

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Daniel Christmann

)  
 ) Case: 1:21-mj-00529  
 ) Assigned To : Meriweather, Robin M.  
 ) Assign. Date : 7/16/2021  
 ) 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)

Daniel Christmann

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:

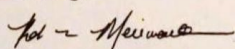
18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

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

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: 07/16/2021

  
 Issuing officer's signature

City and state: Washington, D.C.

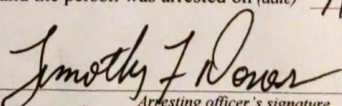
Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

## Return

This warrant was received on (date) 7/16/2021, and the person was arrested on (date) 7/28/2021  
 at (city and state) BROOKLYN, NEW YORK.

Date: 7/28/2021

  
 Arresting officer's signature
TFO DONOVAN, Timothy, F  
Printed name and title

AB:VAZ:wtr/kmu

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

DANIEL CHRISTMANN,

Defendant.

----- X

AFFIDAVIT IN SUPPORT  
OF REMOVAL TO THE  
DISTRICT OF COLUMBIA

(Fed. R. Crim. P. 5)

Case No. 21-M-867

EASTERN DISTRICT OF NEW YORK, SS:

TIMOTHY F. DONOVAN, being duly sworn, deposes and states that he is a Task Force Officer with the Federal Bureau of Investigation (“FBI”), duly appointed according to law and acting as such.

On or about July 16, 2021, the United States District Court for the District of Columbia issued an arrest warrant commanding the arrest of the defendant DANIEL CHRISTMANN for violations of: (i) Title 18, United States Code, Section 1752(a)(1) (knowingly entering or remaining in any restricted building or grounds without lawful authority) and (2) (disorderly and disruptive conduct in a restricted building or ground); and (ii) Title 40, United States Code, Section 5104(e)(2)(D) (disorderly conduct in a Capitol building) and (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<sup>1</sup>:

1. On or about July 16, 2021, the United States District Court for the District of Columbia signed a criminal complaint (the "Complaint") charging the defendant DANIEL CHRISTMANN with violating: (i) Title 18, United States Code, Section 1752(a)(1) (knowingly entering or remaining in any restricted building or grounds without lawful authority) and (2) (disorderly and disruptive conduct in a restricted building or ground); and (ii) Title 40, United States Code, Section 5104(e)(2)(D) (disorderly conduct in a Capitol building) and (G) (parading, demonstrating or picketing in a Capitol building). On that same date, an arrest warrant was issued for the defendant's arrest. True and correct copies of the Complaint and arrest warrant are attached as Exhibits A and B, respectively.

2. On or about July 28, 2021, other law enforcement officers and I traveled to the defendant's residential address in Brooklyn, New York. After we knocked and announced ourselves as law enforcement, we did not hear a response for about two minutes. Law enforcement officers then breached the door and a man, later identified as DANIEL CHRISTMANN, was behind the door.

3. At the door, a law enforcement officer asked the man for his name and he responded "Daniel Christmann."

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<sup>1</sup> Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all the relevant facts and circumstances of which I am aware. This affidavit is based on first-hand knowledge as well as information learned from other law enforcement agents.

4. The defendant's appearance matched the social media photographs and footage from United States Capitol Police security cameras in the Complaint and the New York City Police Department booking photograph of DANIEL CHRISTMANN.

5. After the arrest, law enforcement officers transported the defendant to FBI's New York City headquarters at 26 Federal Plaza, New York, New York 10278. While processing his arrest, a law enforcement officer asked the defendant for his Social Security Number ("SSN"). The defendant provided the SSN associated with the DANIEL CHRISTMANN wanted in the District of Columbia.


6. At the FBI building, the defendant also volunteered statements to law enforcement officers. He waived his Miranda rights and agreed to speak to the officers without an attorney present. During the law enforcement interview, the defendant confirmed his date of birth, residential address and cell phone number, which were all associated with the DANIEL CHRISTMANN wanted in the District of Columbia.

7. During the law enforcement interview, the defendant stated that he entered the United States Capitol on January 6, 2021.


8. At the time of his arrest, the defendant had in his possession, among other things, a Tennessee driver's license associated with the DANIEL CHRISTMANN wanted in the District of Columbia. The date of birth listed on the driver's license matched the date of birth of DANIEL CHRISTMANN.

9. Based on the foregoing, I submit that there is probable cause to believe that the defendant is the DANIEL CHRISTMANN wanted in the District of Columbia.

WHEREFORE, your deponent respectfully requests that the defendant DANIEL CHRISTMANN be removed to the District of Columbia so that he may be dealt with according to law.

  
TIMOTHY F. DONOVAN  
Task Force Officer  
Federal Bureau of Investigation

Sworn to before me via electronic means  
this 28th day of July, 2021

  
THE HONORABLE SANKET J. BULSARA  
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.

Daniel Christmann

DOB: XXXXXX

Case: 1:21-mj-00529

Assigned To : Meriweather, Robin M.

Assign. Date : 7/16/2021

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) - Knowingly Entering or Remaining in any Restricted Building or Grounds  
 Without Lawful Authority,

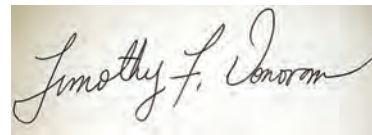
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Ground,

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*

Timothy F. Donovan, Task Force Officer

*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
 by telephone.

Date: 07/16/2021

*Judge's signature*City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

*Printed name and title*

## STATEMENT OF FACTS

Your affiant, Timothy F. Donovan, is a Task Force Officer with the Federal Bureau of Investigation (FBI) assigned to the New York Joint Terrorism Task Force (JTTF). In my duties as a Task Force Officer, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. In addition to my regular duties, I am also currently reviewing public tips, videos, and documentation, among other evidence, associated with the riots and civil disorder that occurred on January 6, 2021, in and around the United States Capitol. As a Task Force Officer, 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, shortly 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.

Two tipsters provided information about posts purportedly made by DANIEL CHRISTMANN to Instagram account “dannymforsenate,” including screenshots from videos depicting images inside the U.S. Capitol on January 6, 2021. According to records provided by Facebook, Instagram account “dannymforsenate” is registered to “Daniel Christmann.”

Tipster 1 anonymously provided the following screenshots (“SCREENSHOT 1” and “SCREENSHOT 2,” respectively) reportedly made by CHRISTMANN on the Instagram account “dannymforsenate,” depicting what appears to be an interior room of the U.S. Capitol, as well as the view from an interior window of the U.S. Capitol overlooking an exterior plaza/terrace on the U.S. Capitol grounds (numerous law enforcement personnel and protesters are also visible in the background):



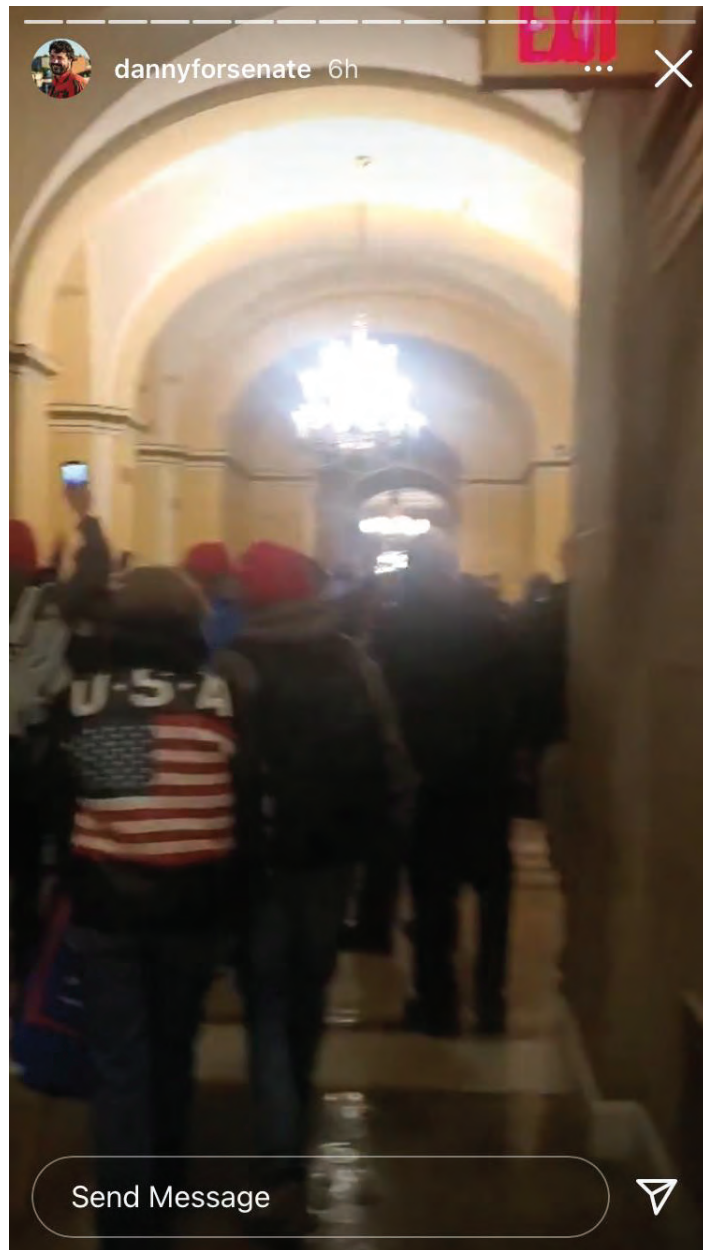
Screenshot 1



Screenshot 2

Your affiant's colleague, an FBI special agent also assigned to the New York JTTF, provided SCREENSHOT 1 and SCREENSHOT 2 to a U.S. Capitol Police (USCP) agent with knowledge of the interior and exterior layouts of the U.S. Capitol Building and surrounding grounds, requesting identification of the location depicted in the screenshots. The USCP agent believed these screenshots were taken from inside the U.S. Capitol in a room designated for use by Senate members as needed.

Tipster 1 also provided the following two screenshots ("SCREENSHOT 3" and "SCREENSHOT 4," respectively) reportedly made by CHRISTMANN on the Instagram account "dannymforsenate:"



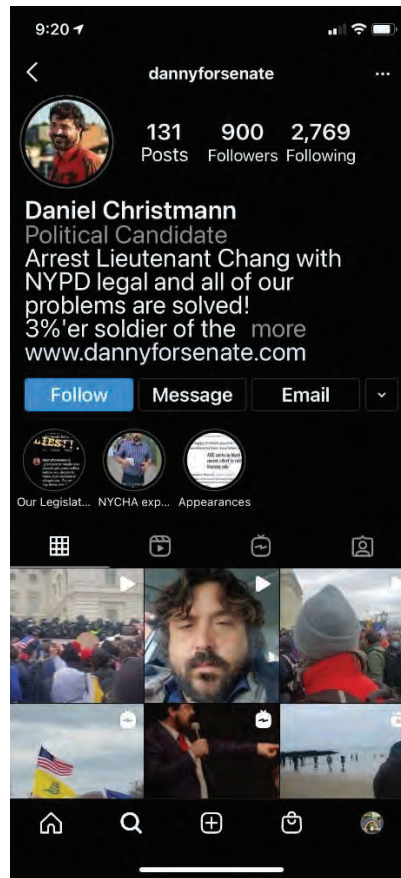
Screenshot 3



Screenshot 4

Your affiant's same colleague (an FBI special agent also assigned to the New York JTTF) also provided SCREENSHOT 3 and SCREENSHOT 4 to the same USCP agent, requesting identification of the location depicted in the screenshots. The USCP agent believed SCREENSHOT 3 and SCREENSHOT 4 were both taken in the main corridor on the first floor of the U.S. Capitol Building, which runs the length of building north to south.

Tipster 2, whose relationship to CHRISTMANN is unknown, provided the following screenshot of the profile page of Instagram account "dannyyforsenate" – which bears the name "Daniel Christmann" and, based on the profile page's name and layout and my training and experience, appears to have CHRISTMANN's image as the profile picture:



Your affiant compared a booking photograph of CHRISTMANN, captured by the New York City Police Department (NYPD) on August 15, 2020, to the profile picture on the Instagram account discussed immediately above, and the two are consistent.

Tipster 3, whose relationship to CHRISTMANN is unknown, submitted a video of a man inciting violence. In this video footage, an unidentified individual, not CHRISTMANN, can be heard yelling, “We want Nancy... we want the rest of them.” Based on the nature of the video and my knowledge of the events on January 6, 2021, I believe “Nancy” refers to Nancy Pelosi, Speaker of the United States House of Representatives, and “the rest of them” refers to other members of the United States Congress working in the U.S. Capitol building. The video footage is consistent with other publicly available video footage where crowds of people subsequently breached the barriers set up by law enforcement and unlawfully entered and rioted in the U.S. Capitol building.

I have reviewed this video and two still images are below. Based on the picture of CHRISTMANN posted on the profile page of Instagram account “dannifyorsenate,” the arrest photograph of CHRISTMANN captured on August 15, 2020, by the NYPD, and CHRISTMANN’s New York, California, and Tennessee drivers’ license photographs your affiant located CHRISTMANN in the crowd. I have compared these seven images and they are consistent. CHRISTMANN appears in the still below dressed in a light-colored, plaid jacket and light-colored button-down collared shirt. He also appears to be speaking or shouting, as his hand is placed over his mouth in one of the photographs. I cannot discern what he is saying. Based on



my training and experience as well as the physical surroundings, I believe this crowd assembled outside of the U.S. Capitol complex. The crowd can be seen standing in front of a “wall” of law enforcement personnel meant to prevent access to the U.S. Capitol building; several of the law enforcement officers are in what I recognize to be “riot” gear. Your affiant has circled CHRISTMANN in the video stills below in yellow:







USCP security cameras captured images of individuals unlawfully entering and rioting inside the U.S. Capitol building on January 6, 2021. Based on my knowledge of the events on January 6, 2021, the Senate Wing Door was a significant point of entry for rioters.

I have reviewed security camera footage covering the Senate Wing Door, and several still images are below. Based on the picture of CHRISTMANN posted on the profile page of Instagram account “dannymforSenate,” the arrest photograph of CHRISTMANN captured on August 15, 2020, by the NYPD, CHRISTMANN’s New York, Tennessee, and California drivers’ license photographs, and the two images of CHRISTMANN in the crowd referenced immediately above at the U.S. Capitol on January 6, 2021, your affiant located CHRISTMANN on security camera

footage entering the U.S. Capitol. Your affiant has circled CHRISTMANN in yellow in the video stills below:















Agents with the FBI received authorization from the U.S. District Court for the District of Columbia to search and seize evidence within the “dannysforsenate” and Facebook account “Daniel.christmann.14,” both of which are subscribed to CHRISTMANN. Agents located SCREENSHOTS 1 through 4, discussed above and provided by Tipster 1, as well as the full video from which the screenshots were made. Additional still images (Images 1 through 3) from this video are below:



Image 1





Image 2



Image 3

Based on the USCP agent's opinion that SCREENSHOTS 1 through 4 were taken inside the U.S. Capitol, I believe Images 1 through 3 from the same video depict the inside of the U.S. Capitol on January 6, 2021. I further believe that CHRISTMANN took this video as it was posted to his Instagram account, which is subscribed to him and agents located images of CHRISTMANN inside the U.S. Capitol with a cellular device in his hands.

In addition, between January 7, 2021, and January 12, 2021, CHRISTMANN affirmed in multiple conversations on Instagram account "dannysforsenate" that he entered the U.S. Capitol. In one such conversation on January 7, 2021, an individual asked CHRISTMANN if he "stormed the capitol." CHRISTMANN responded, "Yeah im not going to lie." CHRISTMANN went on to say

he “wasn’t one of the first people in” and was “scaling walls and shit” once he realized what was happening. An image of the conversation is below:

**Author** [REDACTED]  
**Sent** 2021-01-07 05:02:12 UTC  
**Body** So you stormed the capitol, huh?

**Author** [REDACTED]  
**Sent** 2021-01-07 05:02:23 UTC  
**Body** Rebel!

**Author** dannyforsenate (Instagram: 39891957796)  
**Sent** 2021-01-07 05:03:12 UTC  
**Body** Yeah im not going to lie. I wasn't one of the first people in. When realized it was happening I was scaling walls and shit

Also on January 7, 2021, CHRISTMANN was asked if he went “inside,” to which CHRISTMANN replied, “How could I not?” An image of this conversation is below:

**Thread** (453606182698928)

**Current** 2021-05-10 16:57:10 UTC

**Participants** [REDACTED]  
dannyforsenate (Instagram: 39891957796)

**Author** [REDACTED]  
**Sent** 2021-01-07 20:21:41 UTC  
**Body** You went inside?  
**Share** **Date Created** Unknown

**Author** dannyforsenate (Instagram: 39891957796)  
**Sent** 2021-01-07 20:52:47 UTC  
**Body** How could I not?

In another conversation, an individual congratulated CHRISTMANN on entering the Capitol, which CHRISTMANN acknowledged, stating he “scaled a wall on a garden hose.” An image of the conversation is below:

**Author** [REDACTED]  
**Sent** 2021-01-07 03:23:27 UTC  
**Body** Niceee dude... u actually went in!  
**Share** **Date Created** Unknown

**Author** dannyforsenate (Instagram: 39891957796)  
**Sent** 2021-01-07 03:23:36 UTC  
**Body** Yup

**Author** dannyforsenate (Instagram: 39891957796)  
**Sent** 2021-01-07 03:23:53 UTC  
**Body** Scaled a wall on a garden hose

In addition, on January 18, 2021, CHRISTMANN sent the following private messages using Facebook account “Daniel.christmann.14,” directing the recipients to “delete” and “remove those videos” after two individuals he knew were recently arrested. An image of the conversation is below:

**Thread** (2347748571984274)

**Current** 2021-05-10 17:06:32 UTC

**Participants**

[REDACTED]  
Daniel Christmann (Facebook: 1620259723)  
[REDACTED]

**Author** Daniel Christmann (Facebook: 1620259723)  
**Sent** 2021-01-18 23:48:28 UTC  
**Body** Please remove those videos

**Author** Daniel Christmann (Facebook: 1620259723)  
**Sent** 2021-01-18 23:49:33 UTC  
**Body** Its actually the only place I sent them. So delete them. My friend Jake got taken in and my campaign manager from this summer got taken in.  
Its go time on the end of times.

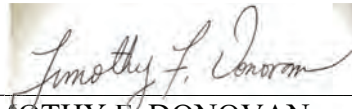
**Author** [REDACTED]  
**Sent** 2021-01-18 23:50:37 UTC  
**Body** Deleted

**Author** Daniel Christmann (Facebook: 1620259723)  
**Sent** 2021-01-18 23:50:44 UTC  
**Body** Thanks



Based on the foregoing, your affiant submits that there is probable cause to believe that CHRISTMANN 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.

Your affiant submits there is also probable cause to believe that CHRISTMANN violated 40 U.S.C. § 5104(e)(2)(D), 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.



TIMOTHY F. DONOVAN

Task Force Officer

Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 16th day of July, 2021.



ROBIN M. MERIWEATHER

U.S. MAGISTRATE JUDGE

# EXHIBIT B



## UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America

v.

Daniel Christmann

\_\_\_\_\_  
*Defendant*

)  
)  
)  
)  
)  
)

Case: 1:21-mj-00529

Assigned To : Meriweather, Robin M.

Assign. Date : 7/16/2021

Description: COMPLAINT W/ ARREST WARRANT

## 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) Daniel Christmann,  
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 Ground;

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: 07/16/2021


\_\_\_\_\_  
*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) \_\_\_\_\_, 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: Victor Alejandro Zapana, Jr (victor.zapana@usdoj.gov), Michelle A. Gelernt (edny\_ecf@yahoo.com, mgelernt@gmail.com, michelle\_gelernt@fd.org)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:16053811@nyed.uscourts.gov  
Subject:Activity in Case 1:21-mj-00867-SJB USA v. Christmann 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 7/29/2021 at 9:41 AM EDT and filed on 7/28/2021

**Case Name:** USA v. Christmann

**Case Number:** 1:21-mj-00867-SJB

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**Minute Entry for proceedings held before Magistrate Judge Sanket J. Bulsara:Initial Appearance in Rule 5(c)(3) Proceedings as to Daniel Christmann held on 7/28/2021 VIA WEBEX VIDEO, Attorney Appointment of federal defender Michelle Gelernt. for the defendant. (FTR Log #2:33-3:05.) Defendant arraigned on a removal complaint to the District of Columbia. Defendant released on consent ROR bond with conditions. Defendant given bail warnings and gave permission for Court to sign bond on his behalf. Defendant waived identity hearing. Time excluded from 7/28 to 8/10/2021. Defendant to report on 8/10/2021 to District Court of Columbia. (Yuen, Sui-May)**

**1:21-mj-00867-SJB-1 Notice has been electronically mailed to:**

Michelle A. Gelernt    michelle\_gelernt@fd.org, EDNY\_ECF@YAHOO.COM, mgelernt@gmail.com

Victor Alejandro Zapana, Jr    victor.zapana@usdoj.gov

**1:21-mj-00867-SJB-1 Notice will not be electronically mailed to:**

UNITED STATES OF AMERICA

V.

**ORDER SETTING CONDITIONS OF RELEASE  
AND APPEARANCE BOND**

Daniel Christmann, Defendant.

Case Number: 21-867 M

**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; ☒ continental US and travel to and from this Court and the permitted areas.
- ☒ 2. The defendant must avoid all contact with the following persons or entities: potential victims or witnesses  
No local/state/federal crimes
- ☒ 3. The defendant must avoid and not go to any of the following locations: DC unless for Court, Pretrial or consultation with atty
- ☒ 4. The defendant must surrender all passports to Pretrial Services by \_\_\_\_\_ 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: not travel to or enter any state capitol buildings or federal capitol buildings;

**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 Daniel Christmann

Release of the Defendant is hereby ordered on 7/28

20 21.

By SJB (7/28/21)

Signature of Defendant

Autthasana, US MJ

# UNITED STATES DISTRICT COURT

for the

United States of America

v.

Daniel Christmann

Defendant

Case No. 21-867 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: 7/28/2021

S/ Daniel Christmann

Defendant's signature

S/ Michelle Gelernt

Signature of defendant's attorney

Michelle Gelernt

Printed name of defendant's attorney

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00867-SJB All Defendants**

Case title: USA v. Christmann

Date Filed: 07/28/2021

Date Terminated: 07/28/2021

Assigned to: Magistrate Judge Sanket J.  
Bulsara

**Defendant (1)****Daniel Christmann***TERMINATED: 07/28/2021*represented by **Michelle A. Gelernt**

Federal Defenders of New York  
One Pierrepont Plaza, 16th Floor  
Brooklyn, NY 11201  
718-330-1204

Fax: 718-855-0760

Email: [michelle\\_gelernt@fd.org](mailto:michelle_gelernt@fd.org)**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

*Designation: Public Defender or  
Community Defender 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

**Victor Alejandro Zapana , Jr**  
 DOJ–USAO  
 Eastern District of New York  
 271–A Cadman Plaza East  
 Brooklyn, NY 11201  
 718–254–7180  
 Email: [victor.zapana@usdoj.gov](mailto:victor.zapana@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Government Attorney*

Date Filed	#	Page	Docket Text
07/28/2021	<u>1</u>		RULE 40 AFFIDAVIT / Removal complaint to the District of Columbia by USA as to Daniel Christmann. Signed by Judge Sanket Bulsara. (Yuen, Sui–May) (Entered: 07/29/2021)
07/28/2021			Minute Entry for proceedings held before Magistrate Judge Sanket J. Bulsara:Initial Appearance in Rule 5(c)(3) Proceedings as to Daniel Christmann held on 7/28/2021 VIA WEBEX VIDEO, Attorney Appointment of federal defender Michelle Gelernt. for the defendant. (FTR Log #2:33–3:05.) Defendant arraigned on a removal complaint to the District of Columbia. Defendant released on consent ROR bond with conditions. Defendant given bail warnings and gave permission for Court to sign bond on his behalf. Defendant waived identity hearing. Time excluded from 7/28 to 8/10/2021. Defendant to report on 8/10/2021 to District Court of Columbia. (Yuen, Sui–May) (Entered: 07/29/2021)
07/28/2021	<u>2</u>		ORDER Setting Conditions of Release as to Daniel Christmann (1) ROR. Ordered by Magistrate Judge Sanket J. Bulsara on 7/28/2021. (Yuen, Sui–May) (Entered: 07/29/2021)
07/28/2021	<u>3</u>		WAIVER of Rule 5(c)(3) Hearing by Daniel Christmann (Yuen, Sui–May) (Entered: 07/29/2021)
07/28/2021	<u>4</u>		CJA 23 Financial Affidavit by Daniel Christmann (Yuen, Sui–May) (Entered: 07/29/2021)