

# UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America  
v.  
JAMES HERMAN UPTMORE,  
also known as "Sonny"

)  
) Case: 1:21-mj-00156  
) Assigned to: Judge Robin M. Meriweather  
) Assign Date: 1/22/2021  
) 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) James Herman Uptmore,  
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)&(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority

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

Date: 01/22/2021

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) 01/22/2021, and the person was arrested on (date) 01/26/2021  
at (city and state) San Antonio, TX.

Date: 01/26/2021

Arresting officer's signature

Hans Mamberger  
Task Force officer, FBI JHF  
Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
CHANCE ANTHONY UPTMORE
(DOB: 01/06/1997) and JAMES
HERMAN UPTMORE, also known
as "Sonny" (DOB: 10/05/1957)

5:21MJ92
Case: 1:21-mj-00156
Assigned to: Judge Robin M. Meriweather
Assign Date: 1/22/2021
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
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752 (a)(1)&(2) - Knowingly Entering or Remaining in any Restricted Building or
Grounds Without Lawful Authority

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

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Complainant's signature

Scott P. Keller II, Special Agent

Printed name and title

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

Date: 01/22/2021

Judge's signature

Judge's signature

City and state: Washington, D.C.


Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

FILED

AO 470 (12/03) Order of Temporary Detention

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JAN 27 2021  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY   
DEPUTY CLERK

UNITED STATES OF AMERICA  
  
vs.  
  
(2) JAMES HERMAN UPTMORE  
*Defendant*

§ **ORDER**  
§ Case Number: SA:21-M -00092(2)  
§  
§  
§

Upon Motion of the GOVERNMENT, it is ORDERED that a

**IDENTITY/PRELIMINARY HEARING**

is set for February 3, 2021 \* at 10:30am  
*Date* *Time*

before U.S. MAGISTRATE JUDGE RICHARD B. FARRER

in the Courtroom A, on the 4th Floor in the John H. Wood, Jr. United States Courthouse, 655 East Cesar E. Chavez Boulevard, San Antonio, TX

*Location of Judicial Officer*

Pending this hearing, the defendant shall be held in custody by (the United States Marshal)

( \_\_\_\_\_ )

and produced for the hearing. The Court specifically finds that exceptional circumstances presented by the current health-care crisis involving the ongoing COVID-19 pandemic require a 5-day continuance of the detention hearing.

January 27, 2021

*Date*

  
RICHARD B. FARRER  
UNITED STATES MAGISTRATE JUDGE

\* If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or attempt to threaten, injure, or intimidate a prospective witness or juror.

AO 98 (Rev. 12/11) Appearance Bond

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

vs.

(2) JAMES HERMAN UPTMORE  
*Defendant*

§  
§  
§  
§  
§

Case Number: SA:21-M -00092(2)

**APPEARANCE BOND**

**Defendant's Agreement**

I **(2) JAMES HERMAN UPTMORE** (*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 \$ 15,000.
- (3) This is a secured bond of \$ \_\_\_\_\_, secured by:
  - (a) \$ \_\_\_\_\_, in case 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**

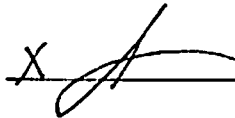
**Ownership of the Property.** I, the defendant – and each surety – declare under penalty of perjury that:

- (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: 01/27/2021

  
\_\_\_\_\_  
*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: 01/27/2021

  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Approved.

Date: 01/27/2021

  
\_\_\_\_\_  
*Judge's signature*

*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**

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- (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: 01/27/2021

X  
\_\_\_\_\_  
*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: 01/27/2021

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Approved.

Date: 01/27/2021

  
\_\_\_\_\_  
*Judge's signature*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA  
*Plaintiff,*

vs.

(2) JAMES HERMAN UPTMORE  
*Defendant*

§  
§  
§  
§  
§  
§  
§

No.: SA:21-M -00092(2)

REF: 1:21MJ156

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

I, (2) JAMES HERMAN UPTMORE understand that in the  
Washington, D.C. charges are pending  
alleging violation of \_\_\_\_\_

and that I have been arrested in this district and taken before a United States Magistrate, who informed me of the charge and of my right 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 charge(s); (3) a preliminary hearing (unless an 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 in this district or the district of prosecution; (4) request transfer of the proceedings to this district under Federal Rule of Criminal Procedure 20, in order to plead guilty.

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

Identity Hearing.

Preliminary Hearing.

Detention Hearing

Identity Hearing and I have been informed I have no right to a preliminary examination.

Identity Hearing but request a preliminary and/or detention hearing be held in the prosecuting district and therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

2/1/21  
Date

(2) JAMES HERMAN UPTMORE, Defendant  
Kimbel L. Brown  
Counsel for Defendant

FILED Page 1 of 3 Pages

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JAN 27 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]

UNITED STATES OF AMERICA

§
§
§
§
§

ORDER SETTING CONDITIONS OF RELEASE
OF DEFENDANT OR MATERIAL WITNESS

vs.

Case Number: SA:21-M -00092(2)

(2) JAMES HERMAN UPTMORE

Defendant

IT IS ORDERED that the release of the defendant/material witness is subject to the following conditions:

- (1) The defendant/material witness shall not commit any offense in violation of federal, state or local law while on release in this case.
(2) The defendant/material witness shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
(3) The defendant/material witness shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
U.S. Courthouse, Courtroom A, 655 East Cesar E. Chavez Boulevard, SAN ANTONIO, Texas

on \_\_\_\_\_
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant/material witness be released provided that:

- ( ) (4) The defendant/material witness promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
( X ) (5) The defendant/material witness executes an unsecured bond binding the defendant/material witness to pay the United States the sum of Fifteen Thousand dollars (\$ 15,000) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant/material witness and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant/material witness is subject to the conditions marked below:

- ( ) (6) The defendant/material witness is placed in the custody of:
(Name of person or organization) \_\_\_\_\_
(Address) \_\_\_\_\_
(City and state) \_\_\_\_\_ (Phone) \_\_\_\_\_

who agree (a) to supervise the defendant/material witness in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant/material witness at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant/material witness violates any conditions of release or disappears.

Signed: \_\_\_\_\_
Custodian or Proxy Date

Signed: \_\_\_\_\_
Custodian or Proxy Date

DISTRIBUTION: COURT DEFENDANT/MATERIAL WITNESS U.S. MARSHAL

**Additional Conditions of Release (cont.)**

- ( X ) (7) The defendant/material witness shall:
- ( X ) (a) report to Pretrial Services as directed.
  - ( ) (b) report to the \_\_\_\_\_ telephone number \_\_\_\_\_, no later than \_\_\_\_\_
  - ( X ) (c) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: 15,000 Unsecured
  - ( ) (d) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described: \_\_\_\_\_
  - ( ) (e) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_
  - ( ) (f) maintain or actively seek verifiable employment.
  - ( ) (g) maintain or commence an education program.
  - ( ) (h) surrender any passport to Pretrial Services as directed, or: \_\_\_\_\_
  - ( ) (i) obtain no passport.
  - ( X ) (j) abide by the following restrictions on personal association, place of abode, or travel: Reside at an address pre-approved by Pre-Trial Services for any travel outside the Western District of Texas. Travel authorized within the Continental United States with pre-approval from Pretrial Services; No travel to Washington, D.C. unless for court related matters.
  - ( X ) (k) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: Chagnce Uptmore, however, contact with Chance is permitted but they may not discuss this case.
  - ( ) (l) undergo medical or psychiatric treatment and/or remain in an institution as follows: \_\_\_\_\_
  - ( ) (m) return to custody each (week) day as of \_\_\_\_\_ o'clock after being released each (week) day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_
  - ( ) (n) reside at a Community Corrections facility as designated by Pretrial Services; abide by all conditions and requirements of the facility until terminated by the facility director or Pretrial Services; and remain in custody until space becomes available, and the Appearance Bond is signed; or, if a material witness, reside with a third-party custodian as approved by Pretrial Services, in lieu of residing at a Community Corrections facility.
  - ( X ) (o) refrain from possessing a firearm, destructive device, or other dangerous weapon.
  - ( ) (p) refrain from ( ) any ( ) excessive use of alcohol.
  - ( ) (q) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. §802, unless prescribed by a licensed medical practitioner.
  - ( ) (r) submit to substance abuse treatment which will include evaluation and testing, as well as education, in-patient or out-patient treatment, and/or participation in support groups (such as AA/NA).
  - ( ) (s) at the discretion of the Pretrial Services, submit to substance abuse treatment which may include evaluation, testing, education, in-patient or out-patient treatment, and/or participation in support groups (such as AA/NA).
  - ( ) (t) the defendant shall submit to any method of testing required by the Pretrial Services Office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods 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.
  - ( ) (u) have installed on your vehicle an ignition interlock system as directed by Pretrial Services; drive no other vehicle while on pretrial release; abide by all conditions and requirements of the ignition interlock system program; and not disconnect the ignition interlock system without prior permission from Pretrial Services.
  - ( ) (v) participate in one of the following home confinement program components and abide by all the requirements of the program which ( ) will or ( ) will not include electronic monitoring or other location verification system. ( ) At the discretion of Pretrial Services (PTS); ( ) Global Positioning System (GPS); ( ) Radio Frequency Monitoring (RF); ( ) Voice Recognition (VR);  
Location verification systems require that you maintain a telephone (land line) at your residence without any special features such as "call waiting, call forwarding or caller ID". Cordless telephones are not permitted, unless approved by the Pretrial Services Officer.
  - ( ) (i) Curfew. You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by Pretrial Services or supervising officer.
  - ( ) (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; or other activities as pre-approved by Pretrial Services or supervising officer.
  - ( ) (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by Pretrial Services or supervising officer.
  - ( ) (w) Stand Alone Monitoring (SAM): Requires the use of Global Positioning System (GPS) tracking to monitor and enforce any other condition(s) of release (e.g., travel restrictions) Note: Not recommended for high risk defendants. \_\_\_\_\_
  - ( ) (x) The following person(s) sign as surety on the Appearance Bond: \_\_\_\_\_
  - ( X ) (y) Report virtually to the D.C. District Court as instructed by Pretrial Services.

- (8) IT IS FURTHER ORDERED that the defendant/material witness shall be responsible for any costs of participation in court-ordered programs based on his/her ability to pay as determined by Pretrial Services, and make timely payment if required by any "Order Directing Payment of Attorney's Fees."
- (9) IT IS FURTHER ORDERED that if the Court has ordered herein any testing, such as substance testing, or monitoring, such as electronic monitoring, the defendant/material witness shall refrain from obstructing or attempting to obstruct or tamper in any fashion with the efficiency and accuracy of such testing and devices.

Advice of Penalties and Sanctions

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

The commission of a Federal offense while on pretrial release will result in an additional sentence of 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 in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to 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 required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

**DEFENDANTS:**

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of 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 15 years or more, you shall 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 15 years or more, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

**MATERIAL WITNESSES:**

If after release, you knowingly fail to appear as required by the conditions of release, you may be prosecuted for failing to appear and may be fined not more than \$100,000 and imprisoned not more than one year, or both.

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

Acknowledgement of Defendant/Material Witness

I acknowledge that I am the defendant/material witness 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 to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

AGREED, IF APPLICABLE

Assistant U.S. Attorney

Attorney for Defendant/Material Witness

*[Signature]*  
 \_\_\_\_\_  
 Sign Here of Defendant/Material Witness

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City and State Telephone

\_\_\_\_\_  
 Social Security Number

\_\_\_\_\_  
 Date of Birth

Directions to United States Marshal

- ( ) The defendant/material witness is ORDERED released after processing.
- ( ) The United States Marshal is ORDERED to keep the defendant/material witness in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant/material witness shall be produced before the appropriate judicial officer at the time and place specified if still in custody.

1/27/2021

Date

*[Signature]*  
 RICHARD B. FARRER  
 UNITED STATES MAGISTRATE JUDGE

- (8) IT IS FURTHER ORDERED that the defendant/material witness shall be responsible for any costs of participation in court-ordered programs based on his/her ability to pay as determined by Pretrial Services, and make timely payment if required by any "Order Directing Payment of Attorney's Fees."
- (9) IT IS FURTHER ORDERED that if the Court has ordered herein any testing, such as substance testing, or monitoring, such as electronic monitoring, the defendant/material witness shall refrain from obstructing or attempting to obstruct or tamper in any fashion with the efficiency and accuracy of such testing and devices.

**Advice of Penalties and Sanctions**

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

The commission of a Federal offense while on pretrial release will result in an additional sentence of 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 in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to 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 required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

**DEFENDANTS:**

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of 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 15 years or more, you shall 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 15 years or more, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

**MATERIAL WITNESSES:**

If after release, you knowingly fail to appear as required by the conditions of release, you may be prosecuted for failing to appear and may be fined not more than \$100,000 and imprisoned not more than one year, or both.

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

**Acknowledgement of Defendant/Material Witness**

I acknowledge that I am the defendant/material witness 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 to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

**AGREED, IF APPLICABLE**

\_\_\_\_\_  
Assistant U.S. Attorney

\_\_\_\_\_  
Attorney for Defendant/Material Witness

X  
\_\_\_\_\_  
Signature of Defendant/Material Witness

\_\_\_\_\_  
Address

\_\_\_\_\_  
City and State Telephone

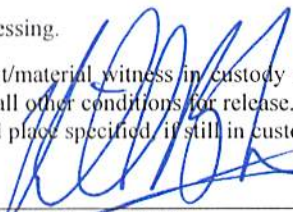
\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date of Birth

**Directions to United States Marshal**

- ( ) The defendant/material witness is ORDERED released after processing.
- ( ) The United States Marshal is ORDERED to keep the defendant/material witness in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant/material witness shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

1/27/2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
RICHARD B. FARRER  
UNITED STATES MAGISTRATE JUDGE

**U.S. District Court [LIVE]  
Western District of Texas (San Antonio)  
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00092-RBF All Defendants**

Case title: USA v. Uptmore

Date Filed: 01/27/2021

Date Terminated: 02/10/2021

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Assigned to: Judge Richard B. Farrer

**Defendant (1)**

**Chance Anthony Uptmore**  
*TERMINATED: 02/10/2021*

represented by **Duty Pub. Defender-San Antonio**  
Federal Public Defender  
San Antonio Division  
727 E. Cesar E. Chavez Blvd.  
Suite B207  
San Antonio, TX 78206  
(210) 472-6700  
Fax: 210/472-4454  
Email: janie\_craig@fd.org  
*TERMINATED: 01/28/2021*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Amanda I. Hernandez**  
Flanary Law Firm PLLC  
214 E. Ashby Pl.  
San Antonio, TX 78212  
210-738-8383  
Fax: 210-728-3438  
Email: amanda@flanarylawnfirm.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**David Joseph Kimmelman - FPD**  
Federal Public Defender  
727 E. Cesar E. Chavez  
Suite B-207  
San Antonio, TX 78206  
(210) 472-6700  
Email: david\_kimmelman@fd.org  
*TERMINATED: 02/02/2021*  
*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**

18:1752.P- Knowingly Entering or  
Remaining in any Restricted Building or  
Grounds Without Lawful Activity 40:5104-  
Violent Entry and Disorderly Conduct on  
Capitol Grounds

**Disposition**

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Assigned to: Judge Richard B. Farrer

**Defendant (2)**

**James Herman Uptmore**  
*TERMINATED: 02/10/2021*

represented by **Duty Pub. Defender-San Antonio**  
(See above for address)  
*TERMINATED: 01/28/2021*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**David Joseph Kimmelman - FPD**  
(See above for address)  
*TERMINATED: 02/02/2021*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Kimbel Lee Brown**  
Attorney at Law  
123 N. Seguin Ave.  
Suite 218  
New Braunfels, TX 78130-5123  
(830) 625-3455  
Fax: (830) 625-5777  
Email: klblawfirm@sbcglobal.net  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

18:1752.P- Knowingly Entering or  
 Remaining in any Restricted Building or  
 Grounds Without Lawful Activity 40:5104-  
 Violent Entry and Disorderly Conduct on  
 Capitol Grounds

**Disposition****Plaintiff**

USA

represented by **Matthew W. Kinskey**  
 U.S. Attorney's Office  
 601 N.W. Loop 410, Suite 600  
 San Antonio, TX 78216  
 210-384-7330  
 Email: matthew.kinskey@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/27/2021	<a href="#">1</a>	Arrest (Rule 5/Rule 32.1) of Chance Anthony Uptmore, James Herman Uptmore (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">2</a>	Minute Entry for proceedings held before Judge Richard B. Farrer:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to Chance Anthony Uptmore held on 1/27/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold.) (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">3</a>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Chance Anthony Uptmore. Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">4</a>	ORDER as to Chance Anthony Uptmore, ( Identity Hearing / Preliminary Hearing set for 2/3/2021 10:30 AM before Judge Richard B. Farrer,). Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)

01/27/2021	<a href="#">5</a>	Minute Entry for proceedings held before Judge Richard B. Farrer:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to James Herman Uptmore held on 1/27/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold.) (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">6</a>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to James Herman Uptmore. Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">7</a>	ORDER as to James Herman Uptmore, ( Identity / Preliminary Hearing set for 2/3/2021 10:30 AM before Judge Richard B. Farrer,). Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">8</a>	ORDER Setting Conditions of Release as to Chance Anthony Uptmore (1) \$25,000 Unsecured.. Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">9</a>	Unsecured Bond Filed as to Chance Anthony Uptmore in amount of \$ 25,000. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">10</a>	ORDER Setting Conditions of Release as to James Herman Uptmore (2) \$15,000 Unsecured.. Signed by Judge Richard B. Farrer. (cd) (Entered: 01/28/2021)
01/27/2021	<a href="#">11</a>	Unsecured Bond Filed as to James Herman Uptmore in amount of \$ 15,000. (cd) (Entered: 01/28/2021)
01/28/2021	<a href="#">12</a>	NOTICE OF ATTORNEY APPEARANCE: David Joseph Kimmelman - FPD appearing for Chance Anthony Uptmore . Attorney David Joseph Kimmelman - FPD added to party Chance Anthony Uptmore(pty:dft) (Kimmelman - FPD, David) (Entered: 01/28/2021)
01/28/2021	<a href="#">13</a>	NOTICE OF ATTORNEY APPEARANCE: David Joseph Kimmelman - FPD appearing for James Herman Uptmore . Attorney David Joseph Kimmelman - FPD added to party James Herman Uptmore(pty:dft) (Kimmelman - FPD, David) (Entered: 01/28/2021)
02/01/2021	<a href="#">14</a>	MOTION to Withdraw as Attorney by Chance Anthony Uptmore. (Kimmelman - FPD, David) (Entered: 02/01/2021)
02/01/2021	<a href="#">15</a>	MOTION to Withdraw as Attorney by James Herman Uptmore. (Kimmelman - FPD, David) (Entered: 02/01/2021)
02/02/2021	<a href="#">16</a>	ORDER GRANTING <a href="#">14</a> Motion to Withdraw as Attorney as to Chance Anthony Uptmore (1). Signed by Judge Richard B. Farrer. (cd) (Entered: 02/03/2021)
02/02/2021		Attorney David Joseph Kimmelman - FPD terminated as to Chance Anthony Uptmore. (cd) (Entered: 02/03/2021)
02/02/2021	<a href="#">17</a>	ORDER GRANTING <a href="#">15</a> Motion to Withdraw as Attorney as to James Herman Uptmore (2). Signed by Judge Richard B. Farrer. (cd) (Entered: 02/03/2021)
02/02/2021		Attorney David Joseph Kimmelman - FPD terminated as to James Herman Uptmore. (cd) (Entered: 02/03/2021)
02/02/2021	<a href="#">18</a>	ORDER APPOINTING COUNSEL as to Chance Anthony Uptmore Amanda I. Hernandez for Chance Anthony Uptmore appointed.. Signed by Judge Richard B. Farrer. (cd) (Main Document 18 replaced on 2/3/2021) (cd). (Entered: 02/03/2021)
02/02/2021	<a href="#">19</a>	ORDER APPOINTING COUNSEL as to James Herman Uptmore Kimbel Lee Brown for James Herman Uptmore appointed.. Signed by Judge Richard B. Farrer. (cd) (Entered: 02/03/2021)
02/02/2021	<a href="#">20</a>	ORDER Resetting Identity/Preliminary Hearing as to Chance Anthony Uptmore, James Herman Uptmore, ( Identity Hearing/ Preliminary Hearing set for 2/5/2021 11:30 AM

		before Judge Richard B. Farrer,). Signed by Judge Richard B. Farrer. (cd) (Entered: 02/03/2021)
02/04/2021	<a href="#">21</a>	MOTION to Continue by James Herman Uptmore. (Brown, Kimbel) (Entered: 02/04/2021)
02/04/2021	<a href="#">22</a>	Waiver of Identity Hearing by Chance Anthony Uptmore (Hernandez, Amanda) (Entered: 02/04/2021)
02/04/2021	<a href="#">23</a>	ORDER GRANTING IN PART <a href="#">21</a> Motion to Continue as to James Herman Uptmore (2). Signed by Judge Richard B. Farrer. (aej) (Entered: 02/04/2021)
02/04/2021	<a href="#">24</a>	Waiver of Identity Hearing by James Herman Uptmore (Brown, Kimbel) (Entered: 02/04/2021)
02/04/2021	<a href="#">25</a>	ORDER RESETTING IDENTITY/PRELIMINARY HEARING as to James Herman Uptmore, ( Identity/Preliminary Hearing set for 2/12/2021 10:00 AM before Judge Richard B. Farrer,). Signed by Judge Richard B. Farrer. (cd) (Entered: 02/05/2021)
02/10/2021	<a href="#">26</a>	ORDER CANCELLING Hearing as to James Herman Uptmore in light of waiver. Signed by Judge Elizabeth S. Chestney. (vs1) (Entered: 02/10/2021)
02/10/2021	<a href="#">27</a>	Notice to District of Columbia of a Rule 5, Rule 32, or Rule 40 Appearance as to Chance Anthony Uptmore, James Herman Uptmore. Your case number is: 1:21-mj-00156. Docket sheet and documents attached. (If you require certified copies of any documents, please send a request to TXWD_ECF_help@txwd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (cd) (Entered: 02/10/2021)
02/23/2021	<a href="#">28</a>	MOTION to Substitute Attorney by Chance Anthony Uptmore. (Convery, John) (Entered: 02/23/2021)