

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

BRIAN ULRICH

Defendant

)
) Case No. 1:21-cr-28
) Assign to: Judge Amit P. Mehta
) Date Assigned: 08/04/2021
) Description: SUPERSEDING INDICTMENT (B)
) Case Related to 21-cr-28 (APM)
)

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 ULRICH
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. § 371 (Conspiracy); 18 U.S.C. §§ 1512(c)(2), 2 (Obstruction of an Official Proceeding and Aiding and Abetting);
18 U.S.C. § 1752(a)(1) (Entering and Remaining in a Restricted Building or Grounds).

Date: 08/04/2021

Robin M. Meriweather

2021.08.04 22:52:12

-04'00'

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 8/9/2021, and the person was arrested on (date) 8/9/2021
at (city and state) Guyton, Georgia.

Date: 8/9/2021

Arresting officer's signature

Paul M. Allen, Special Agent FBI
Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

CLERK'S MINUTES

CASE NO.: 4:21mj83

DATE: August 11, 2021

UNITED STATES OF AMERICA

TIME: 2:33 - 3:00 p.m.

v.

LOCATION: SAVANNAH

BRIAN ULRICH

Judge: Christopher L. Ray, US Magistrate Judge

Courtroom Deputy: Molly Davenport

Court Reporter: FTR-SAV

Interpreter/Law Clerk:

Probation Officer: Ryan Powell

Security: CSO Bill/USMS Ryan

Attorney(s) for Government: Joshua Bearden

Attorney(s) for Defendant: A.J. Balbo (retained)

PROCEEDINGS: INITIAL APPEARANCE - RULE 5

CHARGING DISTRICT: District of Columbia

CASE NUMBER: 1:21-cr-28-APM

Defendant advised of charges and penalties

Defendant qualifies for court appointed counsel

Defendant waives preliminary hearing

Defendant waives identity hearing

Preliminary hearing set for:

Government moves for detention:

Defendant waives detention hearing in the Southern District of Georgia

Defendant requests 5 days to prepare for detention hearing

Government requests 3 days to prepare for detention hearing

Detention hearing scheduled for:

Detention hearing held.

Defendant released on an Appearance Bond

Defendant is ordered to appear at the charging district on: 8/13/2021 at 10:30 a.m. via VTC

Defendant detained pending a detention hearing

Defendant remanded to the custody of the US Marshal for transport back to: _____

ADDITIONAL COMMENTS:

Defendant was released on an unsecured bond in the amount of \$25,000.00 with supervision.

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

Brian Ulrich

Defendant

)
)
)
)
)

Case No. 4:21mj83

ORDER SETTING CONDITIONS OF RELEASE

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

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

The defendant must appear at: Place

on Date and Time

If blank, defendant will be notified of next appearance.

(5) The defendant must sign:

An Appearance Bond.

An Unsecured Appearance Bond in the amount of \$ 25,000.00

An Unsecured Appearance Bond in the amount of \$, without pretrial supervision.

An Appearance Bond in the amount of \$, which must be secured by a third party signature.

An Appearance Bond in the amount of \$ secured by \$, in cash deposited with the Court

ADDITIONAL CONDITIONS OF RELEASE

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

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

() (6) The defendant is placed in the custody of:
Person or organization
Address (only if above is an organization)
City and state Tel. No.

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: Custodian Date

- (x) (7) The defendant must:
(x) (a) submit to supervision by and report for supervision to the SUPERVISING OFFICER, telephone number, no later than
(x) (b) continue or actively seek employment.
() (c) continue or start an education program.
(x) (d) surrender any passport to: SUPERVISING OFFICER
(x) (e) not obtain a passport or other international travel document.
(x) (f) abide by the following restrictions on personal association, residence, or travel: TRAVEL IS RESTRICTED TO THE SOUTHERN DISTRICT OF GEORGIA; DISTRICT OF COLUMBIA (FOR COURT); AND FL, IL, KS, AND SC FOR WORK PURPOSES
(x) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: CODEFENDANTS and "OATHKEEPERS" organization
() (h) get medical or psychiatric treatment:
() (i) return to custody each at o'clock after being released at o'clock for employment, schooling, or the following purposes:
() (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
(x) (k) not possess a firearm, destructive device, or other weapon.
() (l) not use alcohol () at all () excessively.
() (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
() (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
() (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
() (p) participate in one of the following location restriction programs and comply with its requirements as directed.
() (i) Curfew. You are restricted to your residence every day () from to , or () as directed by the pretrial services office or supervising officer; or
() (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
() (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or
() (iv) Stand Alone Monitoring. You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
() (q) submit to the following location monitoring technology and comply with its requirements as directed:

ADDITIONAL CONDITIONS OF RELEASE

- (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - (ii) Voice Recognition; or
 - (iii) Radio Frequency; or
 - (iv) GPS.
- (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (t) The defendant will not use any applications for purposes of encryption.
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-

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

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

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

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

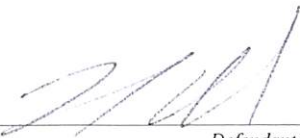
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

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

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

Acknowledgment of the Defendant

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



Defendant's Signature

Guyton GA

City and State

Directions to the United States Marshal

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

Date: 8/11/21



Judicial Officer's Signature

U.S. MAGISTRATE JUDGE CHRISTOPHER L. RAY

Printed name and title

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

Brian Ulrich

Defendant

Case No. 4:21mj83

Charging District: District of Columbia

Charging District's Case No. 1:21cr28-APM

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

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

Table with 2 columns: Place (VTC instructions will be provided), Courtroom No., Date and Time (August 13, 2021 at 10:30 a.m. EST)

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 08/11/2021

Handwritten signature of Christopher L. Ray

Judge's signature

Christopher L. Ray, U.S. Magistrate Judge

Printed name and title

In accordance with Federal Rule of Criminal Procedure 5(f)(1), the Court orders the United States to produce all exculpatory information under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. Failure to timely perform these obligations may result in various consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions.

Date: 08/11/2021

Handwritten signature of Christopher L. Ray

Magistrate Judge Christopher L. Ray

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

Brian Ulrich

Defendant

Case No. 4:21mj83-CLR

Charging District's Case No. 1:21cr28-APM

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.

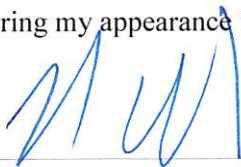
I agree to waive my right(s) to:

- 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:

8/11/2021



Defendant's signature



Signature of defendant's attorney

A.J. Balbo

Printed name of defendant's attorney

**U.S. District Court
Southern District of Georgia (Savannah)
CRIMINAL DOCKET FOR CASE #: 4:21-mj-00083-CLR-1
*Internal Use Only***

Case title: USA v. Ulrich

Date Filed: 08/10/2021

Assigned to: Magistrate Judge
Christopher L. Ray

Defendant (1)

Brian Ulrich

represented by **Attilio J. Balbo**
Balbo & Gregg
P.O. Box 1297
Richmond Hill, GA 31324
912-459-1776
Fax: 912-459-1777
Email: aj@balbogregg.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 U.S.C. § 371 Conspiracy

Disposition

Plaintiff

USA

represented by **Joshua S. Bearden**
U.S. Attorney's Office – Savannah
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 Email: karl.knoche@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
08/10/2021			Arrest (Rule 40) of Brian Ulrich. (pts) (Entered: 08/10/2021)
08/10/2021	<u>1</u>		Charging Document – District of Columbia by USA as to Brian Ulrich. (pts) (Entered: 08/10/2021)
08/10/2021	2		TEXT ONLY NOTICE OF HEARING as to Brian Ulrich. Initial Appearance – Rule 40 set for 8/11/2021 02:30 PM in Savannah – Mag Jud Courtroom before Magistrate Judge Christopher L. Ray. (MD) (Entered: 08/10/2021)
08/10/2021	<u>3</u>		NOTICE OF ATTORNEY APPEARANCE Joshua S. Bearden appearing for USA. (Bearden, Joshua) (Entered: 08/10/2021)
08/10/2021	<u>4</u>		Pretrial Services Report as to Brian Ulrich. This report is provided for the purpose of BAIL DETERMINATION ONLY and shall otherwise be confidential pursuant to: 18 USC Section 3153(c)(1). (USPO) (Entered: 08/10/2021)
08/11/2021	<u>5</u>		NOTICE OF ATTORNEY APPEARANCE: appearing for Brian Ulrich (Balbo, Attilio) (Entered: 08/11/2021)
08/11/2021	<u>6</u>		Minute Entry for proceedings held before Magistrate Judge Christopher L. Ray: Initial Appearance in Rule 5(c)(3) Proceedings as to Brian Ulrich held on 8/11/2021. Defendant released on a \$25,000.00 unsecured bond with supervision. (Tape #FTR – SAV.) (MD) (Entered: 08/11/2021)
08/11/2021	<u>7</u>		Appearance Bond Entered as to Brian Ulrich in amount of \$25,000.00. Unsecured. (csr) (Entered: 08/11/2021)
08/11/2021	<u>8</u>		ORDER Setting Conditions of Release (1), \$25,000.00 Unsecured. Signed by Magistrate Judge Christopher L. Ray on 8/11/2021. (csr) (Entered: 08/11/2021)
08/11/2021	<u>9</u>		ORDER FOR DEFENDANT TO APPEAR in District of Columbia on 8/13/2021 at 10:30 a.m., est., VTC instructions will be provided, as to Brian

		Ulrich. Signed by Magistrate Judge Christopher L. Ray on 8/11/2021. (csr) (Entered: 08/11/2021)
08/11/2021	<u>10</u>	WAIVER of Rule 5(c)(3) Hearing by Brian Ulrich. (csr) (Entered: 08/11/2021)