

APPEAL,CAP,CAT A,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00342-PLF-1**

Case title: USA v. CAPLINGER

Magistrate judge case number: 1:21-mj-00350-RMM

Date Filed: 05/05/2021

Assigned to: Judge Paul L.
Friedman

Defendant (1)

JERAMIAH CAPLINGER

represented by **A.J. Kramer**
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ATTORNEY TO BE NOTICED

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Pending Counts

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

(1)

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

(2)

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

(3)

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

(4)

40:5104(d); VIOLENT ENTRY
AND DISORDERLY CONDUCT
ON CAPITOL GROUNDS;
Stepping, Climbing, Removing, or
Injuring Property on the Capitol
Grounds.

(5)

Disposition

Dismissed on the Government's Motion.

Dismissed on the Government's Motion.

Dismissed on the Government's Motion.

Dismissed on the Government's Motion.

Defendant is sentenced to 35 days of imprisonment,
followed by Twenty-Four (24) months of Probation
with conditions. Special Assessment: 10.00;
Restitution: \$500.00.

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Lucy Sun**
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Date Filed	#	Page	Docket Text
04/01/2021	<u>1</u>		SEALED COMPLAINT as to JERAMIAH CAPLINGER (1). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:21-mj-00350-RMM] (Entered: 04/02/2021)
04/01/2021	<u>3</u>		MOTION to Seal Case by USA as to JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:21-mj-00350-RMM] (Entered: 04/02/2021)
04/01/2021	<u>4</u>		ORDER granting <u>3</u> Motion to Seal Case as to JERAMIAH CAPLINGER (1). Signed by Magistrate Judge Robin M. Meriweather on 04/01/2021. (zstd) [1:21-mj-00350-RMM] (Entered: 04/02/2021)
04/06/2021	<u>5</u>		Arrest Warrant Returned Executed on 4/6/2021 in Taylor, Michigan as to JERAMIAH CAPLINGER. (bb) [1:21-mj-00350-RMM] (Entered: 04/07/2021)
04/06/2021			Case unsealed as to JERAMIAH CAPLINGER (bb) [1:21-mj-00350-RMM] (Entered: 04/07/2021)
04/06/2021			Arrest of JERAMIAH CAPLINGER in Michigan. (ztnr) [1:21-mj-00350-RMM] (Entered: 04/08/2021)
04/06/2021			Arrest of JERAMIAH CAPLINGER in US District Court Eastern District of Michigan Southern Division. (bb) [1:21-mj-00350-RMM] (Entered: 04/08/2021)
04/07/2021			MINUTE ORDER as to Defendant JERAMIAH CAPLINGER : It is hereby ORDERED that Defendant JERAMIAH CAPLINGER appear for an initial appearance on Monday, April 12, 2021 at 1:00 p.m. before Magistrate Judge G. Michael Harvey. 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 202-354-3114; So Ordered by Magistrate Judge G. Michael Harvey on 4/7/2021. (zkk) [1:21-mj-00350-RMM] (Entered: 04/07/2021)
04/08/2021	<u>6</u>		Rule 5(c)(3) Documents Received as to JERAMIAH CAPLINGER from US District Court Eastern District of Michigan Southern Division Case Number 2:21-mj-30159 (bb) [1:21-mj-00350-RMM] (Entered: 04/08/2021)
04/09/2021			Set/Reset Hearings as to JERAMIAH CAPLINGER: Initial Appearance set for 4/15/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. (zpt) [1:21-mj-00350-RMM] (Entered: 04/09/2021)

04/15/2021		ORAL MOTION to Appoint Counsel by JERAMIAH CAPLINGER (1). (zpt) [1:21-mj-00350-RMM] (Entered: 04/15/2021)
04/15/2021		ORAL MOTION for Speedy Trial Waiver by USA as to JERAMIAH CAPLINGER. (zpt) [1:21-mj-00350-RMM] (Entered: 04/15/2021)
04/15/2021		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing as to JERAMIAH CAPLINGER (1) held on 4/15/2021. Oral Motion to Appoint Counsel by JERAMIAH CAPLINGER (1) Heard and Granted. Government does not seek the Defendant's pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to JERAMIAH CAPLINGER (1) Heard and Granted. Time between 4/15/2021 and 5/6/2021 (22 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Preliminary Hearing set for 5/6/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:20:02-1:38:14], [1:48:41-2:04:15]; Defense Attorney: Jim Gerometta; US Attorney: Jacob Steiner for Lucy Sun; Pretrial Officer: Shay Holman; (zpt) [1:21-mj-00350-RMM] (Entered: 04/15/2021)
04/15/2021		MINUTE ORDER as to JERAMIAH CAPLINGER (1). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 4/15/2021. (zpt) [1:21-mj-00350-RMM] (Entered: 04/19/2021)
04/15/2021	<u>9</u>	ORDER Setting Conditions of Release as to JERAMIAH CAPLINGER (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/15/2021. (Attachments: # <u>1</u> Appearance Bond) (zpt) [1:21-mj-00350-RMM] (Entered: 04/19/2021)
04/27/2021	<u>10</u>	NOTICE OF ATTORNEY APPEARANCE: James Gerometta appearing for JERAMIAH CAPLINGER (Gerometta, James) [1:21-mj-00350-RMM] (Entered: 04/27/2021)
05/05/2021	<u>11</u>	INFORMATION as to JERAMIAH CAPLINGER (1) count(s) 1, 2, 3, 4, 5. (zhsj) (Entered: 05/06/2021)
05/06/2021		MINUTE ORDER as to JERAMIAH CAPLINGER: Arraignment is set for 5/11/2021 at 2:00 PM before Judge Paul L. Friedman via Zoom Video. Instructions to join the hearing will be provided to the parties prior to the hearing. (Signed by Judge Paul L. Friedman on 5/6/2021). (tj) (Entered: 05/06/2021)
05/06/2021	<u>12</u>	Unopposed MOTION for Protective Order by USA as to JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(Sun, Lucy) (Entered: 05/06/2021)
05/06/2021	<u>13</u>	ENTERED IN ERROR.....SUPPLEMENT by JERAMIAH CAPLINGER re <u>12</u> Unopposed MOTION for Protective Order <i>Defendant's Acceptance</i> (Gerometta, James) Modified on 5/6/2021 (zhsj). (Entered: 05/06/2021)

05/06/2021	<u>14</u>	Unopposed MOTION to Exclude <i>Time Under the Speedy Trial Act Until May 11, 2021</i> by USA as to JERAMIAH CAPLINGER. (Sun, Lucy) (Entered: 05/06/2021)
05/06/2021	<u>15</u>	ORDER as to JERAMIAH CAPLINGER (1) granting <u>12</u> the United States' unopposed motion for protective order. Signed by Judge Paul L. Friedman on May 6, 2021. (MA) (Entered: 05/06/2021)
05/06/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to JERAMIAH CAPLINGER re <u>13</u> Supplement to any document was entered in error and counsel was instructed to refile said pleading. Incorrect Format Pursuant to Local Rule LCrR 49(e)(1). (zhsj) Modified Text to Include the Local Rule of this Court on 5/7/2021 (zhsj). (Entered: 05/06/2021)
05/06/2021	<u>16</u>	ORDER as to JERAMIAH CAPLINGER (1) granting <u>14</u> the United States' unopposed motion to exclude time under the Speedy Trial Act. Signed by Judge Paul L. Friedman on May 6, 2021. (lcaf) (Entered: 05/06/2021)
05/07/2021	<u>17</u>	NOTICE of <i>Acceptance of Protective Order</i> by JERAMIAH CAPLINGER re <u>15</u> Order on Motion for Protective Order (Gerometta, James) (Entered: 05/07/2021)
05/07/2021	<u>19</u>	NOTICE of <i>Preliminary Discovery</i> by USA as to JERAMIAH CAPLINGER (Attachments: # <u>1</u> Exhibit)(Sun, Lucy) (Main Document 19 replaced on 5/11/2021) (zhsj). (Entered: 05/07/2021)
05/10/2021	<u>20</u>	Unopposed MOTION to Continue <i>For Sixty (60) Days Following the Defendant's Arraignment</i> by USA as to JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(Sun, Lucy) (Entered: 05/10/2021)
05/10/2021	21	MOTION to Exclude Time Under the Speedy Trial Act Following Arraignment by USA as to JERAMIAH CAPLINGER. (See Docket Entry <u>20</u> to View Document). (zhsj) (Entered: 05/11/2021)
05/11/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Arraignment as to JERAMIAH CAPLINGER held on 5/11/2021. Defendant enters a plea of NOT GUILTY to Counts 1,2,3,4,5 of the Information filed on 5/5/2021. Oral motion by the government to continue this case for a period of 60 days is GRANTED. Speedy trial is excluded (XT) from 5/11/2021 until the next Status Conference now set for 7/9/2021 at 12:00 PM before Judge Paul L. Friedman via Zoom Video. Bond Status of Defendant: Personal Recognizance/ with consent to appear by video; Court Reporter: Sara Wick; Defense Attorney: James Gerometta; US Attorney: Lucy Sun; (tj) (Entered: 05/11/2021)
06/29/2021	<u>22</u>	Joint MOTION to Continue <i>Status Conference for 30 Days</i> by USA as to JERAMIAH CAPLINGER. (Sun, Lucy) (Entered: 06/29/2021)
06/30/2021	<u>23</u>	ORDER as to JERAMIAH CAPLINGER (1) granting <u>22</u> join motion to continue status conference. The status conference currently set for July 9, 2021 is CONTINUED to August 18, 2021 at 10:00 a.m. Signed by Judge Paul L. Friedman on June 30, 2021. (MA) (Entered: 06/30/2021)
07/26/2021	<u>24</u>	NOTICE OF ATTORNEY APPEARANCE: John M. Pierce appearing for JERAMIAH CAPLINGER (Pierce, John) (Entered: 07/26/2021)
08/05/2021	<u>25</u>	

		Unopposed MOTION to Continue <i>Status Conference for 3 Business Days</i> by USA as to JERAMIAH CAPLINGER. (Sun, Lucy) (Entered: 08/05/2021)
08/05/2021		MINUTE ORDER: <u>25</u> the United States' Unopposed Motion to Continue Status Conference is GRANTED. The status conference currently set for August 18, 2021 is CONTINUED to August 23, 2021 at 2:00 p.m. Signed by Judge Paul L. Friedman on August 5, 2021. (lcaf) (Entered: 08/05/2021)
08/09/2021		MINUTE ORDER as to JERAMIAH CAPLINGER: The status conference currently scheduled for August 23, 2021 at 2:00 p.m. is RESCHEDULED to August 23, 2021 at 1:00 p.m. Signed by Judge Paul L. Friedman on August 9, 2021. (lcaf) (Entered: 08/09/2021)
08/20/2021		MINUTE ORDER as to JERAMIAH CAPLINGER: Status Conference currently scheduled for 8/23/2021 at 1:00pm, is hereby RESCHEDULED for 12:00 PM on the same date before Judge Paul L. Friedman via zoom video. (Signed by Judge Paul L. Friedman on 8/20/2021). (tj) (Entered: 08/20/2021)
08/23/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JERAMIAH CAPLINGER held on 8/23/2021. Parties inform the court of the status of this action. Parties are working to resolve this matter short of scheduling a trial date. If parties finalize their negotiations, papers shall be forwarded to the court for review in advance of the next status conference now scheduled for 9/20/2021 at 11:00 AM before Judge Paul L. Friedman via Zoom Video. Speedy trial is excluded (XT) from 8/23/2021 to 9/20/2021 in the interest of justice. Bond Status of Defendant: Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: John Pierce and James Gerometta; US Attorney: Lucy Sun; (tj) (Entered: 08/23/2021)
09/08/2021	<u>28</u>	ENTERED IN ERROR.....NOTICE <i>Regarding Defense Counsel John Pierce, Esq.</i> by JERAMIAH CAPLINGER (Pierce, John) Modified on 9/9/2021 (zhsj). (Entered: 09/08/2021)
09/08/2021		NOTICE OF CORRECTED DOCKET ENTRY: as to JERAMIAH CAPLINGER re <u>28</u> Notice (Other) was entered in error and counsel was instructed to refile said pleading. Incorrect Format Pursuant to Local Rule. (zhsj) (Entered: 09/09/2021)
09/16/2021		MINUTE ORDER as to JERAMIAH CAPLINGER. The status conference currently set for September 20, 2021 is VACATED and will be rescheduled at a later date. Signed by Judge Paul L. Friedman on September 16, 2021. (MA) (Entered: 09/16/2021)
09/17/2021		MINUTE ORDER as to JERAMIAH CAPLINGER: Status Conference currently scheduled for 9/20/2021, is hereby RESCHEDULED for 9/21/2021 at 2:30 PM in before Judge Paul L. Friedman via Zoom Video. Parties appearing in this case will receive a Zoom invitation prior to the scheduled hearing. (Signed by Judge Paul L. Friedman on 9/17/2021). (tj) (Entered: 09/17/2021)
09/21/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference as to JERAMIAH CAPLINGER held on 9/21/2021. Parties inform the court of the status of this action. Oral motion to continue this case for a period of 30 days is GRANTED for reasons stated on the record. Speedy trial is excluded (XT) from 9/21/2021 to 10/19/2021 in the interest of justice. Next Status Conference is set for 10/19/2021 at 2:00 PM before Judge Paul L.

		Friedman via Zoom Video. Bond Status of Defendant: Personal Recognizance; Court Reporter: Sara Wick; Defense Attorney: James Gerometta and John Pierce; US Attorney: Lucy Sun; (tj) (Entered: 09/21/2021)
10/13/2021	<u>30</u>	Unopposed MOTION for Disclosure <i>Items Protected By FRCP 6(e) and Sealed Materials</i> by USA as to JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(Sun, Lucy) Modified Event on 10/14/2021 (zhsj). (Entered: 10/13/2021)
10/14/2021	<u>31</u>	ORDER as to JERAMIAH CAPLINGER (1)granting <u>30</u> the government's unopposed motion for an order to disclose items protected by FRCP 6(e) and sealed materials. Signed by Judge Paul L. Friedman on October 14, 2021. (MA) (Entered: 10/14/2021)
10/15/2021	<u>32</u>	Unopposed MOTION for Rule <i>11 Hearing Date</i> by USA as to JERAMIAH CAPLINGER. (Sun, Lucy) (Entered: 10/15/2021)
10/15/2021		MINUTE ORDER as to JERAMIAH CAPLINGER (1) granting <u>32</u> the government's unopposed motion to cancel the status hearing on October 19, 2021 and set a Rule 11 hearing. The status hearing currently scheduled for October 19, 2021 is VACATED. In the interest of justice, the Speedy Trial Act is tolled from October 19, 2021 up through the next hearing date. Chambers will contact counsel to schedule the next hearing. Signed by Judge Paul L. Friedman on October 15, 2021. (MA) (Entered: 10/15/2021)
10/19/2021		MINUTE ORDER as to JERAMIAH CAPLINGER: Plea Hearing is set for 11/5/2021 at 1:30 PM before Judge Paul L. Friedman via Zoom Video. Parties appearing in this case will receive an invitation prior to the scheduled hearing. (So Ordered Judge Paul L. Friedman on 10/19/2021). (tj) (Entered: 10/19/2021)
10/27/2021	<u>33</u>	NOTICE <i>of the Government's Discovery Update</i> by USA as to JERAMIAH CAPLINGER (Sun, Lucy) (Entered: 10/27/2021)
10/27/2021	<u>34</u>	NOTICE <i>Regarding Prior Discovery Status Filings</i> by USA as to JERAMIAH CAPLINGER (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Sun, Lucy) (Entered: 10/27/2021)
11/05/2021		Minute Entry for proceedings held before Judge Paul L. Friedman: Plea Agreement Hearing as to JERAMIAH CAPLINGER held on 11/5/2021. Defendant enters a plea of GUILTY to Count 5 of the information filed on 5/5/2021. CASE REFERRED TO PROBATION OFFICE for Presentence Investigation Report. Sentencing is set for 1/12/2022 at 02:00 PM before Judge Paul L. Friedman via Zoom Video. Sentencing Memorandums by both parties shall be filed by 1/5/2022. Bond Status of Defendant: Personal Recognizance; Court Reporter: Lisa Bankins; Defense Attorney: James Gerometta; US Attorney: John Pierce; (tj) (Entered: 11/05/2021)
11/05/2021	<u>36</u>	PLEA AGREEMENT as to JERAMIAH CAPLINGER. (tj) (Entered: 11/05/2021)
11/05/2021	<u>37</u>	STATEMENT OF OFFENSE as to defendant JERAMIAH CAPLINGER. (tj) (Entered: 11/05/2021)
11/05/2021	<u>39</u>	WAIVER of Trial by Jury as to JERAMIAH CAPLINGER. (So Ordered Judge Paul L. Friedman on 11/5/2021). (tj) (Entered: 11/08/2021)

11/08/2021	<u>38</u>		ORDER as to JERAMIAH CAPLINGER modifying Mr. Caplinger's conditions of release. Signed by Judge Paul L. Friedman on November 8, 2021. (lcaa) (Entered: 11/08/2021)
11/09/2021	<u>40</u>		NOTICE of the Government's Discovery Update by USA as to JERAMIAH CAPLINGER (Sun, Lucy) (Entered: 11/09/2021)
12/28/2021	<u>42</u>		MOTION to Continue Sentencing by JERAMIAH CAPLINGER. (Gerometta, James) (Entered: 12/28/2021)
12/28/2021			MINUTE ORDER as to JERAMIAH CAPLINGER granting <u>42</u> Motion to Continue Sentencing. The sentencing hearing previously scheduled for January 12, 2022 is VACATED. The sentencing hearing is rescheduled to February 1, 2022 at 2:00 p.m. via Zoom videoconference. Signed by Judge Paul L. Friedman on December 28, 2021. (lcaa) (Entered: 12/28/2021)
12/28/2021			Set/Reset Hearings as to JERAMIAH CAPLINGER: Sentencing set for 2/1/2022 at 02:00 PM before Judge Paul L. Friedman via Zoom Video. (tj) (Entered: 12/28/2021)
01/25/2022	<u>45</u>		Unopposed MOTION Motion to Seal Exhibit A of the Government's Sentencing Memorandum by USA as to JERAMIAH CAPLINGER. (Sun, Lucy) Modified Event on 1/27/2022 (zhsj). (Entered: 01/25/2022)
01/25/2022	<u>46</u>		SENTENCING MEMORANDUM by USA as to JERAMIAH CAPLINGER (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M, # <u>3</u> Exhibit N)(Sun, Lucy) (Entered: 01/25/2022)
01/25/2022	<u>47</u>		SENTENCING MEMORANDUM by JERAMIAH CAPLINGER (Gerometta, James) (Entered: 01/25/2022)
01/31/2022	<u>48</u>		ORDER: The sentencing currently scheduled for February 1, 2022, is continued pending further consideration of a disputed legal issue. The parties are directed to file supplemental briefing, and the Federal Public Defender is appointed to file an amicus brief. Mr. Caplinger is directed, on or before February 14, 2022, to provide all supporting documentation and waivers to the Probation Office to aid in an amended Presentence Investigation Report. See Order for further details. Signed by Judge Paul L. Friedman on January 31, 2022. (lcjr) (Entered: 01/31/2022)
01/31/2022	<u>49</u>		NOTICE OF ATTORNEY APPEARANCE Michael Matthew Gordon appearing for USA. (Gordon, Michael) (Entered: 01/31/2022)
01/31/2022			MINUTE ORDER: In the Court's <u>48</u> Order, the Court directed the parties to file supplemental briefing regarding the question of whether the Court is authorized to impose both a custodial sentence and a sentence of probation in this case. On or before February 18, 2022, Mr. Caplinger is directed to file his supplemental brief, and the Federal Public Defender is directed to file their amicus brief on this issue. On or before March 4, 2022, the government is directed to file their response. Signed by Judge Paul L. Friedman on January 31, 2022. (lcjr) (Entered: 01/31/2022)
01/31/2022			Set/Reset Hearings as to JERAMIAH CAPLINGER: Supplemental Briefing due by 2/14/2022. (tj) (Entered: 01/31/2022)
01/31/2022			

		Set/Reset Deadlines as to JERAMIAH CAPLINGER: Responses due by 3/4/2022 (tj) (Entered: 01/31/2022)
02/18/2022	<u>50</u>	MOTION for Extension of Time to File <i>BRIEF OF AMICUS CURIAE</i> by JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(Kramer, A.J.) (Entered: 02/18/2022)
02/18/2022	<u>51</u>	SUPPLEMENT re <u>47</u> by JERAMIAH CAPLINGER to <i>Sentencing Memorandum</i> (Gerometta, James) Modified to add link on 2/23/2022 (znmw). (Entered: 02/18/2022)
02/19/2022	<u>52</u>	ORDER as to JERAMIAH CAPLINGER (1) granting <u>50</u> the Federal Public Defender's motion for extension of time up to and including February 23, 2022 within which to file an amicus curiae brief. Signed by Judge Paul L. Friedman on February 19, 2022. (MA) (Entered: 02/19/2022)
02/23/2022	<u>53</u>	RESPONSE TO ORDER OF THE COURT by JERAMIAH CAPLINGER re <u>48</u> Order,, (<i>Amicus Brief</i>) (Kramer, A.J.) (Entered: 02/23/2022)
03/03/2022	<u>54</u>	MOTION for Extension of Time to <i>FILE REPLY BRIEF</i> by USA as to JERAMIAH CAPLINGER. (Attachments: # <u>1</u> Text of Proposed Order)(Gordon, Michael) (Entered: 03/03/2022)
03/03/2022	<u>55</u>	ORDER as to JERAMIAH CAPLINGER granting <u>54</u> the government's motion for extension of time up to and including March 9, 2022 within which to file its reply brief. Signed by Judge Paul L. Friedman on March 3, 2022. (lcjr) (Entered: 03/03/2022)
03/04/2022		Set/Reset Deadlines as to JERAMIAH CAPLINGER: Reply brief due by 3/9/2022. (tj) (Entered: 03/04/2022)
03/09/2022	<u>56</u>	RESPONSE by USA as to JERAMIAH CAPLINGER re Order,, <i>Addressing the Court's Authority to Impose a Split Sentence</i> (Gordon, Michael) (Entered: 03/09/2022)
03/22/2022	<u>57</u>	NOTICE of <i>Supplemental Authority</i> by USA as to JERAMIAH CAPLINGER re <u>56</u> Response to document (Attachments: # <u>1</u> Exhibit Memorandum Opinion by U.S.D.J. Royce C. Lambert in U.S. v. Little, 1:21-cr-315-RCL)(Gordon, Michael) (Entered: 03/22/2022)
03/30/2022		MINUTE ORDER: The parties are directed to appear via Zoom videoconference on 4/13/2022 at 3:00 p.m. for a status conference regarding Mr. Caplinger's <u>58</u> Pretrial Violation Report, and oral argument regarding the "split sentence" legal issue briefed by the parties, namely, whether the Court is authorized to impose both a custodial sentence and a sentence of probation in this case. For oral argument, each party will be allotted fifteen minutes to argue, and the Federal Public Defender will be allotted ten minutes. On or before April 6, 2022, the parties are directed to file short memoranda addressing their positions regarding Mr. Caplinger's <u>58</u> Pretrial Violation Report. Signed by Judge Paul L. Friedman on March 30, 2022. (lcjr) (Entered: 03/30/2022)
04/01/2022		Set/Reset Hearings as to JERAMIAH CAPLINGER: Motion Hearing set for 4/13/2022 at 3:00 PM before Judge Paul L. Friedman via zoon video. Memorandum due by 4/6/2022. (tj) (Entered: 04/01/2022)
04/06/2022		

		MINUTE ORDER as to JERAMIAH CAPLINGER: On March 30, 2022, the Court ordered the parties to file short memoranda addressing their positions regarding Mr. Caplinger's <u>58</u> Pretrial Violation Report. The Court hereby grants the parties' request for extension of time and directs the parties to file their memoranda on or before April 8, 2022. Signed by Judge Paul L. Friedman on April 6, 2022. (lcjr) (Entered: 04/06/2022)
04/07/2022	<u>59</u>	NOTICE OF ATTORNEY APPEARANCE: Celia Goetzl appearing for JERAMIAH CAPLINGER (Goetzl, Celia) (Entered: 04/07/2022)
04/07/2022	<u>60</u>	RESPONSE TO ORDER OF THE COURT by USA as to JERAMIAH CAPLINGER re Order,,, <i>Government's Position on the Defendant's Most Recent Pre-Trial Violation Report</i> (Gordon, Michael) (Entered: 04/07/2022)
04/08/2022	<u>61</u>	RESPONSE TO ORDER OF THE COURT by JERAMIAH CAPLINGER re Order,,, Order, (Attachments: # <u>1</u> Exhibit November 22, 2017 Memorandum Center for Substance Abuse Prevention)(Gerometta, James) (Entered: 04/08/2022)
04/10/2022	<u>62</u>	NOTICE OF ATTORNEY APPEARANCE James Pearce appearing for USA. (Pearce, James) (Entered: 04/10/2022)
04/13/2022		MINUTE ORDER as to JERAMIAH CAPLINGER: The status conference and oral argument scheduled for April 13, 2022 is hereby VACATED. A rescheduled hearing on the "split sentence" legal issue will be announced by the Court at a later date. The Court refers Mr. Caplinger's pretrial violation matter, see <u>58</u> Pretrial Violation Report, to a magistrate judge for a hearing to modify, revoke, or terminate Mr. Caplinger's conditions of supervised release, and for the preparation of a report and recommendation to this Court. Signed by Judge Paul L. Friedman on April 13, 2022. (lcjr) (Entered: 04/13/2022)
04/14/2022	<u>63</u>	LETTER Filed by Dr. Kashif G. Rasool, MD and JERAMIAH CAPLINGER Dated 4/11/2022 Regarding Permission for the Use of Marijuana Medically. "Let This Be Filed" by Judge Paul L. Friedman on 4/14/2022. (zhsj) (Entered: 04/15/2022)
04/15/2022		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Status Hearing re Pretrial Release Violation as to JERAMIAH CAPLINGER held on 4/15/2022. Status Hearing Pretrial Release Violation set for 5/19/2022 at 11:00 AM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Remains on Personal Recognizance; Court Reporter: FTR Gold; FTR Time Frame: CTRM 6 [3:42:37-4:09:05]; Defense Attorney: James Gerometta; US Attorney: Michael Gordon; Pretrial Officer: Christine Schuck; (zpt) (Entered: 04/18/2022)
05/19/2022		Set/Reset Hearings as to JERAMIAH CAPLINGER (1):Status Hearing set for 5/27/2022 at 3:30 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. (bb) (Entered: 05/23/2022)
05/27/2022		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Status Hearing as to JERAMIAH CAPLINGER (1) held on 5/27/2022. Defendant was present by video. Defendant compliant with Pretrial Services. Status Conference set for 7/14/2022 at 1:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant remains on Personal Recognizance Bond; Court Reporter: FTR Gold; FTR

		Time Frame: Ctrm 6 [4:18:00–4:35:42]; Defense Attorney: James Gerometta; U.S. Attorney: Michael Gordon; Pretrial Officer: Christine Schuck. (bb) (Entered: 05/31/2022)
06/07/2022	<u>65</u>	OPINION as to JERAMIAH CAPLINGER concluding that the federal sentencing statutes, 18 U.S.C. § 3551 <u>et seq.</u> , permit the Court to impose both a custodial sentence and a sentence of probation for a violation of 40 U.S.C. § 5104(d), a petty offense, Class B misdemeanor. See Opinion for further detail. Signed by Judge Paul L. Friedman on June 7, 2022. (lcjr) (Entered: 06/07/2022)
06/14/2022		MINUTE ORDER as to JERAMIAH CAPLINGER: In light of the Court's <u>65</u> opinion concluding that the Court is permitted to impose both a custodial sentence and a sentence of probation for a violation of 40 U.S.C. § 5104(d), the parties are directed to meet and confer and file a joint status report, on or before June 21, 2022, proposing a schedule for the filing of supplemental sentencing memoranda and several possible dates for sentencing. Signed by Judge Paul L. Friedman on June 14, 2022. (lcjr) (Entered: 06/14/2022)
06/21/2022	<u>66</u>	Joint STATUS REPORT by JERAMIAH CAPLINGER (Gerometta, James) (Entered: 06/21/2022)
06/27/2022		MINUTE ORDER as to JERAMIAH CAPLINGER: As requested in the parties' <u>66</u> joint status report, the Court will hold a sentencing hearing on August 1, 2022 at 2:00 p.m. via Zoom videoconference, the details of which will be sent the morning of or in advance of the hearing. The parties may file supplemental sentencing memoranda on or before July 22, 2022. Signed by Judge Paul L. Friedman on June 27, 2022 (ATM) (Entered: 06/27/2022)
06/27/2022		Set/Reset Hearings as to JERAMIAH CAPLINGER: Sentencing set for 8/1/2022 at 02:00 PM before Judge Paul L. Friedman via zoom video. Sentencing Memorandum due by 7/22/2022 (tj) (Entered: 06/27/2022)
07/14/2022		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Status Hearing as to JERAMIAH CAPLINGER (1) held on 7/14/2022. Defendant was present by video. Defendant found compliant with Pretrial Services. No further proceedings to be held in this matter. Bond Status of Defendant: Defendant remains on Personal Recognizance Bond; Court Reporter: FTR Gold; FTR Time Frame: CTRM 6 [2:17:01–2:25:28] [4:33:57–4:37:53]; Defense Attorney: James Gerometta; U.S. Attorney: Michael Gordon; Pretrial Officer: Da'Shanta' Valentine–Lewis. (bb) (Entered: 07/15/2022)
07/22/2022	<u>68</u>	SUPPLEMENTAL SENTENCING MEMORANDUM by JERAMIAH CAPLINGER (Attachments: # <u>1</u> Exhibit Letter of Samantha Marcott Received by Email, # <u>2</u> Exhibit Email of Charles Carree)(Gerometta, James) Modified event title on 7/25/2022 (znmw). (Entered: 07/22/2022)
07/25/2022	<u>69</u>	REPORT AND RECOMMENDATIONS Signed by Magistrate Judge G. Michael Harvey on 7/25/2022 as to JERAMIAH CAPLINGER. (bb) (Entered: 07/25/2022)
07/26/2022	<u>70</u>	ORDER granting the government's <u>45</u> Assented–to Motion to Seal Exhibit A of the Government's Sentencing Memorandum as to JERAMIAH CAPLINGER. Signed by Judge Paul L. Friedman on July 26, 2022. (ATM) (Entered: 07/26/2022)

08/01/2022	<u>72</u>	MOTION to Dismiss Count <i>1-4 of the Information</i> by USA as to JERAMIAH CAPLINGER. (Gordon, Michael) (Entered: 08/01/2022)
08/01/2022		Minute Entry for proceedings held before Judge Paul L. Friedman: Sentencing held on 8/1/2022 as to JERAMIAH CAPLINGER (1). Count 5: Defendant is sentenced to 35 days of imprisonment, followed by Twenty-Four (24) months of Probation with conditions. Special Assessment: 10.00; Restitution: \$500.00. Open Counts 1, 2, 3 and 4 are dismissed on the Government's Motion. Bond Status of Defendant: Personal Recognizance until self surrender; Court Reporter: Lisa Moreira; Defense Attorney: James Gerometta and John Pierce; US Attorney: Michael Gordon; (tj) (Entered: 08/08/2022)
08/03/2022	<u>73</u>	ORDER granting <u>72</u> Motion to Dismiss Count(s): 1-4 as to defendant JERAMIAH CAPLINGER (1). (Signed by Judge Paul L. Friedman on 8/3/2022). (tj) (Entered: 08/03/2022)
08/12/2022	<u>74</u>	JUDGMENT as to JERAMIAH CAPLINGER. Statement of Reasons Not Included. Signed by Judge Paul L. Friedman on 8/12/2022. (zltp) (Entered: 08/15/2022)
08/12/2022	<u>75</u>	STATEMENT OF REASONS as to JERAMIAH CAPLINGER. re <u>74</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 Paul L. Friedman on 8/12/2022. (zltp) (Entered: 08/15/2022)
08/16/2022	<u>76</u>	NOTICE OF APPEAL – Final Judgment by JERAMIAH CAPLINGER re <u>74</u> Judgment. Fee Status: No Fee Paid. Parties have been notified. (Gerometta, James) (Main Document 76 replaced on 8/19/2022) (zhsj). (Entered: 08/16/2022)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA)
)
 vs.) Criminal No. 21-342
)
 Jeramiah Caplinger)

NOTICE OF APPEAL

Name and address of appellant: Jeramiah Caplinger
Taylor, Michigan

Name and address of appellant's attorney: James R. Gerometta
Federal Community Defender for the EDM
613 Abbott
Detroit, MI 48226

Offense: 40 USC Sec. 5104(d) Climbing on US Capitol Grounds

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

Judgment imposing 35 days custody followed by 24 months probation. Imposed on August 1, 2022. Entered on August 15, 2022.

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

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.

August 16, 2022
DATE
Jeramiah Caplinger
APPELLANT
/s/ James R. Gerometta
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.)

JERAMIAH CAPLINGER)

JUDGMENT IN A CRIMINAL CASE

Case Number: CR 21-342 (PLF)

USM Number: 38369-509

James Gerometta, Esq. and John Pierce, Esq.

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) Five (5) of the Information filed on 5/5/2021

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
40 USC § 5104(d)	Stepping, Climbing Removing, or Injuring Property on U.S. Capitol Grounds	1/6/2021	5

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) 1, 2,3 and 4 is are dismissed on the motion of the United States.

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

8/1/2022

Date of Imposition of Judgment

Paul L. Friedman

Signature of Judge

Paul L. Friedman, U.S. District Court Judge

Name and Title of Judge

August 12, 2022

Date

DEFENDANT: JERAMIAH CAPLINGER
CASE NUMBER: CR 21-342 (PLF)

IMPRISONMENT

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

Count 5: 35 Days

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

Defendant be designated to a facility in or as close to the state of Michigan as possible during the term of imprisonment.

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: JERAMIAH CAPLINGER
CASE NUMBER: CR 21-342 (PLF)

PROBATION

You are hereby sentenced to probation for a term of:

Count 5: 2 Years of Probation
FOLLOWING the term of 35 days of imprisonment

See Court's opinion: United States v. Caplinger, Crim. No. 21-0342, 2022 WL 2045373 (D.D.C. June 7, 2022).

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 placement on probation 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 cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. 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)*
6. You must participate in an approved program for domestic violence. *(check if applicable)*
7. You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

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: JERAMIAH CAPLINGER
CASE NUMBER: CR 21-342 (PLF)

STANDARD CONDITIONS OF SUPERVISION

As part of your probation, 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 the time you were sentenced, 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: JERAMIAH CAPLINGER
CASE NUMBER: CR 21-342 (PLF)

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

You shall participate in an inpatient and/or outpatient substance abuse treatment program and follow the rules and regulations of that program. You must submit to substance abuse testing during the period of substance abuse treatment and counseling to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods. The probation officer will supervise your participation in the program, including provider and location.

You shall participate in a mental health counseling and treatment program, and follow the rules and regulations of that program. The probation officer in consultation with the treatment providers will supervise your participation in such a program.

You shall complete 60 hours of community service over the the term of probation. The probation office will supervise your participation in the program by approving the program, and you must provide written verification of completed hours to the probation office.

You must participate in an educational services program, and follow the rules and regulations of that program. Such programs may include high school equivalency programs, GED, other classes designed to improve your proficiency in reading, writing, mathematics or computer use.

The probation office shall submit a progress report 30 days after the defendant's released from incarceration, and if the court determines that there are no issues, jurisdiction will be transferred to the Eastern District of Michigan

You are ordered to make restitution to the Architect of the Capitol in the amount of \$500.00.

You shall pay the sum of restitution in monthly installments of no less than \$25 over a period of 24 months to commence after your release from prison. The court determined you do not have the ability to pay interest, and therefore waives any interest or penalties that may accrue on the balance of restitution.

You must provide the Probation Office with access to any requested financial information, and authorize the release of any financial information. You must not open any additional lines of credit without approval of the probation office until restitution is paid. The Probation Office may share the information with the attorney's office.

DEFENDANT: JERAMIAH CAPLINGER
 CASE NUMBER: CR 21-342 (PLF)

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	\$ 10.00	\$ 500.00	\$	\$ 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>
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Clerk of the Court for the United States		\$500.00	
--	--	----------	--

District Court for the District of Columbia

for disbursement to the following victim:

Architect of the Capitol

Office of the Chief Financial Officer

Ford House Office Building

Room H2-205B

Washington, DC 20515

Attn.: Kathy Sherrill, CPA

TOTALS	\$ _____	0.00	\$ _____	500.00
---------------	----------	------	----------	--------

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: JERAMIAH CAPLINGER
CASE NUMBER: CR 21-342 (PLF)

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 \$ 510.00 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 monthly (e.g., weekly, monthly, quarterly) installments of \$ 25.00 over a period of 24 Month (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
The financial obligations (\$10 Special Assessment, \$500 Restitution) are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, you shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full. If payments are not paid immediately, defendant shall make monthly payments at a rate of \$25 over a period of 24 months while on probation.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
---	--------------	-----------------------------	--

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

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

MIME-Version:1.0
From:DCD_ECFNotice@dcd.uscourts.gov
To:DCD_ECFNotice@localhost.localdomain
Bcc:
--Case Participants:
--Non Case Participants:
--No Notice Sent:

Message-Id:7860929@dcd.uscourts.gov
Subject:Activity in Case 1:21-cr-00342-PLF USA v. CAPLINGER Sentencing
Content-Type: text/html

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 8/8/2022 at 7:44 PM and filed on 8/1/2022

Case Name: USA v. CAPLINGER

Case Number: 1:21-cr-00342-PLF

Filer:

Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Judge Paul L. Friedman: Sentencing held on 8/1/2022 as to JERAMIAH CAPLINGER (1). Count 5: Defendant is sentenced to 35 days of imprisonment, followed by Twenty-Four (24) months of Probation with conditions. Special Assessment: 10.00; Restitution: \$500.00. Open Counts 1, 2, 3 and 4 are dismissed on the Government's Motion. Bond Status of Defendant: Personal Recognizance until self surrender; Court Reporter: Lisa Moreira; Defense Attorney: James Gerometta and John Pierce; US Attorney: Michael Gordon; (tj)

1:21-cr-00342-PLF-1 Notice has been electronically mailed to:

1:21-cr-00342-PLF-1 Notice will be delivered by other means to::

A.J. Kramer
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA
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Celia Goetzl
FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA
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