

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Michael Aaron Carico

) Case: 1:21-mj-00537
) Assigned To : Faruqui, Zia M.
) Assign. Date : 7/22/2021
) Description: COMPLAINT W/ ARREST WARRANT

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer


YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) Michael Aaron Carico,
 who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

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

2021.07.22
 21:48:04
 -04'00'





Date: 07/22/2021

Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

Return	
This warrant was received on (date) <u>7/22/2021</u> , and the person was arrested on (date) <u>8/11/2021</u> at (city and state) <u>Burbank, California</u> .	
Date: <u>8/11/2021</u>	 <i>Arresting officer's signature</i> <u>Cody Crutchley Special Agent</u> <i>Printed name and title</i>

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Michael Aaron Carico
DOB: 4/25/1988

)
) Case: 1:21-mj-00537
) Assigned To : Faruqui, Zia M.
) Assign. Date : 7/22/2021
) Description: COMPLAINT W/ ARREST WARRANT
)

Defendant(s)

21MJ03728

CRIMINAL COMPLAINT

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

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

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

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Gregory R. Ortiz

Complainant's signature

Gregory Ortiz, Special Agent
Printed name and title

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

Date: 07/22/2021

Handwritten initials of Zia M. Faruqui



2021.07.22
21:36:49 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

1. Your affiant, Gregory Ortiz, is a Special Agent of the Federal Bureau of Investigation, assigned to the Los Angeles Field Office. Currently, I am tasked with investigating criminal activity in and around the United States Capitol on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal laws.

2. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

3. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

6. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

7. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

8. The FBI interviewed CONFIDENTIAL HUMAN SOURCE (“CHS”), who admitted to being on the U.S. Capitol Grounds on January 6, 2021, but denied entering the U.S. Capitol.¹ CHS provided information to the FBI, including a video approximately nine seconds in length. Your affiant has reviewed this video, and I recognize the background as consistent with outside the U.S. Capitol Building.

9. The video provided by CHS shows the hands and arms of an individual, later identified as MICHAEL AARON CARICO (“CARICO”), wearing a camouflage shirt and brown and black gloves, and holding a camera and a stabilizer. Below is a screenshot from that video (Photograph 1). Also below is a photo taken by CHS outside the U.S. Capitol (Photograph 2) that shows CARICO taking a photo and wearing a camouflage shirt and a green hat backwards with the word “NAVY” printed on the front (the red box was added by the FBI).² CHS does not know CARICO personally. CHS’s interactions with and observations of CARICO on January 6, 2021, are detailed below.



Photograph 1

¹ CHS has agreed to work as a CHS for the FBI and has received payment from the FBI in that capacity. To my knowledge, CHS has never been charged with or convicted of a crime.

² Based on my investigation, I have determined that CARICO did not serve in the United States Navy or any other branch of the U.S. military.



Photograph 2

10. CHS informed the FBI that CARICO was telling others on the U.S. Capitol Grounds that CARICO had just been inside the U.S. Capitol. CHS recorded a video of this exchange from over the top of CARICO's shoulders. CHS heard a woman ask for CARICO's Facebook account and CARICO responded that it was "michaelaaroncarico." CHS wrote down the name to look it up later. CHS said CARICO was with another man, who was wearing a white hat ("SUBJECT 2").³

11. Your affiant searched for CARICO's name on the internet and found an Instagram account visible to the public bearing the username "michaelaaroncarico." I have reviewed videos and photos posted to that Instagram account and I recognize the person pictured on that account to be the gloved individual, CARICO. The Instagram account shows several videos or photos of a person wearing black and brown gloves and camouflage clothing with an American flag patch on his shoulder (Photograph 3). This clothing matches that worn by CARICO on the U.S. Capitol Grounds. Another photo from the Instagram account (Photograph 4) shows CARICO with the same camera and camera strap that CARICO brought to the U.S. Capitol Grounds on January 6, 2021, as shown in the video and photo provided by CHS.

³ The FBI is currently investigating SUBJECT 2's activities in and around the U.S. Capitol on January 6, 2021.



Photograph 3



Photograph 4

12. According to records obtained through a search warrant served on Google, a mobile device associated with an email address containing CARICO's first and middle name @gmail.com (the "CARICO Gmail") was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a

“maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with the CARICO Gmail was within the U.S. Capitol or the restricted grounds from approximately 2:18 p.m. to approximately 3:55 p.m. Google records show that the “maps display radius” for this location data varied between more than and less than 100 feet, and thus encompasses an area that is partially within the U.S. Capitol Building.

13. Your affiant has reviewed video footage captured by U.S. Capitol surveillance cameras on January 6, 2021, including from a camera located in the U.S. Capitol Rotunda. Based on his physical features, clothing, and demeanor, I identified CARICO in the crowd of people in the U.S. Capitol Rotunda. Below is a screenshot (Photograph 5) taken from surveillance footage from the Rotunda (the red circle was added to highlight CARICO). CARICO is wearing a backwards hat, a camouflage shirt with an American flag on the shoulder, and red shoes. CARICO is standing next to an individual wearing a white hat, who is wearing clothing consistent with that worn by SUBJECT 2.



Photograph 5

14. Your affiant also reviewed a video submitted to the FBI that was taken by another person present in the U.S. Capitol Rotunda on January 6, 2021. At this time, I do not personally know who recorded this video, but the person recording it repeatedly identified himself as a member of the press. Again, I identified CARICO in the crowd of people in the U.S. Capitol Rotunda based on his physical features, clothing, and demeanor. In this video, CARICO is wearing a camouflage shirt with an American flag patch on his shoulder, which matches the clothing he wore in the video posted to the michaelaaroncarico Instagram account and in the photos provided by CHS. CARICO is carrying in his hand or wearing backwards a green baseball hat with "NAVY" on the front, wearing a green backpack, and carrying a camera. Those clothing items and accessories are consistent with those CARICO possessed outside the U.S. Capitol Building, as shown in the photo and video provided by CHS. Further, CARICO is next to an individual wearing a white hat and an American flag bandana, who appears to be SUBJECT 2. Below are two screenshots taken from this video showing CARICO in the Rotunda (Photographs 6 and 7).



Photograph 6



Photograph 7

15. I obtained CARICO's driver's license photo from the Florida Department of Motor Vehicles. I compared that photo to the photos and videos provided by CHS, posted on the michaelaaroncarico Instagram account, captured by U.S. Capitol surveillance cameras, and filmed by a person identifying himself as a member of the press. Based on my training, experience, and investigation, I believe them all to depict the same person: CARICO.

16. Pursuant to a search warrant, the FBI obtained content from the CARICO Gmail account, including photos and videos. Photograph 8 shows CARICO wearing a camouflage shirt with an American flag on his shoulder, which appears to be the same shirt he was wearing at the U.S. Capitol on January 6, 2021. Photograph 9 was taken on January 6, 2021, and shows CARICO standing in front of the Seabees Memorial, which is located in Arlington, Virginia. CARICO is wearing the green hat with the word "NAVY" on the front and a green jacket, and holding a camera with a large lens.



Photograph 8



Photograph 9

17. Photos and videos obtained pursuant to the search warrant on the CARICO Gmail account show that CARICO entered the restricted grounds and climbed to the top of the media tower, which was located near the inauguration stage on the West Front of the U.S. Capitol. Photograph 10 shows the area around the inauguration stage as it looked on January 6, 2021, including the media tower on the far right of the image.⁴ One video shows CARICO and SUBJECT 2 climbing the ladder to the platform located on the top of the media tower. Photograph 11 is a screenshot from this video, showing CARICO's brown and black gloves and red shoes. Photograph 12 is another screenshot from this video, showing CARICO's face, the Capitol Reflecting Pool, and the National Mall, including the Washington Monument. Photograph 13 is a selfie-style photo CARICO took of himself and SUBJECT 2 from the media tower overlooking the U.S. Capitol.



Photograph 10

⁴ Photograph 10 is publicly available on the website of the BBC at <https://www.bbc.com/news/world-us-canada-56004916>, and is attributed to Getty Images.



Photograph 11



Photograph 12



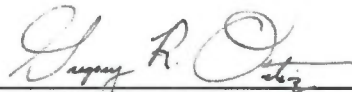
Photograph 13

18. Another video obtained from the CARICO Gmail account is approximately thirty seconds in length and taken from the media tower. In the video, CARICO and SUBJECT 2, along with others in the crowd, sing or yell the words, “the land of the free, and the home of the brave.” I recognize these words as the closing lines of the Star-Spangled Banner. CARICO then looks directly at the camera and says, “Hey Nancy, go fuck yourself.” Based on the proximity to the U.S. Capitol and the congressional proceedings occurring that day, I understand “Nancy” to be a reference to Speaker of the House Nancy Pelosi.

19. Based on my investigation, I have determined that CARICO was not a congressional staffer, law enforcement officer, or other person authorized to be inside the U.S. Capitol or restricted grounds on January 6, 2021.

20. Based on the foregoing, your affiant submits that there is probable cause to believe that CARICO violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

21. Your affiant submits there is also probable cause to believe that CARICO violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Special Agent Gregory Ortiz
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 22nd day of July 2021.



2021.07.22

21:33:43 -04'00'

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

2021 AUG 11 PM 2:47

FILED

Am

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America

PLAINTIFF(S)

v.

Michael Aaron Carico

DEFENDANT(S).

CASE NUMBER

1:21-mj-00537

21MJ03728

DECLARATION RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: Complaint

in the _____ District of Columbia on July 22, 2021

at 9:48 a.m. / p.m. The offense was allegedly committed on or about January 6, 2021

in violation of Title 18 U.S.C., Section(s) 1752(a)(1), 1752(a)(2)

to wit: _____

A warrant for defendant's arrest was issued by: Zia M. Faruqui

Bond of \$ _____ was set / recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/11/2021

Date

Cody Crutchley

Signature of Agent

Cody Crutchley

Print Name of Agent

FBI

Agency

Special Agent

Title

Submit this form by e-mail to:

rimIntakeCourtDocs-LA@cacd.uscourts.gov For Los Angeles criminal duty.

rimIntakeCourtDocs-SA@cacd.uscourts.gov For Santa Ana criminal duty.

rimIntakeCourtDocs-RS@cacd.uscourts.gov For Riverside criminal duty.

FILED
2021 AUG 11 PM 2:53
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
D.M.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

PLAINTIFF

Michael Aaron Carico

USMS#

DEFENDANT

CASE NUMBER:

2:21-mj-00537

REPORT COMMENCING CRIMINAL
ACTION

21MJ03728

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. Date and time of arrest: 08/11/2021 6am AM PM

2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: Yes No

3. Defendant is in U.S. Marshals Service lock-up (in this court building): Yes No

4. Charges under which defendant has been booked:

18 USC 1752(a)(1), 18 USC 1752(a)(2), 40 USC 5104(e)(2)(D), 40 USC 5104(e)(2)(B)

5. Offense charged is a: Felony Minor Offense Petty Offense Other Misdemeanor

6. Interpreter Required: No Yes Language: _____

7. Year of Birth: 1988

8. Defendant has retained counsel: No

Yes Name: _____ Phone Number: _____

9. Name of Pretrial Services Officer notified: _____

10. Remarks (if any): USMS notified of pretrial

11. Name: Kathun Royal (please print)

12. Office Phone Number: 703-718-1601

13. Agency: FBI

4. Signature: [Signature]

15. Date: 8/11/2021

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

Western Division

vs.

Case Number: 2:21-MJ-03728-1

Initial App. Date: 08/11/2021

Initial App. Time: 1:00 PM

Out of District Affidavit
Custody

Michael Aaron Carico

Defendant.

Date Filed: 08/11/2021

Violation: 18 USC 1752 (a) (1) 18 USC

1752 (a) (2)

CourtSmart/ Reporter: ECR0

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: Jacqueline Chooljian

CALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Hays, Kerri

Samuel Diaz

None

Deputy Clerk

Assistant U.S. Attorney

Interpreter/Language

INITIAL APPEARANCE NOT HELD - CONTINUED

Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).

Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and
 preliminary hearing OR removal hearing / Rule 20.

Defendant states true name is as charged is

Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.

Defendant advised of consequences of false statement in financial affidavit. Financial Affidavit ordered **SEALED**.

Attorney: Kate Morris, DFPD Appointed Prev. Appointed Poss. Contribution (see separate order)

Special appearance by: Solely to handle the matter in this District.

Government's request for detention is: GRANTED DENIED WITHDRAWN CONTINUED

Defendant is ordered: Permanently Detained Temporarily Detained (see separate order).

BAIL FIXED AT \$ 20,000.00 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)

Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: GRANTED DENIED

Preliminary Hearing waived.

Class B Misdemeanor Defendant is advised of maximum penalties

This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of all further proceedings.

PO/PSA WARRANT Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.

Preliminary Hearing set for _____ at 4:30 PM

PIA set for: _____ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana

Government's motion to dismiss case/defendant _____ only: GRANTED DENIED

Defendant's motion to dismiss for lack of probable cause: GRANTED DENIED

Defendant executed Waiver of Rights. Process received.

Court ORDERS defendant Held to Answer to _____ District of Columbia

Bond to transfer, if bail is posted. Defendant to report on or before _____

Warrant of removal and final commitment to issue. Date issued: _____ By CRD: _____

Warrant of removal and final commitment are ordered stayed until _____

Case continued to (Date) _____ (Time) _____ AM / PM

Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge.

Proceedings will be held in the Duty Courtroom Judge's Courtroom

Defendant committed to the custody of the U.S. Marshal Summons: Defendant ordered to report to USM for processing.

Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.

Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.

RELEASE ORDER NO: 41182

Other: _____

PSA USPO FINANCIAL

CR-10 CR-29

READY

Deputy Clerk Initials *ker*

: 35

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Case Name: United States of America v. Michael Aaron Carico

Case No. 2:21-mj-3729

Defendant Material Witness

Violation of Title and Section: 18 USC 1752 (a)(1); 1752 (a)(2)

Summons Out of District UNDER SEAL Modified Date: _____

Check only one of the five numbered boxes below (unless one bond is to be replaced by another):

<p>1. <input type="checkbox"/> Personal Recognizance (<i>Signature Only</i>)</p> <p>2. <input type="checkbox"/> Unsecured Appearance Bond \$ _____</p> <p>3. <input checked="" type="checkbox"/> Appearance Bond \$ <u>20,000.00</u></p> <p>(a). <input type="checkbox"/> Cash Deposit (<i>Amount or %</i>) (<i>Form CR-7</i>) _____</p> <p>(b). <input checked="" type="checkbox"/> Affidavit of Surety Without Justification (<i>Form CR-4</i>) Signed by: <u>Father - Arthur Carico</u> _____ _____ _____ _____</p>	<p>(c). <input type="checkbox"/> Affidavit of Surety With Justification (<i>Form CR-3</i>) Signed by: _____ _____ _____</p> <p><input type="checkbox"/> With Full Deeding of Property: _____ _____ _____</p> <p>4. <input type="checkbox"/> Collateral Bond in the Amount of (<i>Cash or Negotiable Securities</i>): \$ _____</p> <p>5. <input type="checkbox"/> Corporate Surety Bond in the Amount of: \$ _____</p>	<p>Release No. <u>41182</u></p> <p><input type="checkbox"/> Release to Pretrial ONLY <input type="checkbox"/> Release to Probation ONLY <input checked="" type="checkbox"/> Forthwith Release</p> <p><u>with bond to be posted by</u> <u>August 16, 2021</u></p> <p><input checked="" type="checkbox"/> All Conditions of Bond (<i>Except Clearing-Warrants Condition</i>) Must be Met and Posted by: <u>8/16/21 by noon</u></p> <p><input type="checkbox"/> Third-Party Custody Affidavit (<i>Form CR-31</i>)</p> <p><input checked="" type="checkbox"/> Bail Fixed by Court: <u>JC</u> / <u>klh</u> (<i>Judge / Clerk's Initials</i>)</p>
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PRECONDITIONS TO RELEASE

- The government has requested a Nebbia hearing under 18 U.S.C. § 3142(g)(4).
- The Court has ordered a Nebbia hearing under § 3142 (g)(4).
- The Nebbia hearing is set for _____ at _____ a.m. p.m.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, the following conditions of release are imposed upon you:

- Submit to: Pretrial Services Agency (PSA) supervision as directed by PSA; Probation (USPO) supervision as directed by USPO.
(*The agency indicated above, PSA or USPO, will be referred to below as "Supervising Agency."*)
- Surrender all passports and travel documents to Supervising Agency no later than 8/13/21 by noon, sign a Declaration re Passport and Other Travel Documents (*Form CR-37*), and do not apply for a passport or other travel document during the pendency of this case.
- Travel is restricted to CACD and Dist. of Columbia with limitations below _____ unless prior permission is granted by Supervising Agency to travel to a specific other location. Court permission is required for international travel.
- Reside as approved by Supervising Agency and do not relocate without prior permission from Supervising Agency.
- Maintain or actively seek employment and provide proof to Supervising Agency. Employment to be approved by Supervising Agency.
- Maintain or begin an educational program and provide proof to Supervising Agency.

Defendant's Initials: MAC by Date: 8/11/21

Kate Morris KM

Defendant Material Witness

Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, including but not limited to _____; except _____.

Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present: _____.

Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not engage in telemarketing.

Do not sell, transfer, or give away any asset valued at \$ _____ or more without notifying and obtaining permission from the Court, except _____.

Do not engage in tax preparation for others.

Do not use alcohol.

Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.

Do not use or possess illegal drugs or state-authorized marijuana. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.

Submit to: drug and/or alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.

Participate in residential drug and/or alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. Release to PSA only Release to USPO only

Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

Participate in the Location Monitoring Program marked below and abide by all of the requirements of the program and any indicated restrictions, under the direction of the Supervising Agency. You must pay all or part of the costs of the program based upon your ability to pay as determined by the Supervising Agency. You are financially responsible for any lost or damaged equipment.

Location Monitoring Technology

Location Monitoring technology at the discretion of the Supervising Agency

or

Defendant's Initials: MAC by Date: 8/11/21
Kate Morris KM

Defendant Material Witness

- Location Monitoring **with** a bracelet
 - at the discretion of the Supervising Agency **or**
 - Radio Frequency (RF) **or**
 - Global Positioning System (GPS)
 - Release to the Supervising Agency only **or** Placement of bracelet within 24 hours of release

or

- Location Monitoring **without** a bracelet
 - at the discretion of the Supervising Agency **or**
 - Virtual/Biometric **or**
 - Voice Recognition

Restrictions

- Location Monitoring only - no residential restrictions
- Curfew - You are restricted to your residence every day:
 - from _____ to _____
 - as directed by Supervising Agency
- Home Detention - You are restricted to your residence at all times except for employment, education, religious services, medical needs or treatment, attorney visits, court appearances and obligations, essential needs, and _____, all of which must be preapproved by the Supervising Agency
- Home Incarceration - You are restricted to your residence at all times except for medical needs or treatment, attorney visits, court appearances and obligations, and _____, all of which must be preapproved by the Supervising Agency
- You are placed in the third-party custody (*Form CR-31*) of _____
- Clear outstanding warrants or DMV and traffic violations and provide proof to Supervising Agency within _____ days of release from custody.
- Do not possess or have access to, in the home, the workplace, or any other location, any device that offers internet access except as approved by Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.
- Do not associate or have verbal, written, telephonic, electronic, or any other communication with any person who is less than the age of 18 except in the presence of a parent or legal guardian of the minor.
- Do not loiter or be found within 100 feet of any schoolyard, park, playground, arcade, or other place primarily used by children under the age of 18.
- Do not be employed by, affiliated with, own, control, or otherwise participate directly or indirectly in the operation of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.

Defendant's Initials: MAC by Kate Marin Date: 8/11/21

Kate Marin


Defendant Material Witness

Do not view or possess child pornography or child erotica. In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

Other conditions:

Defendant to remain outside of the District of Columbia except to appear in this case or as pre-approved by PSA

GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: MAC by Kate Marin Date: 8/11/21

Defendant Material Witness

ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.

8/11/21
Date

Michael Carico BY KATE MORRIS
Signature of Defendant / Material Witness (KM)

(213) 894-2854
Telephone Number

LOS ANGELES, CA
City and State (DO NOT INCLUDE ZIP CODE)

Check if interpreter is used: I have interpreted into the _____ language this entire form and have been told by the defendant that he or she understands all of it.

Interpreter's Signature

Date

Approved: _____
United States District Judge / Magistrate Judge

Date

If cash deposited: Receipt # _____ for \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: MAC by Date: 8/11/21
Kate Morris (KM)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FILED
CLERK, U.S. DISTRICT COURT

AUG 11 2021

CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA,

PLAINTIFF

CASE NUMBER:

21-MJ-3728

v.

MICHAEL CARICO

DEFENDANT.

WAIVER OF RIGHTS
(OUT OF DISTRICT CASES)

I understand that charges are pending in the _____ District of _____ Columbia
alleging violation of _____ 18 USC 1752, 40 USC 5104 _____ and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

- have an identity hearing
- arrival of process
- have a preliminary hearing
- have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district. (KM)

Michael Carico BY DFPD KATE L. MORRIS
Defendant

Kate MORRIS
Defense Counsel

[Signature]
United States Magistrate Judge

Date: 8/11/2021

I have translated this Waiver to the defendant in the _____ language.

Date: _____
Interpreter(if required)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-03728-DUTY All Defendants**

Case title: USA v. Carico

Date Filed: 08/11/2021

Date Terminated: 08/11/2021

Assigned to: Duty Magistrate Judge

Defendant (1)

Michael Aaron Carico
REG 59507-509
TERMINATED: 08/11/2021

represented by **Kate L. Morris**
Federal Public Defenders Office
321 East 2nd Street
Los Angeles, CA 90012
213-894-5669
Fax: 213-894-0081
Email: Kate_Morris@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney
Criminal Division - US Courthouse
312 North Spring Street 12th Floor
Los Angeles, CA 90012-4700
213-894-2434
Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
08/11/2021	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Michael Aaron Carico, originating in the District of Columbia. Defendant charged in violation of: 18:1752(a)(1),1752(a)(2). Signed by agent Cody Crutchley, FBI; Special Agent. (ja) (Entered: 08/13/2021)
08/11/2021	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Michael Aaron Carico; defendants Year of Birth: 1988; date of arrest: 8/11/2021 (ja) (Entered: 08/13/2021)
08/11/2021	3	Defendant Michael Aaron Carico arrested on warrant issued by the USDC District of Columbia at Washington, D.C. (Attachments: # 1 Charging Document)(ja) (Entered: 08/13/2021)
08/11/2021	4	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Jacqueline Chooljian as to Defendant Michael Aaron Carico. Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutors disclosure obligations;see General Order 21-02 (written order). Defendant arraigned. Attorney: Kate L. Morris for Michael Aaron Carico, Deputy Federal Public Defender, Appointed solely to handle the matter in this District. Court orders bail set as: Michael Aaron Carico (1) \$20,000.00 Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Court orders defendant held to answer to District of Columbia. Release Order No 41182. Court Smart: CS 8/11/21. (ja) (Entered: 08/13/2021)
08/11/2021	5	FINANCIAL AFFIDAVIT filed as to Defendant Michael Aaron Carico. (Not for Public View pursuant to the E-Government Act of 2002) (ja) (Entered: 08/13/2021)
08/11/2021	6	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Plaintiff USA as to Defendant Michael Aaron Carico. (ja) (Entered: 08/13/2021)
08/11/2021	7	ORDER FOR CONTRIBUTION TOWARD ATTORNEYS FEES by Magistrate Judge Jacqueline Chooljian as to Michael Aaron Carico. Funds in the amount of a total sum of \$500.00, shall be paid by the defendant to the Clerks Office as follows: due no later than 8/25/21. (ja) (Entered: 08/13/2021)
08/11/2021	8	CONSENT to Video Conference/Telephonic Conference filed by Defendant Michael Aaron Carico. (ja) (Entered: 08/13/2021)
08/11/2021	10	WAIVER OF RIGHTS approved by Magistrate Judge Jacqueline Chooljian as to Defendant Michael Aaron Carico. (ja) (Entered: 08/13/2021)
08/12/2021	9	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Michael Aaron Carico. USA passport was received on 8/12/21. (ja) (Entered: 08/13/2021)
08/12/2021	11	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$20,000 by surety: Arthur Carico for Bond and Conditions Filed by Defendant Michael Aaron Carico (ja) (Entered: 08/13/2021)

08/12/2021	12	SEALED UNREDACTED Affidavit of Surety (CR-4) filed by Defendant Michael Aaron Carico re: Affidavit of Surety (No Justification)(CR-4) 11 (ja) (Entered: 08/13/2021)
08/13/2021	13	DECLARATION RE: PASSPORT filed by Defendant Michael Aaron Carico, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. (ja) (Entered: 08/13/2021)
08/13/2021		Notice to District of Columbia of a Rule 5 Initial Appearance as to Defendant Michael Aaron Carico. Your case number is: 1:21-mj-0537. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: 4 Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40). The Clerk will forward the passport to you If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (ja) (Entered: 08/13/2021)