

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	Case: 1:21-mj-00459
	:	Assigned to: Judge Harvey, G. Michael
v.	:	Assign Date: 6/3/2021
	:	Description: COMPLAINT W/ ARREST WARRANT
	:	
CHRISTIAN KULAS,	:	UNDER SEAL
	:	
Defendant.	:	

ORDER TO SEAL

Having considered the Government's Motion to Seal Complaint, Affidavit, Arrest Warrant, and Supporting Paperwork in the above-captioned case, and for good cause shown, the Court makes the following findings and issues the following orders:

1. The Court has the inherent power to seal court filings when appropriate, including a complaint and an arrest warrant. *United States v. Hubbard*, 650 F.2d 293, 315-16 (D.C. Cir. 1980) (citing *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598 (1978)). In particular, the Court may seal a criminal pleading or other document to prevent serious jeopardy to an ongoing criminal investigation when, as in the present case, such jeopardy creates a compelling governmental interest in preserving the confidentiality of the pleading or other document. *See Washington Post v. Robinson*, 935 F.2d 282, 287-89 (D.C. Cir. 1991).

2. On June 03, 2021, a Complaint was filed and an Arrest Warrant was issued in this matter. The Complaint Affidavit details the facts supporting probable cause to believe that CHRISTIAN KULAS (Defendant), has violated Title 18, United States Code, Section 1752(a)(1) and (2) (Unlawful Entry on Restricted Building and Grounds); and Title 18, United States Code, 40 U.S.C. § 5104(e)(2)(D) and (G) (Disorderly Conduct on U.S. Capitol Grounds);

3. The public docketing at this time of the Complaint, Affidavit, Arrest Warrant, the

Government's Motion, the Order to Seal, and any supporting documents and docket entries could make it more difficult to secure Defendant's arrest and could compromise the government's ability to effectively continue its investigation, interview and obtain custody of any related subjects, and avoid the destruction of potential evidence. Ensuring the apprehension of Defendant and other suspects, avoiding the destruction of evidence, and protecting the integrity of legitimate government investigation constitute legitimate prosecutorial reasons for nondisclosure, and thus an appropriate basis, for an Order sealing the Complaint, Arrest Warrant, the Government's Motion, and the Order to Seal, as well as any supporting documents and docket entries.

4. Accordingly, these facts present a compelling governmental interest that justifies the sealing of the Complaint, Arrest Warrant, this Motion, the Order to Seal, and any supporting documents and docket entries.

5. It is ORDERED that the Clerk of the Court seal in this matter the Complaint, Affidavit, Arrest Warrant, the Government's Motion, and this Order to Seal, as well as any supporting documents and docket entries.

6. It is FURTHER ORDERED that the Clerk's office shall not make any entry on the public docket in this case of the Complaint, any supporting documents or docket entries, the Arrest Warrant, the Government's Motion to Seal, and the Order granting such motion, until further order of the Court.

7. It is FURTHER ORDERED that the Complaint, Affidavit, any supporting documents or docket entries, the Arrest Warrant, the Government's Motion to Seal and this Order be sealed until further order of the Court.

8. It is FURTHER ORDERED that the Complaint, Affidavit, Arrest Warrant, this Motion, and the Order to Seal, as well as any supporting documents and docket entries, shall be

unsealed upon oral motion of the Government to this Court or to any Court where the Defendant is first presented.

Date: June 03, 2021



Digitally signed by
G. Michael Harvey
Date: 2021.06.03
16:23:37 -04'00'

HON. G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

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