

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Eric Douglas Clark

*Defendant*

)  
 ) Case: 1:21-mj-00396  
 ) Assigned To : Meriweather, Robin M.  
 ) Assign. Date : 4/26/2021  
 ) 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)

Eric Douglas Clark

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) and (2)- Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

40 U.S.C. § 5104(e)(2) (D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 04/26/2021



Issuing officer's signature

City and state: Washington, D.C.

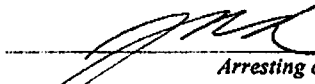
Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

## Return

This warrant was received on (date) 04/26/2021, and the person was arrested on (date) 05/04/2021  
at (city and state) Louisville, KY

Date: 05/04/2021



Arresting officer's signature

Jeramie M. Connor, Special Agent

Printed name and title

**United States District Court  
Western District of Kentucky  
at Louisville**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**VS.**

**CRIMINAL ACTION NUMBER: 3:21-MJ-223**

**ERIC DOUGLAS CLARK**

**DEFENDANT**

**ORDER**

The above-styled case came before the undersigned on May 4, 2021, via video conference for an initial appearance on a Sealed Complaint from the District of Columbia (Case Number 1:21MJ-396).

Assistant United States Attorney Josh Judd appeared on behalf of the United States. The defendant was present, in custody, at the Oldham County Detention Center. The proceeding was digitally recorded.

The United States made an oral motion to unseal the Complaint. Accordingly,

**IT IS HEREBY ORDERED** that the motion is **GRANTED** and the Complaint is **UNSEALED**.

The defendant acknowledged his identity, was furnished with a copy of Complaint, was advised of the nature of the charges contained therein and was advised of his rights.

The Court questioned the defendant under oath regarding his ability to afford counsel and found him eligible for appointed counsel. The Court appointed the Office of Federal Defender. Assistant Federal Defender Aaron Dyke was present on the video conference and accepted the appointment.

The defendant, through counsel, waived his right to a preliminary hearing in the Western District of Kentucky.

The Court advised the defendant regarding the provisions of Rule 20. The Court also reminded the United States of its prosecutorial obligation under *Brady v. Maryland*, 373 U.S. 83 (1963) and the consequences of violating the same.

The United States did not seek detention. Accordingly,

**IT IS HEREBY ORDERED** that the defendant is released on a \$25,000 unsecured bond with an order setting conditions of release.

**IT IS HEREBY ORDERED** that the defendant shall report to District of Columbia for further proceedings on **May 10, 2021 at 1:00 p.m.** via video conference. The undersigned's Case Manager will provide the Zoom link to counsel via email.

May 5, 2021

A handwritten signature in black ink that reads "Colin H. Lindsay". The signature is written in a cursive, flowing style. Behind the signature is a faint, circular official seal of the United States District Court for the District of Columbia.

Colin H Lindsay, Magistrate Judge  
United States District Court

cc: Counsel, USM, USDC-D.C.

:25

**FILED**JAMES J. VILT JR,  
CLERK**5/4/2021**U.S. DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY

AO 98 (Rev. 12/11) Appearance Bond

**UNITED STATES DISTRICT COURT**

for the

Western District of Kentucky

United States of America )

v. )

ERIC DOUGLAS CLARK )

Case No. 3:21MJ-223

\_\_\_\_\_  
*Defendant***APPEARANCE BOND****Defendant's Agreement**

I, ERIC DOUGLAS CLARK (*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 \$ 25,000.00.  
 ( ) (3) This is a secured bond of \$ \_\_\_\_\_, secured by:  
 ( ) (a) \$ \_\_\_\_\_, 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.

AO 98 (Rev. 12/11) Appearance Bond

*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

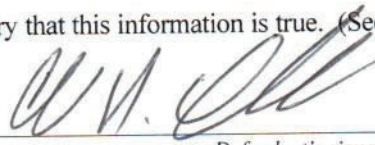
*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (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: 5/4/21



*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*

CLERK OF COURT

Date: 5/4/2021



*Signature of Clerk or Deputy Clerk*

Approved.

Date: 5/4/2021



Colin H. Lindsay, Magistrate Judge  
United States District Court

*Judge's signature*

**UNITED STATES DISTRICT COURT**  
for the  
Western District of Kentucky

United States of America  
v.  
ERIC DOUGLAS CLARK

Case No. 3:21MJ-223

\_\_\_\_\_  
*Defendant*

**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 it 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: U.S. District Court as directed

*Place*

on \_\_\_\_\_

*Date and Time*

If blank, defendant will be notified of next appearance.

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



**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.

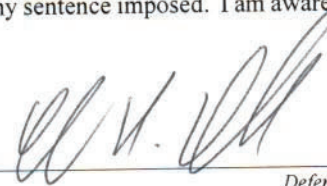
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (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*

Louisville, KY  
 \_\_\_\_\_  
*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: 5/4/2021

  
 Colin H. Lindsay, Magistrate Judge  
 United States District Court

COLIN H. LINDSAY, UNITED STATES MAGISTRATE JUDGE

*Printed name and title*

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

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION  
CRIMINAL ACTION NO. 3:21MJ-223**

**UNITED STATES OF AMERICA,**

**PLAINTIFF,**

**v.**

**ERIC DOUGLAS CLARK,**

**DEFENDANT.**

**ORDER**

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to produce all exculpatory evidence to the defendant pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

May 6, 2021

A handwritten signature in black ink, reading "Colin H. Lindsay". The signature is written in a cursive, flowing style. It is positioned over a faint, circular official seal of the United States District Court for the Western District of Kentucky, Louisville Division.

Colin H Lindsay, Magistrate Judge  
United States District Court

cc: Counsel of record



**U.S. District Court  
Western District of Kentucky (Louisville)  
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00223-CHL All Defendants**

Case title: USA v. Clark

Date Filed: 05/04/2021

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Assigned to: Magistrate Judge  
Colin H. Lindsay

**Defendant (1)**

**Eric Douglas Clark**

represented by **Aaron M. Dyke**  
Western Kentucky Federal Community Defender,  
Inc.  
629 Fourth Avenue, Suite 200  
Louisville, KY 40202  
502-584-0525  
Fax: 502-524-2808  
Email: [aaron\\_dyke@fd.org](mailto:aaron_dyke@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**

REMOVAL FROM DC

**Disposition**

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**Plaintiff**

**USA**

represented by **Joshua D. Judd**  
U.S. Attorney Office – Louisville

717 W. Broadway  
Louisville, KY 40202  
502-625-7049  
Email: [joshua.judd@usdoj.gov](mailto:joshua.judd@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

Date Filed	#	Page	Docket Text
05/04/2021			Arrest (Rule 5) of Eric Douglas Clark. (SRH) (Entered: 05/10/2021)
05/04/2021	<u>1</u>		Rule 5 Documents Received from DC, Case Number 1:21-mj-00396, as to Eric Douglas Clark. (SRH) (Entered: 05/10/2021)
05/04/2021	<u>2</u>	3	ORDER for proceedings held before Magistrate Judge Colin H. Lindsay. Initial Appearance in Rule 5(c)(3) Proceedings as to Eric Douglas Clark held, via video conference, on 5/4/2021. The United States made an oral motion to unseal the Complaint. Accordingly, the motion is GRANTED and the Complaint is UNSEALED. The Court appointed the Office of Federal Defender. Assistant Federal Defender Aaron Dyke was present on the video conference and accepted the appointment. The defendant waived his right to a preliminary hearing in the Western District of Kentucky. The defendant is released on a \$25,000 unsecured bond with an order setting conditions of release. The defendant shall report to District of Columbia for further proceedings on 5/10/2021 at 1:00 p.m., via video conference. (Court Reporter: Digitally recorded) cc: counsel, USM, USDC-DC (SRH) (Entered: 05/10/2021)
05/04/2021	<u>3</u>	5	Appearance Bond Entered, as to Eric Douglas Clark, in amount of \$25,000 (unsecured). (SRH) (Entered: 05/10/2021)
05/10/2021	<u>4</u>	9	ORDER by Magistrate Judge Colin H. Lindsay on 5/6/2021. Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to produce all exculpatory evidence to the defendant, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court. cc: counsel (SRH) (Entered: 05/10/2021)