

APPEAL,CAP,CAT A,CLOSED

**U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00263-TSC-1**

Case title: USA v. ALFORD

Magistrate judge case number: 1:21-mj-00327-GMH

Date Filed: 03/30/2021

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Assigned to: Judge Tanya S.  
Chutkan

**Defendant (1)**

**RUSSELL DEAN ALFORD**

represented by **David Walker Bos**  
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DISTRICT OF COLUMBIA  
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*LEAD ATTORNEY*  
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*Designation: Public Defender or Community  
Defender Appointment*

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**Pending Counts**

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

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

40:5104(e)(2)(D); VIOLENT  
ENTRY AND DISORDERLY  
CONDUCT ON CAPITOL  
GROUNDS; Violent Entry and  
Disorderly Conduct in a Capitol  
Building.  
(3)

40:5104(e)(2)(G); VIOLENT  
ENTRY AND DISORDERLY  
CONDUCT ON CAPITOL  
GROUNDS; Parading,  
Demonstrating, or Picketing in a  
Capitol Building.  
(4)

**Disposition**

Defendant sentenced to TWELVE (12) months of incarceration to run concurrently with Count 2; TWELVE (12) months of supervised release to run concurrently with Count 2; special assessment of \$25.00. Restitution in the total amount of \$500.00 for all four counts.

Defendant sentenced to TWELVE (12) months of incarceration to run concurrently with Count 1; TWELVE (12) months of supervised release to run concurrently with Count 1; and a special assessment of \$25.00.

Defendant sentenced to SIX (6) months of incarceration to run concurrently with Count 4 and a special assessment of \$10.00

Defendant sentenced to SIX (6) months of incarceration to run concurrently with Count 3 and a special assessment of \$10.00

**Highest Offense Level (Opening)**

Misdemeanor

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

COMPLAINT in VIOLATION of  
18 U.S.C. § 1752(a)(1), 18 U.S.C.  
§ 1752(a)(2), 40 U.S.C. §  
5104(e)(2)(D), 40 U.S.C. §  
5104(e)(2)(G)

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**Disposition**

**Plaintiff**

USA

represented by **James Dennis Peterson**  
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**TERMINATED: 08/09/2022**  
*Designation: Assistant U.S. Attorney*

Date Filed	#	Docket Text
03/22/2021	<u>1</u>	SEALED COMPLAINT as to RUSSELL DEAN ALFORD (1). (Attachments: # <u>1</u> Statement of Facts) (zltf) [1:21-mj-00327-GMH] (Entered: 03/22/2021)
03/22/2021	<u>3</u>	MOTION to Seal Case by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Text of Proposed Order)(zltf) [1:21-mj-00327-GMH] (Entered: 03/22/2021)
03/22/2021	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to RUSSELL DEAN ALFORD (1). Signed by Magistrate Judge G. Michael Harvey on 3/22/2021. (zltf) [1:21-mj-00327-GMH] (Entered: 03/22/2021)
03/29/2021	<u>5</u>	Arrest Warrant Returned Executed on 3/29/2021 in Birmingham, AL as to RUSSELL DEAN ALFORD. (bb) [1:21-mj-00327-GMH] (Entered: 03/29/2021)
03/29/2021		Case unsealed as to RUSSELL DEAN ALFORD (bb) [1:21-mj-00327-GMH] (Entered: 03/29/2021)
03/29/2021	<u>6</u>	Rule 5(c)(3) Documents Received as to RUSSELL DEAN ALFORD from US District Court for the Northern District of Alabama Case Number 2:21-mj-79-GMB (bb) [1:21-mj-00327-GMH] (Entered: 03/29/2021)
03/29/2021		Arrest of RUSSELL DEAN ALFORD in US District Court for the Northern District of Alabama. (bb) [1:21-mj-00327-GMH] (Entered: 03/29/2021)
03/30/2021	<u>8</u>	INFORMATION as to RUSSELL DEAN ALFORD (1) count(s) 1, 2, 3, 4. (zhjsj) (Entered: 03/31/2021)
04/01/2021		ORAL MOTION to Appoint Counsel by RUSSELL DEAN ALFORD (1). (zpt) (Entered: 04/01/2021)
04/01/2021		ORAL MOTION for Speedy Trial Waiver by USA as to RUSSELL DEAN ALFORD (1). (zpt) (Entered: 04/01/2021)
04/01/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arrestment as to RUSSELL DEAN ALFORD (1) Count 1,2,3,4 held on 4/1/2021. Not Guilty Plea entered by RUSSELL DEAN ALFORD (1) as to all counts. Oral Motion to Appoint Counsel by RUSSELL DEAN ALFORD (1) Heard and Granted. Government does not seek the Defendant's pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to RUSSELL DEAN ALFORD (1) Heard and Granted. Time between 4/1/2021 and 4/7/2021 (6 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 4/7/2021 at 10:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:40:12-1:57:52]; Defense Attorney: David Bos, James Gibson, and Kevin Butler; US Attorney: Jacob Steiner for Hava Mirell; Pretrial Officer: Shay Holman; (zpt) (Entered: 04/01/2021)
04/01/2021		MINUTE ORDER as to RUSSELL DEAN ALFORD (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 4/1/2021. (zpt) (Entered: 04/01/2021)

04/01/2021	<u>11</u>	ORDER Setting Conditions of Release as to RUSSELL DEAN ALFORD (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/1/2021. (Attachments: # <u>1</u> Appearance Bond) (zpt) (Entered: 04/03/2021)
04/06/2021	<u>13</u>	NOTICE of Filing Discovery Correspondence by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 04/06/2021)
04/07/2021		Minute Entry: Status Conference as to RUSSELL DEAN ALFORD held on 4/7/2021 before Judge Tanya S. Chutkan: Parties discussed discovery. Status Conference set for 6/7/2021 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 04/07/2021 and 06/07/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Lorraine Herman; Defense Attorney: David Bos and James Gibson; US Attorney: Hava L. Mirell. (tb) (Entered: 04/07/2021)
04/07/2021	<u>14</u>	NOTICE OF ATTORNEY APPEARANCE: Kevin L. Butler appearing for RUSSELL DEAN ALFORD (Butler, Kevin) (Entered: 04/07/2021)
04/07/2021	<u>15</u>	NOTICE OF ATTORNEY APPEARANCE: James Gibson appearing for RUSSELL DEAN ALFORD (Gibson, James) (Entered: 04/07/2021)
05/07/2021	<u>16</u>	NOTICE of Filing Discovery Correspondence by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 05/07/2021)
05/25/2021	<u>17</u>	Unopposed MOTION for Protective Order by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Proposed Protective Order)(Mirell, Hava) (Entered: 05/25/2021)
05/28/2021		Set/Reset Hearings as to RUSSELL DEAN ALFORD:Status Conference reset for 6/11/2021 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 05/28/2021)
06/04/2021	<u>18</u>	ORDER granting the government's <u>17</u> unopposed motion for a protective order. Signed by Judge Tanya S. Chutkan on 06/04/2021. (tb) Modified on 6/4/2021 (tb). (Entered: 06/04/2021)
06/11/2021		Minute Entry: Status Conference as to RUSSELL DEAN ALFORD held on 6/11/2021 before Judge Tanya S. Chutkan: Parties discussed posture of case. Status Conference set for 8/13/2021 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 06/11/2021 and 08/13/2021 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: David Bos and James Gibson; US Attorney: Hava L. Mirell. (tb) (Entered: 06/12/2021)
08/04/2021		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Status Conference reset for 8/23/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 08/04/2021)
08/23/2021		Minute Entry: Status Conference as to RUSSELL DEAN ALFORD held on 8/23/2021 before Judge Tanya S. Chutkan: Parties discussed posture of case. Status Conference set for 10/22/2021 at 10:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that time between 08/23/2021 and 10/22/2021 shall be excluded from speedy trial calculation. Defendant remains release. Court Reporter: Bryan Wayne; Defense Attorney: James Gibson; US Attorney: Robert Juman ( stand-in). (tb) Modified on 8/24/2021 (tb).

		(Entered: 08/24/2021)
09/28/2021	<u>21</u>	NOTICE of Filing Discovery Memoranda by USA as to RUSSELL DEAN ALFORD (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)
09/28/2021	<u>22</u>	NOTICE of Filing Discovery Correspondence by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Discovery Letter)(Mirell, Hava) (Entered: 09/28/2021)
10/20/2021		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Plea Agreement Hearing set for 10/29/2021 at 12:30 PM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 10/20/2021)
10/22/2021	<u>23</u>	Joint MOTION to Exclude Time Under the Speedy Trial Act by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) (Entered: 10/22/2021)
10/22/2021	<u>24</u>	Unopposed MOTION for Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Text of Proposed Order)(Mirell, Hava) Modified event on 10/26/2021 (znmw). (Entered: 10/22/2021)
10/24/2021	<u>25</u>	NOTICE of Filing Discovery Memorandum by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of 10/21/2021)(Mirell, Hava) (Entered: 10/24/2021)
10/26/2021		MINUTE ORDER: The parties' <u>23</u> Joint Motion to Exclude Time Under the Speedy Trial Act is hereby GRANTED and the time between October 22, 2021, and October 29, 2021, will be excluded from the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7) as the exclusion would serve the ends of justice and outweigh the interest of the public and of Mr. Alford in a speedy trial. Further, the government's <u>24</u> Unopposed Motion for Disclosure is hereby GRANTED and it is ordered that the government may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e), that the government may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery, and that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. And finally, Defendant's <u>26</u> Motion to File Document Under Seal is DENIED without prejudice. Defendant may file a redacted version of the attached motion to continue or refile the Motion to File Document Under Seal explaining the legal basis justifying a sealing order or explaining why redaction is impossible or impracticable. SO ORDERED by Judge Tanya S. Chutkan on 10/26/2021. (tb) (Entered: 10/26/2021)
10/27/2021	<u>28</u>	MOTION to Continue and to Exclude Time Under the Speedy Trial Act Redacted by RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Notice of Speedy Trial Waiver)(Gibson, James) (Entered: 10/27/2021)
10/27/2021	<u>29</u>	MOTION to Exclude Time Under the Speedy Trial Act by RUSSELL DEAN ALFORD. (See Docket Entry <u>28</u> to Review Document). (zhsj) (Entered: 10/28/2021)
10/28/2021		MINUTE ORDER: Upon consideration of the Defendant's unopposed <u>28</u> Motion to Continue and Exclude Time, the court hereby orders that the motion is GRANTED. The hearing currently set for October 29, 2021, is VACATED. A status conference

		hearing is set for December 17, 2021 at 11:00 AM before Judge Tanya S. Chutkan. The court further orders that the Defendant's 29 Motion to Exclude Time is GRANTED and the time between October 29, 2021, and December 17, 2021, will be excluded from the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7) as the exclusion would serve the ends of justice and outweigh the interest of the public and of Mr. Alford in a speedy trial. SO ORDERED by Judge Tanya S. Chutkan on 10/28/2021. (tb) (Entered: 10/28/2021)
10/28/2021		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Status Conference set for 12/17/2021 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 10/28/2021)
11/24/2021	<u>30</u>	NOTICE of Filing Discovery Memorandum by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of November 5, 2021)(Mirell, Hava) (Entered: 11/24/2021)
12/17/2021		Minute Entry: Video (VTC) Status Conference as to RUSSELL DEAN ALFORD held on 12/17/2021 before Judge Tanya S. Chutkan: Jury Trial set for 4/13/2022 at 9:30 AM with Jury Selection in the Ceremonial Courtroom before Judge Tanya S. Chutkan. The Government is to file a position paper as to whether the defendant is eligible for a jury trial by 1/31/2022. Defendant may file a response within two (2) weeks of the Government's filing. The parties must submit a Joint Pre Trial Proposed Scheduling Order by 2/28/2022. The Court finds in the Interest of Justice that the time between 12/17/2021 and 4/13/2022 shall be excluded from the speedy trial calculation (START XT). Defendant Remains on Personal Recognizance Bond; Court Reporter: Bryan Wayne; Defense Attorneys: James Gibson and Kevin Butler; US Attorney: Hava Mirell. (jth) (Entered: 12/17/2021)
01/28/2022	<u>32</u>	NOTICE of Filing Defendant's Acceptance of Protective Order by RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Defendant's Acceptance)(Gibson, James) (Entered: 01/28/2022)
01/31/2022	<u>33</u>	NOTICE of Response to Order of the Court by USA as to RUSSELL DEAN ALFORD (Mirell, Hava) (Entered: 01/31/2022)
02/15/2022	<u>34</u>	NOTICE of Filing Discovery Memorandum by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of February 9, 2022)(Mirell, Hava) (Entered: 02/15/2022)
02/24/2022		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Status Conference set for 3/7/2022 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 02/24/2022)
02/25/2022	<u>37</u>	NOTICE OF ATTORNEY APPEARANCE James Dennis Peterson appearing for USA. (Peterson, James) (Entered: 02/25/2022)
02/28/2022	<u>38</u>	Joint PROPOSED BRIEFING SCHEDULE by USA as to RUSSELL DEAN ALFORD (Mirell, Hava) (Entered: 02/28/2022)
03/01/2022	<u>39</u>	NOTICE OF ATTORNEY APPEARANCE: Tobie J. Smith appearing for RUSSELL DEAN ALFORD (Smith, Tobie) (Entered: 03/01/2022)
03/01/2022	<u>40</u>	MOTION for Transfer of Venue or, in the Alternative, to Allow Expanded Examination of Prospective Jurors Before and During Voir Dire by RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Exhibit A)(Smith, Tobie) (Entered: 03/01/2022)

03/01/2022	<u>41</u>	Unopposed MOTION to Continue <i>Trial and Exclude Time Under the Speedy Trial Act</i> by RUSSELL DEAN ALFORD. (Gibson, James) (Entered: 03/01/2022)
03/01/2022	42	MOTION to Exclude Time Under the Speedy Trial Act by RUSSELL DEAN ALFORD. (See Docket Entry <u>41</u> to View Document). (zhsj) (Entered: 03/02/2022)
03/01/2022	43	MOTION for Transfer of Venue by RUSSELL DEAN ALFORD. (See Docket Entry <u>40</u> to View Document). (zhsj) (Entered: 03/02/2022)
03/04/2022		MINUTE ORDER: For good cause shown, Defendant's Unopposed <u>41</u> , 42 Motion to Continue Trial and Exclude Time Under the Speedy Trial Act is GRANTED for the purpose of allowing Mr. Alford to further review additional discovery disclosures, and to allow briefing on Defendant's <u>40</u> , 43 Motion for Transfer of Venue or, in the Alternative, to Allow Expanded Examination of Prospective Jurors Before and During Voir Dire. The opposition and reply shall be due in accordance with the local rules. The trial previously set for 4/13/22, and all pretrial deadlines, are hereby VACATED. The parties shall contact the courtroom deputy to schedule a status conference for no earlier than April 8. SO ORDERED by Judge Tanya S. Chutkan on 03/04/2022. (tb) (Entered: 03/04/2022)
03/04/2022		Terminate Deadlines and Hearings as to RUSSELL DEAN ALFORD: (tb) (Entered: 03/04/2022)
03/15/2022	<u>44</u>	Memorandum in Opposition by USA as to RUSSELL DEAN ALFORD re <u>40</u> MOTION for Transfer of Venue or, in the Alternative, to Allow Expanded Examination of Prospective Jurors Before and During Voir Dire (Mirell, Hava) (Entered: 03/15/2022)
03/21/2022	<u>45</u>	REPLY in Support by RUSSELL DEAN ALFORD re <u>40</u> MOTION for Transfer of Venue or, in the Alternative, to Allow Expanded Examination of Prospective Jurors Before and During Voir Dire (Smith, Tobie) (Entered: 03/21/2022)
04/14/2022		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Status Conference set for 5/6/2022 at 01:30 PM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 04/14/2022)
04/18/2022	<u>46</u>	ORDER: Granting in part and denying in part Defendant's <u>40</u> , 43 Motion to Transfer Venue or in the Alternative to Allow Expanded Examination of Prospective Jurors. Signed by Judge Tanya S. Chutkan on 04/18/2022. (tb) (Entered: 04/19/2022)
05/06/2022		Minute Entry: Status Conference as to RUSSELL DEAN ALFORD held on 5/6/2022 before Judge Tanya S. Chutkan: Parties discuss posture of case. Proposed Briefing Schedule due by 5/13/2022. Jury Trial set for 9/28/2022 at 09:30 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Pretrial Conference set for 8/29/2022 at 11:30 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 05/06/2022 and 08/29/2022 shall be excluded from the speedy trial calculation. Defendant Remains on Personal Recognizance Bond; Court Reporter: Bryan Wayne; Defense Attorneys: James Gibson and Kevin Butler; US Attorney: James Peterson. (tb) (Entered: 05/09/2022)
05/13/2022	<u>47</u>	Joint PROPOSED BRIEFING SCHEDULE by RUSSELL DEAN ALFORD (Gibson, James) (Entered: 05/13/2022)
05/25/2022	<u>48</u>	PRETRIAL ORDER: Upon consideration of the parties' <u>47</u> Joint Proposed Briefing Schedule, the court hereby sets the following pretrial schedule. Defense counsel shall provide a proposed juror questionnaire to the government not later than 5/18/22. The



		government shall communicate any objections to the defense not later than 6/1/22. On or before 6/8/22, the parties shall jointly file a proposed copy of the juror questionnaire, noting any unresolved objections and succinctly stating the parties' respective positions. On or before 9/14/22, the parties will receive a copy of the juror questionnaire responses. Parties shall exchange expert witnesses on 7/13/22. Motions to suppress and all other pre-trial motions, excluding motions in limine, due 7/13/22; oppositions due 7/27/22; replies due 8/3/22. Motions in limine due 8/3/22; responses due 8/17/22; replies due 8/24/22. Not later than 7/27/22, the government shall provide notice of evidence it intends to offer pursuant to Fed. R. Evid. 404(b). Parties shall exchange exhibit lists by 8/3/22 and to the extent practicable file any objections to the admissibility of exhibits by 8/17/22; replies due 8/24/22. Proposed jury instructions due 8/17/22. Parties shall exchange witness lists 9/12/22. Proposed voir dire due 9/14/22. A pre-trial conference will be held on 8/29/22 at 11:30 a.m. via videoconference, provided the defendant consents to a remote hearing. Trial set to commence 9/28/22 at 9:30 a.m. in Courtroom 9. See attached order for additional details and instructions. SO ORDERED by Judge Tanya S. Chutkan on 05/25/2022. (tb) (Entered: 05/26/2022)
06/08/2022	<u>49</u>	NOTICE of Proposed Jury Questionnaire and Government Objections by RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Smith, Tobie) Modified to Remove Entered in Error on 6/15/2022 (zhsj). (Entered: 06/08/2022)
07/01/2022	<u>50</u>	ORDER re Defendant's <u>49</u> Notice of Proposed Jury Questionnaire and Government Objections. As explained in the court's Order, the final jury questionnaire, attached herein, will be distributed in person on September 27, 2022, and the parties will have the opportunity to review the prospective jurors' responses before individual voir dire commences on September 28, 2022. (Attachment: Questionnaire). Signed by Judge Tanya S. Chutkan on 06/28/2022. (Attachments: # 2 (tb) (Entered: 07/01/2022)
07/01/2022		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Voir Dire set for 9/27/2022 at 09:30 AM in Courtroom 9- In Person before Judge Tanya S. Chutkan. (tb) (Entered: 07/01/2022)
08/03/2022	<u>51</u>	MOTION in Limine re Camera Locations by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Exhibit Declaration)(Peterson, James) (Entered: 08/03/2022)
08/03/2022	<u>52</u>	MOTION in Limine re - Authentication by USA as to RUSSELL DEAN ALFORD. (Peterson, James) (Entered: 08/03/2022)
08/03/2022	<u>53</u>	MOTION in Limine re Entrapment by Estoppel by USA as to RUSSELL DEAN ALFORD. (Peterson, James) (Entered: 08/03/2022)
08/03/2022	<u>54</u>	MOTION in Limine re Expert Testimony Inattentive Blindness by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Exhibit Expert Notice)(Peterson, James) (Entered: 08/03/2022)
08/03/2022	<u>55</u>	MOTION in Limine to Preclude References to Offenses as Misdemeanors by RUSSELL DEAN ALFORD. (Smith, Tobie) (Entered: 08/03/2022)
08/03/2022	<u>56</u>	MOTION in Limine to Preclude Use of Prejudicial Terminology by RUSSELL DEAN ALFORD. (Smith, Tobie) (Entered: 08/03/2022)
08/09/2022	<u>57</u>	

		NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Romano, Michael John added. (Romano, Michael) (Entered: 08/09/2022)
08/17/2022	<u>58</u>	RESPONSE by USA as to RUSSELL DEAN ALFORD re <u>55</u> MOTION in Limine to Preclude References to Offenses as Misdemeanors (Romano, Michael) (Entered: 08/17/2022)
08/17/2022	<u>59</u>	RESPONSE by USA as to RUSSELL DEAN ALFORD re <u>56</u> MOTION in Limine to Preclude Use of Prejudicial Terminology (Romano, Michael) (Entered: 08/17/2022)
08/17/2022	<u>60</u>	RESPONSE by RUSSELL DEAN ALFORD re <u>54</u> MOTION in Limine re Expert Testimony Inattentional Blindness (Attachments: # <u>1</u> Exhibit 1)(Smith, Tobie) (Entered: 08/17/2022)
08/17/2022	<u>61</u>	RESPONSE by RUSSELL DEAN ALFORD re <u>53</u> MOTION in Limine re Entrapment by Estoppel (Smith, Tobie) (Entered: 08/17/2022)
08/17/2022	<u>62</u>	RESPONSE by RUSSELL DEAN ALFORD re <u>51</u> MOTION in Limine re Camera Locations (Smith, Tobie) (Entered: 08/17/2022)
08/17/2022	<u>63</u>	RESPONSE by RUSSELL DEAN ALFORD re <u>52</u> MOTION in Limine re – Authentication of Video and Other Evidence (Smith, Tobie) (Entered: 08/17/2022)
08/17/2022	<u>64</u>	Response to Defendants Exhibit List by USA as to RUSSELL DEAN ALFORD. (Peterson, James) Modified Text on 8/18/2022 (zhsj). (Entered: 08/17/2022)
08/17/2022	<u>65</u>	PROPOSED VERDICT FORM as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Joint Proposed Jury Verdict Form)(Gibson, James) (Entered: 08/17/2022)
08/17/2022	<u>66</u>	Proposed Jury Instructions by RUSSELL DEAN ALFORD (Gibson, James) (Entered: 08/17/2022)
08/17/2022	<u>67</u>	Objection to Certain Government Trial Exhibits by RUSSELL DEAN ALFORD. (Gibson, James) Modified Text on 8/18/2022 (zhsj). (Entered: 08/17/2022)
08/23/2022		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Pretrial Conference reset for 9/2/2022 at 01:30 PM in Telephonic/VTC before Judge Tanya S. Chutkan. (tb) (Entered: 08/23/2022)
08/23/2022	<u>69</u>	Unopposed MOTION to Travel by RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Text of Proposed Order)(Gibson, James) (Entered: 08/23/2022)
08/24/2022	<u>70</u>	RESPONSE by USA as to RUSSELL DEAN ALFORD re <u>67</u> MOTION Objection to Certain Government Trial Exhibits (Romano, Michael) (Entered: 08/24/2022)
08/24/2022	<u>71</u>	REPLY by RUSSELL DEAN ALFORD re <u>58</u> Response to motion in Limine to Preclude References to Offenses as Misdemeanors (Smith, Tobie) (Entered: 08/24/2022)
08/24/2022	<u>72</u>	REPLY by RUSSELL DEAN ALFORD re <u>59</u> Response to motion in Limine to Preclude Use of Prejudicial Terminology (Smith, Tobie) (Entered: 08/24/2022)
08/24/2022	<u>73</u>	REPLY TO OPPOSITION to Motion by USA as to RUSSELL DEAN ALFORD re <u>54</u> MOTION in Limine re Expert Testimony Inattentional Blindness (Attachments: # <u>1</u> Exhibit Article – Fight Club – IB)(Peterson, James) (Entered: 08/24/2022)
08/24/2022	<u>74</u>	REPLY TO OPPOSITION to Motion by USA as to RUSSELL DEAN ALFORD re <u>52</u> MOTION in Limine re – Authentication (Peterson, James) (Entered: 08/24/2022)

08/26/2022		MINUTE ORDER as to RUSSELL DEAN ALFORD: The Pretrial Conference in this matter is hereby RESCHEDULED to <b>September 2, 2022 at 1:30 PM</b> via videoconference.. Signed by Judge Tanya S. Chutkan on 08/25/2022. (tb) (Entered: 08/26/2022)
08/29/2022	<u>75</u>	MOTION in Limine to Preclude Government Arguments for Vicarious Criminal Liability by RUSSELL DEAN ALFORD. (Smith, Tobie) (Entered: 08/29/2022)
08/30/2022	<u>78</u>	REPLY by RUSSELL DEAN ALFORD re <u>70</u> Response to document <i>Objections to Certain Government Exhibits</i> (Gibson, James) (Entered: 08/30/2022)
08/30/2022	<u>80</u>	ORDER: Granting <u>69</u> Motion to Travel as to RUSSELL DEAN ALFORD (1). Signed by Judge Tanya S. Chutkan on 08/30/2022. (tb) (Entered: 08/31/2022)
08/31/2022	<u>79</u>	RESPONSE by USA as to RUSSELL DEAN ALFORD re <u>75</u> MOTION in Limine to Preclude Government Arguments for Vicarious Criminal Liability (Romano, Michael) (Entered: 08/31/2022)
08/31/2022	<u>81</u>	REPLY by RUSSELL DEAN ALFORD re <u>79</u> Response to motion in Limine to Preclude Government Arguments for Vicarious Criminal Liability (Smith, Tobie) (Entered: 08/31/2022)
09/02/2022		Minute Entry: Pretrial Conference as to RUSSELL DEAN ALFORD held on 9/2/2022 before Judge Tanya S. Chutkan: Pretrial Conference continued to 9/23/2022 at 10:00 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorneys: James Gibson; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 09/09/2022)
09/07/2022	<u>82</u>	<p>TRANSCRIPT OF 9/2/22 PRETRIAL HEARING in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on September 2, 2022; Page Numbers: 1–31. Date of Issuance: 9/7/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 9/28/2022. Redacted Transcript Deadline set for 10/8/2022. Release of Transcript Restriction set for 12/6/2022.(Wayne, Bryan) (Entered: 09/07/2022)</p>
09/09/2022	<u>83</u>	<p>ORDER: For the reasons explained at the court's pretrial conference, held on September 2, 2022:</p> <ul style="list-style-type: none"> <li>– The Government's <u>51</u> , <u>53</u> , and <u>54</u> Motions <i>in limine</i> are <b>GRANTED</b>;</li> <li>– The Government's <u>52</u> Motion <i>in limine</i> is <b>GRANTED in part and DENIED in part</b>;</li> </ul>

		<p>– Defendant's <u>55</u> Motion <i>in limine</i> is <b>GRANTED</b>; and</p> <p>– Defendant's <u>56</u> &amp; <u>75</u> Motions <i>in limine</i> are <b>DENIED</b>.</p> <p>See Order for further details. It is further ordered that a second pretrial conference shall be held via Zoom on <b>September 23 at 10:00 AM</b>. Mr. Alford's presence, upon consent of his counsel, is waived. Signed by Judge Tanya S. Chutkan on 9/9/2022. (lcac) (Entered: 09/09/2022)</p>
09/14/2022	<u>84</u>	Proposed Voir Dire by RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Joint Proposed Statement of the Case and Voir Dire Questions)(Gibson, James) (Entered: 09/14/2022)
09/22/2022	<u>85</u>	TRIAL BRIEF by USA as to RUSSELL DEAN ALFORD. (Attachments: # <u>1</u> Exhibit Stipulations)(Peterson, James) Modified event title on 9/26/2022 (znmw). (Entered: 09/22/2022)
09/23/2022		Minute Entry: Pretrial Conference as to RUSSELL DEAN ALFORD held on 9/23/2022 before Judge Tanya S. Chutkan: Defendant's presence waived. Parties discussed all aspects of the upcoming trial. Defendant remains on release. Court Reporter: Lisa Griffin; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 09/26/2022)
09/24/2022	<u>86</u>	ORDER: In light of the representations made at the September 2 and 23, 2022 pretrial conferences, the court hereby memorializes its rulings on various pretrial motions. See Order for details. Signed by Judge Tanya S. Chutkan on 9/24/2022. (Attachments: # <u>1</u> Exhibit Jury Verdict Form, # <u>2</u> Exhibit Statement of the Case, # <u>3</u> Exhibit Voir Dire Questions, # <u>4</u> Exhibit First Joint Stipulation, # <u>5</u> Exhibit Second Joint Stipulation) (lcac) (Entered: 09/24/2022)
09/26/2022	<u>88</u>	ENTERED IN ERROR.....NOTICE ( <i>Joint</i> ) Regarding Facebook Exhibits by USA as to RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Exhibit Facebook Exhibits 302, 303, 305, 306, 317, 318, and 323)(Romano, Michael) Modified on 9/27/2022 (zhsj). (Entered: 09/26/2022)
09/26/2022	<u>89</u>	NOTICE ( <i>Joint</i> ) Regarding Facebook Exhibits – Corrected by USA as to RUSSELL DEAN ALFORD re <u>88</u> Notice (Other) (Attachments: # <u>1</u> Exhibit Facebook Exhibits 302, 303, 305, 306, 317, 318, and 323)(Romano, Michael) (Entered: 09/26/2022)
09/26/2022		NOTICE OF ERROR as to RUSSELL DEAN ALFORD regarding <u>88</u> Notice (Other). The following error(s) was corrected: Other– Docket Entry <u>89</u> is the correct document. (zhsj) (Entered: 09/27/2022)
09/27/2022		Minute Entry: Status Conference as to RUSSELL DEAN ALFORD held on 9/27/2022 before Judge Tanya S. Chutkan: Parties discussed questionnaire and trial procedures. Jury selection set for 9/28/2022 at 09:30 AM in Ceremonial Courtroom before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 09/28/2022)
09/28/2022		Set/Reset Hearings as to RUSSELL DEAN ALFORD: Jury Selection resumes on 9/29/2022 at 09:30 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. (tb) (Entered: 09/28/2022)
09/28/2022		Minute Entry: Jury Selection as to RUSSELL DEAN ALFORD on 9/28/2022 before Judge Tanya S. Chutkan on Counts 1 thru 4: Oral renewed motion by defendant to

		change of venue; heard and DENIED. Jury Selection continued to 9/29/2022 at 09:30 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) Modified on 9/29/2022 (tb). Modified on 9/30/2022 (tb). (Entered: 09/29/2022)
09/29/2022		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. SO ORDERED by Judge Tanya S. Chutkan on 09/29/22. (tb) (Entered: 09/29/2022)
09/29/2022		Minute Entry: Jury Selection/Jury Trial as to RUSSELL DEAN ALFORD held on 9/29/2022 before Judge Tanya S. Chutkan on Counts 1,2,3,4: Voir Dire concluded; Jury of 12 plus 2 alternates selected and sworn; Opening statements. Government witness: George McCree. Jury Trial continued to 9/30/2022 at 01:00 PM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 09/30/2022)
09/30/2022		Minute Entry: Jury Trial resumed as to RUSSELL DEAN ALFORD held on 9/30/2022 before Judge Tanya S. Chutkan on Counts 1,2,3 and 4: Same jury of 12 plus 2 alternates. Government witnesses: George McCree, Jessica Moore and Ashley Mancuso. Jury Trial continued to 10/3/2022 at 09:30 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 09/30/2022)
10/03/2022		Minute Entry: Jury Trial resumed as to RUSSELL DEAN ALFORD on 10/3/2022 before Judge Tanya S. Chutkan on Counts 1–4: Same jury of 12 plus 2 alternates. Government witnesses: Ashley Mancuso; Nicole Roth and Jeffrey Weeks. Government rested. Oral motion by defendant for judgment of acquittal on all four counts; heard and taken under advisement. Jury Trial continued to 10/4/2022 at 09:15 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 10/03/2022)
10/03/2022	<u>90</u>	MOTION for Acquittal <i>Under Federal Rule of Criminal Procedure 29</i> by RUSSELL DEAN ALFORD. (Smith, Tobie) (Entered: 10/03/2022)
10/03/2022	<u>91</u>	REPLY in Support by RUSSELL DEAN ALFORD re <u>90</u> MOTION for Acquittal <i>Under Federal Rule of Criminal Procedure 29</i> (Smith, Tobie) (Entered: 10/03/2022)
10/04/2022		Minute Entry: Jury Trial resumed as to RUSSELL DEAN ALFORD on 10/4/2022 before Judge Tanya S. Chutkan on Counts 1–4: Same jury of 12 plus 2 alternates. Defendant witness: Russell Alford. Defendant rested. Defendant's renewed motion for judgment of acquittal; heard and DENIED. The Court and parties review session on the jury instructions. Jury Trial continued to 10/5/2022 at 09:30 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 10/04/2022)

10/05/2022		Minute Entry: Jury Trial resumed as to RUSSELL DEAN ALFORD on 10/5/2022 before Judge Tanya S. Chutkan on Counts 1–4: Same jury 12 plus 2 alternates. Closing arguments; jury instructed; alternate jurors DISCHARGED. Jury Note (1). Verdict reached, defendant found GUILTY on all counts, jury DISCHARGED. Sentencing memoranda due by 1/16/2023. Sentencing set for 1/23/2023 at 10:00 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Bryan Wayne; Defense Attorneys: James Gibson, Kevin Butler and Tobie Smith; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 10/06/2022)
10/05/2022		Minute Entry: JURY VERDICT as to RUSSELL DEAN ALFORD (1) before Judge Tanya S. Chutkan: Defendant found GUILTY on all counts. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to RUSSELL DEAN ALFORD. (tb) Modified on 10/6/2022 (tb). (Entered: 10/06/2022)
10/05/2022	<u>92</u>	Jury Note (1) as to RUSSELL DEAN ALFORD. (tb) (Entered: 10/06/2022)
10/05/2022	<u>93</u>	<b>Signature Page of Foreperson</b> as to RUSSELL DEAN ALFORD 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.) (tb) (Entered: 10/06/2022)
10/05/2022	<u>94</u>	VERDICT FORM as to RUSSELL DEAN ALFORD. (tb) (Entered: 10/06/2022)
11/22/2022	<u>95</u>	TRANSCRIPT OF JURY TRIAL DAY 1 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on September 28, 2022; Page Numbers: 1–190. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>  For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.  <b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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.  Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)
11/22/2022	<u>96</u>	TRANSCRIPT OF JURY TRIAL DAY 2 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on September 29, 2022; Page Numbers: 191–399. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>  For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced

		<p>above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)</p>
11/22/2022	<u>97</u>	<p>TRANSCRIPT OF JURY TRIAL DAY 3 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on September 30, 2022; Page Numbers: 400–523. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)</p>
11/22/2022	<u>98</u>	<p>TRANSCRIPT OF JURY TRIAL DAY 4 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on October 3, 2022; Page Numbers: 524–742. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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</p>

		<p>website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)</p>
11/22/2022	<u>99</u>	<p>TRANSCRIPT OF JURY TRIAL DAY 5 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on October 4, 2022; Page Numbers: 743–998. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)</p>
11/22/2022	<u>100</u>	<p>TRANSCRIPT OF JURY TRIAL DAY 6 in case as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan held on October 5, 2022; Page Numbers: 999–1116. Date of Issuance: 11/22/2022. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> 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 <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 12/13/2022. Redacted Transcript Deadline set for 12/23/2022. Release of Transcript Restriction set for 2/20/2023.(Wayne, Bryan) (Entered: 11/22/2022)</p>
01/17/2023		<p>Set/Reset Hearings as to RUSSELL DEAN ALFORD: Sentencing reset for 2/2/2023 at 10:00 AM in Courtroom 9– In Person before Judge Tanya S. Chutkan. (tb) (Entered: 01/17/2023)</p>



01/17/2023		Set/Reset Deadlines as to RUSSELL DEAN ALFORD: Sentencing Memoranda due by 1/26/2023. (tb) (Entered: 01/17/2023)
01/26/2023	<u>107</u>	SENTENCING MEMORANDUM by RUSSELL DEAN ALFORD (Attachments: # <u>1</u> Exhibit Character Letter of Col. Kiser, # <u>2</u> Exhibit Chart of Sentences Imposed by Judge Chutkan in January 6 cases)(Gibson, James) (Entered: 01/26/2023)
01/26/2023	<u>108</u>	SENTENCING MEMORANDUM by USA as to RUSSELL DEAN ALFORD (Romano, Michael) (Entered: 01/26/2023)
02/02/2023		Minute Entry: Sentencing held on 2/2/2023 as to RUSSELL DEAN ALFORD before Judge Tanya S. Chutkan on all 4 Counts: COUNT 1– Defendant sentenced to TWELVE (12) months of incarceration and (12) months of supervised release to run concurrently with Count 2; COUNT 2– Defendant sentenced to TWELVE (12) months of incarceration and (12) months of supervised release to run concurrently with Count 1; COUNT 3– defendant sentenced to SIX (6) months of incarceration to run concurrently with Count 4; COUNT 4 – defendant sentenced to SIX (6) months of incarceration to run concurrently with Count 3. Special assessment of \$25.00 on Counts 1 and 2 and \$10:00 on Counts 3 and 4, totaling \$70.00. Restitution in the total amount of \$500.00 for all four counts. Defendant remains on release and shall voluntarily surrender. Court Reporter: Christine Asif; Defense Attorneys: James Gibson; US Attorney: James Peterson and Michael Romano. (tb) (Entered: 02/02/2023)
02/08/2023	<u>110</u>	JUDGMENT as to RUSSELL DEAN ALFORD. Statement of Reasons Not Included. Signed by Judge Tanya S. Chutkan on 2/8/2023. (zhsj) (Entered: 02/13/2023)
02/08/2023	<u>111</u>	STATEMENT OF REASONS as to RUSSELL DEAN ALFORD 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 Tanya S. Chutkan on 2/8/2023. (zhsj) (Entered: 02/13/2023)
02/14/2023	<u>112</u>	NOTICE OF APPEAL – Final Judgment by RUSSELL DEAN ALFORD re <u>110</u> Judgment. Fee Status: No Fee Paid. Parties have been notified. (Gibson, James) (Entered: 02/14/2023)

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA            )  
  )  
v.    )    **Case no. 1:21-cr-00263-TSC**  
  )  
RUSSELL DEAN ALFORD                )

**NOTICE OF APPEAL**

COMES NOW, the Defendant Russell Dean Alford, by and through his undersigned counsel of record, the Office of the Federal Public Defender, and files this notice of appeal of the Judgment signed on February 8, 2023 and entered on February 13, 2023 (Doc.110). Mr. Alford has previously been found to be indigent and entitled to appointed counsel. He is therefore entitled, pursuant to 18 U.S.C. § 3006A(d)(7), to proceed with this appeal without prepayment of fees and costs or security therefore and without filing the affidavit required by 28 U.S.C. § 1915(a).

This 14<sup>th</sup> day of February, 2023.

Respectfully submitted,

KEVIN L. BUTLER  
Federal Public Defender

TOBIE J. SMITH  
Appellate Attorney

**/s/ James Gibson**

James Gibson  
Trial Chief  
Assistant Federal Public Defender  
505 20<sup>th</sup> Street North, Suite 1425  
Birmingham, AL 35203  
(205) 208-7170  
James\_Gibson@fd.org

**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties of record.

Respectfully submitted,

**/s/ James Gibson**

**UNITED STATES DISTRICT COURT**

District of Columbia

UNITED STATES OF AMERICA

v.

RUSSELL DEAN ALFORD

**JUDGMENT IN A CRIMINAL CASE**

Case Number: 21-263 (TSC)

USM Number: 37101509

James Gibson  
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) all counts of the Information filed on 03/30/2021.  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1752(a)(1)	Entering and Remaining in a Restricted Building.	1/6/2021	1
18:1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted Building.	1/6/2021	2
40:5104(e)(2)(D)	Violent Entry and Disorderly Conduct in a Capitol Building.	1/6/2021	3

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

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

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

Date of Imposition of Judgment 2/2/2023

Signature of Judge 

Tanya S. Chutkan U.S. District Judge  
Name and Title of Judge

Date 2/8/2023

DEFENDANT: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)

**IMPRISONMENT**

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:  
TWELVE (12) MONTHS ON COUNTS ONE (1) AND TWO (2) AND SIX (6) MONTHS ON COUNTS THREE (3) AND FOUR (4), ALL COUNTS TO RUN CONCURRENT WITH EACH OTHER.

The court makes the following recommendations to the Bureau of Prisons:  
1. That the defendant be incarcerated at the Bureau of Prisons' facility at Maxwell Correctional Institution in Montgomery, Alabama.

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: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)

**SUPERVISED RELEASE**

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

TWELVE (12) MONTHS ON COUNTS ONE (1) AND TWO (2) TO RUN CONCURRENT WITH EACH OTHER.

**MANDATORY CONDITIONS**

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

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

DEFENDANT: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)**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](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)

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### ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the United States Attorney's Office.
2. The defendant must submit to substance abuse testing to determine if he has used a prohibited substance. The defendant must not attempt to obstruct or tamper with the testing methods.
3. Within sixty days of release from incarceration or placement on supervision, the defendant will appear before the Court for a re-entry progress hearing. Prior to the hearing, the probation officer will submit a report summarizing your status and compliance with release conditions. If the defendant is supervised by a district outside of the Washington DC metropolitan area, the United States Probation Office in that district will submit a progress report to the court within 60 days of the commencement of supervision; upon receipt of the progress report, the Court will determine if your appearance is required.
4. The defendant must pay the balance of any restitution owed at a rate of no less than \$50 each month.
4. Supervision of this defendant is transferred to the district to where he resides , however, jurisdiction remains with this Court.

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



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DEFENDANT: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)

**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>
<b>TOTALS</b>	\$ 70.00	\$ 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			

<b>TOTALS</b>	\$ _____	0.00	\$ _____	500.00
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- Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine  restitution.
  - the interest requirement for the  fine  restitution is modified as follows:

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.  
 \*\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.  
 \*\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: RUSSELL DEAN ALFORD  
CASE NUMBER: 21-263 (TSC)

**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 \$ 70.00 due immediately, balance due
  - not later than \_\_\_\_\_, or
  - in accordance with  C,  D,  E, or  F below; or
- B  Payment to begin immediately (may be combined with  C,  D, or  F below); or
- C  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E  Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F  Special instructions regarding the payment of criminal monetary penalties:

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

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

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

Joint and Several

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

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