

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Daniel Shaw

Defendant

CR 20-01 (EGS)

Case: 1:21-mj-00668

Assigned To : Harvey, G. Michael

Assign. Date : 11/29/2021

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 Shaw

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)- 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)(D)- Disorderly Conduct in a Capitol Building

40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

Date: 11/29/2021


Digitally signed by G.

Michael Harvey

Date: 2021.11.29 11:34:32

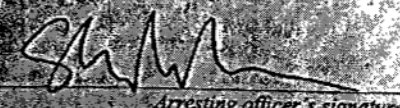
-05'00'

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

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Return

 This warrant was received on (date) 11/29/2021, and the person was arrested on (date) 12/3/2021
 at (city and state) Santa Rosa, CA
Date: 12/3/2021

Arresting officer's signature

SA Stephanie Minor

Printed name and title

ATTACHMENT 2

1 STEPHANIE M. HINDS (CABN 154284)
Acting United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 KRISTINA GREEN (NYBN 5226204)
Assistant United States Attorneys

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-6912
8 FAX: (415) 436-7234
Kristina.Green@usdoj.gov

FILED

Dec 03 2021

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DANIEL SHAW,

16 Defendant.

) CASE NO. 3:21-mj-71925 MAG

) NOTICE OF PROCEEDINGS ON OUT-OF-
) DISTRICT CRIMINAL CHARGES PURSUANT TO
) RULES 5(c)(2) AND (3) OF THE FEDERAL
) RULES OF CRIMINAL PROCEDURE

17
18 Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure
19 that on December 3, 2021, the above-named defendant was arrested pursuant to an arrest warrant (copy
20 attached) issued upon a

- 21 ☐ Indictment
22 ☐ Information
23 ☒ Criminal Complaint
24 ☐ Other (describe)

25 pending in the United States District Court for the District of Columbia, Case Number 1:21-MJ-00668.

26 In the Complaint, the defendant is charged with violations of Title 18, United States Code,
27 Section 1752(a)(1) – Entering and remaining in a restricted building or grounds; Title 18, United States
28

Code, Section 1752(a)(2) – Disorderly and disruptive conduct in a restricted building or grounds; Title 40, United States Code, Section 5104(e)(2)(D) – Disorderly conduct in a capitol building; Title 40, United States Code, Section 5104(e)(2)(G) – Parading, demonstrating, or picketing in a capitol building.

The maximum penalties are as follows:

Count 1 – 18 U.S.C. § 1752(a)(1) (Entering and remaining in a restricted building or grounds): 1 year imprisonment; 1 year supervised release; \$100,000 fine; mandatory \$25 special assessment.

Count 2 – 18 U.S.C. § 1752(a)(2) (Disorderly and disruptive conduct in a restricted building or grounds): 1 year imprisonment; 1 year supervised release; \$100,000 fine; mandatory \$25 special assessment.

Count 3 – 40 U.S.C. § 5104(e)(2)(D) (Disorderly conduct in a capitol building): 6 months imprisonment; \$5000 fine; \$10 special assessment.

Count 4 – 40 U.S.C. § 5104(e)(2)(G) (Parading, demonstrating, or picketing in a capitol building): 6 months imprisonment; \$5000 fine; \$10 special assessment.

Respectfully Submitted,

STEPHANIE M. HINDS
Acting United States Attorney

Date: December 3, 2021

/s/ Kristina Green

KRISTINA GREEN
Assistant United States Attorney

ATTACHMENT 1

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Daniel Shaw

DOB: XXXXXX

Defendant(s)

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Case: 1:21-mj-00668

Assigned To : Harvey, G. Michael

Assign. Date : 11/29/2021

Description: COMPLAINT W/ ARREST WARRANT

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)- Entering and Remaining in a Restricted Building or Grounds

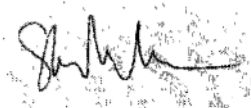
18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds

40 U.S.C. § 5104(e)(2)(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

Stephanie Minor, Special Agent

Printed name and title

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

Date: 11/29/2021



Digitally signed

by G. Michael

Harvey

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

ATTACHMENT 3

Case: 1:21-mj-00668

Assign. Date : 11/29/2021

Description: COMPLAINT W/ ARREST WARRANT

STATEMENT OF FACTS

Your affiant, Stephanie Minor, is a Special Agent assigned to Domestic Terrorism Squad of FBI's San Francisco's Field Office. I have served as a Special Agent since February 2020. As an FBI Special Agent, I have conducted and participated in investigations of weapons of mass destruction, violent extremist ideologues, organized crime and weapons offenses. During these investigations, I have utilized various types of investigative techniques, including informants, physical surveillance, and the service of Grand Jury subpoenas. I have participated in the execution of several federal arrest warrants and search warrants. Prior to my employment with the FBI, I was enlisted in the United States Navy. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, 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, 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.

On July 23, 2021, Kenneth John Reda ("Reda"),¹ while accompanied by his attorney, was interviewed by the FBI pursuant to a proffer agreement regarding his entry into the U.S. Capitol on January 6, 2021. Reda stated that he drove from Florida to Washington, D.C. on January 5, 2021 and stayed in an acquaintance's hotel room. Reda later identified this individual as "Dan" SHAW ("SHAW"), who he previously met once through a mutual friend. Reda also stated that SHAW drove from California with his high-school aged son.

Reda explained that on the morning of January 6, 2021, they had breakfast and then began to walk around. They then made their way to the Ellipse and heard the speeches. Reda explained that when they arrived at the Capitol, a crowd was already present and flashbangs were audible. He then went around to the other side of the Capitol, believed to be a reference to the east side of the building, where a crowd had formed outside the building.

Reda stated that a person, who appeared to him to be an Oathkeeper member who appeared to be the kind of guy directing traffic for "those fellas," likely reference to the Oathkeeper members at the Capitol, briefly spoke with a Capitol Police Officer. Then, this individual announced that the Capitol Police need to get approximately 1,200 people out and then the police would let other people into the building. Reda said that people then exited the building and Capitol Police officers let groups of four to five into the building, which is how he got into the building. Reda claimed that there was no broken glass or vandalism on the side of the building he was located. Reda explained that there were so many people that he was unable to remain with SHAW the whole time.

During this interview, Reda identified SHAW, by circling his face, in stillshot images from U.S. Capitol security cameras.

¹ On November 4, 2021, Reda pled guilty to § 5104(e)(2)(G) for his actions in the United States Capitol on January 6, 2021. (D.D.C. 21-cr-452(TFH))



(SHAW appearing to take a photograph of his son)



(from left to right, SHAW's son (image redacted), SHAW, and Reda)

Your Affiant has reviewed SHAW's California Department of Motor Vehicles driver's license photograph and a publicly available photograph from SHAW's Facebook account (depicted below). The photographs identified by Reda and the Capitol surveillance video of that individual appear to depict the same individual known to your Affiant as SHAW.



(Photograph of SHAW from his publicly available Facebook page)

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, the cellphone associated with XXX-XXX-3363 was identified as having utilized a cell site consistent with providing service to a geographic area that includes the interior of the United States Capitol building. Additional information legally obtained from Verizon confirmed that XXX-XXX-3363 is registered to SHAW.

Additionally, FBI personnel reviewed video footage from the U.S. Capitol security cameras during the times in which SHAW's cellular telephone was identified as being located inside of the Capitol. In reviewing the video footage, FBI personnel identified SHAW as being physically present inside the U.S. Capitol, specifically entering through the Rotunda doors, while holding what appears to be a cellular telephone phone in his hand, as though he was filming or photographing his entrance, at approximately 3:02 p.m. Eastern Standard Time ("EST"). SHAW then entered the Rotunda at approximately 3:03 p.m. EST and later exited the U.S. Capitol through the Rotunda doors at approximately 3:16 p.m. EST.





A review of U.S. Capitol surveillance videos further showed Reda with SHAW and SHAW's son at multiple times while inside of the U.S. Capitol.



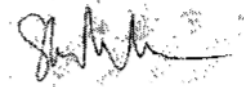
(Reda (circled in blue), SHAW's son (redacted), and SHAW (circled in red) prior to their exit)



(Reda (circled in blue), SHAW (circled in red), and SHAW's son (redacted) in the Rotunda)

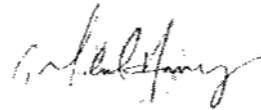
Based on the foregoing, your affiant submits that there is probable cause to believe that SHAW violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede 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 SHAW violated 40 U.S.C. § 5104(e)(2)(D) and (G), 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.



STEPHANIE MINOR, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 29th day of November 2021.



Digitally signed by G.
Michael Harvey
Date: 2021.11.29
11:38:02 -05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States of America

v.

DANIEL SHAW

Defendants.

Case No. 3:21-mj-71925-MAG -1 (JCS)

Charging District: District of Columbia

Charging District's Case No.: 1:21-MJ-00668

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

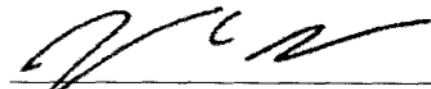
After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. The time and place to appear in that court are as follows:

Place: US District Court for the District of Columbia 333 Constitution Ave. N.W. Washington, D.C. 20001	Courtroom No.: By Zoom Webinar
	Date and Time: December 14, 2021 1:00 PM EST Before Magistrate Judge Zia M. Faruqui

If the date or time to appear in that court has not yet been set, the defendant must appear when notified to do so.

The clerk is ordered to transfer any bail deposited and interest earned thereon in the registry of this court, plus earned interest, to the clerk of the court where the charges are pending.

Dated: December 6, 2021



Joseph C. Spero
United States Chief Magistrate Judge

DOCUMENT UNDER SEAL <input type="checkbox"/>		TOTAL TIME (mins): 15 M	
MAGISTRATE JUDGE MINUTE ORDER		DEPUTY CLERK Karen L. Horn	
MAGISTRATE JUDGE JOSEPH C. SPERO		REPORTER/DIGITAL RECORDING: Zoom Webinar Time: 10:34-10:47	
DATE December 6, 2021		NEW CASE <input checked="" type="checkbox"/> CASE NUMBER 3:21-MJ-71925-MAG-1	
APPEARANCES			
DEFENDANT Daniel Shaw	AGE Y	CUST P	ATTORNEY FOR DEFENDANT Elisse Larouche, prov appt
U.S. ATTORNEY Sailaja Paidipaty	INTERPRETER NA	<input type="checkbox"/> FIN. AFET SUBMITTED	<input type="checkbox"/> COUNSEL APPT'D
PROBATION OFFICER	PRETRIAL SERVICES OFFICER Ana Mendoza	<input type="checkbox"/> DEF ELIGIBLE FOR APPT'D COUNSEL	<input type="checkbox"/> PARTIAL PAYMENT OF CJA FEES
PROCEEDINGS SCHEDULED TO OCCUR			
<input checked="" type="checkbox"/> INITIAL APPEAR Rule 5 DC	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUGM'T & SENTG
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> IA REV PROB. or or S/R
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA	<input type="checkbox"/> PROB. REVOC.
INITIAL APPEARANCE			
<input checked="" type="checkbox"/> ADVISED OF RIGHTS	<input checked="" type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME:
ARRAIGNMENT			
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input checked="" type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER OF INDICTMENT FILED
RELEASE			
<input type="checkbox"/> RELEASED ON O/R	<input checked="" type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$ p/r	SPECIAL NOTES
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$		CORPORATE SECURITY <input type="checkbox"/>	
REAL PROPERTY: <input type="checkbox"/>			
<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED
<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED		<input checked="" type="checkbox"/> REMANDED TO CUSTODY	
ORDER REMOVED TO THE DISTRICT OF Columbia			
PLEA			
<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:
CONTINUANCE			
TO: 12/14/2021	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT
AT: 1:00 PM EST/ 10 AM PST	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING	<input type="checkbox"/> CHANGE OF PLEA
BEFORE HON. Zia M. Faruqui	<input type="checkbox"/> DETENTION HEARING	<input checked="" type="checkbox"/> ARRAIGNMENT Initial Appearance	<input type="checkbox"/> MOTIONS
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE
<input type="checkbox"/> PROB/SUP REV. HEARING			
ADDITIONAL PROCEEDINGS			

Due to the Covid-19 pandemic, all parties consent to proceed by Zoom videoconference. Dft waived his Identity Hrg and admits to being the person as charged. Dft verbally authorized the clerk to sign his name on the bond DPPA advisement. Mr. Shaw shall call PTS on 12/7/2021 at 10 AM.

Dec 06 2021

GPO U.S. GOVERNMENT PRINTING OFFICE: 2018-671-305

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

DATE

CASE NUMBER

Dec 6, 2021

3:21-mj-71925

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAORDER SETTING CONDITIONS OF
RELEASE AND APPEARANCE BOND

NAME OF DEFENDANT Daniel Shaw		ADDRESS 1657 Mark West Springs Rd. Santa Rosa, CA 95404		TELEPHONE NUMBER 707-919-6460	
NAME OF <input type="checkbox"/> SURETY <input type="checkbox"/> CO-SIGNER <input type="checkbox"/> CUSTODIAN		ADDRESS		TELEPHONE NUMBER	
NAME OF <input type="checkbox"/> SURETY <input type="checkbox"/> CO-SIGNER <input type="checkbox"/> CUSTODIAN		ADDRESS		TELEPHONE NUMBER	
AMOUNT OF BOND <input checked="" type="checkbox"/> PERSONAL RECOGNIZANCE \$	<input type="checkbox"/> UNSECURED <input type="checkbox"/> SECURED BY \$	<input type="checkbox"/> DEPOSIT RECEIVED FROM	<input type="checkbox"/> OTHER SECURITY TO BE POSTED BY	TIME/DATE OF NEXT APPEARANCE Dec 14, 2021 1:00 pm	COURTROOM/JUDGE Judge Faruqui by Zoom

CONDITIONS OF RELEASE AND APPEARANCE

Defendant is subject to each condition checked:

- ☒ Defendant must appear at all proceedings as ordered by the Court and must surrender for service of any sentence imposed.
- ☒ Defendant must not commit any federal, state, or local crime.
- ☒ Defendant must not harass, threaten, intimidate, injure, tamper with, or retaliate against any witness, victim, informant, juror, or officer of the Court, or obstruct any criminal investigation. See 18 U.S.C. § 1503, 1510, 1512, and 1513, on reverse side.
- ☒ Defendant must submit to supervision by Pretrial Services and must report immediately upon release and thereafter as directed to Pretrial Services.
- ☒ Defendant must surrender all passports and other travel documents to Pretrial Services by immediately and must not apply for other passports or travel documents.
- ☒ Defendant must not possess any firearm, destructive device, or other dangerous weapon.
- ☐ Defendant must not use alcohol to excess and must not use or possess any narcotic or other controlled substance without a legal prescription.
- ☐ Defendant must maintain current employment, or if unemployed must seek and maintain verifiable employment, or must commence an educational program subject to approval by Pretrial Services.
- ☐ Defendant must submit to drug and/or alcohol testing as directed by Pretrial Services.
- ☐ Defendant must participate in substance abuse treatment, on an outpatient or residential basis, as directed by Pretrial Services.
- ☐ Defendant must participate in mental health treatment as directed by Pretrial Services.
- ☐ Defendant must have no contact, directly or indirectly, with any co-defendant outside of the presence of counsel.
- ☒ Defendant must not change residence or telephone number without prior approval of Pretrial Services.
- ☐ Defendant must remain in the custody of custodian _____ at _____. The custodian must supervise defendant and report any violation of a release condition to Pretrial Services. A custodian who fails to do so may be prosecuted for contempt.
- ☐ Defendant must reside in a halfway house at _____ and must comply with all conditions of that facility.
- ☒ Defendant must comply with the following location restrictions:
- ☒ [A] Defendant must not travel outside of: ☐ the Northern District of California (see map on reverse side) ☒ other: California w/o approval from PTS and Court.
- ☐ [B] Defendant must observe a curfew and remain at his/her residence every day from _____ to _____, except as directed by Pretrial Services.
- ☐ [C] Defendant must remain at his/her residence at all times except for: ☐ employment; ☐ education; ☐ religious services; ☐ medical, substance abuse, or mental health treatment; ☐ attorney visits; ☐ court appearances; ☐ court-approved obligations; ☐ or other activities approved in advance by ☐ Pretrial Services, ☐ the Court.
- ☐ Defendant must submit to location monitoring ☐ by GPS, ☐ by RF, ☐ as directed by Pretrial Services to ensure compliance with:
- ☐ All court-ordered location restrictions.
- ☐ The following court-ordered location restrictions: _____
- ☒ The following conditions also apply:
- The defendant must stay away from Washington D.C. unless appearing for in-person Court hearings, meetings with local Pretrial Services, or consultations with attorneys

Defendant must contribute to the cost of services provided by Pretrial Services as directed by Pretrial Services.

CONSEQUENCES OF DEFENDANT'S FAILURE TO OBEY CONDITIONS OF RELEASE AND APPEARANCE

If defendant does not obey these conditions of release and appearance, payment of the full amount of this bond will be due, and all cash or property posted to secure it will be forfeited. Judgment may be entered and executed against defendant and all sureties or co-signers jointly and severally. An arrest warrant for defendant shall issue immediately, and defendant may be detained without bail for the rest of the proceedings. Defendant will be subject to consecutive sentences and fines for failure to appear and/or for committing an offense while on release. See 18 U.S.C. §§ 3146 and 3147, on reverse side.

We, the undersigned, have read and understand the terms of this bond and acknowledge that we are bound by it until duly exonerated.

SIGNATURE OF DEFENDANT /s/ Daniel Shaw	SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN
SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN	SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN
THIS ORDER AUTHORIZES U.S. MARSHAL TO RELEASE DEFENDANT FROM CUSTODY	SIGNATURE OF MAGISTRATE JUDGE Joseph C. Spero, Chief Magistrate Judge DATE Dec 6, 2021

THIRD-PARTY SURETY, CO-SIGNER OR CUSTODIAN

FEDERAL JUDICIAL DISTRICTS IN CALIFORNIA

**§ 1503. Influencing or injuring officer or juror generally.**

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or other committing magistrate, in the discharge of his duty, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, commissioner, or other committing magistrate in his person or property on the account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

§ 1510. Obstruction of criminal investigations.

(a) Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

§ 1512. Tampering with a witness, victim, or an informant.

(a) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in misleading conduct toward another person with intent to—

- (1) influence the testimony of any person in an official proceeding,
- (2) cause or induce any person to—
 - (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding,
 - (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding,
 - (C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object in an official proceeding, or

(D) be absent from an official proceeding to which such person has been summoned by legal process, or

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be fined not more than \$250,000 or imprisoned not more than ten years, or both.

(b) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—

- (1) attending or testifying in an official proceeding;
- (2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings;
- (3) arresting or seeking the arrest of another person in connection with a Federal offense; or
- (4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceedings; or attempts to do so, shall be fined not more than \$25,000 or imprisoned not more than one year or both.

§ 1513. Retaliation against a witness, victim, or an informant.

(a) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person or threatens to do so, with intent to retaliate against any person for—

- (1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding or
- (2) any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceeding given by a person to a law enforcement officer, or attempts to do so shall be fined not more than \$250,000 or imprisoned not more than ten years or both.

FEDERAL PRETRIAL SERVICES
NORTHERN DISTRICT

U.S. Pretrial Services Agency
450 Golden Gate Ave., Room 18-5497
San Francisco, CA 94102
(415) 436-7500/436-7501

U.S. Pretrial Services Agency
280 S. First Street, Suite 1150
San Jose, CA 95113
(408) 535-5222/535-5229

U.S. Pretrial Services Agency
1301 Clay Street, Suite 100C
Oakland, CA 94612
(510) 637-3750/637-3751

U.S. Pretrial Services Agency
777 Sonoma Ave., Suite 323
Santa Rosa, CA 95404
(707) 575-3423

U.S. Pretrial Services Agency
3140 Boeing Ave.
McKinleyville, CA 95519
(707) 575-3423/(415)436-7501

§ 3146. Penalty for failure to appear

(a) Offense-A person commits an offense, if after having been released pursuant to this chapter—

- (1) he knowingly fails to appear before a court as required by the conditions of his release; or
- (2) he knowingly fails to surrender for service of sentence pursuant to a court order.

(b) Grading-if the person was released—

- (1) in connection with a charge of, or while awaiting sentence, surrender for service of sentence, or appeal or certiorari after conviction for—

(A) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, he shall be fined not more than \$25,000 or imprisoned for not more than ten years, or both;

(B) an offense punishable by imprisonment for a term of five or more years, but less than fifteen years, he shall be fined not more than \$10,000 or imprisoned for not more than five years, or both;

(C) any other felony, he shall be fined not more than \$5,000 or imprisoned for more than two years, or both, or

(D) a misdemeanor, he shall be fined not more than \$2,000 or imprisoned for not more than one year, or both; or

(2) for appearance as a material witness, he shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

A term of imprisonment imposed pursuant to this section shall be consecutive to the sentence of imprisonment for any other offense.

§ 3147. Penalty for an offense committed while on release.

A person convicted of an offense committed while released pursuant to this chapter shall be sentenced, in addition to the sentence prescribed for the offense to—

- (1) a term of imprisonment of not less than two years and not more than ten years if the offense is a felony; or
- (2) a term of imprisonment of not less than ninety days and not more than one year if the offense is a misdemeanor.

A term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment.

GPO U.S. GOVERNMENT PRINTING OFFICE: 2018-671-305

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAORDER SETTING CONDITIONS OF
RELEASE AND APPEARANCE BOND

DATE

Dec 6, 2021

CASE NUMBER

3:21-mj-71925

NAME OF DEFENDANT

ADDRESS

TELEPHONE NUMBER

Daniel Shaw

1657 Mark West Springs Rd. Santa Rosa, CA 95404

707-919-6460

ADDITIONAL CONDITIONS OF RELEASE

Defendant is subject to each condition detailed below

No additional conditions.

Defendant must contribute to the cost of services provided by Pretrial Services as directed by Pretrial Services.

CONSEQUENCES OF DEFENDANT'S FAILURE TO OBEY CONDITIONS OF RELEASE AND APPEARANCE

If defendant does not obey these conditions of release and appearance, payment of the full amount of this bond will be due, and all cash or property posted to secure it will be forfeited. Judgment may be entered and executed against defendant and all sureties or co-signers jointly and severally. An arrest warrant for defendant shall issue immediately, and defendant may be detained without bail for the rest of the proceedings. Defendant will be subject to consecutive sentences and fines for failure to appear and/or for committing an offense while on release. See 18 U.S.C. §§ 3146 and 3147, on reverse side.

We, the undersigned, have read and understand the terms of this bond and acknowledge that we are bound by it until duly exonerated.

SIGNATURE OF DEFENDANT

SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN

SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN

SIGNATURE OF SURETY/CO-SIGNER/CUSTODIAN

THIS ORDER AUTHORIZES U.S. MARSHAL TO RELEASE DEFENDANT FROM CUSTODY

SIGNATURE OF MAGISTRATE JUDGE

DATE

Dec 6, 2021

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**U.S. District Court
California Northern District (San Francisco)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-71925-MAG-1**

Case title: USA v. Shaw

Date Filed: 12/03/2021

Assigned to: Magistrate Judge

Defendant (1)

Daniel Shaw

represented by **Elisse Marie Larouche**
Office of the Federal Public Defender
Northern District of California
450 Golden Gate Avenue
Rm 19-6884
San Francisco, CA 94102
415-436-7700
Fax: 415-436-7706
Email: elisse_larouche@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

18 U.S.C. § 1752(a)(1)- (Entering and remaining in a restricted building or grounds

Disposition

Plaintiff

USA

represented by **Kristina Green**

450 Golden Gate Avenue, Box 36055

San Francisco, CA 94102-3495

415-436-6912

Fax: 415-436-7027

Email: Kristina.Green@usdoj.gov

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

Date Filed	#	Docket Text
12/03/2021	<u>1</u>	Notice of Proceedings on Out-of-District Criminal Charges Pursuant to Rules 5 (c)(2) and (3) of the Federal Rules of Criminal Procedure as to Daniel Shaw (1). (ark, COURT STAFF) (Filed on 12/3/2021) (Entered: 12/06/2021)
12/06/2021	<u>2</u>	ORDER OF REMOVAL to US District Court for the District of Columbia as to Daniel Shaw. Signed by Magistrate Judge Joseph C. Spero on 12/06/2021. (ark, COURT STAFF) (Filed on 12/6/2021) (Entered: 12/06/2021)
12/06/2021	3	CLERK'S NOTICE: Rule 5 Letter, <u>1</u> , <u>2</u> , <u>4</u> and <u>5</u> sent to US District court for the District of Columbia <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ark, COURT STAFF) (Filed on 12/6/2021) Modified on 12/7/2021 (ark, COURT STAFF). (Entered: 12/06/2021)
12/06/2021	<u>4</u>	Minute Entry for proceedings held before Magistrate Judge Joseph C. Spero: Initial Appearance as to Daniel Shaw held on 12/6/2021 <u>The Court directs entry of the following Order:</u> Pursuant to the Due Process Protection Act, the Court advised government counsel of the government's disclosure obligations under <i>Brady v. Maryland</i> and its progeny, and that the failure to do so in a timely manner may result in 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. FTR Time Zoom Webinar Time: 10:34-10:47. Plaintiff Attorney: Sailaja Paidipaty. Defendant Attorney: Elisse Larouche, prov appt. Pretrial Officer: Ana Mendoza. Defendant Present: yes. Defendant in Custody: yes. (ark, COURT STAFF) (Filed on 12/6/2021) (Entered: 12/07/2021)
12/06/2021	<u>5</u>	ORDER Setting Conditions of Release Bond Entered as to Daniel Shaw. Signed by Magistrate Judge Joseph C. Spero on 12/06/2021. (ark, COURT STAFF) (Filed on 12/6/2021) (Entered: 12/07/2021)
12/07/2021		Attorney update in case as to Daniel Shaw. Attorney Elisse Marie Larouche for Daniel Shaw added. (klh, COURT STAFF) (Filed on 12/7/2021) (Entered: 12/07/2021)

12/13/2021	<u>7</u>	Order. Signed 12/13/2021 by Chief Magistrate Judge Joseph C. Spero granting 6 PS8 Memorandum Request, as to Daniel Shaw (1).(klh, COURT STAFF) (Filed on 12/13/2021) (Entered: 12/13/2021)
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