

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

ANTHONY R. MARIOTTO

AKA: TONY MARIOTTO

) Case: 1:21-mj-00144
) Assigned to: Judge Zia M. Faruqui
) Assign Date: 1/21/2021
) Description: COMPLAINT W/ ARREST WARRANT

Defendant

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) Anthony R. Mariotto,

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)&(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority

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

Date: 01/21/2021

 2021.01.21
18:24:04 -05'00'

Issuing officer's signature

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

City and state: Washington, D.C.

Return

This warrant was received on (date) 1/21/2021, and the person was arrested on (date) 1/22/2021
at (city and state) FT. PIERCE, FLORIDA.

Date: 1/26/2021



Arresting officer's signature

CHRISTOPHER M. MAYO SPECIAL AGENT
Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Angela E. Noble
Court Administrator • Clerk of Court

101 S. U.S. Highway One, Room 1016
Fort Pierce, Florida 34950
(772) 467-2308

Date: January 25, 2021

To: United States District Court
Washington, District of Columbia

Re: **USA -v- ANTHONY R. MARIOTTO**

Our Case # 21-004-SMM SD/Florida
Your Case # 1:21-MJ-00144 Washington, D.C.

CLERK'S NOTICE OF CRIMINAL REMOVAL TO OTHER DISTRICT

Pursuant to the Order of Removal entered by U.S. Magistrate Judge Shaniek M. Maynard on January 25, 2021 the above styled case is hereby transferred to your district. Please find enclosed the following documents:

- Copy of the docket sheet
- Transmittal letter
- Minute Order on Removal proceedings entered by Judge Maynard
- Waiver of Removal signed by Defendant and corresponding Order of Removal
Along with \$250,000 10% Cash Appearance Bond

Clerk's Note: Court ordered Defendant to appear via video teleconference on Friday, January 29, 2021 at 1:00 p.m. before D.C. Magistrate Judge (Zoom instructions provided to Defendant)

You may access our electronic case file and upload all other electronically filed documents via PACER by using your PACER (not CM/ECF) login and password. If you do not have a PACER login, please contact PACER Center. Please acknowledge receipt and return copy of transmittal letter.

Sincerely,

ANGELA E. NOBLE
Court Administrator • Clerk of Court

By: *Colette Griffin-Arnold, Deputy Clerk*

Date rec'd: _____

By: _____
Deputy Clerk

UNITED STATES DISTRICT COURT

for the

District of Columbia

USDC SD/FL Case No: 21-004-SMM

United States of America

v.

ANTHONY R. MARIOTTO

AKA: TONY MARIOTTO

Defendant

)
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FILED BY CGA D.C.
 Jan 22, 2021
 ANGELA E. NOBLE
 CLERK U.S. DIST. CT.
 S. D. OF FLA. - Fort Pierce

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
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Date: 01/21/2021

Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqui, 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

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

ANTHONY R. MARIOTTO

AKA: TONY MARIOTTO

Date of Birth: [redacted] 1968

Defendant(s)

USDC SD/FL Case No: 21-004-SMM

) Case: 1:21-mj-00144
) Assigned to: Judge Zia M. Faruqui
) Assign Date: 1/21/2021
) Description: COMPLAINT W/ ARREST WARRANT
)

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 [redacted] in the
District of Columbia, the defendant(s) violated:

Code Section

Offense Description

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

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

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Thomas R. Olohan

Complainant's signature

FBI Special Agent Thomas R. Olohan

Printed name and title

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

Date: 01/21/2021

Handwritten signature of Zia M. Faruqui

2021.01.21
18:27:00 -05'00'

Judge's signature

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

City and state: Washington, D.C.

STATEMENT OF FACTS

I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since 2002. As a Special Agent, I am authorized to investigate violations of laws of the United States and am authorized to execute warrants issued under the authority of the United States. 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 violations of Federal criminal laws.

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 are 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 after 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.

On January 6, 2021, a concerned citizen (hereinafter “Citizen 1”), submitted an online tip to the FBI National Threat Operations Center (NTOC) alleging that Anthony R. Mariotto (“MARIOTTO”) was inside the Capitol on January 6, 2021, in Washington, D.C., during the above mentioned events.

On January 10, 2021, law enforcement interviewed Citizen 1 over the phone. Citizen 1 stated that they knew MARIOTTO personally for over one year, and that they were friends with or followed MARIOTTO on social media, specifically Facebook. Citizen 1 reported that they had seen photographs of MARIOTTO in the Capitol building during the events of January 6, 2021, and that these photographs were posted to MARIOTTO’s Facebook page. Citizen 1 also stated that MARIOTTO recently deleted his Facebook account, but that Citizen 1 had taken screen shots of the photographs and saved them before the account was deleted. Citizen 1 provided law enforcement with a screen shot of one of the photographs.

MARIOTTO is clearly depicted in the screen shot Citizen 1 provided. The screen shot depicts MARIOTTO in the Senate Chamber with the following caption “I’m in [sic] And there are just a few [sic] This is our house”. The photograph appears to be a “selfie,” which indicates MARIOTTO took the photograph himself, most likely with a cellphone. The photograph depicts the Senate floor in the background from a raised perspective, indicating that MARIOTTO was present in the Senate gallery.



Law enforcement positively identified the individual in the screen shot as Anthony R. MARIOTTO, a.k.a. "Tony", with an address in Fort Pierce, Florida, based on MARIOTTO's Florida driver's license photograph.

On January 14, 2021, a Special Agent interviewed Citizen 1 over the phone. Citizen 1 stated they also observed at least four videos of MARIOTTO inside the Capitol on January 6, 2021, that were posted to MARIOTTO's Facebook page prior to it being deleted. Citizen 1 reported that the videos were taken inside the Capitol during the riot that took place on January 6, 2021. Citizen 1's also stated they observed video of MARIOTTO's wife in Washington, D.C., on January 6, 2021, on MARIOTTO's Facebook page prior to it being deleted.

The FBI verified through law enforcement database checks that Anthony R. MARIOTTO has a registered address in Fort Pierce, Florida.

On January 16, 2020, a Special Agent with the FBI located MARIOTTO in Epworth, Georgia. A Special Agent interviewed MARIOTTO over the phone. At the start of the conversation, the Special Agent confirmed that he was in fact speaking with MARIOTTO when MARIOTTO identified himself as "Tony." During the call, MARIOTTO also acknowledged that the FBI had his correct Florida address. MARIOTTO admitted that he was present inside the Capitol during the riot that took place on January 6, 2021. MARIOTTO stated he was in Washington D.C., with his wife and listened to President Trump's speech, after which he gathered with the crowd outside the Capitol. MARIOTTO claimed he thought he "was being part of history," and told the Special Agent that he walked through the Capitol chanting "USA." MARIOTTO conceded he knew he was not allowed to be in the Capitol, and stated he would accept full responsibility for his actions.

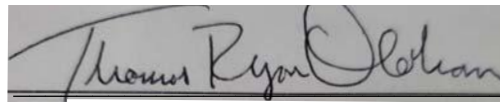
MARIOTTO was instructed to immediately return to Fort Pierce, Florida, and was advised that criminal charges against him were likely forthcoming.

On January 19, 2021, MARIOTTO voluntarily met with a Special Agent and provided the agent with his phone. Pursuant to a search warrant, the FBI processed MARIOTTO's phone. Within the phone is the "selfie" photograph Citizen 1 observed on Facebook, as well as other videos that were recorded inside the Capitol Building during the events of January 6, 2021. After processing the phone, SA May returned the cell phone to MARIOTTO.

Based on the foregoing, your affiant submits that there is probable cause to believe that MARIOTTO violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; 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 of Title 18, 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 MARIOTTO violated 40 U.S.C. § 5104(e)(2) (B), (D), and (G), which makes it a crime to willfully and knowingly (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (D) utter loud, threatening, or abusive language, or 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.



Thomas R. Olohan
Special Agent
FBI (Washington Field Office)

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21st day of January 2021.

THE HONORABLE ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

United States District Court

Southern District of Florida

U.S. MAGISTRATE JUDGE SHANIEK MAYNARD

Minute Order- Fort Pierce Division

*No Interpreter Req'd

DEFT: ANTHONY R. MARIOTTO (Surrender) (Deft to appear Zoom w/USM cell block) CASE NO: 21-004-SMM

AUSA: Michael Porter present ATTORNEY:

AGENT: Thomas R. Olohan, FBI VIOL: 18:1752(a)(1)&2 /Removal to Washington, D.C.

PROCEEDING: Initial on Removal Proceedings BOND REC: Personal Surety Bond SET:

- ... SPECIAL CONDITIONS:
- X Surrender and/or do not obtain passports/travel documents
 - X Rpt to PTS as directed /or _____ x's a week/month by phone; _____ x's a week/month in person
 - Random urine testing by Pretrial Services. _____ Treatment as deemed necessary.
 - Refrain from excessive use of alcohol
 - Participate in mental health assessment & treatment.
 - X Maintain or seek full-time employment/education.
 - X No contact with victims/witnesses.
 - X No firearms
 - Not to encumber property
 - May not visit transportation establishments.
 - Home confinement/Electronic Monitoring and/or Curfew: _____ pm to _____ am, paid by: _____
 - Allowances: Medical needs, court appearances, attorney visits, religious, employment
 - X Travel extended to: Washington, D.C. for court appearances only
 - X Other: appear video conference 1/29/21 at 1:00 p.m. before USDC Washington, D.C.

Deft present without counsel via Zoom platform from USM's cell block and advised of Criminal Complaint filed Washington, D.C. Case No: 1:21-MJ-00144

Court explains rights to appear in person for all criminal proceedings - however due to COVID-19 pandemic, Deft may waive such right..Court finds Deft knowingly and voluntarily waives his right to appear in person and hereby consents to appearance by use of video teleconferencing for the following criminal proceeding: Initial Appearance and all Removal proceedings under the Federal Rules of Criminal Procedures, Rule 5(c)3

Deft requests to appear without an attorney for all Removal proceedings pending Southern District of Florida and will retain private counsel for matters in Washington, D.C. ... Court accepts AFD Fletcher Peacock's offer to assist Defendant with SD/FL's Removal matters (FPD Not appointed)

Note: Counsel for Government, AFD Fletcher Peacock and USPO Nathan Vreeland appearing via Zoom access both audio and video

Government recommend Defense release on \$250,000 10% Cash bond with standard reporting conditions including No firearm possession

After brief conference w/AFPD Peacock, Mr. Mariotto- will not contest Identity (person named on warrant) - Court reviews Waiver of Removal form during Zoom session and Defendant agrees to sign waiver following today's court proceeding

Court sets \$250,000 10% Cash bond with special conditions (bond monies to be posted by 4:00 p.m., Mon., 1/25/21 with Clerk of Court)

As a condition of bond, Court directs Mr. Mariotto to appear virtual conference (Zoom, video teleconference) before USDC Washington, D.C. on Friday, 1/29/21 at 1:00 p.m.- written Zoom login instructions provided to Defendant before release

Court enters Order of Removal

DISPOSITION:I/A-Rule5c3

NEXT COURT APPEARANCE: DATE: TIME: JUDGE: PLACE:

DATE: 01/22/2021 START TIME: 11:10 A.M. Time in Court: 25 Minutes Zoom recording START: 1.39 END: 2.05

(Revised 03/2020)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

APPEARANCE BOND

CASE NO. 21-004-SMM

District of Columbia Case No: 1:21-mj-00144

UNITED STATES OF AMERICA

Plaintiff,

v.

USM # : 26667-509

ANTHONY R. MARIOTTO

Defendant,

I, the undersigned defendant and I or we, the undersigned sureties, jointly and severally acknowledge that we and our personal representatives, jointly and severally, are bound to pay the United States of America, the sum of \$ 250,000 10% Cash Bond

STANDARD CONDITIONS OF BOND

The conditions of this bond are that the defendant:

1. Shall appear before this Court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of the defendant's release as may be ordered or notified by this Court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is required to ascertain from the Clerk of Court or defense counsel the time and place of all scheduled proceedings on the case. In no event may a defendant assume that his or her case has been dismissed unless the Court has entered an order of dismissal. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment. This is a continuing bond, including any proceeding on appeal or review, which shall remain in full force and effect until such time as the Court shall order otherwise.

2. May not travel outside the Southern District of Florida unless otherwise approved by the Court prior to any such travel. The Southern District of Florida consists of the following counties: Broward, Highlands, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach and St. Lucie.

3. May not change his/her present address without prior notification and approval from the U.S. Probation Officer or the Court.

4. Must cooperate with law enforcement officers in the collection of a DNA sample if the collection is required by 42 U.S.C. Section 14135a.

5. Must not violate any federal, state or local law while on release in this case. Should the defendant come in contact with law enforcement he/she shall notify the U.S. Probation Officer within 72 hours.

DEFENDANT: ANTHONY R. MARIOTTO
CASE NUMBER: 21-004-SMM
PAGE TWO

SPECIAL CONDITIONS OF BOND

In addition to compliance with the previously stated conditions of bond, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel documents, if any, to Pretrial Services and not obtain any travel documents during the pendency of the case;
- b. Report to Pretrial Services as follows: (X) as directed or ___ time(s) a week in person and ___ time(s) a week by telephone;
- c. Submit to substance abuse testing and/or treatment, contribute to the cost of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- d. Refrain from ___ excessive OR ___ abstain from alcohol use or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. §802), without a prescription by a licensed medical practitioner;
- e. Participate in a mental health assessment and/or treatment and contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- f. Employment restriction(s): _____
- g. Maintain or actively seek full-time employment;
- h. Maintain or begin an educational program;
- i. Avoid all contact with victims or witnesses to the crimes charged, except through counsel. The AUSA shall provide defense counsel and pretrial services with the names of all victims or witnesses. The prohibition against contact does not take effect until defense counsel receives the list. The prohibition against contact applies only to those persons on the list, but the prosecutor may expand the list by sending written notice to defense counsel and pretrial services.;
- j. Avoid all contact with co-defendants and defendants in related cases, except through counsel;
- k. Refrain from possessing a firearm, destructive device or other dangerous weapons and shall surrender (if any), their concealed weapons permit to the U.S. Probation Office;
- l. None of the signatories may sell, pledge, mortgage, hypothecate, encumber, etc., any real property they own, until the bond is discharged, or otherwise modified by the Court;
- m. May not visit commercial transportation establishment: airports, seaport/marinas, commercial bus terminals, train stations, etc.;
- n. Defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations of the defendant's computer equipment at his/her place of employment or on the computer at his/her residence which may include retrieval and copying of all data from the computer(s) and any internal or external peripherals to ensure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection; and consent at the direction of the U.S. Probation Officer to have installed on the defendant's computer(s), at the defendant's expense, any hardware or software systems to monitor the defendant's computer use;

DEFENDANT: ANTHONY R. MARIOTTO
CASE NUMBER: 21-004-SMM
PAGE THREE

___ o. **LOCATION MONITORING PROGRAM:** The defendant shall be monitored by the form of location monitoring and shall abide by all technology requirements as noted below, as well as contribute to the costs of services rendered based on () ability to pay as determined by the U.S. Probation Officer – or – (X) paid by U.S. Probation;

___ Location monitoring technology at the discretion of the officer

___ Radio Frequency (RF) monitoring (Electronic Monitoring)

___ Active GPS Monitoring

___ Voice Recognition

___ Curfew: You are restricted to your residence from: or as directed by the supervising probation officer.

OR

___ Home Detention: You are restricted to your residence at all times except for:

() medical

() substance abuse or mental health treatment

() court appearances

() attorney visits or court ordered obligations

() religious services

() employment

() other activities as pre-approved by the supervising officer

— p. **RESIDENTIAL RE-ENTRY CENTER:** The defendant shall reside at a residential re-entry center or halfway house and abide by all the rules and regulations of the program. The cost to be paid by () Pretrial Services or () based on the defendant's ability to pay. You are restricted to the residential re-entry center/halfway house at all times except for:

() employment

() education

() religious services

() medical, substance abuse, or mental health treatment

() attorney visits

() court appearances

() court ordered obligations

() reporting to Pretrial Services

() other _____

— q. **Third-Party Custody:** _____ will serve as a third party custodian and will report any violations of the release conditions to the U.S. Probation Officer. Failure to comply with these requirements, the third party custodian can be subject to the provisions of 18 U.S.C. § 401, Contempt of Court.

— r. The defendant shall submit his person, property, residence, vehicle, papers, computers, (as defined in 18 U.S.C. 1030(e)(1)), other electronic communication or data storage devices or media, or office, to a search conducted by a United States Probation Officer. The defendant must warn any other occupants that the premises may be subject to searches pursuant to this condition. Any search must be conducted at a reasonable time and in a reasonable manner.

DEFENDANT: ANTHONY R. MARIOTTO
CASE NUMBER: 21-004-SMM
PAGE FOUR

- s. **Mandatory Adam Walsh Conditions:** Defendant shall abide by specified restrictions on personal associations, place of abode, or travel, to avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense; report on a regular basis to a designated law enforcement agency, pretrial services agency or other agency; comply with a specified curfew (with electronic monitoring) and refrain from possessing a firearm, destructive device or other dangerous weapons.
- t. **Additional Sex Offense Conditions For Defendants Charged or Convicted of a Sexual Offense:**
1. () Defendant may not have contact with victim(s), or any child under the age of 18, unless approved by the Court or allowed by the U.S. Probation Officer.
 2. () The defendant shall not possess or use any data encryption technique or program and shall provide passwords and administrative rights to the U.S. Probation Officer.
 3. () Defendant shall participate in specialized sex offender evaluation and treatment, if necessary, and to contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Office.
 4. () Defendant shall not possess, procure, purchase or otherwise obtain any internet capable device and/or computer. Additionally, the defendant is prohibited from using another individual's computer or device that has internet capability.
 5. () Defendant is prohibited from establishing or maintaining any email account or social media account. Additionally, the defendant is prohibited from using another individual's email account or social media account. Must provide monthly or upon request, personal phone and credit card billings to Pretrial Services to confirm there are no services with any internet services provider.
 6. () Defendant is not permitted to enter places where children congregate including, but not limited to any play areas, playgrounds, libraries, children-themed restaurants, daycares, schools, amusement parks, carnivals/fairs, unless approved by the U.S. Probation Officer.
 7. () The defendant shall not be involved in any children's or youth organizations.
 8. () Defendant is prohibited from viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services.
 9. () The defendant shall participate in a maintenance polygraph examination to periodically investigate the defendant's compliance. The polygraph examination shall specifically address only defendant's compliance or non-compliance with the special conditions of release and shall not inquire into the facts of the pending criminal case against defendant. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.
- X u. May travel to and from: Washington, D.C. for court appearances only and must notify Pretrial Services of travel plans before leaving and upon return.
- X v. Comply with the following additional conditions of bond:
Bond monies to be posted by close of business on Monday, January 25, 2021 (by 4:00 p.m.). Defendant shall report to United States District Court for the District of Columbia by video conference on Friday, January 29, 2021 at 1:00 p.m. (Zoom link to be provided by Pretrial Services).

DEFENDANT: ANTHONY R. MARIOTTO
CASE NUMBER: 21-004-SMM
PAGE FIVE

PENALTIES AND SANCTIONS APPLICABLE TO DEFENDANT

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, and order of detention, as provided in 18 U.S.C. §3148, forfeiture of any bail posted, and a prosecution for contempt as provided in 18 U.S.C. §401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

Title 18 U.S.C. §1503 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall 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 shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted, which means that the defendant will be obligated to pay the full amount of the bond, which may be enforced by all applicable laws of the United States.

DEFENDANT: ANTHONY R. MARIOTTO
CASE NUMBER: 21-004-SMM
PAGE SIX

PENALTIES AND SANCTIONS APPLICABLE TO SURETIES

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

SIGNATURES

I have carefully read and I understand this entire appearance bond consisting of seven pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

DEFENDANT

Signed this 22nd day of January, 2021 at Fort Pierce, Florida

Signed and acknowledged before me:

DEFENDANT: (Signature) _____

Anthony R. Mariotto

WITNESS: _____

Fort Pierce

Florida

City

State

City

State

CORPORATE SURETY

Signed this _____ day of _____, 20____ at _____, Florida

SURETY: _____

AGENT: (Signature) _____

PRINT NAME: _____

City

State

INDIVIDUAL SURETIES

Signed this ___ day of _____, 20__ at _____, Florida

Signed this ___ day of _____, 20__ at _____, Florida

SURETY: (Signature) _____

SURETY: (Signature) _____

PRINT NAME: _____

PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

RELATIONSHIP TO DEFENDANT: _____

City

State

City

State

Signed this ___ day of _____, 20__ at _____, Florida

Signed this ___ day of _____, 20__ at _____, Florida

SURETY: (Signature) _____

SURETY: (Signature) _____

PRINT NAME: _____

PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

RELATIONSHIP TO DEFENDANT: _____

City

State

City

State

APPROVAL BY THE COURT

Date: January 25, 2021

Shaniek M. Maynard

SHANIEK M. MAYNARD
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

SD/FL CASE NO: 21-004-SMM

Case No Other District 1:21-MJ-00144 District of Columbia

UNITED STATES OF AMERICA,
Plaintiff,

v.

WAIVER OF REMOVAL HEARING

ANTHONY R. MARIOTTO
a/k/a TONY MARIOTTO,

Defendant.

I, **ANTHONY R. MARIOTTO a/k/a TONY MARIOTTO** charged in above referenced criminal proceeding pending in the District of Columbia and having been arrested in the Southern District of Florida and taken before the **Honorable Shaniek M. Maynard**, a United States Magistrate Judge for that District, who informed me of the charge(s) and of my right to retain counsel or request the assignment of counsel if I am unable to retain counsel, and to have a hearing or execute a waiver thereof, I do hereby waive a hearing before the aforementioned Magistrate Judge and consent to the issuance of an Order for my removal to the District of Columbia where the charge(s) are pending against me.

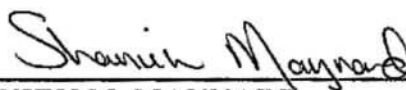


Signature of Defendant

N/A

Appearance of Defense counsel
(Witness)

DONE AND ORDERED at the Federal Courthouse located in Fort Pierce, Florida this 22nd day of January, 2021.



SHANIEK M. MAYNARD
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO: 21-004-SMM
Case No Other District: 1:1-mj-00144 District of Columbia

UNITED STATES OF AMERICA,
Plaintiff,

ORDER OF REMOVAL

v.

ANTHONY R. MARIOTTO
a/k/a **TONY MARIOTTO**,
Defendant.

_____ /

- A(n)** Complaint
- Indictment
- Information
- Supervised Release Violation Warrant
- Bench Warrant

having been filed in the Washington, District of Columbia, charging the Defendant with:

Knowingly entering or remaining in any restricted building or grounds without lawful authority in violation of Title 18 U.S. C. Section 1752(a)(1)&(2) and Violent entry and disorderly conduct on capitol grounds in violation of Title 40 U.S.C. Section 5104(e)(2)(B),(D)&(G)

X surrendered **been arrested** in the Southern District of Florida,

and, having had an initial appearance before the Court and having:

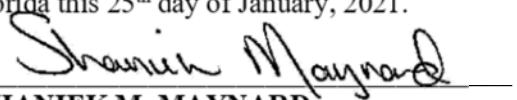
X waived further hearing **been given a hearing in accordance with Fed.R.Crim.P.5(c).**

And, having posted the bail as set by the Court, it is thereupon,

ORDERED AND ADJUDGED as follows:

1. The defendant is held to answer in the District in which the charge is outstanding and shall appear before the District Court thereof at such time and place as may be ordered; and,
2. All funds and documents filed with the Clerk of Court in this case shall be transferred to the district where the charge is outstanding.

DONE AND ORDERED at the Federal Courthouse located in Fort Pierce, Florida this 25th day of January, 2021.


SHANIEK M. MAYNARD
UNITED STATES MAGISTRATE JUDGE

cc: U.S. Marshal Service, Defense counsel and United States Attorney's Office

BNDSMM,CLOSED

**U.S. District Court
Southern District of Florida (Ft Pierce)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00004-SMM-1**

Case title: USA v. Mariotto

Date Filed: 01/21/2021

Other court case number: 1:21-mj-00144 USDC District of
Columbia

Date Terminated: 01/25/2021

Assigned to: Magistrate Judge Shaniek M.
Maynard

Defendant (1)

Anthony R. Mariotto

26667-509

English; YOB: 1968

TERMINATED: 01/25/2021

also known as

Tony Mariotto

TERMINATED: 01/25/2021

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

18:752(a)(1)and (2);

40:5104(e)(2)(B)/Removal to District of
Columbia

Plaintiff

USA

represented by **Michael David Porter**
United States Attorney's Office
Southern District of Florida

101 South U.S. Highway 1
Fort Pierce, FL 34950
Email: michael.porter2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
01/21/2021	<u>1</u>		Magistrate Removal Re: Complaint from District of Columbia Case number in the other District 1:21-mj-0144 as to Anthony R, Mariotto (1). (Awaiting copy signed arrest warrant and signed criminal complaint). (cga) (cga). (Entered: 01/21/2021)
01/21/2021	2		PAPERLESS NOTICE OF HEARING as to Anthony R, Mariotto Initial Appearance – Rule 5(c)(3)/40 set for 1/22/2021 11:00 AM in Fort Pierce Division before FTP Duty Magistrate, Judge Maynard. (cga) (Entered: 01/21/2021)
01/22/2021	<u>3</u>		Minute Order for proceedings held before Magistrate Judge Shaniek M. Maynard: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Anthony R. Mariotto held on 1/22/2021. Court reviews Waiver of Removal form during Zoom session and Defendant agrees to sign waiver following todays court proceeding Court sets \$250,000 10% Cash bond with special conditions (bond monies to be posted by 4:00 p.m., Mon., 1/25/21 with Clerk of Court) As a condition of bond, Court directs Mr. Mariotto to appear virtual conference (Zoom, video teleconference) before USDC Washington, D.C. on Friday, 1/29/21 at 1:00 p.m.– written Zoom login instructions provided to Defendant before release Court enters Order of Removal. (Digital Zoom recording START: 01.39 END: 02.05) Signed by Magistrate Judge Shaniek M. Maynard on 1/22/2021. (cga) (Entered: 01/25/2021)
01/25/2021	<u>4</u>		\$250,000 10% Cash Bond Entered as to Anthony R. Mariotto Receipt # FLS2-2654. Approved by Magistrate Judge Shaniek M. Maynard. <i>Please see bond image for conditions of release.</i> (cga) (Main Document 4 replaced on 1/25/2021) (cga). (Additional attachment(s) added on 1/25/2021: # <u>1</u> Restricted Bond with 7th Page) (cga). (Entered: 01/25/2021)
			<i>Main Document</i>
			<i>Attachment # 1 Restricted Bond with 7th Page (Not Attached)</i>
01/25/2021	<u>5</u>		WAIVER of Rule 5(c)(3)/Rule 40 Hearing by Anthony R. Mariotto (cga) (Entered: 01/25/2021)
01/25/2021	<u>6</u>		ORDER OF REMOVAL ISSUED to District of Washington, D.C. as to Anthony R. Mariotto. Closing Case for Defendant. Signed by Magistrate Judge Shaniek M. Maynard on 1/25/2021. <i>See attached document for full details.</i> (cga) (Entered: 01/25/2021)
01/25/2021	7		CLERK'S NOTICE as to Anthony R. Mariotto, copies of court documents mailed to Defendant (address on file) re <u>5</u> Waiver of Rule 5(c)(3)/Rule 40 Hearing, <u>3</u> Minute Order re:Initial Appearance SD/FL <u>4</u> Appearance Bond and <u>6</u> Order of Removal Issued (cga) (Entered: 01/25/2021)