



UNITED STATES DISTRICT COURT
Northern District of Illinois
219 South Dearborn Street
Chicago, Illinois 60604

Thomas G. Bruton
Clerk

(312) 435-5670

Transfer of Criminal Case

7/26/2023

United States District Court
District of Columbia

Case Title: USA v. Bierbrodt

Northern District of Illinois Case No.: 1:23-cr-00421 Other Court's Case No.: 23-mj-180

Dear Sir/Madam:

Enclosed please find a certified copy of the docket sheet and documents being transferred to your court pursuant to:

F.R.C.R.P 5:

In Out

- Order.
- Commitment Order.
- Bond Transfer.
- Order Setting Conditions of Release.
- Appearance bond.
- Financial Affidavit.

18 U.S.C § 3605 Transfer of Jurisdiction Probation 22 In Out

- Certified copy of the Probation 22 form.
- Indictment.
- Information.
- Superseding Indictment.
- Superseding Information.
- Sentencing Order.
- Amended Sentencing Order.
- Rule 12B form.

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Joseph Bierbrodt

)

)

)

)

)

)

Case: 1:23-mj-00180

Assigned to: Judge Meriweather, Robin M.

Assign Date: 7/24/2023

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) Joseph Bierbrodt

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, 18 U.S.C. § 1752(a)(4) - Physical Violence in a Restricted Building or Grounds, 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds, 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building, 40 U.S.C. § 5104(e)(2)(F) - Physical Violence in a Capitol Building or Grounds, 18 U.S.C. § 111(a)(1) - Assault on a Federal Officer or on a Person Assisting a Federal Officer, 18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder.

Date: 07/24/2023

Signature of Robin M. Meriweather

2023.07.24 12:09:23 -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) 24 July 2023, and the person was arrested on (date) 26 July 2023 at (city and state) Sheridan, IL.

Date: 26 July 2023

Signature of Special Agent Ian Arkway

Arresting officer's signature

Special Agent Ian Arkway

Printed name and title

FILED
7/26/2023

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

AUSA Brandon Stone (312) 613-9700

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JOSEPH BIERBRODT

Case No. 23 CR 421
YOUNG B. KIM
Magistrate Judge

AFFIDAVIT IN REMOVAL PROCEEDING

I, Ian Ankney, appearing telephonically before United States Magistrate Judge YOUNG B. KIM and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that JOSEPH BIERBRODT has been charged by Complaint in the United States District Court for the District of Columbia with the following criminal offenses:

- (1) Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18 United States Code, Section 1752(a)(1);
- (2) Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18 United States Code, Section 1752(a)(2);
- (3) Physical Violence in a Restricted Building or Grounds, in violation of Title 18 United States Code, Section 1752(a)(4);
- (4) Disorderly Conduct in a Capitol Building or Grounds, in violation of Title 40 United States Code, Section 5104(e)(2)(D);
- (5) Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40 United States Code, Section 5104(e)(2)(G);
- (6) Physical Violence in a Capitol Building or Grounds, in violation of Title

40 United States Code, Section 5104(e)(2)(F);

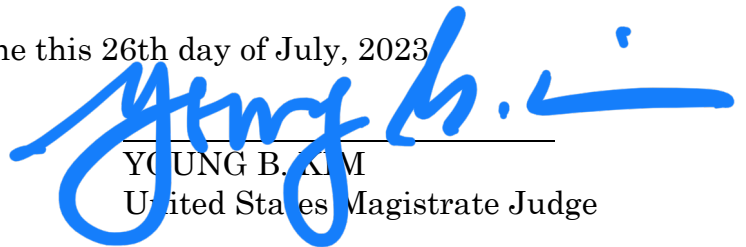
- (7) Assault on a Federal Officer or on a Person Assisting a Federal Officer, in violation of Title 18 United States Code, Section 111(a)(1); and
- (8) Obstruction of Law Enforcement during Civil Disorder, in violation of Title 18 United States Code, Section 231(a)(3).

A copy of the Complaint is attached. A copy of the arrest warrant also is attached.



Ian Ankney
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to by telephone this 26th day of July, 2023



YOUNG B. KIM
United States Magistrate Judge

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Joseph Bierbrodt, (DOB: XXXXXXXXXX)
William Bierbrodt, (DOB: XXXXXXXXXX)
Defendant(s)

Case: 1:23-mj-00180
Assigned to: Judge Meriweather, Robin M.
Assign Date: 7/24/2023
Description: COMPLAINT W/ ARREST WARRANT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
District of Columbia, the defendant(s) violated:

Code Section

Offense Description

- William Bierbrodt:
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,
18 U.S.C. § 1752(a)(4) - Physical Violence in a Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,
18 U.S.C. § 1361 - Willfully injure or depredate any property of the United State,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder.
Joseph Bierbrodt:
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,
18 U.S.C. § 1752(a)(4) - Physical Violence in a Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,
40 U.S.C. § 5104(e)(2)(F) - Physical Violence in a Capitol Building or Grounds,
18 U.S.C. § 111(a)(1) - Assault on a Federal Officer or on a Person Assisting a Federal Officer,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

[Handwritten signature of Ian Ankney]

Complainant's signature

Ian Ankney, 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: 07/24/2023

[Handwritten signature of Robin M. Meriweather]

Judge's signature

2023.07.24
12:11:14 -04'00'

City and state: Washington, D.C.

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

STATEMENT OF FACTS

Your affiant, Ian Ankney, is a Special Agent of the Federal Bureau of Investigation (FBI). Specifically, I am assigned to the Chicago Field office. 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 facts and information contained in this affidavit are based upon my personal knowledge and information obtained from state and federal law enforcement officers. All observations not personally made by me were relayed to me by the individuals who made them or are based on my review of reports, documents, and other physical evidence obtained during the course of this investigation. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant, and does not set forth all of my knowledge about this matter.

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.

Facts Specific to the Identification of Joseph Bierbrodt and William Bierbrodt

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings.

In late October 2021, Washington Field Office (WFO) obtained information that Joseph BIERBRODT (J. BIERBRODT), a.k.a Eric Bierbrodt, of Sheridan, Illinois was seen with an individual open source referred to as #CrowbarBeardGuy and later determined to be J. BIERBRODT's brother, William "Marty" Bierbrodt (M. BIERBRODT) and was suspected of assaulting federal officers while inside the Capitol on 6 January 2021. Open-source searches fully identified a Joseph BIERBRODT in Sheridan, Illinois (IL). An image was submitted to the Department of Defense to run for facial recognition which returned one low confidence hit for a J. BIERBRODT with the same identifiers as the one found in open-source searches. J. BIERBRODT's driver's license photo was obtained and run against Capitol Riot holdings in TTK.

Figure 1- BIERBRODT Brothers at Capitol
(J. BIERBRODT in red; M. BIERBRODT in blue)



Figure 2- BIERBRODT Brothers at Capitol



Figure 3- Photo of J. BIERBRODT at Capitol



Figure 4- Photo of J. BIERBRODT at Capitol



Law enforcement reviewed CCTV and open-source videos which depicted J. BIERBRODT at the U.S. Capitol in the presence of his brother M. BIERBRODT. M. BIERBRODT, the #CrowbarBeardGuy, who had a very large beard and carried a cane, in addition to being seen on a scooter to assist in mobility due to a foot injury. CHS provided the identity of #CrowbarBeardGuy in October of 2021.

Figure 5- Close up photo of M. BIERBRODT at Capitol



The CCTV and open-source videos confirm J. BIERBRODT and M. BIERBRODT breached the U.S. Capitol through the Senate Fire Door. During that time, J. BIERBRODT assaulted law enforcement inside.

On January 6, 2021, at approximately 2:41 PM EST, M. BIERBRODT used his cane to break a window on the Senate Wing Fire Door and unlatch the locked door, letting in other rioters. J. BIERBRODT stood near his brother, with his back to the door while M. BIERBRODT repeatedly hit the window with his cane. J. BIERBRODT wore a red hat, an American flag face covering, and sunglasses. M. BIERBRODT is noted in the blue box while J. BIERBRODT is noted in the red box.

Figure 6- BIERBRODT Brothers during Breach of Senate Fire Door



Figure 7- BIERBRODT Brothers during Breach of Senate Fire Door



At approximately 2:42 PM EST, M. BIERBRODT breached the window and then used his arm to reach through the broken glass and unlatch the door from the outside. The damage to the door was assessed at \$1,118.00 by the Architect of the Capitol. CCTV footage from inside the door showed USCP officers working to secure the door and deter rioters from breaching it. After M. BIERBRODT opened the door, J. BIERBRODT rushed toward it, despite law enforcement being present and visible through the window of the door.

Figure 8- M. BIERBRODT Breaching the Senate Wing Fire Door

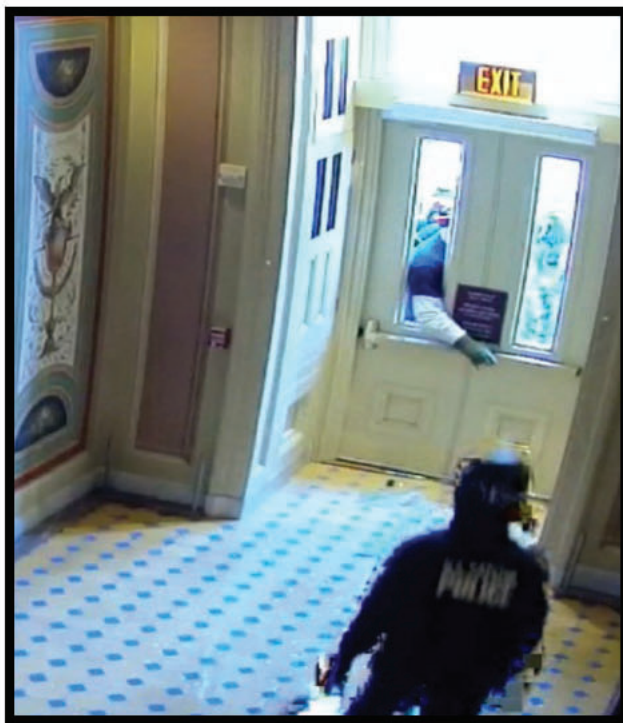
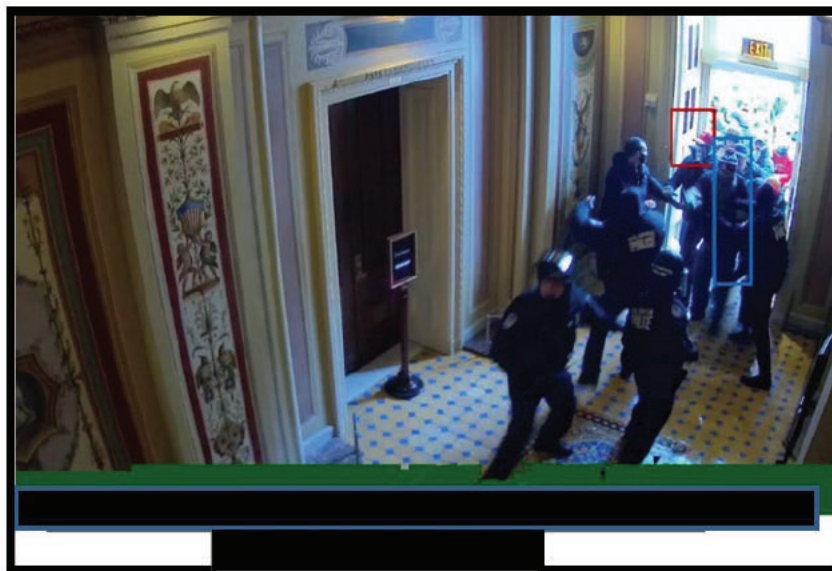


Figure 9- BIERBRODT Brothers during Breach of Senate Fire Door



At approximately 2:42 PM EST, M. BIERBRODT and J. BIERBRODT were captured on CCTV footage entering the Senate through the previously locked Fire Door, where J. BIERBRODT and M. BIERBRODT, along with the other rioters, encountered law enforcement officers attempting to push back the rioters and close the door.

Figure 10 - BIERBRODT Brothers Breaching the Senate Fire Door



J. BIERBRODT was met by US Capitol Police (USCP) Special Agent, Victim 1, whom J. BIERBRODT assaulted by slamming against the wall. Victim 1 was wearing a vest identifying himself as a law enforcement officer, and his positioning inside the building prior to the breach by M. BIERBRODT and J. BIERBRODT further underscored his role as a law enforcement officer that day.

Figure 11 - J. and M. BIERBRODT after Breaching the Fire Door

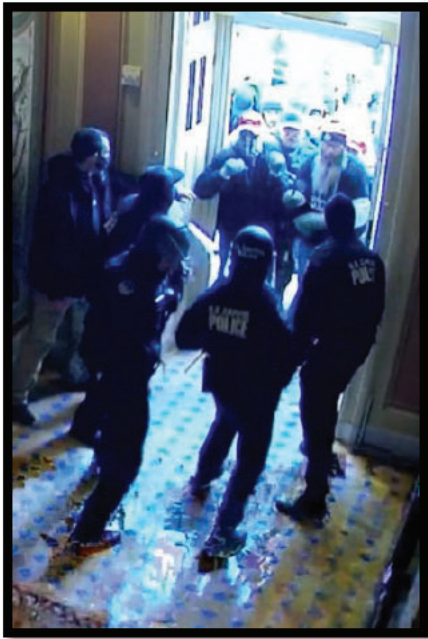


Figure 12- J. BIERBRODT Attacking Victim 1



Figure 13- J. BIERBRODT Attacking Victim 1



Figure 14- J. BIERBRODT Attacking Victim 1



Figure 15- J. BIERBRODT Attacking Victim 1



Figure 16- J. BIERBRODT Attacking Victim 1



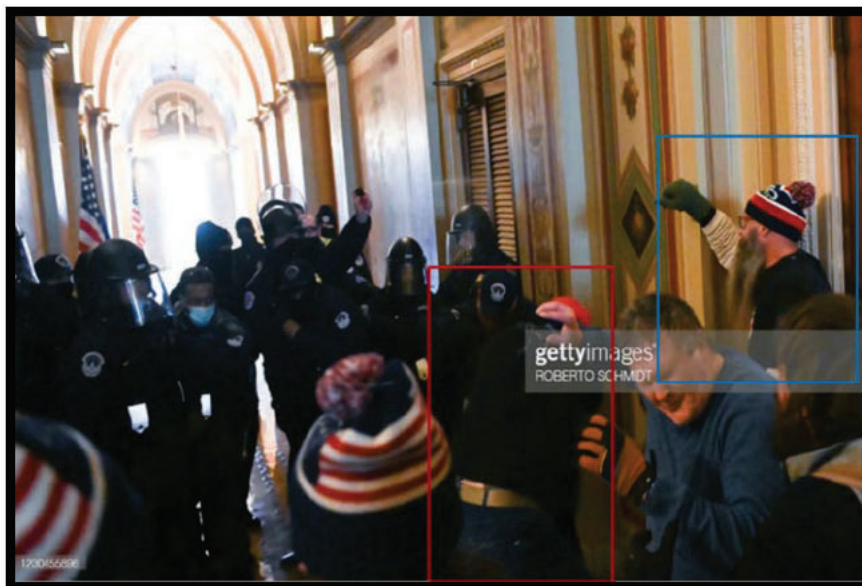
After assaulting Victim 1, J. BIERBRODT then moved deeper down the hallway in the Senate Wing. He met a line of USCP officers who prevented his progress into the building.

Figure 17- BIERBRODT Brothers Encountering more USCP Officers



After being met by USCP, J. BIERBRODT moved into a location that was not explicitly captured by the CCTV cameras in the Senate Wing. However, a photographer captured part of J. BIERBRODT's interaction with law enforcement. The USCP officers deployed Oleoresin Capsicum, known commonly as OC spray or pepper spray. Based on my training in defensive tactics, OC spray is used to neutralize or subdue violent individuals or groups.

Figure 18- BIERBRODT Brothers and other Rioters being OC Sprayed



J. BIERBRODT appears to have been involved in another altercation at that time based on subsequent photos and video footage of him bleeding from the chin and washing OC spray from his eyes. After being prevented from moving further into the Senate Wing by uniformed law

enforcement, J. BIERBRODT then turned and moved to exit the building through the same door from which he entered. As he left his second altercation with law enforcement, he began removing his face and head coverings. Upon removal of his face covering, blood can be seen on the left side of J. BIERBRODT's chin. Based on my training in defensive tactics, the initial assault captured on film would not be sufficient to cause the bleeding observed when J. BIERBRODT removed his face coverings. CCTV video does not show Victim 1 striking J. BIERBRODT in a way that would have caused an injury like the one seen on J. BIERBRODT's face.

Figure 19 - J. BIERBRODT Removing his Head Coverings



Figure 20 - J. BIERBRODT after Removing his Head Coverings

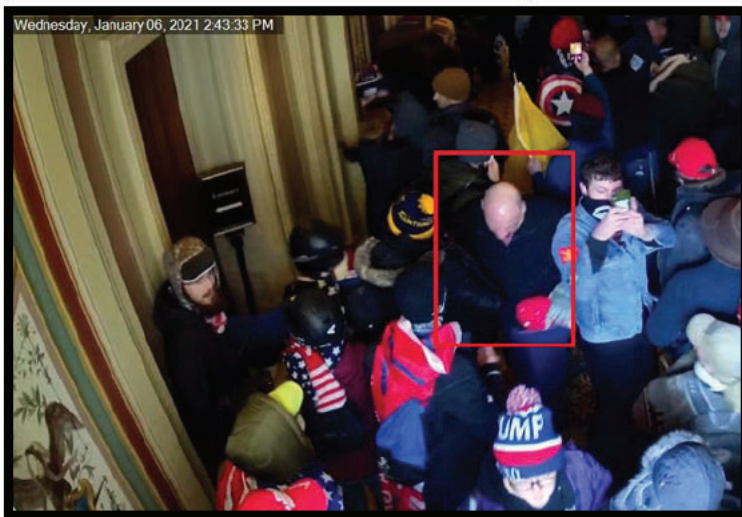
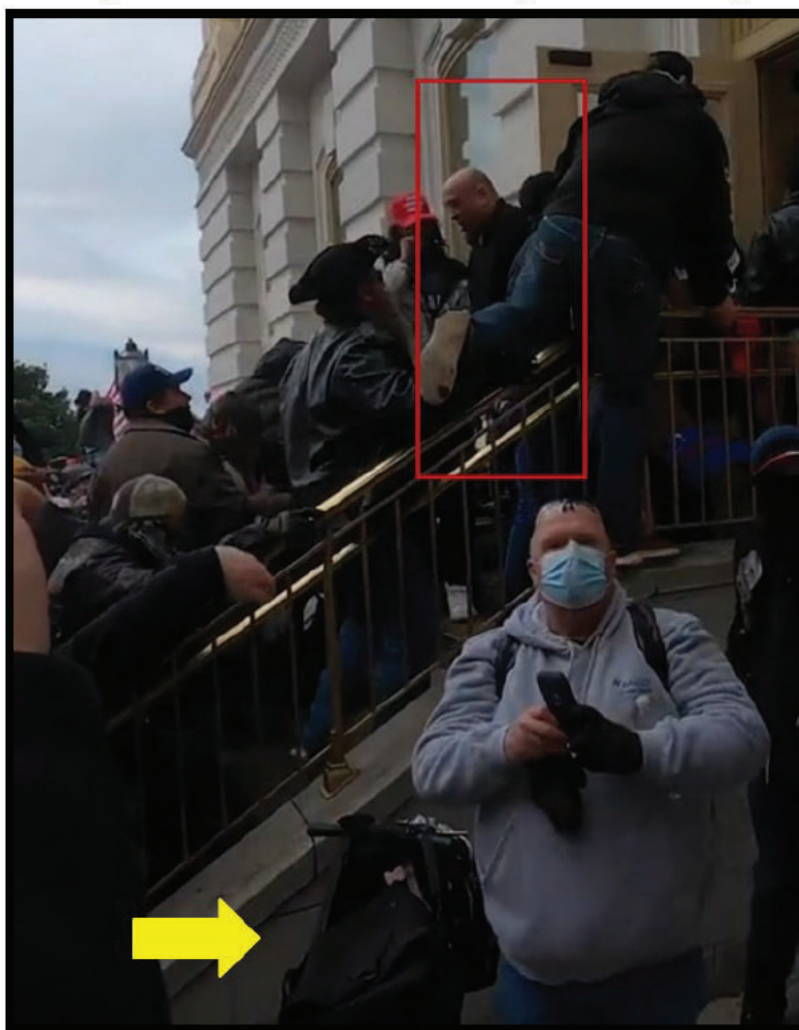


Figure 21- J. BIERBRODT Bleeding and Washing Face after Second Altercation with USCP



At approximately 2:44 PM EST, J. BIERBRODT was captured on camera exiting the Capitol building without his brother M. BIERBRODT. J. BIERBRODT moved down the steps and approached a scooter with a black backpack attached to it (identified by the yellow arrow), which J. BIERBRODT is photographed wearing later that day.

Figure 22- J. BIERBRODT Exiting the Senate Wing



J. BIERBRODT approached the scooter and put his face covering and hat on the scooter, near the backpack, to wash his eyes out after being OC sprayed. The face covering and hat were the same as the ones J. BIERBRODT was wearing upon entry, and the ones identified in his hands as he moved toward the exit of the Senate Wing. J. BIERBRODT was photographed in a black jacket, blue jeans, a red shirt under his black jacket, and tactical gloves that look very similar to the gloves on the hands of the individual who assaulted Victim 1.

Figure 23- J. BIERBRODT near M. BIERBRODT's Scooter with Head Coverings

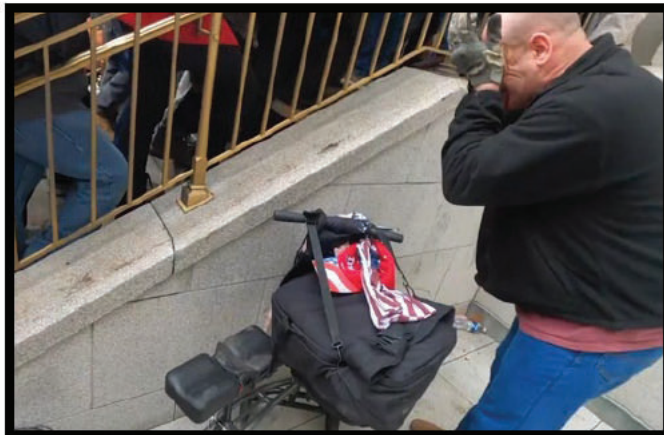
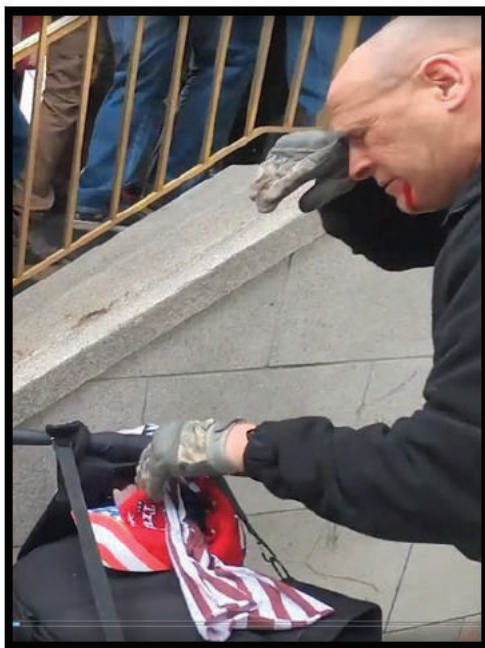


Figure 24 - J. BIERBRODT after his Altercations with Law Enforcement



At approximately 3:02 PM EST J. BIERBRODT was photographed assisting his brother M. BIERBRODT with his exit from the Senate Wing. M. BIERBRODT used a scooter to help move throughout the grounds of the Capitol on January 6, 2021, but left it near the stairs adjacent to the Senate Fire Door stairs prior to breaching the door. J. BIERBRODT returned to that scooter, and the brothers were photographed in the same location near the Senate Fire Door in the Northwest Courtyard approximately 40 minutes after exiting the building.

Figure 25- J. BIERBRODT Helping M. BIERBRODT Exit the Senate Wing



Law enforcement also fully identified a J. BIERBRODT in Sheridan, Illinois (IL). In addition to the DL for J. BIERBRODT which resembles the person in the January 6, 2021 images and videos, the Department of Defense photo for J. BIERBRODT as well as photos of him in uniform resembles the photos of J. BIERBRODT from the U.S. Capitol as well.

Figure 26 - Second Photo Provided to Witness 1 for 3rd Party Identification

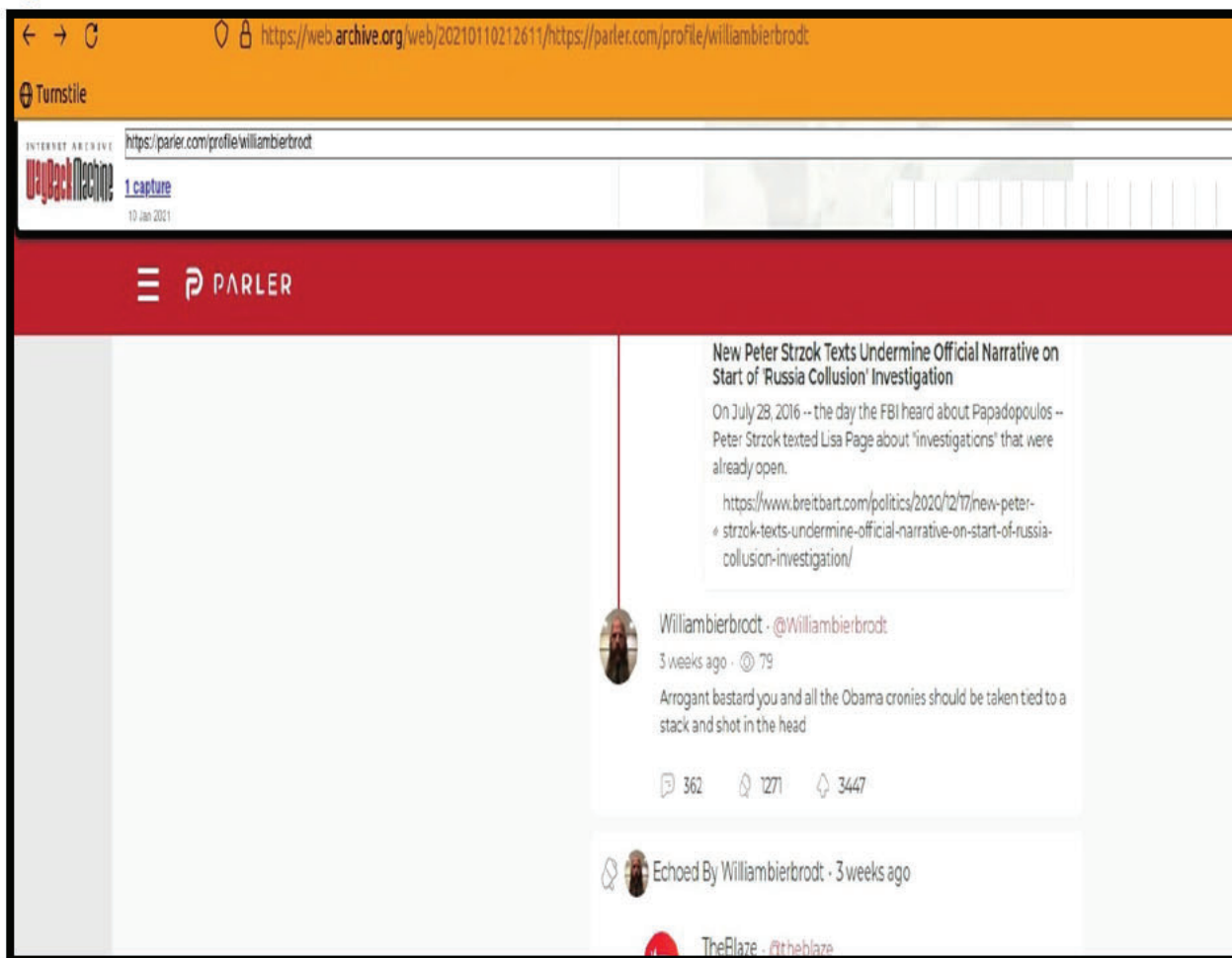


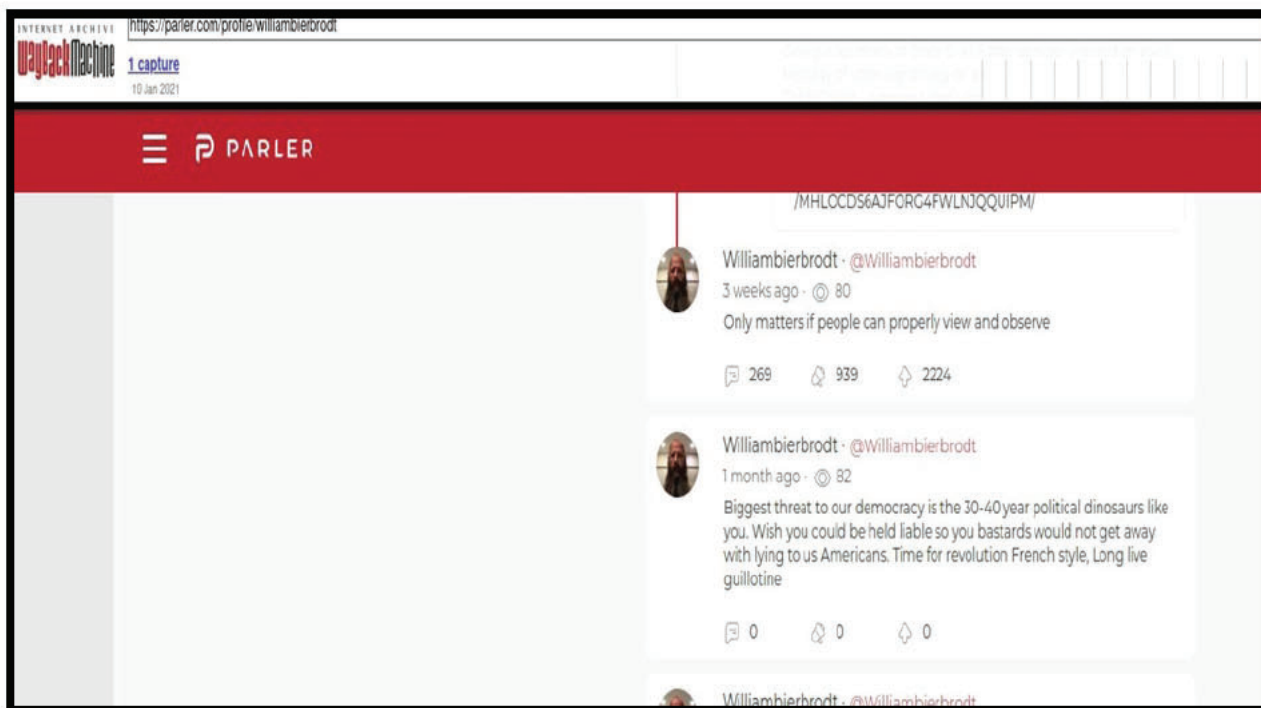
Further corroboration was provided by an Illinois Army National Guard member (Witness 1) who had served with J. BIERBRODT. Witness 1 was interviewed and provided with four photos. Two Photos were of J. BIERBRODT not at the Capitol, and two photos were from J. BIERBRODT's time at the US Capitol on January 6, 2022. The photos included his DL as well as other images of him on January 6, 2022 (Figures 3 and 4) and Witness 1 identified all four photos as J. BIERBRODT.

M. BIERBRODT has also been identified by law enforcement. On September 9, 2022, at approximately 2:15 PM EST, law enforcement conducted surveillance of M. BIERBRODT at his residence in St. Cloud, Florida. A law enforcement officer drove in front M. BIERBRODT’S home and observed M. BIERBRODT in front of his opened garage moving items from within. A vehicle registered to him was also parked in the driveway. The officer, who observed M. BIERBRODT, confirmed it appeared to be the same person in the January 6, 2021 images and videos.

Some social media activity for M. BIERBRODT was also uncovered, including a number of posts from Parler, in which he advocated violence against members of a different political ideology. The posts were archived on January 10, 2021 but dated one month to three weeks prior, placing the original posting date sometime in December of 2020. The postings from “William Martin Bierbrodt” state, in particular, “that all the Obama cronies should be taken tied to a stack and shot in the head” and adds, “Time for revolution French style.”

Figure 27- M. BIERBRODT’s Parler Posts





Based on the foregoing, your affiant submits that there is probable cause to believe that Joseph BIERBRODT and William BIERBRODT 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 function. Additionally, there is probable cause to believe that Joseph BIERBRODT violated 18 U.S.C. § 1752(a)(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds. 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.

Based on the foregoing, your affiant submits there is also probable cause to believe that Joseph BIERBRODT and William BIERBRODT 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. Your affiant submits there is also probable cause to believe that Joseph BIERBRODT violated 40 U.S.C. § 5104(e)(2)(F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

Your affiant submits that there is probable cause to believe that Joseph BIERBRODT violated 18 U.S.C. §§ 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, and interfere with any person designated in section 1114 of title 18 while engaged in or on account of the performance of official duties and where the acts in violation of this section involve physical contact with the victim and the intent to commit another felony. Persons designated within section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties.

Based on the foregoing, your affiant submits there is probable cause to believe that William BIERBRODT violated 18 U.S.C. § 1361, by willfully injuring or depredating of any property of the United States, the cost of which was assessed by the Architect of the Capitol (AOC) as \$1,118.00.

Finally, your affiant submits there is probable cause to believe that Joseph BIERBRODT and William BIERBRODT violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.



Special Agent Ian Ankney
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 24th day of July 2023.



2023.07.24

12:10:23 -04'00'

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Joseph Bierbrodt

)
) **Case: 1:23-mj-00180**
) **Assigned to: Judge Meriweather, Robin M.**
) **Assign Date: 7/24/2023**
) **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) Joseph Bierbrodt,
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,
- 18 U.S.C. § 1752(a)(4) - Physical Violence in a Restricted Building or Grounds,
- 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
- 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,
- 40 U.S.C. § 5104(e)(2)(F) - Physical Violence in a Capitol Building or Grounds,
- 18 U.S.C. § 111(a)(1) - Assault on a Federal Officer or on a Person Assisting a Federal Officer,
- 18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder.

Date: 07/24/2023

Rob M. Meriweather


2023.07.24
12:09:23 -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
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

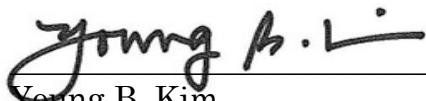
USA)	
)	No. 23 CR 421
Plaintiff,)	
)	Magistrate Judge Young B. Kim
v.)	
)	
Joseph Bierbrodt,)	
Defendant.)	
)	
)	

ORDER

Initial appearance and removal proceedings held. Defendant appeared in response to his arrest on July 26, 2023. The court finds that Defendant is unable to afford counsel. Enter order appointing Attorney Seema Ahmad of the Federal Defender Program as attorney for Defendant. The court advised Defendant of his rights. Defendant waived his rights to an identity hearing. The government and Defendant agreed on certain conditions of release. Enter Order Setting Conditions of Release. Defendant must be released after processing. Defendant ordered removed to the District of Columbia. Enter Order Requiring Defendant to Appear in the District Where Charges are Pending and Transferring Bail. Defendant is further ordered that he must comply with his conditions of his release during the pendency of his criminal case in the District of Columbia (No. 1:23-mj-00180). Defendant is ordered to file a status report by July 31, 2023, advising the court whether he wishes to schedule a preliminary examination hearing in the Northern District of Illinois or the District of Columbia or to waive his right to such a hearing.

(T:00:15)

Date: July 26, 2023



 Young B. Kim
 United States Magistrate Judge

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- (6) The defendant is placed in the custody of: Person or organization, Address, City and state, Tel. No.

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.

Signed: Custodian, Date

- (7) The defendant must: (a) submit to supervision by and report for supervision to the telephone number 312 435 5713, no later than Northern District IL as directed. (b) continue or actively seek employment. (c) continue or start an education program. (d) surrender any passport to: surrender expired passport to Pretrial. (e) not obtain a passport or other international travel document. (f) abide by the following restrictions on personal association, residence, or travel: No travel outside continental U.S. w/o court approval. No travel to Washington DC except for court, meet with Pretrial or meet with counsel. Advise Pretrial of travel within U.S. outside home jurisdiction. (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: (h) get medical or psychiatric treatment: (i) return to custody each at o'clock after being released at o'clock for employment, schooling, or the following purposes: (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary. (k) not possess a firearm, destructive device, or other weapon. (l) not use alcohol () at all () excessively. (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. 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. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer. (p) participate in one of the following location restriction programs and comply with its requirements as directed. (i) Curfew. You are restricted to your residence every day () from to , or () as directed by the pretrial services office or supervising officer; or (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 approved in advance by the pretrial services office or supervising officer; or (iii) 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; or (iv) 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. Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

- (q) submit to the following location monitoring technology and comply with its requirements as directed:
- (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - (ii) Voice Recognition; or
 - (iii) Radio Frequency; or
 - (iv) GPS.
- (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (t) Surrender firearms to ISP within 48 hours and provide proof to pretrial services (including ammunition). Surrender FOID card to ISP within 48 hours and provide proof to Pretrial.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

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

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

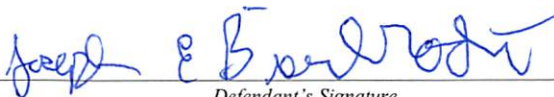
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

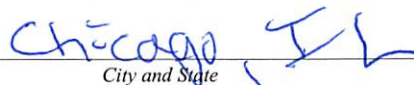
A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

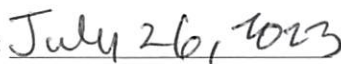


City and State

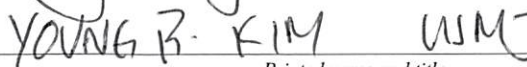
Directions to the United States Marshal

- The defendant is ORDERED released after processing.
- The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date:




Judicial Officer's Signature



Printed name and title

AO 98 (Rev. 12/11) Appearance Bond

UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

United States of America)

v.)

Joseph Bierbrodt)

Case No. 23 CR 421

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, Joseph Bierbrodt (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:

- (X) to appear for court proceedings;
(X) if convicted, to surrender to serve a sentence that the court may impose; or
(X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (X) (1) This is a personal recognizance bond.
(X) (2) This is an unsecured bond of \$ 10,000.
() (3) This is a secured bond of \$, secured by:
(a) \$, in cash deposited with the court.
(b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it - such as a lien, mortgage, or loan - and attach proof of ownership and value):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- () (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

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

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

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

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

Date: 07/26/2023


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



Signature of Clerk or Deputy Clerk

Date: July 26, 2023

Approved.

Date: July 26, 2023


Judge's signature

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

_____ District of _____

United States of America

v.

)

)

)

)

)

Case No.

Charging District:

Charging District's Case No.

Defendant

ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place:	Courtroom No.:
	Date and Time:

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: _____


Judge's signature

Printed name and title

TERMED

United States District Court
Northern District of Illinois - CM/ECF NextGen 1.7.1.1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:23-cr-00421 All Defendants
Internal Use Only

Case title: USA v. Bierbrodt

Date Filed: 07/26/2023

[Plea Filings](#)[Sentencing Filings](#)

Other court case number: 23-mj-180 USDC District of Columbia Date Terminated: 07/26/2023

Assigned to: Honorable Young B. Kim

Defendant (1)**Joseph Bierbrodt***TERMINATED: 07/26/2023*represented by **Seema Ahmad**

Federal Defender Program

55 East Monroe Street

Unit 2800

Chicago, IL 60615

(312) 621-8300

Email: seema_ahmad@fd.org*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

18:3146.F Failure to appear

Disposition**Plaintiff**

USA

represented by **AUSA - Chicago**

United States Attorney's Office (NDIL - Chicago)
 219 South Dearborn Street
 Chicago, IL 60604
 Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney



Pretrial Services



.

(312) 435-5793

Email:

ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov**ATTORNEY TO BE NOTICED***Designation: Pretrial Services*

Date Filed	#	Docket Text
07/26/2023		ARREST of defendant Joseph Bierbrodt (rp,) (Entered: 07/26/2023)
07/26/2023	<u>1</u>	RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Young B. Kim as to defendant Joseph Bierbrodt (rp,) (Entered: 07/26/2023)
07/26/2023	<u>2</u>	ORDER as to Joseph Bierbrodt: Initial appearance and removal proceedings held. Defendant appeared in response to his arrest on July 26, 2023. The court finds that Defendant is unable to afford counsel. Enter order appointing Attorney Seema Ahmad of the Federal Defender Program as attorney for Defendant. The court advised Defendant of his rights. Defendant waived his rights to an identity hearing. The government and Defendant agreed on certain conditions of release. Enter Order Setting Conditions of Release. Defendant must be released after processing. Defendant ordered removed to the District of Columbia. Enter Order Requiring Defendant to Appear in the District Where Charges are Pending and Transferring Bail. Defendant is further ordered that he must comply with his conditions of his release during the pendency of his criminal case in the District of Columbia (No. 1:23-mj-00180). Defendant is ordered to file a status report by July 31, 2023, advising the court whether he wishes to schedule a preliminary examination hearing in the Northern District of Illinois or the District of Columbia or to waive his right to such a hearing. Signed by the Honorable Young B. Kim on 7/26/23. Mailed notice (rp,) (Entered: 07/26/2023)
07/26/2023	<u>3</u>	ORDER Appointing Counsel Seema Ahmad. Signed by the Honorable Young B. Kim on 7/26/23. Mailed notice (rp,) (Entered: 07/26/2023)
07/26/2023	<u>4</u>	ATTORNEY Appearance for defendant Joseph Bierbrodt by Seema Ahmad (rp,) (Entered: 07/26/2023)
07/26/2023	 <u>5</u>	FINANCIAL Affidavit filed by Joseph Bierbrodt (SEALED) (rp,) (Entered: 07/26/2023)
07/26/2023	 <u>6</u>	ORDER Setting Conditions of Release as to Joseph Bierbrodt in amount of \$ 10,000.00, Own Recognizance. Signed by the Honorable Young B. Kim on 7/26/23. Mailed notice (rp,) (Entered: 07/26/2023)

07/26/2023	 7	APPEARANCE Bond as to Joseph Bierbrodt in the amount of \$ 10,000.00. (rp,) (Entered: 07/26/2023)
07/26/2023	8	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Defendant Joseph Bierbrodt committed to District of Columbia. Signed by the Honorable Young B. Kim on 7/26/23. Mailed notice (rp,) (Entered: 07/26/2023)
07/26/2023		(Court only) ***Terminated defendant Joseph Bierbrodt. (rp,) (Entered: 07/26/2023)
07/26/2023	9	CERTIFIED and Transmitted to District of Columbia via email the record consisting of the transmittal letter as to Joseph Bierbrodt. (rp,) (Entered: 07/26/2023)