

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00208-APM-1**

Case title: USA v. WEBSTER

Magistrate judge case number: 1:21-mj-00244-GMH

Date Filed: 03/12/2021

Assigned to: Judge Amit P. Mehta

Defendant (1)

THOMAS WEBSTER

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Pending Counts

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

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

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

18 U.S.C. 231(a)(3); CIVIL DISORDER;
Civil Disorder
(2)

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

18 U.S.C. 231(a)(3); CIVIL DISORDER;
Civil Disorder
(2ss)

18 U.S.C. 1752(a)(1) and (b)(1)(A);
TEMPORARY RESIDENCE OF THE
PRESIDENT; Entering and Remaining in
a Restricted Building or Grounds with a
Deadly or Dangerous Weapon
(3)

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

18 U.S.C. 1752(a)(1) and (b)(1)(A);
TEMPORARY RESIDENCE OF THE

Disposition

Dismissed at Sentencing.

Dismissed at Sentencing.

Sentenced to one hundred twenty (120)
months of incarceration, followed by
thirty–six (36) months of supervised release.
These terms shall run concurrently with the
terms imposed as to counts 2ss–6ss. Special
assessment imposed on this count in the
amount of \$100.

Dismissed at Sentencing.

Dismissed at Sentencing.

Sentenced to sixty (60) months of
incarceration, followed by thirty–six (36)
months of supervised release. These terms
shall run concurrently with the terms
imposed as to counts 1ss, 3ss, 4ss, 5ss, and
6ss. Special assessment imposed on this
count in the amount of \$100.

Dismissed at Sentencing.

Dismissed at Sentencing.

Sentenced to one hundred twenty (120)
months of incarceration, followed by

PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(3ss)

thirty–six (36) months of supervised release. These terms shall run concurrently with the terms imposed as to counts 1ss, 2ss, 4ss, 5ss, and 6ss. Special assessment imposed on this count in the amount of \$100.

18 U.S.C. 1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(4)

Dismissed at Sentencing.

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

Dismissed at Sentencing.

18 U.S.C. 1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(4ss)

Sentenced to one hundred twenty (120) months of incarceration, followed by thirty–six (36) months of supervised release. These terms shall run concurrently with the terms imposed as to counts 1ss, 2ss, 3ss, 5ss, and 6ss. Special assessment imposed on this count in the amount of \$100.

18 U.S.C. 1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds, with a Deadly or Dangerous Weapon
(5)

Dismissed at Sentencing.

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(5s)

Dismissed at Sentencing.

18 U.S.C. 1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon
(5ss)

Sentenced to one hundred twenty (120) months of incarceration, followed by thirty–six (36) months of supervised release. These terms shall run concurrently with the terms imposed as to counts 1ss, 2ss, 3ss, 4ss, and 6ss. Special assessment imposed on this count in the amount of \$100.

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT

Dismissed at Sentencing.

ON CAPITOL GROUNDS; Disorderly
Conduct in a Capitol Building
(6)

40:5104(e)(2)(D); VIOLENT ENTRY
AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly
Conduct Within the Capitol Grounds or
Buildings
(6s)

Dismissed at Sentencing.

40 U.S.C. 5104(e)(2)(F); VIOLENT
ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Act of
Physical Violence in a Capitol Grounds or
Buildings
(6ss)

Sentenced to six (6) months of incarceration.
This term shall run concurrently with the
terms imposed as to counts 1ss–5ss. Special
assessment imposed on this count in the
amount of \$10.

40 U.S.C. 5104(e)(2)(F); VIOLENT
ENTRY AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS; Act of
Physical Violence Within the Capitol
Grounds or Buildings
(7)

Dismissed at Sentencing.

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

Dismissed at Sentencing.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

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

Disposition

Interested Party

PRESS COALITION

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Date Filed	#	Page	Docket Text
02/19/2021	<u>1</u>		SEALED COMPLAINT as to THOMAS WEBSTER (1). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/19/2021	<u>3</u>		MOTION to Seal Case by USA as to THOMAS WEBSTER. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/19/2021	<u>4</u>		ORDER granting <u>3</u> Motion to Seal Case as to THOMAS WEBSTER (1). Signed by Magistrate Judge G. Michael Harvey on 02/19/2021. (zstd) [1:21-mj-00244-GMH] (Entered: 02/22/2021)
02/22/2021			Case unsealed as to THOMAS WEBSTER (bb) [1:21-mj-00244-GMH] (Entered: 02/24/2021)
02/22/2021			Arrest of THOMAS WEBSTER in U.S. District Court for the Southern District of New York (White Plains). (zltf) [1:21-mj-00244-GMH] (Entered: 02/25/2021)
02/23/2021	<u>5</u>		Rule 5(c)(3) Documents Received as to THOMAS WEBSTER from U.S. District Court for the Southern District of New York (White Plains) Case Number 7:21-mj-02050-UA (zltf) [1:21-mj-00244-GMH] (Entered: 02/25/2021)
03/12/2021	<u>6</u>		INDICTMENT as to THOMAS WEBSTER (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zltf) (Main Document 6 replaced on 3/16/2021) (zltf). (Entered: 03/16/2021)
03/24/2021	<u>8</u>		MOTION for Leave to Appear Pro Hac Vice Jon C. Dupree Filing fee \$ 100, receipt number ADCDC-8325909. Fee Status: Fee Paid. by THOMAS WEBSTER. (Zucker, Jonathan) (Entered: 03/24/2021)
03/24/2021	<u>9</u>		MOTION for Leave to Appear Pro Hac Vice James E. Monroe Filing fee \$ 100, receipt number ADCDC-8325977. Fee Status: Fee Paid. by THOMAS WEBSTER. (Zucker, Jonathan) (Entered: 03/24/2021)

04/01/2021		MINUTE ORDER as to THOMAS WEBSTER (1). The Court was advised on March 31, 2021 that THOMAS WEBSTER, who is currently detained, has been transported to the local jurisdiction. Upon review of the docket in this jurisdiction, the docket in the jurisdiction of arrest, and after consultation with counsel where necessary, the Court has confirmed that THOMAS WEBSTER: has had a full Rule 5 initial appearance in the jurisdiction of arrest; has retained counsel currently seeking admission pro hac vice; has been ordered held without bond pending trial; and has been charged by Indictment. As such, there are no pending matters necessitating action by a magistrate judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 4/1/2021. (zpt) (Entered: 04/01/2021)
04/05/2021		MINUTE ORDER granting <u>8</u> Motion for Leave to Appear Pro Hac Vice. Attorney Jon C. Dupee, Jr. is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Judge Amit P. Mehta on 4/5/2021. (lcapm3) (Entered: 04/05/2021)
04/05/2021		MINUTE ORDER granting <u>9</u> Motion for Leave to Appear Pro Hac Vice. Attorney James E. Monroe is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Judge Amit P. Mehta on 4/5/2021. (lcapm3) (Entered: 04/05/2021)
04/05/2021	<u>10</u>	NOTICE of Filing Discovery Correspondence by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 04/05/2021)
04/07/2021		NOTICE OF HEARING as to THOMAS WEBSTER: Arraignment set for 4/9/2021 at 9:00 AM via teleconference before Judge Amit P. Mehta. The courtroom deputy has circulated connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 04/07/2021)
04/08/2021	<u>11</u>	Unopposed MOTION for Protective Order by USA as to THOMAS WEBSTER. (Attachments: # <u>1</u> Text of Proposed Order (Protective Order))(Mirell, Hava) (Entered: 04/08/2021)
04/09/2021	<u>12</u>	ORDER granting <u>11</u> Unopposed Motion for Protective Order. See attached Order for further details. Signed by Judge Amit P. Mehta on 4/9/2021. (lcapm3) (Entered: 04/09/2021)
04/09/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Arraignment as to THOMAS WEBSTER held on 4/9/2021 via videoconference. Plea of Not Guilty entered as to Counts 1-7. In the interests of justice (XT), and for the reasons stated on the record, the time from 4/10/2021 through and including 6/7/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 6/7/2021 at 11:00 AM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public or media may access the hearing

		via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains committed. Court Reporter: William Zaremba. Defense Attorney: James Monroe. US Attorneys: Hava Mirell and Brian Kelly. (zjd) Modified to correctly reflect that the defendant entered a plea of "not guilty" on all counts on 4/27/2021 (zjd). (Entered: 04/14/2021)
04/12/2021	<u>14</u>	SUBPOENA Issued. Signed by Judge Amit P. Mehta on 4/12/2021. (zjd) (Entered: 04/14/2021)
04/13/2021	<u>13</u>	NOTICE OF ATTORNEY APPEARANCE: Jon C. Dupee, Jr appearing for THOMAS WEBSTER (Dupee, Jon) (Entered: 04/13/2021)
04/28/2021	<u>15</u>	NOTICE OF ATTORNEY APPEARANCE: James E. Monroe appearing for THOMAS WEBSTER (Monroe, James) (Entered: 04/28/2021)
05/03/2021	<u>16</u>	NOTICE of Filing Discovery Correspondence by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 05/03/2021)
05/10/2021	<u>17</u>	PETITION FOR A WRIT OF HABEAS CORPUSby THOMAS WEBSTER. "Let This be Filed" By Judge Amit P. Mehta on 5/10/2021. (zltf) (Main Document 17 replaced on 5/10/2021) (zltf). (Additional attachment(s) added on 5/10/2021: # <u>1</u> Envelope) (zltf). (Entered: 05/10/2021)
05/10/2021		MINUTE ORDER denying <u>17</u> Motion for Writ as to THOMAS WEBSTER (1). Petitioner Mark Marvin lacks "next friend" standing to pursue Defendant's release. To establish such standing, a "next friend" petitioner "must provide an adequate explanation such as inaccessibility, mental incompetence, or other disability why the real party in interest cannot appear on his own behalf to prosecute the action." <i>Whitmore v. Arkansas</i> , 495 U.S. 149, 163 (1990). Here, Petitioner has failed to make such showing. In fact, Defendant is represented by counsel and therefore capable of prosecuting the action on his own behalf. The Petition is therefore denied. Signed by Judge Amit P. Mehta on 5/10/2021. (lcapm3) (Entered: 05/10/2021)
05/11/2021	<u>18</u>	First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino by THOMAS WEBSTER. (Attachments: # <u>1</u> Affidavit Affidavit of James E. Monroe, Esq., # <u>2</u> Exhibit Subpoena, # <u>3</u> Exhibit Proof of Service)(Monroe, James) (Entered: 05/11/2021)
05/11/2021	<u>19</u>	RESPONSE by THOMAS WEBSTER re <u>17</u> MOTION for Writ for Habeas Corpus (Monroe, James) (Entered: 05/11/2021)
05/24/2021	<u>20</u>	SUPPLEMENT by THOMAS WEBSTER re <u>18</u> First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino Letter requesting execution (Monroe, James) (Entered: 05/24/2021)
05/24/2021	<u>21</u>	VACATED PURSUANT TO MINUTE ORDER FILED 5/27/2021.....ORDER to Show Cause for Contempt of Federal Subpoena. See attached Order for details. Signed by Judge Amit P. Mehta on 5/24/2021. (lcapm3) Modified on 6/3/2021 (znmw). (Entered: 05/24/2021)
05/26/2021	<u>22</u>	SUPPLEMENT by THOMAS WEBSTER re <u>18</u> First MOTION for Sanctions for Contempt against N.Y.P.D. & Lt. Richard Mantellino Withdrawing Motion (Monroe, James) (Entered: 05/26/2021)

05/27/2021		MINUTE ORDER. In view of the NYPD's production of records, the <u>21</u> Order to Show Cause entered on May 24, 2021, is hereby vacated. Signed by Judge Amit P. Mehta on 5/27/2021. (lcapm3) (Entered: 05/27/2021)
06/07/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to THOMAS WEBSTER held via videoconference on 6/7/2021. Defendant's Oral Motion for Speedy Trial Waiver was heard and granted. In the interests of justice, and for the reasons stated on the record, the time from 6/8/2021 through and including 6/29/2021 shall be excluded in computing the date for speedy trial in this case. Defendant's Motion for Bond Review due by 6/16/2021. Opposition due by 6/23/2021. Reply due by 5:00 PM on 6/28/2021. Bond Hearing set for 6/29/2021 2:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains committed; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly. (zjd) (Entered: 06/07/2021)
06/10/2021		NOTICE OF ERROR re <u>22</u> Supplement to any document; emailed to info@dupeemonroelaw.com, cc'd 7 associated attorneys — The PDF file you docketed contained errors: 1. Incorrect format (letter); In future, all documents must be in pleading format in accordance with Local Rules. (znmw,) (Entered: 06/10/2021)
06/16/2021	<u>23</u>	STIPULATION <i>Letter Requesting Adjournment</i> (Monroe, James) (Entered: 06/16/2021)
06/16/2021		MINUTE ORDER granting consent request to amend briefing schedule. Defendant's Motion for Bond Review is now due by June 18, 2021. The United States' opposition is now due by June 24, 2021. Signed by Judge Amit P. Mehta on 6/16/2021. (lcapm3) (Entered: 06/16/2021)
06/17/2021	<u>24</u>	First MOTION for Release from Custody by THOMAS WEBSTER. (Attachments: # <u>1</u> Exhibit Hearing Transcript Magistrate Judge Krauser, # <u>2</u> Exhibit Webster Marine Corps Records, # <u>3</u> Exhibit N.Y.P.D. Records, # <u>4</u> Exhibit Letter to Mayor Giuliani, # <u>5</u> Exhibit Webster Interview with FBI, # <u>6</u> Exhibit FBI Report, # <u>7</u> Exhibit Flagpole exemplar, # <u>8</u> Exhibit Government's Body Cam video, # <u>9</u> Exhibit Government Statement of Facts, # <u>10</u> Exhibit Public source video, # <u>11</u> Exhibit YouTube video, # <u>12</u> Exhibit Criminal Complaint, # <u>13</u> Exhibit Receipt of Personal Property, # <u>14</u> Exhibit Pretrial Services Report, # <u>15</u> Exhibit Character Letters, # <u>16</u> Certificate of Service)(Monroe, James) (Entered: 06/17/2021)
06/23/2021	<u>25</u>	MOTION for Leave to File <i>Redacted exhibits</i> by THOMAS WEBSTER. (Monroe, James) (Entered: 06/23/2021)
06/24/2021		MINUTE ORDER granting Defendant's <u>25</u> Motion for Leave to File Redacted Exhibits. Defense counsel shall notify chambers of which exhibits to his motion contain personal identifiable information and thereafter file redacted exhibits on the record. Signed by Judge Amit P. Mehta on 6/24/2021. (lcapm3) (Entered: 06/24/2021)
06/24/2021		

		NOTICE OF ERROR re <u>25</u> Motion for Leave to File ; emailed to info@dupeemonroelaw.com, cc'd 8 associated attorneys — The PDF file you docketed contained errors: 1. Incorrect format/letter; In future all documents must be in proper pleading format in accordance with Local Rules. (znmw,) (Entered: 06/24/2021)
06/24/2021	<u>26</u>	Memorandum in Opposition by USA as to THOMAS WEBSTER re <u>24</u> First MOTION for Release from Custody (Mirell, Hava) (Entered: 06/24/2021)
06/28/2021		NOTICE OF HEARING as to THOMAS WEBSTER: Bond Hearing reset to 6/29/2021 at 1:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy has circulated connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 06/28/2021)
06/28/2021	<u>27</u>	First MOTION for Release from Custody <i>Defendant's Reply</i> by THOMAS WEBSTER. (Attachments: # <u>1</u> Exhibit Photograph of Punch, # <u>2</u> Exhibit Pistol Permit, # <u>3</u> Exhibit Letter to Warden)(Monroe, James) (Entered: 06/28/2021)
06/29/2021	<u>28</u>	NOTICE of Filing of Exhibit Pursuant to Rule 49 by USA as to THOMAS WEBSTER (Mirell, Hava) (Entered: 06/29/2021)
06/29/2021		Minute Entry for proceedings held before Judge Amit P. Mehta: Bond Hearing as to THOMAS WEBSTER held via video conference on 6/29/2021. For the reasons stated on the record, the Court grants <u>24</u> MOTION for Release from Custody. In the interests of justice, and for the reasons stated on the record, the time from 6/30/2021 through and including 8/31/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 8/31/2021 at 2:00 PM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: placed in High Intensity Supervision Program (HISP); Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly; Probation Officer: Masharia Holman. (zjd) Modified bond status on 9/14/2021 (zjd). (Entered: 06/30/2021)
06/30/2021	<u>29</u>	ORDER Setting Conditions for High Intensity Supervision Program as to THOMAS WEBSTER. Signed by Judge Amit P. Mehta on 6/30/2021. (Attachment: # <u>1</u> Appearance Bond) (zjd) (Entered: 06/30/2021)
07/14/2021	<u>30</u>	Unopposed MOTION for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to THOMAS WEBSTER. (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 07/14/2021)
07/15/2021	<u>31</u>	ORDER granting <u>30</u> Motion for Disclosure of Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. See attached Order for details. Signed by Judge Amit P. Mehta on 7/15/2021. (lcapm3) (Entered: 07/15/2021)
07/29/2021	<u>32</u>	TRANSCRIPT OF BOND HEARING VIA ZOOM PROCEEDINGS in case as to THOMAS WEBSTER before Judge Amit P. Mehta held on June 29, 2021; Page Numbers: 1-36. Date of Issuance: July 29, 2021. Court

		<p>Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. 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, PDF or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 8/19/2021. Redacted Transcript Deadline set for 8/29/2021. Release of Transcript Restriction set for 10/27/2021.(wz) (Entered: 07/29/2021)</p>
08/30/2021		<p>MINUTE ORDER vacating the Status Conference scheduled for August 31, 2021. A Status Conference is set for September 14, 2021, at 10:30 AM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. In the interests of justice, to secure the availability of defense counsel, the time from 8/31/2021 through and including 9/14/2021 shall be excluded in computing the date for speedy trial in this case. Signed by Judge Amit P. Mehta on 8/30/2021. (lcapm3) (Entered: 08/30/2021)</p>
09/14/2021		<p>Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to THOMAS WEBSTER held via videoconference on 9/14/2021. In the interests of justice, and for the reasons stated on the record, the time from 9/15/2021 through and including 10/8/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 10/8/2021 at 9:15 AM via videoconference before Judge Amit P. Mehta. he courtroom deputy will circulate connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly. (zjd) (Entered: 09/14/2021)</p>
09/28/2021	<u>35</u>	<p>NOTICE of Filing Discovery Memoranda by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of 7/12/2021, # <u>2</u> Exh. A to 7/12/2021 Discovery Memorandum, # <u>3</u> Memorandum Regarding Status of Discovery as of 8/23/2021, # <u>4</u> Memorandum Regarding Status of Discovery as of 9/14/2021)(Mirell, Hava) (Entered: 09/28/2021)</p>
09/28/2021	<u>36</u>	<p>NOTICE of Filing Discovery Correspondence by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 09/28/2021)</p>

10/08/2021			MINUTE ORDER: Defendant is to continue mental health services as directed by the Southern District of New York (SDNY) and he is to sign any necessary releases of information that would allow SDNY to monitor progress. Signed by Judge Amit P. Mehta on 10/08/2021. (lcapm3) (Entered: 10/08/2021)
10/08/2021			Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to THOMAS WEBSTER held via videoconference on 10/8/2021. In the interests of justice, and for the reasons stated on the record, the time from 10/9/2021 through and including 12/2/2021 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 12/2/2021 at 10:30 AM via videoconference before Judge Amit P. Mehta. The courtroom deputy will circulate connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorney: Brian Kelly. (zjd) (Entered: 11/17/2021)
10/24/2021	<u>38</u>		NOTICE of Filing Discovery Memorandum by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of 10/21/2021)(Mirell, Hava) (Entered: 10/24/2021)
11/10/2021	<u>39</u>		SUPERSEDING INDICTMENT as to THOMAS WEBSTER (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s. (zstd) (Entered: 11/16/2021)
11/17/2021			NOTICE OF HEARING as to THOMAS WEBSTER: Arraignment and Status Conference set for 12/2/2021 at 11:30 AM via videoconference before Judge Amit P. Mehta. The Status Conference originally scheduled for 12/2/2021 at 10:30 AM is hereby vacated. The courtroom deputy has circulated connection information to counsel. Members of the public may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 11/17/2021)
11/24/2021	<u>41</u>		NOTICE of Filing Discovery Memorandum by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of November 5, 2021)(Mirell, Hava) (Entered: 11/24/2021)
12/02/2021	<u>43</u>		NOTICE of Affirmative Defenses by THOMAS WEBSTER (Monroe, James) (Entered: 12/02/2021)
12/02/2021			Minute Entry for proceedings held before Judge Amit P. Mehta: Arraignment as to THOMAS WEBSTER held via videoconference on 12/2/2021. Plea of Not Guilty entered on Count 1s-7s. In the interests of justice, and for the reasons stated on the record, the time from 12/3/2021 through and including 1/28/2022 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 1/28/2022 at 9:30 AM in Telephonic/VTC before Judge Amit P. Mehta. Judge Mehta's courtroom deputy will circulate connection information to counsel. Members of the public or media may access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Pretrial Conference set for 3/28/2022 at 3:00 PM in Courtroom 10 before Judge Amit P. Mehta. Jury Trial set for 4/4/2022 at 9:30 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendant: remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly. (zjd) (Entered: 12/02/2021)

12/08/2021	<u>44</u>	<p>PRETRIAL ORDER as to THOMAS WEBSTER. Trial is set to commence in this matter on April 4, 2022, at 9:30 a.m., in Courtroom 10. The following deadlines shall govern this matter: (1) The parties shall file any motion pursuant to Federal Rule of Criminal Procedure 12(b)(3)(A)–(D) on or before January 31, 2022; oppositions shall be filed on or before February 7, 2022; and replies shall be filed on or before February 14, 2022. (2) The United States shall notify Defendant of its intention to introduce any Rule 404(b) evidence not already disclosed on or before March 7, 2022. (3) Motions in limine, if any, shall be filed on or before March 14, 2022; oppositions, if any, shall be filed on or before March 21, 2022; and replies, if any, shall be filed on or before March 28, 2022. (4) The United States is directed to make grand jury and Jencks Act disclosures as to each of its witnesses on or before March 28, 2022. Any <i>Brady</i> material not already disclosed also shall be disclosed by this date. (5) On or before March 21, 2022, counsel shall file a Joint Pretrial Statement. (6) Counsel shall appear in person on February 16, 2022, at 1:00 p.m. in Courtroom 10, for a hearing on Rule 12 pretrial motions. (7) Counsel shall appear on March 28, 2022, at 11:30 p.m. in Courtroom 10, for a final Pretrial Conference. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 12/08/2021. (lcapm3) (Entered: 12/08/2021)</p>
01/28/2022		<p>Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to THOMAS WEBSTER held via videoconference on 1/28/2022. In the interests of justice, the time from 1/29/2022 through and including 3/28/2022 shall be excluded in computing the date for speedy trial in this case. Bond Status of Defendant: remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Hava Mirell and Brian Kelly. (zjd) (Entered: 01/28/2022)</p>
01/28/2022	<u>46</u>	<p>AMENDED PRETRIAL ORDER as to THOMAS WEBSTER. Trial is set to commence in this matter on April 4, 2022, at 9:30 a.m., in Courtroom 10. The following deadlines shall govern this matter: (1) The parties shall file any motion pursuant to Federal Rule of Criminal Procedure 12(b)(3)(A)–(D) on or before February 9, 2022; oppositions shall be filed on or before February 23, 2022; and replies shall be filed on or before March 2, 2022. (2) The United States shall make any required expert disclosures pursuant to Rule 16(a)(1)(G) by February 28, 2022. Defendant shall make any reciprocal expert disclosures by March 14, 2022. (3) The United States shall notify Defendant of its intention to introduce any Rule 404(b) evidence not already disclosed on or before March 7, 2022. (4) Motions in limine, if any, shall be filed on or before March 14, 2022; oppositions, if any, shall be filed on or before March 21, 2022; and replies, if any, shall be filed on or before March 28, 2022. If the United States wishes to file a motion in limine regarding any defense experts, it may file a motion by March 21, 2022, with any opposition filed by March 28, 2022. (5) Defendant shall satisfy his reciprocal discovery obligations, if any, under Rule 16(b) by March 21, 2022. Any resulting motion in limine shall be filed by March 25, 2022, and any opposition to such motion shall be filed by March 28, 2022. (6) The United States is directed to make grand jury and Jencks Act disclosures as to each of its witnesses on or before March 28, 2022. Any <i>Brady</i> material not already disclosed also shall be disclosed by this date. (7) On or before March 21, 2022, counsel shall file a Joint Pretrial Statement. (8) The previously scheduled hearing on Rule 12 pretrial motions is vacated, and the court will schedule a new hearing, if necessary. (9) Counsel shall</p>

		appear on March 28, 2022, at 11:30 a.m. in Courtroom 10, for a final Pretrial Conference. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 01/28/2022. (lcapm3) (Entered: 01/28/2022)
02/09/2022	<u>47</u>	ENTERED IN ERROR.....First MOTION for Extension of Time to File <i>12(b) Motions</i> by THOMAS WEBSTER. (Monroe, James) Modified on 2/9/2022 (zltpt). (Entered: 02/09/2022)
02/09/2022		NOTICE OF CORRECTED DOCKET ENTRY: as to THOMAS WEBSTER re <u>47</u> First MOTION for Extension of Time to File <i>12(b) Motions</i> was entered in error, due to the incorrect format of document filed that is not compliant with our court's local rules, and counsel is instructed to refile said pleading. (zltpt) (Entered: 02/09/2022)
02/09/2022	<u>48</u>	Proposed Pretrial Order by THOMAS WEBSTER. (Monroe, James) Modified text to reflect document title on 3/17/2022 (zltpt). (Entered: 02/09/2022)
02/09/2022	<u>49</u>	First MOTION to Change Venue by THOMAS WEBSTER. (Attachments: # <u>1</u> Exhibit Select Litigation Report on Jury Data)(Monroe, James) (Entered: 02/09/2022)
02/11/2022	<u>50</u>	NOTICE OF ATTORNEY APPEARANCE Katherine Nielsen appearing for USA. (Nielsen, Katherine) (Entered: 02/11/2022)
02/11/2022	<u>51</u>	NOTICE <i>United States' Memorandum Regarding Status of Discovery as of February 9, 2022</i> by USA as to THOMAS WEBSTER (Nielsen, Katherine) (Entered: 02/11/2022)
02/23/2022	<u>52</u>	Memorandum in Opposition by USA as to THOMAS WEBSTER re <u>49</u> First MOTION to Change Venue (Mirell, Hava) (Entered: 02/23/2022)
02/25/2022	<u>53</u>	ENTERED IN ERROR.....NOTICE of <i>Filing Discovery Memorandum</i> by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of February 9, 2022)(Mirell, Hava) Modified on 3/1/2022 (zltpt). (Entered: 02/25/2022)
02/25/2022		NOTICE OF CORRECTED DOCKET ENTRY: as to THOMAS WEBSTER re <u>53</u> Notice (Other) was entered in error as a duplicate of docket entry <u>51</u> .(zltpt) (Entered: 03/01/2022)
03/01/2022	<u>54</u>	REPLY in Support by THOMAS WEBSTER re <u>49</u> First MOTION to Change Venue (Monroe, James) (Entered: 03/01/2022)
03/03/2022	<u>55</u>	SECOND AMENDED PRETRIAL ORDER as to THOMAS WEBSTER. Trial is set to commence in this matter on April 25, 2022, at 9:30 a.m., in Courtroom 10. The First Amended Pretrial Order will govern all dates in this matter except the following: (1) On or before April 8, 2022, counsel shall file a Joint Pretrial Statement, and (2) Counsel shall appear on April 21, 2022, at 2:00 p.m. in Courtroom 10, for a final Pretrial Conference. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 03/03/2022. (lcapm3) (Entered: 03/03/2022)
03/14/2022	<u>56</u>	MOTION in <i>Limine to Limit Cross-Examination of Secret Service Agency Witnesses</i> by USA as to THOMAS WEBSTER. (Nielsen, Katherine) (Entered: 03/14/2022)

03/14/2022	<u>57</u>		MOTION in Limine to Exclude Improper Character Evidence by USA as to THOMAS WEBSTER. (Mirell, Hava) (Entered: 03/14/2022)
03/14/2022	<u>58</u>		MOTION in Limine to Exclude Evidence Pertaining to an Unidentified Female Rioter by USA as to THOMAS WEBSTER. (Nielsen, Katherine) (Entered: 03/14/2022)
03/14/2022	<u>60</u>		MOTION in Limine to Preclude Claims of Self-Defense, Necessity, Justification, and Duress, and to Exclude Evidence in Support Thereof by USA as to THOMAS WEBSTER. (Mirell, Hava) (Entered: 03/14/2022)
03/14/2022	<u>61</u>		NOTICE of Filing of Exhibit Pursuant to Local Criminal Rule 49 by USA as to THOMAS WEBSTER (Mirell, Hava) (Entered: 03/14/2022)
03/17/2022	<u>62</u>		MOTION for Extension of Time to File Response/Reply by THOMAS WEBSTER. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Service)(Monroe, James) (Entered: 03/17/2022)
03/18/2022			MINUTE ORDER granting Defendant's <u>62</u> Consent Motion for Extension of Time. Defendant may now respond to the Government's Pre-trial Motions by March 25, 2022 and the Government shall reply by April 1, 2022. Signed by Judge Amit P. Mehta on 03/17/2022. (lcapm3) (Entered: 03/18/2022)
03/25/2022	<u>63</u>		RESPONSE by THOMAS WEBSTER re <u>58</u> MOTION in Limine to Exclude Evidence Pertaining to an Unidentified Female Rioter (Monroe, James) (Entered: 03/25/2022)
03/25/2022	<u>64</u>		RESPONSE by THOMAS WEBSTER re <u>56</u> MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses (Monroe, James) (Entered: 03/25/2022)
03/25/2022	<u>65</u>		RESPONSE by THOMAS WEBSTER re <u>57</u> MOTION in Limine to Exclude Improper Character Evidence (Monroe, James) (Entered: 03/25/2022)
03/25/2022	<u>68</u>		RESPONSE by THOMAS WEBSTER re <u>60</u> MOTION in Limine to Preclude Claims of Self-Defense, Necessity, Justification, and Duress, and to Exclude Evidence in Support Thereof (Monroe, James) (Entered: 03/25/2022)
04/01/2022	<u>69</u>		THIRD AMENDED PRETRIAL ORDER as to THOMAS WEBSTER. This Order amends the instructions for the Joint Pretrial Statement contained in the <u>55</u> Second Amended Pretrial Order as follows: the parties shall submit a proposed list of voir dire questions to pose to prospective jurors. Signed by Judge Amit P. Mehta on 4/1/2022. (lcapm2) (Entered: 04/01/2022)
04/01/2022	<u>70</u>		REPLY in Support by USA as to THOMAS WEBSTER re <u>56</u> MOTION in Limine to Limit Cross-Examination of Secret Service Agency Witnesses (Nielsen, Katherine) (Entered: 04/01/2022)
04/01/2022	<u>72</u>		REPLY in Support by USA as to THOMAS WEBSTER re <u>57</u> MOTION in Limine to Exclude Improper Character Evidence (Mirell, Hava) (Entered: 04/01/2022)
04/01/2022	<u>73</u>		REPLY in Support by USA as to THOMAS WEBSTER re <u>60</u> MOTION in Limine to Preclude Claims of Self-Defense, Necessity, Justification, and Duress, and to Exclude Evidence in Support Thereof (Mirell, Hava) (Entered: 04/01/2022)

04/08/2022	<u>74</u>		PRETRIAL MEMORANDUM <i>Joint Pretrial Statement</i> by USA as to THOMAS WEBSTER (Nielsen, Katherine) (Entered: 04/08/2022)
04/10/2022			MINUTE ORDER as to THOMAS WEBSTER. Defendant's request for a continuance, made in his <u>66</u> Opposition to the Government's <u>59</u> Motion in Limine, is denied. Signed by Judge Amit P. Mehta on 4/10/2022. (lcapm2) (Entered: 04/10/2022)
04/13/2022	<u>75</u>		ORDER as to THOMAS WEBSTER. The court orders the following with respect to the pending motions in limine: (1) the United States' <u>56</u> Motion in Limine to Limit Cross–Examination of Secret Service Agency Witnesses is granted in part and denied in part; (2) the United States' <u>57</u> Motion in Limine to Exclude Improper Character Evidence is granted; (3) the United States' <u>58</u> Motion in Limine to Exclude Evidence Pertaining to an Unidentified Female Rioter is granted; (4) the United States' <u>59</u> Sealed Motion in Limine to Preclude or Limit Cross–Examination of Officer N.R. and Exclude Evidence is granted, except as to potential bias cross–examination; and (5) the United States' <u>60</u> Motion in Limine to Preclude Claims of Self–Defense, Necessity, Justification, and Duress, and to Exclude Evidence in Support Thereof is granted as to necessity, justification, and duress but denied without prejudice as to self–defense. See attached Order for additional details. Signed by Judge Amit P. Mehta on 4/13/2022. (lcapm2) (Entered: 04/13/2022)
04/13/2022	<u>76</u>		SECOND SUPERSEDING INDICTMENT as to THOMAS WEBSTER (1) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss. (zltf) (Entered: 04/14/2022)
04/18/2022	<u>78</u>		ORDER denying Defendant's <u>49</u> Motion for Change of Venue as to THOMAS WEBSTER. See attached Order for details. Signed by Judge Amit P. Mehta on 4/18/2022. (lcapm2) (Entered: 04/18/2022)
04/21/2022			Minute Entry for proceedings held before Judge Amit P. Mehta: Pretrial Conference as to THOMAS WEBSTER held on 4/21/2022. Plea of Not Guilty entered as to Counts 1–6 of the <u>76</u> Superseding Indictment. Jury Selection set for 4/25/2022 at 9:30 AM in Ceremonial Courtroom 20 before Judge Amit P. Mehta. Bond Status of Defendant: remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen. (zjd) (Entered: 04/21/2022)
04/22/2022	<u>81</u>		Application for Access to Trial Exhibits by PRESS COALITION as to THOMAS WEBSTER. (zltf) Modified filed date on 4/26/2022 (zltf). (Entered: 04/26/2022)
04/25/2022			Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Selection as to THOMAS WEBSTER held on 4/25/2022. Panel of twelve (12) jurors and two (2) alternates selected but not sworn. Jury Trial set for 4/26/2022 at 9:30 AM in Courtroom 10 before Judge Amit P. Mehta. Members of the public and media may observe proceedings in–person in Courtroom 10. Bond Status of Defendant: remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen. (zjd) (Entered: 04/25/2022)
04/26/2022			MINUTE ORDER: The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the

		District of Columbia. Approved by Judge Amit P. Mehta on 4/26/2022. (zjd) (Entered: 04/26/2022)
04/26/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to THOMAS WEBSTER resumed and held on 4/26/2022. Panel of twelve (12) jurors and two (2) alternates was sworn. Jury Trial shall resume on 4/27/2022 at 9:00 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendant: remains on personal recognizance; Court Reporter: William Zaremba (A.M.) and Sara Wick (P.M.); Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen; Government Witnesses: Cpt. Carneysha Mendoza, Mark Gazelle, Paul Wade, Jonathan Lauderdale, and Joanna Burger. (zjd) (Entered: 04/26/2022)
04/26/2022	<u>82</u>	NOTICE <i>Related to Public Release of Trial Exhibits</i> by USA as to THOMAS WEBSTER (Nielsen, Katherine) (Entered: 04/26/2022)
04/27/2022		MINUTE ORDER granting the Press Coalition's <u>81</u> Application for Access to Trial Exhibits as to THOMAS WEBSTER. The United States shall provide same-day access to admitted exhibits, or within a reasonable time thereafter. Signed by Judge Amit P. Mehta on 4/27/2022. (lcapm2) (Entered: 04/27/2022)
04/27/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to THOMAS WEBSTER resumed and held on 4/27/2022. Same panel of twelve (12) jurors and two (2) alternates. Jury Trial shall resume on 4/28/2022 at 9:00 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendant: remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Janice Dickman (P.M.); Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen; Government Witnesses: Noah Rathbun, Patricia Norden, Virginia Donnelly, Edgar Tippet, Riley Palmertree. (zjd) (Entered: 04/27/2022)
04/28/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to THOMAS WEBSTER resumed and held on 4/28/2022. Same panel of twelve (12) jurors and two (2) alternates. Defendant's Oral Motion for Directed Verdict heard and denied, for the reasons stated on the record. Jury Trial shall resume on 4/29/2022 at 9:30 AM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendant: remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Sara Wick (P.M.); Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen; Government Witness: Riley Palmertree; Defense Witness: Thomas Webster. (zjd) (Entered: 04/28/2022)
04/28/2022	<u>83</u>	Proposed Jury Instructions by USA as to THOMAS WEBSTER (Mirell, Hava) (Entered: 04/28/2022)
04/29/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to THOMAS WEBSTER resumed and held on 4/29/2022. Same panel of twelve (12) jurors and two (2) alternates. Closing arguments heard and concluded. Alternate jurors excused. Jury Deliberation held and continued to 5/2/2022 at 9:30 AM. Bond Status of Defendant: remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Janice Dickman (P.M.); Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen; Defense

		Witnesses: Thomas Webster (cont.), L.M., B.G., and F.S. (zjd) (Entered: 05/01/2022)
05/02/2022		MINUTE ORDER setting deadlines for sentencing memoranda for Defendant THOMAS WEBSTER: This case is hereby referred to the Probation Office for a Presentence Investigation as to THOMAS WEBSTER. The Final Presentence Investigation Report shall be due on or before August 17, 2022. The Parties' Sentencing Memoranda shall be due on or before August 24, 2022. Replies, if any, shall be due on or before August 29, 2022. Reply briefs shall be limited to five pages. Sentencing for THOMAS WEBSTER is set for September 2, 2022, at 2:00 p.m. Signed by Judge Amit P. Mehta on 5/2/2022. (lcapm2) (Entered: 05/02/2022)
05/02/2022		MINUTE ORDER setting schedule for post-trial motions as to THOMAS WEBSTER. Defendant shall file his motion by June 2, 2022. The United States shall respond by June 23, 2022. Defendant shall file his reply by July 8, 2022. Signed by Judge Amit P. Mehta on 5/2/2022. (lcapm2) (Entered: 05/02/2022)
05/02/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Deliberation as to THOMAS WEBSTER resumed and concluded on 5/2/2022. Same panel of twelve (12) jurors. Jury verdict of GUILTY as to Counts 1-6 of the <u>76</u> Second Superseding Indictment. Jury panel discharged. Bond Status of Defendant: remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: James Monroe and Walter Machnicki; US Attorneys: Brian Kelly, Hava Mirell, and Katherine Nielsen. (zjd) (Entered: 05/02/2022)
05/02/2022	<u>84</u>	Jury Note as to THOMAS WEBSTER. (zjd) (Entered: 05/02/2022)
05/02/2022	<u>85</u>	Signature Page of Foreperson as to THOMAS WEBSTER in Jury Note. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zjd) (Entered: 05/02/2022)
05/02/2022	<u>86</u>	JURY VERDICT as to THOMAS WEBSTER. (zjd) (Entered: 05/02/2022)
05/02/2022	<u>87</u>	Signature Page of Foreperson as to THOMAS WEBSTER in Jury Verdict. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zjd) (Entered: 05/02/2022)
05/02/2022	<u>88</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS AND EXHIBIT LIST as to THOMAS WEBSTER. (zjd) (Entered: 05/02/2022)
05/02/2022	<u>89</u>	EXHIBIT LIST by USA as to THOMAS WEBSTER. (zjd) (Entered: 05/02/2022)
05/02/2022	<u>90</u>	EXHIBIT LIST by THOMAS WEBSTER. This exhibit list was prepared by Judge Mehta's courtroom deputy. (zjd) (Entered: 05/02/2022)
06/02/2022	<u>91</u>	First MOTION for Extension of Time to File <i>Judgment of Acquittal</i> by THOMAS WEBSTER. (Monroe, James) (Entered: 06/02/2022)
06/03/2022		

		MINUTE ORDER granting <u>91</u> Defendant's Consent Motion for Extension of Time as to THOMAS WEBSTER. Defendant's deadline is extended to June 6, 2022. The United States shall respond by June 27, 2022, and Defendant shall file his reply by July 11, 2022. Signed by Judge Amit P. Mehta on 6/3/2022. (lcapm2) (Entered: 06/03/2022)
06/06/2022	<u>92</u>	First MOTION for Judgment NOV by THOMAS WEBSTER. (Monroe, James) (Entered: 06/06/2022)
06/27/2022	<u>97</u>	Memorandum in Opposition by USA as to THOMAS WEBSTER re <u>92</u> First MOTION for Judgment NOV (Mirell, Hava) (Entered: 06/27/2022)
08/01/2022	<u>99</u>	MEMORANDUM OPINION & ORDER denying Defendant Webster's <u>92</u> Motion for Judgment of Acquittal Pursuant to Fed. R. Crim. P. 29(c). Please see attached Memorandum Opinion and Order for further details. Signed by Judge Amit P. Mehta on 08/01/2022. (lcapm3) (Entered: 08/01/2022)
08/02/2022	<u>100</u>	Draft Jury Instructions. (lcapm3) (Entered: 08/02/2022)
08/02/2022	<u>101</u>	Final Jury Instructions. (lcapm3) (Entered: 08/02/2022)
08/24/2022	<u>104</u>	SENTENCING MEMORANDUM by USA as to THOMAS WEBSTER (Attachments: # <u>1</u> Sentencing Exhibits F – I)(Mirell, Hava) (Entered: 08/24/2022)
08/25/2022		NOTICE OF HEARING as to THOMAS WEBSTER: Sentencing shall now take place on 9/1/2022 at 2:00 PM in Courtroom 10 before Judge Amit P. Mehta. (zjd) (Entered: 08/25/2022)
08/25/2022	<u>105</u>	SENTENCING MEMORANDUM by THOMAS WEBSTER (Attachments: # <u>1</u> Exhibit Lolos Sentencing Transcript, # <u>2</u> Exhibit Defendant's Marine Corps Records, # <u>3</u> Exhibit Defendant's NYPD Records, # <u>4</u> Exhibit Letter from Gun Hill Housing, # <u>5</u> Exhibit Dr. Gorovoy's Report, # <u>6</u> Exhibit Character Letters)(Monroe, James) (Entered: 08/25/2022)
08/30/2022		MINUTE ORDER. The court requests that the parties submit short briefs (less than five pages) by August 31, 2022, at 2:00 p.m., which address the applicability of the recommended four-level enhancement for "use of body armor" under U.S.S.G. § 3B1.5(2)(B). That guideline provision specifically defines "use" to mean, as relevant here, "active employment in a manner to protect the person from gunfire." The court has not found a case from this Circuit applying or interpreting the provision. Other Circuits have found the provision to apply but largely in the scenario in which the underlying offense was for drug trafficking or robbery during which the defendant or a co-conspirator possessed a firearm. See United States v. Gahagen, 44 F.4th 99 (2d Cir. 2022) (armed bank robbery); United States v. Jean-Charles, 696 F. App'x 405, 411 (11th Cir. 2017) (Hobbs Act robbery); United States v. Cervantes, 706 F.3d 603, 621 (5th Cir. 2013) (home invasion with firearm); United States v. Matthew, 451 F. App'x 296, 296 (4th Cir. 2011) (drug trafficking with firearm); United States v. Shamah, 624 F.3d 449, 459 (7th Cir. 2010) (robbery with firearm); United States v. Barrett, 552 F.3d 724, 727 (8th Cir. 2009) (drug trafficking with firearm); United States v. Chambers, 268 F. App'x 707, 712 (10th Cir. 2008) (drug trafficking with firearm); United States v. Douglas, 242 F. App'x 324, 330 (6th Cir. 2007) (drug trafficking with firearm). The court invites the parties to identify a comparable case to this one

		in which the body armor enhancement was applied or not applied to argue why it should or should not apply in this case. Additionally, the court provides notice that, in considering the possible sentence, the court has reviewed sentencing materials in (1) United States v. Reffitt, 21-cr-32 (DLF); (2) United States v. Robertson, 21-cr-34 (CRC); (3) United States v. Palmer, 21-cr-328 (CRC); and (4) United States v. Ponder, 21-cr-259 (TSC), including offense levels, guidelines ranges, and summaries of offense conduct. The court notes that on January 6th Reffitt was wearing a "plate carrier vest laden with armored plates that could stop a rifle round" and in possession of a handgun, but it appears the government did not request a body-armor enhancement and the probation office did not recommend one. U.S. v. Reffitt, Gov't Sentencing Mem., ECF No. 158, at 6. Signed by Judge Amit P. Mehta on 8/30/2022. (lcapm2) Modified due date on 8/30/2022 (zjd). (Entered: 08/30/2022)
08/30/2022		Set/Reset Deadlines as to THOMAS WEBSTER: Briefs due by 8/31/2022 at 2:00 PM. (zjd) (Entered: 08/30/2022)
08/31/2022	<u>106</u>	RESPONSE TO ORDER OF THE COURT by USA as to THOMAS WEBSTER re Order,,,,,,,,, (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mirell, Hava) (Entered: 08/31/2022)
08/31/2022	<u>107</u>	RESPONSE TO ORDER OF THE COURT by THOMAS WEBSTER re Order,,,,,,,,, (Monroe, James) (Entered: 08/31/2022)
09/01/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Sentencing held on 9/1/2022 as to THOMAS WEBSTER. The Defendant is sentenced to concurrent terms of 120 months (10 years) on each of Counts 1, 3, 4, and 5 of the <u>76</u> Second Superseding Indictment, 60 months (5 years) on Count 2 of the <u>76</u> Second Superseding Indictment, and 6 months on Count 6 of the <u>76</u> Second Superseding Indictment. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1 through 5, with all such terms to run concurrently. Bond Status of Defendant: ordered to self-surrender; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorney: Brian Kelly; Probation Officer: Crystal Lustig. (zjd) (Entered: 09/01/2022)
09/09/2022	<u>110</u>	JUDGMENT as to THOMAS WEBSTER. Statement of Reasons Not Included. Signed by Judge Amit P. Mehta on 9/9/2022. (zltf) (Entered: 09/14/2022)
09/09/2022	<u>111</u>	STATEMENT OF REASONS as to THOMAS WEBSTER. re <u>110</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 Amit P. Mehta on 9/9/2022. (zltf) (Entered: 09/14/2022)
09/13/2022	<u>109</u>	NOTICE OF APPEAL – Final Judgment by THOMAS WEBSTER Filing fee \$ 505, receipt number ADCDC-9513504. Fee Status: Fee Paid. Parties have been notified. (Monroe, James) (Entered: 09/13/2022)

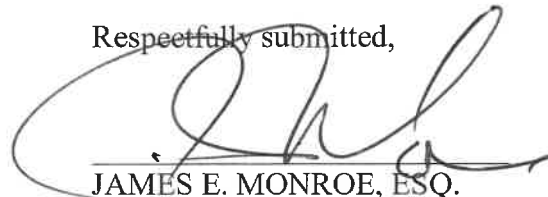
**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 21-cr-208 (APM)
)	
v.)	
)	
THOMAS WEBSTER,)	
)	
Defendant.)	
_____)	

NOTICE OF APPEAL

Notice is hereby given that Defendant Thomas Webster appeals to the United States Court of Appeals for the District of Columbia the judgment and sentence entered in the above-entitled case on September 1, 2022, by the Honorable Amit P. Mehta, United States District Judge for the District of Columbia, as well as all pretrial decisions in the above-entitled case.

Respectfully submitted,



JAMES E. MONROE, ESQ.

Dupee & Monroe, P.C.

Attorneys for Defendant Thomas Webster

211 Main Street, P.O. Box 470

Goshen, New York 10924

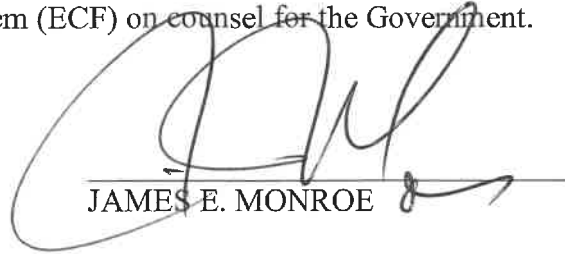
(845) 294-8900

(845) 294-3619 (Facsimile)

jim@dupeemonroelaw.com

CERTIFICATE OF SERVICE

I, James E. Monroe, certify that on September 13, 2022, I caused the foregoing document to be served by the electronic case filing system (ECF) on counsel for the Government.



JAMES E. MONROE

MIME-Version:1.0

From:DCD_ECFNotice@dcd.uscourts.gov

To:DCD_ECFNotice@localhost.localdomain

Bcc:

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--No Notice Sent:

Message-Id:7901121@dcd.uscourts.gov

Subject:Activity in Case 1:21-cr-00208-APM USA v. WEBSTER Sentencing

Content-Type: text/html

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 9/1/2022 at 4:40 PM and filed on 9/1/2022

Case Name: USA v. WEBSTER
Case Number: 1:21-cr-00208-APM
Filer:
Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Judge Amit P. Mehta: Sentencing held on 9/1/2022 as to THOMAS WEBSTER. The Defendant is sentenced to concurrent terms of 120 months (10 years) on each of Counts 1, 3, 4, and 5 of the [76] Second Superseding Indictment, 60 months (5 years) on Count 2 of the [76] Second Superseding Indictment, and 6 months on Count 6 of the [76] Second Superseding Indictment. The Defendant is further sentenced to serve a 36 month (3 year) term of supervised release as to each of Counts 1 through 5, with all such terms to run concurrently. Bond Status of Defendant: ordered to self-surrender; Court Reporter: William Zaremba; Defense Attorney: James Monroe; US Attorney: Brian Kelly; Probation Officer: Crystal Lustig. (zjd)

1:21-cr-00208-APM-1 Notice has been electronically mailed to:

Jonathan Seth Zucker jonathanzuckerlaw@gmail.com, erin.luibrand@gmail.com, pdaus2@gmail.com, peter.wright91@gmail.com

Charles D. Tobin tobinc@ballardspahr.com, LitDocket_East@ballardspahr.com, mendezc@ballardspahr.com, mishkinm@ballardspahr.com

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Hava Arin Levenson Mirell hava.mirell@usdoj.gov

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James E. Monroe marina@dupeemonroelaw.com, jim@dupeemonroelaw.com

1:21-cr-00208-APM-1 Notice will be delivered by other means to::

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

THOMAS WEBSTER

JUDGMENT IN A CRIMINAL CASE

Case Number: 21-cr-208-APM

USM Number: R31135-509

James Monroe

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, 4, 5, and 6 of the [76] Second Superseding Indictment
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 U.S.C. §§ 111(a)(1) and (b)	Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon	1/6/2021	1ss

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) All remaining counts 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.

9/1/2022

Date of Imposition of Judgment

Signature of Judge



2022.09.09

14:54:10 -04'00'

Amit P. Mehta, U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: THOMAS WEBSTER
CASE NUMBER: 21-cr-208-APM**ADDITIONAL COUNTS OF CONVICTION**

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 231(a)(3)	Civil Disorder	1/6/2021	2ss
18 U.S.C. §§ 1752(a)(1) and (b)(1)(A)	Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon	1/6/2021	3ss
18 U.S.C. §§ 1752(a)(2) and (b)(1)(A)	Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon	1/6/2021	4ss
18 U.S.C. §§ 1752(a)(4) and (b)(1)(A)	Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon	1/6/2021	5ss
40 USC § 5104(e)(2)(F)	Act of Physical Violence in the Capitol Grounds or Buildings	1/6/2021	6ss

DEFENDANT: THOMAS WEBSTER
CASE NUMBER: 21-cr-208-APM

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
120 months (10 years). This sentence is comprised of concurrent terms of 120 months (10 years) on each of Counts 1ss, 3ss, 4ss, and 5ss; 60 months (5 years) on Count 2ss, and 6 months on Count 6ss.

- The court makes the following recommendations to the Bureau of Prisons:
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
- at _____ a.m. p.m. on _____ .
- as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- before 2 p.m. on _____ .
- as notified by the United States Marshal.
- as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

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

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: THOMAS WEBSTER

CASE NUMBER: 21-cr-208-APM

SUPERVISED RELEASE

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

36 months (3 years) as to each of Counts 1ss through 5ss, with all such terms 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: THOMAS WEBSTER
CASE NUMBER: 21-cr-208-APM

STANDARD CONDITIONS OF SUPERVISION

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

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

U.S. Probation Office Use Only

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

Defendant's Signature _____

Date _____

DEFENDANT: THOMAS WEBSTER

CASE NUMBER: 21-cr-208-APM

SPECIAL CONDITIONS OF SUPERVISION

Mental Health Treatment - You must participate in mental health treatment and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Alcohol Abuse Treatment - You must participate in an inpatient and/or outpatient alcohol abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Financial Information Disclosure - You 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.

Re-Entry Progress Hearing - Within forty-five days of release from incarceration you will appear before the Court for a re-entry progress hearing. The United States Probation Office in the district in which you are supervised will submit a progress report to the court within the thirty days of the commencement of supervision.

DEFENDANT: THOMAS WEBSTER
 CASE NUMBER: 21-cr-208-APM

CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 510.00	\$ 2,060.00	\$	\$	\$

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 Office			
Attn: Kathy Sherrill, CPA			
Ford House Office Building			
Room H2-205B			
Washington, DC 20515			

Officer Rathbun		\$60.00
-----------------	--	---------

TOTALS	\$	0.00	\$	2,060.00
---------------	----	------	----	----------

Restitution amount ordered pursuant to plea agreement \$ _____

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

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

the interest requirement is waived for the fine restitution.

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

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

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

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

DEFENDANT: THOMAS WEBSTER
CASE NUMBER: 21-cr-208-APM

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 \$ 510.00 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of \$ 100.00 over a period of _____ (e.g., months or years), to commence 30 days (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
---	--------------	-----------------------------	--

- 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.