (July 1)</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 06/24/2022)
06/24/2022		MINUTE ORDER: Upon consideration of <u>45</u> defendant's consent motion for extension of time to file, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that defendant shall file any pre-trial motions by not later than July 1, 2022, the government shall file any responses by not later than July 22, 2022, and defendant shall file any replies by not later than August 5, 2022. SO ORDERED. Signed by Judge John D. Bates on 6/24/2022. (lcjdb2) (Entered: 06/24/2022)
06/28/2022		Set/Reset Deadlines as to LARRY RENDALL BROCK: Motion due by 7/1/2022. Response due by 7/22/2022. Reply due by 8/5/2022. (tb) (Entered: 06/28/2022)
07/01/2022	<u>46</u>	MOTION to Dismiss Count <i>One</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 07/01/2022)
07/01/2022	<u>47</u>	MOTION to Change Venue <i>and to Adopt Motion in Related Case</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 07/01/2022)
07/01/2022	<u>48</u>	MOTION to Compel <i>Discovery</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 07/01/2022)
07/01/2022	<u>49</u>	MOTION to Compel <i>Discovery on Selective Prosecution</i> by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit)(Burnham, Charles) (Entered: 07/01/2022)
07/01/2022	50	MOTION for Joinder Motion in Related Case by LARRY RENDALL BROCK. (See Docket Entry <u>47</u> to View Document). (zhsj) (Entered: 07/05/2022)
07/05/2022	51	MOTION for a Bill of Particulars by LARRY RENDALL BROCK. (See Docket Entry <u>46</u> to View Document). (zhsj) (Entered: 07/05/2022)
07/22/2022	<u>52</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>47</u> MOTION to Change Venue <i>and to Adopt Motion in Related Case</i> (Ayers-Perez, April) (Entered: 07/22/2022)

		07/22/2022)
07/22/2022	<u>53</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>48</u> MOTION to Compel <i>Discovery</i> (Ayers-Perez, April) (Entered: 07/22/2022)
07/22/2022	<u>54</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>46</u> MOTION to Dismiss Count <i>One</i> (Ayers-Perez, April) (Entered: 07/22/2022)
07/22/2022	<u>55</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>49</u> MOTION to Compel <i>Discovery on Selective Prosecution</i> (Ayers-Perez, April) (Entered: 07/22/2022)
07/22/2022	56	MOTION to Adopt Related Case in United States v. McHugh, No. 1:21-cr-453 by USA as to LARRY RENDALL BROCK. (See Docket Entry <u>52</u> to View Document). (zhsj) (Entered: 07/25/2022)
08/31/2022	<u>57</u>	ORDER denying <u>46</u> defendant's motion to dismiss count I; granting in part and denying in part <u>47</u> defendant's motion to adopt motion in other case and for change of venue; denying <u>48</u> defendant's motion to compel discovery; and denying <u>49</u> motion to compel discovery on selective prosecution. See text of Order and accompanying Memorandum Opinion for details. Signed by Judge John D. Bates on 8/31/2022. (lcjdb3) (Entered: 08/31/2022)
08/31/2022	<u>58</u>	MEMORANDUM OPINION. Signed by Judge John D. Bates on 8/31/2022. (lcjdb3) (Entered: 08/31/2022)
08/31/2022		MINUTE ORDER: The parties are hereby ORDERED to appear before the Court for a status conference on September 22, 2022 at 12:00 PM in Telephonic/VTC. SO ORDERED. Signed by Judge John D. Bates on 8/31/2022. (lcjdb2) (Entered: 08/31/2022)
09/01/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference set for 9/22/2022 at 12:00 PM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 09/01/2022)
09/21/2022	<u>59</u>	MOTION to Continue by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit)(Burnham, Charles) (Entered: 09/21/2022)
09/22/2022		Minute Entry for Status Conference as to LARRY RENDALL BROCK held on 9/22/2022 before Judge John D. Bates: Status Report due by 10/6/2022. Bond Status of Defendant: Personal Recognizance; Court Reporter: Bryan Wayne; Defense Attorney: Charles Burnham; US Attorney: Arvind Lal. (zjch,) (Entered: 09/22/2022)
10/06/2022	<u>60</u>	Joint STATUS REPORT by LARRY RENDALL BROCK (Burnham, Charles) (Entered: 10/06/2022)
10/11/2022		MINUTE ORDER: Upon consideration of <u>59</u> defendant's motion to continue, and the entire record herein, and in light of the fact that this case has been pending for 22 months and defendant has not presented sufficient good cause to further delay its resolution, it is hereby ORDERED that the motion is DENIED. The trial in this case remains set to commence on November 14, 2022. Signed by Judge John D. Bates on 10/11/2022. (lcjdb2) (Entered: 10/11/2022)
10/12/2022	<u>61</u>	NOTICE OF SUBSTITUTION OF COUNSEL by USA as to LARRY RENDALL BROCK. (Meisel, Douglas) Modified Text on 10/13/2022 (zhsj). (Entered: 10/12/2022)
10/18/2022		

		MINUTE ORDER: It is hereby ORDERED that the parties shall file any motions in limine by not later October 26, 2022; it is further ORDERED that the parties shall file proposed voir dire questions and jury instructions by not later than October 31, 2022; it is further ORDERED that the parties shall file responses to motions in limine by not later than November 1, 2022; it is further ORDERED that the parties shall file replies in support of motions in limine by not later than November 4, 2022; and it is further ORDERED that a pretrial conference is set for November 7, 2022 at 11:00 AM in Telephonic/VTC. SO ORDERED. Signed by Judge John D. Bates on 10/18/2022. (lcjdb2) (Entered: 10/18/2022)
10/19/2022		Set/Reset Deadlines/Hearings as to LARRY RENDALL BROCK: Motion in Limine due by 10/26/2022. Responses due by 11/1/2022. Replies due by 11/4/2022. Pretrial Conference set for 11/7/2022 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 10/19/2022)
10/20/2022	<u>62</u>	MOTION to Strike <i>Portions of the Superseding Indictment</i> by USA as to LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Ayers–Perez, April) (Entered: 10/20/2022)
10/21/2022		MINUTE ORDER: It is hereby ORDERED that, by not later than October 28, 2022, defendant shall file a response to <u>62</u> the government's motion to strike portions of the superseding indictment. Signed by Judge John D. Bates on 10/21/2022. (lcjdb2) (Entered: 10/21/2022)
10/24/2022		Set/Reset Deadlines as to LARRY RENDALL BROCK: Response due by 10/28/2022. (tb) (Entered: 10/24/2022)
10/26/2022	<u>63</u>	First MOTION in Limine by USA as to LARRY RENDALL BROCK. (Ayers–Perez, April) (Entered: 10/26/2022)
10/29/2022	<u>64</u>	RESPONSE by LARRY RENDALL BROCK re <u>62</u> MOTION to Strike <i>Portions of the Superseding Indictment</i> (Burnham, Charles) (Entered: 10/29/2022)
10/31/2022		MINUTE ORDER: Upon consideration of the government's <u>62</u> unopposed motion to strike portions of the superseding indictment, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the language referring to the "Vice President–elect" in Counts Two and Three of the superseding indictment is hereby STRICKEN. SO ORDERED. Signed by Judge John D. Bates on 10/31/2022. (lcjdb2) (Entered: 10/31/2022)
10/31/2022	<u>65</u>	Proposed Jury Instructions by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 10/31/2022)
10/31/2022	<u>66</u>	Proposed Voir Dire by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 10/31/2022)
11/07/2022		MINUTE ORDER: Upon consideration of <u>63</u> the government's unopposed motion in limine regarding evidence about the specific locations of U.S. Capitol police surveillance cameras, and the entire record herein, it is hereby ORDERED that the motion is GRANTED for the reasons stated in the hearing on this day. Signed by Judge John D. Bates on 11/7/2022. (lcjdb2) (Entered: 11/07/2022)
11/07/2022		MINUTE ORDER: It is hereby ORDERED that the parties shall file a trial brief, a witness list, and an exhibit list by not later than 4:00 p.m. on November 10, 2022; and it is further ORDERED that the government shall produce all Jencks material by not later than 4:00 p.m. on November 10, 2022. SO ORDERED. Signed by Judge John D.

		Bates on 11/7/2022. (lcjdb2) (Entered: 11/07/2022)
11/07/2022		Minute Entry: Pretrial Conference as to LARRY RENDALL BROCK held on 11/7/2022 before Judge John D. Bates: Parties discussed posture of case and trial. Oral motion by defendant to convert jury trial to a bench trial; heard and GRANTED. Bench Trial set for 11/14/2022 at 09:15 AM in Courtroom 30A– In Person before Judge John D. Bates. Defendant remains on release. Court Reporter: Lisa Moreira; Defense Attorney: Charles Burnham; US Attorney: April Ayers–Perez, Douglas Meisel and Barry Disney. (tb) (Entered: 11/08/2022)
11/08/2022		Set/Reset Deadlines as to LARRY RENDALL BROCK: Brief due by 11/10/2022. Exhibit List due by 11/10/2022. Witness List due by 11/10/2022. (tb) (Entered: 11/08/2022)
11/08/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Status Conference reset for 11/21/2022 at 11:00 AM in Telephonic/VTC before Judge John D. Bates. (tb) (Entered: 11/08/2022)
11/10/2022	<u>68</u>	TRIAL BRIEF by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 11/10/2022)
11/10/2022	<u>69</u>	WITNESS LIST by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 11/10/2022)
11/10/2022	<u>70</u>	EXHIBIT LIST by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 11/10/2022)
11/10/2022	<u>71</u>	EXHIBIT LIST by LARRY RENDALL BROCK (Burnham, Charles) (Entered: 11/10/2022)
11/13/2022	<u>72</u>	EXHIBIT LIST by USA as to LARRY RENDALL BROCK (Ayers–Perez, April) (Entered: 11/13/2022)
11/13/2022	<u>73</u>	EXHIBIT LIST by LARRY RENDALL BROCK (Burnham, Charles) (Entered: 11/13/2022)
11/14/2022		Minute Entry: Bench Trial begun as to LARRY RENDALL BROCK on 11/14/2022 before Judge John D. Bates: Opening statements; government witnesses: Sean Patton; Elizabeth Glavey; Nairobi Timberlake; Maggie May Humphrey and John Moore. Bench Trial continued to 11/15/2022 at 09:30 AM in Courtroom 30A– In Person before Judge John D. Bates. Defendant remains on release. Court Reporter: Jodie Hibbard; Defense Attorney: Charles Burnham; US Attorney: April Ayers–Perez, Douglas Meisel and Barry Disney. (tb) (Entered: 11/14/2022)
11/14/2022	<u>76</u>	WAIVER of Trial by Jury as to LARRY RENDALL BROCK. Signed by Judge John D. Bates on 11/14/2022. (tb) (Entered: 11/15/2022)
11/15/2022	<u>75</u>	NOTICE OF ATTORNEY APPEARANCE Barry Kent Disney, I appearing for USA. (Disney, Barry) (Entered: 11/15/2022)
11/15/2022		Set/Reset Hearings as to LARRY RENDALL BROCK: Bench Trial (Judge's oral verdict) set for 11/16/2022 at 10:00 AM in Courtroom 30A– In Person before Judge John D. Bates. (tb) (Entered: 11/15/2022)
11/15/2022		Minute Entry: Bench Trial resumed as to LARRY RENDALL BROCK held on 11/15/2022 before Judge John D. Bates: Government witness: John Moore; government rested; Defendant's oral Rule 29 motion; heard and taken under

		advisement. Defendant rested. Closing arguments. Rulings and verdict shall be rendered on 11/16/2022 at 10:00 before Judge John D. Bates in Courtroom 30A. Defendant remains on release. Court Reporter: Jodie Hibbard; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez, Douglas Meisel and Barry Disney. (tb) (Entered: 11/16/2022)
11/16/2022		Minute Entry: Bench Trial concluded as to LARRY RENDALL BROCK on 11/16/2022 before Judge John D. Bates: The Court DENIES the defendant's oral Rule 29 motion. The Court rendered a verdict of GUILTY on all counts. Sentencing memoranda due by 2/7/2023. Sentencing set for 2/14/2023 at 10:30 AM in Courtroom 30A- In Person before Judge John D. Bates. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to LARRY RENDALL BROCK. Court Reporter: Jodie Hibbard; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez, Douglas Meisel and Barry Disney. (tb) (Entered: 11/16/2022)
11/16/2022	<u>77</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to LARRY RENDALL BROCK. (tb) (Entered: 11/16/2022)
11/16/2022	<u>78</u>	EXHIBIT LIST by USA as to LARRY RENDALL BROCK, (tb) (Entered: 11/21/2022)
12/06/2022	<u>79</u>	<p>TRANSCRIPT OF BENCH TRIAL – DAY 1 in case as to LARRY RENDALL BROCK before Judge John D. Bates held on November 14, 2022. Page Numbers: 1 – 221. Date of Issuance: December 6, 2022. Court Reporter: Jodi Hibbard. Telephone number: 315–234–8547. 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 12/27/2022. Redacted Transcript Deadline set for 1/6/2023. Release of Transcript Restriction set for 3/6/2023.(Hook, Jeff) (Entered: 12/06/2022)</p>
12/06/2022	<u>80</u>	<p>TRANSCRIPT OF BENCH TRIAL – DAY 2 in case as to LARRY RENDALL BROCK before Judge John D. Bates held on November 15, 2022. Page Numbers: 222 – 386. Date of Issuance: December 6, 2022. Court Reporter: Jodi Hibbard. Telephone number: 315–234–8547. 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</p>

		<p>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 12/27/2022. Redacted Transcript Deadline set for 1/6/2023. Release of Transcript Restriction set for 3/6/2023.(Hook, Jeff) (Entered: 12/06/2022)</p>
12/06/2022	<u>81</u>	<p>TRANSCRIPT OF BENCH TRIAL – DAY 3 in case as to LARRY RENDALL BROCK before Judge John D. Bates held on November 16, 2022. Page Numbers: 387 – 417. Date of Issuance: December 6, 2022. Court Reporter: Jodi Hibbard. Telephone number: 315–234–8547. 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 12/27/2022. Redacted Transcript Deadline set for 1/6/2023. Release of Transcript Restriction set for 3/6/2023.(Hook, Jeff) (Entered: 12/06/2022)</p>
02/06/2023	<u>86</u>	<p>MOTION to Continue <i>Sentencing</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 02/06/2023)</p>
02/07/2023		<p>MINUTE ORDER: Upon consideration of <u>86</u> defendant's unopposed motion to continue sentencing, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that sentencing is RESCHEDULED to March 17, 2023 at 11:00 a.m. in Courtroom 30A; and it is further ORDERED that sentencing memoranda are to be filed by not later than the end of the business day on March 10, 2023. SO ORDERED. Signed by Judge John D. Bates on 2/7/2023. (lcjdb2) (Entered: 02/07/2023)</p>
02/14/2023		<p>Set/Reset Hearings as to LARRY RENDALL BROCK: Sentencing reset for 3/17/2023 at 11:00 AM in Courtroom 30A– In Person before Judge John D. Bates. (tb) (Entered: 02/14/2023)</p>
03/10/2023	<u>87</u>	<p>MOTION to Continue <i>Sentencing</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 03/10/2023)</p>
03/10/2023	<u>88</u>	<p>SENTENCING MEMORANDUM by USA as to LARRY RENDALL BROCK (Attachments: # <u>1</u> Appendix)(Ayers–Perez, April) (Entered: 03/10/2023)</p>

03/11/2023	<u>90</u>	STRICKEN FROM THE RECORD PURSUANT TO MINUTE ORDER FILED ON 03/16/2023.....SENTENCING MEMORANDUM by LARRY RENDALL BROCK (Attachments: # <u>1</u> Exhibit letters, # <u>2</u> Exhibit chart)(Burnham, Charles) Modified on 3/17/2023 (tb). (Entered: 03/11/2023)
03/12/2023		MINUTE ORDER: Upon consideration of <u>87</u> defendant's motion to continue sentencing, and the entire record herein, it is hereby ORDERED that the government shall file a response stating its position by not later than March 13, 2023. Signed by Judge John D. Bates on 3/12/2023. (lcjdb2) (Entered: 03/12/2023)
03/12/2023		MINUTE ORDER: Upon consideration of <u>89</u> defendant's motion for leave to file his sentencing memorandum under seal, and the entire record herein, it is hereby ORDERED that the motion is DENIED; and it is further ORDERED that defendant shall file a public version of his sentencing memorandum redacting only the addresses and phone numbers of those who wrote letters on his behalf by not later than March 13, 2023. SO ORDERED. Signed by Judge John D. Bates on 3/12/2023. (lcjdb2) (Entered: 03/12/2023)
03/13/2023	<u>91</u>	MOTION for Reconsideration <i>On Order Regarding Redactions or in the Alternative for One Day Extension to File Revised Sentencing Materials</i> by LARRY RENDALL BROCK. (Burnham, Charles) (Entered: 03/13/2023)
03/13/2023		MINUTE ORDER: Upon consideration of <u>91</u> defendant's motion to reconsider the Court's March 12, 2023 Order denying his motion for leave to file under seal his sentencing memorandum, and the entire record herein, it is hereby ORDERED that the motion is DENIED; and it is further ORDERED that defendant shall file a public version of his sentencing memorandum redacting only the addresses and phone numbers of those who wrote letters of support on his behalf by not later than March 15, 2023. SO ORDERED. Signed by Judge John D. Bates on 3/13/2023. (lcjdb2) (Entered: 03/13/2023)
03/13/2023	<u>92</u>	RESPONSE by USA as to LARRY RENDALL BROCK re <u>87</u> MOTION to Continue Sentencing (Ayers-Perez, April) (Entered: 03/13/2023)
03/14/2023		MINUTE ORDER: Upon consideration of <u>87</u> defendant's motion to continue sentencing, and the entire record herein, it is hereby ORDERED that the motion is DENIED. Signed by Judge John D. Bates on 3/14/2023. (lcjdb2) (Entered: 03/14/2023)
03/15/2023		Set/Reset Deadlines as to LARRY RENDALL BROCK: Response due by 3/13/2023. (tb) (Entered: 03/15/2023)
03/15/2023	<u>93</u>	REPLY by LARRY RENDALL BROCK re <u>88</u> Sentencing Memorandum. (Burnham, Charles) Modified Text on 3/17/2023 (zhsj). (Entered: 03/15/2023)
03/15/2023	<u>94</u>	MOTION for Permission to Withdraw Perviously Filed Sentencing Memorandum and Substitute Amended Sentencing Memorandum by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit Amended Sentencing Memo)(Burnham, Charles) Modified Event on 3/16/2023 (zhsj). (Entered: 03/15/2023)
03/16/2023		MINUTE ORDER: Upon consideration of <u>94</u> defendant's motion to withdraw <u>90</u> his previously filed sentencing memorandum and replace it with [94-1], [94-2], and [94-3], and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that <u>90</u> shall be STRICKEN from the docket;

		and it is further ORDERED that [94-1], [94-2], and [94-3] are deemed filed as defendant's sentencing memorandum and part of the record. SO ORDERED. Signed by Judge John D. Bates on 3/16/2023. (lcjdb2) (Entered: 03/16/2023)
03/16/2023	<u>96</u>	AMENDED SENTENCING MEMORANDUM by LARRY RENDALL BROCK (Attachments: # <u>1</u> Exhibit 1 Letter, # <u>2</u> Exhibit 2 Portland Federal Courthouse Cases) (zhsj) (Entered: 03/20/2023)
03/17/2023		Minute Entry: Sentencing held on 3/17/2023 as to LARRY RENDALL BROCK (1) held before Judge John D. Bates all counts of the Superseding Indictment:Count(s) 1s: Defendant sentenced to SIX (6) months on Count 1s to run concurrently with Counts 2s, 3s, 4s, 5s and 6s. No period of supervised release imposed. Special Assesment of \$10.00; Count(s) 2s: Defendant sentenced to TWELVE (12) months on Count 2s to run concurrently with Counts 1s, 3s, 4s, 5s and 6s. TWELVE (12) months of Supervised to run concurrently with Counts 1s and 3s. Special Assesment of \$25.00; Count(s) 3s: Defendant sentenced to TWELVE (12) months on Count 3s to run concurrently with Counts 1s, 2s, 4s, 5s and 6s. TWELVE (12) months of Supervised to run concurrently with Counts 1s and 2s. Special Assesment of \$25.00; Count(s) 4s: Defendant sentenced to SIX (6) months on Count 4s to run concurrently with Counts 1s, 2s, 3s, 5s and 6s. No period of supervised release imposed. Special Assesment of \$10.00; Count(s) 5s: Defendant sentenced to SIX (6) months on Count 5s to run concurrently with Counts 1s, 2s, 3s, 4s and 6s. No period of supervised release imposed. Special Assesment of \$10.00.; Count(s) 6, Oral motion by government to dismiss count; heard and GRANTED; Count(s) 6s: Defendant sentenced to SIX (6) months on Count 4s to run concurrently with Counts 1s, 2s, 3s, 4s, 5s. No period of supervised release imposed. Special Assesment of \$10.00. Defendant remains on release. Court Reporter: Elizabeth Saint Loth; Defense Attorney: Charles Burnham; US Attorney: April Ayers-Perez and Douglas Meisel; Probation: Kelli Willett. (tb) (Entered: 03/21/2023)
03/20/2023	<u>98</u>	JUDGMENT as to LARRY RENDALL BROCK. Statement of Reasons Not Included. Signed by Judge John D. Bates on 3/20/2023. (zhsj) (Entered: 03/22/2023)
03/20/2023	<u>99</u>	STATEMENT OF REASONS as to LARRY RENDALL BROCK re <u>98</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 John D. Bates on 3/20/2023. (zhsj) (Entered: 03/22/2023)
03/28/2023	<u>100</u>	NOTICE OF APPEAL – Final Judgment by LARRY RENDALL BROCK Filing fee \$ 505, receipt number ADCDC-9958298. Fee Status: Fee Paid. Parties have been notified. (Burnham, Charles) (Entered: 03/28/2023)
03/28/2023	<u>101</u>	MOTION for Bond / <i>Release Pending Appeal</i> by LARRY RENDALL BROCK. (Attachments: # <u>1</u> Exhibit Chart of Sentences)(Burnham, Charles) (Entered: 03/28/2023)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES

v.

LARRY BROCK,

Defendant.

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Case No. 1:21cr140

NOTICE OF APPEAL

Please take notice that the defendant Larry Brock hereby appeals the final order entered in this case on March 22, 2023 (ECF 98).

Respectfully submitted,

By: /s/ Charles Burnham

Charles Burnham

D. Md. Bar 12511

Attorney for Defendant

BURNHAM & GOROKHOV, PLLC

1424 K Street NW, Suite 500

Washington, DC 20005

(202) 386-6920 (phone)

(202) 265-2173 (fax)

Charles@burnhamgorokhov.com

CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification (NEF) to all counsel of record.

Respectfully submitted,

By: /s/ Charles Burnham

Charles Burnham

D. Md. Bar 12511

Attorney for Defendant

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Charles@burnhamgorokhov.com

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

LARRY RENDALL BROCK

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JUDGMENT IN A CRIMINAL CASE

Case Number: 21-140 (JDB)

USM Number: 24991-509

Charles Burnham

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 through 6 of the Superseding Indictment filed on June 23, 2021.
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>
18:1512(c)(2) and 2	Obstruction of an Official Proceeding and Aiding and Abetting..	1/6/2021	1s
CONT'D NEXT PAGE			

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.

3/17/2023

Date of Imposition of Judgment

John D. Bates Digitally signed by John D. Bates
Date: 2023.03.20 08:56:12 -04'00'

Signature of Judge

John D. Bates

U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: LARRY RENDALL BROCK
CASE NUMBER: 21-140 (JDB)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds.	1/6/2021	2s
18:1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted Building or Grounds.	1/6/2021	3s
40:5104(e)(2)(A)	Entering and Remaining on the Floor of Congress.	1/6/2021	4s
40:5104(e)(2)(D)	Disorderly Conduct in a Capitol Building.	1/6/2021	5s
40:5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building.	1/6/2021	6s

DEFENDANT: LARRY RENDALL BROCK
CASE NUMBER: 21-140 (JDB)

IMPRISONMENT

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

TWENTY-FOUR (24) MONTHS ON COUNT ONE (1), TWELVE (12) MONTHS ON COUNTS TWO (2) AND THREE (3), AND SIX (6) MONTHS ON COUNTS FOUR (4), FIVE (5) AND SIX (6), ALL TO RUN CONCURRENTLY.

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

That the defendant be incarcerated at a Bureau of Prisons' facility close to Grapevine, TX.

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: LARRY RENDALL BROCK
CASE NUMBER: 21-140 (JDB)

SUPERVISED RELEASE

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

TWENTY-FOUR (24) MONTHS ON COUNT ONE (1) AND TWELVE (12) MONTHS ON COUNTS TWO (2) AND THREE (3), ALL TO RUN CONCURRENTLY.

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: LARRY RENDALL BROCK
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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: LARRY RENDALL BROCK
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ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant must complete 100 hours of community service within 18 months of supervision. The probation officer will supervise the participation in the program by approving the program. The defendant must provide written verification of completed hours to the probation officer.
2. The defendant must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the United States Attorney's Office.
3. Within sixty (60) days of release from incarceration or placement on supervision, the defendant will appear before the Court for a re-entry progress hearing. Prior to the hearing, the probation officer will submit a report summarizing his status and compliance with release conditions. If he is supervised by a district outside of the Washington, DC metropolitan area, the United States Probation Office in that district will submit a progress report to the court within sixty (60) days of the commencement of supervision; upon receipt of the progress report, the Court will determine if his appearance is required.
4. The defendant must pay the balance of any restitution at a rate of no less than \$100 per month.

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.

DEFENDANT: LARRY RENDALL BROCK
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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	\$ 180.00	\$ 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 H2-205			
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: LARRY RENDALL BROCK
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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 \$ 180.00 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, the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full. 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

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.