

APPEAL,CAP,CAT B

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00060-BAH-1**

Case title: USA v. GILLESPIE

Magistrate judge case number: 1:22-mj-00031-ZMF

Date Filed: 02/25/2022

Assigned to: Judge Beryl A. Howell

Defendant (1)

VINCENT GILLESPIE

represented by **Timothy G. Watkins**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

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*Designation: Public Defender or Community
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Pending Counts

Disposition

18:111(a)(1);
ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES; Assaulting,
Resisting, or Impeding Certain Officers.
(1)

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

18:231(a)(3); CIVIL DISORDER; Civil
Disorder.
(2)

18:231(a)(3); CIVIL DISORDER; Civil
Disorder.
(2s)

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

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

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

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

18:1752(a)(4); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a
Restricted Building or Grounds.
(5)

18:1752(a)(4); TEMPORARY
RESIDENCE OF THE PRESIDENT;
Engaging in Physical Violence in a
Restricted Building or Grounds.

Defendant sentenced to a concurrent term of sixty-eight (68) months of imprisonment followed by a term of thirty-six (36) months of Supervised Release; a special assessment of \$100.00; a fine \$25,000.00; and restitution in the amount of \$2,000.00, imposed.

Defendant sentenced to a concurrent term of sixty (60) months of imprisonment followed by a term of thirty-six (36) months of Supervised Release; a \$100.00 special assessment imposed.

MISTRIAL DECLARED; DISMISSED ON
ORAL MOTION BY THE GOVERNMENT
at SENTENCING.

MISTRIAL DECLARED; DISMISSED ON
ORAL MOTION BY THE GOVERNMENT
at SENTENCING.

Defendant sentenced to a concurrent term of twelve (12) months of imprisonment followed by a term of twelve (12) months of Supervised Release; a \$25.00 special

(5s)

assessment imposed.

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

(6)

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

MISTRIAL DECLARED; DISMISSED ON ORAL MOTION BY THE GOVERNMENT at SENTENCING.

(6s)

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

(7)

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

Defendant sentenced to a concurrent term of six (6) months of imprisonment; a \$10.00 special assessment imposed.

(7s)

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

(8s)

MISTRIAL DECLARED; DISMISSED ON ORAL MOTION BY THE GOVERNMENT at SENTENCING.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of
18:111(a)(1), 18:231(a)(3), 18:1752 (a)(1),
18:1752(a)(2), 18:1752(a)(4),
40:5104(e)(2)(D), 40:5104(e)(2)(E),
40:5104(e)(2)(F) and 40:5104(e)(2)(G)

Disposition

Plaintiff**USA**

represented by **Carolina Nevin**
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LEAD ATTORNEY
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Date Filed	#	Docket Text
02/17/2022	<u>1</u>	SEALED COMPLAINT as to VINCENT GILLESPIE (1). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:22-mj-00031-ZMF] (Entered: 02/17/2022)
02/17/2022	<u>3</u>	MOTION to Seal Case by USA as to VINCENT GILLESPIE. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:22-mj-00031-ZMF] (Entered: 02/17/2022)
02/17/2022	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to VINCENT GILLESPIE (1). Signed by Magistrate Judge Zia M. Faruqui on 2/17/2022. (zstd) [1:22-mj-00031-ZMF] (Entered: 02/17/2022)
02/18/2022	<u>5</u>	Arrest Warrant, dated 2/17/2022, Returned Executed on 2/18/2022 as to VINCENT GILLESPIE. (zstd) [1:22-mj-00031-ZMF] (Entered: 02/18/2022)
02/18/2022		Arrest of VINCENT GILLESPIE in Massachusetts. (zstd) [1:22-mj-00031-ZMF] (Entered: 02/18/2022)
02/18/2022		Case unsealed as to VINCENT GILLESPIE (zstd) [1:22-mj-00031-ZMF] (Entered: 02/18/2022)
02/22/2022		MINUTE ORDER: It is hereby ORDERED that Vincent Gillespie appear for an initial appearance on 3/1/2022 at 1:00 p.m. before Magistrate Judge Zia M. Faruqui. The hearing will be conducted by

		video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3173. So Ordered by Magistrate Judge Zia M. Faruqui.(ztl) [1:22-mj-00031-ZMF] (Entered: 02/23/2022)
02/25/2022	<u>6</u>	Unopposed MOTION for Protective Order by USA as to VINCENT GILLESPIE. (Attachments: # <u>1</u> Protective Order, # <u>2</u> Signed Attachment A)(Schesnol, Jacqueline) [1:22-mj-00031-ZMF] (Entered: 02/25/2022)
02/25/2022	<u>7</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to VINCENT GILLESPIE. Signed by Magistrate Judge Robin M. Meriweather on 2/25/2022. (ztl) [1:22-mj-00031-ZMF] (Entered: 02/25/2022)
02/25/2022	<u>8</u>	INDICTMENT as to VINCENT GILLESPIE (1) count(s) 1, 2, 3, 4, 5, 6, 7. (zhsj) (Entered: 02/25/2022)
02/25/2022	<u>9</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on February 25, 2022. (lcbah2) (Entered: 02/25/2022)
03/01/2022	<u>12</u>	NOTICE OF ATTORNEY APPEARANCE: Timothy G. Watkins appearing for VINCENT GILLESPIE (Watkins, Timothy) (Entered: 03/01/2022)
03/01/2022	<u>13</u>	Unopposed MOTION to disclose 6e and sealed materials by USA as to VINCENT GILLESPIE. (Schesnol, Jacqueline) Modified event on 3/3/2022 (znmw). (Entered: 03/01/2022)
03/01/2022		ORAL MOTION to Appoint Counsel by VINCENT GILLESPIE. (ztl) (Entered: 03/02/2022)
03/01/2022		ORAL MOTION for Speedy Trial by USA as to VINCENT GILLESPIE. (ztl) (Entered: 03/02/2022)
03/01/2022		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance/Arraignment as to VINCENT GILLESPIE (1) held on 3/1/2022 as to Counts 1,2,3,4,5,6,7 of the Indictment. Plea of Not Guilty entered as to all counts. Defendant present by video. Oral Motion to Appoint Counsel by VINCENT GILLESPIE (1); heard and granted. Defendant placed on Standard Conditions of Release. Oral Motion by the Government for Speedy Trial as to VINCENT GILLESPIE (1); heard and granted. Speedy Trial excluded from 3/1/2022 to 3/4/2022 in the Interest of Justice (XT). Status Hearing set for 3/4/2022 at 9:00 AM by Telephonic/VTC before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance; Court Reporter: FTR-Gold;

		FTR Time Frame: Ctrm 4: [1:47–2:30]; Defense Attorney: Timothy Watkins; US Attorney: Frederick Yette for Jacqueline Schesnol; Prob. Officer: Melisa Charlton–Massachusetts; Pretrial Officer: John Copes. (ztl) (Entered: 03/02/2022)
03/01/2022	<u>16</u>	ORDER Setting Conditions of Release as to VINCENT GILLESPIE (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/1/2022. (Attachment: # <u>1</u> Appearance Bond) (ztl) (Entered: 03/02/2022)
03/02/2022		Set/Reset Hearings as to VINCENT GILLESPIE: Initial Status Conference scheduled for 3/4/2022, at 9:00 AM via videoconference before Chief Judge Beryl A. Howell. (ztg) (Entered: 03/02/2022)
03/02/2022		MINUTE ORDER (paperless) as to VINCENT GILLESPIE, GRANTING the government's unopposed <u>13</u> Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i) and the previously entered protective order governing discovery in this case, to provide to defendant, and any co–defendants who may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on March 2, 2022. (lcbah2) (Entered: 03/02/2022)
03/02/2022	<u>14</u>	NOTICE of Status of Discovery December 2021 by USA as to VINCENT GILLESPIE (Attachments: # <u>1</u> Exhibit Status Memo July 12, 2021, # <u>2</u> Exhibit Exhibit A to Status Memo of July 12, 2021, # <u>3</u> Exhibit Status Memo August 23, 2021, # <u>4</u> Exhibit Status Memo September 14, 2021, # <u>5</u> Exhibit Status Memo October 21, 2021, # <u>6</u> Exhibit Status Memo November 5, 2021)(Schesnol, Jacqueline) (Entered: 03/02/2022)
03/02/2022	<u>15</u>	NOTICE of Status of Discovery as of February 9, 2022 by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 03/02/2022)
03/04/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to VINCENT GILLESPIE held via videoconference on 3/4/2022; the Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 4/29/2022, at 9:30 AM in before Chief Judge Beryl A. Howell; time excluded under the Speedy Trial Act from 3/4/2022 through 5/6/2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the Defendant and his counsel time to review the discovery and confer, and give the parties time to continue discussions for a resolution short of trial. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Timothy G. Watkins; US Attorney: Jacqueline N. Schesnol; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 03/04/2022)

04/29/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to VINCENT GILLESPIE held via videoconference on 4/29/2022; the Defendant agreed to participate via videoconference after consultation with counsel. A further Status Hearing is scheduled for 5/13/2022, at 11:00 AM via videoconference before Chief Judge Beryl A. Howell; time excluded under the Speedy Trial Act from 4/29/2022 through 5/13/2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the parties time to complete negotiations towards a resolution of this matter short of trial and give the government time to file superseding charges. Bond Status of Defendant: Personal Recognizance. Present via videoconference: Defense Attorney: Timothy G. Watkins; US Attorney: Jacqueline N. Schesnol; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 04/29/2022)
05/06/2022	<u>18</u>	SUPERSEDING INDICTMENT as to VINCENT GILLESPIE (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. (zhsj) (Main Document 18 replaced on 5/6/2022) (zltf). (Entered: 05/06/2022)
05/06/2022		Count added: VINCENT GILLESPIE (1) count(s) 8s. (ztnr) (Entered: 05/06/2022)
05/09/2022		Set/Reset Hearings as to VINCENT GILLESPIE: Arraignment/Status Hearing scheduled on 5/13/2022, at 11:00 AM before Chief Judge Beryl A. Howell. (ztg) (Entered: 05/09/2022)
05/13/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Arraignment/Status Hearing as to VINCENT GILLESPIE held via videoconference on 5/13/2022; the Defendant agreed to participate via videoconference after consultation with counsel. Defendant arraigned on Count 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s of the Superseding Indictment filed on 5/6/2022; a further Status Hearing is scheduled for 7/15/2022; at 9:00 AM before Chief Judge Beryl A. Howell; time excluded under the Speedy Trial Act from 5/13/2022 through 7/15/2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the government time to complete discovery and the Defendant time to confer with counsel to review the discovery and discuss a disposition short of trial. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Timothy G. Watkins; US Attorney: Jacqueline N. Schesnol; Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 05/13/2022)
06/29/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to VINCENT GILLESPIE held on 6/29/2022; parties appearing regarding Defendant's unauthorized presence at a trial before this Court. Defendant's conditions of release modified by Order of the Court, Defendant ordered to stay away from Washington, D.C. unless his presence is required in the United States District Court for the District of Columbia. Bond Status of Defendant: Personal Recognizance. Present in the Courtroom:

		Defendant Vincent Gillespie accompanied by his Counsel, Timothy G. Watkins; US Attorneys: Raymond Hulser, Jacqueline Schesnol (via videoconference); Pretrial Officer: Christine Schuck (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 06/29/2022)
06/30/2022		MINUTE ORDER (paperless), as to VINCENT GILLESPIE, DIRECTING the parties to inform the Court by July 8, 2022, at 12:00 PM whether any outstanding plea offer will have expired by July 15, 2022, and if so, the parties shall provide the Court with three proposed trial dates and a proposed motions schedule, so that the Court may set a trial schedule at the July 15, 2022 hearing. Signed by Chief Judge Beryl A. Howell on June 30, 2022. (lcbah2) (Entered: 06/30/2022)
07/01/2022		Set/Reset Deadlines as to VINCENT GILLESPIE: Response to Order of the Court due by 12:00 PM on 7/8/2022. (ztg) (Entered: 07/01/2022)
07/07/2022	<u>21</u>	Joint STATUS REPORT <i>with Proposed Motion Schedule</i> by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 07/07/2022)
07/08/2022		<p>MINUTE ORDER (paperless) ENTERING, upon consideration of the parties' <u>21</u> Joint Status Report, the following SCHEDULING ORDER to govern further proceedings in this matter absent any forthcoming change of plea by defendant:</p> <p>1) By November 3, 2022, the parties shall file any pre-trial motions, including any motions <i>in limine</i> and motions to dismiss, with any oppositions due by November 14, 2022, and any replies due by November 21, 2022;</p> <p>2) By November 10, 2022, the parties shall file their Joint Pretrial Statement;</p> <p>3) On December 2, 2022, at 11:30 AM the parties are DIRECTED to appear in Courtroom 22A for a pretrial conference in this matter; and</p> <p>4) On December 19, 2022, at 9:00 AM the parties are DIRECTED to appear for jury selection for a trial in this matter.</p> <p>Signed by Chief Judge Beryl A. Howell on July 8, 2022. (lcbah2) (Entered: 07/08/2022)</p>
07/11/2022		Set/Reset Deadlines/Hearings as to VINCENT GILLESPIE: Pretrial motions, including motions in limine, due by 11/3/2022; oppositions due by 11/14/2022; replies due by 11/21/2022; Joint Pretrial Statement due by 11/10/2022; Pretrial Conference scheduled for 12/2/2022, at 11:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell; Jury Selection/Jury Trial scheduled for 12/19/2022, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 07/11/2022)

07/13/2022	<u>22</u>	Emergency MOTION to Continue <i>or, Alternatively, to Cancel Status Conference (Assented-To)</i> by VINCENT GILLESPIE. (Attachments: # <u>1</u> Exhibit Declaration of Counsel)(Watkins, Timothy) (Entered: 07/13/2022)
07/14/2022		MINUTE ORDER as to VINCENT GILLESPIE re <u>22</u> Emergency Motion to Continue or Cancel Status Conference (Assented-To), CANCELLING, at the request of Defendant, the Status Hearing currently scheduled for July 15, 2022; it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from July 15, 2022, until the scheduled trial date of December 19, 2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 6/14/2022. (ztg) (Entered: 07/14/2022)
08/31/2022	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE: Forest O'Neill-Greenberg appearing for VINCENT GILLESPIE (O'Neill-Greenberg, Forest) (Entered: 08/31/2022)
10/26/2022	<u>24</u>	NOTICE OF ATTORNEY APPEARANCE Carolina Nevin appearing for USA. (Attachments: # <u>1</u> Certificate of Service)(Nevin, Carolina) (Entered: 10/26/2022)
11/03/2022	<u>25</u>	Emergency MOTION for Extension of Time to File <i>Motion to Dismiss, Change of Venue, and Motions in Limine By One Day (Unopposed)</i> by VINCENT GILLESPIE. (Watkins, Timothy) (Entered: 11/03/2022)
11/03/2022		MINUTE ORDER (paperless), as to defendant VINCENT GILLESPIE, GRANTING defendant's unopposed <u>25</u> Emergency Motion to Extend Filing Deadline for Motion to Dismiss, Change of Venue, and Motions <i>in Limine</i> by One Day, and DIRECTING defendant to file any pretrial motions by November 4, 2022. Signed by Chief Judge Beryl A. Howell on November 3, 2022. (lcbah2) (Entered: 11/03/2022)
11/03/2022	<u>26</u>	MOTION in Limine <i>Regarding Authentication of Video Evidence</i> by USA as to VINCENT GILLESPIE. (Schesnol, Jacqueline) (Entered: 11/03/2022)
11/04/2022		MINUTE ORDER as to VINCENT GILLESPIE re <u>27</u> SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by USA. Upon consideration of the sealed motion seeking to seal a document containing private witness information, it is hereby ORDERED that the United States' motion shall be GRANTED. Signed by Chief Judge Beryl A. Howell on 11/4/2022. (ztg) (Entered: 11/04/2022)
11/04/2022	<u>28</u>	MOTION to Dismiss Count <i>Two and Eight of the Indictment</i> by VINCENT GILLESPIE. (Watkins, Timothy) (Entered: 11/04/2022)
11/04/2022	<u>29</u>	MOTION in Limine <i>Re: "General Evidence" and Pejorative Characterizations</i> by VINCENT GILLESPIE. (Watkins, Timothy) (Entered: 11/04/2022)

11/04/2022	<u>30</u>	MOTION to Change Venue by VINCENT GILLESPIE. (Attachments: # <u>1</u> Exhibit A – Select Litigation Jury Pool Study)(Watkins, Timothy) (Entered: 11/04/2022)
11/10/2022	<u>32</u>	PRETRIAL MEMORANDUM <i>Joint Pretrial Statement</i> by USA as to VINCENT GILLESPIE (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Schesnol, Jacqueline) (Entered: 11/10/2022)
11/14/2022	<u>33</u>	RESPONSE by USA as to VINCENT GILLESPIE re <u>28</u> MOTION to Dismiss Count <i>Two and Eight of the Indictment</i> (Schesnol, Jacqueline) (Entered: 11/14/2022)
11/14/2022	<u>34</u>	RESPONSE by USA as to VINCENT GILLESPIE re <u>29</u> MOTION in Limine <i>Re: "General Evidence" and Pejorative Characterizations</i> (Schesnol, Jacqueline) (Entered: 11/14/2022)
11/14/2022	<u>35</u>	RESPONSE by USA as to VINCENT GILLESPIE re <u>30</u> MOTION to Change Venue (Schesnol, Jacqueline) (Entered: 11/14/2022)
11/21/2022	<u>36</u>	REPLY in Support by VINCENT GILLESPIE re <u>28</u> MOTION to Dismiss Count <i>Two and Eight of the Indictment</i> (Watkins, Timothy) (Entered: 11/21/2022)
11/21/2022	<u>37</u>	REPLY in Support by VINCENT GILLESPIE re <u>29</u> MOTION in Limine <i>Re: "General Evidence" and Pejorative Characterizations</i> (Watkins, Timothy) (Entered: 11/21/2022)
11/21/2022	<u>38</u>	REPLY in Support by VINCENT GILLESPIE re <u>30</u> MOTION to Change Venue (Watkins, Timothy) (Entered: 11/21/2022)
11/22/2022		MINUTE ORDER (paperless), as to VINCENT GILLESPIE, DIRECTING, upon defendant's failure to file any response to the government's pretrial motions by November 14, 2022, as required by the July 8, 2022, SCHEDULING ORDER, that defendant, by <u>November 23, 2022, at 2 p.m.</u> , present any objections to admissibility at trial of the evidence described in, and granting as conceded, the government's <u>26</u> Motion in Limine Regarding Authentication of Video Evidence. Signed by Chief Judge Beryl A. Howell on November 22, 2022. (lcbah2) (Entered: 11/22/2022)
11/22/2022		Set/Reset Deadlines as to VINCENT GILLESPIE: Defendant's objections due by 2 p.m. on 11/23/2022. (hmc) (Entered: 11/22/2022)
11/23/2022	<u>39</u>	RESPONSE TO ORDER OF THE COURT by VINCENT GILLESPIE re Order,, <i>Re: Authentication of Video Evidence</i> (Watkins, Timothy) (Entered: 11/23/2022)
11/23/2022		MINUTE ORDER (paperless), as to VINCENT GILLESPIE, in light of defendant's <u>39</u> Response to Court Order Re: Authentication of Video Evidence, GRANTING as conceded the government's <u>26</u> Motion in Limine Regarding Authentication of Video Evidence. The government's video evidence satisfies the authenticity requirement of Federal Rule of Evidence 901. Signed by Chief Judge Beryl A. Howell on November 23, 2022. (lcbah2) (Entered: 11/23/2022)
11/29/2022	<u>41</u>	

		MEMORANDUM AND ORDER, as to VINCENT GILLESPIE, DENYING defendant's <u>30</u> Motion for Change of Venue. See Order for further details. Signed by Chief Judge Beryl A. Howell on November 29, 2022. (lcbah2) (Entered: 11/29/2022)
11/29/2022	<u>42</u>	MEMORANDUM OPINION AND ORDER, as to VINCENT GILLESPIE, DENYING defendant's <u>28</u> Motion to Dismiss Counts Two and Eight of the Indictment. See Memorandum Opinion and Order for further details. Signed by Chief Judge Beryl A. Howell on November 29, 2022. (lcbah2) (Entered: 11/29/2022)
11/30/2022	<u>43</u>	MEMORANDUM AND ORDER, as to VINCENT GILLESPIE, DENYING defendant's <u>29</u> Motions <i>in Limine</i> . See Order for further details. Signed by Chief Judge Beryl A. Howell on November 30, 2022. (lcbah2) (Entered: 11/30/2022)
12/02/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: The Defendant agreed to proceed with the Judge presiding remotely because of unforeseen circumstances. Pretrial Conference as to VINCENT GILLESPIE held on 12/2/2022. (Order forthcoming). Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins and Forest O'Neill-Greenberg; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 12/02/2022)
12/02/2022	<u>45</u>	NOTICE OF ATTORNEY APPEARANCE: Aziza Hawthorne appearing for VINCENT GILLESPIE (Hawthorne, Aziza) (Entered: 12/02/2022)
12/13/2022	<u>48</u>	FINAL TRIAL ORDER as to VINCENT GILLESPIE. Signed by Chief Judge Beryl A. Howell on December 13, 2022. (lcbah2) (Entered: 12/13/2022)
12/15/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Telephone Conference as to VINCENT GILLESPIE held on 12/15/2022; presence of the Defendant waived. Order to be issued by the Court. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Timothy G. Watkins; US Attorney: Jacqueline N. Schesnol and Carolina Nevin. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 12/15/2022)
12/16/2022	<u>52</u>	EXHIBIT LIST by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 12/16/2022)
12/16/2022	<u>53</u>	WITNESS LIST by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 12/16/2022)
12/16/2022	<u>55</u>	EXHIBIT LIST by VINCENT GILLESPIE (Watkins, Timothy) (Entered: 12/16/2022)
12/18/2022	<u>58</u>	EXHIBIT LIST by VINCENT GILLESPIE (Watkins, Timothy) (Entered: 12/18/2022)
12/19/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Selection as to VINCENT GILLESPIE held and

		concluded on 12/19/2022, 12 jurors and 2 alternates selected and sworn; Jury Trial began as to VINCENT GILLESPIE on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s; Jury Trial continued to 12/20/2022, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins, Forest O'Neill–Greenberg, Aziza Hawthorne; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin; Government's Witnesses: Capt. 1) Tia Summers (testimony continued). (ztg) (Entered: 12/19/2022)
12/19/2022		MINUTE ORDER: 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. Signed by Chief Judge Beryl A. Howell on 12/19/2022. (ztg) (Entered: 12/19/2022)
12/20/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 12/20/2022 as to VINCENT GILLESPIE on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. Juror excused for cause; Jury Trial resumed with the same jury of 12 and 1 alternate; Jury Trial continued to 12/21/2022, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins, Forest O'Neill–Greenberg, Aziza Hawthorne; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin; Government's Witnesses: 1) Capt. Tia Summers (testimony resumed and concluded); 2) Mustafa Ak; 3) Sergeant Paul Riley, Metropolitan Police Department; 4) Inspector Lanelle Hawa, U.S. Secret Service; 5) Police Officer Mark Gazelle, U.S. Capitol Police (ztg) (Entered: 12/20/2022)
12/21/2022	<u>61</u>	PROPOSED VERDICT FORM as to VINCENT GILLESPIE (O'Neill–Greenberg, Forest) (Entered: 12/21/2022)
12/21/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 12/21/2022 VINCENT GILLESPIE on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. Juror excused for cause; Jury Trial resumed with the same jury of 12 and no alternates; the government rested its case; Jury Trial continued to 12/22/2022, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins, Forest O'Neill–Greenberg, Aziza Hawthorne; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin; Government's witnesses: 5) Officer Mark Gazelle (testimony resumed and concluded), 6) FBI Special Agent Raymond Adams; Defense Witness: 1) Vincent Gillespie (testimony continued). Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 12/21/2022)
12/22/2022	<u>62</u>	Jury Instructions as to VINCENT GILLESPIE. (ztg) (Entered: 12/22/2022)
12/22/2022	<u>63</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to VINCENT GILLESPIE (Attachments: # <u>1</u> Government's Exhibits,

		# 2 Defendant's Exhibits)(ztg) (Entered: 12/22/2022)
12/22/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Trial held on 12/22/2022 as to VINCENT GILLESPIE on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. Jury Trial resumed and concluded with the same jury of 12; jury deliberations began and are scheduled to continue to 12/23/2022, at 9:00 AM in Courtroom 22A – In Person before Chief Judge Beryl A. Howell. Jury Note: 1. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorney: Timothy G. Watkins, Forest O'Neill–Greenberg, Aziza Hawthorn; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin; Defense Witness: Vincent Gillespie. Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 12/22/2022)
12/22/2022	<u>64</u>	Jury Note (1) as to VINCENT GILLESPIE. (ztg) (Entered: 12/22/2022)
12/22/2022	<u>65</u>	Signature Page of Foreperson as to VINCENT GILLESPIE 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.) (ztg) (Entered: 12/22/2022)
12/23/2022	<u>66</u>	NOTICE of Defendant's Renewal of Objection to Partial Coercive Jury Re–instruction by VINCENT GILLESPIE. (O'Neill–Greenberg, Forest) Modified title on 1/3/2023 (ztg). (Entered: 12/23/2022)
12/23/2022	67	ENTERED IN ERROR.....MOTION for Mistrial by VINCENT GILLESPIE. (See Docket Entry <u>66</u> to View Document). (zhsj) Modified on 1/3/2023 (ztg). (Entered: 12/23/2022)
12/23/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Jury Deliberations held on 12/23/2022 as to VINCENT GILLESPIE on Counts 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s. Jury deliberations resumed and concluded with the same jury of 12; Jury Notes (2); JURY VERDICT rendered as to VINCENT GILLESPIE, Defendant found guilty on Counts 1s, 2s, 5s, and 7s; Jury of 12 polled and discharged; mistrial declared as to Counts 3s, 4s, 6s, and 8s; government directed to file by 1/6/2023, a notice with the Court indicating their intent with respect to Counts 3s, 4s, 6s, and 8s; Case referred to the Probation Office for presentence investigation; Sentencing Hearing scheduled for 3/17/2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. Oral request by the government for detention pending sentencing, denied. The Defendant will be allowed to remain released pending sentencing under the same release conditions imposed by the Court; Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins, Forest O'Neill–Greenberg, Aziza Hawthorne; US Attorneys: Jacqueline N. Schesnol and Carolina Nevin. Court Reporter: Sara Wick. (ztg) (Entered: 12/23/2022)
12/23/2022	<u>68</u>	Jury Notes: (2) as to VINCENT GILLESPIE (ztg) (Entered: 12/23/2022)

12/23/2022	<u>69</u>	<p>Signature Page of Foreperson</p> <p>as to VINCENT GILLESPIE 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.) (ztg) (Entered: 12/23/2022)</p>
12/23/2022	<u>70</u>	<p>VERDICT FORM as to VINCENT GILLESPIE (ztg) (Entered: 12/23/2022)</p>
12/23/2022	<u>71</u>	<p>Signature Page of Foreperson</p> <p>as to VINCENT GILLESPIE 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.) (ztg) (Entered: 12/23/2022)</p>
01/06/2023	<u>72</u>	<p>NOTICE of Intent by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 01/06/2023)</p>
01/09/2023		<p>MINUTE ORDER as to VINCENT GILLESPIE. In light of the government's <u>72</u> Notice of Intent, counts three, four, six, and eight on which the jury was unable to reach a unanimous verdict of either conviction or acquittal, are dismissed without prejudice. Signed by Chief Judge Beryl A. Howell on 1/9/2023. (ztg) (Entered: 01/09/2023)</p>
02/16/2023	<u>76</u>	<p>TRANSCRIPT OF JURY TRIAL PROCEEDINGS – MORNING SESSION, in case as to VINCENT GILLESPIE, before Chief Judge Beryl A. Howell, held on December 22, 2022. Page Numbers: 1–168. Date of Issuance: February 16, 2023. Court Reporter: Lorraine Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 3/9/2023. Redacted Transcript Deadline set for 3/19/2023. Release of Transcript Restriction set for 5/17/2023.(Herman, Lorraine) (Entered: 02/16/2023)</p>
02/23/2023		<p>NOTICE OF RESCHEDULED HEARING as to VINCENT GILLESPIE. The parties shall take notice that the Sentencing</p>

		Hearing in this matter currently scheduled for March 17, 2023, is RESCHEDULED for April 14, 2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 02/23/2023)
03/31/2023	<u>80</u>	SENTENCING MEMORANDUM by VINCENT GILLESPIE (Watkins, Timothy) (Entered: 03/31/2023)
03/31/2023	<u>81</u>	SENTENCING MEMORANDUM by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 03/31/2023)
03/31/2023	<u>82</u>	NOTICE of Filing Video Exhibits by USA as to VINCENT GILLESPIE (Schesnol, Jacqueline) (Entered: 03/31/2023)
04/07/2023	<u>83</u>	RESPONSE <u>81</u> SENTENCING MEMORANDUM by VINCENT GILLESPIE. (Attachments: # <u>1</u> Exhibit A – Letters in Support)(Watkins, Timothy) Modified on 4/10/2023 (zhsj). (Entered: 04/07/2023)
04/12/2023	<u>84</u>	SUPPLEMENTAL SENTENCING MEMORANDUM by USA as to VINCENT GILLESPIE (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Schesnol, Jacqueline) Modified Text on 4/12/2023 (zhsj). (Entered: 04/12/2023)
04/12/2023		NOTICE OF COURTROOM CHANGE in case as to VINCENT GILLESPIE. The parties shall take notice that the Sentencing Hearing scheduled for 4/14/2023, at 9:30 AM, will be conducted in COURTROOM 26A, Fourth Floor – In Person before Judge Beryl A. Howell. (ztg) (Entered: 04/12/2023)
04/12/2023	<u>85</u>	SUPPLEMENTAL <u>80</u> SENTENCING MEMORANDUM by VINCENT GILLESPIE (Watkins, Timothy) Modified on 4/13/2023 (zhsj). (Entered: 04/12/2023)
04/13/2023	<u>86</u>	RESPONSE by USA as to VINCENT GILLESPIE re <u>85</u> Sentencing Memorandum (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Schesnol, Jacqueline) (Entered: 04/13/2023)
04/14/2023	<u>87</u>	<p>TRANSCRIPT OF JURY TRIAL in case as to VINCENT GILLESPIE before Judge Beryl A. Howell held on 12/23/2022. Page Numbers: 1–35. Date of Issuance: 04/14/2023. Court Reporter: Sara Wick, telephone number 202–354–3284. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which</p>

		<p>includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 5/5/2023. Redacted Transcript Deadline set for 5/15/2023. Release of Transcript Restriction set for 7/13/2023.(Wick, Sara) (Entered: 04/14/2023)</p>
04/14/2023		<p>Minute Entry for proceedings held before Judge Beryl A. Howell: Sentencing held on 4/14/2023 as to VINCENT GILLESPIE on Counts 1s, 2s, 5s, and 7s of the Superseding Indictment. Defendant sentenced to serve a term of sixty-eight (68) months imprisonment on Count 1, a term of sixty (60) months imprisonment on Count 2, a term of twelve (12) months imprisonment on Count 5, and a term of six (6) months imprisonment on Count 7, with all terms to run concurrently; upon release, the Defendant shall serve a term of thirty-six (36) months of supervised release on Counts 1 and 2, and twelve (12) months of supervised release on Count 5, all terms of supervised release shall run concurrently; Defendant ordered to pay to the Clerk of Court for the U.S. District Court for the District of Columbia a special assessment of \$100.00 on Counts 1 and 2, \$25.00 on Count 5, and \$10.00 on Count 7 for a total special assessment in the amount of \$235.00; a fine in the amount of \$25,000.00; and restitution to be disbursed to the Architect of the Capitol in the amount of \$2,000.00. Oral motion by the government for the dismissal of Counts 3s, 4s, 6s, 8s, granted; Counts 3s, 4s, 6s, and 8s DISMISSED as to Defendant VINCENT GILLESPIE; oral motion by the government to admit into evidence the exhibits presented for sentencing, granted; oral motion by the Defendant requesting that the interest be waived on the fine imposed, denied.The Defendant will be allowed to self-surrender and shall remain released on his own personal recognizance under the same conditions of release imposed by the Court. Bond Status of Defendant: Personal Recognizance. Present: Defense Attorneys: Timothy G. Watkins and Aziza Hawthorne; US Attorneys: Jacqueline Schesnol and Carolina Nevin; Probation Officer: Aidee Gavito; Pretrial Officer: Christine Schuck. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 04/14/2023)</p>
04/14/2023	<u>88</u>	<p>JUDGMENT as to VINCENT GILLESPIE. Statement of Reasons Not Included. Signed by Judge Beryl A. Howell on 4/14/2023. (zhsj) (Entered: 04/17/2023)</p>
04/14/2023	<u>89</u>	<p>STATEMENT OF REASONS as to VINCENT GILLESPIE re <u>88</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Beryl A. Howell on 4/14/2023. (zhsj) (Entered: 04/17/2023)</p>
04/17/2023	<u>90</u>	<p>NOTICE OF APPEAL – Final Judgment by VINCENT GILLESPIE re <u>88</u> Judgment. Fee Status: No Fee Paid. Parties have been notified. (Watkins, Timothy) (Entered: 04/17/2023)</p>

UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 22-00060-BAH
)	
VINCENT GILLESPIE)	

NOTICE OF APPEAL

Defendant, Vincent Gillespie, hereby gives notice that he appeals to the United States Court of Appeals for the District of Columbia from the final Judgment entered on April 17, 2023.

VINCENT GILLESPIE
By his attorneys,

/s/ Timothy G. Watkins
Timothy G. Watkins
Forest O'Neill-Greenberg
Aziza Hawthorne
Federal Defender Office
51 Sleeper Street, Fifth Floor
Boston, MA 02210
Tel: 617-223-8061

CERTIFICATE OF SERVICE

I, Timothy G. Watkins, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on April 17, 2023.

/s/ Timothy G. Watkins
Timothy G. Watkins

FILED**APR 14 2023**Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

VINCENT GILLESPIE

a/k/a Vincent Joseph Gillespie, Vincent J. Gillespie

JUDGMENT IN A CRIMINAL CASE

Case Number: 22CR60-01 (BAH)

USM Number: 87034-509

Timothy G. Watkins

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) 1, 2, 5, and 7 of the Superseding Indictment filed on 5/6/2022.
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 USC 111(a)(1)	Assaulting, Resisting, or Impeding Certain Officers	1/6/2021	1
18 USC 231(a)(3)	Civil Disorder	1/6/2021	2

(cont. next page)

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) mistrial declared as to Counts 3, 4, 6, and 8☒ Count(s) 3, 4, 6, and 8 ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

4/14/2023

Date of Imposition of Judgment

Signature of Judge

Beryl A. Howell, U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1752(a)(4)	Engaging in Physical Violence in a Restricted Building or Grounds	1/6/2021	5
40 USC 5104(e)(2)(F)	Act of Physical Violence in the Capitol Grounds or Buildings	1/6/2021	7

DEFENDANT: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
CONCURRENT TERM of SIXTY-EIGHT (68) MONTHS on Count 1; CONCURRENT TERMS of SIXTY (60) MONTHS on Count 2; TWELVE (12) MONTHS on Count 5, and SIX (6) MONTHS on Count 7.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☒ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

SUPERVISED RELEASE

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

CONCURRENT TERMS of THIRTY-SIX (36) MONTHS on Counts 1 and 2; and TWELVE (12) MONTHS on Count 5.

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: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

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: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

Special Assessment - The defendant is ordered to pay a special assessment of \$100.00 on Counts 1 and 2; \$25.00 on Count 5; and \$10.00 on Count 7 for a total of \$235.00 in accordance with 18 U.S.C. 3013.

While on supervision, the defendant shall abide by the standard conditions of supervision, which establish the basic expectations for an individual under supervision, as set in the PSR paragraph 134, except that condition 7, requiring the defendant to work full time (at least 30 hours per week), will apply only so long as he has any outstanding financial obligation under this Judgment.

DEFENDANT: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

SPECIAL CONDITIONS OF SUPERVISION

Substance Abuse Testing - The defendant must submit to substance abuse testing to determine if he has used a prohibited substance. He must not attempt to obstruct or tamper with the testing methods.

Financial Information Disclosure - The defendant 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.

Financial Restrictions - The defendant must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

Fine - The defendant is ordered to pay a fine in the amount of \$25,000.00 as well as any interest or penalties that may accrue on the balance.

Restitution - The defendant is ordered to make restitution in the amount of \$2,000.00 to the Architect of the Capitol. Given the amount of the criminal fine, the court determined that the defendant does not have to pay interest and therefore waives any interest or penalties that may accrue on the balance of restitution owed. Restitution payments shall be made to the Clerk of the Court for the United States District Court, District of Columbia, for disbursement to the victim: Architect of the Capitol, Office of the Chief Financial Officer, Ford House Office Building, Room H2-205B, Washington, DC 20515. Amount of Loss: \$2,000.00.

The financial obligations of the Criminal Fine, Special Assessments and Restitution are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Avenue, NW, Washington, DC 20001. Within 30 days of any change of address, the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

The Probation Office shall release the presentence investigation report to all appropriate agencies, which includes the United States Probation Office in the approved district of residence, in order to execute the sentence of the Court.

DEFENDANT: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
 CASE NUMBER: 22CR60-01 (BAH)

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	\$ 235.00	\$ 2,000.00	\$ 25,000.00	\$ 0.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Architect of the Capitol		\$2,000.00	
Office of the Chief Financial Officer			
Ford House Office Building			
Room H2-205B			
Washington, DC 20515			

TOTALS	\$	0.00	\$	2,000.00
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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: VINCENT GILLESPIE a/k/a Vincent Joseph Gillesp
CASE NUMBER: 22CR60-01 (BAH)

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 \$ 27,235.00 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 defendant shall immediately pay a \$235.00 special assessment, a \$25,000.00 fine, and \$2,000.00 restitution. These amounts are due and payable to the Clerk of the U.S. District Court for the District of Columbia. Restitution shall be disbursed to the victim: Architect of the Capitol, Office of the Financial Officer, Ford House Office Building, Room H2-205B, Washington, DC 20515.

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.