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**U.S. District Court  
Northern District of Georgia (Atlanta)  
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00388-VMC All Defendants**

Case title: State of Georgia v. Heinze et al

Date Filed: 10/25/2022

Other court case number: 1:21-cv-04457-VMC USDC NDGA

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Assigned to: Judge Victoria M. Calvert

Appeals court case numbers: 23-12050-E  
USCA- 11th Circuit, 23-12050-EE USCA-  
11th Circuit

**Defendant (1)**

**Eric A. Heinze**

represented by **Ken Davis**

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**Pending Counts**

28:1442.F REMOVAL FROM STATE  
COURT - FEDERAL OFFICERS  
(1)

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

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Assigned to: Judge Victoria M. Calvert

Appeals court case number: 23-12050-EE  
USCA- 11th Circuit

**Defendant (2)****Kristopher L. Hutchens**

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**Pending Counts**

28:1442.F REMOVAL FROM STATE  
COURT - FEDERAL OFFICERS  
(1)

**Disposition****Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

**State of Georgia**

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Date Filed	#	Docket Text

10/25/2022	<a href="#">1</a>	NOTICE OF REMOVAL with Criminal Indictment from State Court as to Eric A. Heinze (1) and Kristopher L. Hutchens (2). (bgt) (Entered: 10/26/2022)
10/25/2022	<a href="#">2</a>	OPINION AND ORDER. The Court DENIES the State's Motions for Remand (Docs. <a href="#">8</a> and <a href="#">59</a> ). The Court also DENIES Defendant Heinze's Motion for a Writ of Habeas Corpus as MOOT (Doc. 5 ); DENIES Defendant Heinze's Motion to Stay (Doc. 43 ) as MOOT; GRANTS Defendant Heinze's Motion for Leave to File Excess Pages (Doc. <a href="#">24</a> ); and GRANTS the State's Motion for Leave to File Surreply (Doc. <a href="#">52</a> ). Having determined that removal is permitted under 28 U.S.C. § 1455(b)(5), the Court hereby NOTIFIES the Superior Court of Fulton County, Georgia that pursuant to such code section it shall proceed no further with the prosecution of Defendants. The Clerk is DIRECTED to send a certified copy of this Order to the Superior Court of Fulton County, Georgia, referencing Criminal Action No. 21SC179517. The Clerk is further DIRECTED to open a criminal action, listing the State of Georgia as the Government and Heinze and Hutchens as Defendants, docketing the indictment (Doc. 1-1), this Order, and a reference to prior proceedings in this civil action. The Clerk is further DIRECTED to terminate this civil case. Counsel for the parties are DIRECTED to file appearances in the criminal action within (7) seven days of the date of this Order. Unless otherwise extended by the undersigned, the parties shall file any necessary pretrial motions within (14) fourteen days of the date of this Order pursuant to N.D. Ga. CrR. 12.1A, B and 16.1 and N.D. Ga. R. 5.1A, 7, 10 and 11. A pretrial conference shall be held in this case on November 15, 2022 at 10:00 a.m. before the undersigned in Courtroom 2105, 21st Floor, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303. Counsel who will actually handle the trial of the case must be present. The defendants are also required to attend the pretrial conference. The pretrial conference may be continued only by order of the Court. Any consent continuance or motion to continue the pretrial conference shall be accompanied by a proposed order which includes the following language for the Court's consideration: (See order). Signed by Judge Victoria M. Calvert on 10/25/2022. (bgt) (Entered: 10/26/2022)
10/25/2022		REMARK as to Eric A. Heinze, Kristopher L. Hutchens: Prior proceedings in this criminal action occurred in Civil Action No. 1:21-cv-04457-VMC, United States District Court, Northern District of Georgia. (bgt) (Entered: 10/26/2022)
10/26/2022	<a href="#">3</a>	NOTICE OF ATTORNEY APPEARANCE: Donald Franklin Samuel appearing on behalf of Kristopher L. Hutchens (Samuel, Donald) (Entered: 10/26/2022)
10/26/2022	<a href="#">4</a>	NOTICE OF ATTORNEY APPEARANCE: Amanda R. Clark Palmer appearing on behalf of Kristopher L. Hutchens (Clark Palmer, Amanda) (Entered: 10/26/2022)
10/26/2022	<a href="#">5</a>	NOTICE OF ATTORNEY APPEARANCE: Amanda R. Clark Palmer appearing on behalf of Kristopher L. Hutchens ( <i>Amended</i> ) (Clark Palmer, Amanda) (Entered: 10/26/2022)
10/26/2022	<a href="#">6</a>	NOTICE OF ATTORNEY APPEARANCE: Donald Franklin Samuel appearing on behalf of Kristopher L. Hutchens ( <i>Amended</i> ) (Samuel, Donald) (Entered: 10/26/2022)
10/28/2022	<a href="#">7</a>	NOTICE OF ATTORNEY APPEARANCE: Lawrence J. LoRusso appearing on behalf of Eric A. Heinze (LoRusso, Lawrence) (Entered: 10/28/2022)

10/28/2022	<a href="#">8</a>	NOTICE OF ATTORNEY APPEARANCE: Ken Davis appearing on behalf of Eric A. Heinze (Davis, Ken) (Entered: 10/28/2022)
11/01/2022	<a href="#">9</a>	NOTICE OF ATTORNEY APPEARANCE Sonya Allen appearing for the State of Georgia (Allen, Sonya) Text modified on 11/1/2022 (adg). (Entered: 11/01/2022)
11/01/2022	<a href="#">10</a>	NOTICE OF ATTORNEY APPEARANCE Richard Benjamin Caplan appearing for the State of Georgia. (Caplan, Richard) Text modified on 11/1/2022 (adg). (Entered: 11/01/2022)
11/02/2022	<a href="#">11</a>	NOTICE OF ATTORNEY APPEARANCE John Blair Fishwick Martin appearing for USA. (Martin, John) (Entered: 11/02/2022)
11/07/2022	<a href="#">12</a>	Joint MOTION to Continue PRETRIAL DEADLINES AND PRETRIAL CONFERENCE by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen, Sonya) (Entered: 11/07/2022)
11/07/2022	<a href="#">13</a>	ORDER Granting <a href="#">12</a> Joint Motion for Continuance of Pretrial Motions as to Eric A. Heinze and Kristopher L. Hutchens. The pretrial motions deadline is stayed. Parties shall submit to the Court a mutual proposal for scheduling by December 16, 2022. It is further ORDERED that the pretrial conference scheduled for November 15, 2022, is cancelled, until further order. The delay between the original and rescheduled pretrial conferences shall be excluded from Speedy Trial Act calculations because the Court finds that the reason for the delay was for good cause, and the interests of justice in granting the continuance outweigh the public's and the defendants' rights to a speedy trial. Signed by Judge Victoria M. Calvert on November 7, 2022. (lwb) (Entered: 11/07/2022)
11/30/2022	<a href="#">14</a>	Notice for Leave of Absence for the following date(s): 12/16/22-12/20/22, 1/12/23-1/13/23, 2/20/23-2/28/23, 3/1/23-3/4/23, 3/23/23-3/26/23, by Amanda R. Clark Palmer. (Clark Palmer, Amanda) (Entered: 11/30/2022)
12/02/2022	<a href="#">15</a>	Notice for Leave of Absence for the following date(s): 12/21/2022-1/4/2023, by Ken Davis. (Davis, Ken) (Entered: 12/02/2022)
12/16/2022	<a href="#">16</a>	APPLICATION for Admission of Natalie Hirt Adams Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12265396). by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) (Caplan, Richard) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 12/16/2022)
12/16/2022	<a href="#">17</a>	Joint MOTION to Adopt Jointly Proposed Deadlines and Procedures by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Caplan, Richard) (Entered: 12/16/2022)
12/19/2022		RETURN of <a href="#">16</a> APPLICATION for Admission of Natalie Hirt Adams Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12265396). to attorney for correction re: Refund (Please see the courts website for instructions.) (cdg) (Entered: 12/19/2022)
12/19/2022	<a href="#">18</a>	Application for Refund of Fees paid online through Pay.gov for receipt number AGANDC-12265396 (Caplan, Richard) (Entered: 12/19/2022)

12/20/2022		NOTICE (by docket text only) OF TELEPHONE PROCEEDING re Pretrial Scheduling Order as to Eric A. Heinze, Kristopher L. Hutchens: Telephone Conference set for 1/10/2023 at 11:00 AM before Judge Victoria M. Calvert. (One attorney per party is needed on the call) Connection Instructions: Please call 1-866-390-1828 Access Code: 6421054# As participant push # Security Code: 0413# <i>Photographing, recording, or broadcasting of any judicial proceedings, including proceedings held by video teleconferencing or telephone conferencing, is strictly and absolutely prohibited.</i> (vs) (Entered: 12/20/2022)
12/21/2022	<a href="#">19</a>	NOTICE OF ATTORNEY APPEARANCE: Natalie Hirt Adams appearing for the State of Georgia. (Adams, Natalie) Modified to edit text on 12/21/2022 (ceo). (Entered: 12/21/2022)
12/28/2022	<a href="#">20</a>	ORDER APPROVING <a href="#">18</a> Application for Refund of Fees. The Clerk is directed to refund the \$150.00 fee paid by Natalie Hirt Adams on December 16, 2022. Signed by Judge Victoria M. Calvert on December 28, 2022. c:Financial Office (lwb) (Entered: 12/28/2022)
12/28/2022		Clerks Approval re <a href="#">18</a> Application for Refund of Fees paid online (mec) (Entered: 12/29/2022)
12/29/2022		Refund in the amount of \$150.00 has been processed, effective 12/29/2022 in response to Clerks Action on Application for Refund of Fees paid online as to Eric A. Heinze, Kristopher L. Hutchens. (kns) (Entered: 12/29/2022)
01/10/2023	<a href="#">21</a>	ORDER Pursuant to the Due Process Protections Act as to Eric A. Heinze, Kristopher L. Hutchens. Signed by Judge Victoria M. Calvert on 1/10/23. (vs) (Entered: 01/10/2023)
01/10/2023	<a href="#">22</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Telephone Conference held as to Eric A. Heinze and Kristopher L. Hutchens. (Court Reporter Wynette Blathers) (lwb) (Entered: 01/10/2023)
01/12/2023	<a href="#">23</a>	Notice for Leave of Absence for the following date(s): 2/7/23-2/10/23, 2/20/23-2/28/23, 3/1/23-3/4/23, 3/23/23-3/26/23, 4/24/23-5/10/23, 5/29/23-6/6/23, 6/8/23-6/11/23, 9/25/23-10/3/23, by Amanda R. Clark Palmer. (Clark Palmer, Amanda) (Entered: 01/12/2023)
01/23/2023	<a href="#">24</a>	PRETRIAL SCHEDULING ORDER as to Eric A. Heinze and Kristopher L. Hutchens. Signed by Judge Victoria M. Calvert on January 23, 2023. (lwb) (Entered: 01/23/2023)
01/23/2023		Submission of <a href="#">17</a> Joint MOTION to Adopt Jointly Proposed Deadlines and Procedures as to Eric A. Heinze, Kristopher L. Hutchens, to District Judge Victoria M. Calvert. (vs) (Entered: 01/23/2023)
01/27/2023	<a href="#">25</a>	Request for Leave of Absence for the following date(s): 2/20-2/27/2023, 3/1-3/3/2023, 3/6-3/10/2023, 3/27-3/31/2023, 4/10-4/19/2023, 4/24-4/27/2023, 5/4-5/8/2023, 5/15-5/19/2023, 6/12-6/15/2023, 6/26/2023, 7/14-7/24/2023, 8/1-8/3/2023, 8/13-8/21/2023, 9/1-9/11/2023, 9/12-9/14/2023, 9/18-9/22/2023, 9/25-10/2/2023, 11/20-11/27/2023, 12/4-12/7/2023, 12/18-1/1/2024, by Lawrence J. LoRusso. (Attachments: # <a href="#">1</a> Text of Proposed Order)(LoRusso, Lawrence) (Entered: 01/27/2023)

01/30/2023	<a href="#">26</a>	Certificate of Service by Eric A. Heinze <i>Certificate of Discovery</i> . (LoRusso, Lawrence) (Entered: 01/30/2023)
02/16/2023	<a href="#">27</a>	Notice for Leave of Absence for the following date(s): June 7, 2023, through and including June 23, 2023, by Donald Franklin Samuel. (Samuel, Donald) (Entered: 02/16/2023)
03/01/2023	<a href="#">28</a>	MOTION for Leave to File Excess Pages To file a Motion to Dismiss with Memorandum by Eric A. Heinze. (Attachments: # <a href="#">1</a> Text of Proposed Order) (LoRusso, Lawrence) Modified on 3/2/2023 (lwb). (Entered: 03/01/2023)
03/01/2023		ORDER (BY DOCKET TEXT ONLY) as to Eric A. Heinze (1): Defendant Eric Heinze's Motion for Leave to File Excess Pages Doc. <a href="#">28</a> is DENIED. As the Court indicated on the January 10, 2023 telephone conference, these are preliminary motions; therefore, twenty-five (25) pages is more than sufficient. The Parties will have the opportunity to fully brief the motions to dismiss after the evidentiary hearing. Entered by Judge Victoria M. Calvert on 3/1/23. (vs) (Entered: 03/01/2023)
03/06/2023	<a href="#">29</a>	MOTION to Dismiss Indictment <i>Based on Federal Officer Supremacy Clause Immunity and Self Defense immunity</i> with Brief In Support by Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5) (Samuel, Donald) (Entered: 03/06/2023)
03/06/2023	<a href="#">30</a>	MOTION to Dismiss Pursuant to the Supremacy Clause of the United States Constitution and on other grounds with Brief In Support by Eric A. Heinze. (Attachments: # <a href="#">1</a> Brief Memorandum, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Supplement Notice of Filing Declaration as Exhibit C) (LoRusso, Lawrence) Modified on 3/7/2023 to edit text (lwb). (Entered: 03/06/2023)
03/06/2023	<a href="#">31</a>	Amended MOTION to Dismiss Pursuant to the Supremacy Clause of the United States Constitution and on other grounds with Brief In Support by Eric A. Heinze. (Attachments: # <a href="#">1</a> Brief Memorandum, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Supplement Notice of Filing Declaration as Exhibit C) (LoRusso, Lawrence) Modified on 3/7/2023 to edit text (lwb). (Entered: 03/06/2023)
03/23/2023	<a href="#">32</a>	MOTION to Withdraw State of Georgia as Attorney with Brief In Support by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Caplan, Richard) Modified on 3/24/2023 (lwb). (Entered: 03/23/2023)
04/10/2023	<a href="#">33</a>	RESPONSE in Opposition as to Eric A. Heinze, Kristopher L. Hutchens filed by State of Georgia re <a href="#">31</a> Amended MOTION to Dismiss Pursuant to the Supremacy Clause of the United States Constitution and on other grounds , 29 MOTION to Dismiss Indictment <i>Based on Federal Officer Supremacy Clause Immunity and Self Defense immunity</i> (Attachments: # <a href="#">1</a> Exhibit 1: 11th Circuit Opinion, Robinson v. Sauls) (Adams, Natalie) (Entered: 04/10/2023)
04/19/2023		ORDER (by docket text only) granting <a href="#">32</a> Motion to Withdraw as Attorney. Richard Benjamin Caplan withdrawn from case. Entered by Judge Victoria M. Calvert on 4/19/2023. (vs) (Entered: 04/19/2023)
04/24/2023	<a href="#">34</a>	REPLY TO RESPONSE to Motion as to Eric A. Heinze filed by Eric A. Heinze re: <a href="#">31</a>



		Amended MOTION to Dismiss Pursuant to the Supremacy Clause of the United States Constitution and on other grounds (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(LoRusso, Lawrence) (Entered: 04/24/2023)
05/05/2023	<a href="#">35</a>	MOTION for a Limited Remand by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen, Sonya) Modified on 5/5/2023 to edit text (lwb). (Entered: 05/05/2023)
05/08/2023		NOTICE OF TELEPHONE PROCEEDING(by docket text only) as to Eric A. Heinze, Kristopher L. Hutchens: Telephone Conference set for 5/11/2023 at 09:00 AM before Judge Victoria M. Calvert. Connection Instructions: Please call 1-866-390-1828 Access Code: 6421054# As participant push # Security Code: 0413# (vs) (Entered: 05/08/2023)
05/10/2023	<a href="#">36</a>	APPLICATION for Admission of Emilia Beskind Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12588074). by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen, Sonya)Documents for this entry are not available for viewing outside the courthouse. (Entered: 05/10/2023)
05/11/2023	<a href="#">37</a>	Defendant Heinze's RESPONSE in Opposition to the State of Georgia's Motion <a href="#">35</a> for Limited Remand filed by Eric A. Heinze. (LoRusso, Lawrence) Modified on 5/11/2023 to edit text (lwb). (Entered: 05/11/2023)
05/11/2023		RETURN of <a href="#">36</a> APPLICATION for Admission of Emilia Beskind Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12588074). Return to attorney for correction. Local counsel's bar number on the application is incorrect (222344) from the bar number in CMECF (232444). (kkh) (Entered: 05/11/2023)
05/11/2023	<a href="#">38</a>	RESUBMISSION OF APPLICATION for Admission of Emilia Beskind Pro Hac Vice <a href="#">36</a> APPLICATION for Admission of Emilia Beskind Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12588074).. by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen, Sonya)Documents for this entry are not available for viewing outside the courthouse. (Entered: 05/11/2023)
05/11/2023	<a href="#">41</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Telephone Conference as to Eric A. Heinze and Kristopher L. Hutchens. Court heard from parties regarding motion <a href="#">35</a> . Motion for State of Georgia's Motion for Limited Remand <a href="#">35</a> taken under advisement. Order to follow. (Court Reporter Wynette Blathers) (lwb) (Entered: 05/15/2023)
05/12/2023		APPROVAL by Clerks Office re: <a href="#">38</a> RESUBMISSION OF APPLICATION for Admission of Emilia Beskind Pro Hac Vice <a href="#">36</a> APPLICATION for Admission of Emilia Beskind Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12588074)... Attorney Emilia Beskind added appearing on behalf of Plaintiff State of Georgia (kkh) Modified to correct attorney added for Plaintiff on 5/12/2023 (ceo). (Entered: 05/12/2023)
05/12/2023		Notification of Docket Correction re Approval of Application for Admission Pro Hac Vice. Modified to correct attorney Emilia Beskind added for Plaintiff (ceo) (Entered: 05/12/2023)

		05/12/2023)
05/12/2023	<a href="#">39</a>	ORDER granting <a href="#">38</a> Application for Admission of Emilia Beskind Pro Hac Vice as to Eric A. Heinze (1), Kristopher L. Hutchens (2). Signed by Judge Victoria M. Calvert on 5/12/23.If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at <a href="http://pacer.gov">http://pacer.gov</a> . If they have electronically filed in this district in a previous case, please omit this step. (ceo) (Entered: 05/12/2023)
05/12/2023		Clerk's Certificate of Mailing as to Emilia Beskind re <a href="#">39</a> Order on Application for Admission PHV. (ceo) (Entered: 05/12/2023)
05/12/2023	<a href="#">40</a>	REPLY TO RESPONSE to Motion as to Eric A. Heinze, Kristopher L. Hutchens filed by State of Georgia re: <a href="#">35</a> MOTION for a Limited Remand <i>to Allow the State to Supersede</i> (Allen, Sonya) (Entered: 05/12/2023)
05/15/2023	<a href="#">42</a>	ORDER Scheduling Oral Argument on the State of Georgia's Motion for Limited Remand. Oral Argument on the State's Motion for Limited Remand <a href="#">35</a> is set for 5/23/2023 at 09:30 AM in ATLA Courtroom 2105 before Judge Victoria M. Calvert. The Evidentiary Hearing currently set for 5/23/2023 is continued to 5/24/2023 at 09:30 AM in ATLA Courtroom 2105 before Judge Victoria M. Calvert. Signed by Judge Victoria M. Calvert on May 15, 2023. (lwb) (Entered: 05/16/2023)
05/17/2023	<a href="#">43</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Clark Palmer, Amanda) (Entered: 05/17/2023)
05/17/2023	<a href="#">44</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen, Sonya) (Entered: 05/17/2023)
05/18/2023		Submission of <a href="#">44</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom, <a href="#">43</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom as to Kristopher L. Hutchens, to District Judge Victoria M. Calvert. (tas) (Entered: 05/18/2023)
05/18/2023	<a href="#">45</a>	ORDER granting <a href="#">44</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on 5/23/23, 5/24/23, and 5/26/23 as to Eric A. Heinze (1), Kristopher L. Hutchens (2). Signed by Judge Victoria M. Calvert on 5/18/23. (ceo) (Entered: 05/18/2023)
05/18/2023	<a href="#">46</a>	ORDER granting <a href="#">43</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on 5/23/23 - 5/26/23 as to Kristopher L. Hutchens (2). Signed by Judge Victoria M. Calvert on 5/18/23. (ceo) (Entered: 05/18/2023)
05/19/2023	<a href="#">47</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Eric A. Heinze as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (LoRusso, Lawrence) (Entered: 05/19/2023)
05/22/2023	<a href="#">48</a>	APPLICATION for Admission of Olivia Warren Pro Hac Vice (Application fee \$ 150, receipt number GANDC-12613473). by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Allen,

		Sonya) Documents for this entry are not available for viewing outside the courthouse. (Entered: 05/22/2023)
05/23/2023		APPROVAL by Clerks Office re: <a href="#">48</a> APPLICATION for Admission of Olivia Warren Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12613473). Attorney Olivia Warren added appearing on behalf of The State of Georgia. (djs) (Entered: 05/23/2023)
05/23/2023	<a href="#">49</a>	ORDER granting <a href="#">47</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on 5/23/2023 - 5/26/2023 at 9:30 am as to Kristopher L. Hutchens (2). Signed by Judge Victoria M. Calvert on 5/23/23. (vs) (Entered: 05/23/2023)
05/23/2023	<a href="#">50</a>	ORDER Granting <a href="#">48</a> Application for Admission Pro Hac Vice of Olivia Warren. Signed by Judge Victoria M. Calvert on May 23, 2023.If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at <a href="http://pacer.gov">http://pacer.gov</a> . If they have electronically filed in this district in a previous case, please omit this step. (lwb) (Entered: 05/23/2023)
05/23/2023		Clerk's Certificate of Mailing to Attorney Olivia Warren <a href="#">50</a> Order on Application for Admission PHV. (lwb) (Entered: 05/23/2023)
05/23/2023	<a href="#">51</a>	Application for Refund of Fees paid online through Pay.gov for receipt number AGANDC-12613433 (Attachments: # <a href="#">1</a> Pay.gov Receipt No. AGANDC-12613433.pdf, # <a href="#">2</a> Pay.gov Receipt No. AGANDC-12613473.pdf)(Allen, Sonya) (Entered: 05/23/2023)
05/23/2023	<a href="#">52</a>	NOTICE OF ATTORNEY APPEARANCE Olivia Warren appearing for USA. <i>for the State of Georgia</i> . (Warren, Olivia) (Entered: 05/23/2023)
05/23/2023	<a href="#">53</a>	NOTICE OF ATTORNEY APPEARANCE Fani T. Willis appearing for USA <i>for the State of Georgia</i> . (Willis, Fani) (Entered: 05/23/2023)
05/23/2023	<a href="#">54</a>	NOTICE of Intent to Take Interlocutory Appeal as to Eric A. Heinze, Kristopher L. Hutchens filed by State of Georgia (Allen, Sonya) (Entered: 05/23/2023)
05/23/2023	<a href="#">58</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Motion Hearing as to Eric A. Heinze, Kristopher L. Hutchens re <a href="#">35</a> MOTION for a Limited Remand filed by State of Georgia. <a href="#">35</a> Motion for a Limited Remand orally DENIED as to Eric A. Heinze (1), Kristopher L. Hutchens (2). (Court Reporter Wynette Blathers) (vs) (Entered: 05/24/2023)
05/24/2023	<a href="#">55</a>	NOTICE OF ATTORNEY APPEARANCE Aaron Joshua Ross appearing for USA <i>and U.S. Marshals Service</i> . (Ross, Aaron) (Entered: 05/24/2023)
05/24/2023	<a href="#">56</a>	MOTION for Protective Order <i>by U.S. Marshals Service</i> with Brief In Support by United States of America as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Proposed Protective Order) (Ross, Aaron) (Entered: 05/24/2023)
05/24/2023	<a href="#">57</a>	NOTICE OF ATTORNEY APPEARANCE Emilia I Beskind appearing for USA. <i>for the State of Georgia</i> . (Beskind, Emilia) (Entered: 05/24/2023)

05/24/2023		Clerks Approval re <a href="#">51</a> Application for Refund of Fees paid online (mec) (Entered: 05/24/2023)
05/24/2023	<a href="#">59</a>	ORDER Granting <a href="#">56</a> Motion for Protective Order. Signed by Judge Victoria M. Calvert on May 24, 2023. (lwb) (Entered: 05/24/2023)
05/24/2023	<a href="#">60</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Evidentiary Hearing as to Eric A. Heinze and Kristopher L. Hutchens. Opening statements made. Defendants exhibits 1 and 2 admitted. State exhibits (G) 4, 5, 8, 9, and 11, admitted. Exhibits retained to be forwarded to the Clerks Office. (Court Reporter Wynette Blathers) (lwb) (Entered: 05/25/2023)
05/25/2023	<a href="#">61</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Evidentiary Hearing continued as to Eric A. Heinze and Kristopher L. Hutchens. Joshua Ellis, Zachary Weitzel, and Douglas Lacey sworn and testified. Defendants' exhibits 3, 4, 4A, 9, 10, 11F, 11G, 11W, 11Y, 11V, 11P admitted. State (G) exhibits 132, 133, 501-524, 526-529, 531-545, 549, 551-599 admitted. Hearing not concluded. Court adjourned and will reconvene on May 26, 2023, at 9:00 am. Exhibits retained by the Court to be forwarded to the Clerks Office. (Court Reporter Wynette Blathers) (lwb) (Entered: 05/30/2023)
05/26/2023		NOTICE OF HEARING (by docket text only) as to Eric A. Heinze, Kristopher L. Hutchens. Evidentiary Hearing (continuance) set for 6/21/2023 at 09:30 AM in ATLA Courtroom 2105 before Judge Victoria M. Calvert. (vs) (Entered: 05/26/2023)
05/26/2023	<a href="#">64</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Evidentiary Hearing as to Eric A. Heinze, Kristopher L. Hutchens. Witnesses sworn and testified. Dft exhs 5,6,7,8 admitted. Exhibits retained to be forwarded to the Clerks Office. (Court Reporter Wynette Blathers) (vs) (Entered: 06/05/2023)
05/30/2023	<a href="#">62</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by State of Georgia as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) (Allen, Sonya) (Entered: 05/30/2023)
05/31/2023	<a href="#">63</a>	ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on June 21 and 22, 2023. Signed by Judge Victoria M. Calvert on May 31, 2023. (lwb) (Entered: 05/31/2023)
06/05/2023		Refund in the amount of \$150.00 has been processed, effective 6/5/2023 in response to Clerks Action on Application for Refund of Fees paid online as to Eric A. Heinze. (kns) (Entered: 06/05/2023)
06/09/2023	<a href="#">65</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Eric A. Heinze as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (LoRusso, Lawrence) (Entered: 06/09/2023)
06/13/2023	<a href="#">66</a>	ORDER Granting <a href="#">65</a> Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on June 21 through June 22, 2023. Signed by Judge Victoria M. Calvert on June 13, 2023. (lwb) (Entered: 06/13/2023)
06/14/2023	<a href="#">67</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Kristopher L.

		Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Clark Palmer, Amanda) (Entered: 06/14/2023)
06/15/2023	<a href="#">68</a>	ORDER granting 67 Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on June 21 and 22, 2023. Signed by Judge Victoria M. Calvert on June 15, 2023. (lwb) (Entered: 06/15/2023)
06/15/2023		NOTICE OF HEARING as to Eric A. Heinze, Kristopher L. Hutchens. Evidentiary Hearing set for 6/21/2023 - 6/22/2023 at 09:30 AM in ATLA Courtroom 2105 before Judge Victoria M. Calvert. (vs) (Entered: 06/15/2023)
06/16/2023		Set/Reset Deadlines/Hearings as to Eric A. Heinze, Kristopher L. Hutchens: Evidentiary Hearing set for 6/21/2023 at 09:30 AM in ATLA Courtroom 2105 before Judge Victoria M. Calvert. (vs) (Entered: 06/16/2023)
06/16/2023	<a href="#">69</a>	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Eric A. Heinze as to Eric A. Heinze, Kristopher L. Hutchens. (Attachments: # <a href="#">1</a> Text of Proposed Order) (LoRusso, Lawrence) (Entered: 06/16/2023)
06/20/2023	<a href="#">70</a>	NOTICE OF APPEAL (Interlocutory) as to Eric A. Heinze, Kristopher L. Hutchens Transcript Order Form due on 7/5/2023 (Allen, Sonya) (Entered: 06/20/2023)
06/21/2023	<a href="#">71</a>	USCA Appeal Transmission Letter as to Eric A. Heinze, and Kristopher L. Hutchens to USCA- 11th Circuit re: <a href="#">70</a> Notice of Appeal - Interlocutory filed by State of Georgia. (pjm) (Entered: 06/21/2023)
06/21/2023	<a href="#">72</a>	Transmission of Certified Copy of Notice of Appeal, Minute Entry/Oral Order and Docket Sheet as to Eric A. Heinze, and Kristopher L. Hutchens to US Court of Appeals re: <a href="#">70</a> Notice of Appeal - Interlocutory. (pjm) (Entered: 06/21/2023)
06/21/2023	<a href="#">73</a>	ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 6/21/2023 - 6/22/2023 at 9:30 am as to Eric A. Heinze, Kristopher L. Hutchens. Signed by Judge Victoria M. Calvert on 6/21/23. (vs) (Entered: 06/21/2023)
06/21/2023	<a href="#">75</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Evidentiary Hearing as to Eric A. Heinze, Kristopher L. Hutchens. Defense continued their case. Eric Heinze, Cynthia Adkins sworn and testified. State case began. Larry Brown, Ambra Dunn, Warren Pickard sworn and testified. Dft exhs 18, 19, 20, 21. (Court Reporter Wynette Blathers) (rvb) (Entered: 06/22/2023)
06/22/2023	<a href="#">74</a>	USCA Acknowledgment of Receipt of Notice of Appeal as to Eric A. Heinze and Kristopher L. Hutchens for <a href="#">70</a> Notice of Appeal - Interlocutory filed by State of Georgia. Case Appealed to USCA- 11th Circuit. Case Number 23-12050-E. (pjm) (Entered: 06/22/2023)
06/22/2023	<a href="#">78</a>	Minute Entry for proceedings held before Judge Victoria M. Calvert: Evidentiary Hearing as to Eric A. Heinze, Kristopher L. Hutchens. Testimony by Warren Pickard continued. State Exhs 1, 40-432, 455-466, 600-645, 647, 681, 660, 678, 680, 685, 700 admitted. Michael LaForte sworn & testified. Dft exhs 12, 14, 15 admitted. Joint exh 1 admitted. Joshua Ellis testified. (Court Reporter Wynette Blathers) (rvb) (Entered: 06/26/2023)

06/23/2023	<a href="#">76</a>	AMENDED SCHEDULING ORDER as to Eric A. Heinze AND Kristopher L. Hutchens. (See order for amendments.) All other deadlines contemplated in the Scheduling Order are STAYED pending further order of the Court. Signed by Judge Victoria M. Calvert on June 23, 2023. (lwb) (Entered: 06/23/2023)
06/23/2023	<a href="#">77</a>	ORDER Denying <a href="#">35</a> Motion Limited Remand as to Eric A. Heinze (1) and Kristopher L. Hutchens (2). Signed by Judge Victoria M. Calvert on June 23, 2023. (lwb) (Entered: 06/26/2023)
06/29/2023	<a href="#">79</a>	NOTICE OF FILING Exhibits as to Eric A. Heinze, Kristopher L. Hutchens filed by Eric A. Heinze (LoRusso, Lawrence) (Entered: 06/29/2023)
06/29/2023		RECEIPT OF MANUAL FILING as to Eric A. Heinze: 1 USB (yellow) received in Atlanta Division re <a href="#">79</a> Notice of Manual Filing. USB scanned by IT Department and placed in the receptacle for filing by the Records Department. (bgt) (Entered: 07/06/2023)
07/07/2023	<a href="#">80</a>	NOTICE OF ATTORNEY APPEARANCE: Kevin Christopher Armstrong appearing on behalf of the State of Georgia (Armstrong, Kevin) Modified on 7/7/2023 to correct text to indicate counsel represent the State of Georgia (adg). (Entered: 07/07/2023)
07/07/2023		Notification of Docket Correction re <a href="#">80</a> Notice of Attorney Appearance by Kevin Armstrong. Modified to correct text to indicate counsel represent the State of Georgia (adg) (Entered: 07/07/2023)
07/07/2023	<a href="#">81</a>	TRANSCRIPT ORDER FORM as to Eric A. Heinze, Kristopher L. Hutchens for proceedings held on May 11, 2023 (Teleconf); May 23, 2023 (Motion Hrg) before Judge Calvert, re: <a href="#">70</a> Notice of Appeal - Interlocutory. Court Reporter: Wynette Blathers. (Armstrong, Kevin) Modified on 7/10/2023 to update text (pjm). (Entered: 07/07/2023)
07/10/2023		Set/Reset Deadlines as to Eric A. Heinze re: <a href="#">70</a> Notice of Appeal - Interlocutory: Financial Arrangements due on 7/21/2023. (pjm) (Entered: 07/10/2023)
07/14/2023	<a href="#">82</a>	TRANSCRIPT of Telephone Conference as to Eric A. Heinze, Kristopher L. Hutchens held on May 11, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/4/2023. Redacted Transcript Deadline set for 8/14/2023. Release of Transcript Restriction set for 10/12/2023. (Attachments: # <a href="#">1</a> Notice of Filing Transcript) (wxb) (Entered: 07/14/2023)
07/14/2023	<a href="#">83</a>	TRANSCRIPT of Motion Hearing as to Eric A. Heinze, Kristopher L. Hutchens held on May 23, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/4/2023. Redacted Transcript Deadline set for 8/14/2023. Release of Transcript Restriction set for 10/12/2023. (Attachments: # <a href="#">1</a> Notice of Filing Transcript) (wxb) (Entered: 07/14/2023)
07/14/2023	<a href="#">84</a>	SECOND AMENDED SCHEDULING ORDER as to Eric A. Heinze and Kristopher L.

		Hutchens. Signed by Judge Victoria M. Calvert on July 14, 2023. (lwb) (Entered: 07/14/2023)
07/19/2023	<a href="#">85</a>	Court Reporter Acknowledgment as to Eric A. Heinze re: <a href="#">81</a> Transcript Order Form, filed by State of Georgia. Case Appealed to USCA- 11th Circuit Case Number 23-12050-E. Transcript is required and are already on file. Court Reporter: Wynette C. Blathers. Satisfactory financial arrangements WERE NOT completed with court reporter. (pjm) Modified on 7/20/2023 to update text (pjm). (Entered: 07/19/2023)
08/01/2023	<a href="#">86</a>	Court Reporter Acknowledgment as to Eric A. Heinze re <a href="#">81</a> Transcript Order Form, filed by State of Georgia. Case Appealed to USCA- 11th Circuit Case Number 23-12050-E. Transcript is required. Court Reporter: Wynette C. Blathers. Satisfactory financial arrangements completed. Transcript due by 8/31/2023. (pjm) (Entered: 08/01/2023)
08/01/2023	<a href="#">87</a>	Notification of Transcript Filed in District Court as to Eric A. Heinze re: <a href="#">81</a> Transcript Order Form, filed by State of Georgia. All transcripts for this request are now on file. (pjm) (Entered: 08/01/2023)
08/04/2023	<a href="#">88</a>	TRANSCRIPT of Evidentiary Hearing, Volume I, as to Eric A. Heinze, Kristopher L. Hutchens held on May 24, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/25/2023. Redacted Transcript Deadline set for 9/5/2023. Release of Transcript Restriction set for 11/2/2023. (Attachments: # <a href="#">1</a> Appendix Notice of Filing Transcript) (wxb) (Entered: 08/04/2023)
08/04/2023	<a href="#">89</a>	TRANSCRIPT of Evidentiary Hearing, Volume II, as to Eric A. Heinze, Kristopher L. Hutchens held on May 25, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/25/2023. Redacted Transcript Deadline set for 9/5/2023. Release of Transcript Restriction set for 11/2/2023. (Attachments: # <a href="#">1</a> Appendix Notice of Filing Transcript) (wxb) (Entered: 08/04/2023)
08/04/2023	<a href="#">90</a>	TRANSCRIPT of Evidentiary Hearing, Volume III, as to Eric A. Heinze, Kristopher L. Hutchens held on May 26, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/25/2023. Redacted Transcript Deadline set for 9/5/2023. Release of Transcript Restriction set for 11/2/2023. (Attachments: # <a href="#">1</a> Appendix Notice of Filing Transcript) (wxb) (Entered: 08/04/2023)
08/04/2023	<a href="#">91</a>	TRANSCRIPT of Evidentiary Hearing, Volume IV, as to Eric A. Heinze, Kristopher L. Hutchens held on June 21, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/25/2023. Redacted Transcript Deadline set for 9/5/2023. Release of Transcript Restriction set for 11/2/2023. (Attachments: # <a href="#">1</a> Appendix Notice of Filing Transcript) (wxb) (Entered: 08/04/2023)

08/04/2023	<a href="#">92</a>	TRANSCRIPT of Evidentiary Hearing, Volume V, as to Eric A. Heinze, Kristopher L. Hutchens held on June 22, 2023, before Judge Victoria M. Calvert. Court Reporter, Wynette C. Blathers. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Redaction Request due 8/25/2023. Redacted Transcript Deadline set for 9/5/2023. Release of Transcript Restriction set for 11/2/2023. (Attachments: # <a href="#">1</a> Appendix Notice of Filing Transcript) (wxb) (Entered: 08/04/2023)
08/14/2023	<a href="#">93</a>	MOTION for Leave to File Excess Pages Motion for Permission to file a brief in Support of Motion to Dismiss by Eric A. Heinze. (Attachments: # <a href="#">1</a> Text of Proposed Order) (LoRusso, Lawrence) Modified on 8/16/2023 (lwb). (Entered: 08/14/2023)
08/14/2023	<a href="#">94</a>	ORDER granting in part and denying in part <a href="#">93</a> Motion for Leave to File Excess Pages. Both Defendants are permitted an extension of fifteen (15) pages beyond the limitation. The State is also permitted an extension of fifteen (15) pages. Signed by Judge Victoria M. Calvert on August 14, 2023. (lwb) (Entered: 08/15/2023)
08/16/2023	<a href="#">95</a>	Post-Hearing Brief as to Kristopher L. Hutchens filed by Kristopher L. Hutchens re <a href="#">29</a> MOTION to Dismiss Indictment <i>Based on Federal Officer Supremacy Clause Immunity and Self Defense immunity</i> (Samuel, Donald) (Entered: 08/16/2023)
08/18/2023	<a href="#">96</a>	Post-Hearing Brief as to Eric A. Heinze filed by Eric A. Heinze re <a href="#">31</a> Amended MOTION to Dismiss Pursuant to the Supremacy Clause of the United States Constitution and on other grounds (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D)(LoRusso, Lawrence) (Entered: 08/18/2023)
08/18/2023	<a href="#">97</a>	MOTION for Leave to Appear for Oral Argument <i>for Post-Hearing Brief in Support of Motion to Dismiss</i> Attorney: Lance J. LoRusso and Ken Davis. by Eric A. Heinze. (LoRusso, Lawrence) (Entered: 08/18/2023)
08/24/2023		Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal, <a href="#">70</a> Notice of Appeal - Interlocutory as to Eric A. Heinze, and Kristopher L. Hutchens. Case Appealed to USCA- 11th Circuit. Case Number 23-12050-EE. The record on appeal is available electronically with the exception of: Audio/Video Exhibit(s): Notice of Manual Filing- USB w/DE <a href="#">79</a> . (pjm) (Entered: 08/24/2023)
08/24/2023	<a href="#">98</a>	FORTHWITH LETTER from USCA re: <a href="#">70</a> Notice of Appeal - Interlocutory filed by State of Georgia. Case Appealed to USCA- 11th Circuit. Case Number 23-12050-EE. Appeal Record due by 9/7/2023. (pjm) (Entered: 08/24/2023)

<b>PACER Service Center</b>			
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08/25/2023 13:25:39			
<b>PACER Login:</b>	Neisen1111	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:22-cr-00388-VMC
<b>Billable Pages:</b>	12	<b>Cost:</b>	1.20



