

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CR No. 21-28-14
	)	Washington, D.C.
vs.	)	June 24, 2021
	)	11:00 a.m.
JOSEPH HACKETT,	)	
	)	
Defendant.	)	
_____	)	

TRANSCRIPT OF ARRAIGNMENT  
VIA ZOOM PROCEEDINGS  
BEFORE THE HONORABLE AMIT P. MEHTA  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	Jeffrey S. Nestler U.S. ATTORNEY'S OFFICE 555 Fourth Street, NW Washington, D.C. 20530 (202) 252-7277 Email: jeffrey.nestler@usdoj.gov
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For the Defendant:	Angela Halim FEDERAL COMMUNITY DEFENDER OFFICE Pennsylvania 601 Walnut Street Suite 501 West Philadelphia, PA 19106 (215) 928-1100 Email: angie_halim@fd.org
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APPEARANCES CONTINUED:

Court Reporter:

William P. Zaremba  
Registered Merit Reporter  
Certified Realtime Reporter  
Official Court Reporter  
E. Barrett Prettyman CH  
333 Constitution Avenue, NW  
Washington, D.C. 20001  
(202) 354-3249

Proceedings recorded by mechanical stenography; transcript  
produced by computer-aided transcription

1 P R O C E E D I N G S

2 COURTROOM DEPUTY: Good morning, Your Honor.

3 This is Criminal Case No. 21-28-14, the United States of  
4 America versus Joseph Hackett.

5 Jeffrey Nestler for the government.

6 Angela Halim for the defense.

7 The defendant is appearing via videoconference for  
8 this hearing.

9 THE COURT: All right, Counsel. Good morning to  
10 everyone.

11 Mr. Hackett, good morning. Can you hear me okay,  
12 sir?

13 THE DEFENDANT: (Nodding head.)

14 THE COURT: All right. Great.

15 And I saw Mr. Hackett bobbed his head up and down.

16 So we're here to arraign Mr. Hackett and then  
17 figure out a way forward. So why don't we start with the  
18 arraignment.

19 Mr. Hackett, I'm going to ask you to please pay  
20 attention to the Courtroom Deputy who is going to announce  
21 the charges against you. And then, Ms. Halim, I'll turn to  
22 you to see whether you waive a formal reading and enter a  
23 plea for your client, all right?

24 MS. HALIM: Yes, Your Honor.

25 DEPUTY CLERK: May the record reflect the

1 defendant, through counsel, has received a copy of the  
2 fourth superseding indictment.

3 Mr. Hackett, in Criminal Case No. 21-28-14, you  
4 have been charged with the following:

5 Count 1, conspiracy, in violation of Title 18  
6 United States Code Section 371;

7 Count 2, obstruction of an official proceeding and  
8 aiding and abetting, in violation of Title 18 United States  
9 Code Sections 1512(c)(2) and Section 2;

10 Count 3, destruction of government property and  
11 aiding and abetting, in violation of Title 18 United States  
12 Code Sections 1361 and Section 2;

13 And Count 4, restricted building or grounds, in  
14 violation of Title 18 United States Code Section 1752(a)(1).

15 Do you waive the formal reading of the indictment  
16 and how do you wish to plea?

17 MS. HALIM: Your Honor, Mr. Hackett will waive a  
18 formal reading of the indictment. He's prepared to enter a  
19 plea of not guilty at this time.

20 THE COURT: Thank you, Ms. Halim.

21 So we will -- the record will reflect the entry of  
22 a not guilty plea as to each count against Mr. Hackett.

23 All right. So where do we stand, Mr. Nestler, in  
24 terms of disclosures to Ms. Halim and Mr. Hackett?

25

1 MR. NESTLER: Yes, Your Honor.

2 I've been in contact with Ms. Halim several times,  
3 including yesterday. We have sent her a hard drive with all  
4 of the discovery to date, including all of the other  
5 defendants' cell phone extractions and all the discovery  
6 given to other defendants to date. She should have that  
7 momentarily. And with that, we believe she'll need some  
8 time -- it's a multi-terabyte hard dive -- to go through the  
9 discovery, and then we ought to align this case with the  
10 other co-defendants' cases for the July 2nd hearing.

11 THE COURT: And she's signed the protective order  
12 or she has sent in the protective order, Ms. Halim?

13 MR. NESTLER: She has sent in the protective  
14 order. And with her informal consent, we sent her the  
15 discovery.

16 THE COURT: All right. Very good.

17 Ms. Halim, anything you'd like to add?

18 MS. HALIM: No, that's all correct, Your Honor.

19 I am in the process of formally executing the  
20 protective order, because I have to send it to Mr. Hackett  
21 as well. So I'll get that as soon as I can to Mr. Nestler.  
22 I do expect to receive the discovery momentarily.

23 I saw that there was a July 1st deadline for some  
24 motions, and I just want to make sure that does not apply to  
25 Mr. Hackett or to me.

1 THE COURT: No.

2 MS. HALIM: Okay. Thank you.

3 THE COURT: No.

4 I was going to talk about that in a moment.

5 MS. HALIM: Okay.

6 THE COURT: Where is Mr. Hackett presently being  
7 held?

8 MS. HALIM: He is currently at the Grady County  
9 facility out in Oklahoma.

10 THE COURT: Okay.

11 MS. HALIM: And I don't have any information about  
12 transport or timing.

13 THE COURT: Okay. Nor do I.

14 MS. HALIM: Okay.

15 THE COURT: So, Mr. Nestler, do you have any  
16 further information?

17 MR. NESTLER: Nor do I, Your Honor.

18 THE COURT: Okay.

19 All right. Well, so the Marshals will do their  
20 best to get Mr. Hackett to the District of Columbia as soon  
21 as possible.

22 In terms of next dates, Ms. Halim, you're  
23 probably -- it sounds like you're already aware we have a  
24 next date in this case already set for July the 2nd at  
25 11:00 a.m. Hopefully you're available then.

1 MS. HALIM: I am, Your Honor.

2 THE COURT: Okay. Good.

3 There is, as you've noted, a Scheduling Order for  
4 motions -- for defense motions due July 1. That doesn't  
5 apply to you and your client since Mr. Hackett has only  
6 recently been added. And we can discuss next steps for your  
7 client, and I think there are three others who were more  
8 recent additions to the indictment, in terms of how we  
9 should proceed on a separate scheduling track as to their  
10 cases.

11 I think that's it. Is there anything else anybody  
12 wants to raise?

13 MS. HALIM: Nothing from the defense perspective,  
14 Your Honor, at this time.

15 MR. NESTLER: No, Your Honor.

16 Just the speedy trial deadline between now and  
17 July 2nd, but I don't believe anything else.

18 THE COURT: And, Ms. Halim, your client's position  
19 with respect to speedy trial?

20 MS. HALIM: There's no objection through July 2nd,  
21 the date of the next status conference.

22 THE COURT: All right. Very good.

23 So based upon the representations made here today,  
24 I do find that it's in the interests of justice -- the  
25 interests of justice outweigh the interests of the

1 government -- excuse me, the public and the defendant in a  
2 speedy trial. And specifically we will exclude time through  
3 July the 2nd, and specifically that's to afford the defense  
4 time to review the discovery received and review the  
5 discovery, and, frankly, I think it's excluded because  
6 Mr. Hackett is still outside the jurisdiction in any event.

7 So time will be excluded through July the 2nd so  
8 we can get Mr. Hackett back on the schedule as all the other  
9 co-defendants in this case and we will then see everybody in  
10 about a week and a day.

11 Anything else?

12 MS. HALIM: No, Your Honor.

13 MR. NESTLER: No, Your Honor.

14 THE COURT: All right. Thank you all very much.

15 MS. HALIM: Thank you much.

16 MR. NESTLER: Thank you.

17 (Proceedings concluded at 11:09 a.m.)  
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C E R T I F I C A T E

I, William P. Zaremba, RMR, CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-titled matter.

Please note: This hearing occurred during the COVID-19 pandemic and is therefore subject to the technological limitations of court reporting remotely.

Date: July 9, 2021 /S/ William P. Zaremba

William P. Zaremba, RMR, CRR

<p><b>COURTROOM</b>  <b>DEPUTY:</b> [1] 3/2  <b>DEPUTY CLERK:</b> [1] 3/25  <b>MR. NESTLER:</b> [6] 4/25 5/13 6/17 7/15 8/13 8/16  <b>MS. HALIM:</b> [13]  <b>THE COURT:</b> [16]  <b>THE DEFENDANT:</b> [1] 3/13</p>	<p><b>added [1]</b> 7/6  <b>additions [1]</b> 7/8  <b>afford [1]</b> 8/3  <b>against [2]</b> 3/21 4/22  <b>aided [1]</b> 2/7  <b>aiding [2]</b> 4/8 4/11  <b>align [1]</b> 5/9  <b>all [14]</b>  <b>All right [2]</b> 3/9 5/16  <b>already [2]</b> 6/23 6/24  <b>am [2]</b> 5/19 7/1  <b>AMERICA [2]</b> 1/3 3/4  <b>AMIT [1]</b> 1/10  <b>Angela [2]</b> 1/17 3/6  <b>angie [1]</b> 1/21  <b>announce [1]</b> 3/20  <b>any [3]</b> 6/11 6/15 8/6  <b>anybody [1]</b> 7/11  <b>anything [4]</b> 5/17 7/11 7/17 8/11  <b>APPEARANCES [2]</b> 1/12 2/1  <b>appearing [1]</b> 3/7  <b>apply [2]</b> 5/24 7/5  <b>are [1]</b> 7/7  <b>arraign [1]</b> 3/16  <b>arraignment [2]</b> 1/9 3/18  <b>as [9]</b> 4/22 5/21 5/21 5/21 6/20 6/21 7/3 7/9 8/8  <b>ask [1]</b> 3/19  <b>attention [1]</b> 3/20  <b>ATTORNEY'S [1]</b> 1/13  <b>available [1]</b> 6/25  <b>Avenue [1]</b> 2/4  <b>aware [1]</b> 6/23</p>	<p><b>co-defendants [1]</b> 3/8  <b>co-defendants' [1]</b> 5/10  <b>Code [4]</b> 4/6 4/9 4/12 4/14  <b>COLUMBIA [2]</b> 1/1 6/20  <b>COMMUNITY [1]</b> 1/17  <b>computer [1]</b> 2/7  <b>computer-aided [1]</b> 2/7  <b>concluded [1]</b> 8/17  <b>conference [1]</b> 7/21  <b>consent [1]</b> 5/14  <b>conspiracy [1]</b> 4/5  <b>Constitution [1]</b> 2/4  <b>contact [1]</b> 5/2  <b>CONTINUED [1]</b> 2/1  <b>copy [1]</b> 4/1  <b>correct [2]</b> 5/18 9/3  <b>counsel [2]</b> 3/9 4/1  <b>count [5]</b> 4/5 4/7 4/10 4/13 4/22  <b>Count 1 [1]</b> 4/5  <b>Count 2 [1]</b> 4/7  <b>Count 3 [1]</b> 4/10  <b>Count 4 [1]</b> 4/13  <b>County [1]</b> 6/8  <b>court [4]</b> 1/1 2/2 2/3 9/7  <b>Courtroom [1]</b> 3/20  <b>COVID [1]</b> 9/6  <b>COVID-19 [1]</b> 9/6  <b>CR [1]</b> 1/4  <b>Criminal [2]</b> 3/3 4/3  <b>CRR [2]</b> 9/2 9/11  <b>currently [1]</b> 6/8</p>	<p><b>doesn't [1]</b> 3/8  <b>don't [3]</b> 3/17 6/11 7/17  <b>down [1]</b> 3/15  <b>drive [1]</b> 5/3  <b>due [1]</b> 7/4  <b>during [1]</b> 9/5</p>	<p><b>held [1]</b> 6/7  <b>her [3]</b> 5/3 5/14 5/14  <b>here [2]</b> 3/16 7/23  <b>his [1]</b> 3/15  <b>Honor [11]</b>  <b>HONORABLE [1]</b> 1/10  <b>Hopefully [1]</b> 6/25  <b>how [2]</b> 4/16 7/8</p>
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<p><b>1</b>  <b>1100 [1]</b> 1/20  <b>11:00 [1]</b> 1/6  <b>11:00 a.m [1]</b> 6/25  <b>11:09 [1]</b> 8/17  <b>1361 [1]</b> 4/12  <b>14 [3]</b> 1/4 3/3 4/3  <b>1512 [1]</b> 4/9  <b>1752 [1]</b> 4/14  <b>18 [4]</b> 4/5 4/8 4/11 4/14  <b>19 [1]</b> 9/6  <b>19106 [1]</b> 1/20  <b>1st [1]</b> 5/23</p>				<p><b>E</b>  <b>each [1]</b> 4/22  <b>else [3]</b> 7/11 7/17 8/11  <b>Email [2]</b> 1/15 1/21  <b>enter [2]</b> 3/22 4/18  <b>entry [1]</b> 4/21  <b>event [1]</b> 8/6  <b>everybody [1]</b> 8/9  <b>everyone [1]</b> 3/10  <b>exclude [1]</b> 8/2  <b>excluded [2]</b> 8/5 8/7  <b>excuse [1]</b> 8/1  <b>executing [1]</b> 5/19  <b>expect [1]</b> 5/22  <b>extractions [1]</b> 5/5</p>
<p><b>2</b>  <b>20001 [1]</b> 2/5  <b>202 [2]</b> 1/15 2/5  <b>2021 [2]</b> 1/5 9/10  <b>20530 [1]</b> 1/14  <b>21-28-14 [3]</b> 1/4 3/3 4/3  <b>215 [1]</b> 1/20  <b>24 [1]</b> 1/5  <b>252-7277 [1]</b> 1/15  <b>2nd [6]</b> 5/10 6/24 7/17 7/20 8/3 8/7</p>		<p><b>D</b>  <b>D.C [3]</b> 1/5 1/14 2/5  <b>date [5]</b> 5/4 5/6 6/24 7/21 9/10  <b>dates [1]</b> 6/22  <b>day [1]</b> 8/10  <b>deadline [2]</b> 5/23 7/16  <b>defendant [5]</b> 1/7 1/17 3/7 4/1 8/1  <b>defendants [2]</b> 5/6 8/9  <b>defendants' [2]</b> 5/5 5/10  <b>DEFENDER [1]</b> 1/18  <b>defense [4]</b> 3/6 7/4 7/13 8/3  <b>Deputy [1]</b> 3/20  <b>destruction [1]</b> 4/10  <b>disclosures [1]</b> 4/24  <b>discovery [7]</b> 5/4 5/5 5/9 5/15 5/22 8/4 8/5  <b>discuss [1]</b> 7/6  <b>DISTRICT [4]</b> 1/1 1/1 1/11 6/20  <b>dive [1]</b> 5/8  <b>do [9]</b> 4/15 4/16 4/23 5/22 6/13 6/15 6/17 6/19 7/24  <b>Do you [1]</b> 4/15  <b>do you have [1]</b> 6/15  <b>does [1]</b> 5/24</p>	<p><b>F</b>  <b>facility [1]</b> 6/9  <b>fd.org [1]</b> 1/21  <b>FEDERAL [1]</b> 1/17  <b>figure [1]</b> 3/17  <b>find [1]</b> 7/24  <b>following [1]</b> 4/4  <b>foregoing [1]</b> 9/3  <b>formal [3]</b> 3/22 4/15 4/18  <b>formally [1]</b> 5/19  <b>forward [1]</b> 3/17  <b>fourth [2]</b> 1/14 4/2  <b>frankly [1]</b> 8/5  <b>further [1]</b> 6/16</p>	<p><b>I</b>  <b>I am [2]</b> 5/19 7/1  <b>I can [1]</b> 5/21  <b>I don't [1]</b> 7/17  <b>I don't have [1]</b> 6/11  <b>I have [1]</b> 5/20  <b>I just [1]</b> 5/24  <b>I think [3]</b> 7/7 7/11 8/5  <b>I was [1]</b> 6/4  <b>I'll [2]</b> 3/21 5/21  <b>I'm [1]</b> 3/19  <b>I've [1]</b> 5/2  <b>including [2]</b> 5/3 5/4  <b>indictment [4]</b> 4/2 4/15 4/18 7/8  <b>informal [1]</b> 5/14  <b>information [2]</b> 6/11 6/16  <b>interests [3]</b> 7/24 7/25 7/25  <b>is [10]</b>  <b>Is there [1]</b> 7/11  <b>it [3]</b> 5/20 6/23 7/11  <b>it's [3]</b> 5/8 7/24 8/5</p>
<p><b>3</b>  <b>3249 [1]</b> 2/5  <b>333 [1]</b> 2/4  <b>354-3249 [1]</b> 2/5  <b>371 [1]</b> 4/6</p>	<p><b>B</b>  <b>back [1]</b> 8/8  <b>Barrett [1]</b> 2/4  <b>based [1]</b> 7/23  <b>be [1]</b> 8/7  <b>because [2]</b> 5/20 8/5  <b>been [3]</b> 4/4 5/2 7/6  <b>BEFORE [1]</b> 1/10  <b>being [1]</b> 6/6  <b>believe [2]</b> 5/7 7/17  <b>best [1]</b> 6/20  <b>between [1]</b> 7/16  <b>bobbed [1]</b> 3/15  <b>building [1]</b> 4/13</p>		<p><b>G</b>  <b>get [3]</b> 5/21 6/20 8/8  <b>given [1]</b> 5/6  <b>go [1]</b> 5/8  <b>going [3]</b> 3/19 3/20 6/4  <b>good [6]</b> 3/2 3/9 3/11 5/16 7/2 7/22  <b>good morning [3]</b> 3/2 3/9 3/11  <b>government [4]</b> 1/13 3/5 4/10 8/1  <b>Grady [1]</b> 6/8  <b>Great [1]</b> 3/14  <b>grounds [1]</b> 4/13  <b>guilty [2]</b> 4/19 4/22</p>	<p><b>J</b>  <b>Jeffrey [2]</b> 1/13 3/5  <b>jeffrey.nestler [1]</b> 1/16  <b>JOSEPH [2]</b> 1/6 3/4  <b>JUDGE [1]</b> 1/11  <b>July [9]</b> 5/10 5/23 6/24 7/4 7/17 7/20 8/3 8/7 9/10  <b>June [1]</b> 1/5  <b>jurisdiction [1]</b> 8/6  <b>just [2]</b> 5/24 7/16  <b>justice [2]</b> 7/24 7/25</p>
<p><b>5</b>  <b>501 [1]</b> 1/19  <b>555 [1]</b> 1/14</p>				<p><b>L</b>  <b>like [2]</b> 5/17 6/23  <b>limitations [1]</b> 9/7</p>
<p><b>6</b>  <b>601 [1]</b> 1/19</p>	<p><b>C</b>  <b>can [4]</b> 3/11 5/21 7/6 8/8  <b>case [5]</b> 3/3 4/3 5/9 6/24 8/9  <b>cases [2]</b> 5/10 7/10  <b>cell [1]</b> 5/5  <b>Certified [1]</b> 2/3  <b>certify [1]</b> 9/2  <b>CH [1]</b> 2/4  <b>charged [1]</b> 4/4  <b>charges [1]</b> 3/21  <b>client [3]</b> 3/23 7/5 7/7  <b>client's [1]</b> 7/18  <b>co [2]</b> 5/10 8/9</p>		<p><b>H</b>  <b>HACKETT [17]</b>  <b>halim [11]</b>  <b>hard [2]</b> 5/3 5/8  <b>has [4]</b> 4/1 5/12 5/13 7/5  <b>have [7]</b> 4/4 5/3 5/6 5/20 6/11 6/15 6/23  <b>He [1]</b> 6/8  <b>He's [1]</b> 4/18  <b>head [2]</b> 3/13 3/15  <b>hear [1]</b> 3/11  <b>hearing [3]</b> 3/8 5/10 9/5</p>	<p><b>M</b>  <b>made [1]</b> 7/23  <b>make [1]</b> 5/24  <b>Marshals [1]</b> 6/19  <b>matter [1]</b> 9/4  <b>May [1]</b> 3/25  <b>me [3]</b> 3/11 5/25 8/1  <b>mechanical [1]</b> 2/6  <b>MEHTA [1]</b> 1/10  <b>Merit [1]</b> 2/2  <b>moment [1]</b> 6/4  <b>momentarily [2]</b> 5/7 5/22  <b>more [1]</b> 7/7  <b>morning [3]</b> 3/2 3/9 3/11  <b>motions [3]</b> 5/24 7/4 7/4</p>
<p><b>7</b>  <b>7277 [1]</b> 1/15</p>				
<p><b>9</b>  <b>928-1100 [1]</b> 1/20</p>				
<p><b>A</b>  <b>a.m [3]</b> 1/6 6/25 8/17  <b>abetting [2]</b> 4/8 4/11  <b>about [3]</b> 6/4 6/11 8/10  <b>above [1]</b> 9/4  <b>above-titled [1]</b> 9/4  <b>add [1]</b> 5/17</p>				

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