

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00015-APM-3**

Case title: USA v. RHODES, III et al

Date Filed: 01/12/2022

Assigned to: Judge Amit P. Mehta

Appeals court case number: 23-3089

Defendant (3)

KENNETH HARRELSON

represented by **Bradford L Geyer**
FORMERFEDSGROUP.COM LCC
141 I Route 130 South
Suite 303
Cinnaminson, NJ 08077
856-607-5708
Email:
bradford.geyer@formerfedsgroup.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

David William Fischer , Sr.
FISCHER & PUTZI, P.A.
7310 Governor Ritchie Highway
Empire Towers, Suite 300
Glen Burnie, MD 21061-3065
(410) 787-0826
Fax: (410) 787-1853
Email: fischerandputzi@hotmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18:2384; SEDITIOUS CONSPIRACY;
Seditious Conspiracy
(1)

18 U.S.C. 2384; SEDITIOUS
CONSPIRACY; Seditious Conspiracy
(1s)

18:1512(k); TAMPERING WITH
WITNESS, VICTIM, OR AN
INFORMANT; Conspiracy to Obstruct an
Official Proceeding
(2)

Disposition

Jury Verdict of Not Guilty on 11/29/2022.

18 U.S.C. 1512(k); TAMPERING WITH WITNESS, VICTIM, OR AN INFORMANT; Conspiracy to Obstruct an Official Proceeding
(2s)

Jury Verdict of Not Guilty on 11/29/2022.

18:1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(3)

Sentenced to 48 months of incarceration followed by 24 months of supervised release. These terms of incarceration and supervised release shall run concurrently with those imposed as to Counts 4s and 9s. Special assessment imposed on this count in the amount of \$100.

18 U.S.C. 1512(c)(2), 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting
(3s)

18:372; CONSPIRE TO IMPEDE OR INJURE OFFICER; Conspiracy to Prevent an Officer from Discharging Any Duties
(4)

Sentenced to 48 months of incarceration followed by 24 months of supervised release. These terms of incarceration and supervised release shall run concurrently with those imposed as to Counts 3s and 9s. Special assessment imposed on this count in the amount of \$100.

18 U.S.C. 372; CONSPIRE TO IMPEDE OR INJURE OFFICER; Conspiracy to Prevent an Officer from Discharging Any Duties
(4s)

18:1361, 2; GOVERNMENT PROPERTY OR CONTRACTS; Destruction of Government Property and Aiding and Abetting
(5)

18 U.S.C. 1361, 2; GOVERNMENT PROPERTY OR CONTRACTS >; Destruction of Government Property and Aiding and Abetting
(5s)

Jury Verdict of Not Guilty on 11/29/2022.

18 U.S.C. 1512(c)(1); TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Tampering with Documents or Proceedings
(9s)

Sentenced to 48 months of incarceration followed by 24 months of supervised release. These terms of incarceration and supervised release shall run concurrently with those imposed as to Counts 3s and 4s. Special assessment imposed on this count in the amount of \$100.

18:1512(c)(1); TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Tampering with Documents or Proceedings
(11)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Interested Party

PRESS COALITION

represented by **Charles D. Tobin**
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2218
Fax: 202-661-2299
Email: tobinc@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Lauren Russell
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
202-661-2200
Fax: 202-661-2299
Email: russelll@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Maxwell S. Mishkin
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
(202) 508-1140
Fax: (202) 661-2299
Email: mishkinm@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Interested Party

CONRAD SMITH

represented by **Edward G. Caspar**
LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1500 K Street, NW
Suite 900
Washington, DC 20005
202-662-8390
Email: ecaspar@lawyerscommittee.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Plaintiff

USA

represented by **Ahmed Muktadir Baset**
U.S. ATTORNEY'S OFFICE
United States Attorney's Office for the
District of Col
555 Fourth Street, N.W.
Room 4209
Washington, DC 20530
202-252-7097
Email: ahmed.baset@usdoj.gov
TERMINATED: 06/09/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Alexandra Stalimene Hughes
U.S. DEPARTMENT OF JUSTICE
NSD
950 Pennsylvania Ave NW
Washington DC, DC 20004
202-353-0023
Email: Alexandra.Hughes@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Jeffrey S. Nestler
U.S. ATTORNEY'S OFFICE
555 Fourth Street NW
Washington, DC 20530
202-252-7277
Email: jeffrey.nestler@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Justin Todd Sher

U.S. DEPARTMENT OF JUSTICE
 950 Pennsylvania Avenue NW
 Washington, DC 20530
 202-353-3909
 Email: justin.sher@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Kathryn Leigh Rakoczy
 U.S. ATTORNEY'S OFFICE FOR THE
 DISTRICT OF COLUMBIA
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 252-6928
 Fax: (202) 305-8537
 Email: kathryn.rakoczy@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Louis J. Manzo
 DOJ-CRM
 1400 New York Ave NW
 Washington, DC 20002
 202-616-2706
 Email: louis.manzo@usdoj.gov
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
01/12/2022	1	SEALED INDICTMENT as to ELMER STEWART RHODES, III (1) count(s) 1, 2, 3, 4, 9, KELLY MEGGS (2) count(s) 1, 2, 3, 4, 5, 10, KENNETH HARRELSON (3) count(s) 1, 2, 3, 4, 5, 11, JESSICA WATKINS (4) count(s) 1, 2, 3, 4, 5, 6, JOSHUA JAMES (5) count(s) 1, 2, 3, 4, 7, 8, 12, ROBERTO A. MINUTA (6) count(s) 1, 2, 3, 4, 13, JOSEPH HACKETT (7) count(s) 1, 2, 3, 4, 5, 14, DAVID MOERSCHEL (8) count(s) 1, 2, 3, 4, 5, 15, BRIAN ULRICH (9) count(s) 1, 2, 3, 4, 16, THOMAS EDWARD CALDWELL (10) count(s) 1, 2, 3, 4, 17, EDWARD VALLEJO (11) count(s) 1, 2, 3, 4. (bb) (Entered: 01/14/2022)

01/12/2022	3	MOTION to Seal Case by USA as to ELMER STEWART RHODES, III(1), KELLY MEGGS(2), KENNETH HARRELSON(3), JESSICA WATKINS(4), JOSHUA JAMES(5), ROBERTO A. MINUTA(6), JOSEPH HACKETT(7), DAVID MOERSCHEL(8), BRIAN ULRICH(9), THOMAS EDWARD CALDWELL(10), EDWARD VALLEJO(11). (Attachments: # 1 Text of Proposed Order)(bb) (Entered: 01/14/2022)
01/12/2022	4	ORDER granting 3 Motion to Seal Case as to ELMER STEWART RHODES III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), JOSHUA JAMES (5), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), BRIAN ULRICH (9), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11). Signed by Judge Amit P. Mehta on 1/12/2022. (bb) (Entered: 01/14/2022)
01/13/2022		Case unsealed as to ELMER STEWART RHODES, III(1), KELLY MEGGS(2), KENNETH HARRELSON(3), JESSICA WATKINS(4), JOSHUA JAMES(5), ROBERTO A. MINUTA(6), JOSEPH HACKETT(7), DAVID MOERSCHEL(8), BRIAN ULRICH(9), THOMAS EDWARD CALDWELL(10), EDWARD VALLEJO(11). (bb) (Entered: 01/14/2022)
01/18/2022	7	MOTION for Order to Adopt the Record of Case No. 21-cr-28 by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order) (Nestler, Jeffrey) (Entered: 01/18/2022)
01/19/2022	8	ORDER granting 7 Motion for Order as to ELMER STEWART RHODES III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), JOSHUA JAMES (5), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), BRIAN ULRICH (9), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11). The court hereby adopts the record in case 21-cr-28-APM through January 12, 2022, as the record in the instant case. See attached Order for additional details. Signed by Judge Amit P. Mehta on 1/19/2022. (lcapm1) (Entered: 01/19/2022)
01/20/2022	9	NOTICE of Certification in Response to Court's December 23, 2021 Order by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO (Nestler, Jeffrey) (Entered: 01/20/2022)
01/21/2022		MINUTE ORDER. The parties in this newly indicted matter shall appear for a consolidated status conference with case 21-cr-28, as previously scheduled, on Tuesday, January 25, 2022, at 11:00 a.m. Arrangements are being made for detained defendants to participate remotely. The courtroom deputy will circulate teleconference information to counsel and non-detained defendants. Members of the public may access the conference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. The public access line will be muted and should only be used by non-participating parties. Signed by Judge Amit P. Mehta on 1/21/2022. (lcapm1) (Entered: 01/21/2022)
01/24/2022		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), JOSHUA JAMES (5), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID

		MOERSCHEL (8), BRIAN ULRICH (9), THOMAS EDWARD CALDWELL (10): Arraignment set for 1/25/2022 at 11:00 AM via videoconference before Judge Amit P. Mehta. Members of the public may access the conference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. (zjd) (Entered: 01/24/2022)
01/25/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Arraignment as to ELMER STEWART RHODES III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), JOSHUA JAMES (5), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), BRIAN ULRICH (9), and THOMAS EDWARD CALDWELL (10) held via videoconference on 1/25/2022. Plea of Not Guilty by ELMER STEWART RHODES III (1) as to Counts 1, 2, 3, 4, and 9. Plea of Not Guilty by KELLY MEGGS (2) as to Counts 1, 2, 3, 4, 5, and 10. Plea of Not Guilty by KENNETH HARRELSON (3) as to Counts 1, 2, 3, 4, 5, and 11. Plea of Not Guilty by JESSICA WATKINS (4) as to Counts 1, 2, 3, 4, 5, and 6. Plea of Not Guilty by JOSHUA JAMES (5) as to Counts 1, 2, 3, 4, 7, 8, and 12. Plea of Not Guilty by ROBERTO A. MINUTA (6) as to Counts 1, 2, 3, 4, and 13. Plea of Not Guilty by JOSEPH HACKETT (7) as to Counts 1, 2, 3, 4, 5, and 14. Plea of Not Guilty by DAVID MOERSCHEL (8) as to Counts 1, 2, 3, 4, 5, and 15. Plea of Not Guilty by BRIAN ULRICH (9) as to Counts 1, 2, 3, 4, and 16. Plea of Not Guilty by THOMAS EDWARD CALDWELL (10) as to Counts 1, 2, 3, 4, and 17. In the interests of justice, and for the reasons stated on the record, the time from 1/26/2022 through and including 3/4/2022 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 3/4/2022 at 1:00 PM via videoconference before Judge Amit P. Mehta. Jury Trial set for 7/11/2022 at 9:30 AM in Ceremonial Courtroom before Judge Amit P. Mehta. Second Jury Trial set for 9/26/2022 at 9:30 AM in Ceremonial Courtroom before Judge Amit P. Mehta. Members of the public may access the hearings by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, James (5) placed on PR/HISP, Minuta (6) placed on PR/HISP, Hackett (7) placed on PR/HISP, Moerschel (8) placed on personal recognizance, Ulrich (9) placed on personal recognizance, Caldwell (10) placed on PR/HISP; Court Reporter: William Zaremba; Defense Attorneys: Philip Linder (1), Jonathan Moseley (2), Bradford Geyer (3), Jonathan Crisp (4), Joan Robin (5), Chris Leibig (5), Alfred Guillaume (6), Angie Halim (7), Scott Weinberg (9), A.J. Balbo (9), David Fischer (10); US Attorneys: Kathryn Rakoczy and Jeffrey Nestler; Pretrial Officer: Christine Schuck. (zjd) (Entered: 01/26/2022)
02/10/2022	44	STATUS REPORT <i>REGARDING DISCOVERY</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO (Rakoczy, Kathryn) (Entered: 02/10/2022)
03/04/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), BRIAN ULRICH (9), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11) held via videoconference on 3/4/2022. Defendant Vallejo (11) was not present for these proceedings. In the interests of justice, and for the reasons stated on the record, the time from 3/5/2022 through and including 4/8/2022 shall be excluded in computing the date for speedy trial in this case. Status Conference set for 4/8/2022 at 10:00 AM via

		<p>videoconference before Judge Amit P. Mehta. Members of the public may access the hearings by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) placed on PR/HISP, Hackett (7) placed on PR/HISP, Moerschel (8) placed on personal recognizance, Ulrich (9) placed on personal recognizance, Caldwell (10) placed on PR/HISP; Court Reporter: William Zaremba; Defense Attorneys: Philip Linder (1), James Bright (1), Jonathan Moseley (2), Bradford Geyer (3), Jonathan Crisp (4), Alfred Guillaume (6), Angie Halim (7), Scott Weinberg (8), A.J. Balbo (9), David Fischer (10); Matthew Peed (11) US Attorneys: Kathryn Rakoczy and Jeffrey Nestler; Pretrial Officer: Christine Schuck. (zjd) (Entered: 03/04/2022)</p>
03/11/2022		<p>MINUTE ORDER. The 39 court order requiring Defendant ELMER STEWART RHODES, III (1), to remain at his present facility in Oklahoma is hereby lifted. The U.S. Marshals Service may move Defendant Rhodes to a facility that it determines to be appropriate. Signed by Judge Amit P. Mehta on 3/11/2022. (lcapm1) (Entered: 03/11/2022)</p>
03/15/2022	64	<p>ORDER as to Defendants ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, and EDWARD VALLEJO. Trial is set to commence in this matter on July 11, 2022, at 9:30 a.m. The following deadlines shall govern this matter: (1) parties shall file their pretrial motions (other than motions in limine) on or before April 15, 2022; (2) oppositions to pretrial motions shall be filed on or before April 29, 2022; (3) replies to pretrial motions shall be filed on or before May 6, 2022; (4) counsel shall reserve May 17, 2022, at 1:00 p.m. for a hearing on pretrial motions, if necessary; (5) the United States shall make any required expert disclosures by May 23, 2022; (6) Defendants shall make any required reciprocal expert disclosures by June 6, 2022; (7) the United States shall notify Defendant of its intention to introduce any Rule 404(b) evidence not already disclosed on or before June 13, 2022; (8) motions in limine shall be filed on or before June 3, 2022; (9) oppositions to motions in limine shall be filed on or before June 17, 2022; (10) replies in support of motions in limine shall be filed on or before June 24, 2022; (11) any motions in limine by the United States shall be filed by June 16, 2022; (12) oppositions to such motions shall be filed by June 24, 2022; (13) Defendants shall satisfy their reciprocal discovery obligations, if any, by June 23, 2022; (14) the United States shall file any motion in limine pursuant to such discovery by June 30, 2022; (15) oppositions to such motions shall be filed by July 6, 2022; (16) the United States should endeavor to make grand jury and Jencks Act disclosures as to each witness it expects to call in its case-in-chief and disclose any Brady material not already disclosed on or before July 1, 2022; (17) the parties shall file a draft Joint Juror Questionnaire by June 6, 2022; (18) qualified prospective jurors will appear on June 27, 2022 to answer the finalized version of the Questionnaire; (19) the parties' Joint Pretrial Statement is due on or before June 24, 2022; (20) the parties shall submit a Word format copy of (a) any proposed modification to a standard jury instruction, (b) any non-standard jury instruction, and (c) the verdict form on or before June 24, 2022; and (21) the Pretrial Conference previously scheduled for July 6, 2022, is hereby vacated and rescheduled for July 1, 2022, at 10:00 a.m. in Courtroom 10. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 3/15/2022. (lcapm1) (Entered: 03/15/2022)</p>
03/19/2022	66	<p>MOTION to Continue <i>Trial</i> by ROBERTO A. MINUTA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS,</p>

		JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Guillaume, Alfred) (Entered: 03/19/2022)
03/21/2022	67	RESPONSE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 66 MOTION to Continue <i>Trial</i> (Rakoczy, Kathryn) (Entered: 03/21/2022)
03/29/2022	68	ORDER denying 65 Motion to Continue Deadline for Filing Rule 12(b) Motions and denying 66 Motion to Continue Trial. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 3/29/2022. (lcapm1) (Entered: 03/29/2022)
04/07/2022	76	<p>TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on March 4, 2022; Page Numbers: 1-72. Date of Issuance: April 7, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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 4/28/2022. Redacted Transcript Deadline set for 5/8/2022. Release of Transcript Restriction set for 7/6/2022.(wz) (Main Document 76 replaced on 4/22/2022) (zltp). (Entered: 04/07/2022)</p>
04/08/2022	79	ORDER granting 73 Unopposed Motion to Modify Conditions of Release as to THOMAS EDWARD CALDWELL (10). See the attached Order for additional details. Signed by Judge Amit P. Mehta on 4/7/2022. (lcapm1) (Entered: 04/08/2022)
04/08/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), BRIAN ULRICH (9), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11) held via videoconference on 4/8/2022. In the interests of justice, and for the reasons stated on the record, the time from 4/9/2022 through and including 7/11/2022 shall be excluded in computing the date for speedy trial as to defendants HARRELSON (3), WATKINS (4), HACKETT (7), MOERSCHEL (8), and CALDWELL (10). In the interests of justice, and for the reasons stated on the record, the time from 4/9/2022 through and

		including 9/26/222 shall be excluded in computing the date for speedy trial as to RHODES (1), MEGGS (2), MINUTA (6), ULRICH (9), and VALLEJO (11). Status Conference as to MEGGS (2) set for 4/22/2022 at 9:00 AM via videoconference before Judge Amit P. Mehta. Status Conference as to HARRELSON (3), WATKINS (4), HACKETT (7), MOERSCHEL (8), and CALDWELL (10) set for 5/6/2022 at 1:00 PM via videoconference before Judge Amit P. Mehta. Status Conference as to RHODES (1), MEGGS (2), MINUTA (6), ULRICH (9), and VALLEJO (11) set for 5/6/2022 at 02:30 PM via videoconference before Judge Amit P. Mehta. Members of the public may access the hearings by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP, Moerschel (8) remains on personal recognizance, Ulrich (9) remains on personal recognizance, Caldwell (10) remains on PR/HISP, Vallejo (11) remains in-custody; Court Reporter: William Zarembo; Defense Attorneys: Philip Linder (1), Jonathan Moseley (2), Bradford Geyer (3), Jonathan Crisp (4), Alfred Guillaume, III and William Shipley, Jr. (6), Angie Halim (7), Scott Weinberg (8), A.J. Balbo (9), David Fischer (10), Matthew Peed (11); US Attorney: Kathryn Rakoczy. (zjd) (Entered: 04/21/2022)
04/13/2022		MINUTE ORDER. Counsel for Defendant KELLY MEGGS, Jonathon Moseley, shall refrain from filing any additional motions on behalf of Defendant Meggs while action on Mr. Moseley's bar status before this District Court remains pending. At this juncture, Mr. Moseley remains only caretaker counsel until successor counsel enters an appearance. The court will consider those motions already filed by Mr. Moseley, but no more, absent exigent circumstances and leave of court. The court will accommodate the need for additional time for Defendant Meggs to file Rule 12 motions upon entry of successor counsel. Signed by Judge Amit P. Mehta on 4/13/2022. (lcapm1) (Entered: 04/13/2022)
04/16/2022	94	MOTION to Dismiss Count <i>One</i> , MOTION to Strike <i>Surplussage</i> by EDWARD VALLEJO as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order)(Peed, Matthew) (Entered: 04/16/2022)
04/19/2022	155	LEAVE TO FILE DENIED- Second motion for Dual Appellate and quad writ en banc as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO This document is unavailable as the Court denied its filing. Signed by Judge Amit P. Mehta on 4/18/2022. (zltp) (Entered: 06/15/2022)
04/19/2022	156	LEAVE TO FILE DENIED- Third motion for Dual Appellate and quad writ en banc as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO This document is unavailable as the Court denied its filing. Signed by Judge Amit P. Mehta on 4/18/2022. (zltp) (Entered: 06/15/2022)
04/19/2022	157	LEAVE TO FILE DENIED- Fourth & Fifth motion for Dual Appellate and quad writ en banc as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA,

		JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO This document is unavailable as the Court denied its filing. Signed by Judge Amit P. Mehta on 4/18/2022. (zltpt) (Entered: 06/15/2022)
04/19/2022	158	LEAVE TO FILE DENIED- Nineteenth Notice as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO This document is unavailable as the Court denied its filing. Signed by Judge Amit P. Mehta on 4/18/2022. (zltpt) (Entered: 06/15/2022)
04/21/2022	103	NOTICE of Joinder as to ECF 82 , 84 , 85 , 89 , 90 (as to Count 11), 91 (as to Count 11), 93 , 94 and 95 . by KENNETH HARRELSON (Geyer, Bradford) Modified text to include linkage and remove unassociated defendants on 5/6/2022 (zltpt). (Entered: 04/21/2022)
04/26/2022	106	MOTION to Continue <i>Deadline for Responding to Rule 12 Motions</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Rakoczy, Kathryn) (Entered: 04/26/2022)
04/27/2022		MINUTE ORDER granting in part the United States' 106 Motion for Extension of Deadline to Respond to Defendants' Rule 12 Motions. Given the court's schedule, the requested seven-day extension of both the opposition and reply deadlines will not allow enough time for the court to adequately prepare for the hearing, if briefing were to close on May 13, 2022. The court will grant a five-day extension, such that the United States' response shall be due on May 4, 2022, and Defendants' replies shall be due on May 11, 2022. Signed by Judge Amit P. Mehta on 4/27/2022. (lcapm1) (Entered: 04/27/2022)
04/29/2022	113	ORDER granting 110 Unopposed Motion to Modify Conditions of Release as to THOMAS EDWARD CALDWELL (10). See the attached Order for additional details. Signed by Judge Amit P. Mehta on 4/29/2022. (lcapm1) (Entered: 04/29/2022)
05/01/2022		MINUTE ORDER granting 111 , 112 Sealed Motions for Leave to File Documents Under Seal as to Defendant ROBERTO A. MINUTA (6). (These documents are SEALED and only available to authorized persons.) The Clerk of Court shall maintain 111 , 112 under seal. Defendant shall file public versions of those motions by May 4, 2022, redacting only those portions that pertain to Defendant's personal financial circumstances. Signed by Judge Amit P. Mehta on 5/1/2022. (lcapm1) (Entered: 05/01/2022)
05/04/2022	120	RESPONSE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 93 MOTION to Change Venue (Attachments: # 1 Exhibit Appendix of Transcript Citations) (Rakoczy, Kathryn) (Entered: 05/04/2022)
05/04/2022	121	RESPONSE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 91 MOTION to Sever

		Count(s) 14, 90 MOTION to Dismiss Count 14 (Rakoczy, Kathryn) (Entered: 05/04/2022)
05/04/2022	123	RESPONSE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 89 MOTION to Dismiss Count 1, 2, 3, and 4, 82 MOTION to Dismiss Count 1 of the Seventh Superseding Indictment, adopting and supplementing Motion to Dismiss of Thomas Caldwell, incorporated by reference herein, 84 MOTION to Dismiss Count 1, 2, 3 and 4 of the Indictment, 94 MOTION to Dismiss Count One MOTION to Strike Surplussage (Rakoczy, Kathryn) (Entered: 05/04/2022)
05/05/2022		MINUTE ORDER. The pending 124 Motion to Continue Trial potentially impacts both trial groups, so the court will hold a combined status hearing in this matter as to all Defendants on May 6, 2022. The combined hearing will begin at 2:00 p.m. Signed by Judge Amit P. Mehta on 5/5/2022. (lcapm1) (Entered: 05/05/2022)
05/05/2022	127	WITHDRAWN BY COUNSEL DURING MOTION HEARING ON 5/17/2022.....First MOTION for Discovery of Material Witnesses by KENNETH HARRELSON. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit Redacted) (Geyer, Bradford) Modified text to remove unassociated defendants on 5/6/2022 (zltf). Modified on 5/17/2022 (zjd). (Entered: 05/05/2022)
05/06/2022		***Set/Reset Hearings. (zjd) (Entered: 05/06/2022)
05/06/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11) held via videoconference on 5/6/2022. For the reasons stated on the record, the Court grants 124 Defendant's Motion to Continue Trial. Jury Trial shall proceed on September 26, 2022 for defendants Rhodes (1), Meggs (2), Harrelson (3), Watkins (4), and Caldwell (10). A second Jury Trial shall take place on November 29, 2022 for defendants Minuta (6), Hackett (7), Moerschel (8), and Vallejo (11). In the interests of justice, the time from 5/7/2022 through and including 9/26/2022 shall be excluded in computing the date for speedy trial as to defendants Rhodes (1), Meggs (2), Harrelson (3), Watkins (4), and Caldwell (10). In the interests of justice, the time from 5/7/2022 through and including 11/29/2022 shall be excluded in computing the date for speedy trial as to defendants Minuta (6), Hackett (7), Moerschel (8), and Vallejo (11). Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP, Moerschel (8) remains on personal recognizance, Caldwell (10) remains on PR/HISP, Vallejo (11) remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorneys: James Bright (1), Phillip Linder (1), Jonathan Moseley as caretaker counsel (2); Bradford Geyer (3), Jonathan Crisp (4), Alfred Guillaume (6), William Shipley (6), Angela Halim (7), Scott Weinberg (8), David Fischer (10), and Matthew Peed (11); US Attorney: Kathryn Rakoczy. (zjd) (Entered: 05/06/2022)
05/10/2022		MINUTE ORDER granting 130 Consent Motion for Extension of Time to File Response/Reply as to THOMAS EDWARD CALDWELL (10). Defendant THOMAS EDWARD CALDWELL's (10) Reply is now due on May 12, 2022. Signed by Judge Amit P. Mehta on 5/10/2022. (lcapm1) (Entered: 05/10/2022)

05/12/2022	<u>133</u>	<p>ORDER as to Defendants ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, and EDWARD VALLEJO. Trial is set to commence in this matter on September 26, 2022, at 9:30 a.m., for the September Trial Group and on November 29, 2022, at 9:30 a.m., for the November Trial Group. The following deadlines shall govern this matter: (1) parties shall file their pretrial motions (other than motions in limine) on or before April 15, 2022; (2) oppositions to pretrial motions shall be filed on or before May 4, 2022; (3) replies to pretrial motions shall be filed on or before May 11, 2022; (4) counsel shall reserve May 17, 2022, at 1:00 p.m. for a hearing on pretrial motions, if necessary; (5) the United States shall make any required expert disclosures by June 23, 2022; (6) Defendants shall make any required reciprocal expert disclosures by July 22, 2022; (7) the United States shall notify the September Trial Group of its intention to introduce any Rule 404(b) evidence not already disclosed on or before July 8, 2022; (8) the United States shall notify the November Trial Group of any additional Rule 404(b) evidence by October 10, 2022; (9) motions in limine for the September Trial Group shall be filed on or before July 29, 2022; (10) oppositions to those motions in limine shall be filed on or before August 12, 2022; (11) replies in support of motions in limine shall be filed on or before August 19, 2022; (12) any November Trial Group Defendant may file an individualized motion in limine by the July 29, 2022 deadline; otherwise, upon filing of a notice, the court will treat the November Trial Group as having joined in the motions in limine filed by the September Trial Group; (13) additional motions in limine can be filed by the November Trial Group by October 31, 2022; (14) oppositions to those motions in limine shall be filed by November 10, 2022; (15) replies shall be filed by November 15, 2022; (16) any motions in limine by the United States shall be filed by August 12, 2022; (17) oppositions to such motions shall be filed by August 26, 2022; (18) Defendants shall satisfy their reciprocal discovery obligations, if any, by July 22, 2022; (19) the United States shall file any motion in limine pursuant to such discovery by August 12, 2022; (20) oppositions to such motions shall be filed by August 26, 2022; replies to such motions shall be filed by September 2, 2022; (21) the United States should endeavor to make grand jury and Jencks Act disclosures as to each witness it expects to call in its case-in-chief and disclose any Brady material not already disclosed on or before September 12, 2022; (22) the Jencks/Brady deadline for the November Trial Group is November 15, 2022; (23) the parties shall file a draft Joint Juror Questionnaire by August 23, 2022; (24) qualified prospective jurors will appear on September 13, 2022 to answer the finalized version of the Questionnaire; (25) qualified prospective jurors for the November trial shall appear on November 10, 2022 to answer the final version of the questionnaire; (26) the September Trial Group's Joint Pretrial Statement is due on or before September 7, 2022; (27) the November Trial Group's Joint Pretrial Statement is due on November 15, 2022; (28) the parties shall submit a Word format copy of (a) any proposed modification to a standard jury instruction, (b) any non-standard jury instruction, and (c) the verdict form; and (29) the Pretrial Conference is scheduled for September 14, 2022, at 9:30 a.m., in Courtroom 10 for the September Trial Group; (30) the Pretrial Conference is scheduled for November 22, 2022, at 9:30 a.m., for the November Trial Group. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 5/12/2022. (lcapm1) (Entered: 05/12/2022)</p>
05/17/2022		<p>Minute Entry for proceedings held before Judge Amit P. Mehta: Hearing on Rule 12 Motions as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHER (8), THOMAS EDWARD</p>

		<p>CALDWELL (10), and EDWARD VALLEJO (11) held on 5/17/2022. Arguments heard and taken under advisement. Defendant Harrelson's Oral Motion to Withdraw 127 Motion for Discovery was heard and granted. Status Conference set for 6/24/2022 at 1:00 PM via videoconference before Judge Amit P. Mehta. Members of the public may access the conference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendant: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP, Moerschel (8) remains on PR/HISP; appearance waived, Caldwell (10) remains on PR/HISP; appearance waived, Vallejo (11) remains on PR/HISP. Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), William Shipley (6), Angela Halim (7), Scott Weinberg (8), David Fischer (10), and Matthew Peed (11); US Attorneys: Jeffrey Nestler and Kathryn Rakoczy. (zjd) (Entered: 05/17/2022)</p>
05/20/2022		<p>MINUTE ORDER. The United States shall file by October 28, 2022, an additional Status Report as to whether a sentencing hearing should be set for Defendants JOSHUA JAMES and BRIAN ULRICH; if so, the United States shall propose two dates and times for such hearings. Signed by Judge Amit P. Mehta on 5/20/2022. (lcapm1) (Entered: 05/20/2022)</p>
06/03/2022	151	<p>TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on May 6, 2022; Page Numbers: 1-66. Date of Issuance: June 3, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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 6/24/2022. Redacted Transcript Deadline set for 7/4/2022. Release of Transcript Restriction set for 9/1/2022.(wz) (Entered: 06/03/2022)</p>
06/17/2022	159	<p>TRANSCRIPT OF MOTION HEARING PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on May 17, 2022; Page Numbers: 1-165. Date of Issuance: June 17, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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 7/8/2022. Redacted Transcript Deadline set for 7/18/2022. Release of Transcript Restriction set for 9/15/2022.(wz) (Entered: 06/17/2022)</p>
06/22/2022	166	<p>MOTION for Inquiry Pursuant to D.C. Rule of Professional Conduct 1.8(e) by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Exhibit Mother Jones article, # 2 Exhibit BuzzFeed article, # 3 Exhibit June 16, 2022 letter)(Nestler, Jeffrey) (Entered: 06/22/2022)</p>
06/22/2022	167	<p>SUPERSEDING INDICTMENT as to ELMER STEWART RHODES, III (1) count(s) 1s, 2s, 3s, 4s, 7s, KELLY MEGGS (2) count(s) 1s, 2s, 3s, 4s, 5s, 8s, KENNETH HARRELSON (3) count(s) 1s, 2s, 3s, 4s, 5s, 9s, JESSICA WATKINS (4) count(s) 1s, 2s, 3s, 4s, 5s, 6s, ROBERTO A. MINUTA (6) count(s) 1s, 2s, 3s, 4s, 10s, JOSEPH HACKETT (7) count(s) 1s, 2s, 3s, 4s, 5s, 11s, DAVID MOERSCHEL (8) count(s) 1s, 2s, 3s, 4s, 5s, 12s, THOMAS EDWARD CALDWELL (10) count(s) 1s, 2s, 3s, 4s, 13s, EDWARD VALLEJO (11) count(s) 1s, 2s, 3s, 4s. (zltp) (Entered: 06/23/2022)</p>
06/24/2022		<p>Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11) held via videoconference on 6/24/2022. Defendant Rhodes (1) was arraigned on Count 7 of the 167 Superseding Indictment and entered a plea of Not Guilty. With the consent of the parties, pleas of Not Guilty were entered by defendants Rhodes (1), Meggs (2), Harrelson (3), Watkins (4), Minuta (6), Hackett (7), Moerschel (8), Caldwell (10), and Vallejo (11) as to all counts of the 167 Superseding Indictment. Supplemental Rule 12 Motions due by 7/8/2022. Status Conference set for 8/2/2022 at 11:00 AM via videoconference before Judge Amit P. Mehta. Members of the public may access the conference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody; appearance waived, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP, Moerschel (8) remains on PR/HISP, Caldwell (10) remains on PR/HISP; appearance waived, Vallejo (11) remains on PR/HISP. Court Reporter: William Zarembo; Defense Attorneys: Phillip Linder (1), Lee Bright (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), William Shipley (6), Angela Halim (7), Scott Weinberg (8), David Fischer (10), and Matthew</p>

		Peed (11); US Attorneys: Jeffrey Nestler and Kathryn Rakoczy. (zjd) (Entered: 06/28/2022)
06/28/2022	176	MEMORANDUM OPINION AND ORDER denying 82 Motion to Dismiss Count 1; 84 Motion to Dismiss Counts 1, 2, 3, and 4; 89 Motion to Dismiss Counts 1, 2, 3, and 4; 90 Motion to Dismiss Count 14; 91 Motion to Sever Count 14; 93 Motion for Change of Venue; 94 Motion to Dismiss Count 1; 94 Motion to Strike Surplusage. See the attached MEMORANDUM OPINION AND ORDER for additional details. Signed by Judge Amit P. Mehta on 6/28/2022. (lcapm1) (Main Document 176 replaced on 6/30/2022) (zjd). (Entered: 06/28/2022)
06/29/2022	178	<p>TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on April 8, 2022; Page Numbers: 1-107. Date of Issuance: June 29, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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 7/20/2022. Redacted Transcript Deadline set for 7/30/2022. Release of Transcript Restriction set for 9/27/2022.(wz) (Entered: 06/29/2022)</p>
06/30/2022		MINUTE ORDER denying 177 Motion to Strike. The court is not aware of any basis under the Federal Rules of Criminal Procedure that would enable it to "strike" a filing made on the public record, even one that is not authorized by a defendant or his counsel. Cf. Fed. R. Civ. P. 12(f) (permitting the court to "strike from a pleading... any redundant, immaterial, impertinent, or scandalous matter"). That said, the court recognizes that Mr. Moseley's filing was not made with the consent of Mr. Meggs, his new counsel, or any other counsel in this case. The court therefore will not consider anything that Mr. Moseley has represented or argued in connection with the court's consideration of the D.C. Rule of Professional Conduct 1.8(e) issue. Additionally, the court warns Mr. Moseley that he is no longer counsel of record in this matter for any defendant. If he again makes a filing in this case without either the consent of a represented defendant or this court, the court will not hesitate to impose appropriate sanctions. Signed by Judge Amit P. Mehta on 6/30/2022. (lcapm1) (Entered: 06/30/2022)
07/07/2022		MINUTE ORDER granting 184 Unopposed Motion for Extension of Time to File Supplemental Rule 12 Motions. Defendants shall file their Supplemental Rule 12 Motions on or before July 11, 2022. Signed by Judge Amit P. Mehta on 7/6/2022. (lcapm1) (Entered: 07/07/2022)

07/08/2022	186	Memorandum in Opposition by USA as to KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL re 170 MOTION to Dismiss Case (<i>Superseding Indictment</i>) (Nestler, Jeffrey) (Entered: 07/08/2022)
07/08/2022	187	NOTICE of Government's Motion Regarding Anticipated Trial Evidence and Notice Pursuant to Federal Rule of Evidence 404(b) by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO (Edwards, Troy) (Entered: 07/08/2022)
07/08/2022	190	MOTION for 404(b) Evidence by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (See docket entry 187 to view document.)(zltf) (Entered: 07/12/2022)
07/14/2022	192	ORDER granting 191 Motion to Modify Conditions of Release as to THOMAS EDWARD CALDWELL (10). See the attached Order for additional details. Signed by Judge Amit P. Mehta on 7/13/2022. (lcapm1) (Entered: 07/14/2022)
07/21/2022		MINUTE ORDER granting 197 Consent Motion for Extension of Time to File Response/Reply to the Government's 190 Rule 404(b) motion as to KELLY MEGGS (2). Defendants shall file their response on or before July 29, 2022. Signed by Judge Amit P. Mehta on 7/21/2022. (lcapm1) (Entered: 07/21/2022)
07/22/2022	198	MOTION to Continue <i>Trial - Redacted</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order)(Woodward, Stanley) (Entered: 07/22/2022)
07/26/2022	206	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 198 MOTION to Continue <i>Trial - Redacted</i> , 195 MOTION to Continue MOTION to Exclude, 193 Joint MOTION to Change Venue Or Continue Trial Date (Nestler, Jeffrey) (Entered: 07/26/2022)
07/29/2022	213	MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENTS AT TRIAL</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Rakoczy, Kathryn) (Entered: 07/29/2022)
07/29/2022	214	MOTION in Limine <i>TO PRECLUDE CERTAIN UNTIMELY AND IRRELEVANT TESTIMONY</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Rakoczy, Kathryn) (Entered: 07/29/2022)
07/29/2022	215	MOTION in Limine <i>REGARDING CROSS-EXAMINATION OF U.S. SECRET SERVICE WITNESS</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES,

		ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Rakoczy, Kathryn) (Entered: 07/29/2022)
07/29/2022	232	Memorandum in Opposition by KELLY MEGGS re 187 and 190 Notice and Motion for 404(b) Evidence. (See docket entry 219 to view document.)(zltpt) (Entered: 08/02/2022)
08/01/2022	225	MOTION for Joinder <i>and Attachments</i> by KENNETH HARRELSON re: 193 Joint MOTION to Change Venue Or Continue Trial Date, 194 MOTION to Change Venue, MOTION to Continue, MOTION for Joinder, 195 MOTION to Continue Trial Date and Exclude Time under Speedy Trial Act (Attachments: # 1 Supplement, # 2 Supplement, # 3 Supplement)(Geyer, Bradford) Modified text to include linkage and event type on 8/2/2022 (zltpt). (Entered: 08/01/2022)
08/01/2022	226	<p>TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on June 24, 2022; Page Numbers: 1-74. Date of Issuance: August 1, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249, Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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 8/22/2022. Redacted Transcript Deadline set for 9/1/2022. Release of Transcript Restriction set for 10/30/2022.(wz) (Entered: 08/01/2022)</p>
08/02/2022	235	MOTION for Order to Unseal for Limited Purpose of Creating a Transcript by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Nestler, Jeffrey) (Entered: 08/02/2022)
08/02/2022	237	ORDER granting 235 Motion for Order to Unseal for Limited Purpose of Creating a Transcript. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 8/2/2022. (lcapm1) (Entered: 08/02/2022)
08/02/2022	238	MEMORANDUM OPINION AND ORDER denying Defendants' 170 Motion to Dismiss the Superseding Indictment; Defendant KELLY MEGGS's (2) 188 Motion to Dismiss Counts 1-3 and 5; and Defendant KELLY MEGGS's (2) 189 Motion to Dismiss on the Basis of Selective Prosecution. See the attached Memorandum

		Opinion and Order for additional details. Signed by Judge Amit P. Mehta on 8/2/2022. (lcapm1) (Entered: 08/02/2022)
08/02/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11) held on 8/2/2022. For the reasons stated on the record, the court denies Defendants' 193 , 195 Joint Motion to Change Venue or Continue Trial Date; Defendant ELMER STEWART RHODES, III's 194 , 201 Motion and Amended Motion to Change Venue; Defendant KELLY MEGGS's 198 , 200 Motion to Continue Trial; and Defendant KENNETH HARRELSON's 225 Motion to Change Venue or Continue Trial Dates. Government's In-Camera Submission due by 8/5/2022. Status Conferences tentatively set for either 8/22/2022 at 1:00 PM or 8/23/2022 at 02:00 PM before Judge Amit P. Mehta. The status conference date will be set via notice of hearing. Members of the public or media may also access the hearing via teleconference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP; appearance waived, Moerschel (8) remains on PR/HISP, Caldwell (10) remains on PR/HISP, Vallejo (11) remains on PR/HISP. Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), Lee Bright (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), David Fischer for Jonathan Crisp (4), William Shipley (6), Angela Halim (7), Scott Weinberg (8), David Fischer (10), and Matthew Peed (11); US Attorneys: Kathryn Rakoczy and Jeffrey Nestler. (zjd) (Entered: 08/04/2022)
08/04/2022	239	MOTION for Extension of <i>Deadline for Responding to Rule 404(b) Oppositions</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Edwards, Troy) Modified text and event type on 8/5/2022 (zltf). (Entered: 08/04/2022)
08/04/2022		MINUTE ORDER granting United States' 239 Motion for Extension of Time. The United States shall file its reply to Defendants' Opposition 217 , 218 , 219 to the United States' 187 Rule 404(b) Notice on or before August 12, 2022. Signed by Judge Amit P. Mehta on 8/5/2022. (lcapm1) (Entered: 08/05/2022)
08/11/2022		***HSD has been filed with the Court. (zjd) (Entered: 08/11/2022)
08/12/2022	247	TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on August 2, 2022; Page Numbers: 1-147. Date of Issuance: August 12, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. 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, PDF or ASCII) may be purchased from the court reporter.

		<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 9/2/2022. Redacted Transcript Deadline set for 9/12/2022. Release of Transcript Restriction set for 11/10/2022.(wz) (Entered: 08/12/2022)</p>
08/12/2022	249	<p>REPLY in Support by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 214 MOTION in Limine <i>TO PRECLUDE CERTAIN UNTIMELY AND IRRELEVANT TESTIMONY</i> (Rakoczy, Kathryn) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/12/2022)</p>
08/12/2022	250	<p>Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 218 Motion to Exclude (Rakoczy, Kathryn) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/12/2022)</p>
08/12/2022	251	<p>Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 219 Motion in Limine <i>216 Response to 404(b) Notice, and 217 Response to 404(b) Notice</i> (Rakoczy, Kathryn) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/12/2022)</p>
08/12/2022	252	<p>MOTION to Exclude <i>Defense Expert Testimony</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Rakoczy, Kathryn) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/12/2022)</p>
08/13/2022	255	<p>RESPONSE by KENNETH HARRELSON re 214 MOTION in Limine <i>TO PRECLUDE CERTAIN UNTIMELY AND IRRELEVANT TESTIMONY</i>, 213 MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENTS AT TRIAL</i> (Geyer, Bradford) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/13/2022)</p>
08/15/2022	257	<p>RESPONSE by KENNETH HARRELSON re 215 MOTION in Limine <i>REGARDING CROSS-EXAMINATION OF U.S. SECRET SERVICE WITNESS</i>, 214 MOTION in Limine <i>TO PRECLUDE CERTAIN UNTIMELY AND IRRELEVANT TESTIMONY</i>, 213 MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENTS AT TRIAL</i> (Attachments: # 1 Exhibit, # 2 Exhibit)(Geyer, Bradford) Modified text to remove unassociated defenants on 8/30/2022 (zltp). (Entered: 08/15/2022)</p>
08/18/2022	259	<p>First MOTION to Sever Defendant by KENNETH HARRELSON (Geyer, Bradford) Modified text to remove unassociated defendants on 8/30/2022 (zltp). (Entered: 08/18/2022)</p>

08/19/2022	<u>260</u>	REPLY in Support by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re <u>215</u> MOTION in Limine <i>REGARDING CROSS-EXAMINATION OF U.S. SECRET SERVICE WITNESS</i> , <u>214</u> MOTION in Limine <i>TO PRECLUDE CERTAIN UNTIMELY AND IRRELEVANT TESTIMONY</i> , <u>213</u> MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENTS AT TRIAL</i> (Manzo, Louis) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/19/2022)
08/19/2022	<u>266</u>	First MOTION for Release of Brady Materials by KENNETH HARRELSON. (Attachments: # <u>1</u> Exhibit)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/19/2022)
08/19/2022	<u>267</u>	Memorandum in Opposition by KENNETH HARRELSON re <u>252</u> Motion to Exclude, (Attachments: # <u>1</u> Exhibit)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/19/2022)
08/20/2022	<u>268</u>	ERRATA by KENNETH HARRELSON re <u>266</u> Motion for Release of Brady Materials, (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/20/2022)
08/20/2022	<u>269</u>	First MOTION in Limine <i>conspiracy with groups, aiding and abetting, did not lead attack, presidential power, res ipsa loquitor, restricted area, guilt by association, stacks, breach, unconnected or inaudible phone calls, completeness and context</i> by KENNETH HARRELSON. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/20/2022)
08/22/2022	<u>271</u>	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re <u>259</u> Motion to Sever Defendant, <i>Kenneth Harrelson</i> (Edwards, Troy) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/22/2022)
08/23/2022	<u>272</u>	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re <u>266</u> Motion for Release of Brady Materials, <i>By Kenneth Harrelson</i> (Edwards, Troy) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/23/2022)
08/23/2022	<u>273</u>	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re <u>269</u> Motion in Limine <i>By Kenneth Harrelson</i> (Edwards, Troy) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/23/2022)
08/23/2022	<u>275</u>	REPLY TO OPPOSITION to Motion by KENNETH HARRELSON re <u>259</u> First MOTION to Sever Defendant <i>KENNETH HARRELSON</i> (Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltp). (Entered: 08/23/2022)
08/23/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Status Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH

		HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHER (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11) held on 8/23/2022. Hearing on Motions in Limine set for 8/30/2022 at 1:30 PM in Courtroom 10 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP; appearance waived, Hackett (7) remains on PR/HISP, Moerschel (8) remains on PR/HISP, Caldwell (10) remains on PR/HISP, Vallejo (11) remains on PR/HISP; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Bright (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), William Shipley (6), Angela Halim (7), David Fischer and Connor Martin for Scott Weinberg (8), David Fischer (10) and Matthew Peed (11); US Attorneys: Kathryn Rakoczy and Jeffrey Nestler. (zjd) (Entered: 08/24/2022)
08/28/2022	280	Joint MOTION in Limine <i>to bar Zello Communications</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS. (Attachments: # 1 Text of Proposed Order)(Haller, Juli) (Entered: 08/28/2022)
08/30/2022	283	REPLY TO OPPOSITION to Motion by KENNETH HARRELSON re 266 First MOTION for Release of Brady Materials (Attachments: # 1 Certificate of Service Checklist of Demanded, # 2 Exhibit Checklist of Claimed but not produced, # 3 Exhibit Missing Productions from known persons, # 4 Exhibit Updated Expert Requests)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltf). (Entered: 08/30/2022)
08/30/2022	285	SUPPLEMENT by KENNETH HARRELSON re 267 Memorandum in Opposition, <i>Update Since Last Filing</i> (Attachments: # 1 Exhibit expert access request to Capitol, # 2 Exhibit Snell expert disclosure, # 3 Exhibit Hill expert disclosure)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/1/2022 (zltf). (Entered: 08/30/2022)
08/30/2022	286	AMENDED PRETRIAL ORDER. The court's previous 133 Pretrial Order will govern all dates in this matter except the following with respect to the September Trial Group: (1) the Pretrial Statement is now due on September 9, 2022; (2) a second day of Pretrial Conference will follow on September 15, 2022, at 9:30 a.m.; (3) trial is now set to commence on September 27, 2022, at 9:30 a.m.; and (4) the court will not sit on October 5 or 10, 2022. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 8/30/2022. (lcapm1) (Entered: 08/30/2022)
08/30/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Hearing on Motions in Limine as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHER (8), THOMAS EDWARD CALDWELL (10), EDWARD VALLEJO (11) held on 8/30/2022. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, Minuta (6) remains on PR/HISP, Hackett (7) remains on PR/HISP; appearance waived, Moerschel (8) remains on personal recognizance; appearance waived, Caldwell (10) remains on PR/HISP; Vallejo (11) remains on PR/HISP. Court Reporter: William Zaremba; Defense Attorneys: James Lee Bright (1), Stanley Woodward (2), Juli Haller (2) Bradford Geyer (3), David Fischer for Jonathan Crisp (4), David Fischer for William Shipley (6), Angie Halim (7), Scott Weinberg (8), David Fischer (10), Matthew Peed (11); US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Troy Edwards, Louis Manzo, Alexandra Hughes, and Justin Sher. (zjd) (Entered: 08/31/2022)

09/06/2022	288	OMNIBUS ORDER re: certain motions in limine. The court orders the following: (1) the United States' 190 Motion for 404(b) Evidence is granted in part and denied in part; (2) Defendant KELLY MEGGS's (2) 219 Motion to Bar the Introduction of Certain of that Evidence is denied; (3) the United States' 213 Motion in Limine to Preclude Certain Defense Arguments at Trial is granted; (4) the United States' 214 Motion in Limine to Preclude Certain Untimely and Irrelevant Testimony is granted in part and denied in part; (5) the United States' 215 Motion in Limine Regarding Cross-Examination of U.S. Secret Service Witness is granted; (6) the court defers ruling on Defendant EDWARD VALLEJO's (11) 218 Motion in Limine to Exclude Expert Testimony of Dr. Sam Jackson, Ph.D.; (7) Defendant KELLY MEGGS's (2) 221 Join Motion in Limine is denied; and (8) the court defers ruling on the government's 252 Motion to Exclude Defense Expert Testimony Due to Insufficient Notice. The court stated its reasons for these rulings on the record at the hearing held on August 30, 2022. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/6/2022. (lcapm1) (Entered: 09/06/2022)
09/06/2022		MINUTE ORDER. The United States and Defendant ELMER STEWART RHODES, III's (1) counsel of record, separately, may file a response to the 290 Motion to Substitute Counsel and Continue Trial by September 7, 2022, at 2:00 p.m. Signed by Judge Amit P. Mehta on 9/6/2022. (lcapm1) (Entered: 09/06/2022)
09/06/2022	291	Status and Progress Report by KENNETH HARRELSON <i>system prevents linkage to 267 and 285</i> (Attachments: # 1 Supplement)(Geyer, Bradford) Modified text to remove unassociated defendants on 9/13/2022 (zltp). (Entered: 09/06/2022)
09/06/2022	292	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 280 Motion in Limine <i>re Zello communications</i> (Nestler, Jeffrey) (Entered: 09/06/2022)
09/07/2022	294	ORDER denying the following motions by Defendant KENNETH HARRELSON (3): 259 Motion to Sever Defendant; 266 Motion for Release of Brady Materials; 269 Motion in Limine. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/7/2022. (lcapm1) (Entered: 09/07/2022)
09/09/2022	298	<p>TRANSCRIPT OF MOTIONS HEARING PROCEEDINGS in case as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, EDWARD VALLEJO before Judge Amit P. Mehta held on August 30, 2022; Page Numbers: 1-170. Date of Issuance: September 9, 2022. Court Reporter/Transcriber: William Zaremba; Telephone number: (202) 354-3249. Transcripts may be ordered by submitting the Transcript Order Form</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, PDF 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>

		Redaction Request due 9/30/2022. Redacted Transcript Deadline set for 10/10/2022. Release of Transcript Restriction set for 12/8/2022.(wz) (Entered: 09/09/2022)
09/09/2022	300	PRETRIAL MEMORANDUM (<i>JOINT</i>) by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL (Nestler, Jeffrey) (Entered: 09/09/2022)
09/09/2022	301	REPLY in Support by KELLY MEGGS as to KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS re 280 Joint MOTION in Limine to bar Zello Communications (<i>in Opposition to ECF 292</i>) (Haller, Juli) (Entered: 09/09/2022)
09/11/2022		MINUTE ORDER granting 296 Sealed Motion for Leave to File Document Under Seal (This document is SEALED and only available to authorized persons.) as to KELLY MEGGS (2). Signed by Judge Amit P. Mehta on 9/11/2022. (lcapm1) (Entered: 09/11/2022)
09/12/2022	302	RESPONSE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 299 MOTION in Limine to Allow in Certain Inconsistent Statements Made by the Government (Manzo, Louis) Modified text to remove unassociated defendants on 9/12/2022 (zltp). (Entered: 09/12/2022)
09/14/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Pretrial Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10) held on 9/14/2022. Continued Pretrial Conference set for 9/22/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. The public access line will be connected for this hearing and may be accessed by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) appearance waived, remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder(1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), David Fischer (10); US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Alexandra Hughes, Troy Edwards, Louis Manzo. (zjd) (Entered: 09/15/2022)
09/15/2022	318	ORDER. Any defendant who intends to assert an advice-of-counsel defense as to any count of the Indictment shall make such disclosure to the government by September 21, 2022. Failure to provide the notice required by this Order may lead the court to preclude a defendant from asserting such a defense. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/15/2022. (lcapm1) (Entered: 09/15/2022)
09/15/2022	319	ORDER. This Omnibus Order memorializes what transpired during the Pretrial Conference on September 14, 2022. The court denies Defendant KELLY MEGGS's (2) Omnibus Motion to Compel Discovery, ECF No. 287-2 (sealed); 290 (redacted). The court defers ruling on each of the following: (1) Defendant ELMER STEWART RHODES, III's (1) 308 Motion to Suppress Any Recording or Transcript of November 9, 2022, "GoToMeeting" Conversation; (2) Defendant THOMAS CALDWELL's (10) 299 Motion in Limine to Allow into Evidence Certain Inconsistent Statements Made by the Government; and (3) Defendants Meggs, Rhodes, KENNETH HARRELSON (3), and JESSICA WATKINS's (4) 280 Joint Motion in Limine to Bar Zello Communications. Additionally, the court orders the following with respect to further proceedings in this matter: (1) the parties shall submit to the court by September 21, 2022, at 5:00 p.m. a list of (a) the prospective

		jurors that they agree should be stricken for cause and (b) the jurors as to which there remains a dispute about striking for cause. The filing should identify the juror only by their juror number; (2) Defendants shall submit a legal memorandum addressing their reliance on the Insurrection Act as part of their defense by September 19, 2022; (4) the United States shall file its response by September 21, 2022; and (5) the parties shall appear for a continued pretrial conference on September 22, 2022, at 9:30 a.m. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/15/2022. (lcapm1) (Entered: 09/15/2022)
09/17/2022	321	SUPPLEMENT by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 292 Memorandum in Opposition <i>re Motion in Limine re Zello recording</i> (Nestler, Jeffrey) (Entered: 09/17/2022)
09/19/2022	322	ORDER granting in part and denying in part Defendants' 280 Joint Motion in Limine Regarding Anticipated Trial Evidence Re: Zello Communications as to ELMER STEWART RHODES, KELLY MEGGS, KENNETH HARRELSON, and JESSICA WATKINS. See Order for additional details. Signed by Judge Amit P. Mehta on 9/19/2022. (lcapm2) (Entered: 09/19/2022)
09/20/2022	327	ORDER. Trial is set to commence in this matter as to the September Trial Group on September 27, 2022. The attached Order sets forth various schedule, location, seating, access, media, masking, and other logistics. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/20/2022. (lcapm1) (Entered: 09/20/2022)
09/21/2022	329	MOTION for Bill of Particulars by JESSICA WATKINS as to KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Attachments: # 1 Text of Proposed Order)(Crisp, Jonathan) (Entered: 09/21/2022)
09/21/2022	330	FINAL JUROR QUESTIONNAIRE. The court included Question 30 over Defendants' objections. See the attached Juror Questionnaire for additional details. (lcapm1) (Entered: 09/21/2022)
09/21/2022	332	MOTION <i>FOR A PROTECTIVE ORDER PERTAINING TO THE TRIAL TESTIMONY OF CONFIDENTIAL HUMAN SOURCES</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order)(Rakoczy, Kathryn) Modified event type and text to remove unassociated defendants on 9/28/2022 (zltp). (Entered: 09/21/2022)
09/21/2022	333	NOTICE <i>of Intent to Assert Advice of Counsel Defense</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON (Woodward, Stanley) (Entered: 09/21/2022)
09/22/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Final Pretrial Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 9/22/2022. Jury Selection shall proceed on Tuesday, September 27, 2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. The public access line will not be connected for trial proceedings. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense

		Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 09/22/2022)
09/23/2022	338	ORDER granting the government's ex parte Motion to Withhold from Discovery Certain Materials That are Not Otherwise Relevant or Discloseable. The government is authorized to withhold from discovery to the defense the information outlined in the government's filing. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/23/2022. (lcapm1) (Entered: 09/23/2022)
09/23/2022	339	Second MOTION to Change Venue <i>Jointly</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Attachments: # 1 Exhibit, # 2 Text of Proposed Order)(Haller, Juli) (Entered: 09/23/2022)
09/25/2022	341	Joint MOTION in Limine , Partial MOTION for Reconsideration re 322 Order on Motion in Limine, by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Haller, Juli) (Entered: 09/25/2022)
09/27/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Selection as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) began and held on 9/27/2022. Jury Selection shall resume on 9/28/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 09/27/2022)
09/28/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Selection (Day 2) as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) resumed and held on 9/28/2022. Jury Selection shall resume on 9/29/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (AM) and Lisa Edwards (PM); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler and Kathryn Rakoczy. (zjd) (Entered: 09/28/2022)
09/29/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Selection as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10) resumed and held on 9/29/2022. Panel of twelve (12) jurors and four (4) alternate jurors selected, but not sworn. Jury Trial set for 10/3/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal

		recognizance; Court Reporters: William Zaremba (AM) and Nancy Meyer (PM); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, and Louis Manzo. (zjd) (Entered: 09/29/2022)
09/30/2022		MINUTE ORDER denying Defendant ELMER STEWART RHODES III's (1) 325 Motion for Disclosure of Brady Exculpatory Information and Issuance of Subpoenas Duces Tecum Concerning Witnesses to be Called by the Prosecution and granting in part and denying in part Defendant KELLY MEGGS's (2) 353 Motion to Join and Adopt and Motion for Discovery. Defendants' motions for Rule 17(c) subpoenas are denied for the reasons stated on the record at yesterday's proceedings. Defendant KELLY MEGGS's (2) motion to join is granted. Signed by Judge Amit P. Mehta on 9/30/2022. (lcapm1) (Entered: 09/30/2022)
09/30/2022	358	ORDER denying Defendants' Joint 340 Motion for Reconsideration. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 9/30/2022. (lcapm1) (Entered: 09/30/2022)
10/02/2022	362	Joint MOTION to Change Venue <i>by Defendants</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Attachments: # 1 Text of Proposed Order)(Haller, Juli) (Entered: 10/02/2022)
10/02/2022	363	Second MOTION in Limine <i>Regarding Hand Grenades</i> by KENNETH HARRELSON as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Exhibit DNA test)(Geyer, Bradford) (Entered: 10/02/2022)
10/03/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/3/2022. Panel of twelve (12) jurors and four (4) alternate jurors selected and sworn. Jury Trial shall resume on 10/4/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Trial proceedings will start at 9:00 AM if there are any preliminary issues. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (AM) and Lisa Edwards (PM); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorney: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witness: Special Agent Michael Palian. (zjd) (Entered: 10/03/2022)
10/03/2022		MINUTE ORDER as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. Approved by Judge Amit P. Mehta on 10/3/2022. (zjd) (Entered: 10/03/2022)
10/04/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH

		HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/4/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on Thursday, October 6, 2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Trial proceedings will start at 9:00 AM if there are any preliminary issues. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (AM) and Nancy Meyer (PM); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witness: Special Agent Michael Palian. (zjd) (Entered: 10/04/2022)
10/06/2022	367	MOTION in Limine to <i>Admit Certain Evidence</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Edwards, Troy) (Entered: 10/06/2022)
10/06/2022		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10): Trial proceedings will start today (10/6) at 9:15 AM in Courtroom 23 before Judge Amit P. Mehta. (zjd) (Entered: 10/06/2022)
10/06/2022		MINUTE ORDER granting Government's Unopposed 366 Motion for Extension of Time to Provide Supplemental 404(b) Notice as to Defendants ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), and EDWARD VALLEJO (11). The government shall supplement its Rule 404(b) Notice for the November Trial Group by October 17, 2022. Signed by Judge Amit P. Mehta on 10/6/2022. (lcapm1) (Entered: 10/06/2022)
10/06/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (1) held on 10/6/2022. Same twelve (12) jurors and four (4) alternate jurors. Jury Trial shall resume on 10/7/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Proceedings may start prior to 9:30 AM if there are any preliminary matters. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorney: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Michael Palian, J.Z., A.R., M.A. (zjd) (Entered: 10/06/2022)
10/07/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/7/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/11/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford

		Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Ryan McCamley and Special Agent Byron Cody. (zjd) (Entered: 10/07/2022)
10/10/2022	369	MOTION in Limine <i>Concerning Certain Statements and the Attorney-Client Privilege</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Edwards, Troy) (Entered: 10/10/2022)
10/11/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/11/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/12/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Proceedings may start prior to 9:30 AM if there are any preliminary matters. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Byron Cody and Special Agent Justin Eller. (zjd) (Entered: 10/11/2022)
10/12/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/12/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/13/2022 at 9:15 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Justin Eller, Special Agent Joanna Abrams, T.C., and Special Agent Kelsey Harris. (zjd) (Entered: 10/12/2022)
10/13/2022	372	ORDER granting 371 Consent Motion to Modify Conditions of Release as to JOSHUA JAMES (5). See the attached Order for additional details. Signed by Judge Amit P. Mehta on 10/13/2022. (lcapm1) (Entered: 10/13/2022)
10/13/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10) held on 10/13/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/14/2022 at 9:15 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US

		Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Kelsey Harris, Special Agent Craig Arney, Special Agent Jennifer Banks. (zjd) (Entered: 10/13/2022)
10/14/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL held on 10/14/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/17/2022 at 09:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Jennifer Banks, Special Agent Sylvia Hilgeman. (zjd) (Entered: 10/14/2022)
10/17/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/17/2022. Same twelve (12) jurors and four (4) alternates. Jury Trial shall resume on 10/18/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Proceedings may start prior to 9:30 AM if there are any preliminary matters. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Sylvia Hilgeman, M.L. (zjd) (Entered: 10/17/2022)
10/18/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/18/2022. The juror in seat 13 (Juror #1542) was excused and replaced by an alternate juror. Twelve (12) jurors and three (3) alternates now remain. Jury Trial shall resume on 10/19/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Proceedings may start prior to 9:30 AM if there are any preliminary matters. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Sylvia Hilgeman, Captain Ronald Ortega, and Jason Dolan. (zjd) (Entered: 10/18/2022)
10/19/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/19/2022. Same twelve (12) jurors and three (3)

		alternates. Jury Trial shall resume on 10/20/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Proceedings may start prior to 9:30 AM if there are any preliminary matters. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Jason Dolan and Thomas Wickham. (zjd) (Entered: 10/19/2022)
10/20/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/20/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 10/21/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witness: Special Agent Whitney Drew. (zjd) (Entered: 10/20/2022)
10/21/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/21/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 10/24/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2) Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witness: Special Agent Whitney Drew. (zjd) (Entered: 10/21/2022)
10/24/2022		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10): Status Conference set for 10/24/2022 at 4:45 PM via Zoom before Judge Amit P. Mehta. Members of the public may access the conference by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. The public access line will be muted and should only be used by non-participating parties.(zjd) (Entered: 10/24/2022)
10/24/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/24/2022. Defendant Rhodes and the jury panel were not present for these proceedings. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody,

		Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 10/26/2022)
10/25/2022		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10): Jury Trial shall resume on 10/25/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. (zjd) (Entered: 10/25/2022)
10/25/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/25/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 10/26/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) appearance waived/remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Drew and Deputy Ryan Salke. (zjd) (Entered: 10/26/2022)
10/26/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/26/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on Monday, October 31, 2022 at 9:30 AM before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) appearance waived/remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lisa Edwards (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Juli Haller(2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Lanelle Hawa, Officer Christopher Owens, J.M. (zjd) (Entered: 10/26/2022)
10/28/2022	377	ORDER as to defendants ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, and EDWARD VALLEJO. The court's 286 Amended Pretrial Order is hereby modified as follows: (1) Trial will now commence on December 5, 2022, at 9:30 a.m. The court will not sit on December 26--30, 2022; (2) Motions in limine shall be filed by November 7, 2022; (3) oppositions shall be filed November 16, 2022; and (4) replies shall be filed by November 21, 2022. (5) The government shall make any remaining Jencks/Brady disclosures by November 18, 2022; (6) Counsel shall appear for a status conference to finalize the jury questionnaire on November 7, 2022, at 5:15 p.m. (7) Prospective jurors for the December trial will appear on November 10, 2022, to answer the final questionnaire. (8) After prospective jurors answer the questionnaire, the parties shall file under seal their respective lists of jurors they believe should be stricken for cause by November 17, 2022. Jurors shall be identified only by juror number. (9) Counsel shall then appear on November 21, 2022, at 2:00 p.m. to discuss those lists and for the court to make final rulings. (10)

		The Joint Pretrial Statement as to the December Trial Group shall be due November 18, 2022. (11) The Pretrial Conference for the December Trial Group shall be held on November 23, 2022, at 9:30 a.m., in Courtroom 10. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 10/28/2022. (lcapm1) (Entered: 10/28/2022)
10/31/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 10/31/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/1/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Jeff Hook (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Officer Harry Dunn, Special Agent David Lazarus, E.T., and Graydon Young. (zjd) (Entered: 10/31/2022)
11/01/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/1/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/2/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Jeff Hook (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Kelsey Harris, T.H. (zjd) (Entered: 11/01/2022)
11/02/2022	380	Proposed Jury Instructions by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL (Attachments: # 1 Supplement - Joint Proposed Final Jury Instructions Submitted with Joint Pretrial Statement (9/9/22), # 2 Supplement - Joint Proposed Preliminary Jury Instructions Submitted with Joint Pretrial Statement (9/9/22))(Nestler, Jeffrey) (Entered: 11/02/2022)
11/02/2022	381	PROPOSED VERDICT FORM as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL (Attachments: # 1 Supplement Joint Proposed Verdict Form Submitted with Joint Pretrial Statement (9/9/22))(Nestler, Jeffrey) (Entered: 11/02/2022)
11/02/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/2/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/3/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4)

		remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witnesses: Special Agent Kelsey Harris, J.A., Special Agent Jennifer Banks, Special Agent John Moore. (zjd) (Entered: 11/02/2022)
11/03/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/3/2022. Same twelve (12) jurors and three (3) alternates. The Government rests its case. Jury Trial shall resume on 11/4/2022 at 8:30 AM in Courtroom 23 before Judge Amit P. Mehta. Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Government Witness: Special Agent John Moore; Defense Witness: M.S. (zjd) (Entered: 11/03/2022)
11/03/2022	383	NOTICE of Opposition to Defendants' Motions for Judgments of Acquittal by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL (Edwards, Troy) (Entered: 11/03/2022)
11/04/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/4/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/7/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: M.S., Stewart Rhodes. (zjd) (Entered: 11/07/2022)
11/07/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/7/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/8/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lorraine Herman (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Juli Haller (2), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witness: Stewart Rhodes. (zjd) (Entered: 11/07/2022)
11/08/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/8/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/9/2022 at 9:00 AM in Courtroom 23 before

		Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lorraine Herman (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: L.M., R.J., D.S. (zjd) (Entered: 11/08/2022)
11/09/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/9/2022. Same twelve (12) jurors and three (3) alternates. Charge Conference set for 11/10/2022 at 11:00 AM in Courtroom 23 before Judge Amit P. Mehta. Jury Trial shall resume on 11/14/2022 at 9:30 AM. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lorraine Herman (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: Michael Greene and S.B. (zjd) (Entered: 11/09/2022)
11/10/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Charge Conference as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/10/2022. Jury Trial shall resume on 11/14/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) appearance waived/remains in-custody, Harrelson (3) appearance waived/remains in-custody, Watkins (4) appearance waived/remains in-custody, and Caldwell (10) appearance waived/remains on personal recognizance; Court Reporters: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) Modified list of defense counsel present on 11/14/2022 (zjd). (Entered: 11/13/2022)
11/14/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/14/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/15/2022 at 9:30 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: J.R., J.G., and S.C. (zjd) (Entered: 11/14/2022)
11/15/2022	391	NOTICE REGARDING EXHIBITS FORMALLY MOVED INTO EVIDENCE AT THE CONCLUSION OF THE GOVERNMENTS CASE AT TRIAL by USA as to

		ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, THOMAS EDWARD CALDWELL (Rakoczy, Kathryn) (Entered: 11/15/2022)
11/15/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/15/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/16/2022 at 8:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Nancy Meyer (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: Thomas Caldwell, B.D., R.D.W. (zjd) (Entered: 11/15/2022)
11/16/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10) held on 11/16/2022. Same twelve (12) jurors and three (3) alternates. Jury Trial shall resume on 11/17/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Lorraine Herman (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: Thomas Caldwell, J.C.K., Jessica Watkins. (zjd) (Entered: 11/16/2022)
11/17/2022	393	MOTION in Limine <i>Precluding Certain Arguments During Closing Arguments</i> by USA as to KENNETH HARRELSON, THOMAS EDWARD CALDWELL. (Manzo, Louis) (Entered: 11/17/2022)
11/17/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/17/2022. The juror in seat 16 (Juror #0910) was excused and replaced by an alternate juror. Twelve (12) jurors and two (2) alternates now remain. The defendants rest their cases. The Government rests its rebuttal case. Closing Arguments set for 11/18/2022 at 9:00 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo; Defense Witnesses: Jessica Watkins and M.W. Government Rebuttal Witnesses: Special Agent Justin Eller and Special Agent Kelsey Harris. (zjd) (Entered: 11/17/2022)
11/18/2022	396	FINAL JURY INSTRUCTIONS as to Defendants ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, and

		THOMAS EDWARD CALDWELL. (lcapm1) (Entered: 11/18/2022)
11/18/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial/Closing Arguments as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/18/2022. Same twelve (12) jurors and two (2) alternate jurors. Closing Arguments shall resume on 11/21/2022 at 8:45 AM in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporters: William Zaremba (A.M.) and Jeff Hook (P.M.); Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 11/21/2022)
11/20/2022	398	RESPONSE by KENNETH HARRELSON re 393 MOTION in Limine <i>Precluding Certain Arguments During Closing Arguments</i> (Geyer, Bradford) (Entered: 11/20/2022)
11/21/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Trial/Closing Arguments as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/21/2022. Same twelve (12) jurors and two (2) alternates. Closing arguments made. Alternate jurors excused. Jury Deliberation set for 11/22/2022 at 9:30 AM. Any proceedings shall take place in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 11/21/2022)
11/21/2022	400	Final Jury Instructions as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). (zjd) (Entered: 11/21/2022)
11/22/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Deliberation as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10) held on 11/22/2022. Same twelve (12) jurors. Jury Deliberation shall resume on 11/28/2022 at 9:30 AM. Any proceedings shall take place in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance. (zjd) (Entered: 11/23/2022)
11/27/2022		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10): Hearing set for 11/28/2022 at 9:15 AM in Courtroom 23 before Judge Amit P. Mehta. (zjd) (Entered: 11/27/2022)
11/28/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Deliberation as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD

		CALDWELL (10) held on 11/28/2022. Same twelve (12) jurors. Jury Deliberation shall resume on 11/29/2022 at 9:30 AM. Any proceedings shall take place in Courtroom 23 before Judge Amit P. Mehta. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, and Troy Edwards. (zjd) (Entered: 11/28/2022)
11/28/2022	405	Jury Note as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). (zjd) (Entered: 11/28/2022)
11/28/2022	406	Signature Page of Foreperson as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL in Jury Note. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zjd) (Entered: 11/28/2022)
11/29/2022		Minute Entry for proceedings held before Judge Amit P. Mehta: Jury Deliberation as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10) held on 11/29/2022. Same twelve (12) jurors. As to Defendant Rhodes (1): Jury Verdict of Guilty on Counts 1s, 3s, and 7s; Jury Verdict of Not Guilty on Counts 2s and 4s. As to Defendant Meggs (2): Jury Verdict of Guilty on Counts 1s, 2s, 3s, 4s, and 8s; Jury Verdict of Not Guilty on Count 5s. As to Defendant Harrelson (3): Jury Verdict of Guilty on Counts 3s, 4s, and 9s; Jury Verdict of Not Guilty on Count 1s, 2s, and 5s. As to Defendant Watkins (4): Jury Verdict of Guilty on Counts 2s, 3s, 4s, and 6s; Jury Verdict of Not Guilty on Counts 1s and 5s. As to Defendant Caldwell (10): Jury Verdict of Guilty on Counts 3s and 13s; Jury Verdict of Not Guilty on Counts 1s, 2s, and 4s. Government's Oral Motion to detain Defendant Caldwell was heard and denied for the reasons stated on the record. Defendant Caldwell shall be placed on location monitoring and shall be subject to the conditions of release imposed by the Court during the bond hearing on March 12, 2021 in case no. 21-cr-28 (APM). Defendant Harrelson's Oral Motion for Release was heard and denied. Defendant Watkins' Oral Motion for Release was heard and denied. The parties shall meet and confer and provide Judge Mehta's courtroom deputy with potential dates for sentencing. Bond Status of Defendants: Rhodes (1) remains in-custody, Meggs (2) remains in-custody, Harrelson (3) remains in-custody, Watkins (4) remains in-custody, and Caldwell (10) remains on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: James Lee Bright (1), Edward Tarpley (1), Stanley Woodward (2), Juli Haller (2), Bradford Geyer (3), Jonathan Crisp (4), and David Fischer (10); US Attorneys: Jeffrey Nestler, Kathryn Rakoczy, Alexandra Hughes, Troy Edwards, and Louis Manzo. (zjd) (Entered: 11/30/2022)
11/29/2022	409	Signature Page of Foreperson as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL in Jury Note. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zjd) (Entered: 11/30/2022)

11/29/2022	410	VERDICT FORM as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). (zjd) (Entered: 11/30/2022)
11/29/2022	411	Signature Page of Foreperson as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL in Jury Verdict. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zjd) (Entered: 11/30/2022)
11/30/2022	412	Supplemental Jury Instruction as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). (lcapm3) (Entered: 11/30/2022)
12/02/2022	415	Application for Access to Trial Exhibits by PRESS COALITION as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (zltf) (Entered: 12/05/2022)
12/11/2022		MINUTE ORDER. At the parties' request, the schedule for post-trial briefing shall be as follows: The defendants' combined Rule 33 and supplemental Rule 29 motion is due on or before December 23, 2022. The government's opposition shall be filed on or before January 13, 2023. Defendants' reply shall be due on or before January 20, 2023. Signed by Judge Amit P. Mehta on 12/11/2022. (lcapm3) (Entered: 12/11/2022)
12/12/2022		MINUTE ORDER granting The Press Coalition's 415 Motion to Access Trial Exhibits. Per the court's prior instructions set forth in 327 , upon request, the admitting party shall make available to the media at the end of each trial day a copy of any admitted exhibit that has been published to the jury and not restricted by the court for dissemination. The government may make exhibits available using the drop box technical solution described in In re: Media Access to Video Exhibits in Pretrial Hearings During the COVID-19 Pandemic, Standing Order No. 21-28 (BAH) (May 14, 2021). The admitting party shall so provide this same-day access to The Press Coalition. The Press Coalition is granted permission to record, copy, download, retransmit, and otherwise further publish the covered trial exhibits. Signed by Judge Amit P. Mehta on 12/06/2022. (lcapm3) (Entered: 12/12/2022)
12/13/2022	424	First MOTION for New Trial <i>Rule 33 and Judgement of Acquittal under Rule 29c</i> by KENNETH HARRELSON. (Geyer, Bradford) (Entered: 12/13/2022)
12/22/2022	429	Emails re Jury Instructions as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10). The redacted portions of these emails are chambers correspondence. (zjd) (Entered: 12/22/2022)
12/22/2022	430	Emails re Government Admissions as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), THOMAS EDWARD CALDWELL (10). The redacted portions of these emails are chambers correspondence. (zjd) (Entered: 12/22/2022)
12/22/2022	431	Miscellaneous Emails re Jury Trial as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4),


		THOMAS EDWARD CALDWELL (10). The redacted portions of these emails are chambers correspondence. (zjd) (Entered: 12/22/2022)
12/23/2022		MINUTE ORDER as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). The court hereby refers Defendants Rhodes, Meggs, Watkins, Harrelson, and Caldwell to the U.S. Probation Office for preparation of pre-sentence investigation reports. The final report for each defendant shall be due on April 21, 2023. Sentencing memoranda as to each defendant shall be filed by May 5, 2023, with any reply memorandum of no more than 15 pages filed by May 15, 2023. Counsel shall keep their schedules open from May 24-26, 2023. The court will determine the sequence of hearings after receiving the opening sentencing memoranda. Signed by Judge Amit P. Mehta on 12/23/2022. (zjd) (Entered: 12/23/2022)
12/23/2022	432	Joint MOTION for Judgment NOV <i>judgment of acquittal</i> by JESSICA WATKINS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Crisp, Jonathan) (Entered: 12/23/2022)
12/23/2022	433	First MOTION for New Trial , First MOTION for Judgment NOV by KENNETH HARRELSON as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Memorandum in Support)(Geyer, Bradford) (Entered: 12/23/2022)
12/23/2022	434	MOTION for New Trial by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Attachments: # 1 Text of Proposed Order)(Woodward, Stanley) (Entered: 12/23/2022)
12/31/2022	435	Joint MOTION for Leave to File <i>Amended Memorandum in Support of Defendants R 29 Motion for Acquittal</i> by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL. (Attachments: # 1 Exhibit A, Amended Memorandum of Points and Authorities, # 2 Text of Proposed Order)(Haller, Juli) (Entered: 12/31/2022)
01/03/2023		MINUTE ORDER granting 435 Motion for Leave to File Amended Memorandum in Support of Defendants' Rule 29 Motion as to ELMER STEWART RHODES III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), and THOMAS EDWARD CALDWELL (10). Signed by Judge Amit P. Mehta on 01/03/2023. (lcapm3) (Entered: 01/03/2023)
01/13/2023	440	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 432 Motion for Judgment NOV, 435 Motion for Leave to File, (Rakoczy, Kathryn) (Entered: 01/13/2023)
01/13/2023	441	Memorandum in Opposition by USA as to KENNETH HARRELSON re 424 Motion for New Trial, 433 Motion for New Trial,, Motion for Judgment NOV, (Rakoczy, Kathryn) (Entered: 01/13/2023)
01/13/2023	442	Memorandum in Opposition by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS

		EDWARD CALDWELL re 434 Motion for New Trial (Rakoczy, Kathryn) (Entered: 01/13/2023)
01/17/2023	443	Unopposed MOTION for Extension of Time to File Response/Reply by ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order)(Fischer, David) (Entered: 01/17/2023)
01/17/2023		MINUTE ORDER granting Defendants' 443 Unopposed Motion for Extension of Time to File Consolidated Reply as to Motion for Judgment of Acquittal and Motion for New Trial. Defendants' Reply shall now be filed on or before January 24, 2023. Signed by Judge Amit P. Mehta on 01/17/2023. (lcapm3) (Entered: 01/17/2023)
01/24/2023	459	NOTICE of Joinder Out of Abundance of Caution Regarding ECF 432 by KENNETH HARRELSON as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 432 Joint MOTION for Judgment NOV <i>judgment of acquittal</i> (Geyer, Bradford) (Entered: 01/24/2023)
01/24/2023	460	REPLY TO OPPOSITION to Motion by KENNETH HARRELSON re 433 First MOTION for New Trial First MOTION for Judgment NOV (Geyer, Bradford) (Entered: 01/24/2023)
01/24/2023	461	SUPPLEMENT by KENNETH HARRELSON re 432 Joint MOTION for Judgment NOV <i>judgment of acquittal supplement to tonight's filing by Ms. Haller</i> (Geyer, Bradford) (Entered: 01/24/2023)
01/24/2023	462	REPLY TO OPPOSITION to Motion by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 432 Joint MOTION for Judgment NOV <i>judgment of acquittal</i> , 435 Joint MOTION for Leave to File <i>Amended Memorandum in Support of Defendants R 29 Motion for Acquittal</i> , REPLY in Support by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 435 Joint MOTION for Leave to File <i>Amended Memorandum in Support of Defendants R 29 Motion for Acquittal</i> (Haller, Juli) (Entered: 01/24/2023)
01/24/2023	463	REPLY in Support by KELLY MEGGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, THOMAS EDWARD CALDWELL re 434 MOTION for New Trial <i>Jointly filed</i> (Haller, Juli) (Entered: 01/24/2023)
02/01/2023	467	OMNIBUS ORDER FOR REMAINING POST-TRIAL FILINGS AND PROCEEDINGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, and EDWARD VALLEJO. Please see attached Order. Signed by Judge Amit P. Mehta on 02/01/2023. (lcapm3) (Entered: 02/01/2023)
02/02/2023		Set/Reset Hearings as to KENNETH HARRELSON (3): Sentencing set for 5/26/2023 at 1:30 PM in Courtroom 10 before Judge Amit P. Mehta. (zjd) (Entered: 02/02/2023)

		02/02/2023)
02/02/2023		Set/Reset Hearings as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHER (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11): Hearing to Resolve Sentencing Issues set for 5/24/2023 at 9:30 AM in Courtroom 10 before Judge Amit P. Mehta. (zjd) (Entered: 02/02/2023)
02/02/2023	468	AMENDED OMNIBUS ORDER FOR REMAINING POST-TRIAL FILINGS AND PROCEEDINGS as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, THOMAS EDWARD CALDWELL, and EDWARD VALLEJO. Please see attached Order for amended schedule. Signed by Judge Amit P. Mehta on 02/02/2023. (lcapm3) (Entered: 02/02/2023)
03/24/2023		MINUTE ORDER granting 487 United States' Unopposed Motion for Extension of Deadline to File Opposition to Defendants' Rule 29 and 33 Motions. The government's response to the November Trial Groups motions shall be filed by April 3, 2023, and any reply shall be filed by April 12, 2023. Signed by Judge Amit P. Mehta on 03/24/2023. (lcapm3) (Entered: 03/24/2023)
03/29/2023	496	MOTION to Continue Sentencing and all Related Deadlines (redacted) as to ELMER STEWART RHODES, III. (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Text of Proposed Order)(Linder, Phillip) Modified to unseal document on 4/3/2023 (zjd). (Entered: 03/29/2023)
04/02/2023	511	NOTICE of JOINDER by EDWARD VALLEJO as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHER, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO re 478 MOTION pursuant to Rule 33 for new trial , 479 MOTION for Acquittal , 493 MOTION for Leave to File <i>Motion under Seal</i> , 482 MOTION to Continue <i>SENTENCING DATE</i> (Peed, Matthew) (Entered: 04/02/2023)
04/03/2023	513	Notice of Joinder by KENNETH HARRELSON re: 496 Motion to Continue Sentencing Deadlines (Geyer, Bradford) Modified text on 4/4/2023 (zltp). (Entered: 04/03/2023)
04/10/2023	519	ORDER denying 496 Motion to Continue Sentencing; denying 498 Motion to Continue as to KELLY MEGGS (2); denying 482 Motion to Continue as to ROBERTO A. MINUTA (6). Please see attached Order. The court will extend the parties' response date to the draft PSR from April 7, 2023, to April 14, 2023, and the due date of the final PSR to April 28, 2023. All other deadlines shall remain the same. Signed by Judge Amit P. Mehta on 04/10/2023. (lcapm3) (Entered: 04/10/2023)
05/04/2023	561	First MOTION for Extension of Time to File <i>Sentencing memo to May 8</i> by KENNETH HARRELSON (Geyer, Bradford) Modified text to remove unassociated defendants on 5/31/2023 (zltp). (Entered: 05/04/2023)
05/05/2023		MINUTE ORDER granting Defendant KENNETH HARRELSON's 561 Motion to Extend Deadline for Filing Sentencing Memo to May 8. Defendant KENNETH HARRELSON's sentencing memorandum shall now be due on or before May 8, 2023. Signed by Judge Amit P. Mehta on 5/5/2023. (lcapm2) (Entered: 05/05/2023)
05/05/2023	565	SENTENCING MEMORANDUM by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO

		A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO (Edwards, Troy) (Entered: 05/05/2023)
05/05/2023	604	MOTION for Upward Departure by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (See docket entry 565 to view document.) (zltp) (Entered: 05/31/2023)
05/09/2023	573	SENTENCING MEMORANDUM by KENNETH HARRELSON (Geyer, Bradford) Modified text to remove unassociated defendants on 5/31/2023 (zltp). (Entered: 05/09/2023)
05/15/2023	580	REPLY by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, THOMAS EDWARD CALDWELL, EDWARD VALLEJO <i>Sentencing Memoranda</i> (Edwards, Troy) (Entered: 05/15/2023)
05/15/2023	582	REPLY by KENNETH HARRELSON (Attachments: # 1 Exhibit Attachment A) (Geyer, Bradford) Modified text to remove unassociated defendants on 5/31/2023 (zltp). (Entered: 05/15/2023)
05/16/2023	583	ERRATA by KENNETH HARRELSON re: 582 REPLY (Attachments: # 1 Exhibit Attachment A)(Geyer, Bradford) Modified text to remove unassociated defendants and include link on 5/31/2023 (zltp). (Entered: 05/16/2023)
05/22/2023	592	ORDER. At the Omnibus Hearing scheduled for Wednesday, May 24 at 9:30 a.m. in Courtroom 20, counsel shall be prepared to proceed according to the following schedule: 1.First, the court will hear any victim impact statements or testimony applicable to all defendants. 2.Second, the court will deliver its opinion on outstanding post-trial motions. 3.Third, the court will hear legal arguments regarding the sentencing enhancements and restitution issues. If time permits, the court may hear argument about the factual bases for sentencing enhancements with respect to particular defendants. See attached Order. Signed by Judge Amit P. Mehta on 05/22/2023. (lcapm3) (Entered: 05/22/2023)
05/23/2023		NOTICE OF HEARING as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11): The Omnibus Hearing set for May 24, 2023 at 9:30 AM shall proceed in Ceremonial Courtroom 20. All sentencings will proceed in Courtroom 10. (zjd) (Entered: 05/23/2023)
05/23/2023		MINUTE ORDER. At the Omnibus hearing scheduled for tomorrow, May 24, 2023, the government and counsel for Mr. Hackett should be prepared to address what the evidence showed with respect to: (1) on or about which date Mr. Hackett deleted the media from his phone that formed the basis for the obstruction count, and (2) what evidence would establish that it was reasonably foreseeable to Mr. Hackett that, as of that date, there would be a grand jury proceeding investigating his conduct. Signed by Judge Amit P. Mehta on 05/23/2023. (lcapm3) (Entered: 05/23/2023)
05/24/2023		Minute Entry for proceedings held before Judge Amit P. Mehta: Omnibus Hearing as to ELMER STEWART RHODES, III (1), KELLY MEGGS (2), KENNETH HARRELSON (3), JESSICA WATKINS (4), ROBERTO A. MINUTA (6), JOSEPH HACKETT (7), DAVID MOERSCHEL (8), THOMAS EDWARD CALDWELL (10), and EDWARD VALLEJO (11) held on 5/24/2023. Defendants Minuta,

		Hackett, Moerschel, Caldwell, and Vallejo appeared via videoconference. Bond Status of Defendant: Defendants Rhodes (1), Meggs (2), Harrelson (3), and Watkins (4) remain in-custody, Defendants Minuta (6), Hackett (7), Moerschel (8), Caldwell (10), and Vallejo (11) remain on personal recognizance; Court Reporter: William Zaremba; Defense Attorneys: Phillip Linder (1), James Lee Bright (1), Edward Tarpley, Jr. (1), Stanley Woodward (2), Bradford Geyer (3), Jonathan Crisp (4), William Shipley (6), Angela Halim (7), Scott Weinberg (8), David Fischer (10), and Matthew Peed (11); US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Alexandra Hughes, Troy Edwards, Louis Manzo; Probation Officer: Crystal Lustig; Witnesses: Officer Christopher Owens, Special Agent David Lazarus, Officer Harry Dunn, V.B., and Terri McCullough. (zjd) (Entered: 05/24/2023)
05/25/2023		MINUTE ORDER. For the reasons stated on the record at Mr. Rhodes' sentencing hearing held today, the court concludes that (1) the 3-level enhancement for substantial interference with the administration of justice under 2J1.2(b)(2) is applicable, and (2) under Circuit precedent, control is a necessary element of a role-in-the-offense enhancement under 3B1.1. Signed by Judge Amit P. Mehta on 05/25/2023. (lcapm3) (Entered: 05/25/2023)
05/26/2023	602	SUPPLEMENT by KENNETH HARRELSON <i>for Allocution</i> (Attachments: # 1 Exhibit, # 2 Exhibit)(Geyer, Bradford) (Entered: 05/26/2023)
05/26/2023		Minute Entry for proceedings held before Judge Amit P. Mehta: Sentencing held on 5/26/2023 as to KENNETH HARRELSON (3). As to Counts 3s, 4s, and 9s of 167 Superseding Indictment, the Defendant is sentenced to concurrent terms of 48 months of incarceration followed by 24 months of supervised release. Bond Status of Defendant: remains in-custody; Court Reporter: William Zaremba; Defense Attorney: Bradford Geyer; US Attorneys: Kathryn Rakoczy, Jeffrey Nestler, Alexandra Hughes, Troy Edwards, and Louis Manzo; Probation Officer: Sherry Baker. (zjd) (Entered: 05/26/2023)
06/04/2023	610	MOTION for Joinder <i>regarding ECF 541, 521, 479, 478, 477, 463, 462, 434, and 420</i> by KENNETH HARRELSON. (Geyer, Bradford) (Entered: 06/04/2023)
06/05/2023	617	JUDGMENT as to KENNETH HARRELSON. Statement of Reasons Not Included. Signed by Judge Amit P. Mehta on 6/5/2023. (zltp) (Entered: 06/12/2023)
06/05/2023	618	STATEMENT OF REASONS as to KENNETH HARRELSON. re 617 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 Amit P. Mehta on 6/5/2023. (zltp) (Entered: 06/12/2023)
06/06/2023		MINUTE ORDER. The government shall submit its memorandum and any evidence in support of a restitution award by June 23, 2023; Defendants shall file a consolidated opposition by July 12, 2023; and the government shall file its reply by July 22, 2023. Signed by Judge Amit P. Mehta on 06/06/2023. (lcapm3) (Entered: 06/06/2023)
06/06/2023	611	NOTICE OF APPEAL - Final Judgment by KENNETH HARRELSON Fee Status: No Fee Paid. Parties have been notified. (Geyer, Bradford) (Entered: 06/06/2023)
06/06/2023		Payment for 611 Notice of Appeal - Final Judgment by KENNETH HARRELSON. (\$505; Receipt number ADCDC-10120930) (Geyer, Bradford) (Entered: 06/06/2023)
06/09/2023	614	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT,

		DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO (Baset, Ahmed) (Entered: 06/09/2023)
06/12/2023	619	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid as to KENNETH HARRELSON re 611 Notice of Appeal - Final Judgment. (zltf) (Entered: 06/12/2023)
06/12/2023	623	Transmitted Supplemental Record on Appeal and Docket Sheet to USCA: Updated Docket Sheet included, as to KENNETH HARRELSON re 611 Notice of Appeal - Final Judgment. (zltf) (Entered: 06/12/2023)
06/13/2023		USCA Case Number as to KENNETH HARRELSON 23-3089 for 611 Notice of Appeal - Final Judgment filed by KENNETH HARRELSON. (zltf) (Entered: 07/06/2023)
06/20/2023	636	APPLICATION for Access to Trial Exhibits by CONRAD SMITH as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, JOSHUA JAMES, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, BRIAN ULRICH, THOMAS EDWARD CALDWELL, EDWARD VALLEJO. (Attachments: # 1 Text of Proposed Order)(zhsj) (Entered: 06/20/2023)
06/20/2023	637	ORDER granting 636 Motion to Access Trial Exhibits. See attached Order. Signed by Judge Amit P. Mehta on 06/20/2023. (lcapm3) (Entered: 06/20/2023)
06/22/2023	 639	Unopposed MOTION for Extension of Time to File <i>Memorandum and Evidence Regarding Restitution</i> by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, EDWARD VALLEJO. (Edwards, Troy) (Entered: 06/22/2023)
06/23/2023		MINUTE ORDER granting 639 Unopposed Motion for Extension of Time to File. The government's initial restitution memorandum and evidence is now due on or before July 7, 2023; the defendants' response in opposition is due on or before July 26, 2023; and the government's reply is due on or before August 5, 2023. Signed by Judge Amit P. Mehta on 06/23/2023. (lcapm3) (Entered: 06/23/2023)
07/07/2023	654	NOTICE of Brief Regarding Restitution by USA as to ELMER STEWART RHODES, III, KELLY MEGGS, KENNETH HARRELSON, JESSICA WATKINS, ROBERTO A. MINUTA, JOSEPH HACKETT, DAVID MOERSCHEL, EDWARD VALLEJO (Attachments: # 1 Exhibit)(Edwards, Troy) (Entered: 07/07/2023)
07/12/2023	660	NOTICE OF APPEAL - Final Judgment by USA as to KENNETH HARRELSON Fee Status: No Fee Paid. Parties have been notified. (Nestler, Jeffrey) (Main Document 660 flattened & replaced on 7/13/2023.) (ztnr) (Entered: 07/12/2023)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA

vs.

KENNETH HARRELSON

Criminal No. 22-cr-15 (APM)

NOTICE OF APPEAL

Name and address of appellant:

United States of America

Name and address of appellant's attorney:

Jeffrey Nestler, Assistant US Attorney
Office of the US Attorney for DC
601 D Street, NW Room 5.1501
Washington, DC 20253

Offense: **18 USC Secs. 1512(c)(2)** and **2; 18 USC Sec. 372; 18 USC Sec. 1512(c)(1)**

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

Sentence imposed on May 26, 2023 (judgment entered on the docket on June 12, 2023), sentencing defendant to a term of 48 months' imprisonment on each count, to run concurrently, followed by a term of 24 months' supervised release on each count, to run concurrently; assessment of \$300.00

Name and institution where now confined, if not on bail: DC Jail/CTF

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.

July 12, 2023

DATE

United States of America

APPELLANT

Jeffrey Nestler

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.

KENNETH HARRELSON

JUDGMENT IN A CRIMINAL CASE

Case Number: 22-cr-15-3 (APM)

USM Number: 34096-509

Bradford Geyer

Defendant's Attorney

THE DEFENDANT:☐ pleaded guilty to count(s) _____☐ pleaded nolo contendere to count(s) _____

which was accepted by the court.

☒ was found guilty on count(s) 3s, 4s, and 9s of the Superseding Indictment at ECF No. 167
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1512(c)(2) and 2	Obstruction of an Official Proceeding and Aiding and Abetting	January 6, 2021	3s

(cont.)

The defendant is sentenced as provided in pages 2 through 9 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) 1s, 2s, and 5s of the Superseding Indictment at ECF No. 167☐ Count(s) Counts of original indictment & ☐ is ☒ are dismissed on the motion of the United States.
all remaining counts in 21-cr-28-10

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.

5/26/2023

Date of Imposition of Judgment

Signature of Judge



2023.06.05

17:07:13

-04'00'

Amit P. Mehta, U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: KENNETH HARRELSON
CASE NUMBER: 22-cr-15-3 (APM)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 372	Conspiracy to Prevent an Officer from Discharging any Duties	January 2021	4s
18 U.S.C. § 1512(c)(1)	Tampering with Documents or Proceedings	March 10, 2021	9s

DEFENDANT: KENNETH HARRELSON

CASE NUMBER: 22-cr-15-3 (APM)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
concurrent terms of 48 months (4 years) on each of Counts 3, 4, and 9 of the Superseding Indictment filed at ECF No. 167

☒ The court makes the following recommendations to the Bureau of Prisons:
Placement at the Coleman facility located in central Florida, at either the low or camp facility. The court does not recommend that defendant be housed among violent offenders.

☒ 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: KENNETH HARRELSON

CASE NUMBER: 22-cr-15-3 (APM)

SUPERVISED RELEASE

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

concurrent terms of 24 months on each of Counts 3s, 4s, and 9s of the Superseding Indictment filed at ECF No. 167.

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: KENNETH HARRELSON

CASE NUMBER: 22-cr-15-3 (APM)

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: KENNETH HARRELSON
CASE NUMBER: 22-cr-15-3 (APM)

ADDITIONAL SUPERVISED RELEASE TERMS

The Court approves transfer of supervision to the district of residence. The Court will retain jurisdiction in this case.

DEFENDANT: KENNETH HARRELSON

CASE NUMBER: 22-cr-15-3 (APM)

SPECIAL CONDITIONS OF SUPERVISION

Substance Abuse Testing - You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods.

Contact Restriction - You must not associate, communicate, or otherwise interact, with any known or unknown member of a terrorist organization, or any other known or unknown criminal extremist group or individual. This includes persons who are, or claim to be, involved with violent acts, or advocating for acts of violence, and any persons who are located outside the United States without the approval of the probation officer. If you inadvertently associate, communicate, or otherwise interact with a known terrorist or extremist group or individual you must immediately report this to the probation officer.

Social Media Restriction - You must seek the approval of the probation officer if you wish to access, view or use any online social media. You must not download any social media apps to your phone or computer. You must not access social media on any other device not approved by the probation office. Social media includes social media sites, chat services, blogs, instant messages, SMS, MMS, digital photos, video sharing websites, emails or any other interactive, online, or electronic communication applications or sites.

Propaganda Restriction - You must not access, view, use or possess any extremist media. This includes material, such as literature, video, photos, social media, from groups or individuals who promote the use of violence to further an ideological or religious cause. If you inadvertently access, view, use or possess such material you must immediately report this to the probation officer.

Computer Monitoring/Search - To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct initial and periodic unannounced searches of any computers (as defined in 18 U.S.C. § 1030(e)(1)) subject to computer monitoring. You must allow the probation officer to install computer monitoring software on any computer. This includes desktops, laptops, mobile devices, smartwatches, gaming systems, private servers, or any other high-speed data processing device performing logical, arithmetic, or storage functions. These searches shall be conducted to determine whether the computer contains any prohibited data prior to installation of the monitoring software, whether the monitoring software is functioning effectively after its installation, and whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition. A probation officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search will be conducted at a reasonable time and in a reasonable manner.

- You must not use any services designed to encrypt disguise, mask, or anonymize your online activity, such as TOR, I2P, Freenet, Freepto, Tox, Virtual Private Networks or other anonymizing applications, services, or sites.
- You shall not use any online gaming services or systems, including mobile device applications.

Telecommunications – You shall not use any telecommunications application software product, such as Skype, Discord, TeamSpeak, Battle.net, Steam, Xbox Network, PlayStation Network, Nintendo Switch Online or any other software that specializes in providing chat and voice calls between computers, tablets, mobile devices, gaming consoles and smartwatches.

Financial Information Disclosure - You must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the United States Attorney's Office.

DEFENDANT: KENNETH HARRELSON

CASE NUMBER: 22-cr-15-3 (APM)

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	\$ 300.00	\$	\$	\$	\$

☒ The determination of restitution is deferred _____. 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>
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TOTALS	\$	0.00	\$	0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ 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: KENNETH HARRELSON
 CASE NUMBER: 22-cr-15-3 (APM)

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 \$ 300.00 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 special assessment is 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
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- ☐ 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.