

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

BRIAN E. STENZ

) Case: 1:21-mj-00409
) Assigned To : Meriweather, Robin M.
) Assign. Date : 4/28/2021
) 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) BRIAN E. STENZ

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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
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) - Violent Entry or Disorderly Conduct;
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 04/28/2021

2021.04.28
17:37:46 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 4/28/2021, and the person was arrested on (date) 4/30/2021 at (city and state) FORT WASHINGTON, PA

Date: 04/30/2021

Joseph C. McGinn
Arresting officer's signature

JOSEPH C. MCGINN, SPECIAL AGENT, FBI
Printed name and title

**BAIL STATUS AND ORDER**

\_\_\_\_ INTERPRETER NEEDED : **DATE: Friday, April 30, 2021**

**HEARING TYPE: REMOVAL TO: DC  
[21-mj-409-Sealed] IA / Identity / Detention**

Date of Arrest: 4/30/2021 : ESR OPERATOR: Mike Cosgrove

UNITED STATES OF AMERICA : AUSA James Pavlock

v. : Criminal No: 21-mj-792

BRIAN E. STENZ : Joseph Marrone  
[] CJA Appointed  
[X] Retained  
[] Defenders' Assn. Apptd.

After hearing held this day pursuant to the Federal Rules of Criminal Procedure, or after hearing pursuant to government's motion, the bail status as to the above-named defendant is as follows:

The Government's Motion for Temporary Detention is Granted. A detention hearing and are scheduled for .

The Defendant stipulated to  probable cause and/or  pretrial detention.

The Government's Motion for Pretrial Detention is Granted. The Defendant is detained pending further proceedings.

The Government's Motion for Pretrial Detention is Denied.  
See attached Conditions of Release Order.

The Government and Defense have agreed to conditions of release.  
See attached Conditions of Release Order.

Other: **Defendant Stipulated to Identity. Defendant is RELEASED pending further video proceedings in the District of Columbia scheduled for Wednesday, May 5, 2021 at 1:00 p.m. Details to be provided to defense counsel by AUSA Pavlock.**

*AFTER A HEARING, PROBABLE CAUSE WAS FOUND BY THE COURT.*

*PLEA: NOT GUILTY TO ALL COUNT(S). Counsel have 14 days to file pretrial motions.*

[X] The United States is obligated, pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to timely disclose information favorable to the defense as to criminal liability on the charged offense(s) or mitigation of any punishment that may be imposed. Such favorable information includes information that may cast doubt on the credibility of government witnesses. Possible consequences for violating this order include exclusion of evidence, dismissal of charges, contempt proceedings, disciplinary referral, and any other relief authorized by law.

BY:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE

**TIME IN COURT 10 MINUTES**  
*(Form Revised March, 2021)*



2. On April 30, 2021, defendant self-surrendered on the arrest warrant. An initial appearance was scheduled on April 30, 2021 in this District and the defendant appeared via videoconference with his attorney, Joseph Marrone. The defendant agreed, *inter alia*, that the case be removed to the District of Columbia.

3. The Speedy Trial Act, 18 U.S.C. § 3161(b), requires that an Indictment or Information be filed within 30 days from the date on which the defendant was arrested, in this case by May 30, 2021. 18 U.S.C. § 3161(h) provides for time to be excluded from the computation of the time within which an information or an indictment must be filed to include, under subsection (1)(E), “delay resulting from any proceeding relating to the transfer of a case or the removal of any defendant from another district...”

4. Counsel for the defendant, Joseph Marrone, Esq., has represented to the Court during the defendant’s initial appearance in this District that he does not oppose the government’s Motion.

WHEREFORE, for the above reasons, it is respectfully submitted that the ends of justice will be served best by the Court entering an order excluding the time from April 30, 2021 to May 5, 2021 for purposes of calculating the time for which an information or indictment must be filed, pursuant to 18 U.S.C. § 3161(b) and (h).

Respectfully submitted,

JENNIEFER ARBITTIER WILLIAMS  
United States Attorney

/s/ James R. Pavlock  
JAMES R. PAVLOCK  
Assistant United States Attorney



(1)(E), “delay resulting from any proceeding relating to the transfer of a case or the removal of any defendant from another district...”

5. The government has moved to exclude the time from April 30, 2021 to May 5, 2021 for purposes of that time calculation.

6. The Court finds that these reasons cause the ends of justice to best be served by excluding the time from April 30, 2021 to May 5, 2021 from the time required to file an information or indictment pursuant to 18 3161(b) and (h) and that these reasons outweigh the interests of the public and the defendant in a speedy trial.

WHEREFORE, in accordance with Title 18, United States Code, Section 3161(b) and (h), it is hereby ORDERED that the time from April 30, 2021 to May 5, 2021 is excluded from the time in which an Indictment or Information must be filed in the above action.

**BY THE COURT:**

/s/ Lynne A. Sitarski

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**HONORABLE LYNNE A. SITARSKI**  
**United States Magistrate Judge**

**CERTIFICATE OF SERVICE**

I hereby certify that this pleading has been served on the Filing User identified below through the Electronic Case Filing (ECF) system and email:

Joseph M. Marrone, Esq.  
jmarrone@marronelaw.com

/s/ James R. Pavlock  
JAMES R. PAVLOCK  
Assistant United States Attorney

Dated: April 30, 2021

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CLOSED

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00792-1**

Case title: USA v. STENZ

Date Filed: 05/05/2021

Date Terminated: 05/05/2021

Assigned to: Unassigned

**Defendant (1)**

**BRIAN E. STENZ**  
*TERMINATED: 05/05/2021*

represented by **JOSEPH M. MARRONE**  
Marrone Law Firm, LLC  
200 S. Broad Street  
Suite 400  
PHILADELPHIA, PA 19102  
215-732-6700  
Fax: 215-732-7660  
Email: [jmarrone@marronelaw.com](mailto:jmarrone@marronelaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

18:1752(a)(1) - KNOWINGLY ENTERING  
OR REMAINING IN ANY RESTRICTED  
BUILDING OR GROUNDS WITHOUT  
LAWFUL AUTHORITY; 18:1752(a)(2) -  
DISORDERLY AND DISRUPTIVE  
CONDUCT IN A RESTRICTED

**Disposition**

BUILDING OR GROUNDS; 40:5104(e)(2)  
 (D) - VIOLENT ENTRY AND  
 DISORDERLY CONDUCT ON CAPITAL  
 GROUNDS; 40:5104(e)(2)(G) -  
 PARADING, DEMONSTRATING, OR  
 PICKETING IN A CAPITAL BUILDING

### **Plaintiff**

**USA**

represented by **JAMES R. PAVLOCK**  
 U.S. ATTORNEY'S OFFICE  
 615 CHESTNUT STREET  
 PHILADELPHIA, PA 19106  
 Email: james.pavlock@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/30/2021		Arrest (Rule 40) of BRIAN E. STENZ (ems) (Entered: 05/05/2021)
05/05/2021	<a href="#">1</a>	Minute Entry for proceedings held before MAGISTRATE JUDGE LYNNE A. SITARSKI: REMOVAL TO: DC - IA / Identity / Detention as to BRIAN E. STENZ held on 4/30/2021. Defendant Stipulated to Identity. Defendant is RELEASED pending further video proceedings in the District of Columbia scheduled for Wednesday, May 5, 2021 at 1:00 p.m.. Details to be provided to defense counsel by AUSA Pavlock. Signed by United States Magistrate Judge Lynne A. Sitarski. Court Reporter: ESR. (ems) (Entered: 05/05/2021)
05/05/2021	<a href="#">2</a>	ORDER SETTING CONDITIONS OF RELEASE AS TO BRIAN E. STENZ (1) THAT THE DEFENDANT IS RELEASED ON BAIL IN THE AMOUNT OF \$50,000 O/R WITH THE FOLLOWING CONDITIONS AS OUTLINED HEREIN. Signed by MAGISTRATE JUDGE LYNNE A. SITARSKI on 4/30/2021. 5/5/2021 Entered and Copies E-Mailed. (ems) (Entered: 05/05/2021)
05/05/2021	<a href="#">3</a>	O/R Bond Entered as to BRIAN E. STENZ in amount of \$ 50,000. (ems) (ems). (Entered: 05/05/2021)
05/05/2021	<a href="#">4</a>	MOTION AND ORDER AS TO BRIAN E. STENZ THAT THE TIME FROM APRIL 30, 2021 TO MAY 5, 2021 IS EXCLUDED FROM THE TIME IN WHICH AN INDICTMENT OR INFORMATION MUST BE FILED IN THE ABOVE ACTION. Signed by MAGISTRATE JUDGE LYNNE A. SITARSKI on 4/30/2021. 5/5/2021 Entered and Copies E-Mailed. (ems) (Entered: 05/05/2021)
05/10/2021		***TRANSFERRED CASE as to BRIAN E. STENZ TO THE DISTRICT OF COLUMBIA. (ap, ) (Entered: 05/10/2021)