

APPEAL,CAP,CAT A

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00542-TJK-1**

Case title: USA v. SHROYER

Magistrate judge case number: 1:21-mj-00572-ZMF

Date Filed: 08/25/2021

Assigned to: Judge Timothy J.
Kelly

Defendant (1)

JONATHON OWEN SHROYER
also known as
JONATHAN OWEN SHROYER

represented by **Norman A Pattis**
PATTIS & SMITH, LLC
383 Orange Street
1st Floor
New Haven, CT 06511
203-393-3017
Fax: 203-393-9745
Email: npattis@pattissmith.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

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

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

40 U.S.C. 5104(e)(2)(D);
VIOLENT ENTRY AND
DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Disorderly
Conduct in a Capitol Building
(3)

Disposition

Defendant sentenced to sixty (60) days of
Incarceration followed by twelve (12) months of
Supervised Release (with conditions). \$25.00
Special Assessment and Restitution in the amount
of \$500.00.

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

40 U.S.C. 5104(e)(2)(E);
VIOLENT ENTRY AND
DISORDERLY CONDUCT ON
CAPITOL GROUNDS; Obstruct or
Impede Passage Through or Within
Capitol Grounds
(4)

DISMISSED ON ORAL MOTION OF THE
GOVERNMENT

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Kimberly Louise Paschall**
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2650
Email: kimberly.paschall@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Thomas G. Strong
DOJ-USAO
555 4th Street NW
Washington, DC 20530
(202) 252-7063
Email: thomas.strong@usdoj.gov
TERMINATED: 10/21/2021
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Troy A. Edwards , Jr.

U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 4th Street, NW
Washington, DC 20001
(202) 258-1251
Email: troy.edwards@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
08/19/2021	<u>1</u>	COMPLAINT as to JONATHON OWEN SHROYER (1). (Attachments: # <u>1</u> Statement of Facts) (bb) [1:21-mj-00572-ZMF] (Entered: 08/20/2021)
08/24/2021	<u>3</u>	ADDENDUM ORDER: as to JONATHON OWEN SHROYER. Signed by Magistrate Judge Zia M. Faruqui on 8/24/2021. (Attachment: # <u>1</u>) (ztl). [1:21-mj-00572-ZMF] (Entered: 08/24/2021)
08/25/2021	<u>4</u>	NOTICE OF ATTORNEY APPEARANCE: Norman A Pattis appearing for JONATHON OWEN SHROYER (Pattis, Norman) [1:21-mj-00572-ZMF] (Entered: 08/25/2021)
08/25/2021	<u>5</u>	INFORMATION as to JONATHON OWEN SHROYER (1) count(s) 1, 2, 3, 4. (zltp) (Entered: 08/26/2021)
09/01/2021	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE: Norman A Pattis appearing for JONATHON OWEN SHROYER (Pattis, Norman) (Entered: 09/01/2021)
10/07/2021		MINUTE ORDER as to JONATHON OWEN SHROYER: Pursuant to the Due Process Protections Act, the Court hereby ORDERS that all government counsel shall review their disclosure obligations under <i>Brady v. Maryland</i> , 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. Signed by Judge Timothy J. Kelly on 10/07/2021. (lctjk3) (Entered: 10/07/2021)
10/07/2021		NOTICE OF HEARING as to JONATHON OWEN SHROYER: VTC Arraignment set for 10/15/2021 at 11:00 AM before Judge Timothy J. Kelly. The parties shall contact the Courtroom Deputy at (202) 354-3495 at least one business day in advance to make arrangements to appear. (zkh) (Entered: 10/07/2021)
10/14/2021	<u>8</u>	First MOTION to Dismiss Count 1-4, First MOTION to Dismiss Case by JONATHON OWEN SHROYER. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Pattis, Norman) (Entered: 10/14/2021)
10/15/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Arraignment as to JONATHON OWEN SHROYER as to Counts 1, 2, 3, and 4 held on 10/15/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to Counts 1, 2, 3, and 4. Speedy Trial Excludable (XT) started 10/15/2021 through 12/14/2021, in the interest of justice. Government Response to Defendant's <u>8</u> First MOTION to Dismiss due by 11/12/2021. Defendant's Reply due by 11/22/2021. VTC Status Conference/Motion Hearing set for 12/14/2021 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter:

		Timothy Miller; Defense Attorney: Norman A Pattis; US Attorney: Thomas G. Strong. (zkh) (Entered: 10/15/2021)
10/21/2021	<u>2</u>	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Paschall, Kimberly Louise added. Substituting for attorney Thomas Strong (Paschall, Kimberly) (Entered: 10/21/2021)
11/09/2021	<u>10</u>	LEAVE TO FILE DENIED– Judicial Notice of Facts and Laws as to JONATHON OWEN SHROYER This document is unavailable as the Court denied its filing. Signed by Judge Timothy J. Kelly on 11/9/2021. (zstd) (Entered: 11/11/2021)
11/12/2021	<u>11</u>	Memorandum in Opposition by USA as to JONATHON OWEN SHROYER re <u>8</u> First MOTION to Dismiss Count 1–4First MOTION to Dismiss Case (Edwards, Troy) (Entered: 11/12/2021)
12/13/2021		NOTICE OF HEARING as to JONATHON OWEN SHROYER: The VTC Motion Hearing/Status Conference currently set for 12/14/2021 is RESCHEDULED for 12/20/2021 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 12/13/2021)
12/20/2021	<u>13</u>	Rule 5(c)(3) Documents Received as to JONATHON OWEN SHROYER from US District Court Western District of Texas Austin Division Case Number AU: 21–M–688 (bb) (Main Document 13 replaced on 12/21/2021) (zltp). (Entered: 12/20/2021)
12/20/2021		Minute Entry for proceedings held before Judge Timothy J. Kelly: Motion Hearing as to JONATHON OWEN SHROYER held on 12/20/2021. Defendant appeared by video. Oral argument heard on Defendant's <u>8</u> First MOTION to Dismiss, and taken under advisement. Speedy Trial Excludable (XT) started 12/20/2021 through 1/20/2022, in the interest of justice. VTC Status Conference set for 1/20/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorneys: Troy A. Edwards, Jr. and Kimberly Louise Paschall. (zkh) (Entered: 12/20/2021)
01/04/2022	<u>14</u>	Unopposed MOTION for Protective Order by USA as to JONATHON OWEN SHROYER. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Troy) (Entered: 01/04/2022)
01/05/2022	<u>15</u>	ORDER granting the Government's <u>14</u> Unopposed Motion for Protective Order as to JONATHON OWEN SHROYER. See Order for details. Signed by Judge Timothy J. Kelly on 1/5/2022. (lctjk3) (Entered: 01/05/2022)
01/05/2022	<u>16</u>	NOTICE <i>Regarding Status of Discovery</i> by USA as to JONATHON OWEN SHROYER (Attachments: # <u>1</u> Memorandum Regarding Status of Discovery as of July 12, 2021, # <u>2</u> Attachment to Memorandum Regarding Status of Discovery as of July 12, 2021, # <u>3</u> Memorandum Regarding Status of Discovery as of August 23, 2021, # <u>4</u> Memorandum Regarding Status of Discovery as of September 14, 2021, # <u>5</u> Memorandum Regarding Status of Discovery as of October 21, 2021, # <u>6</u> Memorandum Regarding Status of Discovery as of November 5, 2021)(Edwards, Troy) (Entered: 01/05/2022)
01/20/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 1/20/2022. Defendant appeared by video. For the reasons stated on the record, Defendant's <u>8</u> First MOTION to Dismiss is DENIED. Speedy Trial Excludable (XT) started 1/20/2022 through

		3/8/2022, in the interest of justice. VTC Status Conference set for 3/8/2022 at 3:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorney: Kimberly Louise Paschall. (zkh) (Entered: 01/20/2022)
01/27/2022	<u>17</u>	<p>TRANSCRIPT OF STATUS CONFERENCE in case as to JONATHON OWEN SHROYER before Judge Timothy J. Kelly held on 1-20-22; Page Numbers: 1-31; Date of Issuance: 1-27-22; Court Reporter: Timothy R. Miller, Telephone Number (202) 354-3111. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>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 2/17/2022. Redacted Transcript Deadline set for 2/27/2022. Release of Transcript Restriction set for 4/27/2022.(Miller, Timothy) (Entered: 01/27/2022)</p>
02/13/2022	<u>18</u>	NOTICE <i>Regarding Status of Discovery as of February 9, 2022</i> by USA as to JONATHON OWEN SHROYER (Edwards, Troy) (Entered: 02/13/2022)
03/07/2022	<u>19</u>	MOTION to Continue by JONATHON OWEN SHROYER. (Pattis, Norman) (Entered: 03/07/2022)
03/07/2022		MINUTE ORDER as to JONATHON OWEN SHROYER granting the Defendant's <u>19</u> Consent Motion to Continue. It is hereby ORDERED that the status conference originally scheduled for March 8, 2022, at 2:00 p.m. is RESCHEDULED for April 7, 2022, at 2:00 p.m. It is further ORDERED that, with the consent of the parties, the time between March 8, 2022, and April 7, 2022, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, in light of the Defendant's representation in the <u>19</u> Motion that he needs time to prepare a motion to dismiss, as well as the Government's recent representations in its Notice <u>18</u> regarding the voluminous discovery that has been and will be produced to the Defendant, the ends of justice served by this continuance outweigh the interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 3/7/2022. (lctjk3) (Entered: 03/07/2022)
04/05/2022	<u>22</u>	Consent MOTION to Continue <i>April 7, 2022 Hearing And Deadline To File Renewed Motion To Dismiss</i> by JONATHON OWEN SHROYER. (Pattis, Norman) (Entered: 04/05/2022)
04/06/2022		MINUTE ORDER as to JONATHON OWEN SHROYER granting Defendant's <u>22</u> Consent Motion. It is hereby ORDERED that the status conference originally scheduled for April 7, 2022, at 2:00 p.m. is RESCHEDULED for May 9, 2022, at 3:00 p.m. It is further ORDERED that Defendant shall submit any further motion to dismiss by May 9, 2022. It is further ORDERED that, with the consent of the parties, the time

		between April 7, 2022, and May 9, 2022, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, in light of the Defendant's representation in the <u>22</u> Motion that he needs time to prepare a motion to dismiss, as well as his representation that the parties have engaged in discussions about resolving the case and need more time to do so, the ends of justice served by this continuance outweigh the interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 4/6/2022. (lctjk3) (Entered: 04/06/2022)
05/06/2022	<u>23</u>	Second MOTION to Dismiss Count 1-4 by JONATHON OWEN SHROYER. (Attachments: # <u>1</u> Memorandum in Support of Second Motion to Dismiss, # <u>2</u> Exhibit A: Affidavit of Jon Owen Shroyer)(Pattis, Norman) (Entered: 05/06/2022)
05/09/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 5/9/2022. Defendant appeared by video. Speedy Trial Excludable (XT) started 5/9/2022 through 6/23/2022, in the interest of justice. VTC Motion Hearing/Status Conference set for 6/23/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorney: Kimberly Louise Paschall. (zkh) (Entered: 05/09/2022)
05/19/2022	<u>25</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>23</u> Second MOTION to Dismiss Count 1-4 by USA as to JONATHON OWEN SHROYER. (Paschall, Kimberly) (Entered: 05/19/2022)
05/20/2022		MINUTE ORDER as to JONATHON OWEN SHROYER granting the Government's <u>25</u> Unopposed Motion for Extension of Time. It is hereby ORDERED that the Government's <u>25</u> Unopposed Motion is GRANTED. The Government shall file its response to Defendant's <u>23</u> Motion to Dismiss by June 3, 2022. Signed by Judge Timothy J. Kelly on 5/20/2022. (lctjk3) (Entered: 05/20/2022)
06/03/2022	<u>26</u>	Memorandum in Opposition by USA as to JONATHON OWEN SHROYER re <u>23</u> Second MOTION to Dismiss Count 1-4 (Paschall, Kimberly) (Entered: 06/03/2022)
06/23/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 6/23/2022. Defendant appeared by video. Speedy Trial Excludable (XT) started 6/23/2022 through 8/1/2022, in the interest of justice. Joint Status Report due by 7/25/2022. VTC Status Conference/Motion Hearing set for 8/1/2022 at 4:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorney: Kimberly Louise Paschall. (zkh) (Entered: 06/23/2022)
07/25/2022	<u>28</u>	Unopposed MOTION to Continue <i>Status Hearing</i> by USA as to JONATHON OWEN SHROYER. (Paschall, Kimberly) (Entered: 07/25/2022)
07/26/2022		MINUTE ORDER as to JONATHON OWEN SHROYER granting the Government's <u>28</u> Unopposed Motion to Continue. It is hereby ORDERED that the status conference/motion hearing originally scheduled for August 1, 2022, at 4:00 p.m. is RESCHEDULED for August 25, 2022, at 1:00 p.m. It is further ORDERED that, with the consent of the parties, the time between August 1, 2022, and August 25, 2022, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, in light of the Government's representation in the <u>28</u> Unopposed Motion that the parties seek additional time to discuss a pretrial disposition in this case, the ends of justice served by this continuance outweigh the interests of the public and Defendant in a

		speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 7/26/2022. (lctjk3) Modified to correct hearing on 7/26/2022 (zkh). (Entered: 07/26/2022)
07/26/2022		Set/Reset Hearings as to JONATHON OWEN SHROYER: VTC Motion Hearing set for 8/25/2022 at 1:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 07/26/2022)
08/25/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 8/25/2022. Defendant appeared by video. Speedy Trial Excludable (XT) started 8/25/2022 through 10/25/2022, in the interest of justice. VTC Status Conference/Motion Hearing set for 10/25/2022 at 10:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorney: Troy A. Edwards, Jr. (zkh) (Entered: 08/25/2022)
10/25/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 10/25/2022. Defendant appeared by video. Speedy Trial Excludable (XT) started 10/25/2022 through 11/29/2022, in the interest of justice. VTC Status Conference set for 11/29/2022 at 9:30 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: Norman A. Pattis; US Attorney: Kimberly Louise Paschall. (zkh) (Entered: 10/25/2022)
11/29/2022		Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to JONATHON OWEN SHROYER held on 11/29/2022. Defendant appeared by video. Status Conference set for 1/27/2023 at 11:30 AM in Courtroom 11 before Judge Timothy J. Kelly. Because this proceeding will be held in person, no public telephone access will be available. The public is welcome to attend the proceeding in the E. Barrett Prettyman U.S. Courthouse, located at 333 Constitution Avenue, NW, Washington, DC. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Lisa Moreira; Defense Attorney: Norman A. Pattis; US Attorney: Kimberly Louise Paschall. (zkh) (Entered: 11/29/2022)
01/23/2023	<u>32</u>	Consent MOTION to Continue <i>for 30 days</i> by JONATHON OWEN SHROYER. (Pattis, Norman) (Entered: 01/23/2023)
01/25/2023		MINUTE ORDER as to JONATHON OWEN SHROYER granting <u>32</u> Defendant's Consent Motion for Continuance. Upon consideration of Defendant's <u>32</u> Consent Motion for Continuance, it is hereby ORDERED that the Motion is GRANTED. The status conference scheduled for January 27, 2023, at 11:30 a.m. is RESCHEDULED for February 28, 2023, at 1:00 p.m. in Courtroom 11. It is further ORDERED that the time between January 27, 2023, and February 28, 2023, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, in light of the representation in the <u>32</u> Consent Motion that the parties continue to discuss a pretrial disposition in this case, the ends of justice served by this continuance outweigh the interests of the public and Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 1/25/2023. (lctjk3) (Entered: 01/25/2023)
02/10/2023		NOTICE OF HEARING as to JONATHON OWEN SHROYER: The Status Conference currently set for 2/28/2023 is RESCHEDULED for 3/17/2023 at 10:30 AM in Courtroom 11 before Judge Timothy J. Kelly. (zkh) (Entered: 02/10/2023)
02/28/2023		

		MINUTE ORDER as to JONATHON OWEN SHROYER: It is hereby ORDERED that the time between February 28, 2023, and March 17, 2023, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, because Defendant's attorney is involved in a protracted trial, and because of the need to maintain continuity of defense counsel, the interests of justice served by this continuance outweigh the interests of the public and Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 2/28/2023. (lctjk3) (Entered: 02/28/2023)
03/16/2023	<u>34</u>	Unopposed MOTION to Continue by USA as to JONATHON OWEN SHROYER. (Paschall, Kimberly) (Entered: 03/16/2023)
03/16/2023		MINUTE ORDER as to JONATHON OWEN SHROYER granting the Government's <u>34</u> Unopposed Motion for Continuance. Upon consideration of the Government's <u>34</u> Unopposed Motion for Continuance, it is hereby ORDERED that the motion is GRANTED. The status conference scheduled for March 17, 2023, is CONTINUED to April 18, 2023, at 9:00 a.m. in Courtroom 11. It is further ORDERED, with the parties' consent, that the time between March 17, 2023, and April 18, 2023, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> The Court finds that, in light of the parties' representations that they continue to discuss a pretrial disposition in this case, and because Defendant's attorney is involved in a protracted trial, the ends of justice served by this continuance outweigh the interests of the public and Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 3/16/2023. (lctjk3) (Entered: 03/16/2023)
03/16/2023	35	MOTION to Exclude Time under the Speedy Trial Act by USA as to JONATHON OWEN SHROYER. (See docket entry <u>34</u> to view document.) (zltp) (Entered: 03/27/2023)
04/12/2023		NOTICE OF HEARING as to JONATHON OWEN SHROYER: The Status Conference currently set for 4/18/2023 is RESCHEDULED for 6/23/2023 at 9:00 AM in Courtroom 11 before Judge Timothy J. Kelly. (zkh) (Entered: 04/12/2023)
04/17/2023		MINUTE ORDER as to JONATHON OWEN SHROYER: In light of the rescheduling of the next status conference to June 23, 2023, it is hereby ORDERED that, if the parties do not consent to excluding the time until June 23, 2023, under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> , for the same reasons prior exclusions have been granted in this case, they shall file notices on the docket so stating by April 18, 2023. Signed by Judge Timothy J. Kelly on 4/17/2023. (lctjk3) (Entered: 04/17/2023)
04/20/2023		MINUTE ORDER as to JONATHON OWEN SHROYER: It is hereby ORDERED, <i>nunc pro tunc</i> , and with the parties' consent, that the time period from April 18, 2023, to June 23, 2023, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. § 3161 <i>et seq.</i> For the reasons discussed in the parties' prior <u>32</u> <u>34</u> consent motions to continue hearings in this case, including the need for more time to engage in plea negotiations, the ends of justice served by this continuance outweigh the best interests of the public and Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Timothy J. Kelly on 4/20/2023. (lctjk3) (Entered: 04/20/2023)
06/20/2023		MINUTE ORDER as to JONATHON OWEN SHROYER: It is hereby ORDERED that the status conference currently set for June 23, 2023, is CONVERTED to a change-of-plea hearing and RESCHEDULED for June 23, 2023, at 10:00 a.m. in Courtroom 11. It is further ORDERED that the parties shall submit the following materials to the Court at Kelly_Chambers@dcd.uscourts.gov by June 21, 2023: (i) any

		written plea agreement; (ii) any superseding indictment or information; (iii) for each count to which Defendant intends to plead guilty, (a) the elements of the offense, (b) the factual proffer Defendant is prepared to acknowledge, (c) the applicable statutory minimum and maximum penalty, and (d) the estimated Guidelines offense level and range; and (iv) if Defendant is not a United States citizen, written notice as to whether Defendant will be pleading guilty to an "aggravated felony" as defined by 8 U.S.C. § 1101(a), which would subject Defendant to mandatory deportation. Signed by Judge Timothy J. Kelly on 6/20/2023. (lctjk3) (Entered: 06/20/2023)
06/23/2023		Minute Entry for proceedings held before Judge Timothy J. Kelly: Plea Agreement Hearing as to JONATHON OWEN SHROYER held on 6/23/2023. Plea of GUILTY entered as to Count 1. REFERRAL TO PROBATION OFFICE for Presentence Investigation. Sentencing Memoranda due by 9/5/2023. Sentencing set for 9/12/2023 at 10:00 AM in Courtroom 11 before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorneys: Troy A. Edwards, Jr. and Kimberly Louise Paschall. (zkh) (Entered: 06/23/2023)
06/23/2023	<u>38</u>	PLEA AGREEMENT as to JONATHON OWEN SHROYER. (zkh) (Entered: 06/23/2023)
06/23/2023	<u>39</u>	STATEMENT OF OFFENSE by USA as to JONATHON OWEN SHROYER. (zkh) (Entered: 06/23/2023)
06/23/2023	<u>40</u>	WAIVER of Trial by Jury as to JONATHON OWEN SHROYER. Approved by Judge Timothy J. Kelly on 6/23/2023. (zkh) (Entered: 06/23/2023)
09/05/2023	<u>43</u>	ENTERED IN ERROR.....MOTION for Sentencing Guidelines by JONATHON OWEN SHROYER. (Pattis, Norman) Modified on 9/8/2023 (zltp). (Entered: 09/05/2023)
09/05/2023	<u>46</u>	SENTENCING MEMORANDUM by USA as to JONATHON OWEN SHROYER (Attachments: # <u>1</u> Exhibit Notice of Sentencing Exhibits)(Paschall, Kimberly) (Entered: 09/05/2023)
09/05/2023		NOTICE OF ERROR as to JONATHON OWEN SHROYER regarding <u>43</u> MOTION for Sentencing Guidelines. The following error(s) need correction: Incorrect event. Please refile using the "Sentencing Memorandum" event type. (zltp) (Entered: 09/08/2023)
09/10/2023	<u>48</u>	SENTENCING MEMORANDUM by JONATHON OWEN SHROYER (Pattis, Norman) (Entered: 09/10/2023)
09/10/2023	<u>49</u>	REPLY by JONATHON OWEN SHROYER re <u>46</u> SENTENCING MEMORANDUM (Attachments: # <u>1</u> Exhibit)(Pattis, Norman) Modified text to include link on 9/11/2023 (zltp). (Entered: 09/10/2023)
09/12/2023		Minute Entry for proceedings held before Judge Timothy J. Kelly: Sentencing held on 9/12/2023 as to JONATHON OWEN SHROYER as to Count 1. Defendant sentenced to sixty (60) days of Incarceration followed by twelve (12) months of Supervised Release (with conditions). \$25.00 Special Assessment and Restitution in the amount of \$500.00. Counts 2, 3, and 4 DISMISSED ON ORAL MOTION OF THE GOVERNMENT. Bond Status of Defendant: Defendant allowed to self surrender, but remains on personal recognizance conditions until such time; Court Reporter: Timothy Miller; Defense Attorney: Norman A. Pattis; US Attorneys: Kimberly Louise Paschall

		and Troy A. Edwards, Jr.; Prob Officer: Aidee V. Gavito. (zkh) (Entered: 09/12/2023)
09/13/2023	<u>50</u>	JUDGMENT as to JONATHON OWEN SHROYER. Statement of Reasons Not Included. Signed by Judge Timothy J. Kelly on 9/13/2023. (zltp) (Entered: 09/17/2023)
09/13/2023	<u>51</u>	STATEMENT OF REASONS as to JONATHON OWEN SHROYER. re <u>50</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Timothy J. Kelly on 9/13/2023. (zltp) (Entered: 09/18/2023)
09/19/2023	<u>52</u>	MOTION for Release from Custody by JONATHON OWEN SHROYER. (Pattis, Norman) (Entered: 09/19/2023)
09/19/2023	<u>53</u>	NOTICE OF APPEAL – Final Judgment by JONATHON OWEN SHROYER Filing fee \$ 505, receipt number ADCDC-10361154. Fee Status: Fee Paid. Parties have been notified. (Pattis, Norman) (Entered: 09/19/2023)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA

vs.

Jonathan Owen Shroyer

Criminal No. 1:21-CR-00542 (TJK)

NOTICE OF APPEAL

Name and address of appellant: Jonathan Owen Shroyer
c/o Norm Pattis, Esq.
383 Orange St.
New Haven, CT 06524

Name and address of appellant's attorney: Norman A. Pattis, Esq.
Pattis & Associates, LLC
383 Orange Street
New Haven, CT 06511

Offense: 18 USC §1752(1)(1)

Concise statement of judgment or order, giving date, and any sentence:

Imposition of a 60-day sentence of incarceration on September 12, 2023.

Name and institution where now confined, if not on bail:

-pending assignment by Bureau of Prisons

I, the above named appellant, hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the above-stated judgment.

SEPT. 19, 2023
DATE

/s/ Owen Shroyer /s/

APPELLANT


ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE ☐

CJA, NO FEE ☐

PAID USDC FEE ☐

PAID USCA FEE ☒

Does counsel wish to appear on appeal?

YES ☒

NO ☐

Has counsel ordered transcripts?

YES ☐

NO ☒

Is this appeal pursuant to the 1984 Sentencing Reform Act?

YES ☒

NO ☐

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

JONATHON OWEN SHROYER

JUDGMENT IN A CRIMINAL CASE

Case Number: 21-CR-542 (TJK)

USM Number: 05937-107

Norman A Pattis

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Information filed 8/25/2021☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 USC § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	1

The defendant is sentenced as provided in pages 2 through 7 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) 2, 3 and 4 ☐ 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.

9/12/2023

Date of Imposition of Judgment

Signature of Judge

Timothy J. Kelly, U.S. District Judge

Name and Title of Judge

Date

9/13/23

AO 245B (Rev. 09/19) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 7

DEFENDANT: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)

IMPRISONMENT

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

Sixty (60) days

☐ 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: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)

SUPERVISED RELEASE

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

Twelve (12) months

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: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)**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: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)

SPECIAL CONDITIONS OF SUPERVISION

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.

Restitution Obligation – You must pay the balance of any restitution owed at a rate of no less than \$100 each month and provide verification of same to the Probation Office.

The Court authorizes supervision of this case to be transferred to the United States District Court for the Western District of Texas.

DEFENDANT: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)**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	\$	\$ 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 disbursement to the following victims:			
Architect of the Capitol Office of the Chief Financial Officer Ford House Office Building Room H2-205B Washington, DC 20515		\$500.00	
TOTALS	\$ 0.00	\$ 500.00	

☒ Restitution amount ordered pursuant to plea agreement \$ 500.00

☐ 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: JONATHON OWEN SHROYER
CASE NUMBER: 21-CR-542 (TJK)

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 \$ 25.00 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

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

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