

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Daniel Rodriguez

*Defendant*

Case: 1:21-cr-00246

Assigned to: Judge Berman Jackson, A

Assign Date: 3/24/2021

Description: INDICTMENT (B)

## 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 Rodriguez

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. 1512(c)(2), 2 Obstruction

18 U.S.C. 231(a)(3) Civil Disorder

18 U.S.C. 111(a)(1) and (b) Assaulting, Resisting, or Impeding Certain Officers with a Dangerous Weapon

18 U.S.C. 641 Theft of Government Property

18 U.S.C. 1361 Destruction of Government Property

18 U.S.C. 1752(a)(1) and (b)(1)(A), (a)(2) and (b)(1)(A), (a)(3) and (b)(1)(A) Entering and Remaining / Disorderly Conduct / Impeding Ingress/Egress in a Restricted Building or Grounds with a Dangerous Weapon

Date: 03/24/2021Digitally signed by G. Michael Harvey  
Date: 2021.03.24 16:19:47 -04'00'*Issuing officer's signature*City and state: Washington, DCG. Michael Harvey, United States Magistrate Judge*Printed name and title*

## Return

This warrant was received on (date) 03/24/2021, and the person was arrested on (date) 03/31/2021  
at (city and state) Portana, CaliforniaDate: 03/31/2021*Arresting officer's signature*Enrique Armenta, Special Agent*Printed name and title*

3/31/2021

CENTRAL DISTRICT OF CALIFORNIA

BY: LM DEPUTY

## UNITED STATES DISTRICT COURT

for the

District of Columbia

5:21-mj-00224

United States of America

v.

Daniel Rodriguez

Defendant

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 Digitally signed by G. Michael  
Harvey  
Date: 2021.03.24 16:19:47 -04'00'

Issuing officer's signature

City and state: Washington, DC

G. Michael Harvey, United States 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

**RECEIVED**

**MAR 24 2021**

Clerk, U.S. District and  
Bankruptcy Courts

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

**Holding a Criminal Term**

**Grand Jury Sworn in on January 8, 2021**

**5:21-mj-00224**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b>
	:	
<b>v.</b>	:	<b>GRAND JURY ORIGINAL</b>
	:	
<b>DANIEL RODRIGUEZ,</b>	:	<b>VIOLATIONS:</b>
	:	<b>18 U.S.C. §§ 1512(c)(2), 2</b>
<b>Defendant.</b>	:	<b>(Obstruction of an Official Proceeding)</b>
	:	<b>18 U.S.C. § 231(a)(3)</b>
	:	<b>(Civil Disorder)</b>
	:	<b>18 U.S.C. §§ 111(a)(1) and (b)</b>
	:	<b>(Assaulting, Resisting, or Impeding</b>
	:	<b>Certain Officers)</b>
	:	<b>18 U.S.C. § 641</b>
	:	<b>(Theft of Government Property)</b>
	:	<b>18 U.S.C. § 1361</b>
	:	<b>(Destruction of Government Property)</b>
	:	<b>18 U.S.C. § 1752(a)(1) and (b)(1)(A)</b>
	:	<b>(Entering and Remaining in a Restricted</b>
	:	<b>Building or Grounds with a Deadly or</b>
	:	<b>Dangerous Weapon)</b>
	:	<b>18 U.S.C. §§ 1752(a)(2) and (b)(1)(A)</b>
	:	<b>(Disorderly and Disruptive Conduct in a</b>
	:	<b>Restricted Building or Grounds with a</b>
	:	<b>Deadly or Dangerous Weapon)</b>
	:	<b>18 U.S.C. § 1752(a)(3) and (b)(1)(A)</b>
	:	<b>(Impeding Ingress and Egress in a</b>
	:	<b>Restricted Building or Grounds with a</b>
	:	<b>Deadly or Dangerous Weapon)</b>
	:	

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

On or about January 6, 2021, within the District of Columbia and elsewhere, **DANIEL RODRIGUEZ**, attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, by entering and remaining in the United States Capitol without authority, and assaulting, resisting, opposing, impeding, intimidating and interfering with an officer and employee of the United States, and committing an act of civil disorder, and engaging in disorderly and disruptive conduct, and destroying federal property.

**(Obstruction of an Official Proceeding and Aiding and Abetting**, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

**COUNT 2**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is M.F., an officer from the Metropolitan Police Department, lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

**(Civil Disorder**, in violation of Title 18, United States Code, Section 231(a)(3))

**COUNT 3**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), that is, M.F. an officer from the Metropolitan Police Department, while such person was engaged in and on account of the performance of official duties, and where the



acts in violation of this section involve physical contact with the victim and the intent to commit another felony. In so doing, RODRIGUEZ used a deadly and dangerous weapon, specifically an electroshock weapon, and inflicted bodily injury on M.F.

**(Assaulting, Resisting, or Impeding Certain Officers**, in violation of Title 18, United States Code, Sections 111(a)(1) and (b))

**COUNT 4**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, and without authority, sold, conveyed and disposed of any record, voucher, money and thing of value of the United States and any department and agency thereof, that is, an emergency escape hood bag, which has a value of less than \$1000.

**(Theft of Government Property**, in violation of Title 18, United States Code, Section 641)

**COUNT 5**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did willfully injure and commit depredation against property of the United States, and of any department and agency thereof, and any property which has been and is being manufactured and constructed for the United States, and any department and agency thereof, that is a window of the U.S. Capitol building, causing damage in an amount more than \$1000.

**(Destruction of Government Property**, in violation of Title 18, United States Code, Section 1361)

**COUNT 6**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so, and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, an electroshock weapon and a flagpole.

**(Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon**, in violation of Title 18, United States Code, Sections 1752(a)(1) and (b)(1)(A))

**COUNT 7**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions, and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, an electroshock weapon and a flagpole.

**(Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon**, in violation of Title 18, United States Code, Sections 1752(a)(2) and (b)(1)(A))

**COUNT 8**

On or about January 6, 2021, within the District of Columbia, **DANIEL RODRIGUEZ**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, obstructed and impeded ingress and egress to and from a restrict building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, an electroshock weapon.

**(Impeding Ingress and Egress in a Restricted Building or Grounds with a Deadly or Dangerous Weapon**, in violation of Title 18, United States Code, Sections 1752(a)(3) and (b)(1)(A))

A TRUE BILL:

FOREPERSON.



Attorney of the United States in  
and for the District of Columbia.

**FILED**  
CLERK, U.S. DISTRICT COURT

**3/31/2021**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY: LM DEPUTY

5:21-mj-00224

UNITED STATES OF AMERICA

V.

PLAINTIFF

CASE NUMBER:

1:21-cr-00246

Daniel Rodriguez

**REPORT COMMENCING CRIMINAL  
ACTION**

USMS# \_\_\_\_\_

DEFENDANT

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. Date and time of arrest: 3/31/2021 6:36 ☒ AM ☐ PM

2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☐ No

3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☐ Yes ☐ No

4. Charges under which defendant has been booked: Per email at 10:18 am from Agent Enrique Armenta, they "will be turning him into the Marshals shortly".  
18 USC 1512, 18 USC 231, 18 USC 111, 18 USC 641, 18 USC 1361, and 18 USC 1752.

5. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☒ Other Misdemeanor

6. Interpreter Required: ☒ No ☐ Yes Language: \_\_\_\_\_

7. Year of Birth: 1982

8. Defendant has retained counsel: ☒ No

☐ Yes Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

9. Name of Pretrial Services Officer notified: yes

10. Remarks (if any): \_\_\_\_\_

11. Name: Enrique J. Armenta (please print)

12. Office Phone Number: 951-686-0335

13. Agency: FBI

14. Signature: 

15. Date: 03/31/2021



**FILED**  
CLERK, U.S. DISTRICT COURT

**3/31/2021**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY: LM DEPUTY

5:21-mj-00224

UNITED STATES OF AMERICA

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PLAINTIFF

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12. Office Phone Number: 951-686-0335

13. Agency: FBI

14. Signature: [Signature]

15. Date: 03/31/2021

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

Eastern Division

vs.

Case Number: 5:21-MJ-00224Initial App. Date: 03/31/2021Initial App. Time: 2:00 PMOut of District Affidavit  
CustodyDaniel Rodriguez

Defendant.

Date Filed:

Violation: 18 USC 1512, 18 USC 231, 18USC 111, 18 USC 641, 18 USC 1361,and 18 USC 1752CourtSmart/ Reporter: Phyllis Preston

PROCEEDINGS HELD BEFORE UNITED STATES  
MAGISTRATE JUDGE: Sheri Pym

CALENDAR/PROCEEDINGS SHEET  
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Carter, Kimberly

None

Deputy Clerk

Jeremiah Levine  
Assistant U.S. Attorney

Interpreter/Language

☐ INITIAL APPEARANCE NOT HELD - CONTINUED☒ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and☐ preliminary hearing OR ☐ removal hearing/ Rule 20.☒ Defendant states true name ☐ is as charged ☒ is Danny Rodriguez☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.☒ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.☒ Attorney: Andrew Byrd, DFPD ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)☐ Special appearance by:☒ Government's request for detention is: ☐ GRANTED ☐ DENIED ☐ WITHDRAWN ☒ CONTINUED☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).☐ BAIL FIXED AT \$ (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED☐ Preliminary Hearing waived.☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties☐ This case is assigned to Magistrate Judge. Counsel are directed to contact the clerk for the setting of all further proceedings.☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for District Judge

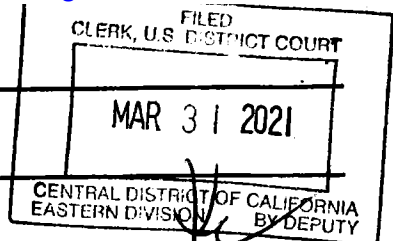
for the setting of further proceedings.

☐ Preliminary Hearing set for at 4:30 PM☐ PIA set for: at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana☐ Government's motion to dismiss case/defendant only: ☐ GRANTED ☐ DENIED☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED☒ Defendant executed Waiver of Rights. ☐ Process received.☐ Court ORDERS defendant Held to Answer to District of☐ Bond to transfer, if bail is posted. Defendant to report on or before☐ Warrant of removal and final commitment to issue. Date issued:

By CRD:

☐ Warrant of removal and final commitment are ordered stayed until☒ Case continued to (Date) 4-2-2021 (Time) 2:00 AM ☒ PMType of Hearing: Bail/Defention Before Judge Pym /Duty Magistrate Judge.Proceedings will be held in the ☒ Duty Courtroom 4-VTC ☐ Judge's Courtroom☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.☐ RELEASE ORDER NO:☐ Other:☒ PSA ☐ USPO ☒ FINANCIAL☒ CR-10 ☒ CR-29☒ READYDeputy Clerk Initials KC12 minutes

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**



UNITED STATES OF AMERICA,

PLAINTIFF

v.

CASE NUMBER:

S:21-mj-00224

Daniel Rodriguez

DEFENDANT.

**WAIVER OF RIGHTS  
(OUT OF DISTRICT CASES)**

I understand that charges are pending in the \_\_\_\_\_ District of Columbia  
alleging violation of 18 USC 1512(e)(2) and that I have been arrested in this district and  
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

**-Check one only-**

☐ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

**I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:**

- ☒ have an identity hearing
- ☒ arrival of process
- ☐ have a preliminary hearing
- ☐ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- ☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Is for Daniel Rodriguez  
Defendant

[Signature]  
Defense Counsel

[Signature]  
United States Magistrate Judge

Date:

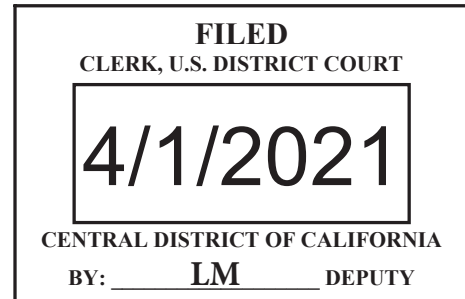
3/31/20

I have translated this Waiver to the defendant in the \_\_\_\_\_ language.

Date:

\_\_\_\_\_  
Interpreter (if required)

TRACY L. WILKISON  
Acting United States Attorney  
JERRY C. YANG  
Assistant United States Attorney  
Chief, Riverside Branch Office  
BYRON R. TUYAY (Cal. Bar No. 308049)  
Assistant United States Attorney  
Riverside Branch Office  
3403 10th Street, Suite 200  
Riverside, California 92501  
Telephone: (951) 276-6230  
Facsimile: (951) 276-6202  
E-mail: [byron.tuyay@usdoj.gov](mailto:byron.tuyay@usdoj.gov)



Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIREYA RAMOS,

Defendant.

No. **5:21-mj-00229**

~~GOVERNMENT'S NOTICE OF REQUEST FOR~~  
DETENTION

Plaintiff, United States of America, by and through its counsel of record, hereby requests detention of defendant and gives notice of the following material factors:

- ☐ 1. Temporary 10-day Detention Requested (§ 3142(d)) on the following grounds:
- ☐ a. present offense committed while defendant was on release pending (felony trial),
- ☐ b. defendant is an alien not lawfully admitted for permanent residence; and
- ☐ c. defendant may flee; or



☐ d. pose a danger to another or the community.

☒ 2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure:

☒ a. the appearance of the defendant as required;

☐ b. safety of any other person and the community.

☐ 3. Detention Requested Pending Supervised Release/Probation Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

☐ a. defendant cannot establish by clear and convincing evidence that he/she will not pose a danger to any other person or to the community;

☐ b. defendant cannot establish by clear and convincing evidence that he/she will not flee.

☐ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

☐ a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

☐ b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or 2332b(g)(5)(B) with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

☐ c. offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),

2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

- ☐ d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

☒ 5. Government Is Entitled to Detention Hearing Under § 3142(f) If the Case Involves:

- ☐ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;
- ☐ b. an offense for which maximum sentence is life imprisonment or death;
- ☐ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;
- ☐ d. any felony if defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;

☐ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;

☒ f. serious risk defendant will flee;

☐ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or intimidate prospective witness or juror, or attempt to do so).

☐ 6. Government requests continuance of \_\_\_\_\_ days for detention hearing under § 3142(f) and based upon the following reason(s):

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1     ☐ 7.     Good cause for continuance in excess of three days exists in  
2             that:

3  
4     \_\_\_\_\_  
5     \_\_\_\_\_  
6     \_\_\_\_\_  
7     \_\_\_\_\_

8     Dated: March 31, 2021

Respectfully submitted,

9             NICOLA T. HANNA  
10            United States Attorney

11            BRANDON D. FOX  
12            Assistant United States Attorney  
13            Chief, Criminal Division

14            \_\_\_\_\_  
15            /s/  
16            BYRON R. TUYAY  
17            Assistant United States Attorney

18            Attorneys for Plaintiff  
19            UNITED STATES OF AMERICA  
20  
21  
22  
23  
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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**MINUTES - DETENTION HEARING - REVIEW/RECONSIDERATION OF BAIL / DETENTION ORDER -  
NEBBIA HEARING**

Case No. 5:21-MJ-00224 CourtSmart Phyllis Preston Date: 04/02/2021  
Present: The Honorable SHIRI PYM, U.S. Magistrate Judge  
Kimberly Carter Jeremiah Levine  
*Deputy Clerk* *Assistant U.S. Attorney* *none*  
*Interpreter: Language*

USA v. <u>Daniel Rodriguez (APPEARANCE WAIVED)</u> <input type="checkbox"/> Present <input type="checkbox"/> Custody <input type="checkbox"/> Bond <input checked="" type="checkbox"/> Not present	Attorney Present for Defendant: <u>Andrew Byrd</u> <input checked="" type="checkbox"/> Present <input type="checkbox"/> CJA <input type="checkbox"/> Retd <input checked="" type="checkbox"/> DFPD <input type="checkbox"/> Not present
--	---

**PROCEEDINGS: DETENTION HEARING**

- ☒ Government's request for detention is: ☒ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED  
☐ Witnesses CST (see separate list). ☐ Exhibits Marked/Admitted (see separate list).  
☐ Court orders that exhibits be returned to the respective counsel / party of record.  
☐ See Receipt for Release of Exhibits to Counsel.  
☐ Counsel stipulation to bail.  
☒ Court finds presumption under 18 USC 3142e \_\_\_\_\_ has not been rebutted.  
☒ Court ORDERS DEFENDANT PERMANENTLY DETAINED. See separate detention order.  
☐ Court finds presumption under 18 USC 3142e \_\_\_\_\_ has been rebutted.  
☐ Court sets bail at: \$ \_\_\_\_\_. ☐ SEE ATTACHED COPY OF CR-01 BOND FORM  
**FOR CONDITIONS OF RELEASE.**  
☐ Court orders that defendant be detained for a period not to exceed ten (10) Court days. See separate order re temporary detention.  
☐ Court orders further detention / bail hearing to be set on \_\_\_\_\_ at \_\_\_\_\_ a.m. / p.m. in  
 Courtroom \_\_\_\_\_ before Judge \_\_\_\_\_.  
☐ Court orders case continued to \_\_\_\_\_ at \_\_\_\_\_ a.m. / p.m. for \_\_\_\_\_ in  
 Courtroom \_\_\_\_\_ before Judge \_\_\_\_\_.  
☐ Release Order Issued - Release No. \_\_\_\_\_  
☒ Other: Court orders defendant held to answer to the District of Columbia.  
Warrant of Removal and final commitment to issue: 4-2-2021 by KC

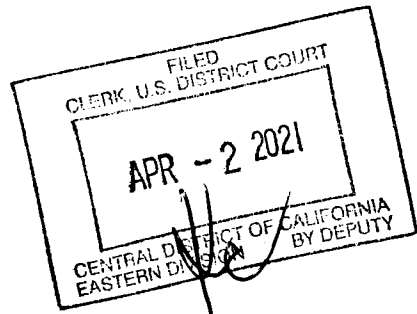
**PROCEEDINGS:** ☐ REVIEW / RECONSIDERATION OF BAIL / DETENTION ORDER - BOND HEARING  
☐ NEBBIA HEARING

Hearing on ☐ Plaintiff's ☐ Defendant's request for review / reconsideration of bail / detention order had and request is:  
☐ GRANTED ☐ DENIED

Court ORDERS bail as to the above-named defendant ☐ modified to ☐ set at: \$ \_\_\_\_\_  
☐ SEE ATTACHED COPY OF CR-01 BOND FORM FOR CONDITIONS OF RELEASE.

- ☐ Bond previously set is ordered vacated.  
☐ Court orders defendant permanently detained. See separate order.  
☐ Court denies request for bail, defendant shall remain permanently detained as previously ordered.  
☐ Witnesses CST (see separate list). ☐ Exhibits Marked / Admitted (see separate list).  
☐ Court orders that exhibits be returned to the respective counsel / party of record.  
☐ See Receipt for Release of Exhibits to Counsel.  
☐ Case continued to \_\_\_\_\_ at \_\_\_\_\_ a.m. / p.m. for \_\_\_\_\_  
 before Judge \_\_\_\_\_ in Courtroom \_\_\_\_\_.  
☐ Nebbia conditions are satisfied and the Government approves the bond package as presented to the Court.  
☐ Other \_\_\_\_\_

Release Order Issued - Release No. \_\_\_\_\_ 00 : 8 minutes  
 Deputy Clerk Initials kc



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
Daniel Rodriguez,  
Defendant.

Case No.: 5:21-224M

ORDER OF PRETRIAL  
DETENTION  
(18 U.S.C. §§ 3142(e), (i))

I.

- A. ☒ On motion of the Government in a case that involves:
1. ☒ a crime of violence, a violation of 18 U.S.C. § 1591, or an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of ten years or more is prescribed.
  2. ☐ an offense for which the maximum sentence is life imprisonment or death.
  3. ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, the Controlled Substances Import and Export Act, or the Maritime Drug Law Enforcement Act.

4. ( ) any felony if defendant has been convicted of two or more offenses described above, two or more state or local offenses that would have been offenses described above if a circumstance giving rise to federal jurisdiction had existed, or a combination of such offenses..

5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or that involves possession or use of a firearm or destructive device or any other dangerous weapon, or that involves a failure to register under 18 U.S.C § 2250.

B. On motion ( ☒ ) by the Government / ( ) of the Court *sua sponte* in a case that involves:

1. ( ☒ ) a serious risk defendant will flee.

2. ( ) a serious risk defendant will:

a. ( ) obstruct or attempt to obstruct justice.

b. ( ) threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

C. The Government ( ☒ ) is / ( ) is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure defendant's appearance as required and the safety or any person or the community.

## II.

The Court finds that no condition or combination of conditions will reasonably assure:

A. ( ☒ ) the appearance of defendant as required.

B. ( ☒ ) the safety of any person or the community.

## III.

The Court has considered:

- A. the nature and circumstances of the offense(s) charged;
- B. the weight of the evidence against defendant;
- C. the history and characteristics of defendant; and
- D. the nature and seriousness of the danger to any person or the community that would be posed by defendant's release.

## IV.

The Court has considered all the evidence proffered and presented at the hearing, the arguments and/or statements of counsel, and the Pretrial Services Report and recommendation.

## V.

The Court concludes:

- A. ☒ Defendant poses a serious flight risk based on:
  - ☒ information in Pretrial Services Report and Recommendation
  - ☒ other: indictment  
video
- B. ☒ Defendant poses a risk to the safety of other persons and the community based on:
  - ☒ information in Pretrial Services Report and Recommendation
  - ☒ other: indictment  
video
- C. ☐ A serious risk exists that defendant will:
  - 1. ☐ obstruct or attempt to obstruct justice,
  - 2. ☐ threaten, injure, or intimidate a witness/juror, or attempt to do so,



1 based on: \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

5 D. ☒ Defendant has not rebutted by sufficient evidence to the contrary the  
 6 presumption provided in 18 U.S.C. § 3142(e) that no condition or  
 7 combination of conditions will reasonably assure the appearance of  
 8 defendant as required.

9 E. ☒ Defendant has not rebutted by sufficient evidence to the contrary the  
 10 presumption provided in 18 U.S.C. § 3142(e) that no condition or  
 11 combination of conditions will reasonably assure the safety of any  
 12 other person and the community.

13 VI.

14 A. IT IS THEREFORE ORDERED that defendant be detained prior to trial.

15 B. IT IS FURTHER ORDERED that defendant be committed to the custody of  
 16 the Attorney General for confinement in a corrections facility separate, to  
 17 the extent practicable, from persons awaiting or serving sentences or being  
 18 held in custody pending appeal.

19 C. IT IS FURTHER ORDERED that defendant be afforded reasonable  
 20 opportunity for private consultation with counsel.

21 D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
 22 or on request of an attorney for the Government, the person in charge of the  
 23 corrections facility in which defendant is confined deliver defendant to a  
 24 United States Marshal for the purpose of an appearance in connection with a  
 25 court proceeding.

26 DATED: April 2, 2021

27   
 28 SHERI PYM  
 United States Magistrate Judge

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff(s),  
vs.  
Daniel Rodriguez  
Defendant(s).

Case Number: 5:21-MJ-00224

**FINAL COMMITMENT AND WARRANT  
OF REMOVAL**

District of Columbia  
at Washington  
(City)

**To: United States Marshal for the Central District of California**

The above-named defendant is hereby remanded to your custody and you are hereby ORDERED to remove him/her forthwith, along with a certified copy of this Commitment, to the custodian of a place of confinement within the District of Origin, approved by the Attorney General of the United States, where the defendant shall be received and safely kept until discharged in due course of law.

This defendant was arrested in this District after the filing of a(n):

- ☒ Indictment
- ☒ charging him with: Obstruction; Civil Disorder; Assaulting, Resisting, or Impeding Certain Officers with a Dangerous Weapon; Theft of Government Property; Destruction of Government Property; Entering and Remaining/Disorderly Conduct/Impeding Egress in a Restricted Building or Grounds with a Dangerous Weapon
- ☒ in violation of : 18:1512, 231(a)(3), 111(a)(1)(b), 641, 1361, 1752(a)(1) and (b)(1)(A), (a)(2) and (b)(1)(A), (a)(3) and (b)(1)(A)

The defendant has now:

- ☒ duly waived arrival of process.
- ☒ duly waived identity hearing before me on 03/31/2021.
- ☒ No bail has been set.
- ☒ Permanent detention has been ordered.

04/02/2021

Date

Sheri Pym

United States Magistrate Judge



**RETURN**

Received this commitment and designated prisoner on \_\_\_\_\_, and on \_\_\_\_\_, committed him to \_\_\_\_\_ and left with the custodian at the same time a certified copy of the within temporary commitment.

United States Marshal, Central District of California

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy

CLOSED

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)  
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00224-DUTY All Defendants**

Case title: USA v. Rodriguez

Date Filed: 03/31/2021

Other court case number: 1:21-cr-00246 District of Columbia

Date Terminated: 04/02/2021

Assigned to: Duty Magistrate Judge

**Defendant (1)****Daniel Rodriguez**

REG 37567-509

*TERMINATED: 04/02/2021*represented by **Andrew Byrd**

Federal Public Defenders Office

Riverside Office

3801 University Avenue Suite 700

Riverside, CA 92501

951-779-8028

Fax: 951-276-6368

Email: [andrew\\_byrd@fd.org](mailto:andrew_byrd@fd.org)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or**Community Defender Appointment***Pending Counts**

None

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

None

**Disposition****Terminated Counts**

None

**Highest Offense Level (Terminated)**

None

**Disposition****Complaints**

None

**Plaintiff**

USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Division - US Courthouse

312 North Spring Street 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Docket Text
03/31/2021	<a href="#">1</a>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Daniel Rodriguez, originating in the District of Columbia. Defendant charged in violation of: 18:1512, 231(a)(3), 111(a)(1)(b), 641, 1361,. Signed by agent Enrique J. Armenta, FBI, Special Agent. filed by Plaintiff USA. (cio) (Entered: 04/06/2021)
03/31/2021	<a href="#">2</a>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Daniel Rodriguez; defendants Year of Birth: 1982; date of arrest: 3/31/2021 (cio) (Entered: 04/06/2021)
03/31/2021	<a href="#">3</a>	Defendant Daniel Rodriguez arrested on warrant issued by the USDC District of Columbia at Washington. (Attachments: # <a href="#">1</a> Out-of-District Indictment)(cio) (Entered: 04/06/2021)
03/31/2021	<a href="#">4</a>	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Sheri Pym as to Defendant Daniel Rodriguez. Defendant arraigned and states true name is Danny Rodriguez. Attorney: Andrew Byrd for Daniel Rodriguez, Deputy Federal Public Defender, present. Defendant remanded to the custody or currently in the custody of the US Marshal. Detention Hearing set for 4/2/2021 02:00 PM before Magistrate Judge Sheri Pym. Court Reporter: Phyllis Preston. (cio) (Entered: 04/07/2021)
03/31/2021	<a href="#">5</a>	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Daniel Rodriguez. (cio) (Entered: 04/07/2021)
03/31/2021	<a href="#">6</a>	CONSENT to Video Conference/Telephonic Conference filed by Defendant Daniel Rodriguez. (cio) (Entered: 04/07/2021)
03/31/2021	<a href="#">7</a>	WAIVER OF RIGHTS approved by Magistrate Judge Sheri Pym as to Defendant Daniel Rodriguez. (cio) (Entered: 04/07/2021)
03/31/2021	<a href="#">8</a>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Daniel Rodriguez (cio) (Entered: 04/07/2021)
03/31/2021	<a href="#">14</a>	FINANCIAL AFFIDAVIT filed as to Defendant Daniel Rodriguez. (Not for Public View pursuant to the E-Government Act of 2002) (cio) (Entered: 04/08/2021)
04/01/2021	<a href="#">10</a>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Daniel Rodriguez (cio) (Entered: 04/07/2021)
04/02/2021	<a href="#">9</a>	MINUTES OF Detention Hearing held before Magistrate Judge Sheri Pym as to Defendant Daniel Rodriguez, The Court Orders the defendant permanently detained. Court finds presumption under 18:3142e has not been rebutted. Court orders defendant Held to answer to the District of Columbia. Warrant of removal and final commitment to issue: 04/02/2021 By KC. Court Reporter: Phyllis Preston. (cio) (Entered: 04/07/2021)
04/02/2021	<a href="#">11</a>	ORDER OF DETENTION by Magistrate Judge Sheri Pym as to Defendant Daniel Rodriguez, (cio) (Entered: 04/07/2021)

04/02/2021	<a href="#">12</a>	WAIVER of Defendants Presence filed by Defendant Daniel Rodriguez. (cio) (Entered: 04/07/2021)
04/02/2021	<a href="#">13</a>	WARRANT OF REMOVAL AND COMMITMENT by Magistrate Judge Sheri Pym that Defendant Daniel Rodriguez be removed to the District of Columbia (cio) (Entered: 04/07/2021)
04/07/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Defendant Daniel Rodriguez. Your case number is: 1:21-cr-0024. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <a href="#">9</a> Detention Hearing,. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (cio) (Entered: 04/07/2021)
04/08/2021		Notice to District of Columbia of an ADDITIONAL Rule 5 or Rule 32 Initial Appearance DOCUMENT as to Defendant Daniel Rodriguez. Your case number is: 1:21-cr-00246. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <a href="#">14</a> Financial Affidavit (CJA 23) - NFPV. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (cio) (Entered: 04/08/2021)