

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
JIA LIU

) Case: 1:21-mj-00632
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 10/20/2021
) 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) JIA LIU
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: 10/21/2021



2021.10.21 18:18:57
-04'00'

Issuing officer's signature

City and state: Washington, D.C.

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

Return

This warrant was received on (date) 10/21/2021, and the person was arrested on (date) 10/29/2021
at (city and state) Queens, New York

Date: 10/29/2021

Arresting officer's signature

Special Agent David Williams
Printed name and title

AB:JML

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

JIA LIU,

Defendants.

AFFIDAVIT IN SUPPORT
OF REMOVAL TO THE
DISTRICT OF COLUMBIA

(Fed R. Crim. P. 5)

Case No. 21-MJ-1241

----- X

EASTERN DISTRICT OF NEW YORK, SS:

DAVID WILLIAMS, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation duly appointed according to law and acting as such.

On or about October 21, 2021, the United States District Court for the District of Columbia issued an arrest warrant commanding the arrest of the defendant JIA LIU for violations of Title 18, United States Code, Sections 1752(a)(1) (entering and remaining in a restricted building), and 1752(a)(2) (disorderly and disruptive conduct in a restricted building); and violations of Title 40, United States Code, Sections 5104(e)(2)(D) (disorderly conduct in a capitol building) and 5104(e)(2)(G) (parading, demonstrating or picketing in a capitol building)

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about October 21, 2021, a complaint was filed in the District of Columbia against defendant JIA LIU. The complaint alleged that the LIU entered a restricted building (18 U.S.C. § 1752(a)(1)), committed disorderly conduct in a restricted building (18 U.S.C. § 1752(a)(2)), committed disorderly conduct in a capitol building (40 U.S.C. § 5104(e)(2)(D)) and demonstrated in a capitol building (40 U.S.C. § 5104(e)(2)(D)). A true and correct copy of this complaint is attached as Exhibit A.

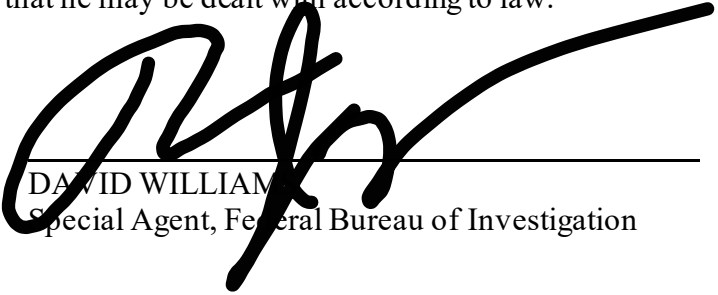
2. On or about October 21, 2021, the District Court for the District of Columbia issued an arrest warrant commanding the defendant's arrest. A true and correct copy of this arrest warrant is attached as Exhibit B.

3. In connection with the investigation into LIU, law enforcement agents reviewed information to determine where he lived. They verified his address through subscriber information from both his email account and his telephone number. LIU also provided his address to the Department of Defense in connection with his service in the Marine Corps Reserve. In addition, law enforcement conducted physical surveillance of LIU's address and observed him coming and going from this address.

4. On October 29, 2021, federal agents arrested LIU at his address. They recognized LIU by comparing him with photographs of him entering the Capitol building, which were obtained during the investigation. Agents also recovered LUI's passport and driver's license which both included his name, date of birth, and picture. These matched the name, date of birth, and picture of the JIA LIU wanted in the District of Columbia. Finally, LIU identified himself to federal agents as JIA LIU.

5. Based on the foregoing, I submit that there is probable cause to believe that the defendant is the JIA LIU, wanted in the District of Columbia.

WHEREFORE, your deponent respectfully requests that the defendant JIA LIU be removed to the District of Columbia so that he may be dealt with according to law.



DAVID WILLIAM
Special Agent, Federal Bureau of Investigation

Sworn to before me by telephone this
29 day of October, 2021

Cheryl L. Pollak

THE HONORABLE CHERYL POLLAK
CHIEF UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
JIA LIU
DOB: XXXXXX

Case: 1:21-mj-00632
Assigned to: Judge Meriweather, Robin M.
Assign Date: 10/20/2021
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:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), 40 U.S.C. § 5104(e)(2)(D), and 40 U.S.C. § 5104(e)(2)(G).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Nathan Rudnick

Complainant's signature

Nathan Rudnick, 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: 10/21/2021



2021.10.21
18:20:53 -04'00'

Judge's signature

City and state: Washington, D.C.

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

STATEMENT OF FACTS

Your affiant, Nathan Rudnick, is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the New York Joint Terrorism Task Force (JTTF). In my duties as a Special Agent, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. In addition to my regular duties, I am also currently reviewing public tips, videos, and documentation, among other evidence, associated with the riots and civil disorder that occurred on January 6, 2021, in and around the United States Capitol. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, 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, shortly 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.

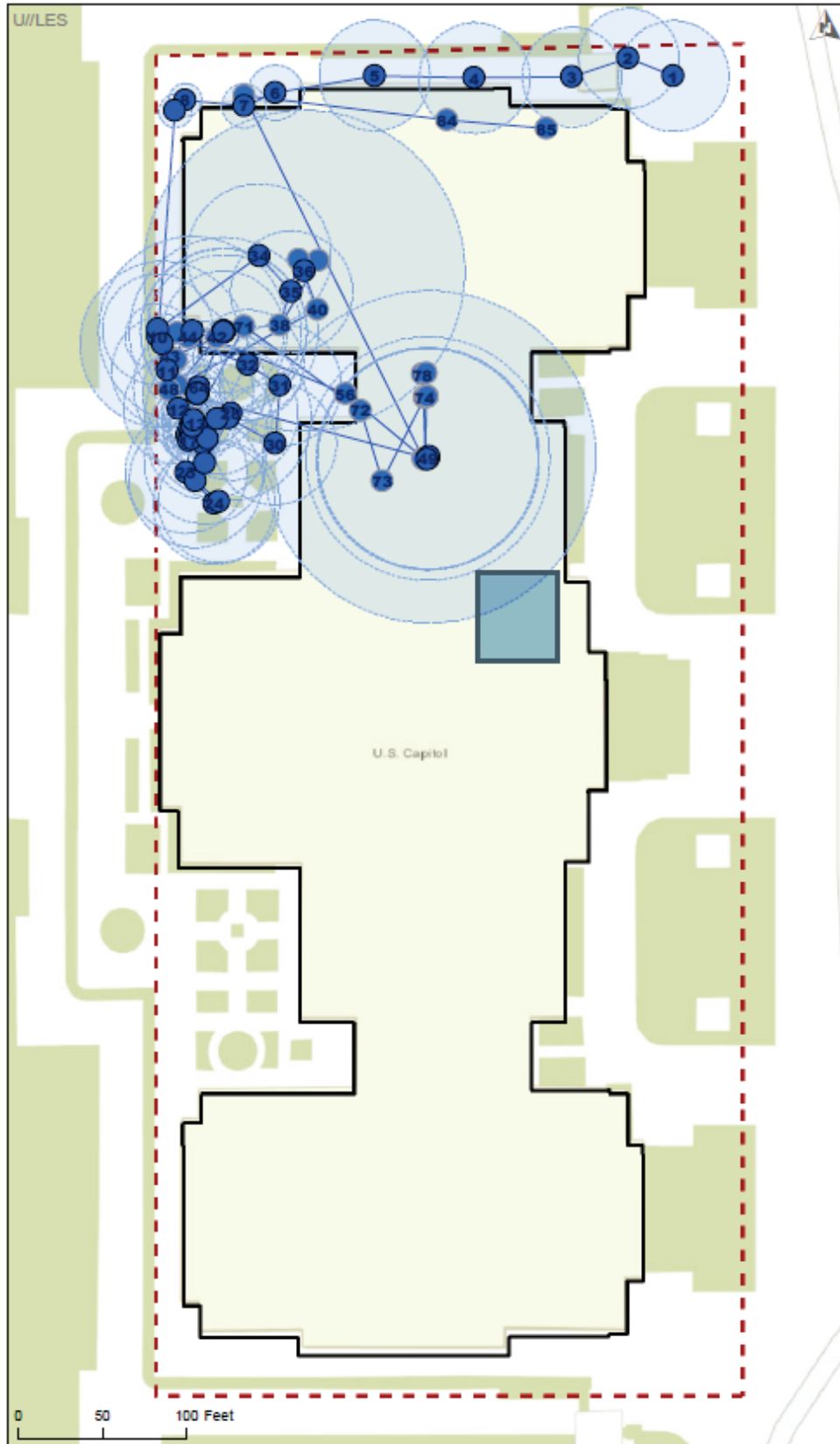
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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.

According to records obtained through a search warrant which was served on Google, a mobile device associated with Google e-mail address [REDACTED] was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with Google e-mail address [REDACTED] and the name “Jah Leo” was within the U.S. Capitol at the times and locations shown in the map below (“Figure 1”). As illustrated in Figure 1, the location data points encompass areas that are both entirely and partially within the U.S. Capitol Building between 2:43:38 PM and 4:32:18 PM (Eastern Time) on January 6, 2021.

Figure 1



According to records provided by Google, e-mail address [REDACTED] is associated with a Google Pay account with the following billing address information: JIA LIU, [REDACTED], telephone number: [REDACTED].¹ Records provided by Google also indicate IP address: [REDACTED] was used to log in to the account associated with e-mail address [REDACTED] on multiple occasions, including as recently as March 27, 2021.

According to records provided by Verizon, IP address: [REDACTED] was associated with customer name 'John Martini' and account address [REDACTED]. According to open source records, 'John Martini' is listed as the owner of the property located at [REDACTED], which is also the billing address listed on the Google Pay account associated with JIA LIU.

According to information provided by T-Mobile, as of February 2020, the subscriber name and address associated with billing for telephone number: [REDACTED] was MEMELOPE LLC², [REDACTED]. Furthermore, the device details for International Mobile Equipment Identifier (IMEI): [REDACTED] were linked to the name 'JAH LEO'.

According to records provided by JPMorgan Chase, "JIA YU LIU" is listed as the sole member for a business account titled MEMELOPE LLC, along with telephone number [REDACTED].³

According to Department of Defense (DoD) records, JIA LIU enlisted in the United States Marine Corps (USMC) Reserves on May 5, 2014 and is currently an E-4 (Corporal) Cyber Network Operator assigned to Direct Support Company, 6th Communication Battalion, Marine Forces Reserve. DoD records indicate JIA LIU provided contact information including an address of [REDACTED], personal email address: [REDACTED] and telephone number: [REDACTED].

United States Capitol Police (USCP) security cameras captured images of individuals unlawfully entering and rioting inside the U.S. Capitol building on January 6, 2021. Based on my knowledge of the events on January 6, 2021, the Senate Wing Door (north side) was a significant point of entry for rioters.

¹ Mr. Liu's address is sometimes listed in records as [REDACTED] and sometimes as [REDACTED]. It is common in the Borough of Queens, New York, for addresses to be listed or reported either with a hyphen or without a hyphen, however both addresses refer to the same physical location.

² According to the New York State Corporation and Business Entity Database, MEMELOPE LLC is an active limited liability company established on February 21, 2020; according to Dun & Bradstreet records, JIA LIU is listed as the Key Principal for MEMELOPE LLC.

³ According to records provided by PayPal, LIU maintains a Venmo account in the name of MEMELOPE and a PayPal account in the name of MEMELOPE LLC.

I have reviewed law enforcement body camera footage and security camera footage covering the Senate Wing Door (north side), and several still images are below (in chronological order). Based on LIU's passport, driver's license, and Department of Defense photographs, your affiant located LIU on law enforcement body camera footage outside the U.S. Capitol building, as well as on U.S. Capitol building security camera footage entering the U.S. Capitol. LIU appears in the stills below dressed in a black jacket with a red, white and blue American flag hood donned over his head. I have compared these images and they are all consistent with LIU. In addition, on July 20, 2021, your affiant met with USMC Reserve personnel familiar with LIU; a USMC Reserve Officer reviewed the following still image taken from law enforcement body camera footage on January 6, 2021 and positively identified the individual in the photo to be LIU:



LIU is observed entering the U.S. Capitol building on two separate occasions. LIU first entered at approximately 3:24 PM and left the Capitol at approximately 3:31 PM by climbing through a broken window. Your affiant has circled LIU in yellow in the images:





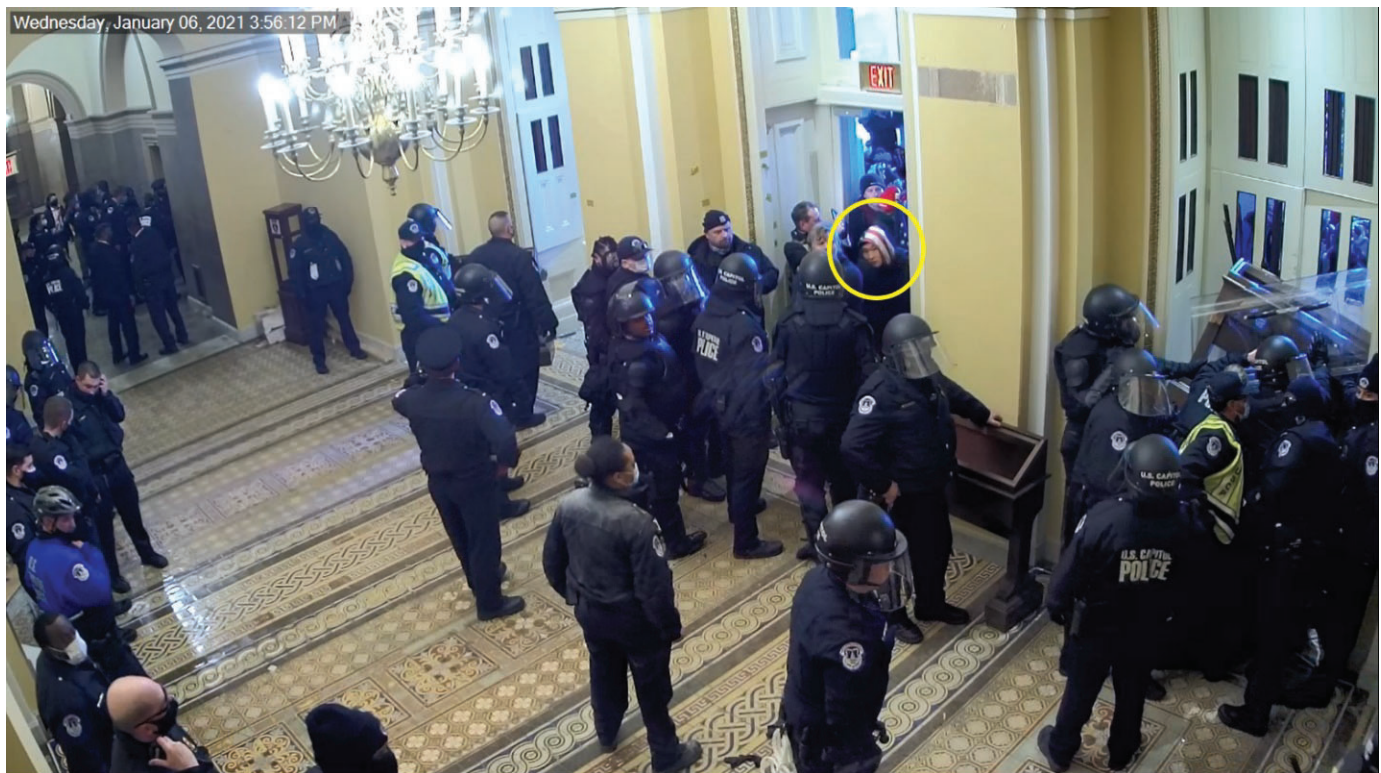




At approximately 3:36 PM, LIU was observed on law enforcement body camera footage on the Upper West Terrace, north side (exterior) of the U.S. Capitol Building, in the area of the Senate Wing Door:



At approximately 3:56 PM, LIU reentered the U.S. Capitol building and left at approximately 4:22 PM. Your affiant has circled LIU in yellow in the following images:





According to New York City Police Department (“NYPD”) license plate reader information, on January 6, 2021, at approximately 5:32 AM, a 2004 Jeep Wrangler (registered to LIU’s stepfather) hit traveling in the Lincoln Tunnel Outbound West Tube, leaving New York City. Additionally, later on January 6, 2021, at approximately 11:55 PM, the same vehicle hit traveling northbound on the George Washington Bridge, Lowel Level into New York City, and again at approximately 12:04 AM (on January 7, 2021) traveling Queens-bound on the Throgs Neck Bridge.

According to financial records, on January 6, 2021, LIU’s credit card was used in two (2) transactions at a BP gas station located in Hauppauge, New York. Also on January 6, 2021, LIU executed two (2) transactions in and around Washington, D.C, including a \$52.98 purchase at a Sunoco gas station.

Based on the foregoing, your affiant submits that there is probable cause to believe that LIU 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 LIU violated 40 U.S.C. § 5104(e)(2)(D), 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.



Nathan Rudnick, 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 21st day of October, 2021.



2021.10.21 18:07:34
-04'00'

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

EXHIBIT B

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

JIA LIU

) Case: 1:21-mj-00632
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 10/20/2021
) 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) JIA LIU,
 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: 10/21/2021



Robin M. Meriweather

2021.10.21 18:18:57
-04'00'

Issuing officer's signature

City and state: Washington, D.C.

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

Return

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

Date: _____

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
Eastern DISTRICT OF _New York_

UNITED STATES OF AMERICA,

-v-

Jia Liu

Defendant(s).

21-MJ-1241

ORDER

Lois Bloom, United States District/Magistrate Judge:

This Order is entered, pursuant to Federal Rule of Criminal Procedure 5(f) and the Due Process Protections Act, Pub. L. No 116–182, 134 Stat. 894 (Oct. 21, 2020), to confirm the Government’s disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and to summarize the possible consequences of violating those obligations.

The Government must disclose to the defense all information “favorable to an accused” that is “material either to guilt or to punishment” and that is known to the Government. *Id.* at 87. This obligation applies regardless of whether the defendant requests this information or whether the information would itself constitute admissible evidence. The Government shall disclose such information to the defense promptly after its existence becomes known to the Government so that the defense may make effective use of the information in the preparation of its case.

As part of these obligations, the Government must disclose any information that can be used to impeach the trial testimony of a Government witness within the meaning of *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny. Such information must be disclosed sufficiently in advance of trial in order for the defendant to make effective use of it at trial or at such other time as the Court may order.¹

¹ This Order does not purport to set forth an exhaustive list of the Government’s disclosure obligations.

The foregoing obligations are continuing ones and apply to materials that become known to the Government in the future. These obligations also apply to information that is otherwise subject to disclosure regardless of whether the Government credits it.

In the event the Government believes that a disclosure under this Order would compromise witness safety, victim rights, national security, a sensitive law-enforcement technique, or any other substantial government interest, it may apply to the Court for a modification of its obligations, which may include in camera review or withholding or subjecting to a protective order all or part of the information otherwise subject to disclosure.²

For purposes of this Order, the Government has an affirmative obligation to seek all information subject to disclosure under this Order from all current or former federal, state, and local prosecutors, law enforcement officers, and other officers who have participated in the prosecution, or investigation that led to the prosecution, of the offense or offenses with which the defendant is charged.

If the Government fails to comply with this Order, the Court, in addition to ordering production of the information, may:

- (1) specify the terms and conditions of such production;
- (2) grant a continuance;
- (3) impose evidentiary sanctions;
- (4) impose contempt or other sanctions on any lawyer responsible for violations of the Government's disclosure obligations, or refer the matter to disciplinary authorities;
- (5) dismiss charges before trial or vacate a conviction after trial or a guilty plea; or
- (6) enter any other order that is just under the circumstances.

² The Classified Information Procedures Act sets forth separate procedures to be followed in the event that the Government believes matters relating to classified information may arise in connection with the prosecution. *See* 18 U.S.C. app. 3 §§ 1 *et seq.*

SO ORDERED.

Dated: 10-30-2021

Lois Bloom _____
United States District/Magistrate Judge

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS OF RELEASE
AND APPEARANCE BOND

V.

Case Number: 21-MJ-1241

Jia Liu, Defendant.

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- Upon **Personal Recognizance Bond** on his/her promise to appear at all scheduled proceedings as required, or
- Upon **Bond** executed by the defendant in the amount of \$ _____, and secured by financially responsible sureties listed below and/or collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- 1. The defendant must remain in and may not leave the following areas without Court permission: New York City; Long Island, NY; New York State; New Jersey; DC for court. PA & VA _____ and travel to and from this Court and the permitted areas.
- 2. The defendant must avoid all contact with the following persons or entities: potential Victims and witnesses
- 3. The defendant must avoid and not go to any of the following locations: Federal or State Capitol Buildings
- 4. The defendant must surrender all passports to Pretrial Services by _____ and not obtain other passports or international travel documents.
- 5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
 - a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
 - b. must report as directed by Pretrial Services or in person _____ times per _____ and/or by telephone _____ times per _____.
 - c. must undergo testing, evaluation and/or treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
 - d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
 - e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
 - home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
 - home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, religious services, employment, school or training, other activities approved by Pretrial Services, _____
 - curfew: restricted to home every day from _____ to _____, or as directed by Pretrial Services.
 - Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/ or from available insurance.
- 6. Other Conditions: Can only travel to DC for court. Travel to Virginia and Pennsylvania with advanced notice to Pretrial
No Firearms

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ _____ and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- cash deposited in the Registry of the Court in the sum of \$ _____;
- premises located at: _____ owned by _____.
- I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before _____.

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

_____, Address: _____
_____, Surety

_____, Address: _____
_____, Surety

_____, Address: _____
_____, Surety

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

S/ Jia Liu

Signature of Defendant

Release of the Defendant is hereby ordered on 10-29 20 21 .

_____, US _____

STANDARD CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the Court, the Pretrial Services office, defense Counsel and the U.S. Attorney in writing before making any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender for service of any sentence imposed as directed.
- (5) The defendant must refrain from use or unlawful possession of a narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- (6) If the defendant fails to report as required to the Pretrial Services Agency, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
- (7) The defendant must not possess a firearm, destructive device, or other weapon.

**SPECIAL CONDITIONS OF RELEASE FOR TESTING, TREATMENT OR EVALUATION
AND FOR LOCATION MONITORING**

1. If the defendant fails to appear for any specified treatment or evaluation, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
2. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing, as determined by Pretrial Services.
3. If defendant is subject to a location restriction program or location monitoring, defendant must:
 - (a) stay at his/her residence at all times except for approved activities and may not leave for approved activities without providing prior notice to Pretrial Services, except in cases of medical emergencies.
 - (b) abide by all program requirements and instructions provided by Pretrial Services relating to the operation of monitoring technology. Unless specifically ordered by the court, Pretrial Services may require use of one of the following or comparable monitoring technology: Radio Frequency (RF) monitoring; Passive Global Positioning Satellite (GPS) monitoring; Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS); Voice Recognition monitoring.

FORFEITURE OF THE BOND

This appearance bond may be forfeited if the defendant does not comply with the conditions of release set forth in this Order Setting Conditions of Release and Bond. The court may immediately order the amount of the bond and any Collateral surrendered to the United States 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

This appearance bond may be terminated at any time by the Court. 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.

ADVICE OF PENALTIES AND SANCTIONS TO THE DEFENDANT

Defendant is advised that violating any of the foregoing conditions of release may result in the immediate issuance of a warrant of arrest, a revocation of the order of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if defendant commits a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence defendant may 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, defendant knowingly fails to appear as the conditions of release require, or to surrender to serve a sentence, defendant may be prosecuted for failing to appear or surrender and additional punishment may be imposed, whether or not the defendant is convicted of the pending charges. If defendant is convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – defendant 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 – defendant will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – defendant will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – defendant 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 imposed. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

AO 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT
for the

United States of America
v.
Jia Liu
Defendant
Case No. 21-MJ-1241
Charging District's Case No.

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

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

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 to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
(5) a hearing on any motion by the government for detention;
(6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- [] an identity hearing and production of the warrant.
[] a preliminary hearing.
[] a detention hearing.
[] an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
[] preliminary hearing and/or [] detention hearing 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: 10-29-2021

S/ Jia Liu

Defendant's signature

S/ Benjamin Yaster

Signature of defendant's attorney

Benjamin Yaster

Printed name of defendant's attorney

Cheryl L. Pottak

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CLOSED

**U.S. District Court
Eastern District of New York (Brooklyn)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-01241-CLP All Defendants**

Case title: USA v. Liu

Date Filed: 10/29/2021

Date Terminated: 10/29/2021

Assigned to: Chief Magistrate Cheryl L.
Pollak

Defendant (1)

Jia Liu

TERMINATED: 10/29/2021

represented by **Benjamin Zev Yaster**

Federal Defenders of New York, Inc.

One Pierrepont Plaza, 16th Floor

Brooklyn, NY 11201

718-330-1291

Fax: 718-855-0760

Email: benjamin_yaster@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1752.P

Disposition

Plaintiff

USA

represented by **Joy Margaret Lurinsky**
 DOJ-USAO
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 271 Cadman Plaza East
 Brooklyn, NY 11201
 718-254-6441
 Email: joy.lurinsky@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Docket Text
10/29/2021	1	RULE 40 AFFIDAVIT by USA as to Jia Liu by Affiant David Williams (Sica, Michele) (Additional attachment(s) added on 11/1/2021: # 1 exhibit 1, # 2 exhibit 2) (Sica, Michele). (Entered: 11/01/2021)
10/29/2021		Arrest (Rule 40) of Jia Liu (Sica, Michele) (Entered: 11/01/2021)
10/29/2021		Minute Entry for proceedings held before Chief Magistrate Cheryl L. Pollak: For a Removal hearing to the District of Columbia as to Jia Liu (1) Count Complaint held on 10/29/2021, Attorney Appointment Hearing as to Jia Liu held on 10/29/2021, Initial Appearance in Rule 5(c)(3) Proceedings as to Jia Liu held on 10/29/2021. Brady Act ordered on the record, written order to follow. Waiver of removal hearing entered. Both parties on consent for the release of the defendant. The court granted the release with conditions. (FTR Log #3:42-3:57.) (Sica, Michele) (Entered: 11/01/2021)
10/29/2021	2	CJA 23 Financial Affidavit by Jia Liu (Sica, Michele) (Entered: 11/01/2021)
10/29/2021	3	ORDER: This order is entered pursuant to Federal Rule of Criminal Procedure 5 (f) to confirm the prosecution's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and to summarize the possible consequences of violating those obligations. as to Jia Liu. Ordered by Chief Magistrate Cheryl L. Pollak on 10/29/2021. (Sica, Michele) (Entered: 11/01/2021)
10/29/2021	4	WAIVER of Rule 5(c)(3) Hearing by Jia Liu (Sica, Michele) (Entered: 11/01/2021)
10/29/2021	5	ORDER Setting Conditions of Release as to Jia Liu (1) ROR. Ordered by Chief Magistrate Cheryl L. Pollak on 10/29/2021. (Sica, Michele) (Entered: 11/01/2021)