

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No: 21-CR-28 (APM)
	:	
JOSHUA JAMES,	:	
<i>Defendant</i>	:	

MOTION FOR REVOCATION OF DETENTION ORDER PURSUANT TO 18 USC § 3145 (B)

COMES NOW the accused, Joshua James, by counsel, and respectfully moves this Honorable Court to review the Order of Detention entered on March 11, 2021 by the United States Magistrate Court in Alabama, and to release Mr. James on conditions that are satisfactory to the Court. At the outset, it should be noted that none of the charges against Mr. James triggers the rebuttable presumption against bond. *See* 18 U.S.C. § 3142(e)(3)(C). Unlike ten of the other eleven defendants on the indictment, Mr. James is not accused or charged with destruction of government property, in violation of 18 U.S.C. § 1361.¹ This fact is significant because the Government has taken the position in prior pleadings² that a felony destruction of property offense triggers a rebuttable presumption of detention and because the charge of felony destruction of property — *unlike any of the charges Mr. James faces* — arguably entitles the Government to a detention hearing under § 3142(f)(2).

¹ The eleventh defendant, Roberto Minuta, was similarly not charged with destruction of government property. Mr. Minuta, who faces the same three charges that Mr. James does, was granted release on March 8, 2021.

² *See, e.g.* Government’s Supplemental Memorandum in Support of Pretrial Detention by USA as to Jessica Marie Watkins (docket entry 42).

To be clear, Mr. James was not among the individuals who vandalized windows, doors and other property at the United States Capitol or rifled through legislators desks on January 6, 2021. Nor was he among the “stack” of organized individuals who formed a human chain outside the Capitol and whom the Government has alleged forced their way into the Capitol. Nor did he cause injury to anyone or assault anyone³ — facts all conceded under oath by the federal agent who testified at Mr James’ preliminary hearing. In contrast to the other defendants, Mr. James enjoys a presumption in favor of release and should never have been subject to a detention hearing.

BACKGROUND

On March 8, 2021, the Government filed a Criminal Complaint under seal charging Mr. James with obstructing or impeding an official proceeding, in violation of 18 U.S.C. § 1512 (c) (2), 2, and with a misdemeanor charge of entering a restricted building or grounds, in violation of 18 U.S.C. 1752(a)(1) and (2). A sealed arrest warrant issued the same day. The affidavit in support of the criminal complaint generally alleged that Mr. James, while wearing items of clothing decorated with the Oath keepers patch, unlawfully entered the United States Capitol on January 6, 2021, thereby disrupting a Joint Session of the United States House of Representatives and the United States Senate convened in the Capitol building to certify the Electoral College vote of the Presidential Election. The affidavit further alleged that Mr. James was in contact with and was in the presence of other Oath Keepers before and after he allegedly unlawfully entered the Capitol. Notably absent from the affidavit was any allegation that Mr. James engaged in acts of violence, or threatening behavior, or intimidating behavior.

³ Tr. 9-10, 35, 38

On the morning of March 9, 2021 — one day after his sealed criminal complaint and arrest warrant were filed — Mr. James was arrested shortly after he left his home in Alabama (a home he shares with his wife and their three children) and drove to work. At his Rule 5 hearing later that same day, Mr. James waved his right to an identity hearing. The Government moved for detention and a detention hearing and preliminary hearing were scheduled for March 11, 2021.

On March 11, 2021, a preliminary hearing and detention hearing were conducted before Magistrate Judge Gray M. Borden in the Northern District of Alabama. The Government argued that detention was appropriate under 18 U.S.C. 3142(f)(2)(B). That section provides in relevant part:

(f) Detention hearing. The judicial officer shall hold a hearing to determine whether any condition or combination of conditions set forth in subsection (c) of this section will reasonably assure the appearance of the person as required and the safety of any other person and the community—

(2) upon motion of the attorney for the Government or upon the judicial officer's own motion, in a case that involves—

(B) a serious risk that the person will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.

At the conclusion of the hearing, the court ruled that Mr. James did not pose a flight risk — a fact conceded by the Government at the start of the hearing — but that he did pose a risk to the safety of the community due to Mr. James' history of PTSD, coupled with his access to lawfully owned firearms. Magistrate Borden also referenced the nature of the offense, strength of the evidence, and association with the Oath Keepers as factors supporting his conclusion. (Tr.

71-72).⁴ The court did not make a finding that Mr. James posed a serious risk of obstructing or attempting to obstruct justice, nor did it find that Mr. James posed a risk of threatening, injuring or intimidating a prospective witness or juror.

On March 31, 2021, the Government filed a third superseding indictment in the Criminal Case No. 1:21CR28. The indictment added defendants James and Minuta. Mr. James and Mr. Minuta are each charged with one count of conspiracy in violation of 18 U.S.C. § 371, one count of obstruction of an official proceeding and aiding and abetting in violation of 18 U.S.C. § 1512(c)(2), 2, and entering and remaining in a restricted building or grounds in violation of 18 U.S.C. § 1752(a)(1). Mr. Minuta was ordered released on March 8, 2021. Mr. James has been in custody in Alabama since his arrest on March 9, 2021. He now files this motion for revocation of the Magistrate Judge's detention order, pursuant to 18 U.S.C. § 3145(b).

II. Legal Standard

If a federal defendant is ordered detained by a U.S. Magistrate Judge, the defendant may seek review of that release order by filing, with the Court having original jurisdiction over the offense, a motion to revoke the order or amend the conditions of release. *See* 18 U.S.C. § 3145(b). The statute concerning review of a magistrate judge's release order does not address the standard of the district court's review and this Circuit has not squarely decided the issue. *See United States v. Munchel*, Nos. 21-3010, 21-3011, 2021 U.S. App. LEXIS 8810, at *14 (D.C. Cir. Mar. 26, 2021). However, every circuit that has considered the issue has concluded that a district court should review a magistrate judge's release or detention order *de novo*. *See United States v. Chrestman*, No. 21-mj-218 (ZMF), 2021 U.S. Dist. LEXIS 36117, note 5 (D.D.C. Feb. 26, 2021)

⁴ Because counsel has quoted and summarized from the March 11, 2021 hearing in Magistrate Court, counsel has attached the complete transcript of that proceeding.

(providing a breakdown of the circuits that have addressed the issue). Multiple decisions from this Court have reached the same conclusion. *See, e.g., United States v. Johnston*, No. 17-MJ-0046 (BAH), 2017 U.S. Dist. LEXIS 159461, at *8 (D.D.C. Sep. 28, 2017); *United States v. Hudspeth*, 143 F. Supp. 2d 32, 36 (D. D.C. 2001); *United States v. Weissberger*, 951 F.2d 392, 395 (D.C. Cir. 1991).

III. Legal Argument

Our criminal justice system embraces a strong presumption against detention. *United States v. Ali Muhamed Ali*, 793 F. Supp. 2d 386, 387 (D.D.C. 2011). “In our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” *United States v. Gloster*, 969 F. Supp. 92, 96-97 (D.D.C. 1997) (quoting *United States v. Salerno*, 481 U.S. 739, 755 (1987)).

A. DETENTION IS NOT AUTHORIZED UNDER THE BAIL REFORM ACT FOR THE CHARGED OFFENSES IN THE INSTANT CASE

In *United State v. Salerno*, 481 U.S. 739 (1987), The Supreme Court recognized that The Bail Reform Act limits pretrial detention of persons who are presumed innocent to a small subset of defendants charged with crimes that are “the most serious” compared to other federal offenses. *Id. at 747*.

Detention until trial is relatively difficult to impose. First, a judicial officer must find one of six circumstances [enumerated in 18 U.S.C. § 3142(f)] triggering a detention hearing. ... Absent one of these circumstances, detention is not an option. *See, e.g., United States v. Ploof*, 851 F.2d 7, 11 (1st Cir. 1988). Second, assuming a hearing is appropriate, the judicial officer must consider several enumerated factors to determine whether conditions short of detention will “reasonably assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(g).

United States v. Singleton, 337 U.S. App. D.C. 96, 182 F.3d 7, 9 (1999); *see United States v. Salerno*, 481 U.S. 739, 750 (1987) (“The [Bail Reform] Act operates only on individuals who have been arrested for a specific category of extremely serious offenses. 18 U. S. C. § 3142(f). Congress specifically found that these individuals are far more likely to be responsible for dangerous acts in the community after arrest.”).

For a court to detain a defendant pending trial, one of six (6) factors enumerated in 18 U.S.C. §§ 3142(f)(1) and (2) must be satisfied.

i) Mr. James’s Charges Do Not Involve a Crime Specified in 18 U.S.C. § 3142(f)(1)

Section 3142(f)(1) describes a class of cases that permits pretrial detention including crimes of violence; sexual abuse cases; offenses where the maximum sentence is life or death; serious drug felonies; where the defendant is a serious recidivist; offenses involving child victims; and offenses listed in 18 U.S.C. 2332b(g)(5)(B) with a maximum sentence of ten years or more. None of the charges against Mr. James involves a crime specified in 18 U.S.C. § 3142(f)(1). In this respect, Mr. James’ case is distinguishable from each of the earlier defendants on the indictment who have sought bond review before this Court.

ii) Mr. James’s Case Does Not Involve a Risk Factor Specified in 18 U.S.C. § 3142(f)(2)

The Government may also seek detention pursuant to 18 U.S.C. § 3142(f)(2) if: (1) there is a serious risk the person will flee; or (2) there is a serious risk that the person will “obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.” 18 U.S.C. § 3142(f)(2). In Mr. James’s case, the magistrate judge found that he did *not* pose a flight risk (Tr. 69) and the Government candidly conceded this fact on the record (Tr. 4). There is overwhelming evidence to support this.

Retired Specialist Joshua Adam James honorably served our country in the United States Army for four years before medically retiring. His service to our country included a tour in Iraq where, prior to his 20th birthday, he sustained life threatening injuries in a series of bombings. He was airlifted to a medical facility and eventually had to undergo multiple reconstructive facial surgeries. He is a Purple Heart Recipient and receives disability.

Now 33 years old, Mr. James and his wife have three children⁵, the youngest of whom is just three years old. Mr. James and his family live in Alabama. As repeatedly documented in the nearly 20 letters in support of his release, Mr. James and his wife are both actively involved and well respected members of their community. Mr. James's involvement in his community ranges from tasks as simple as helping neighbors with car problems,⁶ to his involvement in his children's school and sports activities,⁷ to volunteering his time to assist hurricane damaged communities.⁸ Even after January 6, 2021, Mr. James continued to volunteer his time and provide disaster relief efforts by driving a truck full of supplies (diapers, water filtration, paper towels, food and clothing) to Fultondale, Alabama in the aftermath of a tornado and by serving as an overnight security guard to an impacted business to prevent theft and looting.⁹ While engaging in these efforts, he was in contact with local law enforcement to advise them of his willingness to be of service.

⁵ Two of their children are from Mrs. James's first marriage; the youngest child is from Mr. and Mrs. James's union.

⁶ See A. Terrell letter.

⁷ See, e.g. J. Shipp and J.B. Cullman letters.

⁸ See, e.g. M. James, J. Poirier, and R. Levy letters.

⁹ For an account of the tornado, see Errol Barne, "Deadly tornado leaves path of destruction in Alabama," CBS News, Jan. 26, 2021, available at <https://www.cbsnews.com/news/alabama-tornado-fultondale-casualties>. (last viewed April 6, 2021).

For the past three years, Mr. James has owned and operated his own successful small business, providing power washing and gutter cleaning services to commercial and residential clients. His company, American Pro Hydro Services, has a five star, 100% recommended rating on [homeadvisor.com](https://www.homeadvisor.com). Among the 79 positive reviews, customers commented: “did a fantastic job, was here when he said he would be, always replied to answer my questions”; “Joshua made sure everything was right with me before he left. Always on time”; “they were very personable, showed up on time and the work they did was outstanding”; “Josh called to let me know he was running a little late but showed at the time he told me. He went straight to work cleaning the cement steps of leaves... After he finished he made sure I was happy with his work. ... He does what he says he will do and provides excellent work”; “Joshua was very personable, knowledgeable, and did an excellent job cleaning our gutters and roof... as military retirees with 55 years total service, we are very pleased to be using the services of a fellow veteran!”; “Joshua and his helper were on time, a little early, in fact, called before coming, did a super job, were very courteous, cleaned up anything that needed cleaning up, will hire them again”; “The owner operator worked very hard and did an amazing job. His knowledge and professionalism is a credit to the younger professionals today. I will use them again and would recommend them to anyone needing these services. He is also a veteran and I appreciated the work he did for our country and for my home.”¹⁰

Just as Mr. James does not pose a flight risk, neither does he pose a risk of obstructing or attempting to obstruct justice, or of threatening, injuring or intimidating a prospective witness or juror. *See* 18 U.S.C. § 3142(f)(2). First and foremost, there is no evidence that Mr. James threatened, injured or intimidated anyone before, during or after the events of January 6, 2021.

¹⁰ *See* Home Advisor reviews

Moreover, in light of the fact that agents made no effort to arrest him until three months later, he had ample opportunity to engage in such efforts had that been his intention. Finally, unlike some of other defendants,¹¹ there is no indication that Mr. James engaged in efforts to destroy evidence. When law enforcement conducted a search of his home, they seized multiple Oath Keeper related items. Finally, Mr. James's forthright interview with Pretrial Services in Alabama, where he voluntarily disclosed sensitive personal information that was not otherwise known, further demonstrates his candor and supports the conclusion that he does not pose a risk of engaging in obstructive tactics.

B. HAD THE GOVERNMENT BEEN ENTITLED TO SEEK DETENTION ON THESE CHARGES UNDER § 3142(F), DETENTION WOULD STILL HAVE BEEN INAPPROPRIATE BECAUSE CONDITIONS SHORT OF DETENTION WILL "REASONABLY ASSURE THE SAFETY OF ANY OTHER PERSON AND THE COMMUNITY."

In cases where a detention hearing is authorized under 18 U.S.C. § 3142(f), the Court must then determine whether "any condition or combination of conditions ...will reasonably assure the appearance of the person as required and the safety of any other person and the community." *Id.* As discussed above, the magistrate judge determined that Mr. James posed no risk of flight, but instead a danger to the community.

In assessing whether pretrial detention is warranted for dangerousness, the district court considers four statutory factors: (1) "the nature and circumstances of the offense charged," (2) "the weight of the evidence against the person," (3) "the history and characteristics of the person," and (4) "the nature and seriousness of the danger to any person or the community that would be posed by the person's release." 18 U.S.C. § 3142(g)(1)-(4). To justify detention on the basis of dangerousness, the government must prove by "clear and convincing evidence" that "no condition or combination of conditions will reasonably assure the safety of any other person and the community." *Id.* § 3142(f). Thus, a defendant's detention based on dangerousness accords with due

¹¹ See, e.g. Government's Supplemental Opposition to Defendants' Kelly Meggs and Connie Meggs Renewed Requests for Pretrial Release (docket entry 106) (alleging destruction of physical evidence).

process only insofar as the district court determines that the defendant's history, characteristics, and alleged criminal conduct make clear that he or she poses a concrete, prospective threat to public safety.

United States v. Munchel, Nos. 21-3010, 21-3011, 2021 U.S. App. LEXIS 8810, at *12-13 (D.C. Cir. Mar. 26, 2021). The threat posed must be clearly identified and considered in context. *Id.* at *20. Finally, whether a defendant poses a particular threat depends on the nature of the threat identified and the resources and capabilities of the defendant.

i) Nature and Circumstances of the Offense Charged and Strength of the Evidence

Mr. James is charged with two felony offenses (obstruction of an official proceeding and conspiracy) and one misdemeanor (entering and remaining in a restricted building and grounds). None of his charges are crimes of violence and none of the elements require proof of force. At the preliminary and detention hearing, the Government conceded and a federal agent testified that there was no evidence of Mr. James hitting or assaulting anybody. (Tr. 9-10). To the contrary, Mr. James came to the aid of at least one law enforcement member on January 6. Nor did Mr. James participate in the “stack” of individuals (depicted in photographs on p. 6 of the affidavit), whom the Government alleges forcefully entered the Capitol at 2:40pm. In contrast, Mr. James is not alleged to have entered the building until 3:15 p.m. and the indictment suggests that he exited mere minutes later.

Although the hyperbolic language in the affidavit and indictment allege that Mr. James “forcefully stormed” the Capitol, that allegation is devoid of supporting evidence. In fact, none of the photographic evidence in the affidavit supports that claim. To the contrary, each of the photographs of Mr. James show him either standing still or casually walking with his arms down by his sides. Tellingly, in one of the photographs (affidavit p.15). that the Government labeled

“in a Capitol hallway,” Mr. James appears to be standing next to a police officer whose hands are down by his sides and who appears to be making no effort to prevent individuals from coming or going. This is in contrast to an allegation contained in the Indictment that Mr. James “pushed past U.S. Capitol Police” — an allegation that is missing from the affidavit and inconsistent with the sworn testimony of the federal agent who testified at Mr. James’s preliminary and detention hearing. In comparison to Mr. James’s conduct, Mr. Minuta — who was granted release — videotaped himself taunting police and was photographed “stepping toward and waving his arms at law enforcement officer in riot gear guarding the building.” Affidavit ¶36.

With respect to the conspiracy count against Mr. James, the indictment details various phone calls that Mr. James placed or received to alleged Oath keeper affiliates leading up to and during the events of January 6, but it fails to provide any information whatsoever regarding the content of those phone calls. Importantly, Mr. James was present in Washington, D.C. on the 5th and the 6th to provide security detail for high profile speakers and lawful participants in the events. There is nothing illegal about providing personal security detail. The agent who testified at the preliminary and detention hearing acknowledged as much. (Tr. 40) The fact that Mr. James was in contact with other alleged Oath keeper affiliates (who were also providing or assisting with security detail) is neither surprising nor criminal. Additionally, a quick search of the Signal chats referenced by the Government in the indictment reveals that much of the content that allegedly involves Mr. James is related to providing personal security detail teams (“PSD”) to protect speakers and other high profile demonstrators exercising their First Amendment rights. Upon information and belief, Mr. James was not a party to any of the Zello application chats on the “Stop the Steal” channel referenced in the charging documents.

ii) Strength of the Evidence

Assuming, without conceding, that the evidence is sufficient to place Mr. James inside the Capitol, that does not amount to proof that he obstructed or conspired to obstruct an official proceeding. This is particularly true in light of the fact that Mr. James is not alleged to have entered the building until 3:15 p.m., roughly 35-40 minutes after the building was breached, and it is suggested that he exited mere minutes later. Moreover, none of his communications reveal an intention on his part to interfere with the Joint Session's certification of the electoral college vote. To the contrary, his communications and his intentions were focused on providing security detail for speakers and demonstrators at the events.

iii) Personal History and Characteristics

Retired Specialist Joshua James is a beloved husband, father, valued member of his community, successful small business owner, Army combat veteran and Purple Heart recipient. He is 33 years old and has no prior criminal convictions. Those who know him best describe him in their letters to this Court as honorable, trustworthy, hardworking, and never hesitant to lend a hand to those in need.¹² His service to his community is documented time and again throughout the letters provided to the Court, perhaps most notably in those letters that discuss his disaster relief volunteer efforts. The same admirable traits that his friends and family speak to in their letters to the Court are also evident among the dozens of positive online reviews written by customers of his small business. In the words of his wife, Audrey James, “[h]e is our Veteran, chef, provider and our protector.” In sum, he is a man this Court can count on to comply with any and all conditions of release.

¹² See letters from family and friends in support of release.

iv) Nature and Seriousness of the Danger to Any Person or The Community that Would Be Posed By the Person's Release.

In his interview with Pretrial Services in Alabama, Mr. James candidly discussed his prior PTSD diagnosis, which in the past has caused him to experience symptoms of anxiety and depression. He disclosed that on two prior occasions years ago, he voluntarily sought treatment and stayed overnight at a V.A. facility when he was feeling distraught. In the report, those admissions are somewhat misleadingly characterized as hospitalizations. At the detention hearing, neither the Government nor the defense addressed this information in their argument and the magistrate court made no inquiries about it. Nevertheless, the court focused in large part on this piece of information, coupled with Mr. James's lawful ownership of firearms, to support its conclusion of dangerousness. The court did this despite the fact that Mr. James has no history of violent behavior and no history of mishandling firearms. Moreover, on this important point the court seemingly failed to consider the sworn testimony of Mr. James's wife that she would remove the firearms from the home "in a heartbeat" if the court were to order that as a condition of Mr. James's release. (Tr. 53) True to her word, Ms. James has proactively had all firearms removed from the home and placed into a storage facility. There are two sets of keys to the storage space, both of which she gave to a trusted friend. Her friend, Mr. Scheffeld, has agreed to make one set of keys available to Pretrial Services so that they may inspect the storage space at will. Both Mrs. James and Mr. Scheffeld have signed notarized affidavits advising the Court of the same.¹³

Finally, with respect to Mr. James's prior PTSD diagnosis, he will gladly abide by any mental health conditions imposed by the Court and he has already arranged to have an intake

¹³ See Exhibit "affidavits regarding removal of firearms"

appointment for a mental health evaluation at a V.A. facility near his home in Alabama. The appointment, which undersigned counsel has confirmed, is scheduled for Tuesday, April 13, 2021 at 10:00 a.m.

IV. Conclusion

For all of the foregoing reasons, and for any additional reasons that may be cited at a hearing on the matter, Mr. James respectfully moves this Court to revoke the Magistrate Judge's detention order.

Respectfully submitted,

/s/

Joan C. Robin
Virginia Bar No. 44502
Pro Hac Vice Application Pending
Law Office of Joni C. Robin, PLLC
114 North Alfred Street
Alexandria, Virginia 22314
Ph: 703-349-1111
Fax: 571-279-6851
joni@jonirobinlaw.com

/s/

Christopher Leibig, Esq.
Virginia Bar No. 40594
Counsel for Defendant
114 N. Alfred Street
Alexandria, Virginia 22314
(703) 683 4310
chris@chrisleibiglaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of April, 2021, I will electronically file the foregoing Notice with the Clerk of Court using the CM/ECF system, which will then send a notification of said filing (NEF) to counsel of record.

_____/s/_____
Joan Robin

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Government

V.

CASE NO. 2:21-mj-67-GMB

JOSHUA A. JAMES

Defendant

TRANSCRIPT OF PRELIMINARY AND DETENTION HEARING

BEFORE HONORABLE GRAY M. BORDEN
UNITED STATES MAGISTRATE JUDGE

March 11, 2021
Birmingham, Alabama

The proceedings were reported by a stenographic court reporter.
The transcript was produced using computer-aided transcription.

Margaret Wasmund, RDR, CRR, CRC
Federal Official Court Reporter
1729 5th Avenue North, Suite 104
Birmingham, Alabama 35203
margaretwasmund@gmail.com/601-329-6113

APPEARANCES:

REPRESENTING THE GOVERNMENT:

Henry B. Cornelius, Jr., Esquire
U.S. Attorney's Office
1801 4th Avenue North
Birmingham, AL 35203

REPRESENTING THE DEFENDANT:

Kevin L. Butler, Esquire
Glennon F. Threatt, Jr., Esquire
Federal Public Defender's Office
505 20th Street North, Suite 1425
Birmingham, AL 35203

ALSO PRESENT:

Joshua A. James, Defendant
Paul Jones, FBI
Jasmine Lumzy, Paralegal
Jack Harrington

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1 (March 11, 2021, 1:06 p.m.)

2 THE COURT: Good afternoon.

3 MR. CORNELIUS: Good afternoon, Your Honor.

4 THE COURT: We're on the record in 21-mj-67, United
5 States v. Joshua James. We're here for both a preliminary and
6 detention hearing. I'll note for the record as to detention
7 this is not a presumption case.

8 Is the government ready to proceed?

9 MR. CORNELIUS: Yes, Your Honor. Thank you.

10 THE COURT: Go ahead.

11 MR. THREATT: Yes. We're ready too, Your Honor.

12 THE COURT: You are too? Thank you.

13 MR. THREATT: Yes, sir.

14 MR. CORNELIUS: Your Honor, before we proceed, we
15 don't contend that the defendant is a flight risk, so -- as far
16 as we know, he has a stable home, a wife, and fully employed.
17 So this is just to kind of streamline issues for the court.
18 This is purely a dangerousness to the community argument.

19 THE COURT: Understood.

20 MR. CORNELIUS: Your Honor, would Your Honor prefer
21 that we -- in the way of the complaint affidavit, does the
22 court have a preference in terms of proffering the complaint
23 affidavit and having that be a matter of evidence, or do we
24 wish to hear from -- I've got a witness available if that's the
25 court's or defense counsel's preference.

1 THE COURT: I don't have any problem with the
2 proffer, but I'll ask Mr. Threatt whether he has an objection
3 to it.

4 MR. THREATT: Your Honor, I don't object to the
5 proffer, but I think that it may affect the weight that the
6 court gives to the evidentiary value of the evidence.

7 THE COURT: Certainly you may argue that.

8 But I'll receive it by proffer if that's your preference.

9 MR. CORNELIUS: Your Honor, I would like to offer the
10 Government's Exhibit Number 1, which is the complaint
11 affidavit. Without objection?

12 MR. THREATT: That's without objection.

13 THE COURT: All right. It's admitted.

14 (Exhibit G-1 admitted.)

15 MR. CORNELIUS: Thank you, Your Honor. And I would
16 like to -- I still would like to call a witness to go through
17 parts of it if that's acceptable.

18 THE COURT: Go ahead. Call your first witness.

19 MR. CORNELIUS: Paul Jones.

20 Your Honor, may he and I both remove our masks when I'm at
21 the lectern and he's in the witness box?

22 THE COURT: You may if you're more comfortable that
23 way.

24 MR. CORNELIUS: Thank you.

25 **PAUL JONES**

1 was thereupon called as a witness and, having first been
2 duly sworn, testified as follows:

3 THE COURTROOM DEPUTY: Please state your name for the
4 record.

5 THE WITNESS: Paul Jones.

6 **DIRECT EXAMINATION**

7 BY MR. CORNELIUS:

8 Q. Agent Jones, before we get into the -- some of the
9 evidentiary questions, for what comes later I'd like for the
10 court to be somewhat familiar with your military experience.
11 And before we get into that, you are an FBI agent assigned to
12 FBI's Birmingham Division; is that correct?

13 A. That's correct.

14 Q. And you're assigned to a counterterrorism squad; is that
15 right?

16 A. That's right.

17 Q. Before you became an FBI agent, you were in the Army; is
18 that right?

19 A. That's correct, I was.

20 Q. Tell the judge about your military experience, including
21 your MOS, and tell us all what that is, and what, if any,
22 specific groups you were a member of and your combat
23 experience. Thank you.

24 A. The last military rank I held was Sergeant First Class,
25 which is an E-7 rank. The last military MOS I held in the Army

1 was an 18 Fox, which is a special forces intelligence sergeant,
2 deployed to both Iraq and Afghanistan, among other places.

3 Q. So when you say special forces, that's the same thing as a
4 Green Beret that we would -- us civilians would probably call
5 it that?

6 A. Yes, sir.

7 Q. And how many combat deployments have you had overseas?

8 A. One to Iraq and two to Afghanistan.

9 Q. Because of that experience, have you become familiar with
10 things like paracord?

11 A. Yes, sir.

12 Q. Do you have a copy of the affidavit that was filed in
13 support of the criminal complaint filed in this case?

14 A. I do.

15 MR. CORNELIUS: And for the record, that's been
16 marked as Government's Exhibit Number 1. Some of this, Your
17 Honor, is well known, so I'd like a little bit of leeway in
18 terms of leading, just to kind of set the stage.

19 BY MR. CORNELIUS:

20 Q. Paul, tell us what happened, in your own words, on
21 January 6th up in D.C.

22 A. On January 6th, a joint session of the United States House
23 of Representatives and the United States Senate convened in the
24 Capitol Building to certify the vote of the Electoral College
25 of the 2020 presidential election.

1 Q. Am I correct that the Capitol is secured 24 hours a day?

2 A. It is, correct.

3 Q. And that joint session convened on January 6th at 1:00
4 p.m.; is that right?

5 A. That's correct. And Vice President Michael Pence presided
6 over that joint session.

7 Q. The purpose of that meeting was to certify the Electoral
8 College vote, correct?

9 A. Correct.

10 Q. And tell us what happened at around the same time outside
11 the Capitol that you've learned during your investigation.

12 A. I've learned that a large crowd began to gather outside
13 the Capitol perimeter. Members of that crowd eventually forced
14 their way through Capitol police barricades and advanced to the
15 Capitol Building's exterior facade. Capitol police officers
16 attempted to maintain order and stop the crowd from entering
17 the Capitol Building, to which the doors and windows were
18 locked or otherwise secured.

19 Nonetheless, shortly after 2:00 p.m. crowd members forced
20 entry into the Capitol Building by breaking windows, ramming
21 open doors, and assaulting Capitol police officers. Other
22 crowd members encouraged and otherwise assisted the forced
23 entry. The crowd was not lawfully authorized to enter or
24 remain inside the Capitol, and no crowd members submitted to
25 security screenings or weapons checks by Capitol police or

1 other security officials.

2 Q. At about 2:20 in the afternoon of January 6th, is it
3 correct that members of the House and the Senate, including the
4 Vice President of the United States, were evacuated from their
5 respective chambers?

6 A. That's correct. And then proceedings of the Congress were
7 halted while the Capitol police and other law enforcement
8 officers worked to restore order and clear the Capitol of the
9 unlawful occupants.

10 Q. And that's -- for the purposes of the elements of 1512,
11 that's important that the joint session and the entire official
12 proceeding of the Congress was halted, correct?

13 A. Correct.

14 Q. And finally, in terms of just establishing the context for
15 what we're doing here, is it correct that approximately
16 81 members of the Capitol police and 58 members of the
17 Metropolitan -- that is, D.C. Metropolitan Police Department
18 were assaulted?

19 A. That's correct.

20 Q. And that media members were assaulted and cameras and
21 other news-gathering equipment destroyed; is that right?

22 A. That's right.

23 Q. True though that is, you're not going to tell Judge Borden
24 any direct evidence that the defendant hit anybody, correct?

25 A. Correct.

1 Q. Or assaulted anybody; is that right?

2 A. That's right.

3 Q. Okay. It was -- am I right that, for lack of a better
4 word, it was the mob that did all of this; is that right?

5 A. That's right.

6 Q. And during the course of your testimony, is it going to
7 become clear that this defendant was part of that mob?

8 A. It will become clear, yes.

9 Q. I'd like to talk with you about this group called the Oath
10 Keepers. In your experience as an FBI agent and your work on
11 this case, have you heard of that group, the so-called Oath
12 Keepers?

13 A. I have.

14 Q. Tell us --

15 MR. CORNELIUS: And, Your Honor, this is in
16 paragraph 16 on page 5, just if you want to track along.

17 BY MR. CORNELIUS:

18 Q. Could you summarize for us what you know about the Oath
19 Keepers?

20 A. I understand the Oath Keepers to be a large but loosely
21 organized collection of individuals, some of whom are
22 associated with militias. Some members of the Oath Keepers
23 believe that the federal government has been co-opted by a
24 cabal of elites actively trying to strip American citizens of
25 their rights. Though the Oath Keepers will accept anyone as

1 members, they explicitly focus on recruiting current and former
2 military, law enforcement, and first responder personnel. The
3 organization's name alludes to the oath sworn by members of the
4 military and police to defend the Constitution from all
5 enemies, foreign and domestic.

6 Q. And you said -- I want to make sure I got this
7 correctly -- that though the Oath Keepers will accept anyone as
8 a member, they explicitly focus on recruiting current and
9 former military personnel; is that right?

10 A. That's right. That's my understanding.

11 Q. Skipping ahead, the defendant was in the military,
12 correct?

13 A. Yes.

14 Q. He was an infantryman, correct?

15 A. Correct. He was.

16 Q. And he served a combat tour in Iraq; is that correct?

17 A. He did.

18 Q. And he was wounded during that tour, correct?

19 A. He was, quite seriously.

20 Q. And he earned the Purple Heart fighting for our country;
21 is that right?

22 A. He did.

23 Q. Did you learn during the execution of a search warrant
24 that he was -- or otherwise that he was a member of the Oath
25 Keepers?

1 A. During the execution of a search warrant of Mr. James's
2 home, we found articles of clothing, documents, and other
3 paraphernalia that affiliated him to the Oath Keepers.

4 Q. And again, jumping a few steps ahead, as we -- during your
5 testimony today you're going to tell the judge about certain
6 patches that the defendant had on his clothing during the
7 events of January 6th, correct?

8 A. That's correct.

9 Q. All right. You told us about the Oath Keeper group a
10 moment ago, and you've told us that the defendant had clothing
11 demonstrating or suggesting an affiliation with the Oath
12 Keepers. I'd like to talk with you about whether or not the
13 Oath Keepers group called people to D.C. in advance of what was
14 hoped to be a peaceful transfer of power on January 6th. Is
15 that the case?

16 A. Yes, that is the case.

17 Q. Tell us, on January 4th -- well, before we go on, during
18 your investigation have you learned that there was a Person 1
19 involved in this set of facts?

20 A. Yes, I have.

21 Q. And that Person 1 leads the Oath Keeper group?

22 A. Yes, I've learned that.

23 Q. But the defendant's not Person 1. He doesn't lead the
24 whole group, correct?

25 A. That's correct.

1 Q. On January 4th, was there an article posted to the Oath
2 Keepers website about what to do in the following days?

3 A. Yes, there was.

4 Q. Tell us.

5 A. Person 1 posted stating, It is critical that all patriots
6 who can be in D.C. get to D.C. to stand tall in support of
7 President Trump's fight to defeat the enemies, foreign and
8 domestic, who are attempting a coup through the massive vote
9 fraud and related attacks on our republic. We Oath Keepers are
10 both honor bound and eager to be there in strength to do our
11 part.

12 Q. And we know that the defendant appeared in D.C., don't we;
13 is that right?

14 A. Yes, sir.

15 Q. Okay. The complaint affidavit at pages -- this is
16 paragraphs 18 through 20, paragraphs 6 and 7, describe a group
17 of individuals moving up and through the crowd on the east side
18 of the Capitol, Oath Keeper members, into the Capitol; is that
19 right?

20 A. That's right.

21 Q. And we're not here saying that the defendant was in that
22 group, that so-called stack of people, correct?

23 A. Correct. We're not saying he was a part of that group or
24 that particular formation of people.

25 Q. Those six or seven people, we're not -- he was not --

1 there's no evidence that he was in the middle of that group,
2 correct?

3 A. Correct.

4 Q. Of those particular Oath Keepers, right?

5 A. Correct.

6 Q. But as your testimony will unfold, is it true that he was
7 later seen with some of those people?

8 A. Yes. He was later seen with some of the people who were
9 in that stack formation.

10 Q. So the complaint affidavit at paragraphs 22 and 23
11 addresses some background information regarding the defendant,
12 correct?

13 A. It does, yes.

14 Q. I'd like to drill down on the following paragraphs. This
15 is going to be paragraphs 24, 25, 26, 27, and 28. Those
16 paragraphs describe FBI -- FBI's investigation regarding a
17 phone number; is that right?

18 A. That's correct.

19 Q. Okay. Tell the judge what FBI learned about the phone
20 number ending in 4304.

21 MR. CORNELIUS: And, Your Honor, this is at pages 9
22 and 10 of the complaint affidavit.

23 BY MR. CORNELIUS:

24 Q. Just kind of step by step what FBI learned.

25 A. Through various legal process, the FBI obtained records

1 from Facebook for Mr. James that showed that his Facebook
2 account had been verified using that 4304 phone number and a
3 Gmail address that included his name and birth year.
4 Additionally, the government obtained records from AT&T which
5 showed that that 4304 telephone number is registered to
6 Mr. James, and it listed a Gmail address that matched the Gmail
7 address associated with his Facebook account. Both of those
8 listed a home address for Mr. James in Arab, Alabama, the same
9 location that Mr. James's company, American Pro Hydro Services,
10 listed on its Facebook account.

11 Q. So is it fair to say that FBI had figured out that the
12 phone number that ends 4304 was subscribed to by the defendant?

13 A. Yes, that's correct.

14 Q. And now I'd like to direct your attention to the use of
15 the defendant's phone number to contact other Oath Keepers.
16 You understand?

17 A. Yes.

18 Q. Okay. What, if anything, did FBI learn -- and this is --
19 we're in paragraph 26 now. What, if anything, did FBI learn
20 about whether or not Mr. James's phone number had been in
21 contact with anybody in November and December 2020?

22 A. From records obtained via legal process, the FBI learned
23 that Mr. James, via that 4304 telephone number, exchanged a
24 number of telephone calls throughout November and December 2020
25 with a person who will be referred to in this complaint

1 affidavit as Person 5.

2 Q. And so events have been kind of dynamic over the past
3 few days. And is it true that Person 5, his last name is
4 Minuta, M-I-N-U-T-A?

5 A. To my understanding, yes, that's correct.

6 Q. So Mr. James is in touch with Person 5 or Mr. Minuta in
7 November and December of 2020. What about in early January?

8 Well, let me go back so that we can back up. Tell us
9 about the contacts -- specifically those contacts in
10 paragraphs 27 and 28. Tell the judge about those.

11 A. On November 13th and 14th of 2020, phone number ending in
12 4304 that had been previously attributed to Mr. James exchanged
13 approximately eight phone calls with a number associated with
14 Person Number 5. I'm aware from this complaint affidavit that
15 certain Oath Keepers attended rallies in Washington, D.C., held
16 on November 14th, at which some Oath Keepers, to include
17 Person 5, operated as a personal security detail for one or
18 more speakers at those events.

19 Q. And regarding November 20 and December 11, were there --
20 have you learned that there were additional rallies in D.C.
21 held on December 12 and that there were phone calls preceding
22 those rallies and protests?

23 A. Yes. I've learned that there was a rally held in D.C.
24 that certain Oath Keepers did attend on December 12th, 2020.
25 And on November 20th and December 11th of 2020, records

1 indicated that the phone number ending in 4304 exchanged
2 approximately two phone calls with Person 5.

3 Q. So is it fair to say that this -- and it's also true that
4 Person 5, FBI has learned, that on those dates, that being
5 November 14, 2020, and December 12, 2020, that Person 5, who is
6 an Oath Keeper, correct?

7 A. Correct.

8 Q. -- was in D.C. acting as a so-called personal security
9 detail for speakers at those events?

10 A. Correct.

11 Q. And that the defendant's phone was in touch with Person 5
12 either on those days or immediately preceding; is that correct?

13 A. Correct.

14 Q. Continuing on through the complaint affidavit, tell us
15 what FBI learned that's described in paragraph 29.

16 A. According to public statements made by Person 1, the Oath
17 Keepers were present in the vicinity of Washington, D.C., on
18 January 5 and 6, 2021, to provide security to VIPs at the
19 rallies and events that were scheduled for those days.

20 Q. Again, Person 1 is the leader of the Oath Keepers; is that
21 right?

22 A. That's right.

23 Q. So this is not described in the complaint, but do you know
24 from watching the news that people like Roger Stone, President
25 Trump's son, and other people were at these rallies -- former

1 President Trump's son were at these rallies on January 6th,
2 these so-called Stop the Steal protests?

3 MR. THREATT: Objection, Your Honor. What relevance
4 does that have to Mr. James?

5 THE COURT: Mr. Cornelius, could you help me with
6 where you're going with that question?

7 MR. CORNELIUS: I'll withdraw it for the time being,
8 Judge.

9 THE COURT: All right. Objection is sustained.

10 BY MR. CORNELIUS:

11 Q. Continuing through the complaint affidavit, Agent Jones,
12 tell us what FBI learned that's described in paragraph 30.

13 A. A person named Kelly Meggs --

14 Q. And before we go any further, is Kelly Meggs -- was she in
15 that east-side stack formation?

16 A. Yes. I understand that Kelly Meggs was a member of that
17 stack formation.

18 Q. And Ms. Meggs has since been indicted for her conduct,
19 correct?

20 A. Yes, correct.

21 Q. Okay. Continue.

22 A. Kelly Meggs asserted in messages sent to others before
23 January 5 and 6, 2021, that the Oath Keepers would be providing
24 security for speakers and VIPs at the events in Washington,
25 D.C., on these dates. As we previously mentioned, Kelly Meggs

1 is charged, in Case Number 21-cr-28, with being a member of the
2 stack of Oath Keepers members and affiliates who stormed the
3 Capitol on January 6th, 2021.

4 Q. And has FBI learned from its -- from legal process that
5 the defendant's phone was in touch with Ms. Meggs on
6 December 26, 30, and 31?

7 A. Yes. On those dates, the phone number ending in 4304
8 exchanged phone calls with a phone number associated with
9 Meggs.

10 Q. Okay. And paragraph 31. Tell us what FBI learned that's
11 described in paragraph 31.

12 A. On or around January 5th, 2021, that phone number
13 associated to Mr. James ending in 4304 exchanged approximately
14 six calls with a number associated with Person 5. That day,
15 Mr. James, Person 5, and other individuals wearing apparel with
16 the Oath Keepers' name and/or insignia provided security to a
17 speaker at the Stop the Steal events that were planned for that
18 day.

19 Q. Now, to address -- go back to the objection a moment ago,
20 have you seen video of security, quote-unquote, being provided
21 for anybody in D.C. on that date?

22 A. Yes. I have watched a video of Oath Keepers providing
23 security to Roger Stone on that date.

24 Q. And what, if anything, can you tell us about whether the
25 defendant was -- is seen in that video?

1 A. I observed a man driving a golf cart in that video who was
2 wearing the same apparel and accessories that we identified
3 Mr. James with on January 6th.

4 Q. Including -- and we're going to get to the videos in a
5 moment, but a baseball cap with an Oath Keepers insignia on it;
6 is that right?

7 A. That's correct.

8 Q. A paracord attachment; is that correct?

9 A. That's correct.

10 Q. All right. So you saw video of the defendant driving a
11 golf cart with Roger Stone.

12 A. Correct.

13 Q. I'd like to focus in even greater detail now on the
14 following paragraphs. And I'm going to ask you to describe to
15 the court the various pictures and why they're important as we
16 proceed through this next phase of your examination. First of
17 all, on paragraph 32 and page 11, does that paragraph describe
18 the following photograph?

19 A. It does, yes.

20 Q. All right. And so you -- we alluded to this a moment ago,
21 but tell us what's important about the figure circled in red
22 there.

23 A. In the photograph following paragraph 32, Mr. James is one
24 of the individuals present in that photograph. He's equipped
25 with a light-colored paracord attachment on his right backpack

1 shoulder strap, an Oath Keepers baseball cap, a black neck
2 gaiter around his neck, a black long-sleeved top with an Oath
3 Keepers patch on the sleeve, a backpack, and brown tactical
4 gloves.

5 Q. Now, just for kind of context, is it -- am I right that
6 this group of individuals has not arrived at the Capitol -- I
7 mean, they're in the Capitol region, but they're not on the
8 Capitol grounds at this point, correct?

9 A. Correct. This photograph is not on the Capitol grounds.

10 Q. Okay. Tell us the significance of the photograph
11 referenced in or described in paragraph 33.

12 A. In paragraph 33 we're describing -- or, correction, the
13 affidavit describes a publicly available photograph that
14 depicts Mr. James standing with four of the same Oath Keepers
15 and associates that were seen in the previous photograph, as
16 evidenced by their consistent attire and equipment. In the
17 photograph described by paragraph 33, Mr. James is standing on
18 the far left, operating what appears to be a mobile phone. And
19 he and that paracord attachment are circled in red in that
20 photograph.

21 Q. And this is not described in the affidavit, but the
22 remaining -- we're sticking with that photograph. The
23 person -- from our perspective, the person to Mr. James's
24 right, do you have a judgment about who that person is?

25 A. Yeah. I believe that person to be Person 5.

1 Q. And these pictures were all taken on January 6th
2 immediately preceding the siege of the Capitol; is that right?

3 A. That's correct.

4 Q. I mean, not immediately, like, two minutes, but preceding
5 the storming of the Capitol, right correct?

6 A. Correct.

7 Q. All right. Same thing with paragraph 34 and the picture
8 therein. What's the importance of that?

9 A. In this photograph Mr. James is with three of the same
10 Oath Keeper affiliates in an area that appears to be closer to
11 the Capitol grounds. In this photograph Mr. James is circled
12 in red, standing on the right, with his paracord attachment,
13 which is also circled in red, Oath Keepers gear, and tactical
14 gloves.

15 Q. Continuing down to paragraph 35 and the actual storming of
16 the Capitol, what, if anything, did FBI learn about the entry
17 into the -- immediately before the entry into the Capitol
18 regarding Person 5's conduct? And this will be continuing over
19 to the next page.

20 A. So on January 6th, 2021, James and other Oath Keepers
21 stormed the Capitol, forcing a halt to the certification of the
22 Electoral College vote. Photographs and video from that day
23 capture Mr. James, together with other Oath Keepers, on the
24 east side of the Capitol Building, where Person 5 aggressively
25 taunted and berated law enforcement officers who were guarding

1 the building.

2 In the photograph that follows, paragraph 36, Mr. James is
3 circled in red, and his paracord attachment is also circled in
4 red. Person 5 can be seen stepping toward and waving his arms
5 at law enforcement officers, who are in riot gear, guarding the
6 building.

7 Q. I want to ask you two questions about this picture,
8 keeping in mind the previous pictures. Do you have a judgment
9 about whether some of the people, some of the Oath Keepers in
10 this picture, whether the defendant had been with them earlier
11 in the moments or minutes before this picture was taken?

12 A. Yes. I believe Mr. James is with some of the same Oath
13 Keeper individuals that he was seen with in previous
14 photographs.

15 Q. That dog, for instance, in the lower left-hand corner was
16 in the previous two pictures, correct?

17 A. Correct.

18 Q. That's the first question. The second question is this:
19 The affidavit describes the officers being berated, correct?

20 A. Correct.

21 Q. This still photo, have you seen the video from which the
22 still photo was taken?

23 A. I have seen the video, yes.

24 Q. Tell the judge about it.

25 A. In the video, I perceived Person 5 to be very aggressively

1 berating and taunting the police officers that were guarding
2 the Capitol. I observed him to look very agitated and angry as
3 he was gesturing and shouting towards the police officers.

4 Q. And the defendant is standing right there when that
5 happened, correct?

6 A. Correct.

7 Q. So tell us what we know about whether or not the
8 defendant's cell phone -- well, let me back up. We know he's
9 standing outside the Capitol here, correct?

10 A. Correct.

11 Q. On the east side. What do we know about whether or not
12 his phone and the defendant actually made it inside the
13 Capitol?

14 A. According to records obtained through a search warrant
15 which was served on AT&T, the cell phone associated with the
16 number ending in 4034 was identified as having used a cell site
17 consistent with providing service to a geographic area that
18 includes the interior of the United States Capitol Building on
19 January 6th, 2021, the day of the attack on the Capitol.

20 Q. And continuing over, we don't have to rely on cell phone
21 records. We have a picture, don't we, on page 15?

22 A. Correct. On the picture that's described above the
23 picture in the complaint affidavit in paragraph 38 depicts
24 James unlawfully inside the Capitol Building.

25 Q. And does that picture show the same Oath Keeper baseball

1 cap, the same paracord attachment?

2 A. It does. Mr. James is wearing the same black hat with the
3 Oath Keepers tab on the hat, and also visible is the same
4 paracord attachment attached to his right backpack strap.

5 Q. All right. Continuing over to page 16, tell us what these
6 still photographs -- what's important about them.

7 A. These two photographs are described by paragraph 39. It
8 is from publicly available video which captured Mr. James
9 inside the Capitol Building. In these photographs, he's
10 wearing the same dark-colored baseball hat with light-colored
11 Oath Keepers patch that was seen in previous photographs. The
12 paracord attachment on Mr. James' right backpack shoulder strap
13 and the light-colored Oath Keepers patch on his sleeve are
14 visible when Mr. James turns to his left to exit the Capitol
15 Building. In both of the screenshots that are described by
16 paragraph 39, Mr. James is circled in red in the first
17 photograph, and the paracord attachments and patch are circled
18 in red in the second photograph.

19 Q. And the patch is the Oath Keeper's patch, correct?

20 A. That's right.

21 Q. Before we move on, we've talked about this paracord
22 attachment. Tell the judge what that is. I mean, we don't
23 have to spend an hour on it, but tell the judge what that is.

24 A. A paracord is also commonly known as 550 cord. It is a
25 tool of utility that's used by many members of the military for

1 many different applications, for anything from using it as
2 bootlaces for the boots that you would wear in the field to --
3 you know, again, an item of utility that you would keep in your
4 backpack to erect a small shelter, secure things.
5 Additionally, it is a popular item that would be used in a
6 survivalist kit or something else of that means as well.

7 Q. Now, continuing over to page 17 and paragraph 40, I'd like
8 to summarize this for the judge without reading it word for
9 word, kind of the -- what's important about this paragraph?

10 A. After the attack on the U.S. Capitol Building, Mr. James
11 and other Oath Keepers who stormed the Capitol gathered
12 together outside the Capitol near the east entrance where
13 Mr. James had previously congregated, along with Person 5.
14 From publicly available videos, I've seen that after he stormed
15 the Capitol, Mr. James congregated with charged and uncharged
16 individuals that were affiliated with the Oath Keepers, many of
17 whom had also stormed the Capitol, and some of whom James had
18 acted with throughout January 5th and 6th of 2021.

19 Q. So in the group of Oath Keepers that he's congregating
20 with, Ms. Meggs -- and by the way, this is in the photograph
21 that appears on page 18, correct?

22 A. Correct.

23 Q. So Ms. Meggs, who had been in that stack formation, which
24 even though the defendant wasn't in the stack, now after they
25 left the Capitol, he's in a group with her, correct?

1 A. Correct.

2 Q. And there were two other Oath Keepers -- this is the
3 second bullet point on page 17. There were two other Oath
4 Keepers that were also part of the stack, and they're in the
5 same group, correct?

6 A. Correct.

7 Q. After they had stormed the Capitol?

8 A. Correct.

9 Q. And then four other Oath Keepers who had been with
10 Mr. James throughout the day's events, including Person 5, were
11 also hanging out in this group; is that right?

12 A. That's correct.

13 Q. And Kelly Meggs, who has also been charged and was also
14 part of that group, was also part of this after-action meeting
15 here; is that right?

16 A. Correct.

17 Q. And in the picture there, according to the affidavit, the
18 defendant was talking to Person 5 again; is that right?

19 A. That's correct.

20 Q. This will be it for the affidavit. Moving on to page 19,
21 paragraph 42, is it correct that after the events, after the
22 siege of the Capitol, that the defendant's phone was in touch
23 by voice and text with Person 5; is that right?

24 A. Yes. That's correct.

25 Q. And that in February of 2021, the defendant's phone had

1 been in touch with Kelly Meggs; is that correct?

2 A. That's correct.

3 Q. And Kelly Meggs was a member of that stack formation who
4 has since been charged?

5 A. That's correct.

6 Q. So to summarize, before we move on to the search warrant
7 that we're going to talk about next, there was an official
8 proceeding in Congress, right?

9 A. Correct.

10 Q. And that was to certify the results of the presidential
11 election?

12 A. That's correct.

13 Q. The defendant was part of this -- I'm not trying to be
14 pejorative -- group of people that stormed the Capitol,
15 correct?

16 A. That's correct.

17 Q. And as a result of the Capitol being stormed, that
18 official proceeding -- that is, the Congress certifying who was
19 going to be our next president -- had to be stopped.

20 A. That's correct. It was stopped.

21 Q. Did FBI serve a search warrant at the defendant's home --
22 strike that. Did FBI arrest the defendant earlier this week?

23 A. Yes. The FBI arrested Mr. James earlier this week.

24 Q. And am I correct that even though you had an arrest
25 warrant and you could have -- and a search warrant, and you

1 could have knocked in his door, where his wife and his
2 three-year-old child were or might have been, y'all chose to do
3 it differently, correct?

4 A. That's correct. We arrested Mr. James away from his home.

5 Q. And what, if anything, did the defendant tell you he
6 thought about the way you handled your business that day?

7 A. Mr. James was grateful that we had arrested him away from
8 his home and away from his family.

9 Q. And did you visit with the defendant on your way down here
10 to the courthouse about your shared combat experience?

11 A. That's correct. We did talk about some of our shared
12 military experiences, yes.

13 Q. You took him out of his handcuffs for that hour and a half
14 drive and put him in belly chains so the ride would be more
15 comfortable; is that correct?

16 A. That's correct.

17 Q. Now, while you were doing that, other members of the team
18 were searching the home for, among other things, a cell phone;
19 is that right?

20 A. That's right.

21 Q. While you were at the defendant's home, did your FBI
22 colleagues find any firearms? And if so, tell the judge about
23 it.

24 A. The search team did identify and find several firearms at
25 the residence, as well as ammunition.

1 Q. And go slow down here because I don't have this written
2 down, so I want to write it down, please. Guns and ammo that
3 were found at his house.

4 A. Yes. Among the firearms that were found, there was a
5 shotgun, a hunting rifle, approximately three AR-15-style
6 rifles, and approximately two pistols. I'm aware that there
7 was also a can of 5.56 or .223 ammunition that was found. From
8 the photograph that I observed of that ammunition, it appeared
9 to be loose 5.56 ammunition in a green ammo can. None of that
10 ammunition nor were any of those firearms seized that day by
11 the FBI.

12 Q. There was nothing illegal about them, correct?

13 A. Correct.

14 Q. And there weren't automatic weapons that were found there,
15 right?

16 A. Correct.

17 Q. But the point is, three AR-style -- AR-15 rifles -- which
18 those were chambered for 5.56 or .223, correct?

19 A. Correct.

20 Q. And that's the kind of ammo that y'all found in the ammo
21 can, correct?

22 A. I didn't actually --

23 Q. Well, not you.

24 A. But from the photograph that I observed, I observed it to
25 have been 5.56 or .223 ammunition.

1 Q. All right. And did the team find Oath Keeper clothing
2 patches and brochures at the defendant's home?

3 A. Yes.

4 MR. CORNELIUS: Can I have a moment, Your Honor?

5 THE COURT: You may.

6 MR. CORNELIUS: Your Honor, thank you. That's all
7 for the time being.

8 THE COURT: Any cross-examination?

9 MR. THREATT: Yes, Your Honor.

10 Your Honor, can we approach for a moment?

11 THE COURT: You may. Do you want some sound?

12 MR. THREATT: We do.

13 THE COURT REPORTER: Is this on the record?

14 THE COURT: It's not on the record.

15 (Bench conference off the record with counsel, defendant
16 not present.)

17 THE COURT: We're going to take a ten-minute recess
18 and we'll come back.

19 MR. CORNELIUS: Can the witness step down?

20 THE COURT: You may just for now.

21 THE WITNESS: Yes, sir.

22 (Recess from 1:53 p.m. to 2:02 p.m.)

23 THE COURT: Please continue.

24 MR. THREATT: Let me get the witness back, Judge.

25 ...

CROSS-EXAMINATION

BY MR. THREATT:

Q. Is it Special Agent Jones?

A. Say again, sir?

Q. Is it Special Agent Jones?

A. Yes, sir.

Q. Agent Jones, I want to ask you a couple of questions about the basis of knowledge for your testimony today if I can.

A. Yes, sir.

Q. Because at times when I watched your testimony, it appeared to me that you were reading verbatim from the affidavit.

A. Yes, sir. I do have a copy of the affidavit.

Q. And so you were -- and I want to make sure that I get this right. You were, like, sitting on the witness stand reading it to the judge.

A. At points, sir, I was, to ensure that I had all the details correct because I'm not the affiant to this affidavit.

Q. That's what I was just going to ask you, because the affiant is the person who actually wrote the thing, right?

A. Yes, sir.

Q. And that's the person who took an oath that what was in it was accurate.

A. I wasn't there, sir; but yes, I believe that to be.

Q. But generally the affiant is the person who takes an oath

1 that what's contained in the affidavit you were reading to the
2 judge is accurate.

3 A. Yes, sir.

4 Q. And you're not that guy.

5 A. I am not the affiant to this affidavit.

6 Q. Okay. Okay. So then your basis of knowledge is based on
7 what's in the affidavit, not what the person that wrote the
8 affidavit knew.

9 A. That's not correct, sir. I have reviewed the evidence
10 that's the basis for this affidavit; and I've also spoken to
11 the affiant at length, as well as other investigators that have
12 been involved in this investigation.

13 Q. Okay. We'll get to that as we go through it. But you're
14 not the affiant.

15 A. Correct.

16 Q. Okay. And so at times when you were reading it, you were
17 reading somebody else's words.

18 A. At times I was reading directly from the affidavit, sir.
19 Yes, that's true.

20 Q. Now, you said in your testimony that the Capitol is
21 secured 24 hours a day; is that accurate?

22 A. Yes.

23 Q. But there are areas of the Capitol grounds that are open
24 to the public.

25 A. I have never been to the Capitol, sir, in the capacity as

1 a tourist since I was very, very young; and I do not recall. I
2 can't speak to the accuracy of that.

3 Q. You've never been to the Capitol?

4 A. As a very young child, I toured the Capitol. I don't
5 recall any of the details to the openness of it.

6 Q. But you've seen these photographs that are pictures of
7 people walking along the street and standing in what appear to
8 be external areas. Those are not secure areas, are they?

9 A. I don't know, sir.

10 Q. So when you testified earlier that it was secure 24 hours
11 a day, what parts of the Capitol were you talking about?

12 A. When I spoke there, sir, I was talking about the actual
13 interior of the Capitol Building.

14 Q. Okay. But that's not what you were asked. You were asked
15 if the Capitol was secure. You didn't specify and say that the
16 interior portion of the Capitol was secure, did you?

17 A. When I spoke, sir, I meant it to mean the Capitol
18 Building. I didn't mean it to be the entire nation's capital
19 of Washington, D.C.

20 Q. Okay, because when I'm talking about the Capitol, not the
21 city but the building itself.

22 A. The information I have about the security of the Capitol
23 has come from my conversation with other law enforcement
24 officers. From what I understand from them, that Capitol
25 Building is secured 24 hours a day, 7 days a week, and access

1 is controlled to that building.

2 Q. The building.

3 A. That is my understanding. I've never served as a law
4 enforcement officer in the United States Capitol.

5 Q. Okay. Now, you said that 86 police officers were
6 assaulted that day.

7 A. To my understanding, yes.

8 Q. You have no information that Mr. James assaulted anyone;
9 is that correct?

10 A. That's correct. I do not have any information to indicate
11 that Mr. James assaulted anyone.

12 Q. And you were asked about the mob, right? You were asked
13 questions about a mob.

14 A. Yes.

15 Q. And you characterized Mr. James as being part of that mob,
16 correct?

17 A. Yes. He was part of that mob.

18 Q. And so the mob was engaged in all these acts, right?

19 A. Yes.

20 Q. And so, then, by inference Mr. James was involved in the
21 acts. Is that your testimony?

22 A. My testimony is that Mr. James did breach the Capitol
23 Building and remain inside, and his actions resulted in the
24 halting of official U.S. government proceedings and the
25 stoppage of the U.S. Congress.

1 Q. I understand that's your testimony on that issue. I'm
2 still talking about the mob. What I wanted to get you to
3 differentiate, if you can, is what's the difference between the
4 mob's actions and Mr. James's actions. And here's why: I
5 don't represent the mob. I want to ask you to talk about him.
6 Can I do that?

7 A. Yes, sir.

8 Q. Okay. So let's talk about what he did.

9 Now, when we start to look at these photographs, let's
10 look at some of the pictures that you've talked about the Oath
11 Keepers in general, beginning back on paragraph 16. When you
12 talk about the Oath Keepers being a large but loosely organized
13 group of individuals, some associated with militias, is that
14 about the Oath Keepers or is that about Mr. James?

15 A. That was about the group, sir.

16 Q. Okay. But you didn't specify that when you were reading
17 this portion of the affidavit to the judge, did you?

18 A. I believe I did. I believe we specified that we were
19 speaking about the Oath Keepers militia, sir.

20 Q. But you didn't say that we have no evidence that Mr. James
21 was part of a militia while I'm reading this paragraph, did
22 you?

23 A. I did not say that.

24 Q. Okay. You said that you read that some members of the
25 Oath Keepers believe that the federal government has been

1 co-opted by a cabal of elites, right?

2 A. Yes, I did say that.

3 Q. You didn't say that Mr. James -- there's no evidence that
4 Mr. James believes that.

5 A. I did not state that. I was talking about the group.

6 Q. Okay. Okay. And then on January 4th you talked about an
7 article that was posted to the Oath Keepers website, encouraged
8 them to go to Washington, D.C., for the events of January 5th
9 and 6th, right?

10 A. Yes, sir.

11 Q. You read that to the judge verbatim?

12 A. I did.

13 Q. Do you have any evidence that Mr. James read that?

14 A. I don't know if Mr. James read that statement by Person 1
15 or not.

16 Q. Let's talk about the stack. Now, the stack was arguably
17 one of the more violent groups of people that were out there
18 that day, correct?

19 A. I don't know, sir. I can't characterize that.

20 Q. You've had no issue characterizing it, have you, with
21 respect to other things?

22 A. Say again, sir?

23 Q. I've said you've had no issue with characterizing the
24 behavior of other people with respect to other things that day.

25 A. I have not investigated any members of that stack. I have

1 only investigated Mr. James.

2 Q. Okay. But you've talked about their behavior that day,
3 correct?

4 A. I've spoken about their behavior to the extent of what's
5 in this affidavit, yes.

6 Q. Okay. But you've seen the video that's mentioned in
7 paragraph 18 about the stack and their behavior, at least with
8 respect to the video, correct?

9 A. Yes. I have watched that video.

10 Q. Mr. James wasn't part of the stack.

11 A. Not to my knowledge.

12 Q. No question about that, correct?

13 A. I don't believe that Mr. James was part of that stack.

14 Q. If you thought he was part of the stack, you would have
15 said so on direct.

16 A. Yes.

17 Q. You started to talk about Person Number 5 with respect to
18 the Oath Keepers; is that right?

19 A. Say again, sir?

20 Q. You talked about Person Number 5?

21 A. Yes.

22 Q. Would Person Number 5 be George Minuta?

23 A. I believe Person 5 is Mr. Minuta. I don't know correct
24 pronounce enunciation.

25 Q. And the reason I asked you about Person Number 5, because

1 in paragraph 26, another one of the ones you read to the court,
2 you read that Mr. James -- the phone number associated with
3 Mr. James exchanged phone calls with a person who will be
4 referred to as Person 5.

5 A. Correct.

6 Q. Right? You don't know what they were talking about.

7 A. I do not.

8 Q. You don't have a recording of those calls.

9 A. I do not have a recording of those calls.

10 Q. Have you seen the cell phone evidence in the case?

11 A. I have seen legal process from which this statement was
12 derived.

13 Q. That's an answer but not to my question. Have you seen
14 the cell phone evidence in this case?

15 A. I have seen some of the cell phone evidence in this case,
16 yes.

17 Q. Have you seen cell phone evidence that contains the
18 contents of phone calls made by Mr. James?

19 A. I have not seen any cell phone evidence that contains the
20 content of any cellular phone conversations.

21 Q. Specifically including Mr. James?

22 A. Correct.

23 Q. Okay. And in paragraph 27, you read that certain Oath
24 Keepers attended rallies and that they were acting as personal
25 security details for speakers, correct?

1 A. Correct.

2 Q. It is not your allegation that acting as a personal
3 security detail is illegal, is it?

4 A. No, not at all.

5 Q. Okay. When you talked about Kelly Meggs, do you have any
6 evidence that -- is Meggs a woman or a man, if you know?

7 A. I don't know.

8 Q. Is Kelly Meggs a man or a woman?

9 A. I am not sure, sir.

10 Q. Do you have any evidence whether that person has ever met
11 Mr. James?

12 A. I believe that in one of these photographs -- if I recall
13 correctly, in photograph -- in paragraph 40, sir, that is
14 describing the following -- pardon me, that's describing the
15 photograph that follows paragraph 40, Mr. James is depicted
16 with the red circle.

17 Q. Okay.

18 A. And there are several individuals throughout that
19 paragraph that are named and then identified with yellow
20 arrows. Those bullet points identify the individuals moving
21 from left to right. And Kelly Meggs is also an individual in
22 that photograph.

23 Q. You talked about seeing a photograph that was taken on
24 January 5th of 2021 where you saw Mr. James driving in a golf
25 cart. Do you remember talking about that?

1 A. I do.

2 Q. Who did you testify was in the golf cart with him?

3 A. From the photograph I observed, the individual unmasked in
4 the golf cart appeared to be Roger Stone.

5 Q. Do you allege that that conduct was illegal?

6 A. Not at all.

7 Q. Now, with respect to paragraph 33, above that paragraph
8 there's a photograph. You identified Mr. James as being in
9 that photograph; is that correct?

10 A. Are you talking about the photograph that is being
11 described by paragraph 32?

12 Q. Yes. The one that's directly above paragraph 33.

13 A. Got it.

14 Q. And you described Mr. James as being depicted in that
15 photograph, correct?

16 A. Correct.

17 Q. Is he in an illegal place at that time?

18 A. I don't believe he is.

19 Q. It looks like he's walking down the street.

20 A. Correct.

21 Q. Okay. And you also talk about the paracord and the
22 tactical gear that he's wearing; is that correct?

23 A. Yes, sir.

24 Q. Is it illegal to have paracord?

25 A. It's not, sir.

1 Q. Is it illegal to have tactical gloves?

2 A. No, sir, it's not.

3 Q. Tactical trousers.

4 A. No, sir, it's not.

5 Q. Baseball cap.

6 A. No, sir.

7 Q. Okay. The paragraph that follows -- the photograph that
8 follows paragraph 33, again it appears that they're on a public
9 street. At the bottom of page 12.

10 A. Yes, sir. I'm there.

11 Q. Nothing illegal about being there.

12 A. Yes, sir, it appears that they're standing in a street, in
13 a roadway.

14 Q. Paragraph 34. You talked about Mr. James being with Oath
15 Keepers. And it's depicted in the photograph that follows
16 paragraph 34, correct?

17 A. Yes, sir, I'm on paragraph 34. Say again?

18 Q. Yeah. You've got a big red circle around him showing him
19 there.

20 A. Yes.

21 Q. That's not an illegal place to be; is that accurate?

22 A. Not to my knowledge, sir.

23 Q. When you say not to your knowledge, if it was illegal to
24 be there, you would know that, wouldn't you?

25 A. I don't know that. I don't know the exact location of

1 these photographs, and they differ from the photographs that
2 were from the inside of the Capitol.

3 Q. Let me go back to basis of knowledge again because you
4 came here to testify today in this hearing. You prepared for
5 it. You went over the affidavit and the notes, the videos, the
6 photographs, all that stuff, right?

7 A. Yes, sir.

8 Q. And so you would have known if there was a photograph that
9 depicted him in an illegal location that was in the affidavit,
10 would you not?

11 A. I would. To my --

12 Q. Okay. And so the fact that you didn't say that means that
13 you researched it and you found out that this was not an
14 illegal location.

15 MR. CORNELIUS: Excuse me, Your Honor. I object to
16 him not allowing the witness to finish his answer and also
17 object to his raising his voice and would ask if he could just
18 kind of calm down a little bit.

19 THE COURT: I'm not sure that that's a proper
20 objection. I don't feel that Mr. Threatt has been losing his
21 cool. However, I will ask you to make sure that if you
22 answer -- or if you ask a question, you allow the witness the
23 opportunity to answer it.

24 MR. THREATT: I'll do that better, Your Honor. Thank
25 you.

1 THE COURT: Thank you.

2 BY MR. THREATT:

3 Q. Paragraph 37, you talked about cell tower -- cell phone
4 records. And you said that the records were consistent with a
5 cell tower -- I think the affidavit actually says,
6 paragraph 37, the cell phone associated with phone number 4034
7 was identified as having used a cell site consistent with
8 providing service to the geographic area that includes the
9 interior of the United States Capitol Building, correct?

10 A. Yes. That's correct.

11 Q. And before I ask you some more questions about that, are
12 you a cell phone expert?

13 A. I'm not, sir.

14 Q. Do you know whether or not cell towers can provide service
15 to areas as wide as six miles?

16 A. I have no knowledge of that, sir.

17 Q. Okay. So when you read from the affidavit that the cell
18 phone associated with that number used a cell site consistent
19 with providing service to a geographic area that includes the
20 interior of the United States Capitol, that area that's
21 including the Capitol could be the city of Washington, D.C.

22 A. I don't know the answer to that, sir.

23 Q. Okay. One of the other things that I want to ask you
24 about, Agent, is that -- I'm kind of a word guy, being a
25 lawyer; and there's a word that's used a lot here that's called

1 "stormed." You recall that being used quite often in the
2 affidavit?

3 A. Yes, sir.

4 Q. And "stormed" is a verb that describes a manner of moving.
5 Is that fair to say?

6 A. Well, sir, unlike you, I am not a word guy.

7 Q. Okay. But you wouldn't describe me storming if I was
8 walking like this, would you?

9 A. No, sir, I would not.

10 Q. So "storming" is an aggressive movement, correct?

11 A. Yes, sir. I agree with that.

12 Q. And so is there a photograph that depicts Mr. James
13 storming anywhere?

14 A. Not that I have seen, sir.

15 Q. And if there was one, you would have seen it.

16 A. I can't testify to that.

17 Q. So then where the affidavit says "stormed," it talks about
18 the mob storming places. What I'm looking for here is a place
19 where the affidavit says that Mr. James stormed somewhere. Can
20 you point me to that?

21 A. Offhand I can't. I would have to reread the whole
22 affidavit to make an accurate statement on that, sir.

23 Q. You know, I'm inclined to let you do that, but I'm sure
24 you've read it multiple times.

25 A. I have, sir.

1 Q. Okay. I'm concerned because when it uses verbs like
2 "breach" and "storm," those terms indicate behaviors that are
3 violative of the law. And I want to know not what the mob did
4 but what Mr. James did. Is that coming across?

5 A. I understand, sir, yes.

6 Q. Okay. Now, finally, let's talk about the search warrant
7 at his home. You found a shotgun.

8 A. I --

9 Q. Or other agents found a shotgun?

10 A. Yes, sir. I was not present at the search.

11 Q. Okay. And you described the three AR-15-style rifles.

12 A. I've seen the photographs of them, yes, sir.

13 Q. Sure. And those rifles have whatever context they have to
14 whoever thinks whatever they think about them, right?

15 A. Say again, sir?

16 Q. I said those guns have a context sometime that's external
17 to what they really are? Does that question make any sense?

18 A. I'm not sure I understand, sir.

19 Q. Okay. He emphasized the fact that there were three AR-15
20 guns, did he not?

21 A. I remember there being, from the photographs that I
22 observed, three AR-15s. From a quick perusal of the
23 photographs that were taken during the search, I happen to
24 remember those three. I would consider myself a firearms
25 enthusiast --

1 Q. Sure.

2 A. -- when it comes to military-style firearms. So those
3 three stuck in my mind because I remembered the components to
4 them, and so I'm more comfortable testifying to those.

5 As far as the other weapons, firearms that were in the
6 house, I'm not as comfortable to the details to those. For
7 instance, I believe there were some .22-caliber rifles, another
8 rifle I referred to as a hunting rifle, but I'm not -- I can't
9 look at those and have the same familiarity that I would with
10 looking at an AR-15 rifle.

11 Q. Well, the reason I asked you if they were emphasized is
12 because I found it particular that you were asked if the
13 ammunition that was found would fit the guns that were there.

14 A. The only photograph of ammunition I have seen, sir, is an
15 ammo can that had loose 5.56 --

16 Q. Sure.

17 A. -- or .223 rounds in it, which, again, I feel fairly
18 comfortable identifying visually. However, I have not seen
19 photographs of any other ammunition. That doesn't mean that we
20 didn't find any --

21 Q. Sure.

22 A. -- or that it wasn't seen. But in my, again, fairly quick
23 perusal of the photographs from that search scene, that was the
24 one that remained in my mind that I could speak to today.

25 Q. Well, I'm not a gun guy, so help me with this. What's

1 unusual about having bullets that fit the guns?

2 A. Nothing.

3 Q. Okay. And then you started out talking about your
4 military service, and I think you said that you served with
5 distinction is the way I took it. And thank you for your
6 service.

7 A. Thank you, sir.

8 Q. You described that you were a -- let's see, Sergeant First
9 Class, E-7, and a Green Beret, correct?

10 A. Yes, sir. The job -- specifically, the last job I held
11 was a special forces intelligence sergeant.

12 Q. Okay. And that you share that in common with Mr. James?

13 A. From what I remember of seeing Mr. James' military
14 records, I can't recall if we were in Iraq at the same time,
15 but it was very close in terms of the time frame that I was
16 there and that he was there. And so I was -- like to talk to
17 fellow veterans, particularly folks that have a shared place --

18 Q. Sure.

19 A. -- and a shared timeline and --

20 Q. Sure.

21 A. -- that shared perspective.

22 Q. You had something in common with him.

23 A. Yes, sir.

24 Q. And at the time that he was restrained and you found out
25 that he was a combat veteran, it made you feel more comfortable

1 with him, didn't it?

2 A. I had already known this about him, sir, and so I was
3 looking forward to speaking to Mr. James about his military
4 experience prior to even encountering him.

5 Q. In fact, it made you comfortable enough to give him less
6 restraints than had he not been a veteran; is that correct?

7 A. I like to think, sir, that I would have done that for any
8 prisoner that we were transporting for a long way. We had
9 about an hour-and-30-minute journey from where we arrested
10 Mr. James to where we brought him to the U.S. Marshals to
11 transfer the custody. So during the transport Mr. James said
12 he was dehydrated so I provided him with a bottle of water.

13 I asked him several times if he was hungry. Initially he
14 was not. But as we got closer to Birmingham, he developed a
15 little bit of an appetite, so we made a quick drive-through
16 stop in a McDonald's and bought him a cheeseburger. But as I
17 said, I would have done that, I think, for any prisoner that I
18 was transporting over that distance.

19 Q. Is it fair to say that you did it after you knew that he
20 was a fellow veteran?

21 A. I did know that he was a veteran prior to that transport,
22 sir, but that didn't influence my decision to how I treated him
23 during our conversation or during his transport. It definitely
24 influenced some of the topics of conversation, but it didn't
25 influence my behavior or my actions towards him.

1 Q. Thank you.

2 A. Thank you, sir.

3 THE COURT: Any redirect for this witness?

4 MR. CORNELIUS: No, Your Honor. Thank you.

5 THE COURT: Thank you, Special Agent Jones.

6 THE WITNESS: Thank you, sir.

7 THE COURT: Any other witnesses for the government?

8 MR. CORNELIUS: No, Your Honor. Thank you.

9 THE COURT: I'll hear any witnesses for the defense.

10 MR. THREATT: Your Honor, we're going to call Audrey
11 James.

12 **AUDREY JAMES**

13 was thereupon called as a witness and, having first been
14 duly sworn, testified as follows:

15 THE WITNESS: May I also remove my mask?

16 THE COURT: You may. I was just about to offer.

17 THE WITNESS: I can't breathe.

18 THE COURTROOM DEPUTY: Please state your first and
19 last name for the record.

20 THE WITNESS: Audrey James.

21 THE COURTROOM DEPUTY: And will you please spell
22 first and last name.

23 THE WITNESS: A-U-D-R-E-Y, last name J-A-M-E-S.

24 THE COURTROOM DEPUTY: Thank you.

25 ...

DIRECT EXAMINATION

BY MR. THREATT:

Q. Ms. James, who are you to Mr. James?

A. I'm his wife.

Q. Okay. Let's start with the hard stuff first.

A. Okay.

Q. Would you lie to help him?

A. No.

Q. Why not?

A. I have nothing to lie about, and I have children to think of that need their mother.

Q. And you realize you're under oath.

A. Yes, I do.

Q. And that there could be repercussions if you did, in fact, lie under oath.

A. Yes, sir.

Q. How long have y'all been married?

A. It will be five years in October.

Q. Do you have children?

A. We have three.

Q. What ages?

A. 14, 11, and 3.

Q. Where do you live?

A. In Arab, Alabama.

Q. And how did you get to Arab?

1 A. I'm originally from that area, and I have family in the
2 area.

3 Q. What family do you have there?

4 A. I have my sister and brother-in-law, my aunts -- several
5 aunts and uncles and cousins.

6 Q. How many family members do you have in that area?

7 A. 20, give or take a few.

8 Q. Oh, wow.

9 A. Yeah.

10 Q. So those are all Joshua's family now by marriage.

11 A. Correct.

12 Q. Okay. Are you close?

13 A. We are, uh-huh.

14 Q. Do you engage in family activities regularly?

15 A. We do, yes.

16 Q. He knows them all?

17 A. Yes.

18 Q. What type of home do you live in?

19 A. We live in a three-bedroom, two-bath house on a little bit
20 over an acre.

21 Q. And your children attend school in the area?

22 A. They do.

23 Q. Now, there were firearms in your house, correct?

24 A. Correct.

25 Q. Were they removed by the law enforcement officers?

1 A. No.

2 Q. Would you have any problem giving them up if your husband
3 could come home?

4 A. I would hand them over in a heartbeat.

5 Q. Let's talk about how you got married. Where did you meet?

6 A. We met back in 2007 through a mutual friend.

7 Q. Was that after your husband had gotten out of the
8 military?

9 A. He had just gotten out of the military when I met him.

10 Q. And do you know very much about his military service?

11 A. I do, yes.

12 Q. You've got a big framed piece of --

13 A. I do. Purple Heart.

14 Q. -- document in your -- what is that document?

15 A. This is his Purple Heart that he received for his wounds
16 sustained in Iraq.

17 Q. Do you know how he got it?

18 A. Yes.

19 Q. How did he get it?

20 A. His platoon was bombed, and he was under a pile of rubble
21 from a bridge that his platoon was stationed on. They had to
22 dig him out. And he's had multiple surgeries to his face, and
23 he has titanium plates in his face.

24 Q. Did anyone else in the platoon survive the bombing?

25 A. I know that there were three that died from his platoon.

1 I'm not sure, to my knowledge, if anyone else survived.

2 Q. What does your husband do for a living?

3 A. He owns his own pressure-washing company.

4 Q. And how long has he owned it?

5 A. About three years, I would say. Three full years we've
6 had it going.

7 Q. Describe your business. Describe his business.

8 A. He does residential and commercial pressure- and
9 soft-washing. So he will get calls from customers, take some
10 measurements; and then if they accept his estimate, he will go
11 and clean their properties.

12 Q. Do you have a criminal record?

13 A. No, sir.

14 Q. Okay. At some point your husband started interacting with
15 Oath Keepers. Did you know about that?

16 A. I did, yes.

17 Q. When did you find out about it?

18 A. I know he had met some when we lived in Florida, but the
19 only affiliation he ever had with them at that point was when
20 the Florida Keys had all that damage, and they went and
21 provided supplies and helped clean up the debris.

22 Q. When was that?

23 A. Oh, gosh. I'm not sure the date. I would have to look at
24 when that hurricane was.

25 Q. Were you living in Alabama when that happened?

1 A. No. We were in Florida. That's the first time I've ever
2 heard of the Oath Keepers. And then since then, there hasn't
3 been a lot of communication until recently.

4 Q. So this was over three years ago.

5 A. Correct.

6 Q. Recently, had he had any involvement with the Oath Keepers
7 that you were aware of?

8 A. I know that he has been providing security at a few of the
9 rallies.

10 Q. How do you know that?

11 A. Because he told me.

12 Q. Okay. Do you know if he did that provision of security at
13 places other than Alabama?

14 A. Oh, he has not, no.

15 Q. Did he go to other states to provide security services?

16 A. I know that he has, yes, in Texas provided some security
17 services, and then D.C. for, I think, one or two rallies.

18 Q. Okay. And what do you know about what he did while he was
19 there?

20 A. I know that he did his job as a security detail for the
21 speakers at -- I think it's a Stop the Steal speech that
22 morning is all I know. And one other speech prior to January,
23 a rally, he was, for another speaker, a security officer.

24 Q. Would it be fair to characterize your husband as the
25 primary breadwinner of your family?

1 A. Yes. It would be 100 percent fair.

2 Q. Is it also fair to say that there would be financial
3 consequences if he were not able to come home?

4 A. Correct.

5 Q. Would that still motivate you to tell the court something
6 that wasn't true?

7 A. No.

8 Q. Let me ask you this: If you were asked to be a
9 third-party custodian, has anybody explained to you what that
10 means?

11 A. Someone from your office has explained that to me.

12 Q. What do you understand that to mean?

13 A. I understand that if he were to be allowed to go home,
14 that there would be conditions that he would have to follow;
15 and I would have to ensure he follows those. And if he were to
16 not, it would be my responsibility to let the courts know that
17 he has failed to follow the requirements.

18 Q. Do you understand that to mean that you would be the
19 police for your husband?

20 A. Correct.

21 Q. And that if he violated the conditions, even in a very
22 minor way, and you didn't tell, you could suffer personal
23 consequences?

24 A. Correct.

25 Q. Okay. And that if he did and you told on him, he could go

1 to jail.

2 A. Correct.

3 Q. You would be willing to do that?

4 A. Yes, I would.

5 Q. Why?

6 A. Because I know that he would not do that. He would not
7 jeopardize his family.

8 Q. Are there any other adults in your house other than your
9 husband and you?

10 A. No.

11 Q. Do you work?

12 A. I am a full-time Realtor; but since relocating back home,
13 I have not worked as much as I am used to. And since having
14 our third child, I've had the opportunity, thanks to my
15 husband, to be able to stay at home with this child.

16 Q. Do you have a landline telephone?

17 A. We do.

18 MR. THREATT: Your Honor, I have no further
19 questions. I pass this witness.

20 THE COURT: Any cross-examination?

21 MR. CORNELIUS: Yes, Your Honor.

22 **CROSS-EXAMINATION**

23 BY MR. CORNELIUS:

24 Q. Did you say that you met your husband approximately in
25 2007?

1 A. Correct.

2 Q. Were you aware of his arrest in 2011 in Jacksonville,
3 Florida?

4 A. The only arrest I'm aware of is when he was working
5 handing out fliers, and it was a trespass or something.

6 Q. So you don't know -- you're not aware of whether he
7 refused three orders by the police officer to sit down?

8 A. I am not. We were not together at that time. I was
9 married to someone else, so we didn't have a lot of
10 communication at that time.

11 Q. So you don't know whether it's true or not that he told
12 the police officer that was giving him lawful commands, Put the
13 gun down. You don't know whether he told the police officer
14 that, whether he ordered the police officer to put his gun
15 down?

16 A. Oh, I didn't -- no, I've never heard that.

17 Q. Okay. You don't know whether he told the police officer,
18 You can't arrest me. I'm military police with the U.S. Army.
19 You don't know whether that's true or false?

20 A. I do not know.

21 Q. Okay. Mr. Threatt asked you to tell the judge about some
22 of your knowledge with regard to your husband's interaction
23 with the Oath Keepers. Do you remember that?

24 A. Yes.

25 Q. And you told us -- you told the judge that he, meaning

1 your husband, went to rallies out of state, including in Texas
2 and D.C., correct?

3 A. I don't remember if it was a rally in Texas. I just know
4 he was in Texas.

5 Q. Forgive me. Events.

6 A. Okay.

7 Q. Is that -- so in Texas and in D.C., he traveled out of
8 state in his capacity as an Oath Keeper to provide security at
9 some type of events, correct?

10 A. Correct.

11 Q. Was he paid for those events?

12 A. Yes.

13 Q. Do you know who paid him?

14 A. I know he received the funds from Oath Keepers, but I do
15 not know where those funds came from.

16 Q. Do you know if he was paid in cash or in a check or --

17 A. I do know that they sent me the funds via a mobile app.

18 Q. Do you still have access to the people that paid you that
19 money in your phone?

20 A. I do have a screenshot, yes, where I received funds that
21 says Oath Keepers.

22 Q. Would you be willing to share that with the FBI, the Oath
23 Keepers that paid you for your husband's activities on their
24 behalf in other states?

25 MR. BUTLER: Your Honor, may I approach as the

1 defender?

2 THE COURT: You may.

3 Do you need this on the record?

4 MR. BUTLER: No.

5 THE COURT: Let's do it off until we need it. Do we
6 need sound?

7 MR. BUTLER: Sound might be good.

8 (Bench conference off the record with counsel, defendant
9 not present.)

10 BY MR. CORNELIUS:

11 Q. So back to your husband's having traveled out of state to
12 provide security for Oath Keepers, and your testimony is that
13 he was paid for that activity, correct?

14 A. I know that they sent money to me to assist with him being
15 gone with me and the children.

16 Q. Do you remember about how much it was?

17 A. Maybe around \$1,500 over the span of the couple months.

18 Q. And forgive me. So a couple of months -- and I'm not --
19 I'm just trying to get a ballpark. 15 months over the past
20 year? 15 months over the past two months? And I'm not being a
21 smart aleck with you at all. I'm just trying to --

22 A. Maybe \$1500 over the past month or two, maybe.

23 Q. Before this?

24 A. Before --

25 Q. Before the events that brought us here today or before

1 January 6th?

2 A. It was actually after January 6th when he was in Texas.

3 Q. So -- and forgive me. I'm not trying to -- I'm just
4 trying to make sure I've got it straight. Your best judgment
5 is that he was paid \$1500 through you -- and I'm not trying to
6 say that's right, wrong, or indifferent --

7 A. Yeah.

8 Q. -- for the work he did after January 6th and today.

9 A. And today?

10 Q. Between the period of time between January 6th and today.

11 A. It was just my understanding that they sent it to me to
12 help support my children while he was not there. I don't -- it
13 didn't say what it was for.

14 Q. Sure. That's fine. Do you know if he was -- do you know
15 whether he traveled out of state before January 6th, like, to
16 places other than to Washington, D.C., on behalf of the Oath
17 Keepers?

18 A. I think that he did go to one other rally on -- at a
19 capitol. I think it might have been Georgia, if I remember
20 correctly.

21 Q. Was he paid for that trip to Georgia?

22 A. Not to my knowledge.

23 Q. The -- I believe you testified to Mr. Threatt that he did
24 his job as security at a Stop the Steal rally in Washington,
25 D.C., correct?

1 A. Correct.

2 Q. What was being stolen where your husband was providing
3 security?

4 A. I can't attest to that.

5 MR. THREATT: Objection, Your Honor.

6 A. All I know is the name of the rally.

7 MR. THREATT: Objection. That calls for a conclusion
8 that's completely irrelevant.

9 THE COURT: I'll overrule that objection, but I think
10 she's already answered.

11 BY MR. CORNELIUS:

12 Q. You don't -- do you know?

13 A. All I know is it's the name of the rally.

14 Q. And Mr. Threatt asked you about financial consequences if
15 the court decided that his client should be detained. And I'm
16 curious about whether or not the money that the Oath Keepers
17 paid your family, did that fully compensate or fully eliminate
18 any financial consequences for his choices to be away from the
19 family at these events?

20 A. I would say it did because it was used for groceries and
21 things that we might need while he was away.

22 Q. But it's true that he was making choices to be away from
23 the three kids -- the children that you told us about, and you,
24 to be at these -- with these Oath Keeper people providing
25 security, correct?

1 A. Sure.

2 Q. Thank you, ma'am. I appreciate it. And I'm sorry you're
3 in this -- I'm sorry.

4 A. Thanks.

5 THE COURT: Any other redirect for this witness?

6 MR. THREATT: No, sir.

7 THE COURT: All right. Thank you, Ms. James. You
8 can step down.

9 THE WITNESS: If I can figure out how to get out.

10 THE COURT: All right. Are there any other witnesses
11 for the defense?

12 MR. THREATT: No, sir.

13 THE COURT: All right. I'll hear argument, then,
14 starting with the government, since it is your burden.

15 MR. CORNELIUS: Your Honor, before the evidence
16 closes, could we offer Government's Exhibit Number 2, which is
17 part of the pretrial services report? I've provided it to the
18 defense and to pretrial services -- there she is -- last night.
19 We offer Government's Exhibit Number 2.

20 THE COURT: I don't know what it is.

21 MR. CORNELIUS: May I approach?

22 THE COURT: You may.

23 MR. CORNELIUS: Your Honor, we're offering it as
24 history and characteristics of the defendant.

25 THE COURT: Is there any objection?

1 MR. THREATT: Your Honor, we object.

2 THE COURT: You do object?

3 MR. THREATT: We object to an arrest report. We
4 don't object to the report of the case and what happened, the
5 disposition report. The arrest report is an uncorroborated and
6 uncross-examined statement of an officer, and it doesn't say
7 what happened. What actually happened is that the terms were
8 thrown out. That should come in, not this arrest report.

9 THE COURT: All right. I'm not looking at it yet,
10 just to make sure that I'm not considering something
11 inappropriate here. But this relates to the offense that's
12 described in the pretrial services report as occurring on
13 May 25th, 2011, I'm assuming; and it's already reported in the
14 pretrial report as adjudication withheld, which I interpreted
15 to mean that there is no conviction accompanying that
16 allegation.

17 MR. CORNELIUS: (Nods head up and down.)

18 THE COURT: All right. And so this is just the
19 police report associated with that?

20 MR. CORNELIUS: Yes, Your Honor. And it's -- I'm not
21 offering it as evidence that he was found guilty. I'm offering
22 it -- as Your Honor well knows, one of the factors in the Bail
23 Reform Act is the history and characteristics of the defendant.
24 And part of the allegations in this case is that he obstructed
25 an official proceeding. Obstructed the government, in other

1 words. And the relevance as to the history and characteristics
2 is how he behaved when he was confronted by law enforcement
3 down in Florida.

4 MR. THREATT: And our objection is that it's not
5 evidence of that at all. It's evidence of what the police
6 officer said. It's not corroborated, it's not cross-examined,
7 and it was disposed of.

8 MR. CORNELIUS: And, Your Honor, if I could, as
9 everybody well knows, Your Honor is allowed to consider hearsay
10 testimony in this proceeding.

11 THE COURT: Right. The objection is overruled. I
12 will admit Government's Exhibit 2.

13 (Exhibit G-2 admitted.)

14 THE COURT: Certainly you can argue about what value
15 it has, if any.

16 Is there any other evidence you wanted to present?

17 MR. CORNELIUS: Your Honor, we had already moved to
18 admit Government's Exhibit Number 1, so it's just
19 Government's 1 and 2.

20 THE COURT: All right. I'll hear your argument,
21 then.

22 MR. CORNELIUS: Your Honor, as to the issue of
23 detention, this is a detainable offense under 18 U.S. Code
24 Section 3142(f) (2) (B). And the reason that's so is precisely
25 why it's appropriate in this case.

1 I can't think of a more clear example of a serious risk to
2 obstruction of justice than what occurred on January 6th. And
3 it's fine -- people can minimize one person's conduct, and
4 that's perfectly appropriate. I think, you know, it's fine to
5 consider. But it doesn't change the central fact that the men
6 and women of law enforcement who were there that day were
7 overwhelmed by a mob. The defendant was part of that mob. And
8 nothing at all the defense counsel says, nothing can change
9 that fact. It's equally true that he's not the one that killed
10 the police officer with a fire extinguisher.

11 It's equally true that he earned a Purple Heart fighting
12 for our country. It's equally true that he's got a lovely wife
13 and three kids. None of that matters to what this -- what is
14 at stake here, and that is he made a deliberate choice to join
15 with 800 or a thousand other people as part of an assault on
16 democracy. And that's exactly what it was. It was an assault
17 on democracy. Our country had spoken. All that was happening
18 that day was a peaceful transfer of power.

19 If he and his fellow Oath Keepers truly believed in the
20 oath that they swore to the Constitution of this country, they
21 wouldn't have been inside that building. They would have been
22 peacefully protesting.

23 I'm reminded of the March on Washington in 1963 when
24 people had real issues. And forgive me, I'm getting a little
25 bit upset. They had real grievances, and they peacefully

1 marched on the Mall. And this defendant and his -- the rest of
2 these people chose a different path, to storm, I mean, to
3 engage in a siege. I mean, choose whatever word you're
4 comfortable with.

5 That's not a choice I made. It's not a choice his wife
6 made. It's not a choice his lawyer made. It's a choice he
7 made to affiliate himself with these Oath Keepers who
8 participated in this assault on democracy.

9 Something else Mr. Threatt -- it doesn't matter what else
10 he says, he will not be able to change this central fact, that
11 his client was in touch with Oath Keepers before, during, and
12 after. He will not be able to change the central fact that his
13 client was in pictures with them before, during, and after, and
14 that he was inside that -- inside that building. And we all
15 know that -- we all know that the vote certification was
16 stopped because of what the mob did.

17 And, Judge, the fact of the matter is that the
18 comparatively few members of law enforcement were overwhelmed
19 by this group of people. He's part of that group. And so at
20 what point do we excuse his participation in this group's
21 activity because he wasn't the one who killed the police
22 officer with the fire extinguisher, he wasn't the one that
23 knocked the window out or whatever else?

24 And, Judge, that's it for now. Will I be allowed a
25 rebuttal briefly -- brief rebuttal?

1 THE COURT: (Nods head up and down.)

2 MR. CORNELIUS: Thank you.

3 THE COURT: Mr. Threatt.

4 MR. THREATT: Your Honor, there's such a thing as
5 painting with a broad brush, and then there's a spray can. The
6 problem with that is that when you attribute the behavior of a
7 mob to an individual, then that holds him responsible for the
8 worst actions of the worst of the people that were there.

9 What is the evidence that the court has heard about what
10 Joshua James did that day? That's what's important in your
11 determination. He wasn't part of the stack. He didn't assault
12 a police officer. He didn't kill anybody. He was standing in
13 still photographs. The witness said that he wasn't moving. He
14 wasn't acting violently. The evidence that you have shows him
15 engaged with a group of people, but he wasn't doing anything
16 that makes him a danger to the community.

17 He has community ties. The government has conceded that.
18 He's not going anywhere. He's no risk of flight. Probation
19 has evaluated that he can be trusted to return to court.

20 He is a person who has followed orders all his life, Your
21 Honor. An individual who would risk his life for strangers is
22 not someone who would violate a rule of this court.

23 THE COURT: Thank you.

24 It's not an exercise in the last word, but if you have a
25 word that you need to make.

1 MR. CORNELIUS: Judge, I'd just like to end, thank
2 you, with the last thing that was said. And during his
3 military service for us all, I'm sure he did follow orders.
4 But he wasn't -- he wasn't following authority on January 6th.
5 And as Your Honor will see from the report, if those
6 allegations were true in this police report, he wasn't
7 following the orders of that Jacksonville, Florida, police
8 officer.

9 That's all I want to say. Thank you, Judge.

10 THE COURT: Thank you. Let me take a recess. I want
11 to review this evidence you just submitted. And then we'll be
12 back on the record.

13 (Recess from 2:57 p.m. to 3:08 p.m.)

14 THE COURT: We're back on the record.

15 Mr. James, let me start with the preliminary hearing
16 portion of today's proceedings. I do find that the government
17 has presented sufficient evidence to establish the offenses
18 that are set out in the complaint, and so you will be held over
19 for further proceedings in the District of Columbia.

20 Turning to the detention issue, as you've both recognized,
21 there's been no substantial evidence of a flight risk
22 presented, and I find the government has not established that
23 you're a flight risk. The question then becomes whether you
24 would be a danger to the community if allowed on bond pending
25 trial.

1 As I've considered that, I've obviously considered
2 evidence on both sides of that equation. Weighing against
3 detention, I find it significant that you have no meaningful
4 criminal history. I've also considered and I find significant
5 your military service. And I also find it to be meaningful
6 that you have strong family support, both here in the
7 courtroom, and I appreciate you being here, and in the larger
8 community in Arab.

9 Of course, weighed against that, there are some
10 circumstances that would lead me towards a finding that
11 detention is appropriate. One of the most significant ones has
12 not been discussed today, but it appeared in the pretrial
13 services report, and that's your mental health record.

14 Mr. James, your diagnosis of PTSD, anxiety, and depression
15 strikes me as a particularly volatile combination, and there's
16 some real red flags for me in your mental health history, the
17 repeated hospitalizations. I know there haven't been any since
18 2015, but that's a very significant concern for me when we
19 start thinking about how appropriate it would be to have you
20 out on bond.

21 I'm also very concerned about your admission that you've
22 refused to take any of your prescribed medications for your
23 mental health conditions since 2017. All of that raises some
24 concerns for me about your stability and maybe your ability to
25 recognize that problem and address it in a healthy way.

1 Combined with that, I do have concerns about your access
2 to firearms. I'm not saying there's anything illegal about
3 owning the guns that were found in your home, but I do feel
4 that that mix of the mental health issues and weapons and your
5 familiarity with those weapons is very dangerous.

6 I've also considered the weight of the evidence against
7 you. As you've heard already, I've found probable cause. But
8 we've heard a lot more than probable cause to believe that you
9 committed these offenses. We've seen the photos, cell site
10 information, the Oath Keepers information found in your home
11 this week. All of that leads me to find that there is a
12 substantial amount of evidence supporting these charges.

13 And the final factor, I think, here that I've considered
14 is the nature of this offense, which, of course, is one of the
15 factors set out in 3142.

16 You know, regardless of whether I buy the argument that
17 you could join a mob of people at the Capitol and then insulate
18 yourself from what that mob did, it's clear to me that you
19 intentionally joined in a violent uprising against our
20 government. And I'm even more concerned about your association
21 with this Oath Keepers group that we've heard about.

22 It's clear to me that you're not someone who was simply
23 caught up in the excitement on January 6th. We've seen or
24 heard about phone records that I think makes it clear that you
25 were involved in planning some of this operation, and certainly

1 your continued communications on the back end show me that
2 there's no remorse there, and there's no recognition of the
3 lasting damage that was done on January 6th.

4 I really think, Mr. James, that you knew exactly what you
5 were getting into, but maybe your intent is a little beside the
6 point. The point is for me that your conduct on and around
7 January 6th, when I combine that with what I know about your
8 mental health conditions and your access to firearms, all of
9 that leads me to conclude that there are no appropriate
10 conditions of release here.

11 You are going to remain in the custody of the marshal
12 pending trial, and you'll be transported to the District of
13 Columbia for trial.

14 Is there anything else that we can take up today?

15 MR. CORNELIUS: Not for the United States, Your
16 Honor.

17 MR. THREATT: No, Your Honor.

18 THE COURT: We're adjourned. Good luck, Mr. James.

19 (Proceedings concluded at 3:13 p.m.)
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CERTIFICATE OF REPORTER

I, Margaret Wasmund, RDR, CRR, CRC, Official Court Reporter for the United States District Court for the Northern District of Alabama, appointed pursuant to the provisions of Title 28, United States Code, Section 753, do hereby certify that the foregoing is a correct transcript of the proceedings reported by me using the stenotype reporting method in conjunction with computer-aided transcription, and that same is a true and correct transcript to the best of my ability and understanding.

I further certify that the transcript fees and format comply with those prescribed by the court and the Judicial Conference of the United States.

Dated this 21st day of March 2021.

Margaret Wasmund
MARGARET WASMUND, RDR, CRR, CRC
OFFICIAL COURT REPORTER



Ms. Joni Robin, Esq.
114 North Alfred St.
Alexandria, VA 22314

I am writing in regards to the character of Retired Specialist Joshua Adam James. As his wife, I assure you, no one knows him better. I have known Joshua since 2007 when he was recently medically discharged to Fort Benning after being injured overseas. His mouth was wired shut and I like to kid him often that I liked him better that way. From the moment I met him, he remained close to my heart. We remained close friends throughout the years and eventually began dating in 2014 and married in 2016. I have had the pleasure of watching Joshua grow into the man he is today and I like to take some credit for it (naturally). He was still so young when he was injured in Operation Iraqi Freedom and medically retired. I have watched him grow from a 21 year old young man into a 33 year old father, husband and business owner. The growth has been beautiful to be a part of. Joshua experienced everything as a child meant to break him and he has always persevered and come back stronger.

In Florida, there was an older man who was always walking on a main highway near our home back and forth to the grocery store. It always concerned Josh until one day he stopped and offered him a ride home. Josh could not believe how far he was walking each time and took time to get to know him. Josh has always gone out of his way to help our community members whether it be cleaning up after a storm or helping clients of mine move into their new home. Even now Josh takes dinner to our elderly neighbor across the street often, runs to the store for her when she asks and goes over to fix her thermostat when she is cold.

When I became pregnant with our third child and was put on bed rest, Joshua quickly stepped up and began working with a local pressure washing company. Eventually, he decided that it brought him joy and he was good at it so he started his own company which has been a huge success!

It is my honor to be his wife! I am overwhelmed with pride at his military service as a combat Veteran and Purple Heart recipient. His love for this country has never wavered and like many others before him, he would still be enlisted if he were not injured. He is our Veteran, chef, provider and our protector.

Warmest Regards,

Audrey James

To Whom it concerns,

My name is Angela Terrell. I am writing on the behalf of Spc. Joshua James. His wife assisted us in buying our home when we moved to Arab. In the process our families connected and became close friends. We can personally attest to the character and life of this man. He works hard for his family and community. He has dropped what he is doing to come help us in our time of need even if it is as small as figuring out why our car will not start. He is the main breadwinner for his family as a successful small business owner. He has 3 children who need him, especially their 3 year old son, Wyatt, who does not understand and constantly asks for his daddy.

Joshua and his family are active in their community with strong ties to the area. They are very involved in their children's school and sports activities. Spc. James is not a risk to his community and his past service to his community and country proves that. Please allow this Veteran to go home to his family.

Thank you,
Angela Terrell
Arab, AL

April 5, 2021

To whom it may concern,

Our family is writing on behalf of Josh James. Our family has known Josh and his family for many years. In the years that we have known him he has always been respectful and a good person. His family is very important to him. We became friends during a family day at the beach. Our families became quick friends after that. He is a great worker and wonderful person to be around. Josh is a veteran who served our country with pride and honor. To this day he loves his country and the beliefs we all hold dear. Since we have known Josh his family has grown and it is quite wonderful to see the love and family activities that he does all the time. His family and his community mean the world to him and it shows in his day to day life. Josh is a great person business person as well. He built his business on his own. He is a hard worker who would never hesitate to lend a helping hand to someone in need. Its few and far between that you will find trustworthy people who are family oriented, we were lucky to have met Josh and look forward to more times our families can connect. Please feel free to reach out if you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "Adale Lynn Vanpelt LPN". The signature is written in a cursive, flowing style.

Adale Vanpelt

Ms. Joni Robin, Esq.
114 North Alfred St.
Alexandria, Va 22314

To whom it may concern.

Joshua James has been a good friend of mine for over 25 + years. We grew up together. The whole time I have known Josh, I've known him to be an honorable, respectful and mindful individual. Throughout our friendship I have witnessed Josh set aside his own priorities to help advanced the priorities and well-being of others. His service to our great country is only one of many examples.

I would also ask anybody considering Josh's circumstances to consider the overwhelming support that he has from his friends and family during these difficult times. The Goodner family, my family, considers Josh a family member. We are absolutely devastated by all the negative and upsetting things said about Joshua in the media. Joshua is known for being a hard-working, outstanding family man who is dedicated to his family and his community.

Joshua's incarceration has caused his own family a great amount of pain and burden. It is incredibly hard for Joshua's family without him around. I hear of Audrey and the children's struggles nearly every day. Joshua needs to be with his family so they can prepare for the journey ahead, together.

Thank you for your consideration,
Jeffery Goodner

April 4, 2021

To Honorable: Judge Amit Mehta

My name Mark James, I am the father of Joshua James.

I am writing this letter to you in support of my son and to attest as to his character.

Joshua James is loving husband to Audrey James and dedicated father to Alivia (14yrs), Quinton (11yrs), and Wyatt (3yrs). For him, family comes first.

Joshua is an entrepreneurial small business owner. His wife Audrey also assists with his business to provide for their family. His business thrives on the honesty and integrity put forth by Joshua. Throughout the community he lives in, he performs his services in many privet homes as well as many commercial businesses that depend on his services because of his ethical behavior.

Joshua has volunteered his time to help strangers many miles from his home, on two different occasions in the after math of Hurricane Erma and Hurricane Wilma.

Joshua has received the Purple Hart Medal from the United States Army. His life-threatening injuries sustained while doing his duty, that he volunteered for, to defend and serve his country. I have never heard one complaint or regret regarding the matter. He is a Hero in my eyes as well as many others.

Joshua is highly thought of and respected throughout his local community. He is honest, moral, and dependable.

Please do not hesitate to contact me should you require any further information.

Thank You for your time,

Mark James

Handwritten signature of Mark James and the date 4-4-21.

Sacramento Ca. 95838

Raphael Levy

Tavares, FL 32778

I am writing on behalf of Retired Specialist Joshua James. I have known the James Family since 2013.

Josh has always made himself available to assist when help was needed. From hanging the Christmas lights on our office building to pressure washing my home prior to starting his own pressure washing business. He is a hard worker and takes pride in his work. I have had the opportunity to spend time getting to know Josh over the years at office parties, dinners out together and our homes.

I have watched their family grow from 4 to 5 when they welcomed their third child.

Josh likes to stay busy. In his free time he enjoys kayak fishing, gardening, canning foods and volunteering his time to provide disaster relief when needed. He is a doting father, loving husband and breadwinner of his family as a successful small business owner. Josh sacrificed himself in service to his country and those he loves. He received the Purple Heart medal for his sacrifices and injuries during Operation Iraqi Freedom. Josh loves this country and his family. I am grateful to Josh for his service to our county and his continued service to the community.

Thank you for taking the time to read this letter.

Raphael William Levy

A handwritten signature in dark ink, appearing to read 'Raphael', is written over a long, horizontal, slightly wavy line that spans most of the width of the page.

Poirier, James E RN

Palm City, FL. 34990

To ALL,

I have known Mr. Joshua James for approximately 8 years.

I know Mr. James to be an Honorably Discharged US Army Soldier, recipient of a Purple Heart while serving our Country in Iraq.

Married to Audrey in 2016, father of 3 children. Loving husband/father.

Volunteer, assisting damaged communities in Florida, Texas and Alabama on several occasions post hurricane damage.

Entrepreneur, creating Pro Hydro in 2017. Providing power washing/cleaning service to commercial and residential clients.

I know Mr. James to be of honorable character.

I am an RN since 1986, also an honorably discharged veteran from the US Army.

Please feel free to contact me with any questions/concerns.

4-4-2021

Your Honor,

My name is Jonathan Creel. I first met Josh at a mutual friend's house at a gathering around the end of 2019. After we were introduced, we sat and chatted as a small group for a few hours where he talked with us about where he was from, how he'd met his wife, his children, and how they had ended up in Arab, AL. He talked at length about his time in the Armed Services, how he was injured and all the challenges he faced during his recovery.

A few weeks after we'd met, I asked Josh about his business and what all services he offered. He came over, provided me with a quote, and we set a date for him to come complete the job. He showed up promptly, did the work with great professionalism, and we discussed some future work that I'd planned to hire him for. Again, we chatted for a while, and he talked about how proud he was to be a veteran and able to own and operate his own business. I was extremely pleased with his work and recommended his business to anyone who had a need for his services.

During the times that Josh and I have chatted in person and via texts, all he has ever struck me as is a hard worker, loving husband, and devoted father. He enjoys gardening, baking breads, and making homemade salsa. He is the kind of man that would help a stranger in need without a second thought. I feel that people like that are vital pieces in a community, and I feel that our small town is fortunate to have Josh a part of it.

Thank you,

Jonathan Creel

Ms. Joni Robin, Esq.
114 North Alfred St.
Alexandria, Va 22314

My name is Pierce Parker and I have known Joshua James for several years since he and his family moved to Daphne, Alabama from Florida to run his business, American Pro Hydro Services. He is a fellow Soft Wash & Pressure Wash business owner, so we kicked it off rather easy. I own and operate SoftWasherz located in Daphne, Alabama. Since day 1 Josh has been a quality person to be around and share ideas and enjoy company with. When he lived in Daphne we would attend Chamber of Commerce gatherings and enjoy the networking opportunities and festivities.

Josh is also a United States Armed Forces Veteran who dedicated his life to serving our country and that was also a big deal to our friendship as I am currently serving Active Duty in the United States Coast Guard as Mission Systems Operator on the HC-144 platform patrolling the Gulf of Mexico and other areas of responsibility. Josh bleeds red, white, & blue and is loyal to his country and his community every day of the week at every hour.

I have seen Josh also mentor younger guys in our industry such as Parker Langan in Mobile, AL as he started up his business Caliber Soft Wash. He is a senior in high school doing well with his business. I am very confident that Josh contributed to a lot of Parker's success due to his mentorship. All in all, Josh is quality individual, patriot, veteran, business owner, father, husband, community leader, Good Samaritan and a follower of Christ. I have no reservations when it comes to Joshua James.

Sincerely,

Pierce Parker
Daphne, AL

3/10/2021

Dear Honorable Judge,

I am writing on behalf of Joshua James and the charges against him pertaining to the capital riots. I have known the James family since their arrival in Arab, AL approximately 19 months ago. Since living in Arab, Mr. and Mrs. James have become valuable members of our community. They have three children and are active in the school system as they are involved with their children's academic and athletic activities. Mr. James has begun a small business here and often helps veteran residents as he himself has sacrificed and served our country. As a citizen of Arab and a nearby neighbor, neither my family nor I feel that Mr. James is a threat to our community, state, or country. I ask that you please consider his excellent character in determining any sentencing that you give.

Thank you for your time and consideration,

JoAnna Shipp

Arab, AL resident

3-10-21

Dear Honorable Judge

I am writing you today in regard to Joshua James. I've known Mr. James several years and his wife much longer. He and Audrey have three children that are involved in school activities and involved in community activities. Joshua has started his own business; Audrey is a realtor and they both are striving to be an asset to the community. Joshua has helped numerous vets with house repair and using their pressure washing business to better others' lives. As a friend and neighbor, I feel confident that Mr. James and his family are of no danger to me, my family or our country. Please consider his excellent military service pertaining to his family and community as you determine your decision.

Sincerely,

Jane Black Cullman ALABAMA

March 3, 2021

Dear Honorable Judge(s),

First, I must thank you for your public service to our wonderful nation.

I am writing to urge the leniency of Joshua James. I have been a lifelong friend of his wife since elementary school days. I have known them to be a family of great character. Joshua served his country proudly and even earned a purple heart. He is a hard-working father, small business owner, and loves his family dearly. He is an actively involved father in the lives of his three children who love him dearly. I feel no threat at all from Joshua James and find him to be an upstanding man. I am happy that he is married to my lifelong friend and is a neighbor of mine. Please be lenient towards him and remember his character, his wife, and his children. Thank you.

Carla Murphy

Life long friend of Audrey James

Resident of Arab, Alabama

Sarah Levey
e Street
Fairhope, Alabama 36532

March 31, 2021

Re: Joshua James

To Whom It May Concern:

My name is Sarah Levey and I am the owner/editor of The Southern Atelier here in Fairhope, Alabama. It is an honor for me to write this character reference for Joshua James as a family friend.

I met Audrey James, Joshua's wife, three years ago and shortly after I met Joshua at a community fundraising event and eventually came to know and love the entire James family, including their three young children, Alivia, Quentin and Wyatt. From my interactions with Joshua, I can tell you that he loves his wife and children and is devoted to their well-being.

In the three years I have known Josh, he has proven to be of fine and respectable character. I respect Joshua as a man who served and sacrificed for our country, a man who loves his family, and a man who works hard to provide for his family financially.

I hope this letter has given you some insight into Joshua's good character. Thank you for your consideration in this matter.

Sincerely,


Sarah Levey

From the desk of
Anthony P Hernandez

March 23, 2021

Anthony P Hernandez
Dock Options Inc.

Leesburg, FL 34788

To whom this may concern:

I am writing this on behalf of Joshua James, who is currently being held in custody facing criminal charges. I have known Joshua for approximately 17 years now. We both grew up together in San Jose California. We attended school together and played as young men do. Joshua has always been a contributing member of society and placed others before himself. Even as a young child he was always willing to help others that were in need. We went on separate paths for a period time during the recent war, when we both enlisted in military. He went into the Army and I in the Marines. We both are combat wounded veterans with distinguished honors. Since being out of the military Joshua has been a positive and active member of every community he has lived in. He routinely helps with school functions that his children attend, helps with church functions and does a great deal of community service in the neighborhoods that he has lived in. I strongly believe not only that Joshua is not a criminal but definitely not a threat to anyone. I would ask that all of this be considered in respect to the upcoming bond hearing for Mr. James. Thank you for your time.

Sincerely yours,

Anthony P. Hernandez

To Whom it may Concern:

I just wanted to write to express my feelings toward Joshua James of Arab, Al. I have known Josh for a few years now & found that he is an upstanding individual for his community. Josh is a great husband, father & provider. He needs to be home with his wife & children.

We have been in the presence of their home many times & they are a very loving family. This man has fought for our country & believes in our freedom. I know Joshua has a purple heart for the injuries he received while in the service. I too, am married to a service man & he has had many talks w/ my husband. Both are genuinely great guys.

But all in all Joshua
James is an upstanding
individual & deserves a
fair chance.

Thank you for your time
of reading this.

If you have any further
questions, I can be reached
at

Thanks
Cathy Hilton-Root

April 1, 2021

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5.0 | 79 Verified Reviews



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Reviews

Write a Review

Showing 1-10 of 79 reviews

Newest First

5.0 Ella B. Guntersville, AL

10/30/2020

- **Clean Gutters and Downspouts**

Joshua is the best! Looking forward to doing more business next year.

5.0 Russ O. Hanceville, AL

9/21/2020

- **Clean Gutters and Downspouts**

Very professional company! Very detailed and very efficient in details throughout the entire process, I am very pleased ! I highly recommend this company to any needing this type of service!

5.0 Suzanne G. Harvest, AL

9/19/2020

- **Clean Gutters and Downspouts**

Showed up on time and did a great job!

5.0 Alan D. Madison, AL

9/15/2020

- **Clean Gutters and Downspouts**

Excellent experience with American Pro Hydro! I can't begin to say just how well this job went. When I submitted an inquiry for someone to call, I promptly received a phone call from Josh. We had a detailed quote the next day and were even fortunate enough to take advantage of a last second opening to immediately schedule the job. This is an exceptionally well managed business with close attention to detail and customer service. Thank you!

5.0 Jan B. Huntsville, AL

6/17/2020

- **Clean Gutters and Downspouts**

Great job! Joshua made sure everything was right with me before he left. Always on time. I'll call again.

5.0 Cindy W. Guntersville, AL

6/11/2020

- **Clean Gutters and Downspouts**

Did a fantastic job, was here when he said he would be, always replied to answer my questions. I live in an older home with old pebble concrete, it looks so good after a pressure wash:-) Would definitely recommend!

5.0 Amanda P. Huntsville, AL

6/2/2020

- **Clean Gutters and Downspouts**

Great service! Polite, good pricing, and did a great job. Definitely recommend!

5.0 William L. Somerville, AL

5/15/2020

- **Powerwash Exterior Surfaces**

I would hire this company again, when I have power washing work to be done.

5.0 Susan P. Crane Hill, AL

5/6/2020

- **Clean Gutters and Downspouts**

5.0 Hans S. Springville, AL

3/17/2020

- **Clean Gutters and Downspouts**

on time on target

Reviews

Write a Review

Showing 11-20 of 79 reviews

Newest First

5.0 Lanna J. Scottsboro, AL

3/10/2020

- **Powerwash Exterior Surfaces - For Business**

They were eager to set up a meeting and give an estimate within a few days. They were very personable, showed up on time and the work they did was outstanding. I have already recommended them to other people. Thank you for such great service!

5.0 Daniel R. Harvest, AL

3/1/2020

- **Clean Gutters and Downspouts**

Excellent customer service !!!!!

5.0 Vinson M. Madison, AL

2/13/2020

- **Powerwash Exterior Surfaces**

Very professional from Office Manager (Phone calls) to on-site work. Made sure everything looked good and that I was satisfied before leaving. Outstanding job.

5.0 Karen M. Arab, AL

1/15/2020

- **Powerwash Exterior Surfaces**

Josh called to let me know he was running a little late but showed at the time he told me. He went straight to work cleaning the cement steps of leaves. He then cleaned the gutter on the back of the house which was full of leaves. He then cleaned the deck of debris and leaves. After he finished he made sure i was happy with his work. I am going to have him come back and power wash the deck. He also cleaned the steps and walk way of leaves. He does what he says he will do and provides excellent work. His pricing are very reasonable.

5.0 Clyde and ameli C. Scottsboro, AL

1/13/2020

- **Powerwash Exterior Surfaces**

Josh and his crew arrived early. Over the next four hours, we watched 20 years dissolve and wash away from our home. It was absolutely amazing. Josh made sure that every square inch of exterior surface was tended to and we were pleased with the result. We would recommend his company to anyone requiring this type of service. I am sure that we will be utilizing his services again. 5.0 for 5.0....

5.0 Clyde C. Jacksonville, FL

1/12/2020

- **Powerwash Exterior Surfaces**

Josh and his crew arrived early. Over the next four hours, we watched 20 years dissolve and wash away from our home. It was absolutely amazing. Josh made sure that every square inch of exterior surface was tended to and we were pleased with the result. We would recommend his company to anyone requiring this type of service. I am sure that we will be utilizing his services again. 5.0 for 5.0....

5.0 Sherry T. Cullman, AL

1/12/2020

- **Clean Gutters and Downspouts**

5.0 David W. Decatur, AL

1/12/2020

- **Clean Gutters and Downspouts**

AWESOME WORKING WITH THIS TEAM TO GET MY PROJECT COMPLETED IN VERY SHORT ORDER. EXCELLENT WORK FOR A REASONABLE PRICE.

5.0 John D. Huntsville, AL

1/10/2020

- **Clean Gutters and Downspouts**

I found them to be great to deal with and very professional. The end result exceeded my expectations!! I would rate them as the best. I will hire them again and be proud to recommend them.

5.0 Shawn G. Owens Cross Roads, AL

1/8/2020

- **Clean Gutters and Downspouts**

Josh was super professional and did a thorough job.

Reviews

[Write a Review](#)

Showing 21-30 of 79 reviews

Newest First

5.0 Michael F. Trussville, AL

1/8/2020

- **Clean Gutters and Downspouts**

Am Pro Hydro was very professional as well as respectful of my property. I enjoyed doing business with them. Worth every penny I spent with them.

Response from Company:

Thank you for your feedback! It was our pleasure working for you. Please feel free to contact us in the future for all your exterior cleaning needs.

5.0 Beth R. Arab, AL

12/31/2019

- **Powerwash Exterior Surfaces**

Very professional...cleaned up to where I didn't know they were there. Prompt service and good price...will use them again

5.0 Kam B. Huntsville, AL

12/28/2019

- **Clean Gutters and Downspouts**

Very professional service. They were thorough with providing information on what they did and advice on how to avoid future maintenance issues. We will hire them again. Highly recommended.

Response from Company:

Thank you sir! It was a pleasure working for you! Happy Holidays! See you next year! -

5.0 Lori W. Kimberly, AL

12/25/2019

- **Clean Gutters and Downspouts**

Thorough job and great communication! Before and after pictures showed how my gutters looked brand new after the cleaning!

Response from Company:

Thank you for the review! It was a pleasure working for you. See you in the spring!

5.0 Jean B. Cullman, AL

12/21/2019

- **Clean Gutters and Downspouts**

Joshua was very personable, knowledgeable, and did an excellent job cleaning our gutters and roof. We scheduled return visits every six months since we have so many trees and debris clogging our gutters. We also plan to use his company for our power washing in the spring. As military retirees with 55 years total service, we are very pleased to be using the services of a fellow veteran! David and Jean Bagdasarian

5.0 Martin B. Huntsville, AL

12/11/2019

- **Clean Gutters and Downspouts**

Prompt response to initial query. Fast appointment. Great job and great value. Very friendly folks. Severe storms moved through last night. Gutters handled everything with no overflows. I will call them again.

Response from Company:

Thank you so much Mr. (customer name withheld per their request) for your review! We are so glad you are pleased! We look forward to a continued relationship! -

5.0 Yvonne A. Huntsville, AL

12/9/2019

- **Clean Gutters and Downspouts**

Joshua and his helper were on time, a little early, in fact, called before coming, did a super job, were very courteous, cleaned up anything that needed cleaning up, will hire them again. Great job. Thank you. Yvonne

5.0 Chelsea G. Springville, AL

12/5/2019

- **Clean Gutters and Downspouts**

Joshua and his team did an absolute fantastic job!! They cleaned my gutters, replaced flood lights, and also pressure washed my painted deck and siding! They did a great job! We will definitely use them in the spring for the rest of our projects!

5.0 Michelle K. Madison, AL

12/4/2019

- **Clean Gutters and Downspouts**

Very professional, kept me advised of when ETA was, and the work was done very well. My home is ready for the holidays. I would highly recommend the gutter cleaning with outer wash. Power wash is also excellent and Josh's forte.

5.0 Steve T. Oneonta, AL

11/25/2019

- **Clean Gutters and Downspouts**

Very professional. On time and efficient. Work quality is excellent. Highly recommended.

Reviews

Write a Review

Showing 31-40 of 79 reviews

New est First

5.0 Robert S. Union Grove, AL

11/18/2019

- **Powerwash Exterior Surfaces**

They did an excellent job.

5.0 Barbara G. Huntsville, AL

10/23/2019

- **Clean Gutters and Downspouts**

Josh was excellent. A real professional that obviously knows his business. Prompt and thorough. Would highly recommend him.

5.0 Joe C. Albertville, AL

10/17/2019

- **Clean Gutters and Downspouts**

Extremely professional. Work was outstanding at a very fair price. Will be calling to use their services again next year.

5.0 Frank C. Huntsville, AL

10/8/2019

- **Powerwash Exterior Surfaces**

Very professional, on time, great quality work, a pleasure to work with. Highly recommended

5.0 Tina L. Huntsville, AL

9/23/2019

- **Clean Gutters and Downspouts**

This company s representative was on time for the walk thru, very easy to talk to, he made several recommendations. I scheduled the appointment and the representative arrived on time to start the work. Excellent work, I have scheduled them to return for the fall clean.

5.0 Guy G. Huntsville, AL

9/20/2019

- **Clean Gutters and Downspouts**

The owner operator worked very hard and did an amazing job. His knowledge and professionalism is a credit to the younger professionals today. I will use them again and would recommend them to anyone needing these services. He is also a veteran and I appreciated the work he did for our country and for my home.

4.5 Lori M. Grant, AL

9/10/2019

- **Powerwash Exterior Surfaces**

Josh arrived on time, payed attention to detail and worked quickly. Our brick house had never been washed. We didn't realize how dingy and dirty it had become. The brick and trim look new now! We love it. A week after Pro Hydro finished, I asked Josh to come check a spot on one of the dormers that I saw had some lichen on it. Josh came right away and addressed it! Customer service and quality superior.

5.0 Sheryl L. Theodore, AL

8/30/2019

- **Powerwash Exterior Surfaces**

The most hard working professional I have ever hired. Really so happy with this outcome and experience.

5.0 Carl C. Mobile, AL

8/20/2019

- **Powerwash Exterior Surfaces**

Josh and his helper were courteous and professional. I will use their services again and highly recommend them.

5.0 Kim S. Theodore, AL

8/13/2019

- **Powerwash Exterior Surfaces**

Very professional, his knowledge of how to perform the job was amazing. He explained what he was doing and what products he uses. He made sure he checked to make Sure he cleaned everything, he is a people person and extremely polite. He has all tools and equipment to do an outstanding job. He is the meaning of professionalism. You will be very pleased with him and his work, because he knows what he is doing.

Reviews

Write a Review

Showing 41-50 of 79 reviews

New est First

5.0 Lacy R. Mobile, AL

8/12/2019

- **Clean Gutters and Downspouts**

Amazing results! Very professional and prompt. Will use this company again in the future and recommend to others.

5.0 Deb H. Fairhope, AL

8/9/2019

- **Clean a Roof**

On time, efficient, quality work . Would highly recommend this company . I had my metal roof cleaned from algae, house pressure washed and concrete drive cleaned.

5.0 Maggie P. Mobile, AL

8/8/2019

- **Clean Gutters and Downspouts**

5.0 David B. Daphne, AL

7/24/2019

- **Clean Gutters and Downspouts**

Excellent customer service and work. Highly recommend.

5.0 Maxine & barney G. Gulf Shores, AL

7/21/2019

- **Powerwash Exterior Surfaces**

The technician did a fantastic job on a three story home all by himself. He began at 7:30am and was finished by early afternoon. The procedure was new to me but our dirty home was beautiful again. We have some additional paint issues that he has taken upon himself to see if he can find a solution for us. Very courteous young man. We will hire him again.

5.0 Stephen M. Gulf Shores, AL

7/17/2019

- **Clean Gutters and Downspouts**

On time and professional. Fair price.

5.0 Joe D. Daphne, AL

7/3/2019

- **Clean Gutters and Downspouts**

They are prompt, knowledgeable, experienced, and just do a wonderful job! Josh cleaned our gutters and our back patio. Our gutters look like new! Since this is a family and combat veteran owned business, I definitely recommend them.

Response from Company:

Thank you, Mr. Jon D.! It was a pleasure working for you!

4.0 August E. Daphne, AL

6/27/2019

- **Clean Gutters and Downspouts**

5.0 Diane P. Mobile, AL

6/26/2019

- **Clean Gutters and Downspouts**

They were very prompt and professional. They did a great job!!

5.0 Patricia H. Theodore, AL

6/26/2019

- **Powerwash Exterior Surfaces**

Excellent overall experience. The technician performed his job in a very thorough and very timeless manner, I will highly recommend your company to everyone I know.

Reviews

Write a Review

Showing 51-60 of 79 reviews

New est First

5.0 Vivien B. Spanish Fort, AL

5/30/2019

- **Powerwash Exterior Surfaces**

I was very impressed with the work that was done. The crew was excellent and the leader of the team was very professional about his work. Arrived on time and work was completed in a timely manner. Always checking their work and making sure I was involved. My house looks fabulous and we look forward to having them back next year.

5.0 Vernon (tom) W. Mobile, AL

5/17/2019

- **Powerwash Exterior Surfaces**

High quality. Professional in work and appearance. Double checked work for great quality. Arrived on schedule. Completed in a most timely manner. No wasted motion. All their equipment was well maintained. Observed highest standards of safety. Will most assuredly use again. Veteran owned business and performance justified hiring them for our work. House, driveway, sidewalk, and curbing never looked better.

5.0 Judith L. Mobile, AL

5/16/2019

- **Clean Gutters and Downspouts**

I was very impressed with the young man and his crew who did the job. They were very courteous, professional, and I was totally satisfied with their work.

5.0 Dj J. Mobile, AL

5/15/2019

- **Powerwash Exterior Surfaces**

Great team work on getting a home power washed - respectable gentlemen

5.0 Mary Q. Mobile, AL

4/30/2019

- **Powerwash Exterior Surfaces**

Hands down the best pressure washing company I have ever worked with. Joshua is very hardworking, Professional and pays special attention to detail. Wish there was a better rating than 5.

Response from Company:

We appreciate your valuable review Mary! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Tom K. Foley, AL

4/27/2019

- **Powerwash Exterior Surfaces**

Outstanding service, on time, professional, respectful, fairly priced. Great Job! I would highly recommend them.

Response from Company:

Thank you Tom for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

5.0 Maddelina W. Mobile, AL

4/24/2019

- **Clean Gutters and Downspouts**

Explained their process and did exactly what they said they would. We had them power wash the house, driveway, pool deck, retainer wall and clean our gutters. Very reasonably priced. They did a great job. Took extra care when needed. Very professional. Would highly recommend this company!!

Response from Company:

We appreciate your valuable review Maddelina! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Margaret C. Mobile, AL

4/24/2019

- **Powerwash Exterior Surfaces**

They are very nice and friendly. Courteous and very helpful. Thanks American Pro Hydro Services.

Response from Company:

Thank you Margaret for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

5.0 Gloria M. Spanish Fort, AL

4/16/2019

- **Powerwash Exterior Surfaces**

Arrived within 20 minutes of original contact. Came back 2 days later to clean driveway and sidewalks. Very happy with the work done and how quickly the work was finished.

Response from Company:

We appreciate your valuable review Gloria! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 R. I. P. Mobile, AL

4/3/2019

- **Powerwash Exterior Surfaces**

very professional Service. Very reasonable prices. They showed up on time and completed on time. They took extra care to deal with any extra needs that we had. I recommended them highly. Simply the best!

Response from Company:

Thank you for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

Reviews

Write a Review

Showing 61-70 of 79 reviews

Newest First

5.0 Stan H. Daphne, AL

3/31/2019

- **Powerwash Exterior Surfaces**

Was early, timely, thorough, respectful, and polite.

Response from Company:

We appreciate your valuable review Stan! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Keela S. Saraland, AL

3/26/2019

- **Clean Gutters and Downspouts**

I would highly recommend American Pro Hydro Services. They explained in detail the cleaning process and were on time and did exactly what was asked. I would definitely use them again. Very professional

Response from Company:

Thank you Keela for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

5.0 Mark C. Fairhope, AL

3/26/2019

- **Powerwash Exterior Surfaces**

Very professional. Excellent value. Worked hard the entire time and were very thorough and detail oriented.

Response from Company:

We appreciate your valuable review Mark! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Esther D. Mobile, AL

3/25/2019

- **Powerwash Exterior Surfaces**

In today's world it's hard to find reliable and communicative trades but Josh and team is exactly that! A taste of the way it should be. I wish Josh incredible continued success as he builds his business!
C. Esther deWolde, CEO Phantom Screens

Response from Company:

Thank you Mrs. Ester for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

4.0 William H. Summerdale, AL

3/25/2019

- **Clean a Roof**

Response from Company:

Thank you William for your review! We are grateful to be able to serve our community individuals.

5.0 Laura tassie H. Loxley, AL

3/23/2019

- **Powerwash Exterior Surfaces**

Very professional, very personable.. They were fast and did a GREAT JOB

Response from Company:

Thank you Mrs. Laura for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

5.0 Don J. Daphne, AL

2/5/2019

- **Powerwash Exterior Surfaces**

Josh gave me an estimate around 3 pm. I received another estimate by 3:30. Needless to say, his quote and presentation won the bid. Three hours later the job was complete and everything was professionally done. Great job and a promise to return if anything was overlooked. Would highly recommend this company!!

Response from Company:

Don J, Thank you so very much for allowing American Pro Hydro Services to service you! We will see you next year!

5.0 Jeanne C. Gulf Shores, AL

2/4/2019

- **Powerwash Exterior Surfaces**

Very professional and did an excellent job. Have scheduled them for next year.

Response from Company:

We appreciate your valuable review Jeanne! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Jan W. Gulf Shores, AL

1/10/2019

- **Powerwash Exterior Surfaces**

American Pro Hydro Services is an excellent Company for all your pressure washing needs. I was impressed with the professionalism demonstrated. License and proof of insurance were presented and the area to be cleaned was measured... cost of service was determined from the size of area to be cleaned. The three-step application and cleaning agents were explained and all of my questions were patiently answered. I was very pleased with the final results. My decks were covered in black algae and when Josh was finished, the wood looked new. The house and driveways were sparkling! I hope to use them once a year to keep that clean, fresh appearance.

Response from Company:

We appreciate your valuable review Jan! Thank you for being an amazing customer and allowing us the privilege to serve you and your home. We are excited to see you next year!

5.0 Camille S. Mobile, AL

1/8/2019

- **Powerwash Exterior Surfaces**

Prompt, reliable, and professional. Josh did a remarkable job of cleaning my previous horrific concrete areas. I am now the proud of all the cleanliness around my home. I would recommend him without reservation. Thank you Josh for your work ethics, which are stellar.

Response from Company:

Camille S, Thank you so very much for allowing American Pro Hydro Services to service you! We will see you next year!

Reviews

Write a Review

Showing 71-79 of 79 reviews

Newest First

5.0 Dianne E. Mobile, AL

1/7/2019

- **Powerwash Exterior Surfaces**

Mr. James was courteous and very professional. He was on time and explained the process that he uses. I recommend him highly. I am very pleased with his work.

Response from Company:

We appreciate your amazing review Mrs. Dianne! It was a pleasure to be able to provide you with a safe and healthy way to clean your home.

5.0 Cynthia A. Theodore, AL

12/22/2018

- **Powerwash Exterior Surfaces**

Joshua was very prompt and professional. He took the time to explain his techniques and the work look Amazing!...Now that I have the best looking house on the block, I'm certain my neighbors will also be calling him

Response from Company:

Thank you Mrs. Cynthia for taking your time to give such a wonderful review. We value having you as a customer and hope to hear from you next time you need a cleaning!

5.0 Angie E. Stapleton, AL

11/9/2018

- **Powerwash Exterior Surfaces**

Josh was very professional explaining the chemicals that he would use and the results that I could expect. I was on a tight time frame getting the work done and he was very accommodating. I highly recommend this company! Top Notch customer service!

Response from Company:

Thank you so much Angie for taking the time to review our work! We take pride in what we do and making sure our customers are happy! Please keep us in mind for future projects!

5.0 Larry T. Point Clear, AL

9/21/2018

- **Powerwash Exterior Surfaces**

excellent job, very reasonable price

Response from Company:

Thank you Mr. Larry for your review. We value having amazing customers like yourself. Thank you for allowing us the opportunity to serve you and your home!

5.0 Julie B. Daphne, AL

9/6/2018

- **Powerwash Exterior Surfaces**

Josh was very professional and detailed when he explained the process of washing my home. He showed up on time, and took great care in caring for my home. His pride really shows in his work. Everything looks wonderful. I will be calling him again.

Response from Company:

Thank you Mrs. Julie for your comment. We are blessed to have the opportunity to serve our community individually and as a whole. Feel free to stop by anytime you see us around . Hope to hear from you next year!

5.0 Helen N. Mobile, AL

8/31/2018

- **Powerwash Exterior Surfaces**

Josh did an excellent job. In addition, he is professional, courteous and has a very strong work ethic. I would highly recommend American Pro Hydro Services for anyone with power washing needs.

Response from Company:

Thank you Mrs.Helen for your review. We are grateful to have you as a valuable client. See you next year!

5.0 Mike W. Mobile, AL

8/31/2018

- **Powerwash Exterior Surfaces**

Josh did a really great job. Above and beyond. I was completely satisfied with the outcome.

Response from Company:

Thank you Mr. Mike! It was such a pleasure to be able to serve you and make your family home like new. Please feel free to contact or refer us anytime if you need follow up service. Never hesitate to stop by and say hello if you see us around!

5.0 Faye E. Saraland, AL

8/18/2018

- **Powerwash Exterior Surfaces**

If you are looking for someone to power wash your home or your driveway use American Pro Hydro Services. Joshua is very knowledgeable about his work also a very hard worker will not leave till job is finished and you are pleased with the work. Believe me you will not be unhappy with this company. I will be using them to do all my powerwashing in the future. Excellent company! Faye Edwards

Response from Company:

Thank you, Mrs. Edwards. It was such a great experience working for you and for us to provide our best quality of work. We look forward to seeing you again next year!

5.0 Kathleen G. Mobile, AL

8/15/2018

- **Powerwash Exterior Surfaces**

Brought professionalism to a whole other level . Exceptional service and work ethic makes for elated clients.

Response from Company:

It was such a pleasure meeting you and your husband. It was nice to see the outcome of your home after we had washed it. You have such a beautiful home! We hope to see you next year with the same results. Thank you so much!

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

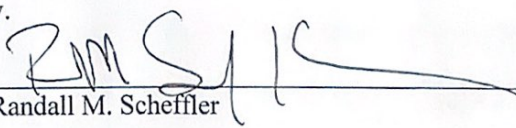
UNITED STATES OF AMERICA : Case. No: 1:21-cr-00028-APM
:
v. :
:
Joshua A. James, :
:
Defendant :

AFFIDAVIT OF RANDALL M. SCHEFFLER

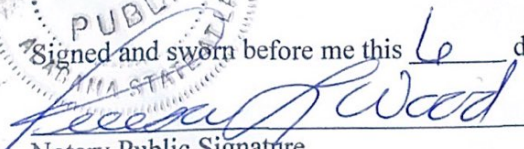
I, Randall M. Scheffler, hereby swear and affirm the following:

1. I am a friend of Audrey James and Joshua James. I reside at 308 Kimball Road, Arab, Alabama 35016. I am 63 years old. I have no criminal record and am retired.
2. I am in possession of two sets of keys to a storage unit given to me by Audrey James. The storage unit contains firearms and ammunition owned by Audrey and Joshua James.
3. I commit to not providing any keys to the storage unit to Joshua James. I will return the keys to Audrey James only if I am informed by Mr. James' counsel that the criminal case against Joshua James is no longer pending.
4. I will provide one of the sets of keys to pre-trial services, or such other government agency, as required by the Court.

Signed and sworn under the penalty of perjury.


Randall M. Scheffler

Signed and sworn before me this 6 day of April 2021


Notary Public Signature

MY COMMISSION EXPIRES OCTOBER 22, 2022

My commission expires: _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA : Case. No: 1:21-cr-00028-APM
:
v. :
Joshua A. James, :
:
Defendant :

AFFIDAVIT

I, Audrey James, hereby swear and affirm the following:

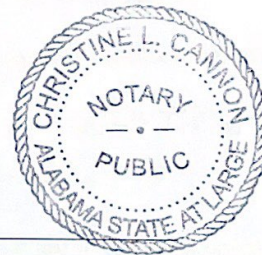
1. I am Joshua James' wife. I have known Mr. James since 2007, and we married in 2016. I live together with our children at 1463 Brashiers Chapel Rd Arab AL 35016
2. Mr. James and I own the following firearms, which are stored in our home.
3. On 4/6/2021, I personally took all of the firearms ammunition we own and stored them in a storage unit at Don's Mini Warehouse 1046 Cullman Rd, Arab AL 35016 B39
4. There are two sets of keys to the storage unit, both of which are in the possession of my friend Randall M. Scheffler ~~Angela Terrell~~, who resides at 308 Kimball Rd, Arab AL 35016. The firearms and ammunition will remain in the storage unit until the conclusion of Joshua's case. Randall Scheffler ~~Ms. Terrell~~ will be the sole person in possession of the keys to the storage unit, and has been asked to make one of the sets of keys available to pre-trial services upon request. No keys to the storage unit are in our home.

5. There are no firearms or ammunition presently in our home. I commit to making sure that no firearms or ammunition will be stored at our home while the criminal case is still pending.
6. If released, Mr. James will not have access to the storage unit or possession of the keys to the storage unit.

Signed and sworn under the penalty of perjury.

Audrey James
Audrey James

Signed and sworn before me this 6th day of April 2021
Christine L. Cannon
Notary Public Signature



My commission expires: 5-24-23