

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Deborah Anne Kuecken

) Case: 1:22-mj-00225
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 10/21/2022
) 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) Deborah Anne Kuecken,
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) - Knowingly Disorderly and Disruptive Conduct in a Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,
40 U.S.C. § 5104(e)(2)(G) - Violently Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 10/21/2022
2022.10.21
12:57:57 -04'00'
Issuing officer's signature

City and state: Washington, D.C.
Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 10/21/2022, and the person was arrested on (date) 10/27/2022
at (city and state) DETROIT, MI.

Date: 10/27/2022
Arresting officer's signature
AARON ERKKINEN, SA
Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

v.

Case No. 22-30465
Originating No. 22-225

DEBORAH ANNE KUECKEN,

Defendant.

**GOVERNMENT'S PETITION
FOR TRANSFER OF DEFENDANT TO
ANOTHER DISTRICT AND SUPPORTING BRIEF**

Pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure, the United States of America hereby petitions the Court for an order transferring defendant **DEBORAH ANNE KUECKEN**, to answer to charges pending in another federal district, and states:

1. On **October 27, 2022**, defendant voluntarily appeared in the Eastern District Michigan in connection with a federal arrest warrant issued in the **District of Columbia based on a Criminal Complaint**. Defendant is charged in that district with violations of **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) - Knowingly Disorderly and Disruptive Conduct in a Restricted Building or Grounds, 40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds, and 40 U.S.C. § 5104(e)(2)(G) - Violently Parading, Demonstrating, or Picketing in a**

Capitol Building

2. Rule 5 requires this Court to determine whether defendant is the person named in the arrest warrant and is entitled to a preliminary examination as described in Paragraph One above. See Fed. R. Crim. P. 5(c)(3)(D)(ii).

WHEREFORE, the government requests this Court to conduct transfer proceedings in accordance with Rule 5 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

DAWN ISON
United States Attorney

s/Lisandra Fernandez-Silber
LISANDRA FERNANDEZ-SILBER
Assistant U.S. Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
(313) 226-9100

Dated: October 27, 2022

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America)
v.) Case No. 22-30465
DEBORAH KUECKEN)
)

ORDER REGARDING BRADY MATERIALS

Pursuant to the Due Process Protections Act, the court reminds the government of its obligations under Brady v. Maryland, 373 U.S. 83 (1963), to disclose evidence favorable to the defendant and material to the defendant's guilt or punishment. The government is ordered to comply with Brady and its progeny.

The failure to do so in a timely manner may result in consequences, including dismissal of the indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances.

IT IS SO ORDERED.

Date: October 27, 2022

s/Anthony P. Patti
Judicial Officer's Signature

Anthony P. Patti, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

**WAIVER OF RULE 5 AND 5.1 HEARINGS
(Excluding Probation Violation Cases)**

v.

Case No. 22-30465
Originating No. 22-

DEBORAH ANNE KUECKEN,

Defendant.

_____ /

I, DEBORAH ANNE KUECKEN, understand that in the District of Columbia charges are pending alleging violations of 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) - Knowingly Disorderly and Disruptive Conduct in a Restricted Building or Grounds, 40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds, and 40 U.S.C. § 5104(e)(2)(G) - Violently Parading, Demonstrating, or Picketing in a Capitol Building and that I have been arrested in this District and taken before a United States Magistrate Judge who informed me of my right to:

1. Retain counsel or request the assignment of counsel if I am unable to afford one.
2. Request transfer of the proceedings to this district pursuant to Fed. R. 20, in order to plead guilty.
3. Have an identity hearing to determine if I am the person named in the charge.

- 4. Have a preliminary examination (unless and 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 either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- () identity hearing
- () preliminary examination
- () identity hearing and have been informed I have no right to a preliminary hearing
- () identity hearing but request a preliminary hearing to be held in the district of prosecution

and therefore consent to the issuance of an order requiring my appearance in the prosecuting district where the charges is pending against me.



Defendant



Counsel for Defendant

Date: 10/27/2022

Date:

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America)

v.)

) Case No. 22-30465

DEBORAH KUECKEN)

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, DEBORAH KUECKEN (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- to appear for court proceedings;
- if convicted, to surrender to serve a sentence that the court may impose; or
- to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (1) This is a personal recognizance bond.
- (2) This is an unsecured bond of \$ 10,000.
- (3) This is a secured bond of \$ _____, secured by:
 - \$ _____ in cash deposited with the court.
 - (b) the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value*):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

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

Declarations

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

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

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

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

Date: October 27, 2022



Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

KINIKIA D. ESSIX, CLERK OF COURT

Date: October 27, 2022

s/LEANNE HOSKING

Signature of Clerk or Deputy Clerk

Approved.

Date: October 27, 2022

s/Anthony P. Patti

Judge's signature

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America)
v.) Case No. 22-30465
Deborah Kuecken)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
(2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
(3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
(4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at (if blank, to be notified) :

Theodore Levin U.S. Courthouse, Room 114, 231 West Lafayette Boulevard, Detroit, MI 48226
Place

on _____
Date and Time

If blank, defendant will be notified of next appearance.

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

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- (6) The defendant is placed in the custody of _____
(See separate Agreement to Assume Custody of the Defendant).
- (7) The defendant must:
- (a) report, as directed, to:
 - Pretrial Services Agency.
 - Probation Department.
 - (b) continue or actively seek employment. Provide verification to the supervising officer, as requested.
 - (c) continue or start an education program and provide monthly verification to the supervising officer.
 - (d) not apply for or enter into any loan or other credit transaction without the previous written permission of the pretrial services office or supervising officer.
 - (e) surrender any passport immediately and/or enhanced identification to the supervising officer as directed. _____
 - (f) not obtain a passport, enhanced identification or other international travel documents.
 - (g) abide by the following restrictions on personal association, place of abode, or travel:
 - Travel restricted to the Eastern District of Michigan;
 - Travel restricted to the State of Michigan;
 - Travel restricted to: United States
 - Unless I have the previous consent of the pretrial services office, supervising officer or the court.
 - (h) avoid all contact, directly or indirectly, with any person who is or may become a victim or witness in the investigation or prosecution, including but not limited to:
 - list to be provided by U.S. Attorney;
 - other persons: _____
 - (i) obtain medical or mental health treatment as directed by the supervising officer.
 - provide a co-payment for treatment costs as directed by the supervising officer.
 - (j) for all probation and/or supervised release violations, all conditions in the Judgment Order under docket# _____ will remain in effect.
 - (k) maintain residence at a residential reentry center as directed by the supervising officer.

- (l) reside at the bond address, and any changes in residence must be pre- approved by the supervising officer.
- (m) not possess a firearm, destructive device, or other dangerous weapons. Remove all firearms, destructive devices or other dangerous weapons from bond address and provide verification to the supervising officer within 48 hours of release.
- (n) surrender any Concealed Pistol License (CPL) to the supervising officer within 48 hours of release.
- (o) not use alcohol:
- at all.
- excessively.
- (p) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. Provide documentation of any prescribed medications to the supervising officer and any new medications prescribed by a licensed medical practitioner throughout supervision. Refrain from the use of marijuana which is prohibited by federal law.
- (q) submit to any testing required by the supervising officer to determine whether the defendant/person under supervision is using a prohibited substance. Testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant/offender must not obstruct or attempt to obstruct or tamper with the efficiency and accuracy of any prohibited substance screening or testing.
- (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- (s) participate in **one** of the following location restriction programs and comply with requirements as directed: _____
- (i) **Curfew.** You are restricted to your residence every day: from _____ to _____, or as directed by the pretrial services office or supervising officer; or
- (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations;
- Essential Leave** may be granted to participant as deemed appropriate by the supervising officer.
- Discretionary Leave** may be granted to participant as deemed appropriate by the supervising officer.
- (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.

- (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
- (t) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
- You must pay all or part of the cost of the programs based upon your ability to pay as the pretrial services office or supervising officer determines:
- (i) Location monitoring technology as directed by the pretrial services office or supervising officer;
 - (ii) Radio Frequency (RF) monitoring;
 - (iii) Global Positioning Satellite (GPS) monitoring;
 - (iv) Voice Recognition monitoring;
 - (v) Remote Alcohol Monitoring;
 - (vi) SmartLINK;
- (u) report within 24 hours to the pretrial services office, every contact with law enforcement personnel, including arrests, questioning or traffic stops.
- (v) resolve all outstanding warrants as directed by the supervising officer.
- (w) comply with all Sex Offender Registration and Notification Act (SORNA) requirements.
- (x) -Surrender Michigan enhanced driver's license as directed by Pretrial Services

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

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

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

Detroit, MI

City and State

Directions to the United States Marshal

- The defendant is ORDERED released after processing.
- The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: October 27, 2022

s/Anthony P. Patti

Judicial Officer's Signature

Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 22-30465

Plaintiff,

Original District No. 22

DEBORAH ANNE KUECKEN

Defendant.

F I L E D
OCT 27 2022
CLERK'S OFFICE
U.S. DISTRICT COURT

**ORDER TRANSFERRING DEFENDANT TO ANSWER
TO CHARGES PENDING IN ANOTHER DISTRICT**

This matter coming before the Court on the Government's Petition for Removal, for the reasons stated on the record and pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure, it is hereby ordered that **DEBORAH ANNE KUECKEN** **be transferred to the District of Columbia for further proceedings in the case of United States v. DEBORAH ANNE KUECKEN** who has been ordered released pursuant to the Bail Reform Act of 1984 (18 U.S.C. Section 3141 et seq.), shall appear at the following location at the following date/time: **at the United States District Court for the District of Columbia on November 3, 2022 at 1 p.m. for an initial appearance.**

If defendant fails to appear as directed, ^s ^(am) he will be subject to arrest, revocation of release, and detention, and he could be prosecuted and imprisoned for the crimes of bond jumping or contempt of court. See 18 U.S.C. Sections 3146, 3148.



HONORABLE ANTHONY P. PATTI
United State Magistrate Judge

Dated: October 27, 2022

CLOSED

**U.S. District Court
Eastern District of Michigan (Detroit)
CRIMINAL DOCKET FOR CASE #: 2:22-mj-30465-DUTY-1**

Case title: United States of America v. Kuecken

Date Filed: 10/27/2022

Other court case number: 22-225 District of Columbia

Date Terminated: 10/28/2022

Assigned to: Magistrate Judge Unassigned

Defendant (1)

Deborah Anne Kuecken
TERMINATED: 10/27/2022

represented by **David Griem**
21 Kercheval Avenue
Suite 363
Grosse Pointe Farms, MI 48236
313-962-8600
Fax: 313-290-2666
Email: davidgriemlaw@gmail.com
ATTORNEY TO BE NOTICED
Designation: Retained
Bar Status: Sworn

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Rule 5


Disposition

Plaintiff

United States of America

represented by **Lisandra del Carmen Fernandez-Silber**
United States Attorney's Office

Major Crimes Unit
 211 W. Fort Street, Suite 2001
 Detroit, MI 48226
 313-226-9122
 Fax: 313-226-2621
 Email: Lisandra.Fernandez-Silber@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: U.S. Attorney
Bar Status: Sworn

Date Filed	#	Docket Text
10/27/2022	1	PETITION for Transfer under Rule 5(c)(3) by United States of America as to Deborah Anne Kuecken (1). (LHos) (Entered: 10/27/2022)
10/27/2022		Minute Entry for in-person proceedings before Magistrate Judge Anthony P. Patti: Initial Appearance in Rule 5(c)(3) Proceedings as to Deborah Anne Kuecken held on 10/27/2022. Defendant has waived the Identity Hearing. Disposition: Defendant released on bond. Bond Information: 10,000 unsecured. (Court Reporter: Digitally Recorded) (Defendant Attorney: David Griem) (AUSA: Lisandra Fernandez-Silber) (SOso) (Entered: 10/27/2022)
10/27/2022	2	 Public Audio File of Initial Appearance in Rule 5(c)(3) Proceedings as to Deborah Anne Kuecken held on 10/27/2022 before Magistrate Judge Anthony P. Patti. AUDIO FILE SIZE (11.1 MB) (KBro) (Entered: 10/28/2022)
10/27/2022	3	ATTORNEY APPEARANCE: David Griem appearing for Deborah Anne Kuecken. (KBro) (Entered: 10/28/2022)
10/27/2022	4	WAIVER of Rule 5 Hearings by Deborah Anne Kuecken (KBro) (Entered: 10/28/2022)
10/27/2022	5	ORDER Regarding Brady Materials as to Deborah Anne Kuecken. Signed by Magistrate Judge Anthony P. Patti. (KBro) (Entered: 10/28/2022)
10/27/2022	6	ORDER Setting Conditions of Release as to Deborah Anne Kuecken. Signed by Magistrate Judge Anthony P. Patti. (KBro) (Entered: 10/28/2022)
10/27/2022	7	APPEARANCE BOND as to Deborah Anne Kuecken in the amount of \$10,000 unsecured entered. (KBro) (Entered: 10/28/2022)
10/27/2022	8	ORDER TRANSFERRING DEFENDANT to Answer Charges Pending in the District of Columbia as to Deborah Anne Kuecken. Signed by Magistrate Judge Anthony P. Patti. (KBro) (Entered: 10/28/2022)
10/28/2022		TEXT-ONLY NOTICE to District of Columbia of Transfer as to Deborah Anne Kuecken. Your case number is: 22-225. Using your PACER account, you may retrieve the docket sheet and any unrestricted documents and text-only entries. Please note the following documents: Initial Appearance - Rule 5(c)(3), 8 Transferring Defendant to Answer Charges, 1 Rule 5(c)(3) Petition for Transfer Proceedings, 5 Order Regarding Brady Materials, 2 Audio File Upload, 7 Bond, 6 Order Setting Conditions of Release, 3 Attorney Appearance, 4 Waiver of Rule 5 Hearings (Formerly Rule 40) (If you require sealed documents or certified copies, please send a request to InterDistrictTransfer_mied@mied.uscourts.gov. If you require a defendant's payment history, please send a request to financial@mied.uscourts.gov.) (LHos) (Entered: 10/28/2022)