

#Date ↓↑ Description

106/27/2023COMPLAINT as to MICHAEL ASBURY (1).

1 Attachment ▼

306/27/2023MOTION to Seal Case by USA as to MICHAEL ASBURY.

1 Attachment ▼

406/27/2023ORDER granting [3] Motion to Seal Case as to MICHAEL ASBURY (1). Signed by Magistrate Judge G. Michael Harvey on 6/27/2023. (zltf)

506/27/2023Arrest Warrant, dated 6/27/2023, Returned Executed on 6/28/2023 as to MICHAEL ASBURY. (zltf)

06/28/2023Arrest of MICHAEL ASBURY in Tennessee. (zltf) (Text entry; no document attached.)

06/28/2023Case unsealed as to MICHAEL ASBURY (zltf) (Text entry; no document attached.)

06/28/2023Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

606/30/2023NOTICE OF ATTORNEY APPEARANCE Carolina Nevin appearing for USA.

07/03/2023MINUTE ORDER as to MICHAEL ASBURY: It is hereby ORDERED that Defendant appear for an initial appearance on 7/13/2023 at 1:00 p.m. before Magistrate Judge Zia M. Faruqi. 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. Faruqi on 7/3/2023. (znjb) (Text entry; no document attached.)

07/13/2023MINUTE ORDER as to MICHAEL ASBURY: 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 Zia M. Faruqi on 7/13/2023. (zcll) (Text entry; no document attached.)

07/13/2023ORAL MOTION to Appoint Counsel by MICHAEL ASBURY. (Text entry; no document attached.)

07/13/2023ORAL MOTION for Speedy Trial by USA as to MICHAEL ASBURY. (Text entry; no document attached.)

07/13/2023Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqi: First Appearance in the District as to MICHAEL ASBURY held on 7/13/2023. Defendant Present by Video. The Court Advised the Government of its Due Process Obligations under Rule 5(f). Oral Motion to Appoint Counsel as to MICHAEL ASBURY (1); heard and granted. Oral Motion by the Government for Speedy Trial as to MICHAEL ASBURY (1); heard and granted. Speedy Trial Excluded from 7/13/2023 to 9/28/2023 in the Interest of Justice (XT). Defendant waives the right to a Preliminary Hearing in 21 days. Preliminary Hearing set for 9/12/2023 at 1:00 PM by Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-GOLD; FTR Time Frame: Ctrm 4: [2:16:47-2:23:29]; Defense Attorney: Sarah Olesiuk, AFPD; US Attorney: Fred Yette for Adam Dreher and Carolina Nevin; Pretrial Officer: Katrina Stanford. (Text entry; no document attached.)

907/14/2023Unopposed MOTION for Protective Order by USA as to MICHAEL ASBURY.

1 Attachment ▼

1007/13/2023ORDER Setting Conditions of Release as to MICHAEL ASBURY (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqi on 7/13/2023. (Attachment: # 1 Appearance Bond) (znjb)

07/19/2023Magistrate case closed for defendant MICHAEL ASBURY, pending deadlines, motions, and excludables. Merged Criminal Number 23-cr-236 (RC). (zhsj) (Text entry; no document attached.)

END OF MAGISTRATE CASE #23-mj-146 // BEGINNING OF NEW CASE #23-cr-236 BELOW

#Date ↓↑ Description

2107/19/2023INDICTMENT as to MICHAEL ASBURY (1) count(s) 1, 2, 3, 4, 5, NATHAN BAER (2) count(s) 1, 2, 3, 4, 5. (zhsj)

07/21/2023MINUTE ORDER as to MICHAEL ASBURY (1) and NATHAN BAER (2): The hearings currently scheduled for 9/12/2023 at 1:00 PM before Magistrate Judge Robin M. Meriweather as to MICHAEL ASBURY (1) and 8/17/2023 at 1:00 PM before Magistrate G. Michael Harvey as to NATHAN BAER (2) are hereby VACATED as the Defendants:

have had an initial appearance in this jurisdiction; have had counsel appointed; have been released on conditions; and have been charged by Indictment. 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 Robin M. Meriweather on 7/21/2023. (Text entry; no document attached.)

2307/24/2023NOTICE OF ATTORNEY APPEARANCE: Sarah H. Olesiuk appearing for MICHAEL ASBURY 07/24/2023MINUTE ORDER as to MICHAEL ASBURY (1) AND NATHAN BAER (2): Arraignment is now set for 8/18/2023 at 11:00 AM before Judge Rudolph Contreras via zoom video. (So Ordered Judge Rudolph Contreras on 7/24/23). (Text entry; no document attached.)

2407/25/2023ORDER as to MICHAEL ASBURY (1) granting [20] Motion for Protective Order. See document for details. Signed by Judge Rudolph Contreras on 7-25-2023. (lcrc3) 08/18/2023Minute Entry for proceedings held before Judge Rudolph Contreras: Arraignment as to MICHAEL ASBURY (1) and NATHAN BAER (2) on 8/18/2023. Defendants enter a plea of NOT GUILTY to counts 1, 2, 3, 4, 5 of the indictment filed on 7/19/23. Next Status Conference is set for 10/24/2023 at 11:30 AM in Telephonic/VTC before Judge Rudolph Contreras. Bond Status of Defendants: Personal Recognizance with consent to appear virtually; Court Reporter: Nancy Meyer; Defense Attorney: Sarah H. Olesiuk and Eugene Ohm; US Attorney: Adam Dreher and Carolina Nevin; (Text entry; no document attached.)

2509/27/2023Unopposed MOTION to Continue Status Conference by MICHAEL ASBURY. 09/28/2023MINUTE ORDER granting [25] the motion to continue the status conference currently scheduled for October 24, 2023 as to defendant MICHAEL ASBURY (1) only. The Status Conference is hereby RESCHEDULED for January 8, 2024 at 11:00 AM before Judge Rudolph Contreras. Upon consent of the parties, speedy trial is hereby excluded (XT) from October 24, 2023 to January 8, 2024 in the interest of justice. (So Ordered Judge Rudolph Contreras on 9/28/23). (Text entry; no document attached.)

2610/12/2023Unopposed MOTION to Continue Status Hearing, Unopposed MOTION to Exclude Time Under the Speedy Trial Act by NATHAN BAER.

1 Attachment ▼

10/23/2023MINUTE ORDER granting [26] the motion to continue the status conference currently scheduled for October 24, 2023 as to defendant NATHAN BAER (2). The Status Conference is hereby RESCHEDULED for January 8, 2024 at 11:00 AM before Judge Rudolph Contreras. Upon consent of the parties, speedy trial is hereby excluded (XT) from October 24, 2023 to January 8, 2024 in the interest of justice. (So Ordered Judge Rudolph Contreras on 10/23/23). (Text entry; no document attached.)

12/04/2023NOTICE OF ERROR as to NATHAN BAER regarding [28] MOTION for Hearing. The following error(s) need correction: The wrong defendant was selected. Clerk's Office will refile that entry. (zhsj) (Text entry; no document attached.)

2712/04/2023Joint MOTION to Vacate STATUS HEARING AND SET PLEA HEARING by USA as to MICHAEL ASBURY.

2812/04/2023MOTION to Set Plea Hearing by USA as to NATHAN BAER. (See Docket Entry [27] to View Document). (zhsj)

2912/04/2023MOTION to Set Plea Hearing by USA as to MICHAEL ASBURY. (See Docket Entry [27] to View Document). (zhsj)

12/18/2023MINUTE ORDER granting [27] the joint motion to vacate the status conference currently scheduled for 1/8/2024 as to defendant MICHAEL ASBURY (1) only. A Plea Agreement Hearing is now scheduled for 3/20/2024 at 02:00 PM in Courtroom 23A- In Person before Judge Rudolph Contreras. Upon consent of the parties, speedy trial is hereby excluded (XT) from 1/8/24 to 3/20/24 in the interest of justice. (So Ordered Judge Rudolph Contreras on 12/18/23). (Text entry; no document attached.)

01/08/2024Minute Entry for proceedings held before Judge Rudolph Contreras:Status Conference as to NATHAN BAER held on 1/8/2024. Parties inform the court of the status of this action. Oral motion to continue this matter for the parties to discuss a disposition. Parties consent to the exclusion of speedy trial in this matter from 1/8/24 to 3/20/24 in the interest of justice. Next hearing is set for 3/20/2024 at 3:00 PM before Judge Rudolph Contreras. If parties agree to a disposition in this matter, the next hearing will be held in person. If parties do not agree to a disposition, parties shall appear by zoom video for the next scheduled hearing.Bond Status of Defendant: Personal Recognizance with consent to appear virtually; Court Reporter: Nancy Meyer; Defense Attorney: Eugene Ohm; US Attorney: Carolina Nevin and Adam Dreher; (Text entry; no document attached.)

