

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

EDWARD KELLEY

Defendant

) Case: 1:22-mj-00096
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 5/3/2022
) 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) EDWARD KELLEY 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. § 111(a)(1) - Assault;
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder;
18 U.S.C. § 1361 - Destruction of Government Property;
18 U.S.C. § 1752(a)(1), (2), and (4) - Unlawful Entry and Physical Violence;
40 U.S.C. § 5104(e)(2)(B), (D), (F) and (G) - Violent Entry, disorderly conduct, and other offenses.

Date: 05/03/2022

2022.05.03 13:36:16 -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) 5/3/22, and the person was arrested on (date) 5/5/22 at (city and state) Knoxville, TN.

Date: 5/5/22

Arresting officer's signature: Scott P. Dietsch
Printed name and title: SCOTT P. DIETSCH, SPECIAL AGENT

FID: 11419151
USMS: 99 454-509

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE – COURTROOM 3B

Case #: 3:22-MJ-1128

Date: May 5, 2022

United States of America vs. Edward Kelley

Present before: Honorable Debra C. Poplin, United States Magistrate Judge

Rachel Stone
Deputy Clerk

DCR
Court Reporter

Travis Worthington
Probation Officer

Casey Arrowood
Asst. U.S. Atty

Nicholas Wallace
Attorney(s) for Defendant(s)

Attorney(s) for Defendant(s) Contd.

Proceedings: Parties present for a Rule 5 initial appearance on a warrant issued out of the District of Columbia

- Defendant sworn.
- Defendant requested appointment of counsel and submitted financial affidavit.
- Court approved financial affidavit and appointed counsel
- Defendant present with retained counsel.
- Government requested detention of the defendant:
- Defendant waived and reserved the right to a Rule 5 hearing in this district.
- Defendant requested a _____ hearing.
 - Hearing set. Hearing held.
- Parties agreed to conditions on which the defendant could be released and the defendant is Ordered to appear in originating district on May 12, 2022 at 1:00 p.m. via Zoom (information provided)
- Defendant remanded to the custody and the U.S. Marshal Service is directed to transport the defendant to the originating district for further proceedings.
- Case under seal as to defendant(s):
 - Unsealed upon granting of motion by AUSA. To remain under seal.

Dates set at this hearing:

- Detention Hearing:
- Other Hearing:

Time: 2:40 to 3:00

I, Rachel Stone Deputy Clerk, CERTIFY the official record of this proceeding is an audio file.

Knox-DCR_ 3-22-MJ-1128 _ 20220505 _ 144734

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

Case No.: 3:22-mj-01128-DCP

EDWARD KELLEY

ORDER

The Court finds after review of the defendant's sworn Financial Affidavit that the above defendant does not have the funds to retain an attorney of the defendant's choice and that the defendant wants to be represented by counsel.

Accordingly, I find that the defendant qualifies for appointment of counsel and it is ORDERED the following counsel will be appointed to represent the defendant:

George Nicholas Wallace
Federal Defender Services of Eastern Tennessee, Inc. (Knox)
800 South Gay Street
Suite 2400
Knoxville, TN 37929-9714

865-637-7979

ENTER.

s/Debra C Poplin
UNITED STATES MAGISTRATE JUDGE

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT
for the
Eastern District of Tennessee

United States of America

v.

Edward Kelley

Defendant

Case No. 3:22-MJ-1128

Charging District's Case No. 1:22-MJ-96

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
(2) an identity hearing to determine whether I am the person named in the charges;
(3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
(4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
(5) a hearing on any motion by the government for detention;
(6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- [x] an identity hearing and production of the warrant.
[x] a preliminary hearing.
[] a detention hearing.
[] an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 05/05/2022

Edward RD Kelley

Defendant's signature

[Handwritten signature]

Signature of defendant's attorney

Nick Wallace

Printed name of defendant's attorney

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America)

v.)

Edward Kelley)

Defendant

Case No. 3:22-MJ-1128

Charging District: District of Columbia

Charging District's Case No. 1:22-MJ-96

**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. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: Zoom Hearing before Judge Meriweather	Courtroom No.:
	Date and Time: 5/12/2022 1:00 pm

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 05/05/2022



Judge's signature

Debra C. Poplin, United States Magistrate Judge

Printed name and title

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) 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

Knoxville, TN

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: 5/5/2022



Judicial Officer's Signature

Debra C. Poplin, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

Live Database
U.S. District Court - Eastern District of Tennessee (Knoxville)
CRIMINAL DOCKET FOR CASE #: 3:22-mj-01128-DCP-1

Case title: USA v. Kelley

Date Filed: 05/05/2022

Assigned to: Magistrate Judge Debra C
Poplin

Defendant (1)**Edward Kelley**

represented by **George Nicholas Wallace**
Federal Defender Services of Eastern
Tennessee, Inc. (Knox)
800 South Gay Street
Suite 2400
Knoxville, TN 37929-9714
865-637-7979
Fax: 865-637-7999
Email: Nick_Wallace@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Casey Thomas Arrowood**

U S Department of Justice (Knox USAO)

Office of U S Attorney

800 Market Street

Suite 211

Knoxville, TN 37902

(865) 225-1720

Email: casey.arrowood2@usdoj.gov

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: United States Attorney*

Date Filed	#	Docket Text
05/10/2022	7	ORDER Setting Conditions of Release. Signed by Magistrate Judge Debra C Poplin on May 5, 2022. (RLK) (Entered: 05/10/2022)
05/05/2022	6	ORDER to Appear in Charging District (District of Columbia) as to Edward Kelley. Signed by Magistrate Judge Debra C Poplin on May 5, 2022. (RLK) (Entered: 05/05/2022)
05/05/2022	5	WAIVER of Rule 5(c)(3) Hearings by Edward Kelley (RLK) (Entered: 05/05/2022)
05/05/2022	4	ORDER APPOINTING FEDERAL DEFENDER as to Edward Kelley. Signed by Magistrate Judge Debra C Poplin on May 5, 2022. (RLK) (Entered: 05/05/2022)
05/05/2022	3	CJA 23 Financial Affidavit by Edward Kelley. Approved by Magistrate Judge Debra C Poplin on May 5, 2022. (RLK) (Entered: 05/05/2022)
05/05/2022	2	Minute Entry for proceedings held before Magistrate Judge Debra C Poplin: Initial Appearance in Rule 5(c)(3) Proceedings as to Edward Kelley held on 5/5/2022. Defendant waived hearings in this district. Defendant ordered to appear on May 12, 2022 at 1:00 p.m. (via Zoom) before U.S. Magistrate Judge Meriweather. Zoom information provided to defendant. (Court Reporter DCR)Defendant released on conditions. (RLK) (Entered: 05/05/2022)
05/05/2022	1	Sealed Rule 5 Documents (Criminal Complaint and Arrest Warrant) (RLK) (Entered: 05/05/2022)