

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
	:	
v.	:	Case No.
	:	
DONA SUE BISSEY and	:	
ANNA MORGAN-LLOYD,	:	<u>UNDER SEAL</u>
Defendants.	:	

GOVERNMENT’S MOTION TO SEAL THE ARREST WARRANTS, CRIMINAL COMPLAINT AND RELATED DOCUMENTS AND TO DELAY ENTRY ON THE PUBLIC DOCKET OF THE FILING OF THIS MOTION TO SEAL

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Court to place under seal the Arrest Warrants, the Criminal Complaint with its supporting Statement of Facts, any ancillary documents, this Motion to Seal, any Order granting this Motion to Seal and to delay entry on the public docket of the filing of this Motion to Seal and Order of the Court. In support of this motion, government submits as follows:

On February 11, 2021, the Court issued Arrest Warrants based on a Criminal Complaint and its supporting Statement of Facts charging the above captioned defendant with violating 18 U.S.C. § 1752(a)(1) and (2) (Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority) and 40 U.S.C. § 5104(e)(2)(D) and (G) (Violent Entry and Disorderly Conduct on Capitol Grounds). Public disclosure of the existence of the Arrest Warrants and other materials at this time might alert the defendants that they are wanted for criminal charges, and this presents the risk that the defendants might attempt to destroy potentially incriminating evidence. In addition, upon learning of the warrants, the defendants might flee. At this time law enforcement is continuing to investigate not only DONA SUE BISSEY and ANNA MORGAN-

LLOYD but other individuals who might have participated with him in the charged conduct. These are compelling reasons for the sealing of these documents.¹ Accordingly, the United States requests that this Court grant the accompanying proposed order.

WHEREFORE, for the foregoing reasons and for any other such reasons as may appear to the Court, the government respectfully requests that the Court grant this motion and enter the attached proposed order.

Respectfully submitted,

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Dated: February 23, 2021

¹ See *Washington Post v. Robinson*, 935 F.2d 282, 289 n.10 (D.C. Cir. 1991) (noting situations when compelling reasons exist for sealing documents filed with the Court and postponing entry of filings on public docket).

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	:	

ORDER

Based on the representations in the government’s Motion to Seal the Arrest Warrants, Criminal Complaint and Related Documents and to Delay Entry on the Public Docket of the Filing of this Motion to Seal, this Court makes the following:

FINDINGS OF FACT

Public disclosure of the existence of the Arrest Warrants and Criminal Complaint, with its supporting Statement of Facts and other related documents, at this time might alert the defendants that they are wanted for criminal charges and this presents the risk that the defendants might attempt to destroy potentially incriminating evidence. In addition, upon learning of the Arrest Warrants, the defendants might flee.

Based on the representations in the government’s motion, *Washington Post v. Robinson*, 935 F.2d 282, 289 n.10 (D.C. Cir. 1991), and this Court’s findings of facts, this Court finds that there is a compelling governmental interest in sealing the Arrest Warrants, Criminal Complaint with its supporting Statement of Facts, pleadings, records and files in this case and that an extraordinary situation exists which justifies a delay in the public docketing of any notice that the government’s motion and this Order have been filed with the Criminal Clerk’s office under seal.

Based on the above, it is this 23rd day of February, 2021.

It is **ORDERED** that this Order, the attached government motion to seal, the Arrest Warrants, the Complaint, its supporting Statement of Facts, and other related pleadings, shall be filed under seal in the Criminal Clerk's office until further order of this Court, or until the arrest of the first defendant, whichever occurs first. The Criminal Clerk's office shall unseal the Complaint upon notification that the first defendant has been arrested, without the need for any further action by the Court.

It is further **ORDERED** that the Criminal Clerk's office shall not make any entry on the public docket in this case of the government's motion to seal and the Order granting such motion, the Complaint, and other pleadings filed under seal in this case until further order of this Court.

It is further **ORDERED** that notwithstanding the other provisions of this ORDER, the government shall be permitted to disclose the Arrest Warrants and Complaint with its supporting Statement of Facts and related materials in furtherance of its law enforcement needs and discovery obligations.

Zia M. Faruqui
United States Magistrate Judge
for the District of Columbia