

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Antonio Ferrigno Jr.

)
) Case: 1:21-mj-00580
) Assigned to: Judge Faruqui, Zia M.
) Assign. Date: 8/27/2021
) 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) Antonio Ferrigno 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)- Entering and Remaining in a Restricted Building or Grounds
- 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds
- 40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building
- 40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building



2021.08.27

17:44:21 -04'00'

Date: 08/27/2021

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) 08/27/2021, and the person was arrested on (date) 08/31/2021
 at (city and state) Brooklyn, NY

Date: 08/31/2021

Arresting officer's signature

JHOBAN SEBASTIAN Cummings

Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Francis Connor

)
) Case: 1:21-mj-00580
) Assigned to: Judge Faruqui, Zia M.
) Assign. Date: 8/27/2021
) 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) Francis Connor,
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
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- 40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

Date: 08/27/2021



2021.08.27
17:45:07 -04'00'

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) 08/27/2021, and the person was arrested on (date) 08/31/2021
at (city and state) Brooklyn New York.

Date: 08/31/2021

Arresting officer's signature

Jorge Alvarez Special Agent FBI

Printed name and title

WK:JML

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

FRANCIS CONNOR and ANTONIO
FERRIGNO, JR.,

Defendants.

AFFIDAVIT IN SUPPORT
OF REMOVAL TO THE
DISTRICT OF COLUMBIA

(Fed R. Crim. P. 5)

Case No. 21-MJ-1010

----- X

EASTERN DISTRICT OF NEW YORK, SS:

JORGE ALVAREZ, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation duly appointed according to law and acting as such.

On or about August 27, 2021, the United States District Court for the District of Columbia issued arrest warrants commanding the arrest of the defendants FRANCIS CONNOR and ANTONIO FERRIGNO, JR. for violations of Title 18, United States Code, Sections 1752(a)(1) (entering and remaining in a restricted building), and 1752(a)(2) (disorderly and disruptive conduct in a restricted building); and violations of Title 40, United States Code, Sections 5104(e)(2)(D) (disorderly conduct in a capitol building) and 5104(e)(2)(G) (parading, demonstrating or picketing in a capitol building)

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Affidavit is to set forth only those facts necessary to

1. On or about August 27, 2021, a complaint was filed in the District of Columbia against defendants FRANCIS CONNOR and ANTONIO FERRIGNO, JR. The complaint alleged that the defendants entered a restricted building (18 U.S.C. § 1752(a)(1)), committed disorderly conduct in a restricted building (18 U.S.C. § 1752(a)(2)), committed disorderly conduct in a capitol building (40 U.S.C. § 5104(e)(2)(D)) and demonstrated in a capitol building (40 U.S.C. § 5104(e)(2)(D)). A true and correct copy of this complaint is attached as Exhibit A.

2. On or about August 27, 2021, the District Court for the District of Columbia issued arrest warrants commanding the arrests of FRANCIS CONNOR and ANTONIO FERRIGNO, JR. True and correct copies of these arrest warrants are attached as Exhibit B.

3. In connection with the investigation into the defendants CONNOR and FERRIGNO, other law enforcement agents and I reviewed information to determine where each defendant lives. We learned that CONNOR lives at 8508 10th Avenue, Apartment 1, Brooklyn, New York and FERRIGNO lives at 2232 Brigham Street, Apartment 2L, Brooklyn, New York.

4. To determine where CONNOR lives, law enforcement took the following steps: They conducted a New York City Police Department (NYPD) criminal history check, a New York State Police (NYSP) criminal history check, a New York Department of Motor Vehicles (DMV) check and open-source checks. They also reviewed subscriber information for Apple, Inc. In addition, they conducted physical surveillance of 8508 10th Avenue in Brooklyn, New York. During this surveillance, law enforcement observed CONNOR both entering and

establish probable cause for removal, I have not described all the relevant facts and circumstances of which I am aware.

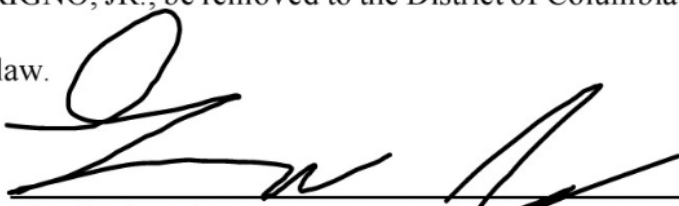
exiting from this address.

5. To determine where FERRIGNO lives, law enforcement took the following steps: They conducted a New York City Police Department (NYPD) criminal history check, a New York State Police (NYSP) criminal history check, a New York Department of Motor Vehicles (DMV) check and open-source checks. They also reviewed subscriber information for T-Mobile and Apple, Inc. In addition, they conducted physical surveillance of 2232 Brigham Street in Brooklyn, New York. During this surveillance, law enforcement observed FERRIGNO entering this address.

6. On August 31, 2021, FBI agents went to CONNOR's and FERRIGNO's addresses to execute the arrest warrants from the District of Columbia. FBI agents arrested each defendant at his address that morning. After they were arrested, I saw both defendants. I was able to recognize the defendants based on pictures I saw of them during the course of the investigation into their conduct. I therefore concluded that the defendants were the individuals wanted in the District of Columbia. In addition, each defendant confirmed his name and each defendant had a driver's license with his name, picture, and date of birth. CONNOR had a New York state driver's license and FERRIGNO had a Pennsylvania driver's license. Each defendant's parents also referred to each defendant by his name during each defendant's arrest. (Both defendants live with their parents.)

7. Based on the foregoing, I submit that there is probable cause to believe that the defendants are the FRANCIS CONNOR and ANTONIO FERRIGNO, JR., wanted in the District of Columbia.

WHEREFORE, your deponent respectfully requests that the defendants FRANCIS CONNOR and ANTONIO FERRIGNO, JR., be removed to the District of Columbia so that they may be dealt with according to law.



JORGE ALVAREZ
Special Agent, Federal Bureau of Investigation

Sworn to before me by telephone this
31 day of August, 2021

S/ Marcia Henry

THE HONORABLE MARCIA M. HENRY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Francis Connor, (DOB: XXXXXXXXX)

Antonio Ferrigno Jr., (DOB: XXXXXXXXX)

Case: 1:21-mj-00580

Assigned to: Judge Faruqui, Zia M.

Assign. Date: 8/27/2021

Description: COMPLAINT W/ARREST WARRANT

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)- Entering and Remaining in a Restricted Building or Grounds

18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds

40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building

40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Jhoan Sebastian Cummings, 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: 08/27/2021



2021.08.27

17:41:03 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Jhoan Sebastian Cummings, is a Special Agent with the Federal Bureau of Investigation assigned to the Joint Terrorism Task Force. In my duties as a special agent, I have participated in investigations during the course of which I have conducted physical surveillance, interviewed witness, executed court-authorized search warrants, and used other techniques to secure relevant information. Currently, I am 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.

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, 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.

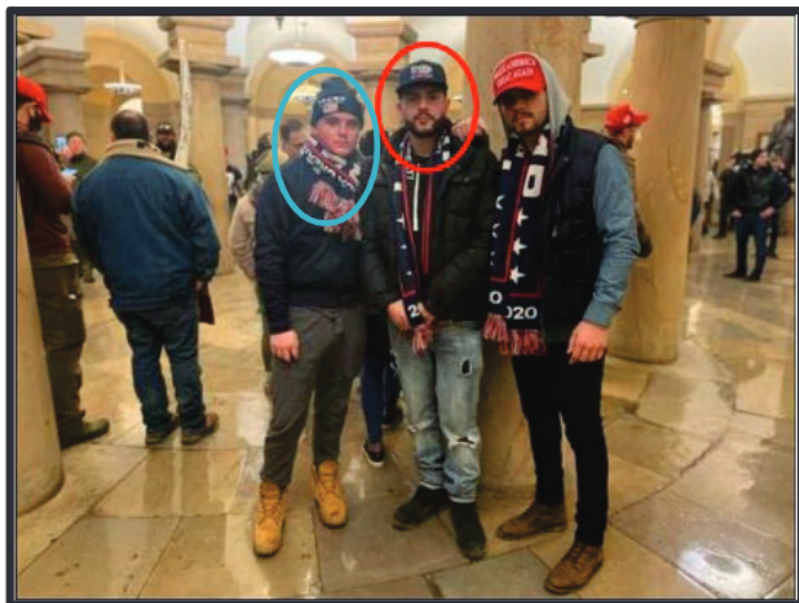
***Identification of Antonio Ferrigno and Francis Connor's
Involvement in Offenses of January 6, 2021***

ANTONIO FERRIGNO JR (hereinafter FERRIGNO) is a 26-year-old male and FRANCIS CONNOR (hereinafter CONNOR) is a 23-year old male, who both reside in Brooklyn, New York. As discussed in detail below, FERRIGNO and CONNOR appear to have traveled to Washington, D.C., from New York City on or about January 6, 2021, and participated in the rioting at the Capitol, along with another charged defendant Anton Lunyk.

Lunyk currently has a pending case in D.C. District Court based on his involvement in the events of January 6, 2021. Pursuant to search warrants for Lunyk's Instagram account and Lunyk's cell phone, law enforcement identified additional evidence of FERRIGNO and CONNOR'S involvement in the events of January 6, as described in greater detail below.

Image 1 below is a photo taken from defendant Lunyk's Instagram, reviewed pursuant to a search warrant. Image 1 appears to capture CONNOR (circled in blue) and FERRIGNO (circled in red) standing inside the U.S. Capitol with defendant Lunyk.

Image 1



According to Instagram records, Lunyk sent above Image 1 to Instagram users later determined to be FERRIGNO and CONNOR.

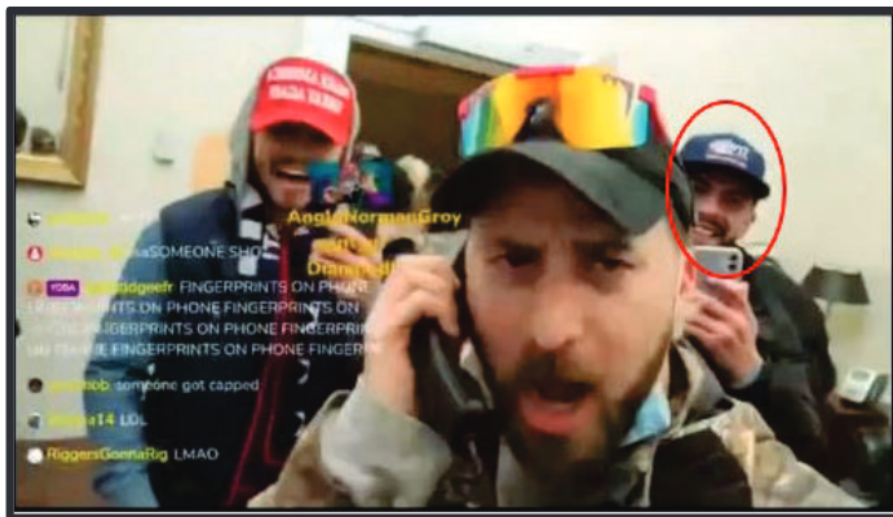
Law enforcement subsequently identified FERRIGNO and CONNOR, based on a review of records from Lunyk’s Instagram account that were obtained through a search warrant. For FERRIGNO, the Instagram records included a user ID of 144326588 and Username aferrigno13 as “Antonio Ferrigno”.

Law enforcement subsequently obtained additional Instagram records for UID 144326588 and username aferrigno13, which provided a registered user of “Antonio Ferrigno”, vanity name of “antt.ferrigno”, a registered email address of avferrigno@gmail.com and a telephone number of ending in -3187.¹

For CONNOR, Lunyk’s Instagram records included a user ID of 364765536 and username “francisconnor”. Law enforcement subsequently obtained additional Instagram records for UID 364765536 and username “francisconnor” and the records provided a registered email address: fconnor1986@gmail.com. Google LLC provided records for fconnor1986@gmail.com, and the records showed that the registered user is Francis Connor with recovery email address fconnor1@verizone.net and telephone number ending in -6980.²

Images 2, 3, and 4 are screenshots from a live streaming video streamed by defendant Anthime Gionet aka “Baked Alaska”. Law enforcement reviewed the live streaming video and identified the location of FERRIGNO and CONNOR as within the designated working space of a United States Senator. Images 2 and 3 show FERRIGNO (circled in red) wearing a blue hat. Image 4 shows Connor (circled in blue).

Image 2



¹ The full phone number was provided by the Provider, but only the last four digits are included in this statement of facts.

² The full phone number was provided by the Provider, but only the last four digits are included in this statement of facts.

Image 3

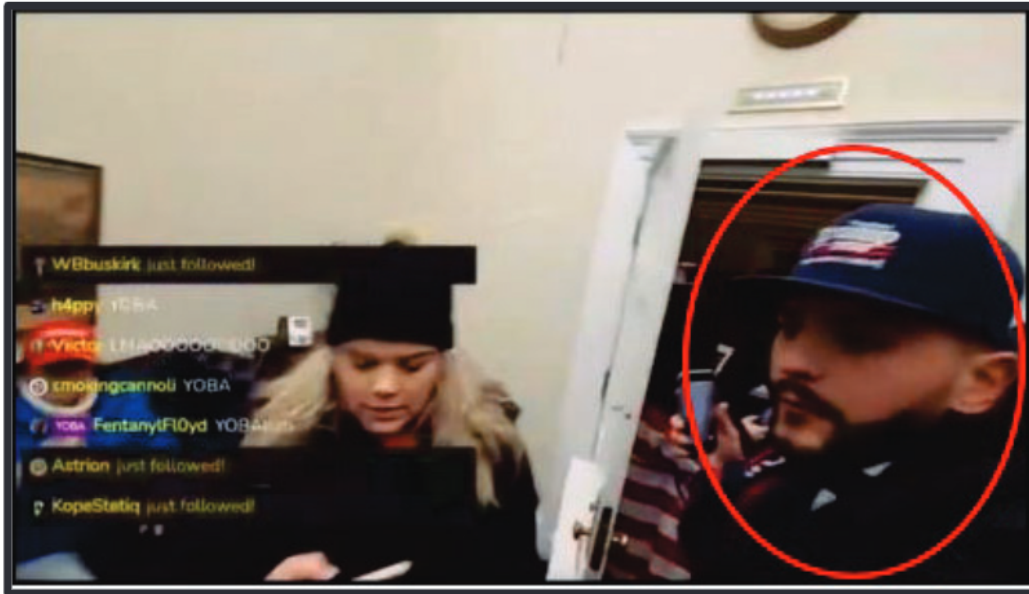
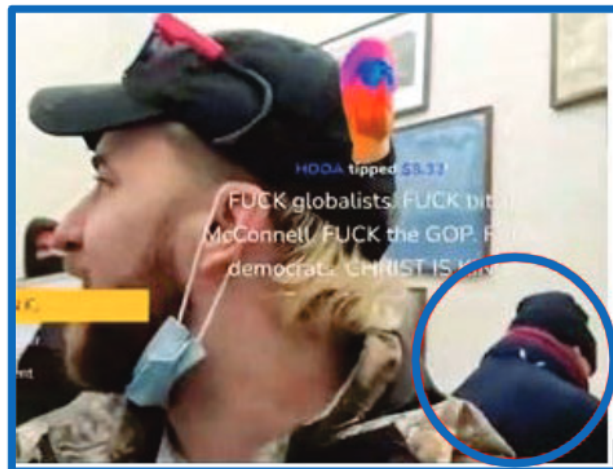


Image 4



Law enforcement conducted a manual review of United States Capitol Police (USCP) closed-circuit television (CCTV). USCP CCTV captures FERRIGNO and CONNOR with defendant Lunyk inside the Capitol on January 6.

FERRIGNO appears to be wearing a matching outfit of a navy Trump hat, black jacket, light blue-ripped jeans, dark colored shoes and a Trump scarf as shown in Images 1, 2, 3 when compared to the individual captured in USCP CCTV shown in Images 5, 7, and 8.

CONNOR appears to be wearing a matching outfit of a dark-in-color winter hat, multi-colored scarf, and boots as shown in Image 1 when compared to the individual captured in USCP CCTV shown in Images 6, 7, and 8.

Image 5



Image 6

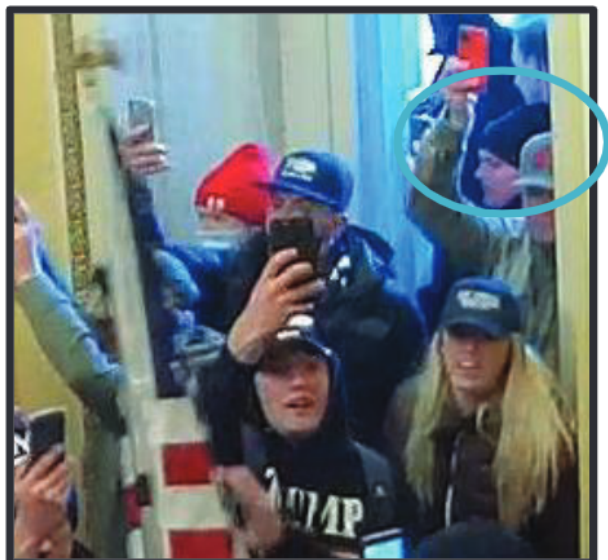


Image 7



Image 8

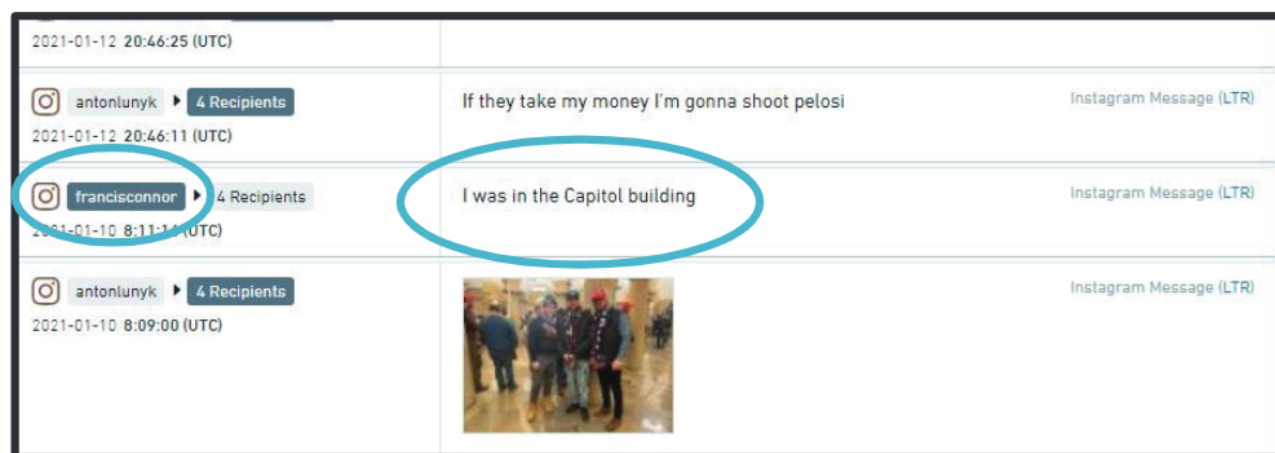


Images 5 and 6 are screenshots from the CCTV footage of Senate Wing Door captured on January 6, 2021, at around 3:08 p.m., with a red circle around FERRIGNO and a blue circle around CONNOR.

Images 7 and 8 are screenshots from the CCTV footage of House Wing Door captured on January 6, 2021, at around 3:12 p.m. FERRIGNO and CONNOR appear to be walking with defendant Lunyk.

Lunyk’s Instagram account further contained messages between CONNOR and Lunyk. As explained above, records reveal that Instagram user “francisconnor” is suspect CONNOR. Lunyk sent “francisconnor” the photo seen in Image 1 above. Instagram user “francisconnor” replied stating, “I was in the Capitol building.” Image 9 below is a screenshot of these Instagram messages.

Image 9



Pursuant to a search warrant, law enforcement obtained defendant Anton Lunyk’s text messages. Messages between Lunyk and “Antonio Ferrigno” and “Francis” further corroborate FERRIGNO and CONNOR’s presence in the U.S. Capitol on January 6.

Law enforcement conducted a manual review of defendant Anton Lunyk’s cell phone pursuant to a search warrant. Upon review, it revealed that the user of a telephone number ending in -6980) associated with FRANCIS CONNOR, requested a video of himself “jumping” out the window. ANTONIO FERRIGNO (using the phone number ending in -3187) subsequently sends a video depicting CONNOR climbing out the Senate Wing Window. FERRIGNO then states, “maybe if ur clothing wasn’t so distinct people would know it’s u.” Furthermore, FERRIGNO sends a photograph depicting Anton Lunyk, FRANCIS CONNOR, and ANTONIO FERRIGNO inside the U.S. Capitol building (Image 1). In response to the images, “Francis” (CONNOR) subsequently replies “These can’t go anywhere.”

Further review of defendant Anton Lunyk’s cell phone pursuant to a search warrant return, revealed text messages from “Antonio Ferrigno” (FERRIGNO) denying his participation in the riots that took place at the U.S. Capitol. FERRIGNO’S text messages stated the following: “I

wasn't in the capitol so idc", "The footage I have someone air dropped to me" and "That's not me I don't have facial hair."

Screenshots of some of these messages between FERRIGNO, CONNOR, and Anton Lunyk are show below in Images 10 through 18. Because these messages are taken from defendant Anton Lunyk's cell phone, the messages from "Me" are presumed to be from Anton Lunyk.

Image 10

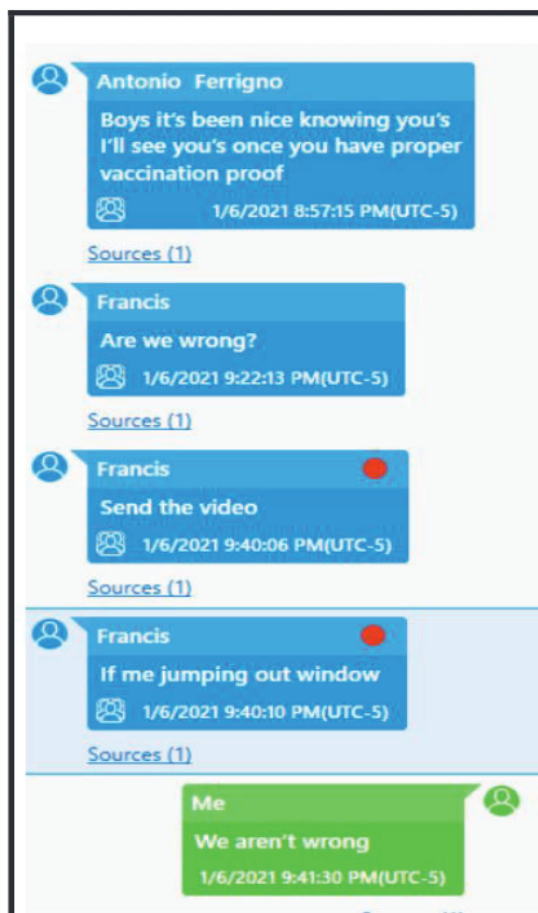


Image 11

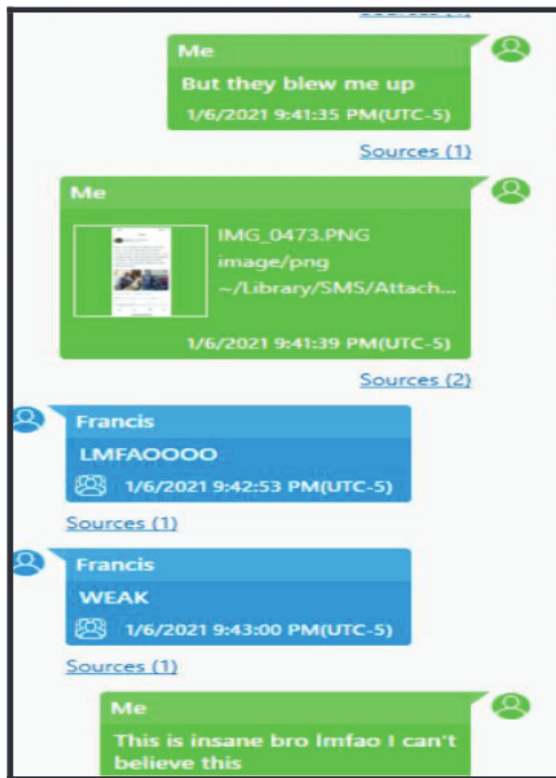


Image 12

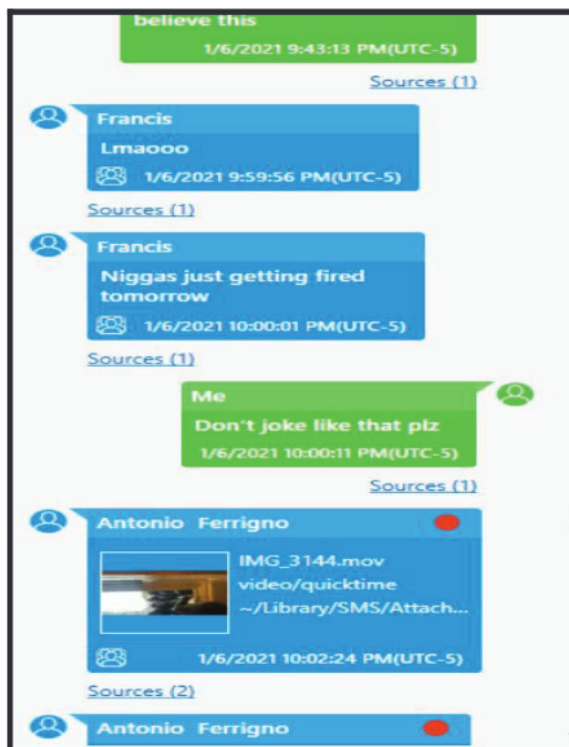


Image 13

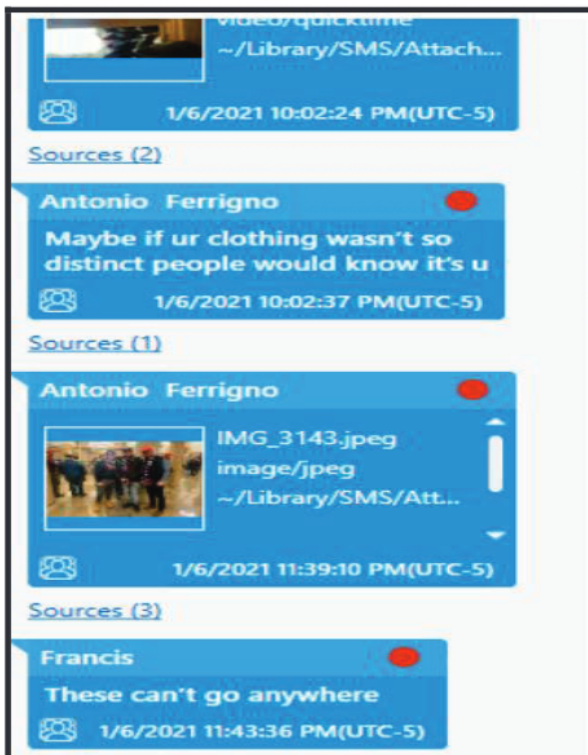


Image 14

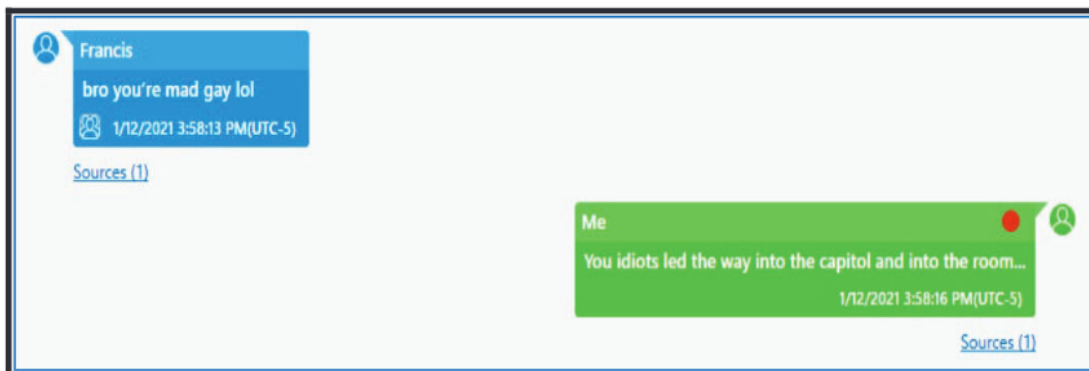


Image 15

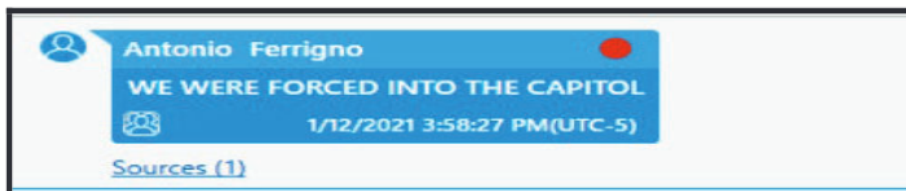


Image 16



Image 17

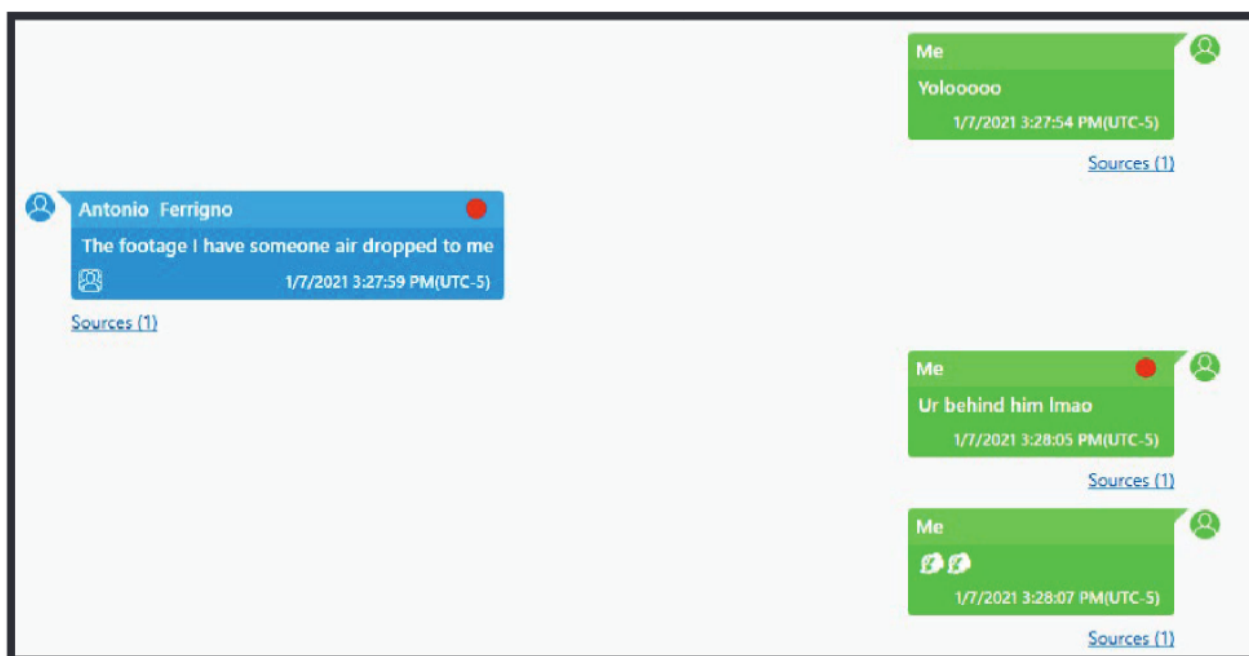
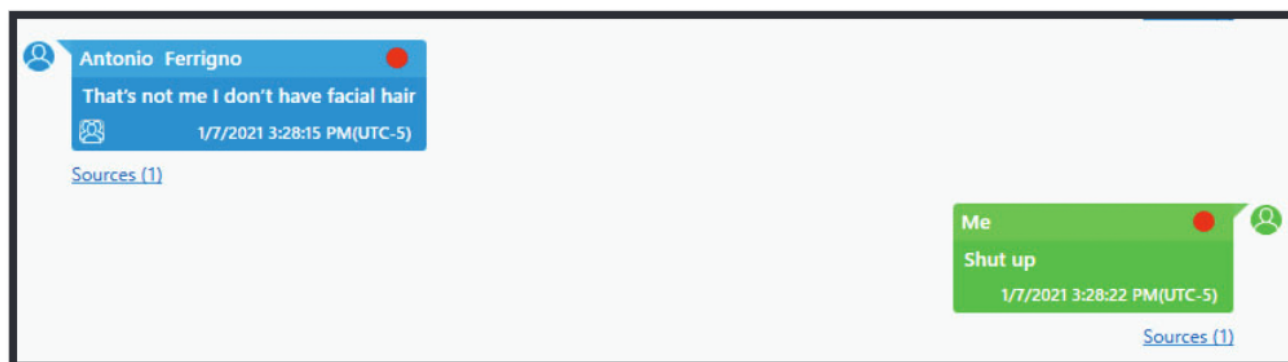


Image 18



The above shown text messages sent by “Antonio Ferrigno” were sent using the phone number ending in -3187. Law enforcement records indicate that telephone number ending in -3187 is associated with FERRIGNO.

The above shown text messages sent by “Francis” were sent using the phone number ending in -6980. Law enforcement records indicate that telephone number ending in -6980 is associated with CONNOR.

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, the cellphone associated with the phone number ending in -6980³ was identified as having utilized a cell site consistent with providing service to a geographic area that includes the interior of the United States Capitol building. As discussed above, this phone number is associated with CONNOR.⁴

Law enforcement reviewed Department of Motor Vehicle records and photos for FERRIGNO and CONNOR, and when compared to the above Image 1 and CCTV, the Subjects appear to be those same individuals.

Based on the foregoing, your affiant submits that there is probable cause to believe that ANTONIO FERRIGNO JR and FRANCIS CONNOR 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.

³ The full phone number was provided by the Provider, but only the last four digits are included in this statement.

⁴ Based on information available to law enforcement, both FERRIGNO and LUNYK used T-Mobile.

Your affiant submits there is also probable cause to believe that FERRIGNO and CONNOR violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (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.



Jhoan Sebastian Cummings
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 27th day of August 2021.



2021.08.27

17:42:36 -04'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

EXHIBIT B

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Antonio Ferrigno Jr.

)
) Case: 1:21-mj-00580
) Assigned to: Judge Faruqui, Zia M.
) Assign. Date: 8/27/2021
) 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) Antonio Ferrigno Jr.,
who is accused of an offense or violation based on the following document filed with the court:

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- 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)- Entering and Remaining in a Restricted Building or Grounds
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Date: 08/27/2021



2021.08.27
17:44:21 -04'00'

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

MIME-Version:1.0
From:ecf_bounces@nyed.uscourts.gov
To:nobody@nyed.uscourts.gov
Bcc:
--Case Participants:
--Non Case Participants:
--No Notice Sent:

Message-Id:16142519@nyed.uscourts.gov
Subject:Activity in Case 1:21-mj-01010-MMH USA v. Connor et al Initial Appearance - Rule 5(c)(3)
Content-Type: text/html

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 8/31/2021 at 5:21 PM EDT and filed on 8/31/2021

Case Name: USA v. Connor et al
Case Number: 1:21-mj-01010-MMH
Filer:
Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Magistrate Judge Marcia M. Henry:Initial Appearance in Rule 5(c)(3) Proceedings as to Francis Connor, Antonio Ferrigno, Jr held on 8/31/2021 VIA WEBEX VIDEO, Attorney Appointment of cja counsel Carlos Santiago for defendant Francis Connor, and cja counsel Donald duBoulay for defendant Antonio Ferrigno, Jr held on 8/31/2021. AUSA Joy Lurinsky.(FTR Log #2;26-3;10.) Defendants arraigned on a removal complaint to the District of Columbia. Both defendants released on ROR with conditions. Both defendants given bail warnings and released. Defendants waived identity hearing. Defendants to report to Court in DC on 9/8/at 1pm via ZOOM. (Yuen, Sui-May)

1:21-mj-01010-MMH-1 Notice has been electronically mailed to:

1:21-mj-01010-MMH-1 Notice will not be electronically mailed to:

Joy Margaret Lurinsky
DOJ-USAO
United States Attorney's Office
271 Cadman Plaza East
Brooklyn, NY 11202

1:21-mj-01010-MMH-2 Notice has been electronically mailed to:

1:21-mj-01010-MMH-2 Notice will not be electronically mailed to:

Joy Margaret Lurinsky

DOJ-USAO
United States Attorney's Office
271 Cadman Plaza East
Brooklyn, NY 11202

United States District Court, Eastern District of New York

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS OF RELEASE AND APPEARANCE BOND

V.

Case Number: 21-1010 M

Francis Connor, Defendant.

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
Upon Bond executed by the defendant in the amount of \$, and secured by financially responsible sureties listed below and/or collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- 1. The defendant must remain in and may not leave the following areas without Court permission: New York City; Long Island, NY; New York State; New Jersey; DC only for court + lawyer visits and travel to and from this Court and the permitted areas.
2. The defendant must avoid all contact with the following persons or entities: co-defendant or co-conspirators potential victims or witnesses
3. The defendant must avoid and not go to any of the following locations: Do not travel to / enter any state or federal capitol buildings except with notice to Pretrial Services
4. The defendant must surrender all passports to Pretrial Services by 9/2/21 and not obtain other passports or international travel documents.
5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
b. must report as directed by Pretrial Services or in person times per and/or by telephone times per
c. must undergo testing, evaluation and/or treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, religious services, employment, school or training, other activities approved by Pretrial Services,
curfew: restricted to home every day from to, or as directed by Pretrial Services.
Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/ or from available insurance.
6. Other Conditions:

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- cash deposited in the Registry of the Court in the sum of \$;
premises located at: owned by
I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

Address:
, Surety
Address:
, Surety
Address:
, Surety

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

X Francis Connor

Signature of Defendant

Release of the Defendant is hereby ordered on August 31 2021

Marcia M. Henry, US MJ

Distribution: Canary - Court Pink - Pretrial Services Goldenrod -Defendant

United States District Court, Eastern District of New York

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS OF RELEASE AND APPEARANCE BOND

V.

Case Number: 21-1010 M

Antonio Ferrigno, Defendant.

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
Upon Bond executed by the defendant in the amount of \$ and secured by financially responsible sureties listed below and/or collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- 1. The defendant must remain in and may not leave the following areas without Court permission: New York City; Long Island, NY; New York State; New Jersey; DC only for court + lawyer v. visits and travel to and from this Court and the permitted areas.
2. The defendant must avoid all contact with the following persons or entities: co-defendant or co-conspirators potential victims or witnesses
3. The defendant must avoid and not go to any of the following locations: Do not travel to / enter any state or federal capitol buildings except with notice to Pretrial Services
4. The defendant must surrender all passports to Pretrial Services by 9/2/21 and not obtain other passports or international travel documents.
5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
b. must report as directed by Pretrial Services or in person times per and/or by telephone times per
c. must undergo testing, evaluation and/or treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, religious services, employment, school or training, other activities approved by Pretrial Services,
curfew: restricted to home every day from to , or as directed by Pretrial Services.
Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/ or from available insurance.
6. Other Conditions: Surrender all weapons to the local police precinct if in the defendant's possession

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ ROR and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- cash deposited in the Registry of the Court in the sum of \$;
premises located at owned by;
I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

Address: Surety
Address: Surety
Address: Surety

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

X Antonio Ferrigno

Signature of Defendant

Release of the Defendant is hereby ordered on August 31, 2021.

Marcia M. Henry, US MJ

Distribution: Canary - Court Pink - Pretrial Services Goldenrod -Defendant

1. CIR./DIST./ DIV. CODE EDNY	2. PERSON REPRESENTED FRANCIS CONNOR	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER 21-1010 M	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER (Case Name) USA v. CONNOR.	8. PAYMENT CATEGORY <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input checked="" type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE (See Instructions) CC
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i> REMOVAL TO DISTRICT OF COLUMBIA			

12. ATTORNEY'S NAME (First Name, MI., Last Name, including any suffix), AND MAILING ADDRESS Law Office of Carlos M. Santiago, P.C. 11 Broadway, Suite 615 New York, NY 10004 carlos@santiagolawny.com 212-256-8460 Telephone Number : _____ 917-370-2551	13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Dates: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has otherwise satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other (See Instructions) _____ S/ Marcia Henry Signature of Presiding Judicial Officer or By Order of the Court _____ _____ 05/18/2021 05/18/2021 Date of Order Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this service at time appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)	

CLAIM FOR SERVICES AND EXPENSES			FOR COURT USE ONLY		
CATEGORIES (Attach itemization of services with dates)	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH. ADJUSTED HOURS	MATH/TECH. ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	a. Arraignment and/or Plea				
	b. Bail and Detention Hearings				
	c. Motion Hearings				
	d. Trial				
	e. Sentencing Hearings				
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other (Specify on additional sheets)				
(RATE PER HOUR = \$ _____) TOTALS:					
Out of Court	a. Interviews and Conferences				
	b. Obtaining and reviewing records				
	c. Legal research and brief writing				
	d. Travel time				
	e. Investigative and other work (Specify on additional sheets)				
(RATE PER HOUR = \$ _____) TOTALS:					
17. Travel Expenses (lodging, parking, meals, mileage, etc.)					
18. Other Expenses (other than expert, transcripts, etc.)					
GRAND TOTALS (CLAIMED AND ADJUSTED):					

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM: _____ TO: _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____		

APPROVED FOR PAYMENT — COURT USE ONLY					
23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.	
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE/MAG. JUDGE CODE	
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED	
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment approved in excess of the statutory threshold amount.</i>			DATE	34a. JUDGE CODE	

UNITED STATES DISTRICT COURT

for the

United States of America

v.

Francis Connor

Defendant

Case No. 21-1010 M

Charging District's Case No.

WAIVER OF RULE 5 & 5.1 HEARINGS (Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* 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 a 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 judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 - preliminary hearing and/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.

Date: 8/31/2021

X/ Francis Connor
Defendant's signature

X Carlos Santiago
Signature of defendant's attorney

Carlos M. Santiago, Jr.
Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	
UNITED STATES OF AMERICA	:
	:
-v-	:
	:
Francis Connor and Antonio Ferrigno,	:
	:
Defendant(s).	:
-----X	

21 - 1010 M

RULE 5(f) ORDER

Marcia Henry, United States Magistrate Judge:

This Order is entered, pursuant to Federal Rule of Criminal Procedure 5(f), to confirm the Government’s disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and to summarize the possible consequences of violating those obligations.

The Government must disclose to the defense all information “favorable to an accused” that is “material either to guilt or to punishment” and that is known to the Government. *Id.* at 87. This obligation applies regardless of whether the information would itself constitute admissible evidence. The Government shall disclose such information to the defense promptly after its existence becomes known to the Government so that the defense may make effective use of the information in the preparation of its case.

As part of these obligations, the Government must disclose any information that can be used to impeach the trial testimony of a Government witness within the meaning of *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny. Such information must be disclosed sufficiently in advance of trial in order for the defendant to make effective use of it at trial or at such other time as the Court may order.

The foregoing obligations are continuing ones and apply to materials that become known to the Government in the future. Additionally, if information is otherwise subject to disclosure, it must be disclosed regardless of whether the Government credits it.

In the event the Government believes that a disclosure under this Order would compromise witness safety, victim rights, national security, a sensitive law-enforcement technique, or any other substantial government interest, it may apply to the Court for a modification of its obligations, which may include in camera review or withholding or subjecting to a protective order all or part of the information otherwise subject to disclosure.

For purposes of this Order, the Government includes all current or former federal, state, and local prosecutors, law-enforcement officers, and other officers who have participated in the prosecution, or investigation that led to the prosecution, of the offense or offenses with which the defendant is charged. The Government has an affirmative obligation to seek from such sources all information subject to disclosure under this Order.

Nothing in this Order is intended to limit the Government's responsibility to be alert to, and comply with, any additional disclosure obligations that are or may be required by statute, rule, or case law.

If the Government fails to comply with this Order, the Court, in addition to ordering production of the information, may:

- (1) specify the terms and conditions of such production;
- (2) grant a continuance;
- (3) impose evidentiary sanctions;
- (4) impose sanctions on any responsible lawyer for the Government;

- (5) dismiss charges before trial or vacate a conviction after trial or a guilty plea; or
- (6) enter any other order that is just under the circumstances.

SO ORDERED.

/S/ Marcia Henry
United States Magistrate Judge

Dated: August 31, 2021
Brooklyn, New York

**U.S. District Court
Eastern District of New York (Brooklyn)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-01010-MMH All Defendants**

Case title: USA v. Connor et al

Date Filed: 08/31/2021

Date Terminated: 08/31/2021

Assigned to: Magistrate Judge Marcia M.
Henry

Defendant (1)

Francis Connor

TERMINATED: 08/31/2021

represented by **Carlos M Santiago**

The Law Office of Carlos M. Santiago
11 Broadway
Suite 615
New York, NY 10004
(212)256-8460
Fax: (212)256-8461
Email: carlos@santiagolawnyc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Magistrate Judge Marcia M.
Henry

Defendant (2)

Antonio Ferrigno, Jr.
TERMINATED: 08/31/2021

represented by **Donald Dennis DuBoulay**
305 Broadway
Suite 602
New York, NY 10007
(212) 966-3970
Fax: 212-941-7108
Email: dondubesq@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Joy Margaret Lurinsky**
DOJ-USAO
United States Attorney's Office
271 Cadman Plaza East
Brooklyn, NY 11202
718-254-6441
Email: joy.lurinsky@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Page	Docket Text
08/31/2021	<u>1</u>		RULE 40 AFFIDAVIT / Removal complaint to the District of Columbia by USA as to Francis Connor, Antonio Ferrigno, Jr. Signed by Judge Marcia Henry dtd 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)

08/31/2021		Minute Entry for proceedings held before Magistrate Judge Marcia M. Henry:Initial Appearance in Rule 5(c)(3) Proceedings as to Francis Connor, Antonio Ferrigno, Jr held on 8/31/2021 VIA WEBEX VIDEO, Attorney Appointment of cja counsel Carlos Santiago for defendant Francis Connor, and cja counsel Donald duBoulay for defendant Antonio Ferrigno, Jr held on 8/31/2021. AUSA Joy Lurinsky.(FTR Log #2;26-3;10.) Defendants arraigned on a removal complaint to the District of Columbia. Both defendants released on ROR with conditions. Both defendants given bail warnings and released. Defendants waived identity hearing. Defendants to report to Court in DC on 9/8/at 1pm via ZOOM. (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>2</u>	ORDER Setting Conditions of Release as to Francis Connor (1) ROR. Ordered by Magistrate Judge Marcia M. Henry on 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>3</u>	ORDER Setting Conditions of Release as to Antonio Ferrigno Jr. (2) ROR. Ordered by Magistrate Judge Marcia M. Henry on 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>4</u>	CJA 23 Financial Affidavit by Francis Connor (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>5</u>	CJA 23 Financial Affidavit by Antonio Ferrigno, Jr (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>6</u>	CJA 20 as to Francis Connor: Appointment of Attorney Carlos M Santiago for Francis Connor.. Ordered by Magistrate Judge Marcia M. Henry on 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>7</u>	CJA 20 as to Antonio Ferrigno, Jr: Appointment of Attorney Donald Dennis DuBoulay for Antonio Ferrigno, Jr.. Ordered by Magistrate Judge Marcia M. Henry on 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>8</u>	WAIVER of Rule 5(c)(3) Hearing by Francis Connor (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>9</u>	WAIVER of Rule 5(c)(3) Hearing by Antonio Ferrigno, Jr (Yuen, Sui-May) (Entered: 08/31/2021)
08/31/2021	<u>10</u>	ORDER: This order is entered pursuant to Federal Rule of Criminal Procedure 5(f) to confirm the prosecution's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and to summarize the possible consequences of violating those obligations. as to Francis Connor, Antonio Ferrigno, Jr. Ordered by Magistrate Judge Marcia M. Henry on 8/31/2021. (Yuen, Sui-May) (Entered: 08/31/2021)