

U.S. District Court  
District of Columbia (Washington, DC)  
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00638-TJK-1

Case title: USA v. FONTICOBA

Date Filed: 10/22/2021

Assigned to: Judge Timothy J. Kelly

**Defendant (1)**

**GILBERT FONTICOBA**

represented by **Aubrey Webb**  
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**Pending Counts**

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 (1)

18 U.S.C. 231(a)(3) and 2; CIVIL DISORDER; Civil Disorder (2)

18 U.S.C. 1752(a)(1); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds (3)

18 U.S.C. 1752(a)(2); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (4)

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building (5)

40 U.S.C. 5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building (6)

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Jason Bradley Adam McCullough**  
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| Date Filed | #                  | Docket Text  |
|------------|--------------------|--|
| 10/22/2021 | <a href="#">1</a>  | INDICTMENT as to GILBERT FONTICOPA (1) count(s) 1, 2, 3, 4, 5, 6. (zltpt) (Entered: 10/25/2021)  |
| 10/22/2021 | <a href="#">3</a>  | MOTION to Seal Case by USA as to GILBERT FONTICOPA. (Attachments: # <a href="#">1</a> Text of Proposed Order)(zltpt) (Entered: 10/25/2021)   |
| 10/22/2021 | <a href="#">4</a>  | ORDER granting <a href="#">3</a> Motion to Seal Case as to GILBERT FONTICOPA (1). Signed by Magistrate Judge G. Michael Harvey on 10/22/2021. (zltpt) (Entered: 10/25/2021)  |
| 10/26/2021 |                    | Arrest of GILBERT FONTICOPA in Florida. (bb) (Entered: 10/28/2021)   |
| 10/26/2021 |                    | Case unsealed as to GILBERT FONTICOPA (bb) (Entered: 10/28/2021)   |
| 10/27/2021 |                    | MINUTE ORDER as to Defendant GILBERT FONTICOPA : It is hereby ORDERED that Defendant GILBERT FONTICOPA appear for an initial appearance and an arraignment on Tuesday, November 2, 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 Defendant has received this Order and will provide the information to Defendant. If Defendant does 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 10/27/2021. (zkk) (Entered: 10/27/2021)             |
| 10/28/2021 | <a href="#">5</a>  | Rule 5(c)(3) Documents Received as to GILBERT FONTICOPA from US District Court for the Southern District of Florida Case Number 21-mj-4099-CMM (bb) (Entered: 10/28/2021)  |
| 10/29/2021 | <a href="#">6</a>  | NOTICE OF ATTORNEY APPEARANCE: Charles R. Haskell appearing for GILBERT FONTICOPA (Haskell, Charles) (Main Document 6 replaced on 10/29/2021) (znmw). (Entered: 10/29/2021)  |
| 10/29/2021 | <a href="#">7</a>  | MOTION for Leave to Appear Pro Hac Vice Aubrey Webb Filing fee \$ 100, receipt number ADCDC-8831976. Fee Status: Fee Paid. by GILBERT FONTICOPA. (Attachments: # <a href="#">1</a> Declaration Declaration In Support of Motion for Admission Pro Hac Vice, # <a href="#">2</a> Text of Proposed Order Proposed Order)(Haskell, Charles) (Entered: 10/29/2021)   |
| 11/01/2021 |                    | MINUTE ORDER as to GILBERT FONTICOPA granting <a href="#">7</a> Motion for Admission of Attorney Audrey Webb, <i>Pro Hac Vice</i> . It is hereby ORDERED that <a href="#">7</a> Motion is granted. Attorney Audrey Webb is hereby admitted <i>pro hac vice</i> to appear in this matter on behalf of Defendant. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions</b> as to GILBERT FONTICOPA (1). Signed by Judge Timothy J. Kelly on 11/01/2021. (lctjk2) (Entered: 11/01/2021)   |
| 11/01/2021 | <a href="#">8</a>  | NOTICE OF ATTORNEY APPEARANCE: Aubrey Webb appearing for GILBERT FONTICOPA (Webb, Aubrey) (Entered: 11/01/2021)  |
| 11/02/2021 | <a href="#">9</a>  | Arrest Warrant, dated 10/22/2021, returned executed in the U.S. District Court for the District of Columbia on 11/2/2021 as to Defendant GILBERT FONTICOPA. (kk) (Entered: 11/02/2021)   |
| 11/02/2021 |                    | ORAL MOTION by USA to Exclude Time Under the Speedy Trial Act from 11/2/2021 to 11/10/2021 as to Defendant GILBERT FONTICOPA. (kk) (Entered: 11/02/2021)   |
| 11/02/2021 |                    | Minute Entry for Initial Appearance and Arraignment as to GILBERT FONTICOPA held by video before Magistrate Judge Robin M. Meriweather on 11/2/2021 : The Court advised the Government of its due process obligations under Rule 5(f). The defendant agrees to appear by video. Plea of Not Guilty entered by GILBERT FONTICOPA to Counts 1, 2, 3, 4, 5 and 6. Status Conference set for 11/10/2021 at 11:00 AM by telephonic/VTC before Judge Timothy J. Kelly. Oral Motion by USA to Exclude Time Under the Speedy Trial Act from 11/2/2021 to 11/10/2021, with no objection by the defense, heard and granted in the interest of justice. Bond Status of Defendant: Defendant placed on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frames: 1:16:13 - 1:28:08 and 1:28:12 - 1:45:33. Defense Attorneys: Aubrey Webb and Charles Haskell; U.S. Attorney: Frederick Yette for Nadia Moore and Jason McCullough; Pretrial Officer: Da'Shanta' Valentine-Lewis. (kk) (Entered: 11/02/2021) |
| 11/02/2021 | <a href="#">11</a> | ORDER Setting Conditions of Bond : Defendant GILBERT FONTICOPA placed on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather on 11/2/2021. (Attachment: # <a href="#">1</a> Appearance Bond) (kk) (Entered: 11/02/2021)   |
| 11/05/2021 | <a href="#">12</a> | Consent MOTION to Continue to <i>Reset Nov. 10 Status Hearing</i> by GILBERT FONTICOPA. (Webb, Aubrey) (Entered: 11/05/2021)   |
| 11/08/2021 |                    | MINUTE ORDER as to GILBERT FONTICOPA granting Defendant's <a href="#">12</a> Consented to Motion to Reset the Status Hearing Date. It is hereby ORDERED that Defendant's <a href="#">12</a> Consented to Motion is GRANTED. It is further ORDERED that the VTC Status Conference currently scheduled for November 10, 2021, is RESCHEDULED to November 8, 2021, at 2:00 p.m. Signed by Judge Timothy J. Kelly on 11/08/2021. (lctjk2) (Entered: 11/08/2021)  |
| 11/08/2021 |                    | Set/Reset Hearings as to GILBERT FONTICOPA: VTC Status Conference set for 11/8/2021 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 11/08/2021)  |
| 11/08/2021 | <a href="#">13</a> | Unopposed MOTION for Protective Order by USA as to GILBERT FONTICOPA. (Attachments: # <a href="#">1</a> Proposed Order)(Moore, Nadia) (Entered: 11/08/2021)  |
| 11/08/2021 | <a href="#">14</a> | NOTICE OF FILING DISCOVERY UPDATE by USA as to GILBERT FONTICOPA (Attachments: # <a href="#">1</a> Memorandum Regarding Status of Discovery as of July 12, 2021, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Memorandum Regarding Status of Discovery as of August 23, 2021, # <a href="#">4</a> Memorandum Regarding Status of Discovery as of September 14, 2021, # <a href="#">5</a> Memorandum Regarding Status of Discovery as of October 21, 2021)(Moore, Nadia) (Entered: 11/08/2021)  |
| 11/08/2021 | <a href="#">15</a> | NOTICE OF FILING DISCOVERY UPDATE by USA as to GILBERT FONTICOPA (Attachments: # <a href="#">1</a> Supplement)(Moore, Nadia) (Entered: 11/08/2021)   |
| 11/08/2021 | <a href="#">16</a> | Unopposed MOTION for Disclosure <i>Order To Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials</i> by USA as to GILBERT FONTICOPA. (Attachments: # <a href="#">1</a> Proposed Order)(Moore, Nadia) (Entered: 11/08/2021)   |
| 11/08/2021 | <a href="#">17</a> | ORDER granting <a href="#">13</a> Motion for Protective Order as to GILBERT FONTICOPA. See Order for details. Signed by Judge Timothy J. Kelly on 11/08/2021. (lctjk2) (Entered: 11/08/2021)   |
| 11/08/2021 | <a href="#">18</a> | ORDER as to GILBERT FONTICOPA granting the Government's <a href="#">16</a> Unopposed Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials. See Order for details. Signed by Judge Timothy J. Kelly on 11/08/2021. (lctjk2) (Entered: 11/08/2021)  |
| 11/08/2021 |                    | Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to GILBERT FONTICOPA held on 11/8/2021. Defendant appeared by video. Speedy Trial Excludable (XT) started 11/8/2021 through 2/8/2022, in the interest of justice. VTC Status Conference set for 2/8/2022 at 11:00 AM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorneys: Aubrey Webb and Charles R. Haskell; US Attorney: Nadia Moore. (zkh) (Entered: 11/08/2021)   |
| 11/08/2021 | <a href="#">19</a> | NOTICE of Filing of Signed Acceptance of Discovery Order by GILBERT FONTICOPA (Attachments: # <a href="#">1</a> Signed Acceptance of Discovery Protective Order)(Webb, Aubrey) (Entered: 11/08/2021)   |
| 02/07/2022 |                    | NOTICE OF HEARING (Time Change) as to GILBERT FONTICOPA: VTC Status Conference set for 2/8/2022 at 2:00 PM before Judge Timothy J. Kelly. (zkh) (Entered: 02/07/2022)  |
| 02/08/2022 |                    | Minute Entry for proceedings held before Judge Timothy J. Kelly: VTC Status Conference as to GILBERT FONTICOPA held on 2/8/2022. Defendant appeared by video. Speedy Trial Excludable (XT) started 2/8/2022 though 5/10/2022, in the interest of justice. VTC Status Conference set for 5/10/2022 at 2:00 PM before Judge Timothy J. Kelly. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Timothy Miller; Defense Attorneys: Aubrey Webb and Charles R. Haskell; US Attorney: Nadia Moore. (zkh) (Entered: 02/08/2022)   |
| 02/10/2022 | <a href="#">21</a> | NOTICE of United States' Memorandum Regarding Status of Discovery by USA as to GILBERT FONTICOPA (Moore, Nadia) (Entered: 02/10/2022)  |

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