U.S. District Court District of Columbia (Washington, DC) CRIMINAL DOCKET FOR CASE #: 1:21-cr-00040-TNM-7

Case title: USA v. MCCAUGHEY. III et al Date Filed: 01/29/2021

Assigned to: Judge Trevor N. McFadden

Defendant (7)

DAVID MEHAFFIE

represented by John M. Pierce

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Pending Counts

18 U.S.C. 111(a)(1) and 2; ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers and Aiding and Abetting

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

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

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building (52)

40 U.S.C. 5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence in a Capitol Grounds or Buildings

Highest Offense Level (Opening)

Felony

None

Highest Offense Level (Terminated)

None

Complaints

None

Terminated Counts

Disposition

Disposition

Interested Party

PRESS COALITION

represented by Charles D. Tobin

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09/15/2021

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Date Filed	#	Docket Text			
08/04/2021	102	FOURTH SUPERSEDING INDICTMENT as to PATRICK EDWARD MCCAUGHEY, III (1) count(s) 14ssss, 24ssss-25ssss, 34ssss, 35ssss, 35ssss, 45ssss, 52ssss, 53ssss, TRISTAN CHANDLER STEVENS (2) count(s) 14sss, 16sss, 21sss, 33sss, 34sss, 35sss, 34sss, 52sss, 53sss, DAVID LEE JUDD (3) count(s) 16ss, 22ss, 33ss, 34ss, 35ss, 38ss, 46ss, 52ss, 53ss, CHRISTOPHER JOSEPH QUAGLIN (4) count(s) 1ss, 2ss, 3ss, 4ss, 11ss, 20ss, 23ss, 26ss, 34ss, 35ss, 39ss, 47ss, 52ss, 53ss, ROBERT MORSS (5) count(s) 5s, 6s, 10s, 20s, 27s, 34s, 35s, 41s, 49s, 52s, 53s, GEOFFREY WILLIAM SILLS (6) count(s) 7s-8s, 13s, 15s, 18s, 34s, 35s, 40s, 48s, 52s, 53s, DAVID MEHAFFIE (7) count(s) 12, 34, 35, 52, 53 STEVEN CAPPUCCIO (8) count(s) 28, 29, 30, 34, 35, 42, 50, 52, 53, FEDERICO GUILLERMO KLEIN (9) count(s) 9, 17, 19, 27, 31-32, 34, 35, 43, 51, 52, 53. (zltp) (Entered: 08/10/2021)			
08/04/2021	104	MOTION to Seal Case by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN. (Attachments: # 1 Text of Proposed Order (Entered: 08/10/2021)			
08/04/2021	105	ORDER granting 104 Motion to Seal Case as to PATRICK EDWARD MCCAUGHEY III (1), TRISTAN CHANDLER STEVENS (2), DAVID LEE JUDD (3), CHRISTOPHER JOSEPH QUAGLIN (4), ROBERT MORSS (5), GEOFFREY WILLIAM SILLS (6), DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9). Signed by Magistrate Judge Robin M. Meriweather on 8/4/2021. (zltp) (Entered: 08/10/2021)			
08/12/2021	107	Arrest Warrant Returned Executed on 8/12/2021 in Kettering, Ohio as to DAVID MEHAFFIE. (bb) (Entered: 08/12/2021)			
08/12/2021		Arrest of DAVID MEHAFFIE in Ohio. (bb) (Entered: 08/12/2021)			
08/12/2021	108	Rule 5(c)(3) Documents Received as to DAVID MEHAFFIE from US District Court Southern District of Ohio Western Division at Dayton Case Number 3:21-mj-306 (bb) (Entered 08/13/2021)			
08/16/2021		Case unsealed as to DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (bb) (Entered: 08/17/2021)			
08/17/2021		ORAL MOTION by Defendant DAVID MEHAFFIE (7) to Appoint Counsel. (kk) (Entered: 08/19/2021)			
08/17/2021		ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 8/17/2021 until 9/20/2021 as to Defendant DAVID MEHAFFIE (7). (kk) (Entered: 08/19/2021)			
08/17/2021		Minute Entry for Initial Appearance and Arraignment as to DAVID MEHAFFIE (7) held by video before Magistrate Judge Robin M. Meriweather on 8/17/2021: The Court advised Government of its due process obligations under Rule 5(f). Oral Motion by Defendant to Appoint Counsel, heard and granted. Assistant Federal Public Defender Sabrina P. Shroff appointed to represent DAVID MEHAFFIE (7). The defendant consents to appear by video. Plea of Not Guilty entered by DAVID MEHAFFIE (7) to Counts 12, 34, 35, 52 and 53. S Hearing set before Judge Trevor N. McFadden on 9/20/2021 at 2:00 PM by telephonic/VTC. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 8/17/2021 until 9/20/2021, with the defense consenting for reasons other than those stated by the Government, heard and granted in the interest of justice. Bond Status of Defendant: Defendant place Personal Recognizance Bond with GPS Monitoring. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frames: 1:25:43 - 1:38:03 and 1:53:32 - 2:35:46. Defense Attorney: Sabrina Shr U.S. Attorneys: Kelly Smith and Jocelyn Bond; Pretrial Officer: Da'Shanta' Valentine-Lewis. (kk) (Entered: 08/19/2021)			
08/17/2021	116	ORDER Setting Conditions of Bond: Defendant DAVID MEHAFFIE (7) placed on Personal Recognizance Bond with Global Positioning System Monitoring, signed by Magistrate Judge Robin M. Meriweather on 8/18/2021, nunc pro tunc to 8/17/2021. (Attachment: Appearance Bond) (kk) (Entered: 08/21/2021)			
08/20/2021	115	NOTICE OF ATTORNEY APPEARANCE: Sabrina P. Shroff appearing for DAVID MEHAFFIE (Shroff, Sabrina) (Entered: 08/20/2021)			
08/24/2021	119	NOTICE OF ATTORNEY APPEARANCE Kimberley Charlene Nielsen appearing for USA. (Nielsen, Kimberley) (Entered: 08/24/2021)			
08/24/2021	120	STATUS REPORT Regarding Status of Discovery by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOP JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Jackson, Melissa) (Entered: 08/24/2021)			
09/14/2021	<u>124</u>	MOTION for Protective Order by USA as to DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN. (Attachments: # 1 Affidavit Declaration of Thomas A Dibiase, # 2 Exhibit to Affidavit, # 3 Text of Proposed Order Proposed Protective Order)(Bond, Jocelyn) (Entered: 09/14/2021)			
09/15/2021		MINUTE ORDER as to DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9) ordering Defendants to file their opposition, if any, to the Government's 124 Motion for a Protective Order on or before September 21, 2021. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/15/21. (lctnm2) Modified on 9/16/2021 to add defendants' names (hmc). (Entered: 09/15/2021)			

STATUS REPORT on Discovery as of 9/14/21 by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Bond, Jocelyn) (Entered:

		09/15/2021)			
09/16/2021		Set/Reset Deadlines as to DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9): Defendants' response to Government's 124 Motion due by 9/21/2021. (hmc) (Entered: 09/16/2021)			
09/17/2021		MINUTE ORDER as to PATRICK EDWARD MCCAUGHEY, III (1), TRISTAN CHANDLER STEVENS (2), DAVID LEE JUDD (3), CHRISTOPHER JOSEPH QUAGLIN (4), ROBERT MORSS (5), GEOFFREY WILLIAM SILLS (6), DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9). Due to the recent unavailability of remote hearing rooms at DC Jail, the Status Conference set for September 20, 2021 is hereby VACATED. The Court will promptly reschedule the hearing. Signed by Judge Trevor N. McFadden on 9/17/2021. (hmc) (Entered: 09/17/2021)			
09/20/2021		MINUTE ORDER as to PATRICK EDWARD MCCAUGHEY, III (1), TRISTAN CHANDLER STEVENS (2), DAVID LEE JUDD (3), CHRISTOPHER JOSEPH QUAGLIN (4), ROBERT MORSS (5), GEOFFREY WILLIAM SILLS (6), DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9). The Status Conference that was originally set for 9/20/2021, is rescheduled to 10/4/2021 at 4:30 PM in the Ceremonial Courtroom - In Person before Judge Trevor N. McFadden. Time under the Speedy Trial Act is tolled from 9/20/2021 to 10/4/2021, in the interests of justice and in light of the logistical issues in scheduling a hearing with all defendants earlier than this. Signed by Judge Trevor N. McFadden on 9/20/2021. (hmc) (Entered: 09/20/2021)			
09/23/2021	133	NOTICE OF FILING OF DISCOVERY LETTER by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHI JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: # 1 No Counsel/Party)(Jackson, Melissa) (Entered: 09/23/2021)			
09/23/2021	134	NOTICE OF FILING OF DISCOVERY LETTER by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: #1 Notice to Counsel/Party)(Jackson, Melissa) (Entered: 09/23/2021)			
09/27/2021	136	NOTICE OF FILING OF DISCOVERY LETTER by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHEJ JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: #1 No Counsel/Party)(Jackson, Melissa) (Entered: 09/27/2021)			
10/01/2021	140	NOTICE of Filing of Discovery Letter by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: # 1 Exhibit)(Jackson, Melissa) (Entered: 10/01/2021)			
10/04/2021		MINUTE ORDER granting Governments 145 Motion to Seal. The Clerk of Court shall place ECF No. 145 and 145-1 under seal. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/4/21. (lctnm2) (Entered: 10/04/2021)			
10/04/2021		Minute Entry for proceedings held before Judge Trevor N. McFadden: Arraignment and Status Conference as to PATRICK EDWARD MCCAUGHEY, III (2), TRISTAN CHANDLER STEVENS (2), DAVID LEE JUDD (3), CHRISTOPHER JOSEPH QUAGLIN (4), ROBERT MORSS (5), GEOFFREY WILLIAM SILLS (6), DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9) held on 10/4/2021. Due Process Protections Act read into the record by the Court. PATRICK EDWARD MCCAUGHEY III (1) arraigned on Counts 14ssss, 24ssss-25ssss, 34ssss, 35sss, 35ss, 35ss, 34sss, 35ss, 35ss, 34ss, 35ss, 35s			
10/05/2021		MINUTE ORDER as to DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), FEDERICO GUILLERMO KLEIN (9). Consistent with the Due Process Protections Act, and as stated at the hearing held before Judge McFadden, 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. Signed by Judge Trevor N. McFadden on 10/5/21. (lctnm2) (Entered: 10/05/2021)			
10/05/2021	147	ORDER granting 124 Motion for Protective Order as to DAVID MEHAFFIE (7), STEVEN CAPPUCCIO (8), and FEDERICO GUILLERMO KLEIN (9). See attached Protective Order for details. Signed by Judge Trevor N. McFadden on 10/5/2021. (lctnm2). (Entered: 10/05/2021)			
10/06/2021	149	NOTICE of Filing of Discovery Letter by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: # 1 Exhibit Discovery letter-10-6-2021)(Jackson, Melissa) (Entered: 10/06/2021)			
10/07/2021	<u>150</u>	NOTICE of Filing of Discovery Letter by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Attachments: # 1 Exhibit)(Jackson, Melissa) (Entered: 10/07/2021)			
10/12/2021	<u>151</u>	NOTICE OF ATTORNEY APPEARANCE: John M. Pierce appearing for DAVID MEHAFFIE (Pierce, John) (Entered: 10/12/2021)			
10/12/2021	152	TRANSCRIPT OF PROCEEDINGS in case as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN before Judge Trevor N. McFadden held on 10/04/021. Page Numbers: 1-64. Date of Issuance: 10/07/2021. Stenographic Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. 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. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.			
		Redaction Request due 11/2/2021. Redacted Transcript Deadline set for 11/12/2021. Release of Transcript Restriction set for 1/10/2022. (Meyer, Nancy) (Entered: 10/12/2021)			
10/27/2021	161	STATUS REPORT Regarding Status of Discovery by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPH JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Jackson, Melissa) (Entered: 10/27/2021)			
11/04/2021	165	MOTION to Substitute Attorney (Memorandum in Support) by ROBERT MORSS as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEI JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLE (Kiyonaga, John) (Entered: 11/04/2021)			
11/05/2021	166	STATUS REPORT Regarding Status of Discovery by USA as to PATRICK EDWARD MCCAUGHEY, III, TRISTAN CHANDLER STEVENS, DAVID LEE JUDD, CHRISTOPHER JOSEPH QUAGLIN, ROBERT MORSS, GEOFFREY WILLIAM SILLS, DAVID MEHAFFIE, STEVEN CAPPUCCIO, FEDERICO GUILLERMO KLEIN (Jackson, Melissa) (Entered: 11/05/2021)			

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