

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Michael Pope

Case: 1:21-mj-00217
Assigned to: Judge Faruqui, Zia M
Assign Date: 2/10/2021
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 Pope
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. 1512(c)(2)- Obstructing or Impeding Any Official Proceeding
- 18 U.S.C. 231(a)(3)- Civil Disorder
- 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)(E)- Impeding Passage Through the Capitol Grounds or Buildings
- 40 U.S.C. 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

Date: 02/10/2021

2021.02.10
12:55:43 -05'00'

Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 2/10/21, and the person was arrested on (date) 2/12/21
at (city and state) Sandpoint, ID

Date: 2/12/21

Arresting officer's signature

Special Agent Edward Jacobson - FBI

Printed name and title

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Michael Pope

Defendant(s)

) Case: 1:21-mj-00217
) Assigned to: Judge Faruqui, Zia M
) Assign Date: 2/10/2021
) Description: COMPLAINT W/ARREST WARRANT
)
)
)

CRIMINAL COMPLAINT

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

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

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1512(c)(2), 18 U.S.C. 231(a)(3), 18 U.S.C. 1752(a)(1), 18 U.S.C. 1752(a)(2), 40 U.S.C. 5104(e)(2)(D), 40 U.S.C. 5104(e)(2)(E), 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.

Complainant's signature

Clay Chase, 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: 02/10/2021

Judge's signature

2021.02.10
12:56:06 -05'00'

City and state: Washington, D.C.

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

WILLIAM POPE, and
MICHAEL POPE,

Defendants.

Case: 1:21-mj-00217
Assigned to: Judge Faruqi, Zia M
Assign Date: 2/10/2021
Description: COMPLAINT W/ARREST WARRANT

VIOLATIONS:

18 U.S.C. § 231(a)(3)

(Civil Disorder)

18 U.S.C. §§ 1512(c)(2),

(Obstruction of an Official Proceeding)

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)(E)

**(Impeding Passage Through the Capitol
Grounds or Buildings)**

40 U.S.C. § 5104(e)(2)(G)

**(Parading, Demonstrating, or Picketing in
a Capitol Building)**

ORDER

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

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant

application to seal, and this Order are sealed until both arrest warrants are executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrants until they are executed.

Date: February 10, 2021

  2021.02.10
12:51:30 -05'00'

ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE

STATUTE (Title and Section(s))	COUNT/ FORFEITURE ALLEGATION	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessment)
18 U.S.C. § 1512(c)(2) CLASS C FELONY	ONE	Obstructing or Impeding Any Official Proceeding	20 years max term imprisonment; 3 years max term supervised release; \$250,000.00 max fine; \$100 Special Assessment
18 U.S.C. § 231(a)(3) CLASS D FELONY	TWO	Civil Disorder	5 years max term imprisonment; max term 3 years supervised release; max fine \$250,000.00; \$100 Special Assessment
18 U.S.C. § 1752(a)(1) CLASS A MISDEMEANOR	THREE	Entering and Remaining in a Restricted Building or Grounds	1 year max term imprisonment; 1 year max supervised release; \$100,000.00 max fine; \$100 Special Assessment
18 U.S.C. § 1752(a)(2) CLASS A MISDEMEANOR	FOUR	Disorderly and Disruptive Conduct in a Restricted Building or Grounds	1 year max term imprisonment; 1 year max supervised release; \$100,000.00 max fine; \$100 Special Assessment
40 U.S.C. § 5104(e)(2)(D) CLASS B MISDEMEANOR	FIVE	Disorderly Conduct in a Capitol Building	6 months max imprisonment; 1 year max supervised release; \$5,000.00 max fine; \$100 Special Assessment
40 U.S.C. § 5104(e)(2)(E) CLASS B MISDEMEANOR	SIX	Impeding Passage Through the Capitol Grounds or Buildings	6 months max imprisonment; 1 year max supervised release; \$5,000.00 max fine; \$100 Special Assessment
40 U.S.C. § 5104(e)(2)(G) CLASS B MISDEMEANOR	SEVEN	Parading, Demonstrating, or Picketing in a Capitol Building	6 months max imprisonment; 1 year max supervised release; \$5,000.00 max fine; \$100 Special Assessment

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO
U.S. MAGISTRATE JUDGE MINUTE ENTRY**

- (X) Video Initial Appearance on a Rule 5- Complaint
- (X) Video Preliminary Exam: Waived

MAGISTRATE JUDGE: Candy W. Dale
DEPUTY CLERK/ESR: Sunny Trumbull

DATE: February 12, 2021
TIME: 4:28 – 4:49 p.m.

**UNITED STATES OF AMERICA vs. MICHAEL POPE
District of Idaho case #2:21-mj-420-CWD
District of Columbia case #1:21-mj-217**

Counsel for: United States (AUSA): Traci Whelan
Defendant: Michael Palmer, retained counsel
USPO: Emma Wilkins

- (X) Defendant waived personal appearance for today's proceeding.
- (X) Defendant appeared in custody on Warrant/Complaint from the District of Columbia.
- (X) Court reviewed the Complaint. Defendant waived reading of the Complaint.
- (X) Court provided initial appearance advising of all constitutional rights to counsel the charging document and Rule 5 proceedings.
- (X) Defendant waived an identity hearing and preliminary examination.
- (X) The Government is not seeking detention. The parties agreed on release conditions.
- (X) The Court reviewed release conditions.

- (X) Court entered Order Setting Conditions of Release.

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

UNITED STATES DISTRICT COURT
for the

United States of America

v.

Michael Pope

Defendant

Case No. 1:21-mj-420-CWD

Charging District's Case No. 1:21-mj-217

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

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

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
(2) an identity hearing to determine whether I am the person named in the charges;
(3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
(4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
(5) a hearing on any motion by the government for detention;
(6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- [X] an identity hearing and production of the warrant.
[X] a preliminary hearing.
[] a detention hearing.
[] an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my [] preliminary hearing and/or [] detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: February 12, 2021

[Handwritten signature]
Defendant's signature

Signature of defendant's attorney

Michael Palmer
Printed name of defendant's attorney

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

UNITED STATES DISTRICT COURT
for the

United States of America

v.

Michael Pope

Defendant

Case No. 1:21-mj-420-CWD

Charging District's Case No.
1:21-mj-217

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

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

I have been informed of the charges and of my rights to:

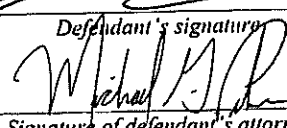
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- an identity hearing and production of the warrant.
- a preliminary hearing.
- a detention hearing.
- an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 - preliminary hearing and/or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: February 12, 2021

Defendant's signature


Signature of defendant's attorney

Michael Palmer
Printed name of defendant's attorney

AO 199A (as modified by the District of Idaho - Rev. 11/20) Order Setting Conditions of Release

UNITED STATES DISTRICT COURT
for the
District of Idaho

United States of America
v.
Michael Pope
Defendant

Case No. 0976 2:21-mj-420-CWD-001

ORDER SETTING CONDITIONS OF RELEASE

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

- (1) The defendant must not violate federal, state, or local law while on release.
(2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
(3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
(4) The defendant must appear in court as required and, if convicted, must surrender as directed by U.S. Probation to serve a sentence that the court may impose.

The defendant must appear at: Virtually before Judge Robin Meriweather (District of Columbia)
Place

on February 19, 2021, at 1:00 p.m.
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

AO 199B (as modified by the District of Idaho - Rev. 11/20) Additional Conditions of Release

DEFENDANT: Michael Pope

ADDITIONAL CONDITIONS OF RELEASE

6. The defendant must submit to supervision by and report for supervision to Pretrial Services in the District of Idaho weekly, or as directed.
7. The defendant must abide by the following restrictions on personal association, residence or travel. The defendant's travel shall be restricted to: The 10 northernmost counties within the District of Idaho, and the District of Columbia for travel previously approved by pretrial services officer to attend Court hearings, including the travel to and from each District.
8. The defendant must not possess a firearm, destructive device, or other weapon.
9. The defendant must maintain current residence and shall not move or change residences without prior approval of the Pretrial Services officer.
10. The defendant must adhere to and comply with all federal, state, and local laws, orders, rules, and the like regarding social distancing and self-isolation and protocols regarding COVID-19 including, but not limited to, Idaho's Reopening Plan and the orders of the court.
11. The defendant must not travel outside the continental United States without Court approval.
12. The defendant must participate in all future proceedings as directed.

AO 199C (as modified by the District of Idaho - Rev. 11/20) Advice of Penalties

DEFENDANT: Michael Pope

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

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

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

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

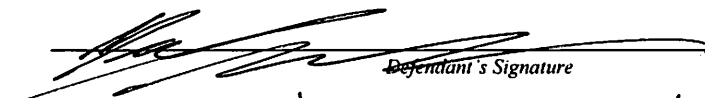
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

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

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

Acknowledgment of the Defendant

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



Defendant's Signature
 Sandpoint, Idaho

City and State

Directions to the United States Marshal

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

Date: February 12, 2021



Judicial Officer's Signature

Candy W. Dale, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

U.S. District Court
District of Idaho (LIVE Database) Version 6.3 (CDA - Northern)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00420-CWD All Defendants

Case title: USA v. Pope
Other court case number: 1:21-mj-217 U.S. District Court of
District of Columbia

Date Filed: 02/12/2021

Assigned to: Judge Candy W. Dale

Defendant (1)

Michael Pope

represented by **Michael G Palmer**
Palmer George & Taylor PLLC
923 N. 3rd Street
Coeur d'Alene, ID 83814
(208) 665-5778
Fax: (208) 676-1683
Email: michael@cdalawoffice.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

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 **Traci Jo Whelan**
US ATTORNEY'S OFFICE
6450 N. Mineral Drive
Suite 210
Coeur d'Alene, ID 83815
(208) 667-6568

Email: Traci.Whelan@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Date Filed	#	Docket Text
02/12/2021	1	Rule 5(c)(3) Documents Received from the District of Columbia Case No. 1:21-mj-217 as to Michael Pope (Notice sent to USP & USM) (Attachments: # 1 Arrest Warrant, # 2 Warrant page 2)(jd) (Additional attachment(s) added on 2/12/2021: # 3 Order) (jd). (Additional attachment(s) added on 2/12/2021: # 4 Cover Sheet) (jd). (Additional attachment(s) added on 2/12/2021: # 5 Statement of Facts) (jd).
02/12/2021	2	DOCKET TEXT NOTICE OF HEARING as to Michael Pope. (Notice sent to USP & USM) Video Initial Appearance - Rule 5(c)(3) set for 2/12/2021 04:00 PM in Video - Boise to Other location (Mountain Time) before Judge Candy W. Dale. Counsel to receive video link via separate notification. Members of the public may use the following to attend this matter via Audio ONLY: 1-669-254-5252, Meeting ID: 160 282 7937, Meeting Password: 601411. Persons granted remote access to proceedings are reminded of the general prohibition under federal law and Local Rule 83.1 against photographing, recording, and rebroadcasting of court proceedings (st) Modified on 2/12/2021 to add zoom information (st).
02/12/2021	3	Minute Entry for proceedings held before Judge Candy W. Dale:Video Initial Appearance/Preliminary Exam in Rule 5(c)(3) Proceedings as to Michael Pope held on 2/12/2021. (Notice sent to USP & USM) (ESR: Sunny Trumbull.) Audio File saved via zoom. (st)
02/12/2021	4	ORDER Setting Conditions of Release (Notice sent to USP & USM). Signed by Judge Candy W. Dale.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
02/12/2021	5	WAIVER of Rule 5(c)(3) Hearing (signed by defendant only) by Michael Pope. (Notice sent to USP & USM) (st) (Additional attachment(s) added on 2/16/2021: # 1 Waiver signed by defense counsel) (st).
02/12/2021	6	Penalty Sheet as to Defendant Michael Pope re 1 Rule 5(c)(3) Documents. (jp) (Entered: 02/17/2021)