

APPEAL,CAP,CAT B,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00258-TFH-1**

Case title: USA v. SARGENT

Magistrate judge case number: 1:21-mj-00287-GMH

Date Filed: 03/26/2021

Assigned to: Judge Thomas F. Hogan

Defendant (1)

TROY SARGENT

represented by **Joshua Robert Hanye**
FEDERAL DEFENDER OFFICE
51 Sleeper Street
Boston, MA 02130
617-223-8061
Email: joshua_hanye@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Wade Michael Zolynski
FEDERAL DEFENDER OFFICE
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5th Floor
Boston, MA 02210
617-223-8061
Email: wade_zolynski@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

18 U.S.C. 231(a)(3); CIVIL DISORDER;
Civil Disorder
(1)

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

Disposition

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Fourteen (14)
Months of Incarceration to run concurrently
to each count with credit for time served
followed by Twenty-Four (24) Months of
Supervised Release to run concurrently to
each count. Special assessment of \$100.

18 U.S.C. 111(a)(1);
ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting,
Resisting, or Impeding Certain Officers
(2)

18:111(a)(1);
ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting,
Resisting, or Impeding Certain Officers
(2s)

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

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

18 U.S.C. 1752(a)(2); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Disorderly and Disruptive Conduct in a
Restricted Building or Grounds
(4)

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

18 U.S.C. 1752(a)(4); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a
Restricted Building or Grounds
(5)

18:1752(a)(4); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a
Restricted Building or Grounds
(5s)

Restitution of \$500.

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Fourteen (14)
Months of Incarceration to run concurrently
to each count with credit for time served
followed by Twenty-Four (24) Months of
Supervised Release to run concurrently to
each count. Special assessment of \$100.
Restitution of \$500.

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Twelve (12) Months
of Incarceration to run concurrently to each
count with credit for time served followed
by Twelve (12) Months of Supervised
Release to run concurrently to each count.
Special assessment of \$25. Restitution of
\$500.

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Twelve (12) Months
of Incarceration to run concurrently to each
count with credit for time served followed
by Twelve (12) Months of Supervised
Release to run concurrently to each count.
Special assessment of \$25. Restitution of
\$500.

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Twelve (12) Months
of Incarceration to run concurrently to each
count with credit for time served followed
by Twelve (12) Months of Supervised
Release to run concurrently to each count.
Special assessment of \$25. Restitution of

\$500.

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

(6)

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

(6s)

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Defendant sentenced to Six (6) Months of
Incarceration to run concurrently to each
count with credit for time served. Special
assessment of \$10. Restitution of \$500.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Daniel Honold**
U.S. ATTORNEY'S OFFICE
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TERMINATED: 05/05/2022
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ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Michael John Romano
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
03/08/2021	<u>1</u>		SEALED COMPLAINT as to TROY SARGENT (1). (Attachments: # <u>1</u> Statement of Facts) (bb) [1:21-mj-00287-GMH] (Entered: 03/08/2021)
03/08/2021	<u>3</u>		MOTION to Seal Case by USA as to TROY SARGENT. (Attachments: # <u>1</u> Text of Proposed Order)(bb) [1:21-mj-00287-GMH] (Entered: 03/08/2021)
03/08/2021	<u>4</u>		ORDER granting <u>3</u> Motion to Seal Case as to TROY SARGENT (1). Signed by Magistrate Judge G. Michael Harvey on 3/8/2021. (bb) [1:21-mj-00287-GMH] (Entered: 03/08/2021)
03/09/2021	<u>5</u>		Arrest Warrant Returned Executed on 3/9/2021 Pittsfield, MA as to TROY SARGENT. (bb) [1:21-mj-00287-GMH] (Entered: 03/11/2021)
03/09/2021			Case unsealed as to TROY SARGENT (bb) [1:21-mj-00287-GMH] (Entered: 03/11/2021)
03/09/2021			Arrest of TROY SARGENT. (ztl) [1:21-mj-00287-GMH] (Entered: 03/28/2021)
03/09/2021	<u>10</u>		Rule 5(c)(3) Documents Received as to TROY SARGENT from U.S. District Court for the District of Massachusetts (Springfield) Case Number 3:21-mj-3053-KAR (zltp) [1:21-mj-00287-GMH] (Entered: 03/29/2021)
03/09/2021			Arrest of TROY SARGENT in U.S. District Court for the District of Massachusetts (Springfield). (zltp) [1:21-mj-00287-GMH] (Entered: 03/29/2021)
03/12/2021			JOINT ORAL MOTION for Speedy Trial by USA as to TROY SARGENT. (ztl) [1:21-mj-00287-GMH] (Entered: 03/28/2021)
03/12/2021			ORAL MOTION to Appoint Counsel by TROY SARGENT. (ztl) [1:21-mj-00287-GMH] (Entered: 03/28/2021)
03/12/2021			Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to TROY SARGENT held on 3/12/2021. Defendant present by video. Dur process order given to the Government. Oral Motion to appoint counsel as to TROY SARGENT (1); heard and granted. Joint Oral Motion by the Government for Speedy Trial as to TROY SARGENT (1); heard and granted. Speedy Trial Excluded from 3/12/2021 to 3/30/2021 in the Interest of Justice (XT). Preliminary Hearing set for 3/30/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: Jan Dickman; Defense Attorney: Joshua Hayne; US Attorney: Jacob Steiner for Michael Romano; Pretrial Officer: Christine Shuck. (ztl) [1:21-mj-00287-GMH] (Entered: 03/28/2021)
03/15/2021	<u>2</u>		ORDER Setting Conditions of Release as to TROY SARGENT (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/15/2021. (ztl)

			[1:21-mj-00287-GMH] (Entered: 03/28/2021)
03/26/2021	<u>11</u>		INDICTMENT as to TROY SARGENT (1) count(s) 1, 2, 3, 4, 5, 6. (zltf) (Entered: 03/29/2021)
03/26/2021			MINUTE ORDER: The hearing currently scheduled for March 30, 2021 before Magistrate Judge Zia M. Faruqui is hereby VACATED, as the government has formally charged TROY SARGENT and there are no additional matters necessitating action by a magistrate judge. Signed by Magistrate Judge Zia M. Faruqui on 3/26/2021. (ztl) (Entered: 04/02/2021)
03/29/2021			Set/Reset Hearings as to TROY SARGENT: Arraignment set for 4/8/2021 at 02:00 PM by VTC before Judge Thomas F. Hogan. (hs) (Entered: 03/29/2021)
03/30/2021	<u>13</u>		NOTICE OF ATTORNEY APPEARANCE: Joshua Robert Hanye appearing for TROY SARGENT (Hanye, Joshua) (Entered: 03/30/2021)
04/05/2021	<u>14</u>		MOTION to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to TROY SARGENT. (Attachments: # <u>1</u> Text of Proposed Order)(Romano, Michael) Modified relief on 4/26/2021 (znmw). (Entered: 04/05/2021)
04/07/2021	<u>15</u>		Unopposed MOTION to Continue <i>and to Exclude Time Under the Speedy Trial Act</i> by USA as to TROY SARGENT. (Attachments: # <u>1</u> Text of Proposed Order)(Romano, Michael) (Entered: 04/07/2021)
04/07/2021	<u>16</u>		Unopposed MOTION for Protective Order by USA as to TROY SARGENT. (Attachments: # <u>1</u> Text of Proposed Order)(Romano, Michael) (Entered: 04/07/2021)
04/07/2021	19		MOTION to Exclude Time Under the Speedy Trial Act by USA as to TROY SARGENT. (See Docket Entry <u>15</u> to View Document). (zhsj) (Entered: 04/22/2021)
04/08/2021			Minute Entry for proceedings held before Judge Thomas F. Hogan: Arraignment as to TROY SARGENT held on 4/8/2021. Not Guilty Plea entered as to Counts 1-6 of the Indictment. A joint oral request for a 60 day continuance; heard and granted. Speedy Trial Time Excluded 4/8/2021 - 6/9/2021(XT). Status Conference set for 6/9/2021 at 10:00 AM by VTC before Judge Thomas F. Hogan. Bond Status of Defendant: Personal Recognizance/appeared by video; Court Reporter: Cathryn Jones; Defense Attorney: Joshua Hanye; US Attorney: Michael Romano/Daniel Honold; (hs) (Entered: 04/08/2021)
04/09/2021			MINUTE ORDER as to TROY SARGENT: As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Judge Thomas F. Hogan on 4/9/2021. (hs) (Entered: 04/09/2021)
04/13/2021	<u>17</u>		ORDER granting <u>14</u> Motion to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) as to TROY SARGENT (1). Signed by Judge Thomas F. Hogan on 4/13/2021. (hs) (Entered: 04/13/2021)
04/13/2021	<u>18</u>		

		PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to TROY SARGENT. Signed by Judge Thomas F. Hogan on 4/13/2021. (hs) (Entered: 04/13/2021)
06/09/2021		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 6/9/2021. Speedy Trial Excludable (XT) started 6/9/21 until 8/19/21, in the interest of justice. Status Conference set for 8/19/2021 at 10:00 AM via video conference before Judge Thomas F. Hogan. Bond Status of Defendant: Continued on Personal Recognizance Bond/Appeared by video; Court Reporter: Janice Dickman; Defense Attorney: Joshua Hanye; US Attorneys: Michael Romano and Daniel Honold. (zgdf) (Entered: 06/09/2021)
07/13/2021	<u>21</u>	NOTICE – <i>Memorandum Regarding Status of Discovery</i> by USA as to TROY SARGENT (Attachments: # <u>1</u> Exhibit A – Additional Examples of Defense Discovery Requests)(Romano, Michael) (Entered: 07/13/2021)
07/13/2021	<u>22</u>	NOTICE <i>Of Filing Discovery Correspondence</i> by USA as to TROY SARGENT (Attachments: # <u>1</u> Notice to Counsel/Party Discovery Letter, # <u>2</u> Notice to Counsel/Party Index)(Romano, Michael) (Entered: 07/13/2021)
08/19/2021		Minute Entry for proceedings held Via VTC before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 8/19/2021. Parties Updated The Court On The Status Of Discovery In This Case. Defendant Will File A Rule 12 Motion. The Court Sets A Motion Schedule For The Filing Of This Motion. Defendant Rule 12 Motion And Other Motions due by 10/1/2021. Government Response due by 10/29/2021. Motion Hearing set for 11/15/2021 at 10:00 AM in Telephonic/VTC before Judge Thomas F. Hogan. Speedy Trial Is Tolloed From Today's Date (8/19/21) – Thru The Deadline Date Of The Defendant's Rule 12 Motion (10/01/21) In The Interest Of Justice (XT). Bond Status of Defendant: APPEARED VIA VTC – REMAINS ON PERSONAL RECOGNIZANCE; Court Reporter: JAN DICKMAN; Defense Attorney: JOSHUA HANYE; US Attorney: DANIEL HONOLD/ MICHAEL ROMANO; (mac) (Entered: 08/19/2021)
08/20/2021	<u>24</u>	NOTICE <i>of Filing Discovery Correspondence</i> by USA as to TROY SARGENT (Romano, Michael) (Entered: 08/20/2021)
09/17/2021	<u>25</u>	NOTICE – <i>Memorandum Regarding Status of Discovery as of September 14, 2021</i> by USA as to TROY SARGENT (Romano, Michael) (Entered: 09/17/2021)
09/30/2021	<u>26</u>	MOTION to Dismiss Case by TROY SARGENT. (Hanye, Joshua) (Entered: 09/30/2021)
10/13/2021	<u>27</u>	NOTICE <i>of Filing of Discovery Memoranda</i> by USA as to TROY SARGENT (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of July 12, 2021, # <u>2</u> Exhibit A to July Memorandum, # <u>3</u> Memorandum Regarding Status of Discovery as of August 23, 2021, # <u>4</u> Memorandum Regarding Status of Discovery as of September 14, 2021)(Romano, Michael) (Entered: 10/13/2021)
10/28/2021	<u>28</u>	Memorandum in Opposition by USA as to TROY SARGENT re <u>26</u> MOTION to Dismiss Case (Honold, Daniel) (Entered: 10/28/2021)

10/28/2021	<u>29</u>		NOTICE <i>REGARDING STATUS OF DISCOVERY</i> by USA as to TROY SARGENT (Romano, Michael) (Entered: 10/28/2021)
10/29/2021	<u>30</u>		Unopposed MOTION for Extension of Time to File Response/Reply by TROY SARGENT. (Hanye, Joshua) (Entered: 10/29/2021)
11/02/2021			MINUTE ORDER, granting <u>30</u> Motion for Extension of Time to File Response/Reply as to TROY SARGENT. Motion Hearing reset for 11/19/2021 at 12:00 PM by VTC before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 11/2/2021. (hs) (Entered: 11/02/2021)
11/10/2021	<u>31</u>		REPLY TO OPPOSITION to Motion by TROY SARGENT re <u>26</u> MOTION to Dismiss Case (Hanye, Joshua) (Entered: 11/10/2021)
11/10/2021	<u>32</u>		SUPERSEDING INDICTMENT as to TROY SARGENT (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s. (zstd) (Entered: 11/11/2021)
11/15/2021			MINUTE ORDER as to TROY SARGENT. In light of the filing of the <u>32</u> Superseding Indictment in this case, the previously pending <u>26</u> Motion to Dismiss The Indictment is now moot. The motion hearing set for 11/19/2021 at 12:00 PM is hereby CONVERTED to a status hearing. So ordered. Signed by Judge Thomas F. Hogan on 11/15/2021. (hs) (Entered: 11/15/2021)
11/17/2021	<u>34</u>		Unopposed MOTION for Reconsideration of <i>Denial of Motion to Dismiss as Moot</i> by TROY SARGENT. (Hanye, Joshua) (Entered: 11/17/2021)
11/17/2021	<u>35</u>		NOTICE OF ATTORNEY APPEARANCE: Wade Michael Zolynski appearing for TROY SARGENT (Zolynski, Wade) (Entered: 11/17/2021)
11/18/2021			MINUTE ORDER as to TROY SARGENT. The Court has received <u>34</u> Defendant's Unopposed Motion to Reconsider Denial of Motion to Dismiss as Moot. As previously indicated, the Court will be holding a status hearing on November 19, 2021 at 12:00 PM and will not be hearing argument on any motions at that time. Signed by Judge Thomas F. Hogan on 11/18/21. (zalh) (Entered: 11/18/2021)
11/18/2021			ORDER, as to TROY SARGENT. The Court has received <u>34</u> Defendant's Unopposed Motion to Reconsider Denial of Motion to Dismiss as Moot. As previously indicated, the Court will be holding a status hearing on November 19, 2021 at 12:00PM and will not be hearing argument on any motions at that time. Signed by Judge Thomas F. Hogan on 11/18/2021. (hs) (Entered: 11/18/2021)
11/19/2021			Minute Entry for video proceedings held before Judge Thomas F. Hogan: Arraignment as to TROY SARGENT on Counts 1s – 6s held on 11/19/2021. Plea of NOT GUILTY entered on Counts 1s – 6s. Speedy Trial Excludable (XT) started 11/19/21 until 1/19/22, in the interest of justice. Status Conference set for 1/19/2022 at 10:00 AM via Zoom before Judge Thomas F. Hogan. Oral order modifying condition of release and directing the defendant to report to US Probation Office for the District of Massachusetts for a substance abuse evaluation, comply with all treatment recommendations and sign all required releases of information to obtain and report treatment compliance to the Court. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Lisa Moreira Defense Attorneys: Joshua Robert Hanye and Wade Michael Zolynski; US Attorneys: Daniel Honold and Michael John

		Romano; Pretrial Officer: Christine Schuck. (zalh) (Entered: 11/19/2021)
11/22/2021	<u>37</u>	MOTION to Dismiss Case <i>superseding indictment</i> by TROY SARGENT. (Zolynski, Wade) (Entered: 11/22/2021)
12/06/2021	<u>38</u>	Memorandum in Opposition by USA as to TROY SARGENT re <u>37</u> MOTION to Dismiss Case <i>superseding indictment</i> (Honold, Daniel) (Entered: 12/06/2021)
12/13/2021	<u>39</u>	REPLY TO OPPOSITION to Motion by TROY SARGENT re <u>37</u> MOTION to Dismiss Case <i>superseding indictment</i> (Zolynski, Wade) (Entered: 12/13/2021)
01/19/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 1/19/2022. Oral order modifying conditions of release are as follows: the defendant is to participate in Intensive Outpatient treatment (IOP) and comply with any additional future treatment modality recommendations that may be put forth. Speedy Trial Excludable (XT) started 1/19/2022 until 2/2/2022, in the interest of justice. Motion Hearing set for 2/2/2022 at 10:00 AM via Zoom before Judge Thomas F. Hogan. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Elizabeth Saint-Loth; Defense Attorneys: Joshua Robert Hanye and Wade Michael Zolynski; US Attorneys: Daniel Honold and Michael John Romano; Pretrial Officer: Christine Schuck. (zalh) (Entered: 01/19/2022)
01/31/2022		NOTICE OF HEARING as to TROY SARGENT: Motion Hearing reset for 10:30 AM on 2/2/2022 via Zoom before Judge Thomas F. Hogan. (zalh) (Entered: 01/31/2022)
02/02/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Motion Hearing as to TROY SARGENT held on 2/2/2022, re <u>37</u> MOTION to Dismiss Case <i>superseding indictment</i> . Oral argument heard and matter taken under advisement. Memorandum, Opinion and Order forthcoming via Chambers. Pretrial Services' request for the defendant to be placed in a residential treatment program; heard and denied. The defendant must continue to comply with all conditions of release. Status Conference set for 2/18/2022 at 11:00 AM via Zoom before Judge Thomas F. Hogan. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Cathryn Jones; Defense Attorneys: Joshua Robert Hanye and Wade Michael Zolynski; US Attorney: Michael John Romano; Pretrial Officer: Christine Schuck. (Entered: 02/02/2022)
02/07/2022		MINUTE ORDER as to TROY SARGENT: Before the Court is the Defendant's <u>37</u> Motion to Dismiss Case <i>superseding indictment</i> on the grounds that the <u>32</u> Superseding Indictment is insufficient under Fed. R. of Crim. P. 7(c)(1) and the Fifth and Sixth Amendments to the Constitution. To prevent undue surprise at trial and to assist the Court in resolving the pending <u>37</u> Motion, the government is ORDERED to file, on or before February 14, 2022, a Bill of Particulars that sets forth the means by which Mr. Sargent "committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way and degree obstructed, delayed, and adversely affected commerce and the movement of any article and commodity in commerce and the conduct and performance of any federally protected function." 18 U.S.C. § 231(a)(3); see Fed R. Crim. P. 7(f).

		Additionally, this Bill of Particulars must also identify the felony Mr. Sargent "inten[ded] to commit" named in Count Two of the <u>32</u> Superseding Indictment. 18 U.S.C § 111(a)(2); see Fed. R. Crim. P. 7(f). Signed by Judge Thomas F. Hogan on 2/7/2022. (zalh) (Entered: 02/07/2022)
02/11/2022	<u>44</u>	NOTICE – <i>Bill of Particulars</i> by USA as to TROY SARGENT (Romano, Michael) (Entered: 02/11/2022)
02/18/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 2/18/2022. Defendant's oral motion to modify conditions of release to include an aftercare treatment plan to be imposed; heard and granted. Pretrial Services to submit a proposed order. Status Conference set for 3/25/2022 at 11:00 AM via Zoom before Judge Thomas F. Hogan. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Cathryn Jones; Defense Attorneys: Joshua Robert Hanye and Wade Michael Zolynski; US Attorneys: Daniel Honold and Michael John Romano; Pretrial Officer: Christine Schuck. (zalh) (Entered: 02/18/2022)
02/25/2022	<u>46</u>	SUPPLEMENT by USA as to TROY SARGENT re <u>38</u> Memorandum in Opposition (Romano, Michael) (Entered: 02/25/2022)
02/25/2022	<u>47</u>	SUPPLEMENT by TROY SARGENT re <u>37</u> MOTION to Dismiss Case <i>superseding indictment</i> (Zolynski, Wade) (Entered: 02/25/2022)
03/25/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 3/25/2022. Speedy Trial Excludable (XT) started 3/25/2022 until 4/27/2022, in the interest of justice. Status Conference set for 4/27/2022 at 2:00 PM via Zoom before Judge Thomas F. Hogan. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Lisa Bankins; Defense Attorney: Joshua Robert Hanye; US Attorney: Michael John Romano. (zalh) (Entered: 03/25/2022)
03/30/2022	<u>49</u>	ORDER as to TROY SARGENT: denying <u>37</u> Motion to Dismiss Superseding Indictment. Signed by Judge Thomas F. Hogan on 3/30/2022. (zalh) (Entered: 03/31/2022)
04/14/2022	<u>50</u>	MEMORANDUM OPINION as to TROY SARGENT on Defendant's <u>37</u> Motion to Dismiss Superseding Indictment. Signed by Judge Thomas F. Hogan on 4/14/2022. (zalh) (Entered: 04/14/2022)
04/27/2022		Minute Entry for VTC proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 4/27/2022. Pretrial Services' request for the defendant to be placed in a residential treatment program; heard and granted. Oral Order modifying conditions of release as follows: "The defendant shall complete residential substance abuse treatment as approved by the Probation Office" to be utilized by the US Probation Office should they deem it to be an appropriate course of action to address the defendant's continued substance use. All other conditions of release remain in effect. Speedy Trial Excludable (XT) started 4/27/2022 until 6/1/2022, in the interest of justice. Status Conference set for 6/1/2022 at 3:00 PM via Zoom before Judge Thomas F. Hogan. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Lisa Bankins; Defense Attorneys: Joshua Robert Hanye and Wade Michael Zolynski; US Attorney:

		Daniel Honold appeared via telephone/Michael Romano failed to appear; Pretrial Officer: Christine Schuck. (zalh) (Entered: 04/27/2022)
05/05/2022	<u>52</u>	NOTICE OF WITHDRAWAL OF APPEARANCE of AUSA Daniel Honold by USA as to TROY SARGENT (Honold, Daniel) (Entered: 05/05/2022)
05/31/2022	<u>53</u>	MOTION for Hearing <i>on Rule 11 Change of Plea</i> by TROY SARGENT. (Hanye, Joshua) (Entered: 05/31/2022)
06/01/2022		MINUTE ORDER as to TROY SARGENT: granting <u>53</u> Motion for Rule 11 Hearing and to Cancel Status Conference. Status Conference set for 6/1/2022 at 3:00 PM via Zoom before Judge Hogan is hereby CANCELLED. Speedy Trial Time Excluded (XT) from 6/1/2022 until 6/27/2022, in the interest of justice. Rule 11 Hearing set for 6/27/2022 at 11:00 AM in Courtroom 26A– In Person before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 6/1/2022. (zalh) (Entered: 06/01/2022)
06/14/2022	<u>55</u>	Unopposed MOTION to Convert Hearing <i>to Video Conference</i> by TROY SARGENT. (Hanye, Joshua) (Entered: 06/14/2022)
06/14/2022		MINUTE ORDER as to TROY SARGENT: granting <u>55</u> Unopposed Motion to Convert Hearing <i>to Video Conference</i> . Rule 11 Hearing set for 6/27/2022 at 11:00 AM via Zoom before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 6/14/2022. (zalh) (Entered: 06/14/2022)
06/27/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Plea Hearing as to TROY SARGENT held on 6/27/2022. Plea of GUILTY entered on Counts 1s, 2s, 3s, 4s, 5s, and 6s. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing Memoranda due by 9/26/2022. Sentencing set for 10/3/2022 at 3:00 PM in Courtroom 26A– In Person before Judge Thomas F. Hogan. Defendant admits to violating pretrial release conditions and the Court continues the defendant on bond. All conditions of release remain in effect and the defendant must continue to comply with all conditions of release. Bond Status of Defendant: remains on Personal Recognizance/appeared via video; Court Reporter: Lisa Bankins; Defense Attorney: Joshua Robert Hanye; US Attorney: Michael John Romano; Pretrial Officers: DC – Christine Schuck and District of Massachusetts – Laura LaValley. (zalh) (Entered: 06/27/2022)
06/27/2022	<u>57</u>	STATEMENT OF OFFENSE by USA as to TROY SARGENT. (zalh) (Entered: 06/27/2022)
06/27/2022	<u>58</u>	WAIVER of Trial by Jury as to TROY SARGENT. Approved by Judge Thomas F. Hogan on 6/27/2022. (zalh) (Entered: 06/27/2022)
09/09/2022	<u>60</u>	Unopposed MOTION to Continue <i>Sentencing</i> by USA as to TROY SARGENT. (Romano, Michael) (Entered: 09/09/2022)
09/12/2022		MINUTE ORDER as to TROY SARGENT: granting <u>60</u> Unopposed Motion to Continue <i>Sentencing</i> . Sentencing Memoranda due by 10/26/2022. Sentencing set for 11/2/2022 at 11:00 AM in Courtroom 26A– In Person before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 9/12/2022. (zalh) (Entered: 09/12/2022)
09/23/2022		NOTICE OF HEARING as to TROY SARGENT: Status Conference set for 10/11/2022 at 11:00 AM via Zoom before Judge Thomas F. Hogan. (zalh)

		(Entered: 09/23/2022)
10/11/2022		Minute Entry for video proceedings held before Judge Thomas F. Hogan: Status Conference as to TROY SARGENT held on 10/11/2022 re Pretrial Violation. Defendant's Pretrial Supervision is REVOKED. Defendant is ORDERED to self-surrender by 11:00 AM on October 17, 2022. Order forthcoming. Defendant's oral request to conduct the sentencing by video and to have the defendant detained within the District of Massachusetts pending sentencing is heard, and the Court directs defense counsel to file a written motion. Bond Status of Defendant: remains on Personal Recognizance until self-surrender/appeared via video; Court Reporter: Bryan Wayne; Defense Attorney: Joshua Robert Hanye; US Attorney: Michael John Romano; Pretrial Officer: Christine Schuck. (zalh) (Entered: 10/12/2022)
10/12/2022	<u>63</u>	ORDER as to TROY SARGENT. Signed by Judge Thomas F. Hogan on 10/12/2022. (zalh) (Entered: 10/12/2022)
10/14/2022	<u>64</u>	Unopposed MOTION to Conduct Sentencing by Videoconference by TROY SARGENT. (Hanye, Joshua) (Entered: 10/14/2022)
10/14/2022		MINUTE ORDER as to TROY SARGENT: granting <u>64</u> Motion to Conduct Sentencing by Videoconference and That Defendant Remain Detained in the District of Massachusetts. Sentencing set for 11/2/2022 at 11:00 AM via Zoom before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 10/14/2022. (zalh) (Entered: 10/14/2022)
10/20/2022	<u>65</u>	Second MOTION to Continue <i>Sentencing (Unopposed)</i> by USA as to TROY SARGENT. (Romano, Michael) (Entered: 10/20/2022)
10/27/2022		MINUTE ORDER as to TROY SARGENT granting <u>65</u> Second Motion to Continue Sentencing (Unopposed) by USA. Sentencing is now scheduled for 11/28/2022 at 2:00 PM in Telephonic/VTC (ZOOM) before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on 10/27/22. (mac) (Entered: 10/27/2022)
11/14/2022		NOTICE OF HEARING as to TROY SARGENT: Sentencing set for 12/12/2022 at 11:00 AM in Courtroom 26A– In Person before Judge Thomas F. Hogan. (mac) (Entered: 11/14/2022)
11/28/2022	<u>66</u>	Writ of Habeas Corpus ad Prosequendum Issued to Donald W. Wyatt Detention Facility signed by Judge Thomas F. Hogan on 11/23/2022 as to TROY SARGENT to appear 12/12/2022. (zalh) (Entered: 11/28/2022)
12/05/2022	<u>69</u>	Unopposed MOTION for Extension of Time to <i>File Sentencing Memoranda</i> by TROY SARGENT. (Hanye, Joshua) (Entered: 12/05/2022)
12/05/2022		MINUTE ORDER as to TROY SARGENT: granting <u>69</u> Unopposed Motion for Extension of Time to <i>File Sentencing Memoranda</i> . Sentencing Memoranda due by 12/6/2022. Signed by Judge Thomas F. Hogan on 12/5/2022. (zalh) (Entered: 12/05/2022)
12/05/2022	<u>70</u>	SENTENCING MEMORANDUM by USA as to TROY SARGENT (Romano, Michael) (Entered: 12/05/2022)
12/06/2022	<u>71</u>	SENTENCING MEMORANDUM by TROY SARGENT (Attachments: # <u>1</u> Exhibit Letters of Support, # <u>2</u> Exhibit Family Photographs)(Hanye, Joshua)

		(Entered: 12/06/2022)
12/07/2022	<u>72</u>	MOTION for Leave to File <i>Exhibit Under Seal</i> by TROY SARGENT. (Hanye, Joshua) (Entered: 12/07/2022)
12/08/2022		MINUTE ORDER as to TROY SARGENT: granting <u>72</u> Defendant's Motion for Leave to File <i>Exhibit Under Seal</i> . Signed by Judge Thomas F. Hogan on 12/8/2022. (zalh) (Entered: 12/08/2022)
12/12/2022		Minute Entry for proceedings held before Judge Thomas F. Hogan: Sentencing held on 12/12/2022 as to TROY SARGENT on Counts 1s, 2s, 3s, 4s, 5s, and 6s. Counts 1s and 2s: Defendant sentenced to Fourteen (14) Months of Incarceration to run concurrently to each count with credit for time served followed by Twenty-Four (24) Months of Supervised Release to run concurrently to each count. Counts 3s, 4s, and 5s: Defendant sentenced to Twelve (12) Months of Incarceration to run concurrently to each count with credit for time served followed by Twelve (12) Months of Supervised Release to run concurrently to each count. Count 6s: Defendant sentenced to Six (6) Months of Incarceration to run concurrently to each count with credit for time served. All terms of incarceration and supervised release are to run concurrent. Special assessment in the amount of \$100 as to Counts 1s and 2s, \$25 as to Counts 3s, 4s, and 5s and \$10 as to Count 6s for a total of \$285. Restitution in the amount of \$500. Government's oral motion to dismiss all remaining counts; heard and granted. Bond Status of Defendant: Committed/Commitment Issued; Court Reporter: Lisa Edwards; Defense Attorney: Joshua Robert Hanye; US Attorney: Michael John Romano; Probation Officer: Hana Field. (zalh) Modified on 12/14/2022 (zalh). (Entered: 12/12/2022)
12/14/2022	<u>74</u>	JUDGMENT as to TROY SARGENT. Statement of Reasons Not Included. Signed by Judge Thomas F. Hogan on 12/14/2022. (zltp) (Entered: 12/20/2022)
12/14/2022	<u>75</u>	STATEMENT OF REASONS as to TROY SARGENT. re <u>74</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 Thomas F. Hogan on 12/14/2022. (zltp) (Entered: 12/20/2022)
01/03/2023	<u>76</u>	NOTICE OF APPEAL – Final Judgment by TROY SARGENT Fee Status: No Fee Paid. Parties have been notified. (Hanye, Joshua) (Entered: 01/03/2023)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff	:	
	:	
v.	:	Criminal No. 21-CR-00258-TFH
	:	
TROY SARGENT,	:	
	:	
Defendant.	:	

NOTICE OF APPEAL

Defendant Troy Sargent hereby appeals his sentence to the United States Court of Appeals for the District of Columbia Circuit. Judgment entered December 20, 2022.

Respectfully submitted,
TROY SARGENT
By his attorney,

/s/ Joshua R. Hanye
Joshua R. Hanye
MA B.B.O. No. 661686
Joshua_Hanye@fd.org
Federal Defender Office
51 Sleeper Street
Boston, MA 02210
Tel: 617-223-8061

Certificate of Service

I hereby certify that this document was sent electronically to those registered through ECF on January 3, 2023.

/s/ Joshua R. Hanye
Joshua R. Hanye

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

TROY SARGENT

JUDGMENT IN A CRIMINAL CASE

Case Number: 21-CR-258 (TFH)

USM Number: 33730-509

Joshua Robert Hanye and Wade Michael Zolynski

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1s, 2s, 3s, 4s, 5s, and 6s of the Superseding Indictment filed on 11/10/2021☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC § 231(a)(3)	Civil Disorder	1/6/2021	1s
18 USC § 111(a)(1)	Assaulting, Resisting, or Impeding Certain Officers	1/6/2021	2s
18 USC § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	3s

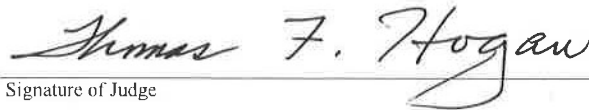
The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ 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.

12/12/2022

Date of Imposition of Judgment



Signature of Judge

Thomas F. Hogan, U.S. District Judge

Name and Title of Judge

12/14/2022

Date

DEFENDANT: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC § 1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted Building or Grounds	1/6/2021	4s
18 USC § 1752(a)(4)	Engaging in Physical Violence in a Restricted Building or Grounds	1/6/2021	5s
40 USC § 5104(e)(2)(F)	Act of Physical Violence in the Capitol Grounds or Buildings	1/6/2021	6s

DEFENDANT: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)

IMPRISONMENT

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

Fourteen (14) months with credit for time served, which consists of concurrent terms of fourteen (14) months as to Counts 1s and 2s; twelve (12) months as to Counts 3s through 5s; and six (6) months as to Count 6s.

☒ The court makes the following recommendations to the Bureau of Prisons:
The defendant to be placed at FMC Devens to be near his family.

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

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

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

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

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

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

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)

SUPERVISED RELEASE

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

A concurrent term of twenty-four (24) months [2 years] of supervised release, which consists of twenty-four (24) months [2 years] as to Counts 1s and 2s, and twelve (12) months as to Counts 3s through 5s.

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: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)**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: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)

SPECIAL CONDITIONS OF SUPERVISION

Restitution Obligation – You must pay the balance of any restitution owed at a rate of no less than \$50 each month.

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.

Financial Restrictions - You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

Substance Abuse Treatment -You must participate in an inpatient and/or outpatient substance 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.).

Substance Abuse Testing - You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods.

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

Re-entry Progress Hearing - Within sixty days of release from incarceration or placement on supervision, you will appear before the Court for a re-entry progress hearing. Prior to the hearing, the probation officer will submit a report summarizing your status and compliance with release conditions. If you are 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 60 days of the commencement of supervision; upon receipt of the progress report, the Court will determine if your appearance is required.

The Court authorizes supervision of this case to be transferred to the United States District Court of Massachusetts.

DEFENDANT: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)**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	\$ 285.00	\$ 500.00	\$	\$	\$

☐ 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		\$500.00	
Office of the Chief Financial Officer			
Ford House Office Building, Room H2-205B			
Washington, DC 20515			

TOTALS	\$	<u>0.00</u>	\$	<u>500.00</u>
---------------	----	-------------	----	---------------

☐ 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: TROY SARGENT
CASE NUMBER: 21-CR-258 (TFH)**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 \$ 285.00 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, Special Assessment of \$285 and Restitution of \$500, are 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) JVT assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.