

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

UNITED STATES OF AMERICA)	No: 21-CR-25
)	
v.)	JUDGE MOSS
)	
JORDEN MINK)	ELECTRONICALLY FILED

**MOTION FOR EXTENSION OF TIME TO APPEAL FROM COURT ORDER
DENYING DEFENDANT’S MOTION FOR REVOCATION OF DETENTION ORDER**

AND NOW COMES, the Defendant, Jordan Mink, by through his counsel, Michael E. Moser, Esquire, filing the within Motion for Extension of Time to Appeal from Court Order Denying Defendant’s Motion for Revocation of Detention Order, and in support thereof, avers as follows:

1. On January 18, 2021, Jordan Mink was arrested in Pittsburgh, Pennsylvania pursuant to a criminal complaint filed in the District Court for the Western District of Pennsylvania at 21-MJ-105 charging Mr. Mink with the following offenses:

- | | | | |
|---------|--|---|--|
| COUNT 1 | 18 U.S.C. 1752(a)(1), (2), (4) and (b)(1)(A) | - | Unlawful Entry on Restricted Building or Grounds While Using or Carrying a Deadly Weapon |
| COUNT 2 | 40 U.S.C. 5104(e) | - | Unlawful Injury to Property On Capitol Grounds |
| COUNT 3 | 40 U.S.C. 5104(e), 5104(e)(2)(D), (F), (G) | - | Violent Entry, Disorderly Conduct, Physical Violence on Capitol Grounds |
| COUNT 4 | 18 U.S.C. 1361 | - | Destruction of Government Property Valued at Over \$1,000 |

COUNT 5	18 U.S.C. 641	-	Theft of Government Property
COUNT 6	18 U.S.C. 2(a)	-	Aiding and Abetting Theft of Government Property

2. On January 19, 2021, the United States Attorney’s Office for the Western District of Pennsylvania filed a Request for Detention of Mr. Mink alleging, *inter alia*, that Mr. Mink was a danger to the community; that Mr. Mink posed a serious risk of flight, and that Mr. Mink posed a serious risk of obstructing justice and/or of intimidating or injuring prospective witnesses or jurors in this case.

3. On January 27, 2021, an Indictment was filed in the United States District Court for the District of Columbia charging Mr. Mink with the following:

COUNT 1	18 U.S.C. 1512(c)(2); 18 U.S.C. 2	-	Obstruction of an Official Proceeding; Aiding & Abetting
COUNT 2	18 U.S.C. 641; 18 U.S.C. 2(a)	-	Theft of Government Property; Aiding & Abetting
COUNT 3	18 U.S.C. 1361	-	Destruction of Government Property
COUNT 4	18 U.S.C. 1752(a)(1), (2), (4) and (b)(1)(A)	-	Unlawful Entry on Restricted Building or Grounds While Using or Carrying a Deadly Weapon
COUNT 5	40 U.S.C. 5104(e)(2)(D)	-	Disorderly Conduct In a Capitol Building
COUNT6	40 U.S.C. 5104(e)(2)(F)	-	Physical Violence on Capitol Grounds

COUNT 7	40 U.S.C. 5104(e)(2)(G)	-	Parading, Demonstrating, or Picketing in a Capitol Building
---------	-------------------------	---	--

4. On January 29, 2021, a detention hearing was conducted before Magistrate Judge Lisa Pupo Lenihan, after which Judge Lenihan ordered Mr. Mink to be held without bond pending trial of his case “on the basis of danger and obstruction of justice”. January 29, 2021 Detention Hearing Transcript - p. 87 (A copy of the January 29, 2021 Detention Hearing Transcript hereinafter referred to as “Transcript”] is attached hereto as Exhibit “A”)

5. On March 16, 2021, Mr. Mink was arraigned on a Superseding Indictment charging Mr. Mink with the following:

COUNT 1	18 U.S.C. 1512(c)(2); 18 U.S.C. 2	-	Obstruction of an Official Proceeding; Aiding & Abetting
COUNT 2	18 U.S.C. 641; 18 U.S.C. 2(a)	-	Theft of Government Property; Aiding & Abetting
COUNT 3	18 U.S.C. 1361	-	Destruction of Government Property
COUNT 4	18 U.S.C. 1752(a)(1), (2), (4) and (b)(1)(A)	-	Entering or Remaining in Restricted Building or Grounds with a Deadly or Dangerous Weapon
COUNT 5	40 U.S.C. 5104(e)(2)(D)	-	Disorderly Conduct In a Capitol Building
COUNT 6	40 U.S.C. 5104(e)(2)(F)	-	Act of Physical Violence on Capitol Grounds

COUNT 7	40 U.S.C. 5104(e)(2)(G)	-	Parading, Demonstrating, or Picketing in a Capitol Building
COUNT 8	18 U.S.C. 231(a)(3)	-	Civil Disorder
COUNT 9	18 U.S.C. 111(a)(1) and (b)	-	Assaulting, Resisting, or Impeding Officers Using a Dangerous Weapon
COUNT 10	18 U.S.C. 111(a)(1)	-	Assaulting, Resisting, or Impeding Certain Officers

6. On or about November 9, 2021, Mr. Mink, through counsel, filed a Motion for Revocation of Detention Order, in which he asked the Court to release him on Bond

7. On December 13, 2021, this Honorable Court issued an Order of Court denying Mr. Mink's Motion for Revocation of Detention Order.

8. On December 17, 2021, Mr. Mink advised the undersigned that Mr. Mink intended to retain new counsel and that Mr. Mink no longer wanted the undersigned to represent him.

9. On or about December 22, 2021, this Honorable Court conducted a status conference at which Mr. Mink advised the Court that he intended to hire new counsel and that he did not want the undersigned to represent him.

10. At the aforementioned status conference, the undersigned made an oral motion to withdraw as Mr. Mink's counsel, which was conditionally granted by the Court, pending Mr. Mink's actual retention of new counsel.

11. Additionally, at the aforementioned status conference, the Court scheduled the next status conference for January 19, 2022 at 11:00AM.

12. The undersigned believes that Mr. Mink is entitled to appeal from the Court's order denying his request for release pursuant to Rule 9 of the Federal Rules of Appellate Procedure.

13. The undersigned believes that any appeal filed by Mr. Mink, pursuant to Rule 4(b)(1)(a) of the Federal Rules of Appellate Procedure, is required to file any appeal from the Court's order denying his request for release within 14 days of the entry of the Court's Order.

14. As such, Mr. Mink is required to file an appeal from the Order of Court denying Mr. Mink's Motion for Revocation of Detention Order on or before December 27, 2021.

15. Mr. Mink is essentially without counsel until his new counsel is retained and enters his or her appearance on behalf of Mr. Mink.

16. The undersigned respectfully submits that it is very important that Mr. Mink's right to appeal be preserved in the event that he and his new counsel wish to appeal from the Order of Court denying Mr. Mink's Motion for Revocation of Detention Order.

17. Rule 4(b)(4) of the Federal Rules of Appellate Procedure permits the District Court to extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by the rules, which in this case is December 27, 2021.

18. It is therefore appropriate for this Honorable Court to extend the time within which Mr. Mink is required to file a notice of appeal to January 27, 2022, in order to preserve this very important procedural right for Mr. Mink and his new counsel.

19. Assistant United States Attorney Michael DiLorenzo indicates that the Government does not object to extension of the time to file a notice of appeal to January 19, 2022, which is the date of the next status conference.

WHEREFORE, in light of all of the foregoing, the Defendant, Jordan Mink, respectfully requests that this Honorable Court grant the within Motion and enter an Order extending the time within which Mr. Mink is required to file a notice of appeal from the Order of Court denying Mr. Mink's Motion for Revocation of Detention Order to January 26, 2022,

Respectfully submitted,

Dated: December 23, 2021

/s/ Michael E. Moser
Michael E. Moser, Esquire
PA ID No. 78844
Law Office of Michael Moser
2661 Clearview Road - Suite 8
Allison Park, Pennsylvania 15101
(412) 753 0400
mike@moserslaw.com
memoser@comcast.net