IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA						
UNITED STATES OF AMERICA, Plaintiff, vs. JESSICA M. WATKINS, Defendant.))))) (CR No. 21-28-3) Washington, D.C.) February 16, 2021) 4:00 p.m.)))					
TRANSCRIPT OF STATUS CONFERENCE VIA ZOOM PROCEEDINGS BEFORE THE HONORABLE AMIT P. MEHTA UNITED STATES DISTRICT JUDGE						
APPEARANCES:						
For the Government:	Kathryn Leigh Rakoczy Ahmed M. Baset U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA 555 Fourth Street, NW Washington, D.C. 20530 (202) 252-6928 Email: kathryn.rakoczy@usdoj.gov Email: ahmed.baset@usdoj.gov					
For the Defendant:	Michelle M. Peterson FEDERAL PUBLIC DEFENDER FOR THE DISTRICT OF COLUMBIA 625 Indiana Avenue, NW Suite 550 Washington, D.C. 20004 (202) 208-7500 Shelli_peterson@fd.org					

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 mecha produced by computer-aided tr	nical stenography; transcript canscription
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PROCEEDINGS 1 2 COURTROOM DEPUTY: Good afternoon, Your Honor. 3 This is Criminal Case No. 21-28-3, the United States of 4 America versus Jessica Marie Watkins. 5 Ahmed Baset and Kathryn Rakoczy for the 6 government. 7 Shelli Peterson for the defense. 8 The defendant is appearing via videoconference for 9 this hearing. 10 THE COURT: Okay, Counsel. Good afternoon. 11 Ms. Watkins, good afternoon to you. 12 Can you hear me okay, ma'am? 1.3 THE DEFENDANT: Yes, Your Honor. 14 THE COURT: Okay. So we're here this afternoon for our status 15 16 hearing and to sort of check in and see where things are. 17 I understand that Ms. Watkins had a presentment 18 that was scheduled before Magistrate Judge Meriweather, but 19 that that's been postponed and that she hasn't yet had a 20 detention hearing. 21 Is that where things stand at this point? 2.2 MS. PETERSON: Yes, Your Honor. 23 We've had the initial appearance, but we postponed 24 the detention hearing until February 22nd. 25 THE COURT: Okay.

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And she's now indicted. So has she been
 1
 2
     arraigned?
 3
               MS. PETERSON: I believe we did that in front of
 4
    Magistrate Judge Faruqui. But I will -- correct me if I am
 5
     wrong; I've done a lot of these in the last few days.
 6
               MR. BASET: I believe that's accurate.
 7
               THE COURT: Mr. Douyon, can you -- are you all
     confident that that's accurate or you're --
 8
 9
               MS. PETERSON: I'm 90 percent. So I don't know if
10
     anybody is more than 90.
11
               THE COURT: Okay.
               COURTROOM DEPUTY: I was also told -- this is
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13
     Jean-Claude, the Courtroom Deputy.
               I was told by Judge Faruqui's Courtroom Deputy
14
15
     that Ms. Watkins was arraigned on Friday.
16
               THE COURT: All right. So she has been arraigned.
17
    All right. Good.
18
               So then, Ms. Peterson, I think the question in
19
     terms of the detention hearing is, do you -- well, I mean,
20
     you all can return to Magistrate Judge Robinson -- I keep
21
     saying Robinson -- Meriweather, if you'd like, or we can put
22
     this down on my calendar to just do it in front of me. I'm
23
    happy to do that.
24
               MS. PETERSON: I believe that it's scheduled in
25
     front of Judge Faruqui.
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THE COURT: Oh, Faruqui. Okay. I thought it was 1 2 Judge Meriweather. 3 MS. PETERSON: Right. 4 And I think we're happy to start there. And then 5 that way if either side needs to come to you, we can do that 6 afterwards. 7 THE COURT: All right. Fine. 8 I just thought we could be a little bit more 9 efficient. But that's fine. If you want to return to 10 Judge Faruqui first, that's fine. 11 So then in terms of moving the case forward, have 12 you had discussions with the government about discovery? And there's a motion for protective order filed in 13 14 this case. I sort of addressed that a little bit in the 15 case involving the co-defendant and --16 MS. PETERSON: We've had some initial discussions, 17 Your Honor, and we need to continue to have those 18 discussions. 19 We've worked out a method for -- we need to get 20 some of the initial discovery prior to the formal protective 21 order being resolved. So we're going to be able to start 22 that process. 23 I was going to propose we come back in 24 approximately 60 days, but I understand that Mr. Donovan is 25 scheduled for March 12th. So if the Court wishes to have us

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on the same schedule, that's also fine as well. We may not
 1
 2
     be in a position to advance the ball much by then, but we
 3
     can certainly come that date.
 4
               THE COURT: Right.
 5
               We've got Mr. Caldwell set for the 12th of March
 6
     at 3:00.
 7
               And so I would like to get everyone on the same
     schedule.
 8
               And we're still waiting for the third co-defendant
 9
10
     to get to D.C. I understand he was ordered detained, but
11
     he's still en route.
12
               Is that correct, Mr. Baset? Do you have any
13
     further update on his status?
14
               MR. BASET: Unfortunately not.
15
               That is our last understanding, is that he is to
16
     arrive forthwith, but hasn't arrived at this moment.
17
               THE COURT: Okay.
18
               All right. So let's set down the next date in
19
     front of me to coincide with Mr. Caldwell's hearing on March
20
     the 12th.
21
               Have you -- there's a government motion that's
22
     pending for pretrial detention; is that right?
23
               MR. BASET: There is.
24
               THE COURT: Okay.
25
               So speedy trial time is currently tolled;
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everybody agrees with that? 1 2 MS. PETERSON: Yes. Yes, Your Honor. 3 But in light of the fact that that will probably 4 be resolved next week, we have no objection to excluding the 5 time between now and March 12th when we return from the 6 speedy trial clock. 7 THE COURT: Okay. So based, then, on the defendant's motion, I do 8 find that it's in the interests of justice -- or that the 9 10 interests of justice outweigh the interests of the defendant 11 and the public in a speedy trial, and, therefore, will 12 exclude time until March the 12th for calculating speedy 13 trial. 14 That exclusion is warranted for two reasons: 15 to afford time for the government to provide discovery to 16 the defendant, and for the defendant and her counsel to 17 review that discovery and begin preparing a defense; and, 18 two, because the current standing order excludes time 19 through March the 15th due to the pandemic and the inability 20 to hold jury trials and for the reasons stated in that 21 standing order which I adopt and incorporate here, for those 22 additional reasons, speedy trial will be excluded through

Okay. Well, with that, then, is there anything else we ought to discuss this afternoon?

23

24

25

March the 12th.

MS. PETERSON: No, Your Honor. 1 2 I would go back to the question the Court raised, 3 which was where to do the detention hearing, and I hadn't really thought through my answer because I wasn't expecting 4 5 the question. 6 And it maybe does make more sense just to do it 7 directly to you since I suspect either side will end up of 8 appealing it, so it probably would be more efficient. If the Court is available to hear the detention 9 10 hearing on either Monday or Tuesday of next week, we would 11 be comfortable simply having that come to you. 12 THE COURT: What's the status of the filings? 13 The government's filed a motion, I take it? 14 MS. PETERSON: They have. 15 I have not filed a response. I am waiting to get 16 some documentation that I want to include with that 17 response. But I can get that filed by the end of this week 18 or the weekend at the latest if the Court wants to move it a 19 day or so. I don't want to push it out too far; but if the 20 Court needs time to review that, we could do that as well. 21 THE COURT: I could, in theory, if there's time 22 available -- I mean, I could, basically, take 23 Judge Faruqui's time -- well, I don't know that I can just 24 take his time, but if --25 MS. PETERSON: Oh. At the jail, right.

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THE COURT: If there's time available with a jail
 1
 2
     connection either -- on the 22nd, I'm essentially wide open
 3
     that day.
               COURTROOM DEPUTY: There's time available on the
 5
     22nd at 11:00 a.m. or 11:30 a.m.
 6
               MS. PETERSON: I have an 11:30 already from the
 7
     jail.
               I wonder if Judge Faruqui takes his off the
 8
     calendar at 10:00, if that time would then be available for
 9
10
     you to put it on the calendar.
11
               THE COURT: I've got an 11:30 I need to -- excuse
12
    me -- a 10:30. So -- it will be brief, but I think we
13
    probably will need more than a half hour.
               Is there an afternoon time available in the 22nd?
14
15
               COURTROOM DEPUTY: There's no afternoon time
16
     available on the 22nd, unfortunately.
17
              MS. PETERSON: I could also do any time on the
18
     23rd, if that works for the Court.
19
               COURTROOM DEPUTY: The jail --
20
               THE COURT: What's available on the 23rd?
21
               COURTROOM DEPUTY: The 23rd, 1:00 p.m.
22
               THE COURT: Could you all do 1:00 p.m.?
23
              MS. PETERSON: I can do that.
24
              MR. BASET: That works for the government.
25
     Thank you.
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THE COURT: All right.
 1
 2
               So let's set this down for 1:00 p.m. for a
 3
     detention hearing on the 23rd.
 4
               And, Ms. Peterson, you had planned to file your
 5
     opposition by when, the 19th?
 6
               MS. PETERSON: If I could get it filed on
 7
     Saturday -- I don't have a lot of time during the day these
 8
     days, but I could get it done by Saturday.
 9
               THE COURT: Okay. That's fine.
10
               And if the government wants to file -- it's not a
11
     lot of turnaround time, but if the government wants to file
12
     something by the 22nd as a reply, it's welcome to do that,
1.3
     okay?
14
               MR. BASET:
                           Thank you.
15
               THE COURT: All right.
16
               So with that, I think that takes care of all the
17
     issues we need to discuss this afternoon.
18
               Does anybody else have anything else on their
19
    minds that they want to raise at this point?
20
               MS. PETERSON: Not for the defense, Your Honor.
21
               MR. BASET: Not from the government. Thank you.
22
               THE COURT:
                          Okay.
23
               All right.
24
               I guess the one thing -- let me just make sure
25
     this was done: Did Magistrate Judge Faruqui remind the
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government of its Brady and -- its Brady obligations at the
 1
 2
     initial hearing?
               MR. BASET: I don't believe so.
 3
 4
               We are aware of them certainly, but I don't
 5
    believe we were admonished.
 6
               THE COURT: Okay.
 7
               Well, let me just -- in order to be compliant with
     the requirements of the law, that I just remind the
 8
     government of its obligations to disclose exculpatory and
 9
10
     favorable information to the defendant and to defense
11
     counsel.
12
               I'll also remind the government of its potential
13
     consequences for the failure to do so. Those consequences
14
     are both case specific and also potentially affect the
15
     attorney as well.
16
               And so I'll just ask the government to acknowledge
17
     your understanding of your responsibilities under Brady and
18
     the Local Rules.
19
               MR. BASET: Understood.
                                        Thank you.
20
               THE COURT: Okay. Very good.
21
               All right, everyone. With that, we'll look
22
     forward to getting, Ms. Peterson, your papers, and we'll see
23
     everybody in about a week.
24
               MS. PETERSON: Thank you, Your Honor.
25
               (Proceedings concluded at 4:16 p.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:__March 3, 2021_____ /S/__William P. Zaremba_____
William P. Zaremba, RMR, CRR

Case 1:21-0	габіе ФВ 85/ВРМ Doc	un/1022/18/88/8/11F9/1029/1023/	147/1 21 Page 13 of 3	Exclusion [1] 7/14
COURTROOM	about [2] 5/12 11/23	11/7	COVID [1] 12/6	exculpatory [1] 11/9
DEPUTY: [6] 3/2 4/12	above [1] 12/4	because [2] 7/18 8/4	COVID-19 [1] 12/6	excuse [1] 9/11
9/4 9/15 9/19 9/21	above-titled [1] 12/4	been [3] 3/19 4/1 4/16	CR [1] 1/4	expecting [1] 8/4
MR. BASET: [8] 4/6	accurate [2] 4/6 4/8	before [2] 1/10 3/18	Criminal [1] 3/3	F
6/14 6/23 9/24 10/14	acknowledge [1] 11/16		CRR [2] 12/2 12/11	
10/21 11/3 11/19	additional [1] 7/22	being [1] 5/21	current [1] 7/18	fact [1] 7/3 failure [1] 11/13
MS. PETERSON: [16]	addressed [1] 5/14 admonished [1] 11/5	believe [5] 4/3 4/6 4/24 11/3 11/5	currently [1] 6/25	far [1] 8/19
THE COURT: [24]	adopt [1] 7/21	between [1] 7/5	D	Faruqui [6] 4/4 4/25
THE DEFENDANT: [1]	advance [1] 6/2	bit [2] 5/8 5/14	D.C [5] 1/5 1/15 1/21	5/1 5/10 9/8 10/25
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10:00 [1] 9/9	afterwards [1] 5/6	С	3/8 5/15 6/9 7/10 7/16	few [1] 4/5
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11:00 [1] 9/5	Ahmed [2] 1/13 3/5	Caldwell [1] 6/5	defendant's [1] 7/8	10/11
11:30 [3] 9/5 9/6 9/11	ahmed.baset [1] 1/17	Caldwell's [1] 6/19	DEFENDER [1] 1/19	filed [5] 5/13 8/13 8/15
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19th [1] 10/5	All right [2] 4/17 11/21	case [5] 3/3 5/11 5/14	did [2] 4/3 10/25	foregoing [1] 12/3
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2021 [2] 1/5 12/10	answer [1] 8/4	check [1] 3/16	discussions [3] 5/12	front [4] 4/3 4/22 4/25
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208-7500 [1] 1/21	anybody [2] 4/10 10/18	clock [1] 7/6	DISTRICT [5] 1/1 1/1	further [1] 6/13
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10/3	APPEARANCES [2]	COLUMBIA [3] 1/1	8/16	getting [1] 11/22
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