

COMINGS AND GOINGS ON THE PROUD BOY LEADERS PROSECUTION

When DOJ finally added Enrique Tarrío to the Proud Boy leader conspiracy, I noted that the way DOJ has structured the prosecution team for the Proud Boys made it really hard to understand where things were headed.

I've been expecting and predicting this indictment since December 28. But for the life of me, I'm not sure where DOJ expects to go from here.

This indictment describes the numbers of people massed at several stages of the operation. 65 members on the Ministry of Self Defense (MOSD) Members Group. 90 people in the New MOSD members group created on January 4. Approximately 100 Proud Boys who met at the Washington Memorial the morning of the attack. Donohoe bragging at 12:00PM on January 6 that "WE ARE WITH 200-300 PBS," just before they kicked off the riot.

Perhaps this framework is meant to provide a way to implicate all those others, 300 people who agreed, by signing up, that they were following a plan that DOJ has now shown (and that **Matthew Greene's cooperation was designed to show**) was a plan to occupy buildings from the start.

But otherwise, this still feels really dispersed, and the prosecution team (which consists of three visible members for the leadership conspiracy, including Erik Kenerson, Jason McCullough, and Luke Jones, and about four detailees from other offices for satellite cases; a fourth prosecutor who had been on the core cases, Christopher Berridge, left immediately after [Matthew] Greene pled)

has a far harder caseload than the significantly larger team on the Oath Keepers.

Perhaps something will really start to crystalize as some of these continuances end in April. Or perhaps DOJ will be serially prosecuting Proud Boys for the foreseeable future.

That remains true. But on Friday, there were several minor structural changes worth noting. I've attempted to summarize the status of some key Proud Boy and related cases here (I've only listed a judge if it is someone other than Tim Kelly).

Proud Boy Leadership	Biggs Co-Traveler	Rehl Co-Traveler	More Florida PBs	Florida 3%	Proud Boy Kansas	Proud Boy East Door	Proud Boy Front Door (1)
Ethan Nordson Joe Biggs Zachary Rehl Erikas Terio Dominic Pezotta	Arthur Jackman Paul Rae Edward George Kevin Tuck Nate Tuck	Isiah Giddings Brian Heaton Freedom Vy	Zachary Johnson Dion Rajewski Alan Fischer	Steven Miles Mathew LeBrun	William Christman Felisa Konold Cory Konold Christopher Kuehne Ryan Ashlock	Ron Lashrie Jimmy Halfner	William Pope
Charles Donohoe Matthew Greene Jeffrey Finley					Louis Enrique Colon		
21-cr-175	21-cr-378	21-mj-689	22-cr-11	22-cr-136	21-cr-160	21-mj-672	21-cr-52
James Nelson (2/8/15) Jason McCullough Isiah Jones (5/13/22) Erik Kenerson (10/15) Nadia Moore (5/13/22) Conor Mulroe (5/13/22)	Christopher Veitch (7/22/21) Conor Mulroe (5/13/22) Nadia Moore William Dreher (5/4/21)	Alexis Loeb Luke Jones	Nadia Moore Michael Gordon (3/24/22)	Nadia Moore Michael Gordon	Christopher Berridge (11/19) Christopher Veitch (3/24)	Erik Kenerson	Christopher Berridge (12/23) Erik Kenerson
		Faruqi	Richard Leon	Jia Cobb		Merleweather	
Trial 8/8/22	Continued 7/6/22	Continued 6/21/22	Status 5/25/22	Status 7/12/22	Continued 6/29/22	Continued 9/13/22	Status 6/29/22

First, Trial Attorney Conor Mulroe filed a notice of appearance in the Proud Boy Leaders and the Biggs Co-Traveler cases. He hasn't shown up on any January 6 cases before this. It's likely he was added because on April 22, Judge Kelly set a trial date in the Proud Boy leaders for August 8. That is, it's likely he was added to start preparing for trial. But the Biggs co-travelers, on whose case he also filed an appearance, won't be going to trial anytime soon. That's partly because three of the defendants have to work through the conflict created by John Pierce's representation of three of them – Paul Rae, Kevin Tuck, and Nate Tuck (though Pierce recently ceded representation to William Shipley for the Tucks). In hearings, prosecutors have said that at least three of the defendants are considering plea deals.

Then Luke Jones, who has been part of the Leaders case from the start, dropped off the case (he recently dropped off an unremarkable misdemeanor case as well though remains on the

Ryan Nichols and Alex Harkrider case). Jones had been focusing on Zach Rehl's prosecution, and he remains on the Rehl co-traveler case, which has not yet been indicted. I don't know what to make of his departure (perhaps a recognition that his efforts to flip Rehl won't ever come to fruition?). Jones has, in the past, worked on national security cases, and in fact was listed as prosecuting Russian hacker Evgeny Viktorovich Gladkikh in the press release (though not the docket). That case will never go to trial (because the US is not about to get custody of Gladkikh anytime soon). But it suggests that Jones may have spent time last June helping co-counsel present that case to a DC grand jury.

I'm most interested in the addition of Nadia Moore to the Leaders case. She's a Brooklyn-based prosecutor, among five or so prosecutors from around the country who've been working the Proud Boy cases (in this table, William Dreher is from Seattle, Alexis Loeb is from San Francisco, Michael Gordon is from Tampa, and Christopher Veatch is from Chicago). And as the table makes clear she has been working the Florida-based Proud Boy and related cases, as well as the case of Steven Miles and Matthew LeBrun, who spent January 6 with Florida Proud Boys AJ Fischer and friends, and the former of whom is accused of helping to bust open the other side window in the original breach of the Capitol. This may suggest the government believes they'll obtain the testimony of multiple Floridians against Biggs and Tarrío.

Meanwhile, a slew of these cases have just one (listed) prosecutor, including the Kansas City case with its five remaining defendants.

We'll still see some significant movements in the Proud Boys cases. But for now, the focus – as so much of the January 6 investigation is – may be on Florida.

Update, 6/1: Today Jones dropped off the Nichols and Rehl co-traveller cases.