

APPEAL,CAP,CAT A,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00719-JEB-1**

Case title: USA v. BALLENGER et al

Magistrate judge case number: 1:21-mj-00550-ZMF

Date Filed: 12/08/2021

Assigned to: Chief Judge James E.
Boasberg

Defendant (1)

CYNTHIA BALLENGER

represented by **Nandan Kenkeremath**
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TERMINATED: 03/07/2022
Designation: Retained

Pending Counts

18:1752(a)(1); TEMPORARY
RESIDENCE OF THE
PRESIDENT; Entering and

Disposition

DISMISSED ON MOTION FILED BY THE
GOVERNMENT.

Remaining in a Restricted
Building or Grounds

(1)

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

(1s)

Sentencing 9/29/2023–Defendant sentenced to four
(4) months incarceration to run concurrent with all
other counts, followed by nine (9) months
Supervised Release to run concurrent with count 2,
a \$25 Special Assessment, and Restitution in the
amount of \$500.....3/21/2023–GUILTY VERDICT
RENDERED.

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

(2)

DISMISSED ON MOTION FILED BY THE
GOVERNMENT.

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

(2s)

Sentencing 9/29/2023–Defendant sentenced to four
(4) months incarceration to run concurrent with all
other counts, followed by nine (9) months
Supervised Release to run concurrent with count 1,
a \$25 Special Assessment, and Restitution in the
amount of \$500.....3/21/2023–GUILTY VERDICT
RENDERED.

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

(3)

DISMISSED ON MOTION FILED BY THE
GOVERNMENT.

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

(3s)

Sentencing 9/29/2023–Defendant sentenced to four
(4) months incarceration to run concurrent with all
other counts, a \$10 Special Assessment, and
Restitution in the amount of
\$500.....3/21/2023–GUILTY VERDICT
RENDERED.

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

(4)

DISMISSED ON MOTION FILED BY THE
GOVERNMENT.

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

Sentencing 9/29/2023–Defendant sentenced to four
(4) months incarceration to run concurrent with all
other counts, a \$10 Special Assessment, and
Restitution in the amount of
\$500.....3/21/2023–GUILTY VERDICT
RENDERED.

(4s)

Highest Offense Level
(Opening)

Misdemeanor

Terminated Counts

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints

Disposition

COMPLAINT in Violation of
18:1752(a)(1) and (2) and
40:5104(e)(2)(D) and (G)

Plaintiff

USA

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TERMINATED: 03/29/2022

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Date Filed	#	Docket Text
07/30/2021	<u>1</u>	COMPLAINT as to CYNTHIA CATHERINE BALLENGER (1), CHRISTOPHER JOHN PRICE (2). (Attachments: # <u>1</u> Statement of Facts) (bb)[1:21-mj-00550-ZMF] (Entered: 08/02/2021)
07/30/2021	<u>3</u>	MOTION to Seal Case by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (Attachments: # <u>1</u> Text of Proposed Order)(bb) [1:21-mj-00550-ZMF] (Entered: 08/02/2021)
07/30/2021	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to CYNTHIA CATHERINE BALLENGER (1), CHRISTOPHER JOHN PRICE (2). Signed by Magistrate Judge Zia M. Faruqui on 7/30/2021. (bb) [1:21-mj-00550-ZMF] (Entered: 08/02/2021)
08/06/2021	<u>5</u>	NOTICE OF ATTORNEY APPEARANCE: Steven Levin appearing for CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (bb) [1:21-mj-00550-ZMF] (Entered: 08/10/2021)
08/09/2021		Case unsealed as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (bb) [1:21-mj-00550-ZMF] (Entered: 08/10/2021)
08/09/2021	<u>6</u>	Arrest Warrant Returned Executed on 8/9/2021 in Baltimore, MD as to CYNTHIA CATHERINE BALLENGER. (bb) [1:21-mj-00550-ZMF] (Entered: 08/10/2021)
08/09/2021		Arrest of CYNTHIA CATHERINE BALLENGER in Baltimore, MD. (bb) [1:21-mj-00550-ZMF] (Entered: 08/10/2021)
08/10/2021		MINUTE ORDER as to Defendants CYNTHIA CATHERINE BALLENGER (1) and CHRISTOPHER JOHN PRICE (2) : It is hereby ORDERED that Defendants CYNTHIA CATHERINE BALLENGER (1) and CHRISTOPHER JOHN PRICE (2) appear for an initial appearance on Thursday, August 12, 2021 at 1:00 p.m. before Magistrate Judge Robin M. Meriweather. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendants have received this Order and will provide the information to Defendants. If Defendants do not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3083; So Ordered by Magistrate Judge Robin M. Meriweather on 8/10/2021. (kk) [1:21-mj-00550-ZMF] (Entered: 08/10/2021)
08/12/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 8/12/2021 to 10/5/2021 as to Defendants CYNTHIA CATHERINE BALLENGER (1) and CHRISTOPHER JOHN PRICE (2). (kk) [1:21-mj-00550-ZMF] (Entered: 08/17/2021)
08/12/2021		Minute Entry for Initial Appearance as to CYNTHIA CATHERINE BALLENGER (1) and CHRISTOPHER JOHN PRICE (2) held by video before Magistrate Judge Robin M. Meriweather on 8/12/2021 : The Court advised the Government of its due

		process obligations under Rule 5(f). The defendants consent to having the same attorney represent them, and agree to appear by video. Preliminary Hearing waived by both defendants. Status Hearing set for both defendants on 10/5/2021 at 1:00 PM by telephonic/VTC before Magistrate Judge G. Michael Harvey. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 8/12/2021 to 10/5/2021, with no objection by the defendants, heard and granted in the interest of justice. Bond Status of Defendants: Both Defendants placed on Personal Recognizance Bond. Court Reporter: FTR Gold – Ctrm. 7; FTR Time Frames: 1:56:18 – 2:06:27 and 2:13:45 – 2:25:23. Defense Attorney: Steven Levin; U.S. Attorney: Kelly Smith for Jacob Steiner; Pretrial Officer: Shay Holman. (kk) [1:21-mj-00550-ZMF] (Entered: 08/17/2021)
08/12/2021	<u>11</u>	ORDER Setting Conditions of Bond : Defendant CYNTHIA CATHERINE BALLENGER (1) placed on Personal Recognizance Bond, signed by Magistrate Judge Robin M. Meriweather on 8/13/2021, nunc pro tunc to 8/12/2021. (Attachment: Appearance Bond) (kk) [1:21-mj-00550-ZMF] (Entered: 08/17/2021)
08/16/2021	<u>10</u>	Unopposed MOTION for Protective Order by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (Attachments: # <u>1</u> Text of Proposed Order Protective Order)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 08/16/2021)
08/18/2021	<u>13</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to CYNTHIA CATHERINE BALLENGER(1), CHRISTOPHER JOHN PRICE (2). Signed by Magistrate Judge Robin M. Meriweather on 8/18/2021. (ztl) [1:21-mj-00550-ZMF] (Entered: 08/19/2021)
09/27/2021	<u>14</u>	NOTICE of Memorandum Regarding Status of Discovery as of September 14 by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (Attachments: # <u>1</u> Memorandum in Support August 23 Memorandum, # <u>2</u> Memorandum in Support July 12 Memorandum, # <u>3</u> Exhibit A)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 09/27/2021)
09/28/2021	<u>15</u>	Unopposed MOTION for Disclosure of Rule 6(e) and Sealed Materials by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (Attachments: # <u>1</u> Text of Proposed Order)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 09/28/2021)
09/28/2021	<u>16</u>	Joint MOTION to Continue October 5, 2021, Status Conference and to Exclude Time by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (Attachments: # <u>1</u> Text of Proposed Order)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 09/28/2021)
09/28/2021	<u>17</u>	SUPPLEMENT by CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE re <u>13</u> Protective Order, Executed Protective Order Granting Discovery (Levin, Steven) [1:21-mj-00550-ZMF] (Entered: 09/28/2021)
09/28/2021		MINUTE ORDER (paperless) as to CYNTHIA BALLENGER and CHRISTOPHER PIERCE, GRANTING the government's <u>15</u> Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i) and the previously entered protective order governing discovery in this case, to provide to defendant, and any co-defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as

		such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on September 28, 2021. (lcbah2) [1:21-mj-00550-ZMF] (Entered: 09/28/2021)
09/28/2021	<u>19</u>	ORDER granting <u>16</u> Motion to Continue Status Hearing as to CYNTHIA CATHERINE BALLENGER (1), CHRISTOPHER JOHN PRICE (2). Status Hearing continued to 11/12/2021 at 4:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Signed by Magistrate Judge Zia M. Faruqui on 9/28/2021. (ztl) [1:21-mj-00550-ZMF] (Entered: 09/29/2021)
09/28/2021	20	MOTION to Exclude Time Under the Speedy Trial Act by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (See DE <u>16</u> to view document). (bb) [1:21-mj-00550-ZMF] (Entered: 10/05/2021)
09/29/2021	<u>18</u>	NOTICE of Filing Discovery Letters by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (Attachments: # <u>1</u> September 29, 2021 Discovery Letter, # <u>2</u> September 27, 2021 Discovery Letter, # <u>3</u> September 3, 2021 Discovery Letter)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 09/29/2021)
10/23/2021	<u>21</u>	NOTICE of Memorandum Regarding Status of Discovery as of October 21, 2021 by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 10/23/2021)
11/10/2021	<u>22</u>	Joint MOTION to Continue November 12 Status Conference by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (Attachments: # <u>1</u> Text of Proposed Order)(Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 11/10/2021)
11/10/2021	25	MOTION to Exclude Time Under the Speedy Trial Act by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE. (See DE <u>22</u> to view document). (bb) [1:21-mj-00550-ZMF] (Entered: 11/22/2021)
11/11/2021	<u>23</u>	NOTICE of Memorandum Regarding Status of Discovery as of November 5, 2021 by USA as to CYNTHIA CATHERINE BALLENGER, CHRISTOPHER JOHN PRICE (Steiner, Jacob) [1:21-mj-00550-ZMF] (Entered: 11/11/2021)
11/12/2021	<u>24</u>	ORDER granting <u>22</u> Motion to Continue Status Hearing as to CYNTHIA CATHERINE BALLENGER (1), CHRISTOPHER JOHN PRICE (2). Status Hearing continued to 12/9/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Signed by Magistrate Judge Robin M. Meriweather on 11/12/2021. (ztl) [1:21-mj-00550-ZMF] (Entered: 11/12/2021)
12/08/2021	<u>26</u>	INFORMATION as to CYNTHIA BALLENGER (1) count(s) 1, 2, 3, 4, CHRISTOPHER PRICE (2) count(s) 1, 2, 3, 4. (zstd) (Entered: 12/08/2021)
12/08/2021		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). The hearing currently scheduled for 12/9/2021 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui is hereby VACATED, as the Defendants: have had an initial appearance in this jurisdiction; have retained counsel; have been released on conditions; and have been charged by Information. As such, there are no pending matters necessitating action by a Magistrate Judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge Zia M.

		Faruqui on 12/8/2021. (zpt) (Entered: 12/08/2021)
12/09/2021		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): Pursuant to the Due Process Protections Act, the Court ORDERS that all government counsel shall review their disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, as set forth in Local Criminal Rule 5.1, and comply with those provisions. The failure to comply could result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, continuances, Bar discipline, or any other remedy that is just under the circumstances. So ORDERED by Judge James E. Boasberg on 12/9/2021. (nbn) (Entered: 12/09/2021)
12/09/2021		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): After discussion with the parties, the Court ORDERS an Arraignment/Status Conference is set for 12/13/2021 at 2:00 PM before Judge James E. Boasberg. The hearing will proceed by videoconference for the parties and by telephone for members of the public. Pursuant to Standing Order 20-20 (BAH), the Court will provide public access to the hearing. It is hereby ORDERED that the participants using the public access telephone line shall adhere to the rules set forth in Standing Order 20-20 (BAH), available on the Court's website. Toll Free Number: 866-434-5269; Access Code: 2989848. So ORDERED by Judge James E. Boasberg on 12/9/2021. (nbn) (Entered: 12/09/2021)
12/13/2021		Minute Entry for proceedings held before Judge James E. Boasberg: Arraignment as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) on counts 1-4. Defendant 1-2 ARRAIGNED and a plea of NOT GUILTY entered as to counts 1-4. The Court finds that the period from December 13, 2021 through March 10, 2022, inclusive, is excluded from the Speedy Trial calculation in the Interest of Justice (XT). Excludable started as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Status Conference as to CHRISTOPHER PRICE (2) only on 1/6/2022 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. Status Conference as to both 1-2 set for 3/10/2022 at 10:00 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: remains on PERSONAL RECOGNIZANCE BOND (1-2)/appeared via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: Steven Levin (1); US Attorney: Monica Stump. (nbn) (Entered: 12/13/2021)
12/14/2021		MINUTE ORDER as to CHRISTOPHER PRICE (2): The Court ORDERS that defense counsel's 28 Motion to Withdraw is GRANTED, and his appearance on behalf of Christopher Price only is VACATED. So ORDERED, by Judge James E. Boasberg on 12/14/2021. (nbn) (Entered: 12/14/2021)
12/21/2021	<u>29</u>	Rule 5(c)(3) Documents Received as to CYNTHIA BALLENGER from US District Court for the District of Maryland Case Number 21-mj-288-DLB (bb) (Entered: 12/21/2021)
02/14/2022	<u>34</u>	NOTICE of UNITED STATES MEMORANDUM REGARDING STATUS OF DISCOVERY AS OF FEBRUARY 9, 2022 by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE (Steiner, Jacob) (Entered: 02/14/2022)
03/07/2022	<u>36</u>	NOTICE OF ATTORNEY APPEARANCE: Jonathon Alden Moseley appearing for CYNTHIA BALLENGER (Moseley, Jonathon) (Entered: 03/07/2022)
03/07/2022	<u>37</u>	MOTION to Withdraw as Attorney for Defendant Cynthia Catherine Ballenger by Steven H. Levin. by CYNTHIA BALLENGER. (Attachments: # <u>1</u> Text of Proposed

		Order)(Levin, Steven) (Entered: 03/07/2022)
03/07/2022		NOTICE OF COURTROOM TIME CHANGE in case as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Status Conference set for 3/10/2022 at 02:00 PM in Telephonic/VTC before Judge James E. Boasberg. (nbn) (Entered: 03/07/2022)
03/07/2022		MINUTE ORDER granting <u>37</u> Motion to Withdraw as Attorney. Steven Levin withdrawn from case as to CYNTHIA BALLENGER (1). So ORDERED, by Judge James E. Boasberg on 3/7/2022. (nbn) (Entered: 03/07/2022)
03/08/2022	<u>38</u>	SUPERSEDING INFORMATION as to CYNTHIA BALLENGER (1) count(s) 1s, 2s, 3s, 4s, CHRISTOPHER PRICE (2) count(s) 1s, 2s, 3s, 4s. (zstd) (Entered: 03/09/2022)
03/10/2022		Minute Entry for proceedings held before Judge James E. Boasberg: Video Arraignment as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 3/10/2022. Both CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) ARRAIGNED and entered a plea of NOT GUILTY as to counts 1s-4s of the Superseding Information. The Court will Toll the Speedy Trial Clock between 3/10/2022 and 4/12/2022, in the Interest of Justice (XT). Excludable started as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Status Conference set for 4/12/2022 at 02:00 PM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: PERSONAL RECOGNIZANCE BOND (1-2)/both appeared via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: Jonathan Moseley (1-2); US Attorney: Jacob Steiner. (nbn) (Entered: 03/10/2022)
03/29/2022	<u>42</u>	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Akers, Ashley added. Substituting for attorney Jacob R. Steiner (Akers, Ashley) (Entered: 03/29/2022)
04/04/2022	<u>43</u>	NOTICE OF ATTORNEY APPEARANCE: Nandan Kenkeremath appearing for CYNTHIA BALLENGER, CHRISTOPHER PRICE (zstd) (Entered: 04/04/2022)
04/11/2022	<u>45</u>	NOTICE by CYNTHIA BALLENGER, CHRISTOPHER PRICE (Kenkeremath, Nandan) (Entered: 04/11/2022)
04/12/2022		Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 4/12/2022: The Court will Toll the Speedy Trial Clock between 4/11/2022 and 5/20/2022, in the Interest of Justice (XT). Excludable started as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Status Conference set for 5/20/2022 at 11:30 AM in Telephonic/VTC before Judge James E. Boasberg. Bond Status of Defendant: both defendants remain on Personal Recognizance Bond/app via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: Jonathon Alden Moseley and Nandan Kenkeremath; US Attorney: Ashley Akers. (nbn) (Entered: 04/12/2022)
04/12/2022	<u>47</u>	NOTICE by CYNTHIA BALLENGER, CHRISTOPHER PRICE (Attachments: # <u>1</u> Notice and Consent)(Kenkeremath, Nandan) (Entered: 04/12/2022)
05/13/2022	<u>48</u>	NOTICE of Withdrawal of Counsel pursuant to Local Rule 83.6(b) by CYNTHIA BALLENGER, CHRISTOPHER PRICE (Moseley, Jonathon) (Entered: 05/13/2022)
05/20/2022		Minute Entry for video proceedings held before Judge James E. Boasberg: Status Conference as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held

		on 5/20/2022. The Court will Toll the Speedy Trial Clock between 5/20/2022 and 12/5/2022, in the Interest of Justice (XT). Excludable started as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Motions due by 7/20/2022. Responses due by 8/17/2022. Replies due by 9/7/2022. Jury Trial set for 12/5/2022 at 9:30 AM in Courtroom 25A– In Person before Judge James E. Boasberg. Bond Status of Defendants: Defendants remain on Personal Recognizance/appeared via video; Court Reporter: Lisa Griffith; Defense Attorney: Nandan Kenkeremath; US Attorney: Ashley Akers. (zalh) (Entered: 05/20/2022)
07/20/2022	<u>51</u>	MOTION in Limine <i>to limit cross examination of secret service agency witnesses</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Akers, Ashley) (Main Document 51 replaced on 7/20/2022) (zstd). (Entered: 07/20/2022)
07/20/2022	<u>52</u>	MOTION in Limine <i>regarding evidence about specific locations of US Capitol Police surveillance cameras</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Akers, Ashley) (Entered: 07/20/2022)
07/20/2022	<u>54</u>	MOTION to Dismiss Case by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Memorandum in Support)(Kenkeremath, Nandan) (Entered: 07/20/2022)
07/20/2022	<u>55</u>	MOTION to Dismiss Count <i>IV</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Memorandum in Support Facial Challenge)(Kenkeremath, Nandan) (Entered: 07/20/2022)
07/20/2022	<u>56</u>	STRICKEN PURSUANT TO THE MINUTE ORDER FILED ON 7/21/2022..... MOTION to Change Venue by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Memorandum in Support)(Kenkeremath, Nandan) Modified on 7/21/2022 (nbn). (Entered: 07/20/2022)
07/21/2022		MINUTE ORDER as to CYNTHIA BALLENGER(1) and CHRISTOPHER PRICE(2): The Court ORDERS that Defendants' <u>56</u> Motion to Change Venue is STRICKEN for violating the Court's Local Rule on excessive footnotes. Defendants shall refile a compliant Motion by July 22, 2022, containing no more than ten footnotes and fifty aggregate lines of text. So ORDERED, by Judge James E. Boasberg on 7/21/2022. (nbn) (Entered: 07/21/2022)
07/22/2022	<u>57</u>	MOTION to Change Venue by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Memorandum in Support Compliant with Minute Order)(Kenkeremath, Nandan) (Entered: 07/22/2022)
08/16/2022	<u>58</u>	Unopposed MOTION for Extension of Time to File Response/Reply by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Akers, Ashley) (Entered: 08/16/2022)
08/17/2022		MINUTE ORDER granting <u>58</u> Motion for Extension of Time to File Response/Reply as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). So ORDERED, by Judge James E. Boasberg on 8/17/2022. (nbn) (Entered: 08/17/2022)
08/24/2022	<u>59</u>	RESPONSE by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>51</u> MOTION in Limine <i>to limit cross examination of secret service agency witnesses</i> (Kenkeremath, Nandan) (Entered: 08/24/2022)
08/24/2022	<u>60</u>	RESPONSE by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>52</u> MOTION in Limine <i>regarding evidence about specific locations of US Capitol Police surveillance cameras</i> (Kenkeremath, Nandan) (Entered: 08/24/2022)

08/24/2022	<u>61</u>	RESPONSE by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>57</u> MOTION to Change Venue (Akers, Ashley) (Entered: 08/24/2022)
08/24/2022	<u>62</u>	RESPONSE by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>55</u> MOTION to Dismiss Count <i>IV</i> (Akers, Ashley) (Entered: 08/24/2022)
08/24/2022	<u>63</u>	RESPONSE by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>54</u> MOTION to Dismiss Case (Akers, Ashley) (Entered: 08/24/2022)
09/14/2022	<u>64</u>	REPLY in Support by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>51</u> MOTION in Limine <i>to limit cross examination of secret service agency witnesses</i> (Akers, Ashley) (Entered: 09/14/2022)
09/14/2022	<u>65</u>	REPLY in Support by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>52</u> MOTION in Limine <i>regarding evidence about specific locations of US Capitol Police surveillance cameras</i> (Akers, Ashley) (Entered: 09/14/2022)
09/14/2022	<u>66</u>	REPLY in Support by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>54</u> MOTION to Dismiss Case (Kenkeremath, Nandan) (Entered: 09/14/2022)
09/14/2022	<u>67</u>	REPLY in Support by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>55</u> MOTION to Dismiss Count <i>IV</i> (Kenkeremath, Nandan) (Entered: 09/14/2022)
09/14/2022	<u>68</u>	REPLY in Support by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>57</u> MOTION to Change Venue (Kenkeremath, Nandan) (Entered: 09/14/2022)
10/05/2022		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): As the parties generally agree on this issue, the Court ORDERS that the Government's <u>52</u> Motion in Limine is GRANTED. Defendant shall not cross-examine Government witnesses on the exact locations of USCP surveillance cameras or use as exhibits any map that shows such exact location. The defense, however, will be able to inquire about the general location of each camera for which video is shown. To the extent that the camera locations are relevant, they are substantially outweighed by the prejudice to the Government and danger to national security. So ORDERED, by Judge James E. Boasberg on 10/5/2022. (nbn) (Entered: 10/05/2022)
10/06/2022		MINUTE ORDER as to CYNTHIA BALLENGER(1) and CHRISTOPHER PRICE (2): After discussions with the parties, the Court Orders a Pretrial Conference is set for 11/7/2022 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. So ORDERED, by Judge James E. Boasberg on 10/6/2022. (nbn) (Entered: 10/06/2022)
10/18/2022		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): Based on the parties' representations to chambers that the issue is resolved, the Court ORDERS that Defendants' <u>53</u> Sealed Motion is DENIED as moot. So ORDERED, by Judge James E. Boasberg on 10/18/2022. (nbn) (Entered: 10/18/2022)
10/23/2022	<u>69</u>	MOTION to Compel <i>Discovery</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Exhibit)(Kenkeremath, Nandan) (Entered: 10/23/2022)
10/24/2022	<u>70</u>	ORDER: The Court ORDERS that Defendants' <u>55</u> Motion to Dismiss Count IV is DENIED. Signed by Judge James E. Boasberg on 10/24/2022. (lcjeb2) (Entered: 10/24/2022)
10/26/2022	<u>71</u>	

		ORDER denying <u>54</u> Motion to Dismiss Case as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Signed by Judge James E. Boasberg on 10/26/2022. (nbn) (Entered: 10/26/2022)
10/26/2022	<u>72</u>	MEMORANDUM OPINION regarding <u>71</u> ORDER denying <u>54</u> Motion to Dismiss Case as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Signed by Judge James E. Boasberg on 10/26/2022. (nbn) (Main Document 72 replaced on 10/26/2022) (znbn). (Entered: 10/26/2022)
10/26/2022	<u>73</u>	NOTICE OF ATTORNEY APPEARANCE Andrew Haag appearing for USA. (Haag, Andrew) (Entered: 10/26/2022)
10/28/2022	<u>74</u>	ORDER denying <u>57</u> Motion for Change of Venue as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Signed by Judge James E. Boasberg on 10/28/2022. (nbn) (Entered: 10/28/2022)
10/28/2022	<u>75</u>	MEMORANDUM OPINION regarding <u>74</u> ORDER denying <u>57</u> Motion for Change of Venue as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Signed by Judge James E. Boasberg on 10/28/2022. (nbn) (Entered: 10/28/2022)
11/02/2022	<u>76</u>	MOTION for Reconsideration by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Kenkeremath, Nandan) (Entered: 11/02/2022)
11/02/2022	<u>77</u>	MOTION for Declaratory Judgment by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (See docket entry <u>76</u> to view document.) (zstd) (Entered: 11/03/2022)
11/07/2022		Minute Entry for proceedings held before Judge James E. Boasberg: Pretrial Conference as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 11/7/2022. After oral discussions on the record, the Court ORDERS the Jury Trial set for December 5, 2022, is VACATED and RESET for March 13, 2023. A Pretrial Conference set for 2/24/2023 at 11:00 AM in Telephonic/VTC before Judge James E. Boasberg. The Court will toll the Speedy Trial Clock between November 7, 2022 and March 13, 2023, in the Interest of Justice (XT). Bond Status of Defendant: both defendants remain on PR/appeared via Zoom video; Court Reporter: Lisa Griffith; Defense Attorney: Nandan Kenkeremath; US Attorney: Ashley Akers and Andrew Hagg. (nbn) (Entered: 11/07/2022)
11/07/2022		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): As discussed at today's hearing, the Court ORDERS that: 1) The trial set for December 5, 2022, is VACATED and RESET for March 13, 2023, at 9:30 a.m.; 2) A pretrial conference shall take place on February 24, 2023, at 11:00 a.m.; 3) By November 21, 2022, the Government shall respond to Defendants' <u>76</u> Motion for Reconsideration; 4) By the same date, the parties shall submit a Joint Status Report regarding the Governments' <u>51</u> Motion in Limine; and 5) Defendants' <u>69</u> Motion to Compel Discovery is largely DENIED with the exception regarding barriers, cordons, and restricted areas. So ORDERED, by Judge James E. Boasberg on 11/7/2022. (nbn) (Entered: 11/07/2022)
11/21/2022	<u>78</u>	Joint STATUS REPORT re: <i>Government's Motion in Limine, ECF No. 51</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE (Akers, Ashley) (Entered: 11/21/2022)
11/21/2022	<u>79</u>	RESPONSE by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>76</u> MOTION for Reconsideration (Akers, Ashley) (Entered: 11/21/2022)
11/22/2022		

		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): Per the parties' <u>78</u> Joint Status Report, the Court ORDERS that the Government's <u>51</u> Motion In Limine is GRANTED. So ORDERED, by Judge James E. Boasberg on 11/22/2022. (nbn) (Entered: 11/22/2022)
12/13/2022	<u>80</u>	ORDER denying <u>76</u> Motion for Reconsideration filed by CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Signed by Judge James E. Boasberg on 12/13/2022. (nbn) (Entered: 12/13/2022)
02/13/2023	<u>81</u>	MOTION for Leave to File <i>Motion to Suppress</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Motion to Suppress, # <u>2</u> Memorandum in Support, # <u>3</u> Exhibit)(Kenkeremath, Nandan) (Entered: 02/13/2023)
02/15/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that Defendants' <u>81</u> Motion for Leave to File is GRANTED; 2) Their [81-1] Motion to Suppress is deemed FILED; and 3) The Government shall respond by February 28, 2023. So ORDERED, by Judge James E. Boasberg on 2/15/2023. (nbn) (Entered: 02/15/2023)
02/15/2023	<u>82</u>	MOTION to Suppress by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support, # <u>3</u> Exhibit)(zstd) (Entered: 02/15/2023)
02/15/2023	<u>83</u>	MOTION for Leave to File <i>Motions in Limine Regarding the Relevance of Evidence and Potential Defenses at Trial</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Motion in Limine to Preclude Admission of Evidence and Arguments of Other Causes to the Delay of the Joint Special Session of Congress, # <u>2</u> Motion In Limine to Preclude Arguments and Evidence about Law Enforcement Inaction)(Haag, Andrew) (Entered: 02/15/2023)
02/17/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): With the parties' consent, the Court ORDERS that the trial set for March 13, 2023, is VACATED and RESET for March 20, 2023. So ORDERED, by Judge James E. Boasberg on 2/17/2023. (nbn) (Entered: 02/17/2023)
02/18/2023	<u>85</u>	REPLY TO OPPOSITION to Motion by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>82</u> MOTION to Suppress <i>Data Recovered from Certain Facebook Accounts and Derivative Evidence and to Provide Any Other Appropriate Relief</i> (Attachments: # <u>1</u> Signed Search Warrant In re Information Associated with One Account Stored at Premises Controlled by Facebook Inc.)(Haag, Andrew) (Entered: 02/18/2023)
02/22/2023	<u>86</u>	REPLY in Support by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>82</u> MOTION to Suppress (Kenkeremath, Nandan) (Entered: 02/22/2023)
02/23/2023	<u>89</u>	Notice of Errata by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>86</u> Rely in Support (Kenkeremath, Nandan) Modified text and link to correct filing on 2/24/2023 (zstd). (Entered: 02/23/2023)
02/24/2023		Minute Entry for proceedings held before Judge James E. Boasberg: Pretrial Conference via Zoom as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 2/24/2023. Oral Motion to convert Jury Trial to Bench Trial commencing March 20, 2023, HEARD and GRANTED. The Court FURTHER ORDERS <u>83</u> MOTION for Leave to File Motions in Limine by USA is GRANTED. Defense opposition due March 1, 2023. Government reply due March 8, 2023. Bond

		Status of Defendant: remain on PR as to both 1–2; Court Reporter: Melanie Wilkens; Defense Attorney: Nandan Kenkeremath; US Attorney: Ashley Akers and Andrew Haag. (nbn) Modified to add granted motion on 3/7/2023 (nbn). (Entered: 02/27/2023)
02/24/2023		Set/Reset Deadlines as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) : Responses due by 3/1/2023. Replies due by 3/8/2023. (nbn) (Entered: 02/27/2023)
03/01/2023	<u>90</u>	Memorandum in Opposition by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>83</u> Motion for Leave to File, <i>Opposition Motion In Limine 1</i> (Kenkeremath, Nandan) (Entered: 03/01/2023)
03/01/2023	<u>91</u>	Memorandum in Opposition by CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>83</u> Motion for Leave to File, <i>Opp to Mot in Lim Inaction</i> (Kenkeremath, Nandan) (Entered: 03/01/2023)
03/04/2023	<u>92</u>	Consent MOTION to Permit <i>Witness To Testify By Video</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Akers, Ashley) (Entered: 03/04/2023)
03/06/2023		MINUTE ORDER granting <u>92</u> Motion to Permit as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). So ORDERED, by Judge James E. Boasberg on 3/6/2023. (nbn) (Entered: 03/06/2023)
03/07/2023	<u>93</u>	MOTION in Limine to Preclude Admission of Evidence and Arguments of Other Causes to the Delay of the Joint Special Session of Congress by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (zstd) (Entered: 03/07/2023)
03/07/2023	<u>94</u>	MOTION in Limine to Preclude Arguments and Evidence about Law Enforcement Inaction by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (zstd) (Entered: 03/07/2023)
03/07/2023	<u>95</u>	REPLY in Support by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>93</u> MOTION in Limine to Preclude Admission of Evidence and Arguments of Other Causes to the Delay of the Joint Special Session of Congress (Haag, Andrew) (Entered: 03/07/2023)
03/07/2023	<u>96</u>	REPLY in Support by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>94</u> MOTION in Limine to Preclude Arguments and Evidence about Law Enforcement Inaction (Haag, Andrew) (Entered: 03/07/2023)
03/09/2023		NOTICE OF COURTROOM CHANGE in case as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): Bench Trial set for 3/20/2023 at 09:30 AM in Courtroom 22A– In Person before Judge James E. Boasberg. (nbn) Modified to correct trial type on 3/9/2023 (nbn). (Entered: 03/09/2023)
03/09/2023		Terminate Deadlines and Hearings as to CYNTHIA BALLENGER, CHRISTOPHER PRICE : (nbn) (Entered: 03/09/2023)
03/09/2023		Set/Reset Hearings as to CYNTHIA BALLENGER(1) and CHRISTOPHER PRICE (2) : Bench Trial set for 3/20/2023 at 09:30 AM in Courtroom 22A– In Person before Judge James E. Boasberg. (nbn) (Entered: 03/09/2023)
03/14/2023	<u>97</u>	WAIVER of Trial by Jury as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Approved by Judge James E. Boasberg on 3/14/2023. (nbn) (Entered: 03/14/2023)

03/15/2023		MINUTE ORDER granting <u>98</u> Sealed Motion for Leave to File Document Under Seal (This document is SEALED and only available to authorized persons.) as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). So ORDERED, by Judge James E. Boasberg on 3/15/2023. (nbn) (Entered: 03/15/2023)
03/15/2023		NOTICE OF COURTROOM CHANGE in case as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Bench Trial set for 3/20/2023 at 10:30 AM in Courtroom 22A– In Person before Judge James E. Boasberg. (nbn) (Entered: 03/15/2023)
03/15/2023	<u>99</u>	Notice of Joint Proposed Elements of Law by CYNTHIA BALLENGER, CHRISTOPHER PRICE (Attachments: # <u>1</u> Def. Mem. for Certain Instructions)(Kenkeremath, Nandan) Modified text on 3/16/2023 (zstd). (Entered: 03/15/2023)
03/17/2023		MINUTE ORDER granting <u>101</u> Sealed Motion for Leave to File Document Under Seal (This document is SEALED and only available to authorized persons.) as to CYNTHIA BALLENGER (1) (1) and CHRISTOPHER PRICE (2). So ORDERED, by Judge James E. Boasberg on 3/17/2023. (nbn) (Entered: 03/17/2023)
03/20/2023		Minute Entry for proceedings held before Chief Judge James E. Boasberg: Bench Trial as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 3/20/2023. Oral discussions re <u>82</u> MOTION to Suppress by CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2), <u>93</u> MOTION in Limine to Preclude Admission of Evidence and Arguments of Other Causes to the Delay of the Joint Special Session of Congress by USA, and <u>94</u> MOTION in Limine to Preclude Arguments and Evidence about Law Enforcement Inaction by USA, HEARD and DENIED for the reasons stated on the record. Bench Trial continued to 3/21/2023 at 09:30 AM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. Bond Status of Defendant: remains on PR (1–2); Court Reporter: Tammy Nestor; Defense Attorney: Nandan Kenkeremath; US Attorney: Ashley Akers; Government Witnesses: Captain Jessica Baboulis, Lt. Scott Grossi, Jeffrey Belcher (begun and continued), and Lisa Elder (zoom). (nbn) (Entered: 03/20/2023)
03/21/2023		Minute Entry for proceedings held before Chief Judge James E. Boasberg: Bench Trial as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) held on 3/21/2023. Government rests. Oral motion by Defense for "Judgment of Acquittal" HEARD and DENIED without prejudice. Defense rests. Renewed motion for "Judgment of Acquittal", HEARD and DENIED. The Court renders a verdict of GUILTY on counts 1s–4s as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). REFERRAL TO PROBATION OFFICE for Presentence Investigation as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Sentencing set for 6/21/2023 at 11:00 AM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. Bond Status of Defendant: remains on PR (1–2); Court Reporter: Tammy Nestor; Defense Attorney: Nandan Kenkeremath; US Attorney: Ashley Akers and Andrew Haag; Government Witness: Jeffrey Belcher; Defense Witness: Cynthia Ballenger. (nbn) (Entered: 03/21/2023)
03/22/2023	<u>104</u>	EXHIBIT LIST by USA as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). (nbn) (Entered: 03/22/2023)
03/22/2023	<u>105</u>	EXHIBIT LIST by CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). (nbn) (Entered: 03/22/2023)
03/23/2023	<u>106</u>	

		MOTION for Extension of Time to File <i>MJOA</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Kenkeremath, Nandan) (Entered: 03/23/2023)
03/24/2023		MINUTE ORDER granting <u>106</u> Motion for Extension of Time to File as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). The court ORDERS Motion for Judgement of Acquittal due by 4/18/2023. So ORDERED, by Chief Judge James E. Boasberg on 3/24/2023. (nbn) (Entered: 03/24/2023)
03/25/2023	<u>107</u>	MOTION for Extension of Time to File <i>Rule 33 Motion</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Kenkeremath, Nandan) (Entered: 03/25/2023)
03/27/2023		MINUTE ORDER granting <u>107</u> Motion for Extension of Time to File as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2). Motions due by 4/18/2023. So ORDERED, by Chief Judge James E. Boasberg on 3/27/2023. (nbn) (Entered: 03/27/2023)
04/18/2023	<u>108</u>	MOTION for Judgment NOV <i>MJOA</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Kenkeremath, Nandan) (Entered: 04/18/2023)
04/18/2023	<u>109</u>	MOTION pursuant to Rule 33 for new trial by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support)(Kenkeremath, Nandan) (Entered: 04/18/2023)
04/19/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that the Government shall file a combined Opposition to the two defense motions by May 3, 2023, and Defendants shall file any combined Reply by May 10, 2023. So ORDERED, by Chief Judge James E. Boasberg on 4/19/2023. (nbn) (Entered: 04/19/2023)
04/27/2023	<u>110</u>	MOTION for Extension of Time to File Response/Reply as to <u>108</u> MOTION for Judgment NOV <i>MJOA</i> , <u>109</u> MOTION pursuant to Rule 33 for new trial by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Haag, Andrew) (Entered: 04/27/2023)
04/27/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that the Government shall file a Notice by April 28, 2023, indicating Defendants' position on its <u>110</u> Motion for Extension. So ORDERED, by Chief Judge James E. Boasberg on 4/27/2023. (nbn) (Entered: 04/27/2023)
04/28/2023	<u>111</u>	NOTICE of Defendants' Consent to Filing Extension by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>110</u> MOTION for Extension of Time to File Response/Reply as to <u>108</u> MOTION for Judgment NOV <i>MJOA</i> , <u>109</u> MOTION pursuant to Rule 33 for new trial (Haag, Andrew) (Entered: 04/28/2023)
04/28/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1), CHRISTOPHER PRICE (2). The United States' <u>110</u> Motion for Extension of Time to File Response is GRANTED. The Government's Response to defendants' renewed motion for judgment of acquittal <u>108</u> and motion for new trial <u>109</u> is now due by 5/10/2023, defendants' Reply is due by 5/17/2023. Signed by Chief Judge James E. Boasberg on 4/28/2023. (jth) (Entered: 04/28/2023)
05/09/2023	<u>112</u>	Memorandum in Opposition by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>108</u> Motion for Judgment NOV, <u>109</u> Motion pursuant to Rule 33 for new trial (Haag, Andrew) (Entered: 05/09/2023)

05/17/2023	<u>115</u>	Reply in Support re <u>108</u> Motion for Judgment of Acquittal and <u>109</u> Motion for a New Trial by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Kenkeremath, Nandan) Modified text and to add link on 5/18/2023 (zstd). (Entered: 05/17/2023)
05/30/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): Due to a scheduling conflict with the Court's calendar, Sentencing set for 6/21/2023 is VACATED and RESET 6/23/2023 at 11:15 AM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. So ORDERED, by Chief Judge James E. Boasberg on 5/30/2023. (nbn) (Entered: 05/30/2023)
06/13/2023	<u>118</u>	MOTION Hearing and Continuance by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Kenkeremath, Nandan) Modified event type on 6/14/2023 (zstd). (Entered: 06/13/2023)
06/13/2023	119	MOTION for Extension to File Sentencing Memorandum by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (See docket entry <u>118</u> to view document.) (zstd) (Entered: 06/14/2023)
06/13/2023	120	MOTION to Continue by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (See docket entry <u>118</u> to view document.) (zstd) (Entered: 06/14/2023)
06/14/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that Defendants' <u>118</u> Motion to Continue is GRANTED, and the sentencing set for June 23, 2023, is CONVERTED to a status hearing. So ORDERED, by Chief Judge James E. Boasberg on 6/14/2023. (nbn) (Entered: 06/14/2023)
06/23/2023		Minute Entry for proceedings held before Chief Judge James E. Boasberg: Status Conference as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (12) held via Zoom on 6/23/2023. Sentencing reset for 8/31/2023 at 10:30 AM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. Bond Status of Defendant: remains on PR/appeared via Zoom; Court Reporter: Tammy Nestor; Defense Attorney: Andrew Haag; US Attorney: Nandan Kenkeremath. (nbn) (Entered: 06/23/2023)
07/07/2023		MINUTE ORDER as to CYNTHIA BALLENGER(1) and CHRISTOPHER PRICE(2): Due to a scheduling conflit with the Office of Probation, the Court ORDERS the Sentencing set for 8/31/2023 is VACATED and RESET to 9/29/2023 at 02:00 PM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. So ORDERED, by Chief Judge James E. Boasberg on 7/7/23. (nbn) (Entered: 07/07/2023)
07/18/2023	<u>126</u>	ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that Defendants' <u>108</u> Motion for Judgment of Acquittal and <u>109</u> Motion for a New Trial are DENIED. Signed by Chief Judge James E. Boasberg on 7/18/2023. (nbn) (Entered: 07/18/2023)
07/18/2023	<u>127</u>	MEMORANDUM OPINION as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) re. <u>126</u> Order on Defendants' <u>108</u> Motion for Judgment of Acquittal and <u>109</u> Motion for a New Trial. Signed by Chief Judge James E. Boasberg on 7/18/2023. (nbn) (Entered: 07/18/2023)
07/21/2023	<u>128</u>	MOTION Leave to File <i>Objections to Final Presentence Reports</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Text of Proposed

		Order)(Kenkeremath, Nandan) (Entered: 07/21/2023)
07/24/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2) : The Court ORDERS that Defendants' <u>128</u> Motion is GRANTED inasmuch as they may include whatever objections they like in their Sentencing Memoranda. So ORDERED, by Chief Judge James E. Boasberg on 7/24/2023. (nbn) (Entered: 07/24/2023)
09/20/2023	<u>129</u>	MOTION to Continue by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Appendix, # <u>2</u> Text of Proposed Order)(Kenkeremath, Nandan) (Entered: 09/20/2023)
09/21/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): If the Government opposes Defendants' <u>129</u> Motion to Continue Sentencing, the Court ORDERS that it shall file such Opposition by September 26, 2023. So ORDERED by Chief Judge James E. Boasberg on 9/21/2023. (nbn) (Entered: 09/21/2023)
09/22/2023	<u>130</u>	RESPONSE by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE re <u>129</u> MOTION to Continue (Haag, Andrew) (Entered: 09/22/2023)
09/22/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS defense <u>129</u> Motion to Continue Sentencing is hereby DENIED. Sentencing shall proceed as scheduled on 9/29/2023 at 02:00 PM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. So ORDERED by Chief Judge James E. Boasberg on 9/22/2023. (nbn) (Entered: 09/22/2023)
09/22/2023	<u>132</u>	SENTENCING MEMORANDUM by CYNTHIA BALLENGER (Attachments: # <u>1</u> Appendix Cynthia Letters, # <u>2</u> Appendix Cynthia and Chris letters)(Kenkeremath, Nandan) Modified to correct defendant on 9/25/2023 (zstd). (Entered: 09/22/2023)
09/22/2023	<u>133</u>	SENTENCING MEMORANDUM by USA as to CYNTHIA BALLENGER (Akers, Ashley) (Entered: 09/22/2023)
09/29/2023		Minute Entry for proceedings held before Chief Judge James E. Boasberg: Sentencing held on 9/29/2023 as to CYNTHIA BALLENGER (1). Defendant sentenced to four (4) months incarceration to run concurrent with all other counts, followed by nine (9) months Supervised Release as to counts 1–2 to run concurrent, Special Assessments totaling \$70, and Restitution in the amount of \$500. Sentencing held on 9/29/2023 as to CHRISTOPHER PRICE (2). Defendant sentenced to forty–five (45) days incarceration to run concurrent with all other counts, followed by nine (9) months Supervised Release as to counts 1–2 to run concurrent, Special Assessments totaling \$70, and Restitution in the amount of \$500. Appeal rights given. Status Conference set for 12/1/2023 at 10:30 AM in Courtroom 22A– In Person before Chief Judge James E. Boasberg. Bond Status of Defendant: remains on Personal Recognizance Bond; Court Reporter: Tammy Nestor; Defense Attorney: Nandan Kenkeremath; US Attorney: Andrew Haag; Prob Officer: Kelli Willett and Erin Mccourt; Defense Witness: Jim Koon. (nbn) (Entered: 09/29/2023)
10/02/2023	<u>137</u>	Unopposed MOTION to Dismiss Count <i>One Through Four of Information, ECF No. 26</i> by USA as to CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Haag, Andrew) (Entered: 10/02/2023)
10/02/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2), GRANTING <u>137</u> Motion to Dismiss Count(s): The Court ORDERS counts 1–4

		of the INFORMATION filed on 12/8/2021 are DISMISSED. So ORDERED by Chief Judge James E. Boasberg on 10/2/2023. (nbn) (Entered: 10/02/2023)
10/03/2023	<u>138</u>	JUDGMENT as to CYNTHIA BALLENGER. Statement of Reasons Not Included. Signed by Chief Judge James E. Boasberg on 10/3/2023. (zstd) (Entered: 10/05/2023)
10/03/2023	<u>139</u>	STATEMENT OF REASONS as to CYNTHIA BALLENGER re <u>138</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 Chief Judge James E. Boasberg on 10/3/2023. (zstd) (Entered: 10/05/2023)
10/05/2023	<u>142</u>	MOTION for Leave to File by CYNTHIA BALLENGER. (Attachments: # <u>1</u> Supplement Supplemental Memorandum, # <u>2</u> Text of Proposed Order)(Kenkeremath, Nandan) Modified to correct defendant on 10/6/2023 (zstd). (Entered: 10/05/2023)
10/05/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1), GRANTING <u>142</u> Motion for Leave to File. So ORDERED by Chief Judge James E. Boasberg on 10/5/2023. (nbn) Modified to correct defendant on 10/6/2023 (zstd). (Entered: 10/05/2023)
10/05/2023	<u>143</u>	SUPPLEMENTAL MEMORANDUM by CYNTHIA BALLENGER re Sentencing Hearing (zstd) (Entered: 10/06/2023)
10/10/2023	<u>144</u>	MOTION for Extension of Time to <i>File Appeal</i> , MOTION for Reconsideration by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Appendix, # <u>2</u> Text of Proposed Order)(Kenkeremath, Nandan) (Entered: 10/10/2023)
10/10/2023	<u>145</u>	Amended MOTION for Reconsideration re <u>144</u> MOTION for Extension of Time to <i>File Appeal</i> MOTION for Reconsideration filed by CYNTHIA BALLENGER, CHRISTOPHER PRICE , MOTION for Extension of Time to by CYNTHIA BALLENGER, CHRISTOPHER PRICE. (Attachments: # <u>1</u> Appendix, # <u>2</u> Text of Proposed Order)(Kenkeremath, Nandan) (Entered: 10/10/2023)
10/11/2023		MINUTE ORDER as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that: 1) Defendants' <u>145</u> Motion for Extension is GRANTED; and 2) They shall have until November 9, 2023, to file any appeal. So ORDERED by Chief Judge James E. Boasberg on 10/11/2023. (znbn) (Entered: 10/11/2023)
10/16/2023		MINUTE ORDER denying <u>144</u> as to CYNTHIA BALLENGER (1) and CHRISTOPHER PRICE (2): The Court ORDERS that Defendants' original <u>144</u> Motion for Extension is DENIED as superseded by their <u>145</u> Amended Motion. So ORDERED by Chief Judge James E. Boasberg on 10/16/2023. (znbn) (Entered: 10/16/2023)
10/17/2023	<u>146</u>	TRANSCRIPT OF PROCEEDINGS in case as to CYNTHIA BALLENGER, CHRISTOPHER PRICE before Chief Judge James E. Boasberg held on 9/29/23; Page Numbers: 1–75. Court Reporter/Transcriber Tammy Nestor, Telephone number (202)354–3127, Transcripts may be ordered by submitting the Transcript Order Form 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>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 11/7/2023. Redacted Transcript Deadline set for 11/17/2023. Release of Transcript Restriction set for 1/15/2024.(Nestor, Tammy) (Entered: 10/17/2023)</p>
10/24/2023	<u>147</u>	NOTICE <i>Following Review of Transcript</i> by CYNTHIA BALLENGER, CHRISTOPHER PRICE (Kenkeremath, Nandan) (Entered: 10/24/2023)
10/26/2023	<u>148</u>	NOTICE OF APPEAL – Final Judgment by CYNTHIA BALLENGER re <u>138</u> Judgment. Filing fee \$ 505, receipt number ADCDC-10451288. Fee Status: Fee Paid. Parties have been notified. (Kenkeremath, Nandan) (Entered: 10/26/2023)

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

UNITED STATES OF AMERICA

v.

CYNTHIA BALLENGER

Defendant.

Case No. 1:21-cr-00719-JEB-1

DEFENDANT'S NOTICE OF APPEAL

Notice is hereby given that defendant Cynthia Ballenger, pursuant to Fed. R. App. P. 4(b), hereby appeals to the United States Court of Appeals for the District of Columbia from the district court's judgment filed against her on October 3, 2023. [ECF 138]. The District Court extended the date for filing any appeal in the instant cases until November 9, 2023 by minute order dated October 11, 2023.

Date: October 26, 2023

Respectfully submitted,

/s/ Nandan Kenkeremath

Nandan Kenkeremath
DC Bar No. 384732
2707 Fairview Court
Alexandria, Virginia 22311
703-407-9407
nandank@comcast.net

*Counsel for Defendant
Cynthia Ballenger (Price)*

CERTIFICATE OF SERVICE

I certify that on October 26, 2023, a copy of the foregoing Defendant's Notice of Appeal was filed using the CM/ECF system, which will then send notification of such filing to all counsel of record.

Dated: October 26, 2023

Respectfully submitted,

/s/ Nandan Kenkeremath

Nandan Kenkeremath
DC Bar No. 384732
2707 Fairview Court
Alexandria, Virginia 22311
703-407-9407
nandank@comcast.net

*Counsel for Defendant
Cynthia Ballenger*

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

CYNTHIA BALLENGER

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JUDGMENT IN A CRIMINAL CASE

Case Number: 21-cr-00719-1

USM Number: 590465-09

Nandan Kenkeremath

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) 1s-4s of the SUPERSEDING INFORMATION filed on 3/8/2022. after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Table with 4 columns: Title & Section, Nature of Offense, Offense Ended, Count. Rows include 18 USC § 1752(a)(1) Entering and Remaining in a Restricted Building, 18 USC § 1752(a)(1) Disorderly and Disruptive Conduct in a Restricted Building, and 40 USC § 5104(e)(2)(D) Violent Entry and Disorderly Conduct in a Capitol Building.

The defendant is sentenced as provided in pages 2 through 9 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 9/29/2023

Signature of Judge JSI

James E. Boasberg USDC Chief Judge
Name and Title of Judge

Date 10/3/23

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
40 USC § 5104(e)(2)(D)	Parading, Demonstrating, or Picketing in a Capitol Buildir	1/6/2021	4s

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

IMPRISONMENT

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

Defendant sentenced to four (4) months incarceration on counts 1s-4s to run concurrent.

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

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

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

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

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

before 2 p.m. on _____

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

ADDITIONAL IMPRISONMENT TERMS

Defendant is to self surrender on a date no earlier than January 1, 2024.

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

SUPERVISED RELEASE

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

nine (9) months Supervised Release as to counts 1s-2s to run concurrent.

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: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

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: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

SPECIAL CONDITIONS OF SUPERVISION

While on supervision, you shall abide by the following mandatory conditions, as well as all discretionary conditions recommended by the probation office in Part D. Sentencing Options of the presentence report, which are imposed to establish the basic expectations for your conduct while on supervision.

The mandatory conditions include:

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 placement on supervision and at least two periodic drug tests thereafter, as determined by the court.
4. You must make restitution in accordance with 18 USC §§ 3663 and 3663A or any other statute authorizing a sentence of restitution.

You shall comply with the following special conditions:

Firearm Restriction - You shall remove firearms, destructive devices, or other dangerous weapons from areas over which you have access or control until the term of supervision expires.

You are ordered to make restitution to in the amount \$500 to the Architect of the Capitol. The court determined you do not have the ability to pay interest and therefore waives any interest or penalties that may accrue on the balance.

Restitution Obligation – You must pay the balance of any restitution owed at a rate of no less than \$100 each month upon release.

Restitution payments shall be made to the Clerk of the Court for the United States District Court, District of Columbia, for disbursement to the following victim:

\$500

Architect of the Capitol
Office of the Chief Financial
Officer
Ford House Office Building,
Room H2-205B
Washington, DC 20515

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.

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

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	\$ 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>
Clerk of the Court for the United States District Court for the District of Columbia for the disbursement to the following victim Architect of the Capitol Office of the Chief Financial Officer Room H2-205B Ford House Office Building Washington, DC 20515		\$500.00	
TOTALS	\$ 0.00	\$ 500.00	

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

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

DEFENDANT: CYNTHIA BALLENGER
CASE NUMBER: 21-cr-00719-1

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 \$ 570.00 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.