

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Felipe Marquez

Defendant

) Case: 1:21-mj-00074
) Assigned to: Judge Robin M. Meriweather
) Assign Date: 1/15/2021
) 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) Felipe Marquez,
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
- 40 U.S.C. 5104(e)(2) Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/15/2021



Robin M. Meriweather
2021.01.15 17:30:04
-05'00'

Issuing officer's signature

City and state: Washington, DC

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 1/15/21, and the person was arrested on (date) 1/19/21
at (city and state) _____.

Date: 1/20/21

Colin M. Gregory

Arresting officer's signature

Colin M. Gregory, Special Agent
Printed name and title

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

21-6020-AW

United States of America

v.

Felipe Marquez
DOB: /1995

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)
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Case: 1:21-mj-00074

Assigned to: Judge Robin M. Meriweather

Assign Date: 1/15/2021

Description: COMPLAINT W/ARREST WARRANT

Defendant(s)

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

District of Columbia, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1752(a)(1)	Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority
40 U.S.C. 5104(e)(2)	Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Bartholomew J. Durand

Complainant's signature

Special Agent Bartholomew Durand, FBI

Printed name and title

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

Telephone (specify reliable electronic means).

Date: 01/15/2021



Robin M. Meriweather

Robin M. Meriweather
2021.01.15 17:30:24 -05'00'

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA)

)

Criminal No.

v.)

)

FILED UNDER SEAL

FELIPE MARQUEZ,)

)

Defendant.)

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Bartholomew Durand, being duly sworn, affirm and state:

INTRODUCTION

1. I am a special agent with the Federal Bureau of Investigation. I have been in this position since 2010. I am currently assigned to a squad that investigates counterintelligence out the Washington Field Office of the FBI.

2. This affidavit is submitted for the purpose of establishing probable cause. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information conveyed to me by other law enforcement officials. Because this affidavit is limited in purpose, it is not intended to include each and every fact and matter observed by me or known to the United States.

PURPOSE OF AFFIDAVIT

3. This affidavit is submitted in support of a criminal complaint charging the defendant, FELIPE MARQUEZ (hereinafter "MARQUEZ"), with one count of Unlawful Entry into Restricted Buildings or Grounds, in violation of Title 18, United States Code, Section 1752(a),

and one count of Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of Title 40, United States code, Section 5104(e)(2). This affidavit is also submitted in support of an arrest warrant for MARQUEZ.

STATEMENT OF FACTS

Probable Cause – The U.S. Capitol on January 6, 2021

4. 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 are 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.

5. 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.

6. 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.

7. At such time, the certification proceedings 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, shortly after 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.

8. 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.

9. 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 and on the grounds of the U.S. Capitol without authority to be there.

Probable Cause – MARQUEZ

10. Following the civil unrest at the U.S. Capitol described above, the FBI received a tip stating that MARQUEZ, who was known to the tipster, shared a video to his public stories on Snapchat on January 6, 2021. When a user posts public stories on Snapchat, those stories, which

typically contain an image, video, or series of images, are visible to the user's "friends" and, depending on the user's settings, possibly others on the Snapchat platform. The tipster is friends with MARQUEZ on the Snapchat platform, and knows that MARQUEZ's Snapchat username is **felipe_mz95**. On or after January 6, 2021, the tipster screen recorded a four-minute-twenty-second-long video that the tipster reported that MARQUEZ had posted as a story on his Snapchat account. The tipster provided a copy of the screen recorded video to the FBI.

11. The video appears to be a compilation of at least the following 13 separate videos taken with a cell phone. Below I describe various events depicted in the video clips referencing the relevant time stamps:

- a. 0:00 (start) to 0:13 – This clip appears to be filmed by the driver of a vehicle, while on a divided highway, during daytime. The steering wheel is visible, which bears the logo for Tesla.
- b. 0:13 to 0:25 – This is a similar clip to the one above.
- c. 0:25 to 0:35 – This clip appears to have been filmed by the driver of a vehicle, while on a divided highway, at nighttime. The video focuses on a truck on the road, and the following text is overlaid on the screen: "He's got trump flags but you can't see em, and he's from Florida!!!!"
- d. 0:35 to 0:54 – This clip depicts continued filming by the driver of a vehicle, on a divided highway, at nighttime. The video focuses on a truck on the road with two blue "TRUMP" flags, and the following text is overlaid the screen: "We in south Carolina."

- e. 0:54 to 1:54 – This clip appears to be filmed by the driver of a vehicle, while on a divided highway, during daytime. The driver’s side view mirror is visible; it appears to be white in color, suggesting that the vehicle is white. The video focuses on the navigation system on the dashboard, showing a destination of Washington, D.C. At 1:30, the user appears to flip the phone’s camera lens, so that the user is visible. The tipster identified this person as MARQUEZ. MARQUEZ is looking into the camera, mouthing along to a song, and smoking from a light-tan colored vape pen. MARQUEZ is wearing a red “KEEP AMERICA GREAT” hat and has a yellow gaiter around his neck.
- f. 1:54 to 2:07 – This clip occurs at outdoor rally and captures a substantial crowd of people and many flags. The Washington Monument is visible.¹
- g. 2:07 to 2:24 – This is a similar clip at an outdoor rally, which appears to be at the same location as the prior clip.
- h. 2:24 to 2:44 – This is a similar clip at an outdoor rally, which appears to be at the same location as the two prior clips.
- i. 2:44 to 3:12 – The clip is filmed in or among a large crowd. Many people and flags are visible. From my knowledge review of other videos in this investigation, this video appears to be taken at the west side of the U.S. Capitol grounds, where a crowd gathered on the afternoon of January 6, 2021.

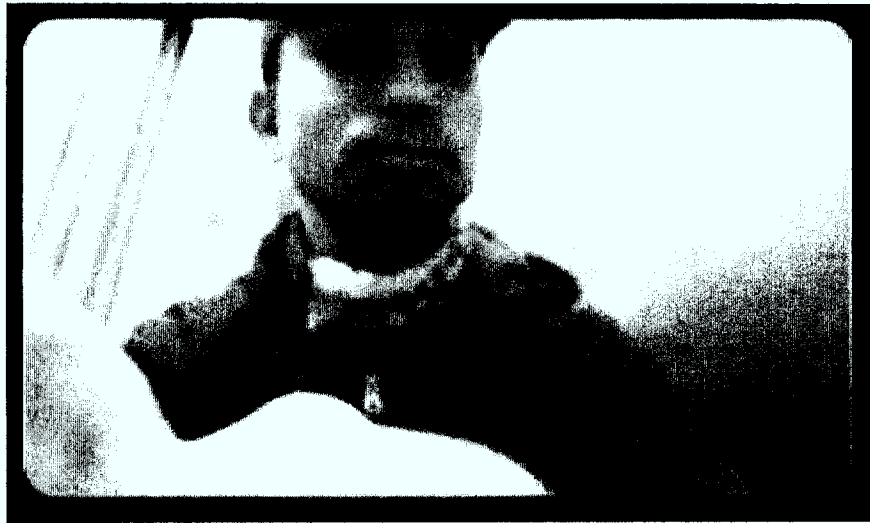
¹ I know that prior to the civil unrest described above a crowd gathered on the Ellipse to listen to several speakers, before proceeding to the U.S. Capitol. Based upon the position of the crowd in relation to the Washington Monument, which appears in the background of the video, I believe MARQUEZ was filming from that gathering on the Ellipse.

- j. 3:12 to 3:38 – This appears to capture people climbing over a stone rail/fence and others who have scaled a wall located the west side of the U.S. Capitol. The Peace Monument is visible. The recording captured someone yell, “Yeah baby. We climbed the wall.” At one point the camera focuses downward towards another person ascending the wall and the crowd remaining on the ground. The recording captures someone saying, “There goes my sign, baby. Trump won.”
- k. 3:38 to 3:45 – This is a truncated version of what was contained in the above clip.
- l. 3:45 to 4:11 – This clip is from inside a conference room.² Several people are seated and standing around a mahogany table. Some people say, “No stealing; don’t steal anything.” At 4:02, a hand is visible, holding a light-tan colored vape pen similar to the one MARQUEZ was holding in the car in the clip from 0:54 to 1:54. At 4:04, someone pushes over a table lamp and says, “Why would I want to steal this bullshit.”
- m. 4:11 to 4:20 (end) – In this clip MARQUEZ turns the camera lens to film himself. He is wearing a red “KEEP AMERICA GREAT” hat and has a yellow gaiter around his neck, similar to what he was wearing in the earlier clip from 0:54 to 1:54. MARQUEZ appears to still be indoors, with a distinctive blue piece of artwork –

² Based upon conversations with representatives of the United States Capitol Police, the conference room in which MARQUEZ is present appears to be Senate room S140, the private “hideaway” office of Senator Merkley within the U.S. Capitol. The artwork visible on the walls of the conference room in MARQUEZ’s Snapchat video is also visible on a video that Senator Merkley posted to Twitter on January 6, 2021, at 11:36 pm, documenting some of the damage to his office.

the same as seen in Senator Merkley's hideaway office – on the wall behind him.

This is a screenshot of MARQUEZ's face from the video:



12. This Snapchat video is consistent with other videos I have reviewed from media reports as well as other investigations I have conducted into the incident at the U.S. Capitol. Therefore, I have probable cause to believe the end of this video depicts individuals, including MARQUEZ, who entered the U.S. Capitol building on January 6, 2021, and that MARQUEZ filmed the video.

13. According to a law enforcement database search, MARQUEZ owns a white 2020 Tesla Model 3, which he registered in November 2019. The vehicle is registered to MARQUEZ at his address in Coral Springs, Florida.

14. On January 9, 2021, the tipster identified MARQUEZ as the individual in the Snapchat video. On January 12, 2021, the tipster identified MARQUEZ's Florida driver's license photo as the same "Felipe MARQUEZ." The tipster reported that the tipster does not personally

know MARQUEZ, but they know people in common, and the tipster has followed MARQUEZ's online social media presence for several years.

15. I have also identified MARQUEZ as the person in the Snapchat video from comparing the video to MARQUEZ's Florida driver's license photograph.

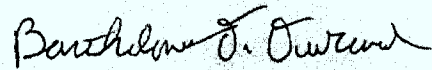
16. Based on the foregoing, your affiant submits that there is probable cause to believe that MARQUEZ violated 18 U.S.C. § 1752(a)(1) and (2), which make it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent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

17. Your affiant submits there is also probable cause to believe that MARQUEZ violated 40 U.S.C. § 5104(e)(2)(D), (E), and (G), which make 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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

CONCLUSION

18. Based on my training and experience, and the information provided in this affidavit, there is probable cause to believe that on or about January 6, 2021, in the District of Columbia, FELIPE MARQUEZ did knowingly and willingly commit Unlawful Entry, in violation of Title 18, United States Code, Section 1752(a), and Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of Title 40, United States code, Section 5104(e)(2).



SPECIAL AGENT BARTHOLOMEW DURAND
FEDERAL BUREAU OF INVESTIGATION

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF FED. R. CRIM. P. 4.1 BY TELEPHONE, THIS 15th DAY OF JANUARY, 2021.



Robin M. Meriweather
2021.01.15 17:31:53
-05'00'

Robin M. Meriweather
U.S. MAGISTRATE JUDGE

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

20-6020-ADV

United States of America
v.
Felipe Marquez

) Case: 1:21-mj-00074
) Assigned to: Judge Robin M. Meriweather
) Assign Date: 1/15/2021
) 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) Felipe Marquez,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint (checked), 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
40 U.S.C. 5104(e)(2) Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/15/2021



Handwritten signature of Robin M. Meriweather

Robin M. Meriweather
2021.01.15 17:30:04
-05'00'

Issuing officer's signature

City and state: Washington, DC

Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

United States Magistrate Judge Alicia O. Valle

Courtroom 310

Date: 1/19/2021 Time: 11:00a.m.

Defendant: Felipe Marquez(J) J#: _____ Case #: 21-6020-AOV

AUSA: Jonathan Stratton Attorney: Huda Macri, AFPO

Violation: Violent Entry and Disorderly Conduct on Capitol Grounds

Proceeding: Initial Appearance-Rule 40/5 Removal CJA Appt: _____

Bond/PTD Held: Yes No Recommended Bond: \$100K PSB

Bond Set at: \$ 100,000 PSB Co-signed by: _____

Surrender and/or do not obtain passports/travel docs

Language: English

Report to PTS as directed/or _____ x's a week/month by phone: _____ x's a week/month in person

Random urine testing by Pretrial Services _____ Treatment as deemed necessary

Refrain from excessive use of alcohol

Participate in mental health assessment & treatment

Maintain or seek full-time employment/education

No contact with victims/witnesses

No firearms

Not to encumber property

May not visit transportation establishments

Home Confinement/Electronic Monitoring and/or with GPS Curfew 9 pm to 6 am, paid by Defendant

Allowances: Medical needs, court appearances, attorney visits, religious, employment

Travel extended to: SDFZ, District of Columbia

Other: Must obtain permission to travel to MDR

Disposition:

Defendant present in courtroom and verbally consents to proceed via video conference. Defendant advised of rights and charges. Government's oral motion to unseal complaint granted. Defendant sworn and testified Re Indigency. The Court temporarily appoints the Federal Public Defender for purposes of Removal Hearing.

our court

NEXT COURT APPEARANCE Date: _____ Time: _____ Judge: _____ Place: _____

Report RE Counsel: _____

PTD/Bond Hearing: _____

Prelim/Arraign or Removal: _____

Status Conference RE: _____

D.A.R. 11:05:30 Advised of rights; 11:40:29 Time in Court: 30 mins

CHECK IF APPLICABLE: _____ For the reasons stated by counsel for the Defendant and finding that the ends of justice served by granting the ore tenus motion for continuance to hire counsel outweigh the best interests of the public & the Defendant in a Speedy Trial, the Court finds that the period of time from today, through and including _____, shall be deemed excludable in accordance with the provisions of the Speedy Trial Act, 18 USC 3161 et seq..

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No: 21-MJ- 620-AOV

United States of America
Plaintiff,

v.

Felipe Marquez
Defendant,

Charging District's Case No.

WAIVER OF RULE 5 & 5.1 REMOVAL/IDENTITY HEARINGS

I understand that I have been charged in another district, the 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 rights to: **(check those that apply)**

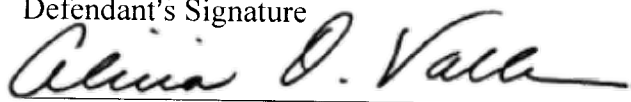
- An identity hearing and production of the warrant.
- A preliminary hearing.
- A detention hearing in the Southern District of Florida.
- An identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled to in this district. I request that those hearings 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: 1/19/2021



Defendant's Signature


ALICIA O. VALLE
UNITED STATES MAGISTRATE JUDGE

(Revised 03/2020)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

APPEARANCE BOND: _____

CASE NO.: 21-6020-AOV

UNITED STATES OF AMERICA:

Plaintiff,

v.

USM #: _____

Felipe Marquez
Defendant,

I, _____ the undersigned defendant and I or we, the undersigned sureties, jointly and severally acknowledge that we and our personal representatives, jointly and severally, are bound to pay the United States of America, the sum of

\$ 100,000 PSB

STANDARD CONDITIONS OF BOND

The conditions of this bond are that the defendant:

1. Shall appear before this Court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of the defendant's release as may be ordered or notified by this Court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is required to ascertain from the Clerk of Court or defense counsel the time and place of all scheduled proceedings on the case. In no event may a defendant assume that his or her case has been dismissed unless the Court has entered an order of dismissal. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment. This is a continuing bond, including any proceeding on appeal or review, which shall remain in full force and effect until such time as the Court shall order otherwise.

2. May not travel outside the Southern District of Florida unless otherwise approved by the Court prior to any such travel. The Southern District of Florida consists of the following counties: Broward, Highlands, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach and St. Lucie.

3. May not change his/her present address without prior notification and approval from the U.S. Probation Officer or the Court.

4. Must cooperate with law enforcement officers in the collection of a DNA sample if the collection is required by 42 U.S.C. Section 14135a.

5. Must not violate any federal, state or local law while on release in this case. Should the defendant come in contact with law enforcement he/she shall notify the U.S. Probation Officer within 72 hours.

DEFENDANT: *Marquez, F.*
CASE NUMBER: *21-6020-AW*
PAGE TWO

SPECIAL CONDITIONS OF BOND

In addition to compliance with the previously stated conditions of bond, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel documents, if any, to Pretrial Services and not obtain any travel documents during the pendency of the case;
- b. Report to Pretrial Services as follows: () as directed or ___ time(s) a week in person and ___ time(s) a week by telephone;
- c. Submit to substance abuse testing and/or treatment, contribute to the cost of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- d. Refrain from ___ excessive OR ___ abstain from alcohol use or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. §802), without a prescription by a licensed medical practitioner;
- e. Participate in a mental health assessment and/or treatment and contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- f. Employment restriction(s): _____
- g. Maintain or actively seek full-time employment;
- h. Maintain or begin an educational program;
- i. Avoid all contact with victims or witnesses to the crimes charged, except through counsel. The AUSA shall provide defense counsel and pretrial services with the names of all victims or witnesses. The prohibition against contact does not take effect until defense counsel receives the list. The prohibition against contact applies only to those persons on the list, but the prosecutor may expand the list by sending written notice to defense counsel and pretrial services.;
- j. Avoid all contact with co-defendants and defendants in related cases, except through counsel;
- k. Refrain from possessing a firearm, destructive device or other dangerous weapons and shall surrender (if any), their concealed weapons permit to the U.S. Probation Office; *Surrender by COB 1-19-2021*
- l. None of the signatories may sell, pledge, mortgage, hypothecate, encumber, etc., any real property they own, until the bond is discharged, or otherwise modified by the Court;
- m. May not visit commercial transportation establishment: airports, seaport/marinas, commercial bus terminals, train stations, etc.;
- n. Defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations of the defendant's computer equipment at his/her place of employment or on the computer at his/her residence which may include retrieval and copying of all data from the computer(s) and any internal or external peripherals to ensure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection; and consent at the direction of the U.S. Probation Officer to have installed on the defendant's computer(s), at the defendant's expense, any hardware or software systems to monitor the defendant's computer use;

DEFENDANT: Marquez, F.
CASE NUMBER: 21-6020-AUN
PAGE THREE

o. **LOCATION MONITORING PROGRAM:** The defendant shall be monitored by the form of location monitoring and shall abide by all technology requirements as noted below, as well as contribute to the costs of services rendered based on () ability to pay as determined by the U.S. Probation Officer – or – () paid by U.S. Probation;

Location monitoring technology at the discretion of the officer

Radio Frequency (RF) monitoring (Electronic Monitoring)

Active GPS Monitoring

Voice Recognition

Curfew: You are restricted to your residence every day from 9pm to 6am or as directed by the supervising officer.

OR

Home Detention: You are restricted to your residence at all times except for:

() medical

() substance abuse or mental health treatment

() court appearances

() attorney visits or court ordered obligations

() religious services

() employment

() other activities as pre-approved by the supervising officer

— p. **RESIDENTIAL RE-ENTRY CENTER:** The defendant shall reside at a residential re-entry center or halfway house and abide by all the rules and regulations of the program. The cost to be paid by () Pretrial Services or () based on the defendant's ability to pay. You are restricted to the residential re-entry center/halfway house at all times except for:

() employment

() education

() religious services

() medical, substance abuse, or mental health treatment

() attorney visits

() court appearances

() court ordered obligations

() reporting to Pretrial Services

() other _____

— q. Third-Party Custody: _____ will serve as a third party custodian and will report any violations of the release conditions to the U.S. Probation Officer. Failure to comply with these requirements, the third party custodian can be subject to the provisions of 18 U.S.C. § 401, Contempt of Court.

— r. The defendant shall submit his person, property, residence, vehicle, papers, computers, (as defined in 18 U.S.C. 1030(e)(1)), other electronic communication or data storage devices or media, or office, to a search conducted by a United States Probation Officer. The defendant must warn any other occupants that the premises may be subject to searches pursuant to this condition. Any search must be conducted at a reasonable time and in a reasonable manner.

DEFENDANT: Marquez, F.
CASE NUMBER: 21-6020-140V
PAGE FOUR

s. Mandatory Adam Walsh Conditions: Defendant shall abide by specified restrictions on personal associations, place of abode, or travel, to avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense; report on a regular basis to a designated law enforcement agency, pretrial services agency or other agency; comply with a specified curfew (with electronic monitoring) and refrain from possessing a firearm, destructive device or other dangerous weapons.

t. Additional Sex Offense Conditions For Defendants Charged or Convicted of a Sexual Offense:

1. () Defendant may not have contact with victim(s), or any child under the age of 18, unless approved by the Court or allowed by the U.S. Probation Officer.
2. () The defendant shall not possess or use any data encryption technique or program and shall provide passwords and administrative rights to the U.S. Probation Officer.
3. () Defendant shall participate in specialized sex offender evaluation and treatment, if necessary, and to contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Office.
4. () Defendant shall not possess, procure, purchase or otherwise obtain any internet capable device and/or computer. Additionally, the defendant is prohibited from using another individual's computer or device that has internet capability.
5. () Defendant is prohibited from establishing or maintaining any email account or social media account. Additionally, the defendant is prohibited from using another individual's email account or social media account. Must provide monthly or upon request, personal phone and credit card billings to Pretrial Services to confirm there are no services with any internet services provider.
6. () Defendant is not permitted to enter places where children congregate including, but not limited to any play areas, playgrounds, libraries, children-themed restaurants, daycares, schools, amusement parks, carnivals/fairs, unless approved by the U.S. Probation Officer.
7. () The defendant shall not be involved in any children's or youth organizations.
8. () Defendant is prohibited from viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services.
9. () The defendant shall participate in a maintenance polygraph examination to periodically investigate the defendant's compliance. The polygraph examination shall specifically address only defendant's compliance or non-compliance with the special conditions of release and shall not inquire into the facts of the pending criminal case against defendant. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

✓ u. May travel to and from: SDFL, District of Columbia and must notify Pretrial Services of travel plans before leaving and upon return.

✓ v. Comply with the following additional conditions of bond:

- Defendant must obtain permission to travel to MD FL or Car.
- Must surrender all 3 Firearms and concealed weapons permit by COB today 1-19-2021

DEFENDANT: Marquez, F.
CASE NUMBER: 21-6020-AUV
PAGE FIVE

PENALTIES AND SANCTIONS APPLICABLE TO DEFENDANT

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, and order of detention, as provided in 18 U.S.C. §3148, forfeiture of any bail posted, and a prosecution for contempt as provided in 18 U.S.C. §401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

Title 18 U.S.C. §1503 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall 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 shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted, which means that the defendant will be obligated to pay the full amount of the bond, which may be enforced by all applicable laws of the United States.

DEFENDANT: Marquez, F.
CASE NUMBER: 21-6020-Auv
PAGE SIX

PENALTIES AND SANCTIONS APPLICABLE TO SURETIES

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

SIGNATURES

I have carefully read and I understand this entire appearance bond consisting of seven pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

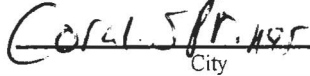
 **DEFENDANT**

Signed this _____ day of _____, 20____ at _____, Florida

Signed and acknowledged before me:

DEFENDANT: (Signature) 

WITNESS: _____


City


State

City State

CORPORATE SURETY

Signed this _____ day of _____, 20____ at _____, Florida

SURETY: _____

AGENT: (Signature) _____

PRINT NAME: _____

City State

INDIVIDUAL SURETIES

Signed this ___ day of _____, 20__ at _____, Florida

Signed this ___ day of _____, 20__ at _____, Florida

SURETY: (Signature) _____

SURETY: (Signature) _____

PRINT NAME: _____

PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

RELATIONSHIP TO DEFENDANT: _____

City State

City State

Signed this ___ day of _____, 20__ at _____, Florida

Signed this ___ day of _____, 20__ at _____, Florida

SURETY: (Signature) _____

SURETY: (Signature) _____

PRINT NAME: _____

PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

RELATIONSHIP TO DEFENDANT: _____

City State

City State

APPROVAL BY THE COURT

Date: Jan 19, 2021



ALICIA O. VALLE
UNITED STATES MAGISTRATE JUDGE

SOUTHERN DISTRICT OF FLORIDA

Case No: 21-MJ-6020-AOV

United States of America
Plaintiff,

v.

Felipe Marquez
Defendant.

ORDER OF REMOVAL

It appearing that in the District of Columbia, a Complaint was filed against the above-named defendant on a charge Violent Entry and Disorderly Conduct on Capitol Grounds, and that the defendant was arrested in the Southern District of Florida and was given a hearing before United States Magistrate Judge Alicia O. Valle at Fort Lauderdale, Florida, which officially committed the defendant for removal to the **District of Columbia**, it is ORDERED AND ADJUDGED that the defendant be removed to the above-named district for trial on said charge.

And it further appearing that the defendant waived further hearing in the said removal proceedings and was held by the Magistrate Judge Alicia O. Valle for removal and posted bail in the amount of **\$_100,000 Personal Surety Bond** which was approved by the United States Magistrate Judge Alicia O. Valle, and it is further ORDERED that the defendant shall appear in the aforesaid district at such times and places as may be ordered by that District Court, in accordance with the terms and conditions of aforesaid bond furnished by the defendant, and it is further ORDERED that the funds, plus interest, which may have been deposited on behalf of this defendant with the Clerk of the Court under Bail Reform Act be transferred to the district where removed.

DONE AND ORDERED at Fort Lauderdale, Florida on 1/19/2021.



Alicia O. Valle
United States Magistrate Judge

U.S. District Court
Southern District of Florida (Ft Lauderdale)
CRIMINAL DOCKET FOR CASE #: 0:21-mj-06020-AOV All Defendants

Case title: USA v. Marquez

Date Filed: 01/19/2021

Date Terminated: 01/19/2021

Assigned to: Magistrate Judge Alicia O.
Valle

Defendant (1)**Felipe Marquez**

25996-509

*YOB 1995 English**TERMINATED: 01/19/2021*represented by **Noticing FPD-FTL**

(954) 356-7436

Email: ftl_ecf@fd.org

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Public 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) KNOWINGLY
ENTERING OR REMAINING IN ANY
RESTRICTED BUILDING OR GROUNDS
WITHOUT LAWFUL AUTHORITY
40:U.S.C.§5104(e)(2)VIOLENT ENTRY
AND DISORDERLY CONDUCT ON
CAPITOL GROUNDS

Disposition

Plaintiff

USA

represented by **Paul Schwartz**
 United States Attorney's Office
 500 E Broward Boulevard
 7th Floor
 Fort Lauderdale, FL 33301-3002
 954-356-7255
 Fax: 356-7230
 Email: paul.schwartz@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
01/19/2021	1	Magistrate Removal of Complaint and Arrest Warrant from DISTRICT OF COLUMBIA Case number in the other District 1:21-MJ-00074 as to Felipe Marquez (1). (at) (Entered: 01/19/2021)
01/19/2021		Set Hearing as to Felipe Marquez: Initial Appearance - Rule 5(c)(3)/40 set for 1/19/2021 AT 11:00 AM in Fort Lauderdale Division before FTL Duty Magistrate. (at) (Entered: 01/19/2021)
01/19/2021		Arrest of Felipe Marquez (at) (Entered: 01/19/2021)
01/19/2021	2	Order to Unseal as to Felipe Marquez re 1 Magistrate Removal In. (Signed by Magistrate Judge Alicia O. Valle on 1/19/2021). (at) (Entered: 01/19/2021)
01/19/2021	3	Minute Order for proceedings held before Magistrate Judge Alicia O. Valle: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Felipe Marquez held on 1/19/2021. Bond recommendation/set: Felipe Marquez (1) \$100,000 PSB. Government's oral motion to unseal complaint granted. Attorney added: Noticing FPD-FTL for Felipe Marquez temporarily for purposes of removal hearing. (Digital 11:05:30;11:40:29) (Signed by Magistrate Judge Alicia O. Valle on 1/19/2021). (at) (Entered: 01/19/2021)
01/19/2021	4	WAIVER OF RULE 5 & 5.1 REMOVAL/IDENTITY HEARINGS by Felipe Marquez (at) (Entered: 01/19/2021)
01/19/2021	5	\$100,000 PSB Bond Entered as to Felipe Marquez Approved by Magistrate Judge Alicia O. Valle. <i>Please see bond image for conditions of release.</i> (at) (Additional attachment(s) added on 1/19/2021: # 1 Restricted Bond with 7th Page) (at). (Entered: 01/19/2021)
01/19/2021	6	ORDER OF REMOVAL ISSUED to District of District of Columbia as to Felipe Marquez. Closing Case for Defendant. (Signed by Magistrate Judge Alicia O. Valle on 1/19/2021). (<i>See attached document for full details</i>). (at) (Entered: 01/19/2021)
01/19/2021	7	Notice of Criminal Transfer to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Felipe Marquez. Your case number is: 1:21-MJ-00074. Docket sheet and documents attached. If you require certified copies of any documents, please call our Records Section at 305-523-5210. <i>Attention Receiving Court: If you wish to designate a different email address for future transfers, send your request to TXND at: InterDistrictTransfer_TXND@txnd.uscourts.gov.</i> (at) (Entered: 01/19/2021)
01/19/2021	8	TRANSCRIPT of Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings Conducted via Zoom (Transcribed from the Audio Recording) as to Felipe Marquez held on January 19, 2021, before Magistrate Judge Alicia O. Valle, 1-26 pages, Court Reporter: Lisa Edwards, 305-439-7168 / reporterlisaedwards@gmail.com. (Digital 11:05:50.) Transcript may be viewed at the court public terminal or purchased by contacting the Court

Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/9/2021. Redacted Transcript Deadline set for 2/19/2021. Release of Transcript Restriction set for 4/19/2021. (le) (Entered: 01/19/2021)