

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Andrew Jackson Morgan, Jr.

Defendant

Case: 1:21-mj-00352

Assigned to: Judge Meriweather, Robin M.

Assign Date: 4/2/2021

Description: COMPLAINT W/ARREST WARRANT

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested)

Andrew Jackson Morgan, Jr.

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1752(a)(1) and (2)- Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

40 U.S.C. § 5104(e)(2) (D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds;

18 U.S.C. § 1512(c)(2) - Obstruction of and Official Proceeding;

18 U.S.C. § 2 Aided and Abetted.

Date: 04/02/2021



Issuing officer's signature

City and state: Washington, D.C.

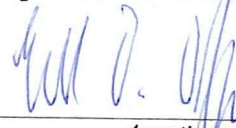
Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 4/2/21, and the person was arrested on (date) 4/6/21
at (city and state) Austin, Texas

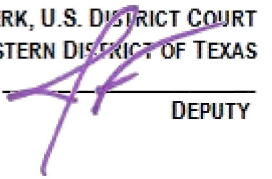
Date: 4/6/21



Arresting officer's signature

Edward D. Duff, Special Agent/FBI

Printed name and title

FILED**UNITED STATES DISTRICT COURT****April 5, 2021**for the
District of ColumbiaCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY:  DEPUTYUnited States of America
v.
Andrew Jackson Morgan, Jr.Case: 1:21-mj-00352
Assigned to: Judge Meriweather, Robin M.
Assign Date: 4/2/2021
Description: COMPLAINT W/ARREST WARRANT*Defendant***1:21-MJ-261-SH****ARREST WARRANT**

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Andrew Jackson Morgan, Jr.,
who is accused of an offense or violation based on the following document filed with the court:☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1752(a)(1) and (2)- Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority;
40 U.S.C. § 5104(e)(2) (D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds;
18 U.S.C. § 1512(c)(2) - Obstruction of and Official Proceeding;
18 U.S.C. § 2 Aided and Abetted.Date: 04/02/2021*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*Printed name and title***Return**This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Andrew Jackson Morgan, Jr.
DOB: XXXXXX

Case: 1:21-mj-00352
Assigned to: Judge Meriweather, Robin M.
Assign Date: 4/2/2021
Description: COMPLAINT W/ARREST WARRANT

1:21-MJ-261-SH

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the
_____ in the District of Columbia, the defendant(s) violated:

Code Section

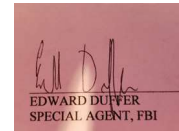
Offense Description

18 U.S.C. § 1752(a)(1) and (2)- Knowingly Entering or Remaining in any Restricted Building or
Grounds Without Lawful Authority,
40 U.S.C. § 5104(e)(2) (D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds,
18 U.S.C. § 1512(c)(2) - Obstruction of and Official Proceeding,
18 U.S.C. § 2 Aided and Abetted.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.



Complainant's signature

Edward Duffer, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 04/02/2021

City and state: Washington, D.C.

Judge's signature

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Edward Duffer, is a Special Agent with the Federal Bureau of Investigation (FBI). I am assigned to the Central Texas Joint Terrorism Task Force. In my duties as a special agent, I have led arrests on subjects with known racially motivated violent extremist tendencies, as well as those with militia-based ideologies. I have authored search warrant and arrest warrant affidavits, and participated in the execution of such warrants, leading to the seizure of controlled substances, firearms, records, cellular telephones, and other evidence. Additionally, I have conducted interviews and interrogations of individuals ranging from victims to violent gang members. I have also participated in investigations of those with links to domestic terrorism. I am experienced in the methods used by homegrown violent extremists (HVEs), among others, to socially engineer and manipulate the unsuspecting in order to achieve their goals. Currently, I am also tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

As detailed below, during the course of the investigation into the events of January 6, 2021, law enforcement learned that **ANDREW JACKSON MORGAN, JR. (MORGAN)** of Maxwell, Texas traveled to the District of Columbia to participate in a rally and protest at the U.S. Capitol and gained entry inside the U.S. Capitol on January 6, 2021.

On or about January 19, 2021, a report was filed on the FBI tip line referencing a video maintained on Archive.org. The link to this video was <https://archive.org/details/capitol-eviction-notice-opart-2>. A review of this video depicts a male, claiming the name of “Andrew” of “Austin, Texas” and his involvement in the riots at the U.S. Capitol on January 6, 2021. As discussed below, I have identified this person as **MORGAN**. In the above described video, **MORGAN**, while filming other protestors, can be heard encouraging them to make entry into one of the U.S. Capitol entrances. All of **MORGAN’s** statements, yelling, conduct, and encouragement is shown in **MORGAN’s** aforementioned self-recorded video “capitol-eviction-notice-opart-2.” The references, with following screen shots show the approximate place, with time stamp, in **MORGAN’s** video where the conduct and/or statements are made. Early in the video, **MORGAN** points to the crowd gathered outside the U.S. Capitol Building and screams words to the effect that we want into our house. *See Figure One.*



Figure One

A short time later, **MORGAN** can be heard yelling words to the effect of “I want my bullet and goin in my house” as he makes his way up a wide stone railing. See Figure Two.



Figure Two

Once entry is made onto the steps, tunnel, and entryway of the U.S. Capitol by **MORGAN**, **MORGAN**, makes temporary entry into the U.S. Capitol but the protestors are met by U.S. Capitol police officers in riot gear and pushed back out of the entrance into the tunnel leading to the entrance. Thereafter, a stand-off occurs between the U.S. Capitol police officers and the protestors wherein the protestors, amongst other actions, attempt to push back into the entrance, attempt to strike the officers with batons, and utilize riot shields against the officers. During the course of the stand-off, **MORGAN** can be heard encouraging the other protestors in their attempts to make re-entry. **MORGAN** can be heard encouraging the crowd to take over the building saying "I want that door right there," "I want my bullet! Give me my bullet! Give me my tear gas" as he walks towards the west tunnel entrance. See Figure Three and Four.



Figure Three



Figure Four

At one point when the rioters are pushed back, **MORGAN** can be heard yelling we need more people. See [capitol-eviction-notice-opart-2](#), at approximately 8:39 Figure Five.

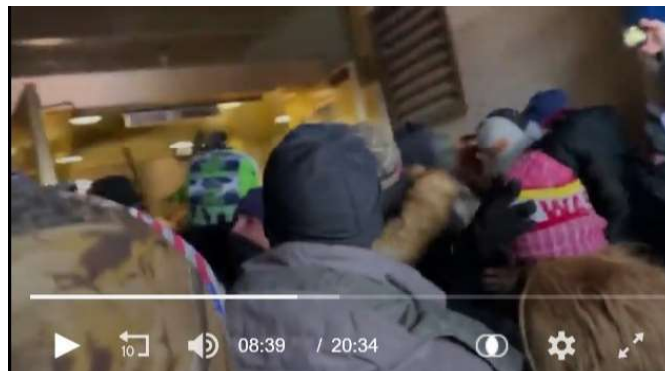


Figure Five

At another point, **MORGAN** yells words to the effect of “send helmets forward” when rioters are fighting with law-enforcement. *See* Figure Six.



Figure Six

At another point, **MORGAN** states words to the effect of “what’s happening is – is that people are pushing in - getting their bullet – crack on the head . . rotating.” *See* Figure Seven.



Figure Seven

At another point, **MORGAN** states words to the effect of “fresh people-fresh people, are we in?” *See* Figure Eight.



Figure Eight

At one point, **MORGAN** turns the camera and takes a video of himself during this event. He is wearing a "Harley Davidson" beanie, gray or black jacket, large frame prescription glasses, a lanyard with a "media" card, and an ear bud. The reporting party to the FBI tip line noted that Andrew Morgan (**MORGAN**) a.k.a. Political Trance Tribune, phone number 512-649-5109, filmed and originally uploaded the above video before he made it private.



Figure Nine

I have fully identified "Andrew" of "Austin, Texas" as Andrew Jackson **MORGAN**, Jr., who resides in Maxwell, TX. Maxwell is located just east of San Marcos, TX. **MORGAN** is the content creator of a You Tube video channel called "Political Trance Tribune." In addition, a review of available records such as a motor vehicle photograph and other identifying information, records, and photographs confirms that the individual filming the above-referenced footage at the U.S. Capitol on January 6, 2021 is **MORGAN**. Your affiant was able to view the video titled "capitol-eviction-notice-opart-2" on a publicly accessible website. In a review of the videos uploaded by **MORGAN** on You Tube, he presents himself as a law enforcement "auditor" and will routinely video tape police officers as they are conducting traffic stops and/or other law enforcement duties in the public.

On March 10, 2021, your affiant participated in the execution of a search warrant at **MORGAN's** residence in Maxwell, Texas. **MORGAN** said that he would tell the Agents "his story" as he had already posted "his story" on YouTube for the benefit of the FBI. **MORGAN** said that he went to Washington D.C. for the events of January 6, 2021 because "something unprecedented" was going to occur. **MORGAN** wanted to cover the events because he is an independent journalist and a civil rights auditor.

MORGAN was shown a picture of himself with the Capitol in the background. **MORGAN** stated this was him near the Capitol and he is wearing a Harley Davidson skull cap and press access lanyard. He obtained his press card from another civil rights auditor in Michigan who runs a group called the Michigan Constitutional Crusader. He was shown a second picture of himself with his hand on his mouth. He stated this picture was him near the archway of the Capitol when the crowd pushed up against him and shoved him into the wall.

MORGAN identified the above-referenced video footage as footage he recorded and uploaded. **MORGAN** stated he can be heard yelling send helmets forward at one point in the video, but he is repeating this after someone else yells it. He said he was wearing his press card so people know who he is. **MORGAN** noted that at about 17:49 on the video he can be heard saying, "Are we in?" and there is a good picture of the guy with the white/gray hair who he claims appeared to be in charge.

MORGAN reiterated he was there as a "chameleon." He said he wishes now that he had not said the things that he did, but just filmed the events. **MORGAN** said that he is concerned that the government has been hijacked. He is concerned why Mike Lindell's video about election fraud was banned. He is like-minded with the Founder's of the country and with QAnon. He has come to realize that the people in power keep power through child pedophilia. They use child pedophilia to control the masses.

Officer Brandon Hughes of the Conroe Police Department was also interviewed and identified **MORGAN** as the man depicted in the video. Officer Hughes recently had contact with **MORGAN**. Shown photos of **MORGAN** at the Capitol on January 6, 2021, Officer Hughes said "Yes sir. I recognize that person to be Andrew Morgan."

FBI agents also spoke with **MORGAN's** wife. FBI agents showed **MORGAN's** wife a sanitized photograph depicting **MORGAN** in the west tunnel of the U.S. Capitol, Washington D.C. on January 6, 2021. **MORGAN's** wife confirmed **MORGAN's** identity in the photograph. She said that **MORGAN** drove to the Capitol with a group of political YouTube auditors. She said they sometimes refer to themselves as independent patriots.

Based on the foregoing, your affiant submits that there is probable cause to believe that **ANDREW JACKSON MORGAN, JR.** violated 18 U.S.C. §§ 1752(a)(1) and (2), which make it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions or

attempts or conspires to do so. For purposes of Section 1752, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that **ANDREW JACKSON MORGAN, JR.** violated 18 U.S.C. § 1512(c)(2), which make it a crime to corruptly (2) otherwise obstruct, influence, or impede any official proceeding, or attempts to do so.

Your affiant submits there is also probable cause to believe that **ANDREW JACKSON MORGAN, JR.** violated 40 U.S.C. §§ 5104(e)(2)(D) and (G), which make it a crime to willfully and knowingly (D) engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress, and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Finally, your affiant submits that there is also probable cause to believe that **ANDREW JACKSON MORGAN, JR.** aided and abetted the above-referenced offenses in violation of 18 U.S.C. § 2.


EDWARD DUFFER
SPECIAL AGENT, FBI

EDWARD DUFFER
SPECIAL AGENT, FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 2nd day of April 2021.



HON. ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

A handwritten signature in black ink, appearing to read "Robt M. Meriweather", written over a horizontal line.

Date: April 2, 2021

ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

Criminal No.: **AU:21-M -00261(1)**

v.

Date Appeared: April 06, 2021

(1) Andrew Jackson Morgan Jr.

Time: 11:17 - 11:40 AM (23 minutes)

Defendant

INITIAL APPEARANCE in person

1. Complaint Filed	<u>April 2, 2021</u> <i>Date</i>	Warrant Issued:	<u>April 2, 2021</u> <i>Date</i>
Arrested	<u>April 6, 2021</u> <i>Date</i>	Agency:	<u>FBI</u> <i>Agency</i>

2. COURT PERSONNEL:

U.S. Magistrate Judge:	<u>SUSAN HIGHTOWER</u>
Courtroom Deputy:	<u>James Ferrell</u>
Pretrial Officer:	<u>Linda Cano</u>
Interpreter:	<u>N/A</u>

3. APPEARANCES:

AUSA:	<u>N/A</u>
DEFT ATTY:	<u>N/A</u>

4. PROCEEDINGS:

a.	Age	Education	Gender	Male
b.	Defendant understands proceedings and is mentally competent.			Y
c.	Defendant is informed of constitutional rights.			Y
d.	Defendant understands charges.			Y
e.	If charged on complaint, Defendant informed of right to Preliminary Hearing.			Y
f.	Defendant informed of right to legal counsel.			Y
	<u> </u> 1) Defendant waives counsel.			
	<u> X </u> 2) Defendant intends to represent himself .			
	<u> </u> 3) Defendant has retained counsel: _____			
	Phone No.: _____			
	<u> </u> 4) Defendant requests appointment of counsel.			
	<u> </u> Defendant HAS NOT completed the CJA23 financial affidavit.			
	<u> </u> Court will appoint counsel in the interest of justice based on defendant's verbal accounting of current financial status.			
	<u> </u> Defendant HAS completed the CJA23 financial affidavit and the Court will appoint counsel because:			
	<u> </u> The defendant is indigent at this time.			
	<u> </u> Even though the defendant is not indigent, counsel will be appointed in the interests of justice.			
	<u> </u> The Court finds that the defendant is NOT eligible and denies request.			

PROCEEDING MEMO - INITIAL APPEARANCE

In Re: (1) Andrew Jackson Morgan Jr.

Page 2 of 2 Pages

g. PRE-TRIAL RELEASE:

- _____ 1) The Government makes ☐ oral or ☐ written motion for detention under 18 USC 3142.
Court sets detention hearing for _____ N/A
- _____ 2) The Court sua sponte moves for detention. The detention hearing is set for _____
at _____
- X 3) The Defendant ☐ is released ☒ will be released on the following conditions:
Bond is set at \$ _____

(Check the following that apply:)

- | | |
|---------------------------|--|
| _____ unsecured | _____ unsecured with 10% posted to the registry |
| _____ cash or corporate | _____ additional sureties |
| _____ 3rd party custodian | <u>X</u> as set forth in Order Setting Conditions of Release |

- h. Temporary Detention issued _____ Preliminary Hearing set for Friday, April 9 at 10am before
Judge Hightower

i. REMOVAL PROCEEDINGS:

The Defendant is advised of Rule 20 and Rule 5 rights and

- _____ 1) The Defendant waives Rule 5(c)(3)(D)(ii) and is detained pending removal to the
_____. Detention hearing is to be held in that district.
- _____ 2) The Defendant waives Rule 5 and is released on bond. The Defendant is ordered to appear in the
_____ ☐ on _____
or ☐ when notified by the prosecuting district.
- _____ 3) The Defendant is ☐ detained ☐ released on bond and requests Rule 5(c)(3) hearing. The
Court sets hearing for _____

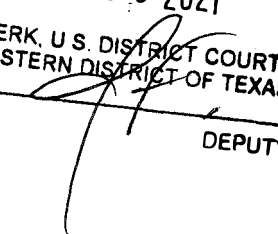
- j. Other: _____

UNITED STATES DISTRICT COURT
for the
Western District of Texas

United States of America
v.

Andrew Jackson Morgan Jr.
Defendant

Case No. 1:21-MJ-261-SH

FILED
APR 06 2021
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. District Court for the District of Columbia at 333 Constitution Avenue NW
Place

Washington, Courtroom 6

on 4/9/2021 1:00 pm
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:
 Person or organization _____
 Address (only if above is an organization) _____
 City and state _____ Tel. No. _____
- who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.
- Signed: _____
 _____ Custodian _____ Date _____
- ☒ (7) The defendant must:
- ☒ (a) submit to supervision by and report for supervision to the U.S. Pretrial Services Office, telephone number 512-916-5297, no later than _____.
 - ☒ (b) continue or actively seek employment.
 - ☐ (c) continue or start an education program.
 - ☒ (d) surrender any passport to: U.S. Pretrial Services _____
 - ☒ (e) not obtain a passport or other international travel document.
 - ☒ (f) abide by the following restrictions on personal association, residence, or travel: Travel restricted to the county of residence and those surrounding counties immediately surrounding that county. No travel to DC except for Court Appearances, Pretrial Meetings, or Consulting with Attorney. No foreign travel. **and Conroe, Texas.**
 - ☒ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: including all co-defendants _____
 - ☐ (h) get medical or psychiatric treatment: _____
 - ☐ (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____
 - ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
 - ☒ (k) not possess a firearm, destructive device, or other weapon.
 - ☒ (l) not use alcohol (☐) at all (☒) excessively.
 - ☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
 - ☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
 - ☒ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
 - ☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.
 - ☐ (i) **Curfew.** You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or
 - ☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
 - ☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or
 - ☐ (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
 - ☐ (q) submit to the following location monitoring technology and comply with its requirements as directed:

ADDITIONAL CONDITIONS OF RELEASE

- ☐ (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
- ☐ (ii) Voice Recognition; or
- ☐ (iii) Radio Frequency; or
- ☐ (iv) GPS.
- ☐ (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- ☒ (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☐ (t) _____

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.


If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



 Defendant's Signature
 Maxwell TX

 City and State

Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processed through the United States Marshal's Service.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 4/6/21 _____



 Judicial Officer's Signature
SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE

 Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

v.

Case Number: AU:21-M -00261(1)

(1) Andrew Jackson Morgan Jr.
Defendant

Dear Sir or Madam:

TAKE NOTICE that the above-entitled case has been set before:

UNITED STATES MAGISTRATE JUDGE SUSAN HIGHTOWER,

at the **U.S. Courthouse, 501 West Fifth Street Austin, Texas Courtroom #6**, for the following:

PRELIMINARY HEARING BY VIDEO

on **Friday, April 09, 2021 at 10:00 AM**

EVERYONE to whom this notice is addressed (except those to whom copies are sent for information only) must appear IN PERSON unless excused from appearing by the Court.

ATTORNEYS are reminded that it is their duty to advise clients, witnesses, and others concerning rules of decorum to be observed in Court. (Local Court Rule AT-5(b)(12)).

WHENEVER defendants or witnesses in a criminal case have need for the services of a court interpreter, the attorney must inform the U.S. District Clerk not later than five (5) business days before the scheduled Court proceeding.

If defendant chooses to waive hearing, a written waiver (see attached) must be signed by defendant and counsel and filed by 4:00 p.m. THE DAY BEFORE before scheduled hearing.

Date Issued: April 06, 2021

(1) Andrew Jackson Morgan Jr.

/s/

Attorney at Law

James Ferrell
Magistrate Courtroom Deputy
(512) 916-5896 Ext. 8720

cc: U.S. Probation
U.S. Pretrial Services
U.S. Clerk
U.S. Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

VS.

(1) Andrew Jackson Morgan Jr.

§

§

§

§

§

NO: AU:21-M -00261(1)

Charging District's Case No.: 1:21-MJ-352

Waiver of Rule 5 & 5.1 Hearing (Complaint/Information/Indictment)

I understand that I have been charged in another district, the District of Columbia.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- () an identity hearing and production of the warrant.
- () a preliminary hearing.
- () a detention hearing.
- () an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

(1) Andrew Jackson Morgan Jr., *Defendant*

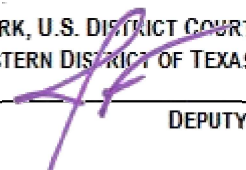
Date _____

Counsel for Defendant

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

April 6, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY:  DEPUTY

United States of America

§
§
§
§
§

vs.

NO: AU:21-M -00261(1)

(1) Andrew Jackson Morgan Jr.

*Charging District: District of Columbia**Charging District's Case No.: 1:21-MJ-352*

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and **ORDERED TO APPEAR** in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: E. Barrett Prettyman United States Courthouse 333 Constitution Ave. NW Washington, DC 20001	Courtroom No. 6 Date and Time: Friday, April 9 at 1pm ET before Judge Harvey by Zoom: https://uscourts-dcd.zoomgov.com/j/1600140355?pwd=VTlkQ0ZEVMJO TVN3bmUwS05nZndZQT09 Meeting ID: 160 014 0355 Passcode: 634244
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The U.S. District Clerk is **ORDERED** to transfer any bail deposited in the registry of this court to the court where the charges are pending.

Date: April 6, 2021


SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00261-SH All Defendants**

Case title: USA v. Morgan

Date Filed: 04/05/2021

Other court case number: 1:21-MJ-352 District of Columbia

Date Terminated: 04/07/2021

Assigned to: Judge Susan Hightower

Defendant (1)

Andrew Jackson Morgan, Jr.

TERMINATED: 04/07/2021

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

18 U.S.C. § 1752(a)(1) and (2)–
Knowingly Entering or Remaining in any
Restricted Building or Grounds Without
Lawful Authority; 40 U.S.C. § 5104(e)(2)
(D) and (G) – Violent Entry and
Disorderly Conduct on Capitol Grounds;
18 U.S.C. § 1512(c)(2) – Obstruction of
and Official Proceeding; 18 U.S.C. § 2
Aided and Abetted

Plaintiff

USA

represented by **G. Karthik Srinivasan**

US Attorney's Office – Western District of
Texas
903 San Jacinto Blvd., Suite 334

Austin, TX 78701
 512-370-1253
 Fax: 512-916-5854
 Email: karthik.srinivasan@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
04/05/2021	<u>1</u>	3	Arrest (Rule 5 – District of Columbia) of Andrew Jackson Morgan, Jr. (jf) (Entered: 04/05/2021)
04/06/2021	<u>2</u>	15	Minute Entry for proceedings held before Judge Susan Hightower: Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to Andrew Jackson Morgan, Jr held on 4/6/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR.) (kkc) (Entered: 04/06/2021)
04/06/2021	<u>3</u>	17	ORDER Setting Conditions of Release as to Andrew Jackson Morgan Jr. Signed by Judge Susan Hightower. (kkc) (Entered: 04/06/2021)
04/06/2021	<u>4</u>	21	NOTICE OF HEARING as to Andrew Jackson Morgan, Jr: Preliminary Hearing by video set for 4/9/2021 at 10:00 AM before Judge Susan Hightower. (kkc) (Entered: 04/06/2021)
04/06/2021	<u>5</u>	23	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Andrew Jackson Morgan, Jr. Signed by Judge Susan Hightower. (kkc) (Entered: 04/06/2021)
04/06/2021			Oral WAIVER of Identity Hearing by Andrew Jackson Morgan, Jr. (jf) (Entered: 04/06/2021)
04/07/2021			Oral WAIVER of Preliminary Hearing as to Andrew Jackson Morgan, Jr. (jf) (Entered: 04/08/2021)