

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Michael Eckerman

Case: 1:21-mj-00602
Assigned To : Meriweather, Robin M.
Assign. Date : 9/14/2021
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) Michael Eckerman
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. § 111(a)(1)- Assaulting, Resisting, or Impeding Certain Officers
18 U.S.C. § 231(a)(3)- Civil Disorder
18 U.S.C. §§ 1512(c)(2)- Obstruction of an Official Proceeding
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)(A) - Entering and Remaining on the Floor of Congress
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

Date: 09/15/2021



Handwritten signature of Robin M. Meriweather

2021.09.15
17:59:06 -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) 09/14/2021, and the person was arrested on (date) 09/20/2021
at (city and state) WICHITA, KS

Date: 09/20/2021

Handwritten signature of Corey Green

Arresting officer's signature

COREY GREEN / AGENT
Printed name and title

Date: 9/20/21

SEP 20 2021

United States of America,

Plaintiff,

Clerk, U.S. District Court  
By [Signature] Deputy Clerk

v.  
Michael Eckerman (via zoom)

Case No. 21-6165-01-GEB

Defendant.

JUDGE:  Birzer  Gale  
DEPUTY CLERK:  Anderson  Carter  
INTERPRETER:  Vargas  Badillo  Martinez  
 Ping  Rivera  Vilaythong  
 Sworn

AUSA: Furst  
DEFENSE COUNSEL: Schoenhofer  
TAPE NO.: 1:32 - 1:58

**PROCEEDINGS**

- |                                                                              |                                              |                                                  |
|------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Initial Appearance                                  | <input type="checkbox"/> Detention Hearing   | <input type="checkbox"/> Bond Rev. Hrg           |
| <input checked="" type="checkbox"/> Initial Rule 5(c)(3)                     | <input type="checkbox"/> Preliminary Hearing | <input type="checkbox"/> Pretrial Conference     |
| <input type="checkbox"/> Sentencing                                          | <input type="checkbox"/> Change of Plea      |                                                  |
| <input type="checkbox"/> In-Court Hearing: _____                             |                                              |                                                  |
| <input type="checkbox"/> Arraignment <input type="checkbox"/> Reading waived | <input type="checkbox"/> Read to Defendant   | <input type="checkbox"/> Not Guilty Plea Entered |

Dist Columbia

- Complaint  Indictment  Information  Pet. Revoke Supervision  No. Counts: 8  Forfeiture  
 Felony  Misdemeanor  
 Charges/Viols. and penalties explained to Defendant  
 Constitutional rights explained  
 Defendant affirmation/sworn  Examined  Counsel appointed  
 Due Process Protections Act advisement given  
 Defendant given Consular Notification  
 Advised of rights under Rule  20  5(c)(3)  Transfer to: \_\_\_\_\_  
 Signed Wvr Ind  Signed Consent to MJ  Petition to Plea filed  Plea Agmt filed  PSI ordered

- Release ordered  Bond fixed at: \$ 10,000 O/R  Continued on present bond/conditions  
 Temp. det. ordered  Detention ordered  Remanded to custody

- Defendant waived the right to a detention hearing. The Court accepted the waiver and granted the Government motion for detention.  
 Defendant waived the right to a preliminary hearing. The Court accepted the waiver and found probable cause as alleged.  
 Government motion for detention is  granted.  denied.  withdrawn.  taken under advisement.  
 The Government adopted the recommendations of Pretrial Services for release on conditions.  
 Defendant waived the right to an identity hearing. The Court accepted the waiver and found Defendant to be the person named. ~~Defendant waived the right to a detention hearing in the District of Kansas. The Court accepted the waiver and granted the Govt. motion for detention pending proceedings in the charging District.~~

Defendant's next appearance:  as directed before Judge Farugui in Dist. of Columbia on 9/24 via zoom.  
 per the Scheduling Order of Judge \_\_\_\_\_  
 on 10/12/21 at 1:30  a.m.  p.m. before Judge Gale  
for  detention hearing  arraignment  prelim hearing  \_\_\_\_\_

NOTES: \_\_\_\_\_

**FILED**  
U.S. District Court  
District of Kansas

SEP 20 2021

Clerk, U.S. District Court  
By [Signature] Deputy Clerk

**In the United States District Court  
for the District of Kansas**

**United States of America,**  
*Plaintiff,*

v.

Case No.

**Michael Eckerman**

*Defendant.*

**Consent to Appear by Video Teleconference or Telephone Conference**

I, Michael Eckerman, understand that under Federal Rule of Criminal Procedure 43 and the United States Constitution I have a right to be present in open court for the below-listed proceedings in my criminal case. After consulting with counsel, I hereby consent to appear by video teleconference or by telephone conference for the below-listed, marked proceedings:

- |                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> initial appearance | <input type="checkbox"/> Rule 40 appearance                                                                     |
| <input type="checkbox"/> arraignment                   | <input type="checkbox"/> misdemeanor plea & sentencing                                                          |
| <input checked="" type="checkbox"/> detention hearing  | <input type="checkbox"/> felony plea                                                                            |
| <input type="checkbox"/> preliminary hearing           | <input type="checkbox"/> felony sentencing                                                                      |
| <input type="checkbox"/> waiver of indictment          | <input type="checkbox"/> probation/supervised release<br>revocation proceedings (including<br>pretrial release) |

Pursuant to Administrative Order 2020-9, defense counsel of record has signed electronically on the defendant's behalf. Counsel states the following:

- (1) The defendant has had the opportunity to consult with counsel;
- (2) The defendant agrees to the waiver or consent; and
- (3) The defendant agrees that counsel may sign the waiver or consent on the defendant's behalf.

/s/ Michael Eckerman

Defendant

09/20/2021

Date

Mark T. Schoenhofer

Defense Counsel

Client is Spanish speaking; therefore, a Spanish interpreter was used.

UNITED STATES DISTRICT COURT  
for the  
District of Kansas

**FILED**  
U.S. District Court  
District of Kansas

SEP 20 2021

Clerk, U.S. District Court  
By [Signature] Deputy Clerk

UNITED STATES OF AMERICA )  
v. )  
MICHAEL ECKERMAN )  
\_\_\_\_\_)  
*Defendant* )

Case No. 21-6165-01-GEB

**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 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U. S. DISTRICT COURT, U. S. COURTHOUSE,  
*Place*

401 NORTH MARKET, WICHITA, KANSAS, 67202

on AS DIRECTED  
*Date and Time*

If blank, defendant will be notified of next appearance.

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

**ADDITIONAL CONDITIONS OF RELEASE**

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 PRETRIAL SERVICES AGENCY for the District of Columbia no later than September 27, 2021 and verify address.
  - ( ) (b) continue or actively seek employment.
  - ( ) (c) continue or start an education program.
  - ( ) (d) surrender any passport to: Probation/Pretrial Office
  - ( ) (e) not obtain a passport or other international travel document.
  - (X ) (f) abide by the following restrictions on personal association, residence, or travel: No travel to District of Columbia, unless for court, Pretrial, or consultation with attorney; No contact with Proud Boys organization nor anyone a member of or connected to it
  - ( ) (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: \_\_\_\_\_
  - ( ) (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, ammunition, 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.
  - ( ) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
    - ( ) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
  - (X ) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
  - (X ) (s) Participate in all future court proceedings as directed
  - (X ) (t) Advise Pretrial Services of any travel within the United States that is outside of home jurisdiction
  - (X ) (u) No travel outside the continental United States without permission
  - (X ) (u) Co-pay as directed

**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.

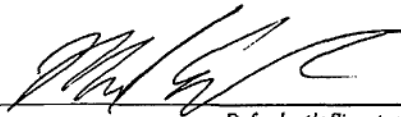
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (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.

x 

Defendant's Signature

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

City and State

**Directions to the United States Marshal**

- ( X ) 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: 9/20/2021



Judicial Officer's Signature

Gwynne E. Birzer, U.S. Magistrate Judge

Printed name and title



AO 98 (Rev. 12/11) Appearance Bond

*Release of the Bond.* The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

**Declarations**

*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 9/20/21



*Defendant's signature*

\_\_\_\_\_  
*Surety/property owner – printed name*

\_\_\_\_\_  
*Surety/property owner – signature and date*

\_\_\_\_\_  
*Surety/property owner – printed name*

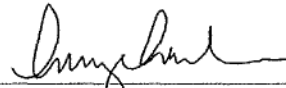
\_\_\_\_\_  
*Surety/property owner – signature and date*

\_\_\_\_\_  
*Surety/property owner – printed name*

\_\_\_\_\_  
*Surety/property owner – signature and date*

CLERK OF COURT

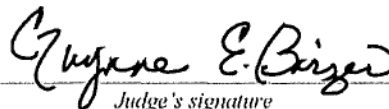
Date: 9/20/21



*Signature of Clerk or Deputy Clerk*

Approved.

Date: 9/20/21



*Judge's signature*

**U.S. District Court  
DISTRICT OF KANSAS (Wichita)  
CRIMINAL DOCKET FOR CASE #: 6:21-mj-06165-GEB-1**

Case title: USA v. Eckerman

Date Filed: 09/20/2021

Other court case number: 21-mj-602 District of Columbia

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Assigned to: Magistrate Judge Gwynne E.  
Birzer

**Defendant (1)**

**Michael Eckerman**

**Pending Counts**

**Disposition**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

**Disposition**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

**Disposition**

Removal of arrested defendant to District  
of Columbia

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**Plaintiff**

USA

represented by **Mona L. Furst**  
Office of United States Attorney –  
Wichita  
301 North Main Street, Suite 1200  
Wichita, KS 67202-4812  
316-269-6481  
Fax: 316-269-6484  
Alternative Phone:  
Cell Phone:  
Email: [mona.furst@usdoj.gov](mailto:mona.furst@usdoj.gov)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*  
*Designation: Retained*  
*Bar Number: 13162*  
*Bar Status: Active*

Email All Attorneys  
 Email All Attorneys and Additional Recipients

| Date Filed | #        | Page | Docket Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------|----------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/20/2021 |          |      | ARREST (Rule 5(c)(3) Out) of Michael Eckerman. (sz) (Entered: 09/20/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/20/2021 | <u>1</u> |      | MINUTE ENTRY for proceedings held before Magistrate Judge Gwynne E. Birzer: INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Michael Eckerman held on 9/20/2021 by ZOOM. The Government adopted the recommendations of Pretrial Services for release on conditions. Defendant waived the right to an identity hearing. The Court accepted the waiver and found Defendant to be the person named. Defendant's next appearance as directed before Judge Faruqui in District of Columbia on 9/24/2021 by ZOOM. Preliminary Hearing set for <u>10/12/2021 at 01:30 PM</u> by Zoom before Magistrate Judge Kenneth G. Gale. (Tape #1:32-1:58) (sz) (Entered: 09/20/2021)                         |
| 09/20/2021 | <u>2</u> |      | CONSENT TO APPEAR BY VIDEO OR TELEPHONE CONFERENCE for initial appearance and detention hearing as to Michael Eckerman. (sz) (Entered: 09/20/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 09/20/2021 | <u>3</u> |      | ORDER SETTING CONDITIONS OF RELEASE as to Michael Eckerman (1) \$10,000 unsecured bond. Signed by Magistrate Judge Gwynne E. Birzer on 9/20/2021. (sz) (Entered: 09/20/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/20/2021 | <u>4</u> |      | BOND POSTED as to Michael Eckerman. (sz) (Entered: 09/20/2021)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 09/20/2021 |          |      | ORDER as to Michael Eckerman – Pursuant to the Due Process Protections Act, the government is reminded of its obligations pursuant to Brady v. Maryland and its progeny to disclose material that is favorable to the defendant and material to defendants guilt or punishment. The failure to do so in a timely manner may include dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, or any other remedy that is just under the circumstances. Signed by Magistrate Judge Gwynne E. Birzer on 9/20/21. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (ala) (Entered: 09/20/2021) |
| 10/07/2021 |          |      | Terminate Deadlines and Hearings as to Michael Eckerman: By agreement of the parties the Preliminary Hearing scheduling in this district of cancelled. This matter is set for Preliminary Hearing in the District of the District of Columbia on November 29, 2021 and shall proceed in that Court. This concludes activity in this matter in the District of Kansas. (sz) (Entered: 10/07/2021)                                                                                                                                                                                                                                                                                                |