

APPEAL,CAP,CAT A,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00064-RBW-1**

Case title: USA v. CRUZ, JR

Magistrate judge case number: 1:22-mj-00041-RMM

Date Filed: 03/04/2022

Assigned to: Judge Reggie B.
Walton

Defendant (1)

**LLOYD CASIMIRO CRUZ,
JR**

represented by **John M. Pierce**
JOHN PIERCE LAW P.C.
21550 Oxnard Street
Suite 3rd Floor OMB #172
Woodland Hills, CA 91367
213-400-0725
Email: jpierce@johnpiercelaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Ronna Holloman-Hughes
FEDERAL PUBLIC DEFENDERS
1000 Walnut
Suite 600
Kansas City, MO 64106
816-471-8282
Fax: 816-471-8008
Email: ronna_holloman-hughes@fd.org
TERMINATED: 07/08/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

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

Disposition

DISMISSED ON ORAL MOTION BY THE
GOVERNMENT

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

Defendant sentenced to Forty–Five (45) Days of
incarceration to run concurrently to Count 2s,
followed by One (1) Year of Supervised Release.
Special Assessment in the amount of \$25 imposed.
Restitution in the amount of \$500 imposed.

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

DISMISSED ON ORAL MOTION BY THE
GOVERNMENT

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

Defendant sentenced to Forty–Five (45) Days of
incarceration to run concurrently to Count 1s.
Special Assessment in the amount of \$10 imposed.
Restitution in the amount of \$500 imposed.

Highest Offense Level
(Opening)

Misdemeanor

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

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

Disposition

Plaintiff

USA

represented by **Andrew J. Tessman**
DOJ–USAO
District of Columbia – Detailee
300 Virginia Street East
Suite 4000
Charleston, WV 25301
(304) 340–2234

Email: andrew.tessman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

David Lieberman
DOJ-CRM
Appellate
950 Pennsylvania Avenue NW
Suite 1264
Washington, DC 20530
202-262-6805
Email: david.lieberman@usdoj.gov
TERMINATED: 03/16/2023
Designation: Assistant U.S. Attorney

Mona Furst
DOJ-USAO
Office of the United States Attorney
301 North Main
Suite 1200
Wichita, KS 67052
316-269-6481
Email: mona.furst@usdoj.gov
TERMINATED: 09/07/2022
Designation: Assistant U.S. Attorney

Rebekah Lederer
USAO
Criminal
601 D Street NW
Washington, DC 20001
202-252-7012
Email: rebekah.lederer@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
02/25/2022	<u>1</u>	SEALED COMPLAINT as to LLOYD CASIMIRO CRUZ, JR (1). (Attachments: # <u>1</u> Statement of Facts) (zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/25/2022	<u>3</u>	MOTION to Seal Case by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Text of Proposed Order)(zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/25/2022	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Case as to LLOYD CASIMIRO CRUZ, JR (1). Signed by Magistrate Judge Robin M. Meriweather on 2/25/2022. (zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/28/2022	<u>5</u>	Arrest Warrant, dated 2/25/202, Returned Executed on 2/28/2022 as to LLOYD CASIMIRO CRUZ, JR. (zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/28/2022		

		Arrest of LLOYD CASIMIRO CRUZ, JR in Missouri. (zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/28/2022		Case unsealed as to LLOYD CASIMIRO CRUZ, JR (zstd) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
02/28/2022		MINUTE ORDER as to LLOYD CASIMIRO CRUZ, JR : It is hereby ORDERED that Defendant appear for an initial appearance on March 3, 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 on 2/28/2022. (ztl) [1:22-mj-00041-RMM] (Entered: 02/28/2022)
03/03/2022		ORAL MOTION to Appoint Counsel by LLOYD CASIMIRO CRUZ, JR.(1). (bb) (Entered: 03/04/2022)
03/03/2022		ORAL MOTION for Speedy Trial by USA as to LLOYD CASIMIRO CRUZ, JR. (1). (bb) (Entered: 03/04/2022)
03/03/2022		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: VTC Initial Appearance as to LLOYD CASIMIRO CRUZ, JR (1) held on 3/3/2022. Defendant was present by video. The Court advised the Government of its due process obligations under Rule 5(f). ORAL Motion by the defendant to Appoint Counsel as to LLOYD CASIMIRO CRUZ, JR (1), heard and granted. Defendant placed on standard conditions of release. ORAL Motion by the Government for Speedy Trial waiver as to LLOYD CASIMIRO CRUZ, JR (1), heard and granted. Time between 3/3/2022 and 5/26/2022 (85 days) was excluded from calculation under the Speedy Trial Act in the interest of justice (X-T). Defendant waived the right to the Preliminary Hearing. Status Conference set for 5/26/2022 at 1:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant placed on personal recognizance bond; Court Reporter: FTR Gold; FTR Time Frame: [2:58:48-3:13:47]; Defense Attorney: Laine Cardarella for Rona Holloman-Hughes; US Attorney: Frederick Yette for Mona Furst; Pretrial Officer: Da'Shanta Valentine-Lewis. (bb) (Entered: 03/04/2022)
03/03/2022	<u>2</u>	ORDER Setting Conditions of Release as to LLOYD CASIMIRO CRUZ, JR (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/3/2020. (Attachment: # <u>1</u> Appearance Bond) (ztl) (Entered: 03/07/2022)
03/04/2022	<u>7</u>	INFORMATION as to LLOYD CASIMIRO CRUZ, JR (1) count(s) 1, 2. (zstd) (Entered: 03/04/2022)
03/04/2022		MINUTE ORDER: The hearing currently scheduled for 5/26/2022, before Magistrate Judge Zia M. Faruqui is hereby VACATED, as the Defendant LLOYD CASIMIRO CRUZ, JR. has been charged by Information. As such, there are no pending matters necessitating action by a magistrate judge. The parties are directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge Zia M. Faruqui on 3/4/2022.

		(bb) (Entered: 03/04/2022)
03/04/2022		Terminate Deadlines and Hearings as to LLOYD CASIMIRO CRUZ, JR: Status Conference set for 5/26/2022 at 1:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather is VACATED. (bb) (Entered: 03/04/2022)
03/11/2022		Set/Reset Hearings as to LLOYD CASIMIRO CRUZ, JR: Arraignment set for 3/29/2022 at 10:00 AM by VTC before Judge Reggie B. Walton. (adh,) (Entered: 03/11/2022)
03/11/2022	<u>10</u>	NOTICE <i>United States' Memoranda Regarding Status of Discovery</i> by USA as to LLOYD CASIMIRO CRUZ, JR (Attachments: # <u>1</u> Status of Discovery as of July 12, 2021, # <u>2</u> Exhibit 1A to July 12, 2021 Status of Discovery, # <u>3</u> Status of Discovery as of August 23, 2021, # <u>4</u> Status of Discovery as of September 14, 2021, # <u>5</u> Status of Discovery as of October 21, 2021, # <u>6</u> Status of Discovery as of November 5, 2021, # <u>7</u> Status of Discovery as of February 9, 2022)(Furst, Mona) (Entered: 03/11/2022)
03/11/2022	<u>12</u>	SUPERSEDING INFORMATION as to LLOYD CASIMIRO CRUZ, JR (1) count(s) 1s, 2s. (zstd) (Entered: 03/14/2022)
03/12/2022	<u>11</u>	NOTICE OF ATTORNEY APPEARANCE: Ronna Holloman–Hughes appearing for LLOYD CASIMIRO CRUZ, JR (Holloman–Hughes, Ronna) (Entered: 03/12/2022)
03/18/2022	<u>14</u>	Unopposed MOTION for Disclosure <i>OF ITEMS PROTECTED BY FEDERAL RULE OF CRIMINAL PROCEDURE 6(e) AND SEALED MATERIALS</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Text of Proposed Order)(Furst, Mona) (Entered: 03/18/2022)
03/18/2022	<u>15</u>	Unopposed MOTION for Protective Order <i>Governing Discovery</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Text of Proposed Order with Signed Attachment A)(Furst, Mona) (Entered: 03/18/2022)
03/22/2022	<u>16</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to LLOYD CASIMIRO CRUZ, JR. Signed by Judge Reggie B. Walton on 3/21/2022. (adh,) (Entered: 03/22/2022)
03/22/2022	<u>17</u>	ORDER granting <u>14</u> Motion for Disclosure as to LLOYD CASIMIRO CRUZ, JR (1). Signed by Judge Reggie B. Walton on 3/21/2022. (adh,) (Entered: 03/22/2022)
03/28/2022	<u>18</u>	NOTICE OF ATTORNEY APPEARANCE: John M. Pierce appearing for LLOYD CASIMIRO CRUZ, JR (Pierce, John) (Entered: 03/28/2022)
03/29/2022		Minute Entry for proceedings held before Judge Reggie B. Walton: Arraignment as to LLOYD CASIMIRO CRUZ, JR (1) held on 3/29/2022. A plea of Not Guilty entered as to Counts 1 and 2 of the superseding information. A joint oral request for a continuance; heard and granted. Speedy Trial Time Excluded (XT) 3/29/2022 – 5/31/2022.Status Conference set for 5/31/2022 at 12:00 PM by Telephonic/VTC before Judge Reggie B. Walton. Bond Status of Defendant: Personal Recognizance / appeared via video; Court Reporter: Cathryn Jones; Defense Attorney: John Pierce; US Attorney: Mona Furst. (adh,) (Entered: 03/29/2022)
03/29/2022	<u>20</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR. Signed by Judge Reggie B. Walton on 3/29/2022. (adh,) (Entered: 03/29/2022)
05/31/2022		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference as to LLOYD CASIMIRO CRUZ, JR held on 5/31/2022. Status Conference/Plea

		Agreement Hearing set for 6/30/2022 at 2:00 PM via videoconference before Judge Reggie B. Walton. In the interest of justice, speedy trial is suspended between 5/31/2022 and 6/30/2022. Bond Status of Defendant: Remains on personal recognizance; appeared via telephone. Court Reporter: Cathryn Jones. Defense Attorney: John Pierce. US Attorney: Mona Furst. (zcdw) (Entered: 06/01/2022)
05/31/2022	<u>22</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR. See attached Order for detail. Signed by Judge Reggie B. Walton on 5/31/2022. (zcdw) (Entered: 06/01/2022)
06/28/2022	<u>23</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR: Status Or Plea Hearing Scheduled For June 30, 2022 Is Continued To July 6, 2022 at 2:30PM in Telephonic/VTC before Judge Reggie B. Walton. Signed by Judge Reggie B. Walton on 06/27/22. (mac) (Entered: 06/28/2022)
07/06/2022		Minute Entry for proceedings held Via VTC before Judge Reggie B. Walton:Status Conference as to LLOYD CASIMIRO CRUZ, JR held on 7/6/2022. Defendant Consents To This Matter Being Held Via VTC. Parties Updated The Court In Regards To Possible Disposition In This Matter. Status Conference set for 7/28/2022 at 2:00 PM in Telephonic/VTC before Judge Reggie B. Walton. Speedy Trial Tolled 7/6/22 – 7/28/22 In The Interest Of Justice (XT) With The Consent Of The Defendant. Bond Status of Defendant: APPEARED VIA VTC – REMAINS ON PERSONAL RECOGNIZANCE; Court Reporter: TAMMY NESTOR; Defense Attorney: JOHN PIERCE; US Attorney: MONA FURST; (mac) (Entered: 07/06/2022)
07/06/2022	<u>25</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR, Setting Status Conference/Plea Agreement Hearing for 7/28/2022 at 2:00 PM in Telephonic/VTC before Judge Reggie B. Walton. (See Order For Additional Details) Signed by Judge Reggie B. Walton on 07/06/22. (mac) (Entered: 07/06/2022)
07/08/2022	<u>26</u>	MOTION to Withdraw as Attorney by Ronna Holloman–Hughes. by LLOYD CASIMIRO CRUZ, JR. (Holloman–Hughes, Ronna) (Entered: 07/08/2022)
07/08/2022	<u>27</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR granting <u>26</u> Motion to Withdraw as Attorney. Ronna Holloman–Hughes appearance as counsel of record is terminated. Signed by Judge Reggie B. Walton on 07/08/22. (mac) (Entered: 07/08/2022)
08/05/2022	<u>29</u>	GENERAL ORDER GOVERNING CRIMINAL CASES BEFORE THE HONORABLE REGGIE B. WALTON as to LLOYD CASIMIRO CRUZ, JR Signed by Judge Reggie B. Walton on 08/05/22. (mac) (Entered: 08/05/2022)
08/05/2022	<u>30</u>	PRE–TRIAL SCHEDULING ORDER as to LLOYD CASIMIRO CRUZ, JR. (See Order For Details)Signed by Judge Reggie B. Walton on 08/05/22. (mac) (Entered: 08/05/2022)
08/19/2022	<u>31</u>	MOTION for Extension of Time to <i>Extend deadlines</i> by LLOYD CASIMIRO CRUZ, JR. (Pierce, John) (Entered: 08/19/2022)
08/23/2022	<u>32</u>	RESPONSE by USA as to LLOYD CASIMIRO CRUZ, JR re <u>31</u> MOTION for Extension of Time to <i>Extend deadlines GOVERNMENT RESPONSE TO DEFENDANTS MOTION TO EXTEND DEADLINES</i> (Attachments: # <u>1</u> Text of Proposed Order)(Furst, Mona) (Entered: 08/23/2022)
08/23/2022	<u>33</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR setting a Status Conference set for 8/30/2022 at 10:30 AM via teleconference before Judge Reggie B. Walton. Signed by Judge Reggie B. Walton on 8/23/2022. (zcdw) (Entered: 08/23/2022)

08/27/2022	<u>34</u>	MOTION to Suppress <i>Evidence and</i> , MOTION to Dismiss Case <i>Due to Fourth Amendment Violation</i> by LLOYD CASIMIRO CRUZ, JR. (Pierce, John) (Entered: 08/27/2022)
08/30/2022		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference as to LLOYD CASIMIRO CRUZ, JR held on 8/30/2022. Government's response to Motion to Suppress due by 9/23/2022. Defendant's reply due by 10/7/2022. Defendant's Motion to Dismiss due by 9/2/2022. Government's response due by 9/23/2022. Defendant's reply due by 10/7/2022. The Motions to Suppress and Dismiss will be heard at the 12/12/2022 Pretrial Conference. Bond Status of Defendant: Remains on personal recognizance; appeared via telephone. Court Reporter: Cathryn Jones. Defense Attorney: John Pierce. US Attorney: Mona Furst. (zcdw) (Entered: 09/01/2022)
08/31/2022	<u>36</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR. See attached Order for details. Signed by Judge Reggie B. Walton on 8/31/2022. (zcdw) (Entered: 09/01/2022)
09/03/2022	<u>37</u>	MOTION to Dismiss Case <i>ON FIRST AMENDMENT GROUNDS</i> by LLOYD CASIMIRO CRUZ, JR. (Pierce, John) (Entered: 09/03/2022)
09/07/2022	<u>38</u>	NOTICE OF SUBSTITUTION OF COUNSEL as to USA. Attorney Tessman, Andrew J. added. (Tessman, Andrew) (Entered: 09/07/2022)
09/23/2022	<u>39</u>	Memorandum in Opposition by USA as to LLOYD CASIMIRO CRUZ, JR re <u>34</u> Motion to Suppress, Motion to Dismiss Case <i>on Fourth Amendment Grounds</i> (Tessman, Andrew) (Entered: 09/23/2022)
09/23/2022	<u>40</u>	Memorandum in Opposition by USA as to LLOYD CASIMIRO CRUZ, JR re <u>37</u> Motion to Dismiss Case <i>on First Amendment Grounds</i> (Tessman, Andrew) (Entered: 09/23/2022)
09/30/2022	<u>41</u>	MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENT ENTRAPMENT BY ESTOPPEL</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Tessman, Andrew) (Entered: 09/30/2022)
09/30/2022	<u>42</u>	MOTION in Limine <i>RE: AUTHENTICATION AND ADMISSIBILITY OF DOCUMENTARY, PHOTOGRAPHIC AND VIDEO EVIDENCE</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2.1, # <u>3</u> Exhibit 2.2, # <u>4</u> Exhibit 2.3, # <u>5</u> Exhibit 2.4, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8)(Tessman, Andrew) (Entered: 09/30/2022)
09/30/2022	<u>43</u>	MOTION in Limine <i>RE: EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Exhibit 1 – Declaration, # <u>2</u> Exhibit Attachments)(Tessman, Andrew) (Entered: 09/30/2022)
09/30/2022	<u>44</u>	MOTION in Limine <i>TO LIMIT CROSS–EXAMINATION OF SECRET SERVICE AGENCY WITNESSES</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Tessman, Andrew) (Entered: 09/30/2022)
09/30/2022	<u>45</u>	REPLY TO OPPOSITION to Motion by LLOYD CASIMIRO CRUZ, JR re <u>37</u> MOTION to Dismiss Case <i>ON FIRST AMENDMENT GROUNDS REPLY TO GOVERNMENTS OPPOSITION TO MOTION TO SUPPRESS</i> (Pierce, John) (Entered: 09/30/2022)
10/01/2022	<u>46</u>	

		REPLY TO OPPOSITION to Motion by LLOYD CASIMIRO CRUZ, JR re <u>34</u> MOTION to Suppress <i>Evidence</i> and MOTION to Dismiss Case <i>Due to Fourth Amendment Violation</i> (Pierce, John) (Entered: 10/01/2022)
10/05/2022	<u>47</u>	RESPONSE by LLOYD CASIMIRO CRUZ, JR <u>40</u> GOVERNMENTS OPPOSITION TO DEFENDANTS MOTION TO DISMISS ON FIRST AMENDMENT GROUNDS (Pierce, John) Modified to add link on 10/5/2022 (zstd). (Entered: 10/05/2022)
10/13/2022	<u>48</u>	RESPONSE by LLOYD CASIMIRO CRUZ, JR re <u>41</u> MOTION in Limine <i>TO PRECLUDE CERTAIN DEFENSE ARGUMENT ENTRAPMENT BY ESTOPPEL</i> (Pierce, John) (Entered: 10/13/2022)
10/13/2022	<u>49</u>	RESPONSE by LLOYD CASIMIRO CRUZ, JR re <u>42</u> MOTION in Limine <i>RE: AUTHENTICATION AND ADMISSIBILITY OF DOCUMENTARY, PHOTOGRAPHIC AND VIDEO EVIDENCE</i> (Pierce, John) (Entered: 10/13/2022)
10/13/2022	<u>50</u>	RESPONSE by LLOYD CASIMIRO CRUZ, JR re <u>43</u> MOTION in Limine <i>RE: EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS</i> (Pierce, John) (Entered: 10/13/2022)
10/13/2022	<u>51</u>	RESPONSE by LLOYD CASIMIRO CRUZ, JR re <u>44</u> MOTION in Limine <i>TO LIMIT CROSS-EXAMINATION OF SECRET SERVICE AGENCY WITNESSES</i> (Pierce, John) (Entered: 10/13/2022)
10/17/2022	<u>52</u>	MOTION for Leave to Appear Pro Hac Vice Roger Roots Filing fee \$ 100, receipt number CDCDC-9603827. Fee Status: Fee Paid. by LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Affidavit of Roger Roots, # <u>2</u> [Proposed] Order)(Pierce, John) (Entered: 10/17/2022)
10/17/2022		NOTICE OF ERROR as to LLOYD CASIMIRO CRUZ, JR regarding <u>52</u> MOTION for Leave to Appear Pro Hac Vice Roger Roots Filing fee \$ 100, receipt number CDCDC-9603827. Fee Status: Fee Paid.. The following error(s) need correction: Pro Hac Vice motion must be accompanied by a Certificate of Good Standing issued within the last 30 days (LCrR 44.1 (c)(2)). Please file certificate as an Errata (zstd) (Entered: 10/17/2022)
10/17/2022	<u>53</u>	ERRATA by LLOYD CASIMIRO CRUZ, JR re <u>52</u> Motion to Appear Pro Hac Vice, (Pierce, John) (Entered: 10/17/2022)
10/21/2022	<u>54</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR (1) granting <u>52</u> Motion for Leave to Appear Pro Hac Vice. It Is Further Ordered That Roger Roots Of The Law Firm John Pierce Law P.C. Is Admitted To Practice Before The Court Pro Hac Vice In This Case. (See Order For Details) Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for instructions. Signed by Judge Reggie B. Walton on 10/21/22. (mac) (Entered: 10/21/2022)
11/02/2022	<u>55</u>	NOTICE OF ATTORNEY APPEARANCE David Lieberman appearing for USA. (Lieberman, David) (Entered: 11/02/2022)
11/11/2022	<u>56</u>	MOTION FOR TRIAL BY MAGISTRATE JUDGE by LLOYD CASIMIRO CRUZ, JR. (Pierce, John) Modified text on 11/14/2022 (zstd). (Entered: 11/11/2022)
11/11/2022	<u>57</u>	Proposed Jury Instructions by USA as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 11/11/2022)
11/11/2022	<u>58</u>	

		Proposed Jury Instructions by USA as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 11/11/2022)
11/11/2022	<u>59</u>	Proposed Voir Dire by USA as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 11/11/2022)
11/11/2022	<u>60</u>	PROPOSED VERDICT FORM as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 11/11/2022)
11/22/2022	<u>61</u>	NOTICE OF ATTORNEY APPEARANCE Rebekah Lederer appearing for USA. <i>Co-counsel</i> (Lederer, Rebekah) (Entered: 11/22/2022)
11/22/2022	<u>62</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR (1) denying <u>56</u> Motion for Trial by Magistrate Judge. See Order for details. Signed by Judge Reggie B. Walton on 11/22/2022. (zcdw) (Main Document 62 replaced on 11/23/2022) (zcdw). (Entered: 11/23/2022)
12/05/2022	<u>63</u>	MOTION for Leave to File <i>Exhibits Under Seal re: 34 Motion to Suppress</i> by USA as to LLOYD CASIMIRO CRUZ, JR. (Attachments: # <u>1</u> Exhibit Non-Sealed, # <u>2</u> Text of Proposed Order)(Tessman, Andrew) (Entered: 12/05/2022)
12/06/2022	<u>64</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR (1) granting <u>63</u> Motion For Leave To File Exhibits Under Seal re: <u>34</u> Motion To Suppress. It is Further Ordered That The Government Shall File Under Seal Copies Of Exhibit A: Google Search Warrant And Exhibit B: AT&T Search Warrant And It Is Further Ordered That Exhibit C: Google Privacy Policy, ECF No. 63-1 Is Accepted As Filed And The Clerk Of The Court Shall File it As A Separate Entry On The Docket. (See Order For Details) Signed by Judge Reggie B. Walton on 12/6/22. (mac) (Entered: 12/06/2022)
12/09/2022	<u>66</u>	EXHIBIT C (Google Privacy Policy) as to LLOYD CASIMIRO CRUZ, JR (zstd) (Entered: 12/09/2022)
12/12/2022		Minute Entry for proceedings held before Judge Reggie B. Walton: Pretrial Conference as to LLOYD CASIMIRO CRUZ JR held via videoconference on 12/12/2022; the Defendant agreed to participate via videoconference. Order forthcoming. Bond Status of Defendant: Personal Recognizance; Court Reporter: Lisa Griffith; Defense Attorneys: John M. Pierce and Roger Roots; US Attorneys: Andrew J. Tessman, Rebekah Lederer, and David Lieberman. (ztg) Modified name of Judge on 12/12/2022 (ztg). (Entered: 12/12/2022)
12/12/2022	<u>68</u>	NOTICE OF CONSENT TO PROCEED VIA VIDEO TELECONFERENCE by LLOYD CASIMIRO CRUZ, JR. "Let this be filed," by Judge Reggie B. Walton on 12/12/2022. (zcdw) (Entered: 12/13/2022)
12/15/2022	<u>69</u>	ORDER as to LLOYD CASIMIRO CRUZ That The Parties Shall Appear For A Motion Hearing on January 13, 2023 at 9:00 AM in Courtroom 16- In Person before Judge Reggie B. Walton And Further Ordered That The Jury Selection OF This Case Shall Commence On January 13, 2023 Immediately Following The Conclusion Of The Motion Hearing. (See Order For Details) Signed by Judge Reggie B. Walton on 12/15/22. (mac) (Entered: 12/15/2022)
01/09/2023		Set/Reset Hearings as to LLOYD CASIMIRO CRUZ, JR: Jury Selection/Trial set for 1/13/2023 at 10:00 AM in Courtroom 16- In Person before Judge Reggie B. Walton. (mac) (Entered: 01/09/2023)
01/11/2023	<u>70</u>	

		TRIAL BRIEF by USA as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 01/11/2023)
01/13/2023		Minute Entry for proceedings held before Judge Reggie B. Walton: Motion Hearing as to LLOYD CASIMIRO CRUZ, JR held on 1/13/2023 re <u>34</u> Motion to Suppress Evidence and to Dismiss Case Due to Fourth Amendment Violation. Motion heard and denied. Bond Status of Defendant: Remains on personal recognizance; appeared in person. Court Reporter: Janice Dickman. Defense Attorneys: John Pierce and Roger Roots. US Attorneys: Andrew Tessman, Rebekah Lederer, and David Lieberman. (zcdw) (Entered: 01/13/2023)
01/13/2023	<u>72</u>	ORDER as to LLOYD CASIMIRO CRUZ, JR. ORDERED that the defendant's <u>34</u> Motion to Suppress Evidence and to Dismiss Due to Fourth Amendment Violation, is DENIED. Signed by Judge Reggie B. Walton on 1/13/2023. (zcdw) (Entered: 01/13/2023)
01/13/2023		Minute Entry for proceedings held before Judge Reggie B. Walton: Stipulated Bench Trial as to LLOYD CASIMIRO CRUZ JR held on 1/14/2023. The Court finds the defendant guilty as to Counts 1s and 2s of the Information. Case referred to the probation office for presentence investigation as to LLOYD CASIMIRO CRUZ JR. Presentence Report due by 4/13/2023. Sentencing Memoranda due by 4/26/2023. Sentencing set for 5/2/2023 at 9:00 AM in Courtroom 16 before Judge Reggie B. Walton. Bond Status of Defendant: Remains on personal recognizance; appeared in person. Court Reporter: Janice Dickman. Defense Attorneys: John Pierce and Roger Roots. US Attorneys: Andrew Tessman, Rebekah Lederer, and David Lieberman. (zcdw) (Entered: 01/13/2023)
01/13/2023	<u>73</u>	STATEMENT OF OFFENSE by USA as to LLOYD CASIMIRO CRUZ, JR. (zcdw) (Entered: 01/13/2023)
01/13/2023	<u>74</u>	WAIVER of Trial by Jury as to LLOYD CASIMIRO CRUZ, JR. Approved by Judge Reggie B. Walton on 1/13/2023. (zcdw) (Entered: 01/13/2023)
03/16/2023	<u>76</u>	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to LLOYD CASIMIRO CRUZ, JR (Lieberman, David) (Entered: 03/16/2023)
04/26/2023	<u>80</u>	SENTENCING MEMORANDUM by USA as to LLOYD CASIMIRO CRUZ, JR (Tessman, Andrew) (Entered: 04/26/2023)
04/26/2023	<u>81</u>	SENTENCING MEMORANDUM by LLOYD CASIMIRO CRUZ, JR (Attachments: # <u>1</u> Declaration Roger Roots)(Pierce, John) (Entered: 04/26/2023)
04/27/2023	<u>82</u>	RESPONSE by USA as to LLOYD CASIMIRO CRUZ, JR re <u>81</u> Sentencing Memorandum (Tessman, Andrew) (Entered: 04/27/2023)
05/02/2023		Minute Entry for proceedings held before Judge Reggie B. Walton: Sentencing held on 5/2/2023 as to LLOYD CASIMIRO CRUZ, JR. on Counts 1s and 2s. Defendant sentenced to Forty-Five (45) Days of incarceration as to each count, all counts to run concurrently, followed by One (1) Year of Supervised Release as to Count 1s. Special Assessment imposed in the amount of \$25 as to Count 1s and \$10 as to Count 2s, for a total of \$35. Restitution imposed in the amount of \$500. Defendant permitted to voluntarily surrender. Government's oral motion to dismiss all counts of the <u>7</u> Information filed on 3/4/2022; heard and granted. Bond Status of Defendant: remains on Personal Recognizance until self-surrender; Court Reporter: Sherry Lindsay; Defense Attorney: John M. Pierce; US Attorneys: Andrew J. Tessman and Rebekah

		Lederer; Probation Officer: Ami Landon. (zalh) (Entered: 05/02/2023)
05/09/2023	<u>84</u>	ENTERED IN ERROR.....NOTICE of appeal by LLOYD CASIMIRO CRUZ, JR (Pierce, John) Modified on 5/9/2023 (zstd). (Entered: 05/09/2023)
05/09/2023		NOTICE OF ERROR as to LLOYD CASIMIRO CRUZ, JR regarding <u>84</u> Notice (Other). The following error(s) need correction: Incorrect event. Please refile using the Event: Appeal Documents Notice of Appeal– Final Judgment (zstd) (Entered: 05/09/2023)
05/09/2023	<u>85</u>	NOTICE OF APPEAL – Final Judgment by LLOYD CASIMIRO CRUZ, JR Fee Status: No Fee Paid. Parties have been notified. (Pierce, John) (Entered: 05/09/2023)
05/09/2023	<u>86</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The fee remains to be paid and another notice will be transmitted when the fee has been paid in the District Court or motion to proceed In Forma Pauperis has been decided as to LLOYD CASIMIRO CRUZ, JR re <u>85</u> Notice of Appeal – Final Judgment. (zstd) (Entered: 05/09/2023)
05/09/2023	<u>87</u>	JUDGMENT as to LLOYD CASIMIRO CRUZ, JR. Statement of Reasons Not Included. Signed by Judge Reggie B. Walton on 5/9/2023. (zstd) (Entered: 05/10/2023)
05/09/2023	<u>88</u>	STATEMENT OF REASONS as to LLOYD CASIMIRO CRUZ, JR re <u>87</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 Reggie B. Walton on 5/5/2023. (zstd) (Entered: 05/10/2023)

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

LLOYD CASIMIRO CRUZ, JR.

JUDGMENT IN A CRIMINAL CASE

Case Number: 22-CR-64 (RBW)

USM Number: 88327-509

John M. Pierce

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) 1s and 2s of the superseding information filed on 3/11/2022
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 § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds	1/6/2021	1s
40 USC § 5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building	1/6/2021	2s

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) ALL REMAINING COUNTS ☐ 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.

5/2/2023

Date of Imposition of Judgment

Signature of Judge

Reggie B. Walton, U.S. District Judge

Name and Title of Judge

Date

May 9, 2023

DEFENDANT: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)

IMPRISONMENT

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

Forty-five (45) days as to each of Counts 1s and 2s, to run concurrently to each other.

☐ 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 after May 21, 2023:

☐ 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: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)

SUPERVISED RELEASE

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

One (1) year of supervised release, as to Count 1s.

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: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)

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: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)

SPECIAL CONDITIONS OF SUPERVISION

Mental Health Treatment - You must participate in a mental health treatment program if treatment is deemed necessary by your probation officer and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Substance Abuse Treatment – You must participate in an inpatient and/or outpatient substance abuse treatment program if treatment is deemed necessary by your probation officer and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

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

Financial Restrictions - You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer, until your financial obligations to the Court are satisfied.

Firearm Restriction - You shall remove firearms, destructive devices, or other dangerous weapons from areas over which you have access or control until the term of supervision expires.

Re-entry Progress Hearing - Within thirty days of release from incarceration you will appear before the Court for a re-entry progress hearing. Prior to the hearing, the probation officer will submit a report summarizing your status and compliance with release conditions. The United States Probation Office in the district you are supervised will submit a progress report to the court within the thirty days of the commencement of supervision; upon receipt of the progress report, the Court will determine if your appearance is required.

Restitution Obligation – You must pay the balance of any restitution owed at a rate of no less than \$25 each month.

The Court authorizes the transfer of supervision to the Western District of Missouri but retains jurisdiction of this case.

DEFENDANT: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)**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	\$ 35.00	\$ 500.00	\$	\$	\$

☐ 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		\$500.00	
Office of the Chief Financial Officer			
Ford House Office Building, Room H2-205B			
Washington, DC 20515			

TOTALS	\$	<u>0.00</u>	\$	<u>500.00</u>
---------------	----	-------------	----	---------------

☐ 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: LLOYD CASIMIRO CRUZ, JR.
CASE NUMBER: 22-CR-64 (RBW)

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 \$ 35.00 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 financial obligations are payable 30 days after release from imprisonment to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, you shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

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

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

☐ Joint and Several

Case Number
Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several
Amount

Corresponding Payee,
if appropriate

- ☐ 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.