

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00025-RDM-1

Case title: USA v. MINK

Date Filed: 01/27/2021

Assigned to: Judge Randolph D. Moss

Defendant (1)

JORDEN ROBERT MINK

represented by **Michael E. Moser**
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Designation: Retained

Pending Counts

18:1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting.
(1)

18 U.S.C. 1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(1s)

18:641 and 2; PUBLIC MONEY, PROPERTY OR RECORDS; Theft of Government Property and Aiding and Abetting.
(2)

18 U.S.C. 641 and 2; PUBLIC MONEY, PROPERTY OR RECORDS; Theft of Government Property and Aiding and Abetting
(2s)

18:1361; GOVERNMENT PROPERTY OR CONTRACTS; Destruction of Government Property
(3)

18 U.S.C. 1361; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property
(3s)

18:1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon.
(4)

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

40:5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building.
(5)

40 U.S.C. 5104(e)(2)(D); FEDERAL STATUTES, OTHER; Disorderly Conduct in a Capitol Building
(5s)

40:5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Physical Violence in the Capitol Grounds or Buildings.
(6)

40 U.S.C. 5104(e)(2)(F); FEDERAL STATUTES, OTHER; Act of Physical Violence in a Capitol Grounds or Buildings
(6s)

40:5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building.
(7)

40 U.S.C. 5104(e)(2)(G); FEDERAL STATUTES, OTHER; Parading, Demonstrating, or Picketing in a Capitol Building
(7s)

18 U.S.C. 231(a)(3); CIVIL DISORDER; Civil Disorder
(8s)

18 U.S.C. 111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon
(9s)

18 U.S.C. 111(a)(1); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers
(10s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:1752(a), (b)(1)(A), 40:5104(d), 40:5104(e)(2), 40:5104(e)(2)(D), (F) and (G), 18:1361, 18:641 and 18:2(a)

Disposition

Plaintiff

USA

represented by Michael C. DiLorenzo
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Designation: Assistant U.S. Attorney

Table with columns: Date Filed, #, Docket Text. Contains 20 rows of case entries including docket numbers 1 through 17 and their corresponding descriptions.

		said pleading. Document has wrong defendant name. (zhsj) (Entered: 04/21/2021)
04/21/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to JORDEN ROBERT MINK held on 4/21/2021. Defendant not present due to medical issue. Oral motion by defense counsel to have the Defendant moved to CTF; Heard and Granted in part, for the reasons stated on the record. The Court will make contact with the Department of Corrections General Counsel as to the issue. Joint Status Report due by 4/23/2021, which shall include next steps and address further tolling of speedy trial. Speedy Trial (XT) is tolled in the interest of justice from 4/21/2021 to 4/23/2021. Bond Status of Defendant: Defendant remains committed; Court Reporter: Jeff Hook; Defense Attorney: Michael Moser; U.S. Attorney: Michael DiLorenzo. (kt) (Entered: 04/21/2021)
04/21/2021		MINUTE ORDER as to JORDEN ROBERT MINK: As discussed at today's status conference, the Court spoke with the General Counsel of the D.C. Department of Corrections about Defendant's medical status. The Court was informed that Defendant is currently receiving his medication and that, although he tested positive for COVID-19, Defendant is presently asymptomatic. Defendant remains in isolation based on his positive test, but medical staff are checking on his condition daily. At the Court's request, the Department of Corrections provided a copy of Defendant's medical records to the Court. It is hereby ORDERED that Defendant's counsel shall file a notice with the Court on or before April 23, 2021, if counsel would like the Court to post those medical records under seal on the docket, for review by the parties. Signed by Judge Randolph D. Moss on 4/21/2021. (lcrdm2) (Entered: 04/21/2021)
04/23/2021	18	MOTION for Leave to File Document Under Seal by JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(Moser, Michael) (Entered: 04/23/2021)
04/23/2021	19	MOTION for Speedy Trial and Status Report by USA as to JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(DiLorenzo, Michael) (Entered: 04/23/2021)
04/23/2021		MINUTE ORDER as to JORDEN ROBERT MINK: Upon consideration of the government's status report and unopposed motion to exclude time under the Speedy Trial Act, Dkt. 19 , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the parties shall appear by video for a status conference on May 26, 2021, at 2 p.m. The Courtroom Deputy Clerk will provide the necessary log-in information. It is further ORDERED that time is tolled under the Speedy Trial Act, 18 U.S.C. § 3161, from April 23, 2021 through May 26, 2021. The Court finds that tolling time between now and the rescheduled hearing serves the ends of justice for several reasons. The investigation and prosecution of the events at the United States Capitol on January 6, 2021, are an enormous undertaking. More than 300 defendants have been charged in connection with the attack on the Capitol. Defendants charged and under investigation come from throughout the United States, and a combined total of over 900 search warrants have been executed in almost all fifty states and the District of Columbia. Multiple law enforcement agencies were involved in the response to the Capitol attack, which included officers and agents from U.S. Capitol Police, the District of Columbia Metropolitan Police Department, the Federal Bureau of Investigation, the Department of Homeland Security, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Secret Service, the United States Park Police, the Virginia State Police, the Arlington County Police Department, the Prince William County Police Department, the Maryland State Police, the Montgomery County Police Department, the Prince George's County Police Department, and the New Jersey State Police. Documents and evidence accumulated in the Capitol attack investigation thus far include: (a) more than 15,000 hours of surveillance and body-worn camera footage from multiple law enforcement agencies; (b) approximately 1,600 electronic devices; (c) the results of hundreds of searches of electronic communication providers; (d) over 210,000 tips, of which a substantial portion include video, photo, and social media; and (e) over 80,000 reports and 93,000 attachments related to law enforcement interviews of suspects and witnesses and other investigative steps. Given that massive volume of potentially relevant material, the government needs time to ensure that it is complying with its obligations under Federal Rule of Criminal Procedure 16 and Local Criminal Rule 5.1(a), as well as the requirements of <i>Brady v. Maryland</i> , 373 U.S. 83, 87 (1963), and its progeny. A continuance is also appropriate to afford the parties with the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further concludes that those interests outweigh the best interests of the public and the defendant in a speedy trial. And for those reasons, the Court will toll the Speedy Trial Act between now and the status conference on May 26, 2021. Signed by Judge Randolph D. Moss on 4/23/2021. (lcrdm2) (Entered: 04/23/2021)
04/23/2021	21	STATUS REPORT by USA as to JORDEN ROBERT MINK. (See Docket Entry 19 to view document.) (znmw) (Entered: 05/11/2021)
04/24/2021		MINUTE ORDER as to JORDEN ROBERT MINK: On April 21, 2021, the Court notified the parties that the Court was in possession of Defendant's medical records and directed Defendant's counsel to file a notice with the Court on or before April 23, 2021, if counsel would like the Court to post those medical records under seal on the docket, for review by the parties. Minute Order (Apr. 21, 2021). Defendant has now filed an unopposed motion for leave to file a document under seal referencing medical records. Dkt. 18 . It is unclear from the motion, however, whether Defendant is asking the Court to file the medical records in its possession on the docket under seal, or whether Defendant has separate records that he seeks to file under seal. If the latter, then Defendant should file his motion to seal under seal and attach the records he would like to file under seal as a sealed attachment, for the Court's review. For that reason, it is hereby ORDERED that Defendant's motion, Dkt. 18 , is DENIED without prejudice, pending clarification from counsel. Signed by Judge Randolph D. Moss on 4/24/2021. (lcrdm2) (Entered: 04/24/2021)
04/28/2021		MINUTE ORDER as to JORDEN ROBERT MINK: As previously explained, see Minute Order (Apr. 21, 2021), the D.C. Department of Corrections provided a copy of Defendant's medical records to the Court. The Court has now shared those medical records directly with counsel for both Defendant and the government. It is hereby ORDERED that the parties shall keep those records confidential and shall not share them with any third-parties, absent further order of the Court. Signed by Judge Randolph D. Moss on 4/28/2021. (lcrdm2) (Entered: 04/28/2021)
04/28/2021		MINUTE ORDER as to JORDEN ROBERT MINK: Defendant has filed a renewed motion for leave to file document under seal, Dkt. 20 , in which he clarifies that he is seeking leave to file a potential future motion and potential exhibits to that motion under seal. Under Local Criminal Rule 49(f)(6), "A document filed with the intention of it being sealed in an otherwise public case must be filed by electronic means in a manner authorized by the Clerk and shall be accompanied by a motion to seal. The document will be treated as sealed, pending the outcome of the ruling on the motion." Here, Defendant's motion to seal is premature, because it does not include the document that he seeks to file under seal, and the Court cannot assess the propriety of a sealed filing in the abstract. For those reasons, it is hereby ORDERED that the motion is DENIED without prejudice. Defendant can seek sealed filing of any future motion concerning Defendant's medical situation at the time he files the motion. Signed by Judge Randolph D. Moss on 4/28/2021. (lcrdm2) (Entered: 04/28/2021)
05/26/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference as to JORDEN ROBERT MINK held on 5/26/2021. A further Status Conference is set for 7/13/2021, at 10:30 AM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting. Speedy Trial (XT) is tolled in the interest of justice from 5/26/2021 to 7/13/2021. Bond Status of Defendant: Defendant remains committed; Court Reporter: Crystal Pilgrim; Defense Attorney: Michael Moser; U.S. Attorney: Michael DiLorenzo. (kt) (Entered: 05/26/2021)
06/11/2021	22	MOTION for an Order of Court Directing Central Treatment Facility to Allow Defendant to Review Rule 16 Materials by JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(Moser, Michael) (Entered: 06/11/2021)
06/14/2021		MINUTE ORDER as to JORDEN ROBERT MINK: Upon consideration of Defendant's motion for an order of court directing Central Treatment Facility to allow Defendant to review Rule 16 materials, Dkt. 22 , it is hereby ORDERED that the government shall respond on or before June 16, 2021. Signed by Judge Randolph D. Moss on 6/14/2021. (lcrdm2) (Entered: 06/14/2021)
06/14/2021	23	RESPONSE by USA as to JORDEN ROBERT MINK re 22 MOTION for an Order of Court Directing Central Treatment Facility to Allow Defendant to Review Rule 16 Materials (DiLorenzo, Michael) (Entered: 06/14/2021)
06/17/2021	24	ORDER as to JORDEN ROBERT MINK: Upon consideration of Defendant's motion for an order of the Court directing the Correctional Treatment Facility to allow Defendant to review Rule 16 discovery materials, Dkt. 22 , and the government's response, Dkt. 23 , it is hereby ORDERED that the motion is GRANTED. For the reasons explained in the attached Order, it is hereby ORDERED that the Correctional Treatment Facility shall permit Defendant to begin reviewing Rule 16 discovery materials on or before June 30, 2021, and that the facility shall provide Defendant with 40 hours or more in which to review those materials. Signed by Judge Randolph D. Moss on 6/17/2021. (lcrdm2) (Entered: 06/17/2021)
07/02/2021	25	Second MOTION FOR AN ORDER OF COURT DIRECTING CENTRAL TREATMENT FACILITY TO ALLOW DEFENDANT TO REVIEW RULE 16 MATERIALS by JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(Moser, Michael) Modified event on 7/27/2021 (zstd). (Entered: 07/02/2021)
07/06/2021		MINUTE ORDER as to JORDEN ROBERT MINK: In light of Defendant's second motion for an order of the Court directing the Correctional Treatment Facility to allow Defendant to review Rule 16 materials, Dkt. 25 , it is hereby ORDERED that the parties shall appear by videoconference for a hearing on the motion at 10 a.m. on July 8, 2021. It is further ORDERED that counsel for the government shall confer with the General Counsel of the D.C. Department of Corrections before the hearing to determine why Defendant has not yet received access to the Rule 16 materials and shall be prepared to address how the Court can ensure that Defendant receives access to those materials without any further delay. The parties shall connect to the videoconference using the same link as for prior hearings. Signed by Judge Randolph D. Moss on 7/6/2021. (lcrdm2) (Entered: 07/06/2021)
07/08/2021		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Motion Hearing as to JORDEN ROBERT MINK held on 7/8/2021 re: 25 Second MOTION FOR AN ORDER OF COURT DIRECTING CENTRAL TREATMENT FACILITY TO ALLOW DEFENDANT TO REVIEW RULE 16 MATERIALS filed by JORDEN ROBERT MINK. Defendant agreed to proceeding remotely. Motion HEARD and HELD IN ABEYANCE; Counsel and the Court will jointly contact General Counsel of the Department of Corrections. The Status Conference set for 7/13/2021 is VACATED. The parties shall file a Joint Status Report on or before 8/16/2021, which shall include next steps and any further tolling of the speedy trial clock. Speedy Trial (XT) is tolled in the interest of justice from 7/8/2021 to 8/16/2021. Bond Status of Defendant: Defendant remains committed; Court Reporter: Jeff Hook; Defense Attorney: Michael E. Moser (by telephone); U.S. Attorney: Michael C. DiLorenzo. (kt) (Entered: 07/08/2021)
07/08/2021		Terminate Deadlines and Hearings as to JORDEN ROBERT MINK: Hearing VACATED. (kt) (Entered: 07/08/2021)
07/09/2021		MINUTE ORDER as to JORDEN ROBERT MINK: The Court has received notice from the D.C. Department of Corrections that, as of this morning, Defendant has been provided a laptop with which to access the discovery in this case. Because Defendant has been given access to the discovery materials, it is hereby ORDERED that Defendant's second motion for an order of the Court directing the Correctional Treatment Facility to allow Defendant to review Rule 16 materials, Dkt. 25 , is DENIED as MOOT. Signed by Judge Randolph D. Moss on 7/9/2021. (lcrdm2) (Entered: 07/09/2021)
07/20/2021	26	MOTION for an Order of Court Directing Central Treatment Facility to Allow Defendant Additional Time to Review Rule 16 Materials by JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(Moser, Michael) (Entered: 07/20/2021)
07/20/2021		MINUTE ORDER as to JORDEN ROBERT MINK: In light of Defendant's motion for an order of the Court directing the Correctional Treatment Facility to allow Defendant additional time to review discovery, Dkt. 26 , it is hereby ORDERED that the parties shall meet and confer to try to resolve the apparent difficulties that Defendant is having accessing discovery materials on the laptop he has been provided. It is further ORDERED that the parties shall file a joint status report on or before July 21, 2021, updating the Court on their progress. If the parties do not have contact information for the D.C. Department of Corrections, they may jointly email chambers to be put in touch. Signed by Judge Randolph D. Moss on 7/20/2021.

		(lcrdm2) (Entered: 07/20/2021)
07/21/2021	27	Joint STATUS REPORT by USA as to JORDEN ROBERT MINK (DiLorenzo, Michael) (Entered: 07/21/2021)
07/26/2021		MINUTE ORDER as to JORDEN ROBERT MINK: In light of the parties' joint status report, Dkt. 27 , it is hereby ORDERED that Defendant's motion for an order of the Court directing the Correctional Treatment Facility to allow Defendant additional time to review discovery materials, Dkt. 26 , is DENIED as MOOT. Signed by Judge Randolph D. Moss on 7/26/2021. (lcrdm2) (Entered: 07/26/2021)
08/16/2021	28	STATUS REPORT <i>and Unopposed Motion to Toll Speedy Trial Act</i> by USA as to JORDEN ROBERT MINK (Attachments: # 1 Text of Proposed Order)(DiLorenzo, Michael) (Entered: 08/16/2021)
08/16/2021	29	MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT by USA as to JORDEN ROBERT MINK. (See docket entry 28 to view document.) (zltpt) (Entered: 08/17/2021)
08/17/2021		MINUTE ORDER as to JORDAN ROBERT MINK (1): Upon consideration of the parties' joint status report and the government's unopposed motion to exclude time under the Speedy Trial Act, Dkt. 29 , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the parties shall appear by video for a status conference on September 14, 2021, at 9:45 a.m. The parties shall connect to the videoconference using the same link as for prior hearings. It is further ORDERED that time is tolled under the Speedy Trial Act, 18 U.S.C. § 3161, from August 17, 2021, through September 14, 2021. The Court concludes that the continuance will serve the ends of justice and that such action outweighs the best interest of the public and the defendant in a speedy trial. In particular, the continuance will permit the government to continue to review and produce discovery to the defendant, will provide the defense with an opportunity to review the discovery, and will permit the parties to discuss a potential disposition, if they choose to do so. The Court further notes that the complexity of the government's investigation of the events occurring on January 6, 2021, poses unique obstacles to ensuring that all discovery is located and provided to the defense and that the government requires additional time in light of the unique circumstances. Signed by Judge Randolph D. Moss on 08/17/2021. (lcrdm2) (Entered: 08/17/2021)
09/13/2021	30	Unopposed MOTION to Continue <i>and Exclude Time under Speedy Trial Act</i> by USA as to JORDEN ROBERT MINK. (Attachments: # 1 Text of Proposed Order)(DiLorenzo, Michael) (Entered: 09/13/2021)
09/13/2021	31	MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT by USA as to JORDEN ROBERT MINK. (See docket entry 30 to view document.) (zltpt) (Entered: 09/13/2021)
09/13/2021		MINUTE ORDER as to JORDEN ROBERT MINK: Upon consideration of the government's unopposed motion to continue the status hearing and to exclude time under the Speedy Trial Act, Dkt. 30 , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) the status hearing previously set for 9:45 a.m. on September 14, 2021, is hereby VACATED and RESCHEDULED for 2:30 p.m. on October 29, 2021, to occur by video teleconference, and (2) time shall be excluded under the ends of justice exception to the Speedy Trial Act, 18 U.S.C. § 3161, from September 14, 2021, to October 29, 2021. In light of the unique obstacles posed by the complexity of the government's investigation of the events occurring on January 6, 2021, the fact that discovery is ongoing, and the possibility of plea negotiations, the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial. The parties are directed to use the video teleconference access information previously provided by the Courtroom Deputy Clerk. Signed by Judge Randolph D. Moss on 09/13/2021. (lcrdm2) (Entered: 09/13/2021)

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