

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America v.  
JASON MICHAEL COMEAU

) Case: 1:21-mj-00627  
) Assigned to: Judge Faruqui, Zia M.  
) Assign Date: 10/13/2021  
) 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) JASON MICHAEL COMEAU,  
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)- Entering and Remaining in a Restricted Building or Grounds;  
18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds;  
40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building;  
40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 10/13/2021



*[Signature]*

Zia M. Faruqui  
2021.10.13 15:30:24  
-04'00'

\_\_\_\_\_  
*Issuing officer's signature*

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

## Return

This warrant was received on (date) Oct 13, 2021, and the person was arrested on (date) Oct 14, 2021  
at (city and state) Port Charlotte, FL.

Date: Oct 14, 2021

*[Signature]*

\_\_\_\_\_  
*Arresting officer's signature*

Thomas Hill, Special Agent  
\_\_\_\_\_  
*Printed name and title*

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America v.  
JASON MICHAEL COMEAU  
DOB: XXXXXX

Case: 1:21-mj-00627

Assigned to: Judge Faruqui, Zia M.

Assign Date: 10/13/2021

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) - Entering and Remaining in a Restricted Building or Grounds;  
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds;  
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building;  
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.


Complainant's signature

Kimberly Johnson, 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: 10/13/2021

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

## STATEMENT OF FACTS

Your affiant, Kimberly Johnson, is a Special Agent assigned to the Joint Terrorism Task Force in the Fort Myers Resident Agency of the Tampa, Florida Division of the Federal Bureau of Investigation. In my duties as a special agent, I have conducted and assisted with many violations of federal laws, including international and domestic terrorism matters in the Washington, D.C., area. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

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 were 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.

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.

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.

At such time, the certification proceedings were 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, around 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.

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.

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 without authority to be there.

On January 12, 2021, Person-1, a relative of Jason Michael COMEAU, reported to the FBI that COMEAU had admitted to Person-1 that he had entered the U.S. Capitol Building on January 6, 2021, during the time when the Capitol was breached. Person-1 reported that COMEAU was confused because he believed some U.S. Capitol Police officers had told the crowd to enter the Capitol Building and others had told them to stay out.

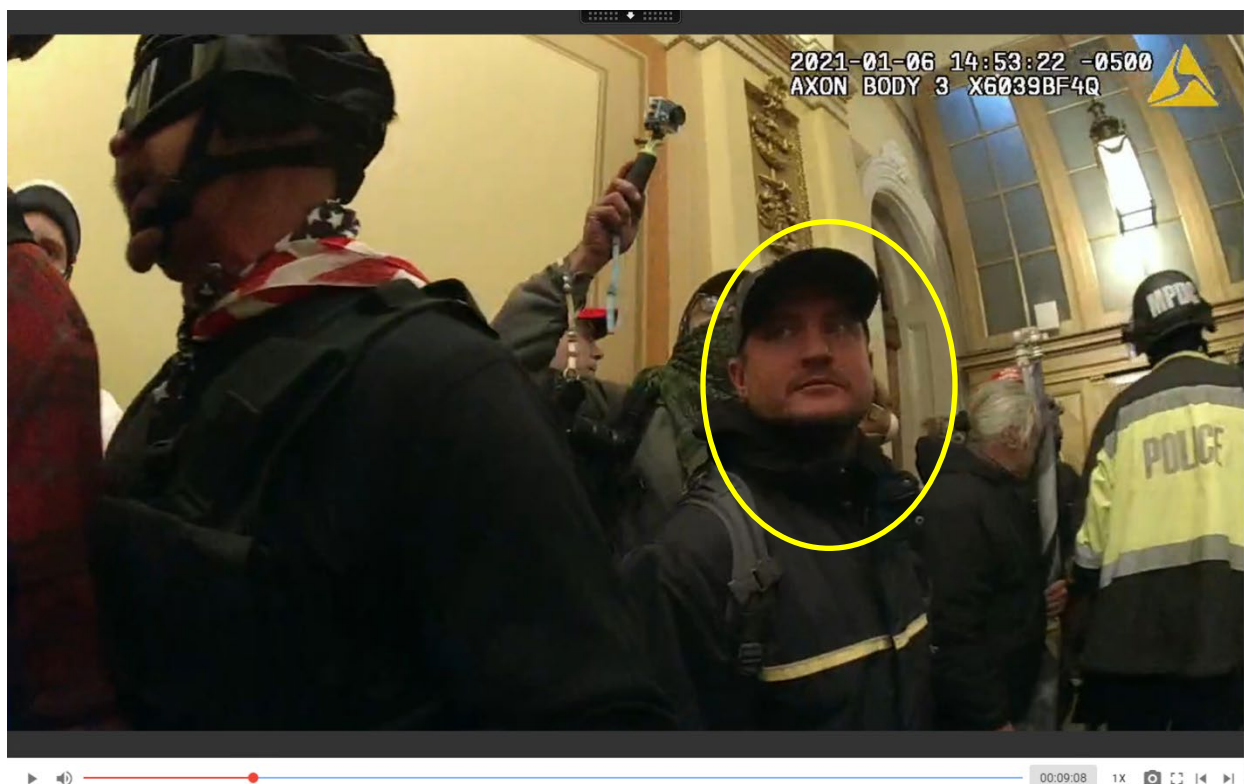
The FBI conducted a voluntary interview with COMEAU on January 18, 2021, at COMEAU's residence in Port Charlotte, Florida. COMEAU again admitted that he had entered the U.S. Capitol Building on January 6, 2021. COMEAU stated that he traveled from Florida to Washington, D.C. on January 4. On the morning of January 6, he attended a rally in Washington D.C. in support of former President Trump. At the end of the rally, COMEAU described, thousands of people began walking toward the U.S. Capitol. Once he reached the Capitol, COMEAU pushed through the assembled crowd to the stairs leading into the Capitol Building. He observed a few U.S. Capitol Police officers standing in front of an open door. As COMEAU described, the crowd chanted "Let us in, let us in," and, after several minutes, he claimed, the officers moved to the side, and individuals in the crowd began to enter the building.

COMEAU stated that, after watching the large number of people enter the U.S. Capitol and seeing officers move to the side, he believed it was permissible to enter the building. COMEAU followed the group into the U.S. Capitol. Once inside, he saw officers asking people to leave. He claimed he had not gone further than a hallway and left the Capitol Building when officers asked him to do so. He also claimed that he had only followed the group into the Capitol Building because he thought the group had been allowed to enter. Outside the building, COMEAU observed individuals scaling the walls of the Capitol and yelling.

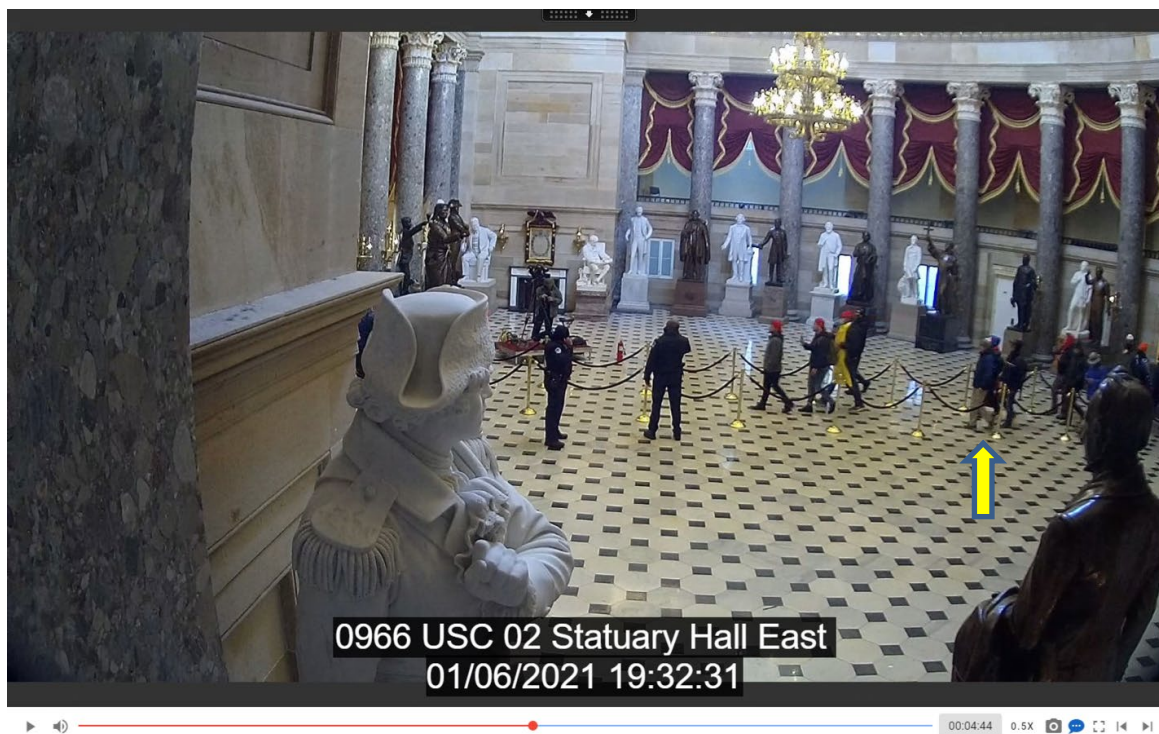
Despite COMEAU's claim that he believed the crowd was allowed to enter the Capitol Building, according to U.S. Capitol Police, the crowd of rioters was not. Barricades were set up outside the Capitol Building. Before entering the Capitol Building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

The FBI has identified COMEAU inside the Capitol Building in U.S. Capitol Police security footage, Metropolitan Police Department body-worn camera, and open-source video. Timestamps on the video footage indicate that COMEAU was inside the U.S. Capitol for at least 20 minutes. COMEAU is recognizable in part based on his backpack, gray baseball cap, and jacket with a light-colored horizontal stripe across the chest.

Below are two still frames from Metropolitan Police Department body-worn camera, showing COMEAU shortly before he left the Capitol Building:

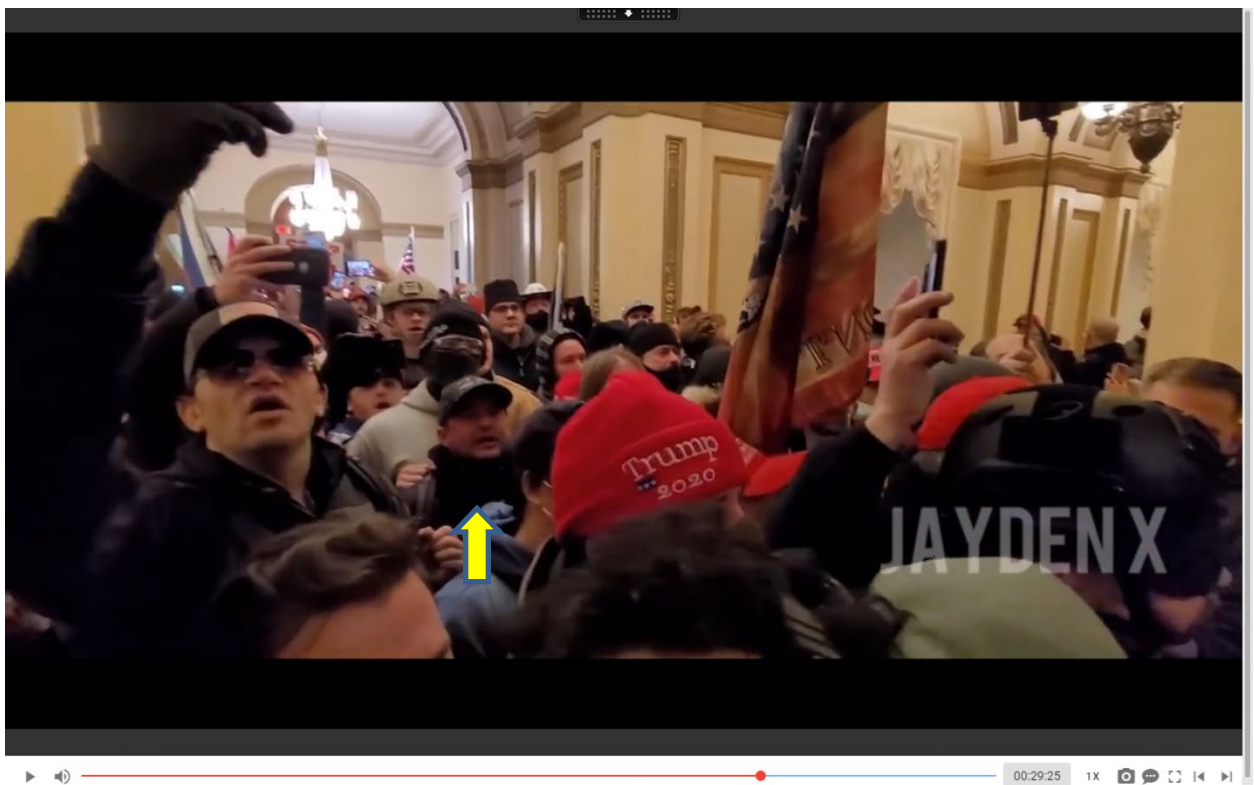


Below are pictures of COMEAU walking through Statuary Hall at approximately 2:32 p.m. Yellow arrows point to COMEAU.

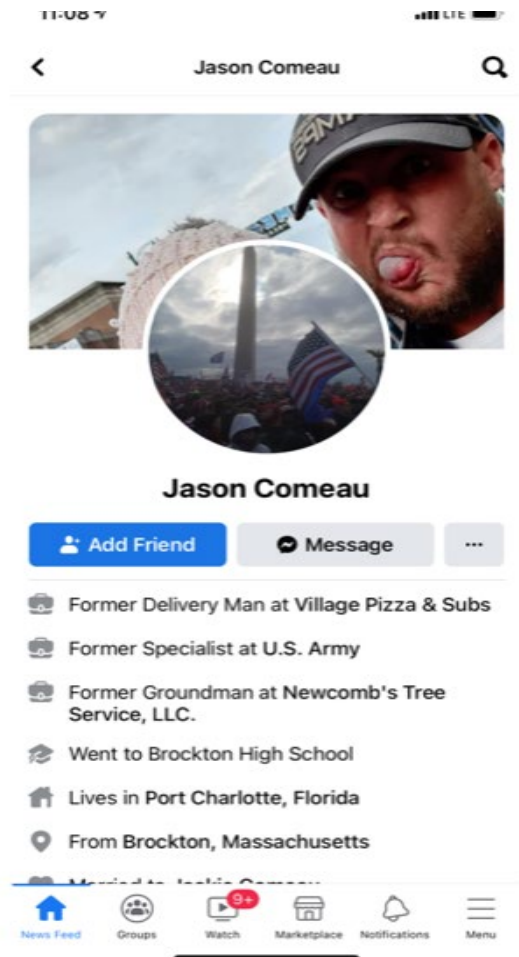


Furthermore, while COMEAU indicated that he had only gone as far as a “hallway,” he in fact progressed from an entrance to the Capitol to the Capitol’s Statuary Hall to the Statuary Hall Connector, a passage leading to the House Chamber. At approximately 2:35 p.m., rioters advanced through the Statuary Hall Connector and pushed back a line of Capitol Police officers stationed there, reaching doors to the House Chamber.

Below is a still frame of COMEAU from an open-source video (“JaydenX video”) depicting events inside the Capitol on January 6. Shortly after the crowd pushed back Capitol Police in the Statuary Hall Connector, COMEAU can be seen in the Statuary Hall Connector, among the group that had advanced toward doors leading to the House Chamber. Rioters at the front of the group banged on the doors. COMEAU can be seen and heard joining chants of “Stop the steal!”



The individual identified as COMEAU in the footage described above resembles the individual interviewed by the FBI on January 18 and COMEAU’s appearance on his driver’s license, as well as the individual in the following profile picture on the Facebook page associated with COMEAU:



This Facebook page lists a residence of Port Charlotte, Florida, where COMEAU lives. The publicly available videos on the Facebook page include four videos from January 6, 2021 that appear to document an individual's walk from a metro station in Washington D.C. to the rally in support of President Trump, followed by movement from the rally along Constitution Avenue toward the U.S. Capitol.

The FBI subsequently sent Person-1 screenshots from various video taken inside the Capitol on January 6, including the body-worn camera, Capitol security footage, and JaydenX video screenshots included above. Person-1 positively identified COMEAU inside the U.S. Capitol.

Additionally, according to records obtained through a search warrant which was served on AT&T, on January 6, 2021, in and around the time of the incident, the cell phone associated with (941) 276-9668 was identified as having utilized a cell site consistent with providing service to a geographic area that includes the interior of the United States Capitol building. During his January 18 interview, COMEAU confirmed that (941) 276-9668 was his phone number.

Based on the foregoing, your affiant submits that there is probable cause to believe that COMEAU violated 18 U.S.C. § 1752(a)(1) and (2), which makes 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.

Your affiant submits there is also probable cause to believe that COMEAU violated 40 U.S.C. §§ 5104(e)(2)(D) and (G), which makes 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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.




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Kimberly Johnson, Special Agent  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 13<sup>th</sup> day of October 2021.

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ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE

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

**UNITED STATES OF AMERICA**

**v.**

**JASON MICHAEL COMEAU,**

**Defendant.**

Case: 1:21-mj-00627

Assigned to: Judge Faruqui, Zia M.

Assign Date: 10/13/2021

Description: COMPLAINT W/ ARREST WARRANT

**VIOLATIONS:**

**18 U.S.C. § 1752(a)(1),  
(Entering and Remaining in a Restricted  
Building or Grounds)  
18 U.S.C. § 1752(a)(2),  
(Disorderly and Disruptive Conduct in a  
Restricted Building or Grounds)  
40 U.S.C. § 5104(e)(2)(D),  
(Violent Entry or Disorderly Conduct)  
40 U.S.C. § 5104(e)(2)(G),  
(Parading, Demonstrating, or Picketing  
in a Capitol Building)**

**ORDER**

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date: October 13, 2021

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ZIA M. FARUQUI  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:21-mj-1151-MRM

JASON MICHAEL COMEAU

<b>Judge:</b>	Mac R. McCoy	<b>Counsel for Government</b>	Yolande G. Viacava
<b>Deputy Clerk:</b>	Fabiana Nicastrì	<b>Counsel for Defendant:</b>	Russell Rosenthal
<b>Court Reporter</b>	Digital	<b>Pretrial/Probation</b>	Gary Crumrine
<b>Date/Time</b>	October 14, 2021 2:00 PM - 02:33 PM	<b>Interpreter</b>	N/A
<b>Bench Time</b>	33 Minutes		

**Initial Appearance - Rule 5-c/Detention Hearing/Bond Hearing**

Court advised defendant of rights. Court advised the Defendant about his rights to have the hearing in person. Defendant consented to the hearing to be held by video conference.

Defendant sworn. Court questions the Defendant about his financial resources on the record and advises of his rights to representation. Based on the court findings of the Defendants' resources, the Federal Public Defender is appointed for purposes of representation in the Middle District of Florida, conditioning that determination to further consideration. Order to follow.

Government summarized allegations and possible penalties. Court advised defendant of identity hearing. The Defendant consented to waive his rights to this hearing. Court advised defendant of transfer rights. The Defendant waived his rights. The Defendant waives his right to a preliminary hearing.

Government recommends that the Defendant be released on an unsecured bond with additional conditions. Defense Counsel requests to be released on his own recognizes. The Court after proffer and argument and review of the pretrial report releases the defendant on an unsecured bond and additional conditions of release. Order to follow. Defendant to be removed to the District of Columbia.

Oral Order as required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Failing to do so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instruction, dismissal of charges and contempt proceedings.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:21-mj-1151-MRM

JASON MICHAEL COMEAU

**APPEARANCE BOND AND ORDER SETTING CONDITIONS OF RELEASE**

To reasonably assure the appearance of the defendant and the safety of other persons and the community, the Court hereby **ORDERS** that defendant's release is subject to this **BOND** and the **CONDITIONS** set forth herein. Defendant and each surety jointly and severally agree to forfeit the following cash or other property specified below to the United States of America if defendant fails to appear as required for any court proceeding, fails to surrender to serve any sentence imposed as may be noticed or ordered by any court, or fails to comply with any condition of release set by the Court.

**Type of Bond / Financial Conditions**

- ☒ This is an unsecured bond in the amount of \$ 25,000.00.
- ☐ This is a secured bond in the amount of \$       .00, secured by:
- ☐ \$       .00, in cash deposited with the Court.
- ☐ the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the case 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.
- ☐ 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 bond may be forfeited if the defendant does not comply with the conditions set forth herein. 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 any condition set forth herein. 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 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

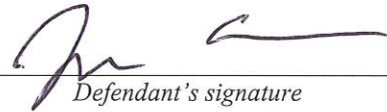
*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this bond are included on the bond;
- (2) the property is not subject to any claims, liens, mortgages, or other encumbrance 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 bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this bond and have either read all of the conditions of release set by the Court or had them explained to me. I agree to this bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. *See* 28 U.S.C. § 1746.

Date: 10/14/21

  
Defendant's signature

\_\_\_\_\_  
Surety/Property Owner (printed name)

\_\_\_\_\_  
Surety/Property Owner (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Surety/Property Owner (printed name)

\_\_\_\_\_  
Surety/Property Owner (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Surety/Property Owner (printed name)

\_\_\_\_\_  
Surety/Property Owner (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Surety/Property Owner (printed name)

\_\_\_\_\_  
Surety/Property Owner (signature)

\_\_\_\_\_  
Date

### Standard Conditions of Release

**IT IS ORDERED** that the defendant's release is subject to the following standard conditions:

- (1) The defendant **must not** commit any offense in violation of 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 immediately** advise the Court, the Pretrial Services Office (or the supervising officer), defense counsel, and the U.S. Attorney in writing of any change in address and telephone number.
- (4) The defendant **must** appear at all proceedings as required and must surrender for service of any sentence imposed as directed. The defendant **must** next appear in the United States Courthouse and Federal Building or other location in the Courtroom directed upon notice.

### Additional Conditions of Release

**IT IS FURTHER ORDERED** that the defendant's release is subject to the condition(s) marked below:

- ☐ The defendant is placed in the third-party custody of the third-party custodian identified below, who agrees to: (a) supervise the defendant; (b) use every effort to assure the defendant's appearance at all court proceedings; and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

\_\_\_\_\_  
Custodian (printed name)

\_\_\_\_\_  
Custodian (signature)

\_\_\_\_\_  
Date

- ☒ Report as directed by the Pretrial Services Office.
- ☒ Obtain no passport (or other international travel document) and surrender any existing passport (active or expired) to the Clerk's Office, located on the second floor, or Pretrial Services, no later than 10/15/2021 12:00 PM.
- ☒ Maintain or actively seek verifiable employment.
- ☐ Defendant may not maintain or seek employment in any position that:  
\_\_\_\_\_.
- ☐ Defendant must inform any employer of the existence and nature of the pending charge(s).
- ☐ Continue or start an education program.
- ☒ Refrain from possessing a firearm, destructive device, or other dangerous weapon. Any firearms in his residence must be removed no later than 5:00PM on October 15, 2021. The firearms must be placed in the possession of an individual who is lawfully able to possess and house them. Mr. Comeau is not permitted to transport them.
- ☐ Refrain from any consumption of alcoholic beverages.
- ☐ Refrain from excessive consumption of alcoholic beverages.
- ☒ Refrain from any use or unlawful possession of a narcotic drug or other controlled substance in 21 U.S.C. § 802, unless with prior written approval of the Pretrial Services Office or the supervising officer, or as may be lawfully prescribed in writing by a licensed medical practitioner.
- ☐ Report as soon as possible to the Pretrial Services Office any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- ☐ Abide by the following restriction(s) on personal association:  
Defendant must not have contact, directly or indirectly, with \_\_\_\_\_.
- ☐ Abide by the following restriction(s) on residence:  
Defendant's residence is restricted to \_\_\_\_\_.
- Notwithstanding this restriction, the Pretrial Services Office or the supervising officer may permit the defendant to change his or her residence temporarily in response to a genuine emergency (including, but not limited to, any condition that may threaten the defendant's life, health, or safety) until such time as an appropriate motion seeking to modify this residential restriction can be filed with and resolved by the Court.
- ☒ Abide by the following restriction(s) on travel:  
Defendant's travel is restricted to the Middle District of Florida and to the District of Columbia for purposes of any in-person hearings or attorney visits. Defendant must report all travel between these jurisdictions to the Pretrial Services Office or the supervising officer before travelling.

The defendant may also visit defendant's attorney if outside this area, but only after providing notification to the Pretrial Services Office or the supervising officer. All other travel must be approved by the Pretrial Services Office or the supervising officer. Any request to travel outside the area set forth above must be submitted in writing and approved by the Pretrial Services Office or the supervising officer at least three (3) days before the date on which travel is to commence. A courtesy copy of this written request must also be submitted to the Assistant United States Attorney assigned to this case.

The Middle District of Florida consists of the following Florida counties: Baker, Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Lake, Lee, Marion, Manatee, Nassau, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Seminole, Sumter, Suwannee, Union, and Volusia. The Ft. Myers Division consists of the following Florida counties: Charlotte, Collier, DeSoto, Glades, Hendry, and Lee.

- ☐ Submit to a mental health evaluation or psychiatric evaluation as directed by the Pretrial Services Office.
- ☐ Submit to a mental health evaluation and/or treatment to include crisis counseling, psychiatric treatment, and/or medication management treatment as determined by the Pretrial Services Office.
- ☐ Participate in a program of inpatient or outpatient substance abuse testing, education, or treatment if deemed advisable by the Pretrial Services Office and pay a percentage of the fee as determined by the Pretrial Services Office.
- ☒ 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. Defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing.
- ☐ Participate in the following location restriction program and comply with its requirements as directed, which may include electronic monitoring or location monitoring.
  - ☐ **Curfew:** You are restricted to your residence every day as follows. "Your residence" means the interior (*i.e.*, within the walls) of your house, condominium, or apartment.
    - ☐ from \_\_\_\_\_ to \_\_\_\_\_; or
    - ☐ as directed by the Pretrial Services Office or the supervising officer.
  - ☐ **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 the Pretrial Services Office. "Your residence" means the interior (*i.e.*, within the walls) of your house, condominium, or apartment.
  - ☐ **Home Incarceration:** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court. "Your residence" means the interior (*i.e.*, within the walls) of your house, condominium, or apartment. Visits to your attorney or to the United States Attorney's Office outside of your residence require court approval.
  - ☐ **Stand-Alone Monitoring:** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court. Stand-Alone Monitoring will require electronic monitoring or location monitoring with global positioning system (GPS) technology.
- ☐ Submit to electronic monitoring or location monitoring and comply with its requirements as directed. If Stand-Alone Monitoring is ordered, the Pretrial Services Office must use a GPS

tracking device. Otherwise, the Pretrial Services Office must determine the use of appropriate location monitoring technology (*e.g.*, a land line, voice recognition system, radio frequency system, cellular monitoring unit, or GPS tracking device). Defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any electronic monitoring or location monitoring technology. Defendant must pay all or part of the cost of the program based upon Defendant's ability to pay as determined by the Pretrial Services Office.

- ☐ Avoid and refrain from any unsupervised contact with minors, including any verbal, written, telephonic, or electronic communication.
- ☐ Avoid and refrain from any contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including but not limited to: \_\_\_\_\_.
- ☐ Avoid and refrain from any contact with any co-defendant(s).
- ☐ Refrain from visiting any commercial transportation establishments, including but not limited to: airports; seaports; marinas; commercial bus terminals; train stations; etc. Defendant may not obtain any travel documents from any such establishments.
- ☐ Defendant must not have any computer or internet access. This includes any cellular telephone, smart phone, tablet, gaming console, or any other device that has or is capable of internet access.
- ☐ Other condition(s):

### ADVICE OF PENALTIES AND SANCTIONS

#### 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.

If you commit a federal felony offense while on release, the punishment is an additional prison term of not more than ten years. For a federal misdemeanor offense, the punishment is an additional prison term of not more than one year. This sentence will be consecutive to (*i.e.*, in addition 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;

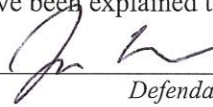
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two 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.

### Acknowledgments

I acknowledge that I am the defendant in this case, a surety, or a custodian and that I am aware of the conditions of release. I, the defendant, promise to obey all conditions of release, to appear as directed, and to surrender to serve any sentence imposed. I – the defendant, surety, or custodian – am aware of the penalties and sanctions set forth above. I swear under penalty of perjury that the above information is true as it relates to me, and I agree to the conditions set forth herein. I also state that I have either read all of the conditions of release imposed on the defendant or they have been explained to me.

Date: 10/14/21

  
 Defendant's signature

\_\_\_\_\_  
 Surety (printed name)

\_\_\_\_\_  
 Surety (signature)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Surety / Custodian (printed name)

\_\_\_\_\_  
 Surety / Custodian (signature)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Surety / Custodian (printed name)

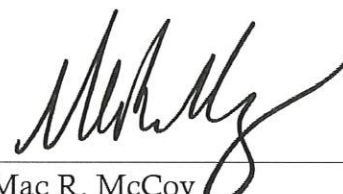
\_\_\_\_\_  
 Surety / Custodian (signature)

\_\_\_\_\_  
 Date

### 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 Judicial Officer 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 judicial officer at the time and place specified.

Date: October 14, 2021

  
 Mac R. McCoy  
 United States Magistrate Judge

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

CASE NO.: 2:21-mj-1151-MRM

v.

Charging District:  
District of Columbia

JASON MICHAEL COMEAU

Charging District Case No.:  
1:21-mj-00627

**ORDER ON REMOVAL PROCEEDINGS AND  
COMMITMENT TO ANOTHER DISTRICT**

The Defendant was arrested and presented for an Initial Appearance before this Court in connection with removal proceedings pursuant to Fed. R. Crim. P. 5(c). The Court informed Defendant of the rights specified in Fed. R. Crim. P. 5(c) and the provisions of Fed. R. Crim. P. 20. Defendant requested and was determined by the Court to be eligible for court-appointed counsel. Therefore, the Court appointed counsel to represent Defendant for purposes of proceedings in the Middle District of Florida only. Defendant waived the right to an identity hearing. Defendant also waived the right to production of the warrant. Following a detention hearing, Defendant was released on conditions pending Defendant's removal to the District for the District of Columbia. Defendant, through Defendant's counsel, also waived a preliminary hearing in this District as to the Complaint pursuant to Fed. R. Crim. P. 5.1(a), but reserved the right to request a preliminary hearing in the District for the District of Columbia.

Accordingly, the Court **ORDERS** that:

1. Defendant is released from custody and ordered to appear as directed in the District Court in which the charge(s) and prosecution are pending:  
*i.e.*, the District for the District of Columbia.
2. If the date and time to appear in that charging District are not set forth below or were not stated on the record in open court at the detention hearing, the Defendant must appear in the charging District when notified to do so. Otherwise, the time and place to appear in the charging District are:

<b>Place:</b> By Zoom Video Conference The hyperlink must be obtained from the Assistant Federal Public Defender or the Assistant United States Attorney assigned to this case.	<b>Date and Time:</b> November 21, 2021 at 1:00 PM <b>Judge:</b> Hon. Judge G. Michael Harvey
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3. The Clerk of this Court is directed to promptly transmit the papers to the charging District.

**DONE** and **ORDERED** in Fort Myers, Florida on October 14, 2021.

  
 \_\_\_\_\_  
 Mac R. McCoy  
 United States Magistrate Judge

Copies furnished to:  
 Counsel of Record  
 Unrepresented Parties  
 United States Marshals Service



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BOND

**U.S. District Court  
Middle District of Florida (Ft. Myers)  
CRIMINAL DOCKET FOR CASE #: 2:21-mj-01151-MRM-1**

Case title: USA v. Comeau  
Other court case number: 1:21-mj-00627 District of  
Columbia

Date Filed: 10/14/2021  
Date Terminated: 10/14/2021

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Assigned to: Magistrate Judge Mac R.  
McCoy

**Defendant (1)**

**Jason Michael Comeau**  
*TERMINATED: 10/14/2021*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

**Disposition**

18:1752.P RESTRICTED BUILDING  
OR GROUNDS, 18:1752.P

RESTRICTED BUILDING OR  
GROUNDS, 40:5104E.M VIOLENT  
ENTRY AND DISORDERLY  
CONDUCT ON CAPITOL  
GROUNDS, 40:5104E.M VIOLENT  
ENTRY AND DISORDERLY  
CONDUCT ON CAPITOL GROUNDS

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**Plaintiff**

**USA**

represented by **Yolande G. Viacava**  
US Attorney's Office - FLM  
Room 3-137  
2110 First Street  
Ft Myers, FL 33901  
239/461-2200  
Email: Yolande.Viacava@usdoj.gov  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

Date Filed	#	Docket Text
10/14/2021	<u><a href="#">1</a></u>	Arrest pursuant to Rule 5(c)(2) of Jason Michael Comeau from the District of Columbia. (FN) (Entered: 10/14/2021)
10/14/2021	3	NOTICE OF HEARING as to Jason Michael Comeau: Initial Appearance - Rule 5c set for 10/14/2021 at 01:30 PM by Zoom Video Conference before Magistrate Judge Mac R. McCoy. The Clerk of Court will transmit instructions for joining the video conference by separate email to the required participants. <u>NOTE THE FOLLOWING SPECIAL PROCEDURES:</u> (1) Only Defendant and the Defendant's counsel may join the video conference beginning at 1:30 PM to permit Defendant and counsel to confer before the formal hearing begins, and the Court allocates the first 30 minutes of the video conference for that purpose; and (2) all other hearing participants must join the video conference promptly at <i>but no sooner than</i> 2:00 PM, at which time the formal hearing will commence.(FN) (Entered: 10/14/2021)
10/14/2021	5	ORAL MOTION to Appoint Counsel by Jason Michael Comeau. (jmc) (Entered: 10/14/2021)
10/14/2021	<u><a href="#">6</a></u>	Minute Entry for Virtual proceedings held before Magistrate Judge Mac R. McCoy: granting 5 Motion to Appoint Counsel as to Jason Michael Comeau (1); INITIAL APPEARANCE in Rule 5(c)(3) proceedings held on 10/14/2021 as to Jason Michael Comeau from the District of Columbia. ; ARRAIGNMENT as to Jason Michael Comeau (1) Count Complaint held on 10/14/2021 Defendant(s) pled not guilty; Detention Hearing as to Jason Michael Comeau held on 10/14/2021; Bond Hearing as to Jason Michael Comeau held on 10/14/2021. (Digital) (jmc) (Entered: 10/14/2021)
10/14/2021	<u><a href="#">7</a></u>	<b>ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Jason</b>

		<b>Michael Comeau. Signed by Magistrate Judge Mac R. McCoy on 10/14/2021. (jmc)</b> (Entered: 10/14/2021)
10/14/2021	<u>8</u>	<b>ORDER as to Jason Michael Comeau: DUE PROCESS PROTECTION ACT ORAL ORDER:As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Failing to do so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instruction, dismissal of charges and contempt proceedings. Signed by Magistrate Judge Mac R. McCoy on 10/14/2021. (jmc)</b> (Entered: 10/14/2021)
10/14/2021	<u>9</u>	<b>Unsecured Appearance BOND entered as to Jason Michael Comeau in amount of \$ 25,000.00 and ORDER Setting Conditions of Release Signed by Magistrate Judge Mac R. McCoy on 10/14/2021. (jmc)</b> (Entered: 10/14/2021)
10/14/2021	<u>10</u>	<b>ORDER OF REMOVAL pursuant to Rule 5(c)(3) to the District of Columbia as to Jason Michael Comeau and COMMITMENT TO ANOTHER DISTRICT as to Jason Michael Comeau. Defendant committed to the District of Columbia. Signed by Magistrate Judge Mac R. McCoy on 10/14/2021. (jmc)</b> (Entered: 10/14/2021)
10/18/2021	<u>12</u>	Receipt for Surrender of Passport as to Jason Michael Comeau. Passport Number 593681476 issued by USA (jmc) (Entered: 10/18/2021)
10/21/2021		NOTICE to District of Columbia of a Rule 5 or Rule 32. Initial Appearance as to Jason Michael Comeau regarding your case number: 1:21-mj-00627. Using your PACER account, you may retrieve the docket sheet and any documents via the case number link. No documents/record will be sent. If you require certified copies of any documents please send a request to InterdistrictTransfer_FLMD@flmd.uscourts.gov. If you wish the court to use a different email address in the future, please send a request to update your address to InterdistrictTransfer_TXND@txnd.uscourts.gov. (FN) (Entered: 10/21/2021)