§ 22-2101. Murder in the first degree - Purposeful killing; killing while perpetrating certain crimes [Formerly § 22-2401].

Whoever, being of sound memory and discretion, kills another purposely, either of deliberate and premeditated malice or by means of poison, or in perpetrating or attempting to perpetrate an offense punishable by imprisonment in the penitentiary, or without purpose to do so kills another in perpetrating or in attempting to perpetrate any arson, as defined in § 22-301 or § 22-302, first degree sexual abuse, first degree child sexual abuse, first degree cruelty to children, mayhem, robbery, or kidnapping, or in perpetrating or attempting to perpetrate any housebreaking while armed with or using a dangerous weapon, or in perpetrating or attempting to perpetrate a felony involving a controlled substance, is guilty of murder in the first degree. For purposes of imprisonment following revocation of release authorized by § 24-403.01(b)(7), murder in the first degree is a Class A felony.

2011 CF1 015683: District of Columbia Vs. MUTH, ALBRECHT GERO

Case Type: Felony I

File Date: 08/17/2011

Status: Pending Grand Jury

Status Date: 08/17/2011

Disposition: Undisposed

Disposition Date:

Party Name	Party Alias(es)	Party Type	Attorney(s)
MUTH, ALBRECHT GERO		Defendant (Criminal)	HICKEIN, CRAIG E PAGE, DANA D

Schedule Date	Schedule Time	Description
03/09/2012	09:30 AM	Felony Arraignment
03/14/2012	09:30 AM	Mental Observation Hearing
03/14/2012	09:30 AM	Felony Arraignment
10/09/2012	09:30 AM	Jury Trial

Docket Date	Description	Messages
02/14/2012	Event Resulted - Release Status:	Event Resulted - Release Status: St. Elizabeth's (Official Court Reporter - Anne Gardener) AUSA Glenn Kirschner was present. The defendant's presence was waived because he remains hospitalized. Representations were placed on the record by Maria Amato, Counsel to the Department of Corrections and Dr. Nader Marzban, one of the defendant's treating physicians, regarding the status of the defendant's health. The Court ordered that the bench conference from the hearing on 2/9/12 be unsealed. Based upon information received by the Court, Judge Canan deemed the defendant incompetent at this time. Consequently, the government's request to have the defendant transferred to St. Elizabeth's hospital for a 30 day evaluation was granted. The previously set arraignment date of 3/9/12 was rescheduled to 3/14/12; the defendant's mental observation

		hearing is set for 3/14/12 as well. A Release/Transfer Order was issued and the Deputy U.S. Marshal was given a copy of the defendant's Mental Examination Order. The following event: Felony Status Conference scheduled for 02/14/2012 at 9:30 am has been resulted as follows: Result: Hearing Held Judge: CANAN, RUSSELL F Location: Courtroom 313 DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)); CRAIG E HICKEIN (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)) Participant(s): Judge RUSSELL F CANAN
02/14/2012	Event Resulted - Release Status:	Event Resulted - Release Status: ST. Elizabeth's - The arraignment date was rescheduled to 3/14/12 because the defendant is to undergo an evaluation at St. Elizabeth's. The following event: Felony Arraignment scheduled for 03/09/2012 at 9:30 am has been resulted as follows: Result: Hearing Vacated Judge: CANAN, RUSSELL F Location: Courtroom 313 DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)); CRAIG E HICKEIN (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)) Participant(s): Judge RUSSELL F CANAN
02/14/2012	Competency Examination Requested	Competency Examination Requested
02/14/2012	Event Scheduled	Event Scheduled Event: Mental Observation Hearing Date: 03/14/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
02/14/2012	Release Order Filed	Release Order Filed Release/Transfer Order

		Sent on: 02/14/2012 11:05:07.74
02/14/2012	Event Scheduled	Event Scheduled Event: Felony Arraignment Date: 03/14/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
02/13/2012	Opposition to Motion Filed	Governement's Opposition to The Defense Request to Seal Attorney: MACHEN, Mr RONALD C (447889)
02/10/2012	Motion Filed:	Motion to Seal Bench Conference Attorney: PAGE, DANA D (484029) Attorney: HICKEIN, CRAIG E (986250)
02/09/2012	Motion Filed:	Government's Reply to Defendant's Objection to The Court Obtaining Defendant's Medical Records Attorney: MACHEN, Mr RONALD C (447889)
02/09/2012	Event Resulted - Release Status:	Event Resulted - Release Status: No Bond (Official Court Reporter - Gercha White) AUSA Glenn Kirschner was present. The defendant's presence was waived for today's hearing. For reasons stated on the record, he was not brought from the hospital. Also for reasons stated on the record, the Court ruled that the defendant is incapable of representing himself. Therefore, the Court ruled that attorneys Dana Page and Craig Hickein are no longer attorney advisors. The Court appointed them as counsel of record. The defendant has yet to be indicted. This matter is continued for a further felony status conference to 2/14/12 at 9:30 AM. The following event: Felony Status Conference scheduled for 02/09/2012 at 9:30 am has been resulted as follows: Result: Hearing Held Judge: CANAN, RUSSELL F Location: Courtroom 313 DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)); CRAIG E HICKEIN (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)) Participant(s): Judge RUSSELL F CANAN
02/09/2012	Event Scheduled	Event Scheduled Event: Felony Status Conference

		Date: 02/14/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
02/09/2012	Praecipe Not Submitted by Attorney	Praecipe Not Submitted by Attorney - CRAIG HICKEIN
02/09/2012	Attorney Appointed/Dismissed	Attorney Appointed Attorney HICKEIN, CRAIG E representing Defendant (Criminal) MUTH, ALBRECHT GERO as of 02/09/2012
02/07/2012	Motion Filed:	Defendant's Objection to Disclosure of Medical Records Attorney: PAGE, DANA D (484029)
02/03/2012	Order Entered on the Docket	Order directing defendant and/or his attorney advisors to respond no later than Feb. 7, 2012 stating their position on whether defendant's medical records should be disclosed to the Court and the parties. Entered on the Docket and emailed 2/3/12. mcd
02/03/2012	Event Resulted - Release Status:	Event Resulted - Release Status: No Bond (Official Court Reporter - Gercha White) AUSA Glenn Kirschner and defense attorney Craig Hickein were also present. The defendant was not brought to the courthouse because he is hospitalized at D.C. General. AUSA Kirschner informed the Court that he expects the defendant to be indicted shortly. This case is continued for a further felony status conference to 2/9/12 at 9:30 AM and for arraignment on 3/9/12 at 9:30 AM. The following event: Felony Status Conference scheduled for 02/03/2012 at 9:30 am has been resulted as follows: Result: Hearing Held Judge: CANAN, RUSSELL F Location: Courtroom 313 DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)) Participant(s): Judge RUSSELL F CANAN
02/03/2012	Event Scheduled	Event Scheduled Event: Felony Status Conference Date: 02/09/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom

		313
02/03/2012	Event Scheduled	Event Scheduled Event: Felony Arraignment Date: 03/09/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
01/17/2012	Notice of Filing:	Defendant's Notice of Filing: Attorney: PAGE, DANA D (484029)
01/17/2012	Notice of Filing:	Notice of Filing: Refusal Of Medical Treatment Attorney: PAGE, DANA D (484029)
12/09/2011	Order Entered on the Docket	Order rescheduling the Trial Date to October 9, 2012. Entered on the Docket and mailed 12/19/11. mcd
12/08/2011	Event Scheduled	Event Scheduled The following event: Jury Trial scheduled for 10/01/2012 at 9:30 am has been rescheduled as follows: Event: Jury Trial Date: 10/09/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
12/08/2011	Event Resulted - Release Status:	Event Resulted - Release Status: The following event: Jury Trial scheduled for 10/01/2012 at 9:30 am has been resulted as follows: Result: Hearing Vacated Judge: CANAN, RUSSELL F Location: Courtroom 313
11/21/2011	Notice of Filing:	Notice of Filing: Exhibits B-H of Document Referenced in Open Court @ 11/18/11 Status Hearing Attorney: PAGE, DANA D (484029) Attorney: HICKEIN, CRAIG E (986250)
11/21/2011	Notice of Filing:	Notice of Filing: Exhibit A of Document Referenced in Open Court @ 11/18/11 Status Hearing Attorney: PAGE, DANA D (484029) Attorney: HICKEIN, CRAIG E (986250)
11/18/2011	Event Resulted - Release Status:	Event Resulted - Release Status: No Bond (Official Court Reporter - Juanita Price) AUSA Glenn

		Kirschner and defense attorney Craig Hickein were also present. The Court granted the defendant's motion to proceed pro se. Attorneys Dana Page and Craig Hickein were granted leave by the Court to act as attorneys advisor. This matter is scheduled for a further felony status conference to 2/3/12 at 9:30 AM before Judge Canan. The defendant's current detention status remains in effect. The following event: Felony Status Conference scheduled for 11/18/2011 at 9:30 am has been resulted as follows: Result: Hearing Held Judge: CANAN, RUSSELL F Location: Courtroom 313 ALBRECHT GERO MUTH (Defendant (Criminal)); ; DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)); Judge RUSSELL F CANAN
11/18/2011	Event Scheduled	Event Scheduled Event: Felony Status Conference Date: 02/03/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
11/18/2011	Form Generated: Prisoner Return	Form Generated: Prisoner Return Prisoner Return Sent on: 11/18/2011 11:26:00.50
11/18/2011	Event Scheduled	Event Scheduled Event: Jury Trial Date: 10/01/2012 Time: 9:30 am Judge: CANAN, RUSSELL F Location: Courtroom 313
11/01/2011	Notice of Filing:	Notice of Filing:
10/13/2011	Event Scheduled	Event Scheduled The following event: Felony Status Conference scheduled for 11/18/2011 at 9:30 am has been rescheduled as follows: Event: Felony Status Conference Date: 11/18/2011 Time: 9:30 am

		Judge: CANAN, RUSSELL F Location: Courtroom 313
10/13/2011	Event Resulted - Release Status:	Event Resulted - Release Status: The following event: Felony Status Conference scheduled for 11/18/2011 at 9:30 am has been resulted as follows: Result: Hearing Vacated Judge: FISHER, GERALD I Location: Courtroom 320
10/13/2011	Case Transferred to Another Judge	Case Transferred to Another Judge The judge was changed from FISHER, GERALD I to CANAN, RUSSELL F
10/13/2011	Order Entered on the Docket	Order Certifying Case to Judge Canan signed by Judge Fisher. Entered on docket and mailed. AKL. 10/13/11.
09/30/2011	Response to Motion Filed:	Government's Reply to Defendant's Claims Filed. Attorney: MACHEN, Mr RONALD C (447889)
09/23/2011	Notice of Filing:	Notice of Filing: Attorney: PAGE, DANA D (484029) Attorney: HICKEIN, CRAIG E (986250)
09/21/2011	Motion to Extend Filed:	Government's Motion for Extention of Time Attorney: MACHEN, Mr RONALD C (447889)
09/16/2011	Notice of Filing:	Notice of Filing: Motion Submitted by Defendant on 9/16/11 Attorney: PAGE, DANA D (484029) Attorney: HICKEIN, CRAIG E (986250)
09/12/2011	Notice of Filing:	Notice of Filing: Motion Read into the Record on September 9, 2011 Attorney: PAGE, DANA D (484029)
09/09/2011	Event Resulted - Release Status:	Event Resulted - Release Status: No bond. 1325a hold granted. Felony Status date set. The following event: Preliminary Hearing scheduled for 09/09/2011 at 9:30 am has been resulted as follows: Court Reporter: Margary Rogers/Kirstin Gilliam Result: Probable Cause Found Held for Grand Jury Judge: FISHER, GERALD I Location: Courtroom 320 ALBRECHT GERO MUTH (Defendant (Criminal)); ; DANA D PAGE (Attorney) on behalf of ALBRECHT GERO MUTH (Defendant (Criminal)); Judge

		GERALD I FISHER
09/09/2011	Event Scheduled	Event Scheduled Event: Felony Status Conference Date: 11/18/2011 Time: 9:30 am Judge: FISHER, GERALD I Location: Courtroom 320
09/09/2011	Form Generated: Prisoner Return	Form Generated: Prisoner Return Prisoner Return Sent on: 09/09/2011 16:20:02.41
08/25/2011	Event Scheduled	Event Scheduled The following event: Preliminary Hearing scheduled for 09/02/2011 at 9:00 am has been rescheduled as follows: Event: Preliminary Hearing Date: 09/09/2011 Time: 9:30 am Judge: FISHER, GERALD I Location: Courtroom 320
08/25/2011	Event Resulted - Release Status:	Event Resulted - Release Status: The following event: Preliminary Hearing scheduled for 09/02/2011 at 9:00 am has been resulted as follows: Result: Hearing Vacated Judge: KNOWLES, KIMBERLEY S Location: Courtroom 301
08/17/2011	Commitment Pending Disposition Filed	Commitment Pending Disposition Filed
08/17/2011	Event Resulted - Release Status:	Event Resulted - Release Status: no bond The following event: Presentment scheduled for 08/17/2011 at 1:00 pm has been resulted as follows: Result: 23-1325a Murder, MurderII, AWIK w/armed granted no bond come up issued 10 day ruled waived Judge Fisher will not be sitting on the date it is set courtroom 301 will handle this matter, Judge Fisher was notified by phone Judge: HOWZE, KAREN Location: Courtroom C-10.

		ALBRECHT GERO MUTH (Defendant (Criminal));
08/17/2011	Event Scheduled	Event Scheduled Event: Preliminary Hearing Date: 09/02/2011 Time: 9:00 am Judge: KNOWLES, KIMBERLEY S Location: Courtroom 301
08/17/2011	Attorney Appointed/Dismissed	Attorney Appointed Attorney PAGE, DANA D representing Defendant (Criminal) MUTH, ALBRECHT GERO as of 08/17/2011 ALBRECHT GERO MUTH (Defendant (Criminal)); ; Judge KAREN HOWZE on behalf of Judge GERALD I FISHER
08/17/2011	Charge Filed	Charge Filed Charge #1: Murder II
08/17/2011	Event Scheduled	Event Scheduled Event: Presentment Date: 08/17/2011 Time: 1:00 pm Judge: HOWZE, KAREN Location: Courtroom C-10