

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.
Richard Barnett aka "Bigo"

Case No.

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) Richard Barnett aka "Bigo",
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)- Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority

40 U.S.C. 5104(e)(2)- Violent Entry and Disorderly Conduct on Capitol Grounds

18 U.S.C. 641- Theft of Public Money, Property, or Records

Date: 01/07/2021G. Michael Harvey
2021.01.07 19:49:39
-05'00'

Issuing officer's signature

City and state: Washington, DCG. MICHAEL HARVEY, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 1/7/2021, and the person was arrested on (date) 01/08/2021
at (city and state) Bentonville, Arkansas.

Date: 01/11/2021

Arresting officer's signature

Jonathan Willett / Special Agent / FBI
Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

WESTERN DISTRICT OF ARKANSAS

FAYETTEVILLE DIVISION

5:21MJ-5001-001

FILED ON JANUARY 8, 2021

United States of America

v.

Richard Barnett aka "Bigo"

Case: 1:21-mj-00013

Assigned to: Judge Harvey, G. Michael

Assign Date: 1/7/2021

Description: COMPLAINT W/ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

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

On or about the date(s) of January 6, 2021 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. 1752 (a)

Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority

40 U.S.C. 5104(e)(2)

Violent Entry and Disorderly Conduct on Capitol Grounds

18 U.S.C. 641

Theft of Public Money, Property, or Records

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.*Complainant's signature*

James Soltes, U.S. Capitol Police

Printed name and title

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

Telephone (specify reliable electronic means).

Date: 1/7/2021

G. Michael Harvey

2021.01.07 19:48:32 -05'00'

*Judge's signature*City and state: Washington, D.C.

Magistrate Judge G. Michael Harvey

Printed name and title

STATEMENT OF FACTS

On January 6, 2021, your affiant, Special Agent James Soltes of the Capitol Police Department, was on duty and performing my official duties as an Officer in the United States Capitol Police. Specifically, I was detailed and deployed in the surrounding area of the United States Capitol building to provide protective functions for members of Congress and their staff. As a Special Agent in the United States Capitol Police, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

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. Specifically, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the 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. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was 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, at approximately 2:15 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, 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 approximately 8:00 p.m.

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.

In the course of my duties, I learned that an individual entered the restricted office area of the Speaker of the House of Representatives Nancy Pelosi and took photographs with his feet propped up on furniture. Those photos were circulated on numerous news media platforms which identified the individual as RICHARD BARNETT of Gravette, Arkansas. Capitol Police searched law enforcement databases including Department of Motor Vehicle records and obtained a photograph and biographical information for BARNETT. These records confirmed that the individual in the news photographs did in fact appear to be RICHARD BARNETT of Gravette, Arkansas DOB 07/12/1960.

The photos circulated by news media depict BARNETT in and around U.S. Capitol property. One photo shows BARNETT seated inside of Nancy Pelosi's office with his feet propped on a desk with an America flag lying on an adjacent credenza. BARNETT is wearing a hat, plaid jacket, blue jeans, and brown boots in the photo. Another photo depicts BARNETT seated holding

an envelope in his left hand addressed to The Honorable Billy Long 2453 Rayburn House Office Building Washington, D.C. 20515 and a digital signature of Nancy Pelosi. In another photo, an individual whose face is blocked by a flag but appears to be BARNETT based on his clothing is seated at a different desk with his feet propped holding an American flag and a cell phone. Another unidentified individual in a brown jacket is sitting next to him on a couch.

Video surveillance from a camera positioned outside of the Speaker's main office door captures individuals entering and exiting the office. At approximately 2:30 p.m., several unidentified individuals appear to try the door to the office however the door is locked. At approximately 2:33 p.m. an unidentified individual pushes in the door to the office. At 2:50 p.m. BARNETT is captured on surveillance video carrying an American flag and a cellular phone while entering the doors which lead to the Speaker's conference room adjoining the main office space. As he is entering it, he is following behind the unidentified individual in the brown jacket. At 2:56 p.m. BARNETT is captured leaving the main office doors of the Speaker's office space with only a phone in his hand.

On the same date, BARNETT spoke to media outlets in a video recording. In the recording, BARNETT is wearing the same hat and plaid jacket as worn inside of the Speaker's office except that BARNETT appears to have removed his shirt. BARNETT is asked by a person off camera how BARNETT obtained an envelope he is holding, which was addressed to The Honorable Billy Long 2453 Rayburn House Office Building Washington, D.C. 20515 with a return address of Office of the Speaker U.S. House of Representatives Washington, D.C. 20515 and a digital signature of Nancy Pelosi. BARNETT states "I did not steal it. I bled on it because they were macing me and I couldn't fucking see so I figured I am in her office. I got blood on her office. I put a quarter on her desk even though she ain't fucking worth it. And I left her a note on her desk that says "Nancy, Bigo was here, you Bitch."

In another photograph which appears to be taken outside on Capitol grounds, BARNETT is depicted holding the envelope he purported to have taken from Speaker Pelosi's office. Based on the writing on the envelope, the envelope appears to be the same envelope BARNETT was photographed holding inside of the office building.

Based on the foregoing, your affiant submits that there is probable cause to believe that BARNETT violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; or (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. 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 is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant also submits that there is probable cause to believe that BARNETT violated 40 U.S.C. § 5104(e)(2)(C), (D), and (G), which makes it a crime to willfully and knowingly (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of – (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Ground 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; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Furthermore, your affiant submits, there is probable cause to believe that BARNETT also violated 18 U.S.C. § 641, which makes it a crime to steal or purloin..., a thing of value of the United States or of any department or agency thereof or any property made...for the United States or any department or agency thereof . . .” For purposes of this section, the word “value” means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.



SPECIAL AGENT JAMES SOLTES
CAPITOL POLICE DEPARTMENT

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th day of January 2021.



G. Michael Harvey
2021.01.07 19:49:19
-05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of ColumbiaWESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

5:21MJ-5001-001

FILED ON JANUARY 12, 2021

United States of America
v.

Richard Barnett aka "Bigo"

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Assigned to: Judge Harvey, G. Michael

Assign Date: 1/12/2021

Description: COMPLAINT W/ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

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

On or about the date(s) of January 6, 2021 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. 1752 (a)(1)&(2);(b)(1)(A)

Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority While Carrying a Dangerous Weapon

40 U.S.C. 5104(e)(2)(C)(D) & (G)

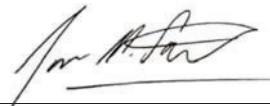
Violent Entry and Disorderly Conduct on Capitol Grounds

18 U.S.C. 641

Theft of Public Money, Property, or Records

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.*Complainant's signature*

James Soltes, US Capitol Police

Printed name and title

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

Telephone (specify reliable electronic means).

Date: 01/12/2020

G. Michael Harvey

2021.01.12 11:55:30

-05'00'

*Judge's signature*City and state: Washington, DC

Magistrate Judge G. Michael Harvey

Printed name and title

STATEMENT OF FACTS

On January 6, 2021, your affiant, Special Agent James Soltes of Capitol Police Department was on duty and performing my official duties as an Officer of the United States Capitol Police. Specifically, I am assigned to the Criminal Investigations Section tasked with investigating criminal activity in and around the Capitol grounds. As a Special Agent of the Capitol Police Department I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

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

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

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

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

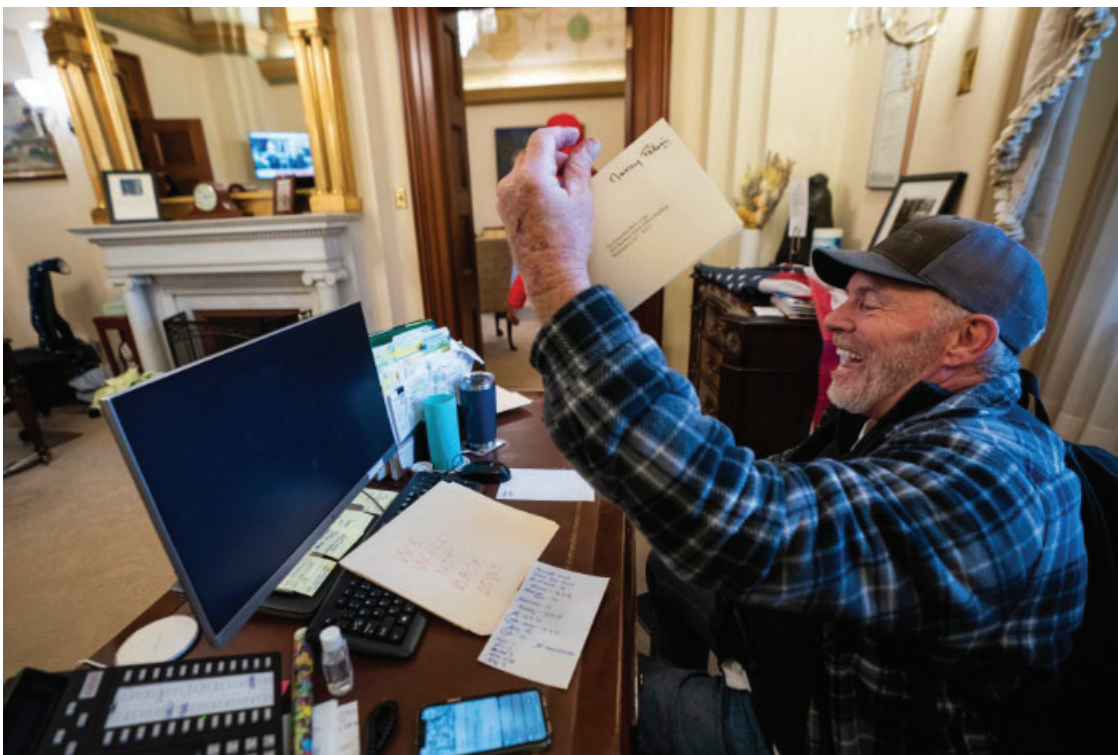
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

In the course of my duties, I learned that an individual entered the restricted office area of the Speaker of the House of Representatives Nancy Pelosi and took photographs with his feet propped up on furniture. Those photos were circulated on numerous news media platforms which identified the individual as RICHARD BARNETT of Gravette, Arkansas. Capitol Police searched law enforcement databases including Department of Motor Vehicle records and obtained a

photograph and biographical information for BARNETT. These records confirmed that the individual in the news photographs did in fact appear to be RICHARD BARNETT of Gravette, Arkansas DOB 07/12/1960.

The photos circulated by news media depict BARNETT in and around U.S. Capitol property. One photo shows BARNETT seated inside of Nancy Pelosi's office with his feet propped on a desk with an America flag lying on an adjacent credenza. BARNETT is wearing a hat, plaid jacket, blue jeans, and brown boots in the photo. Another photo depicts BARNETT seated holding an envelope in his left hand addressed to The Honorable Billy Long 2453 Rayburn House Office Building Washington, D.C. 20515 and a digital signature of Nancy Pelosi. In another photo, an individual whose face is blocked by a flag but appears to be BARNETT based on his clothing is seated at a different desk with his feet propped holding an American flag and a cell phone. Another unidentified individual in a brown jacket is sitting next to him on a couch.



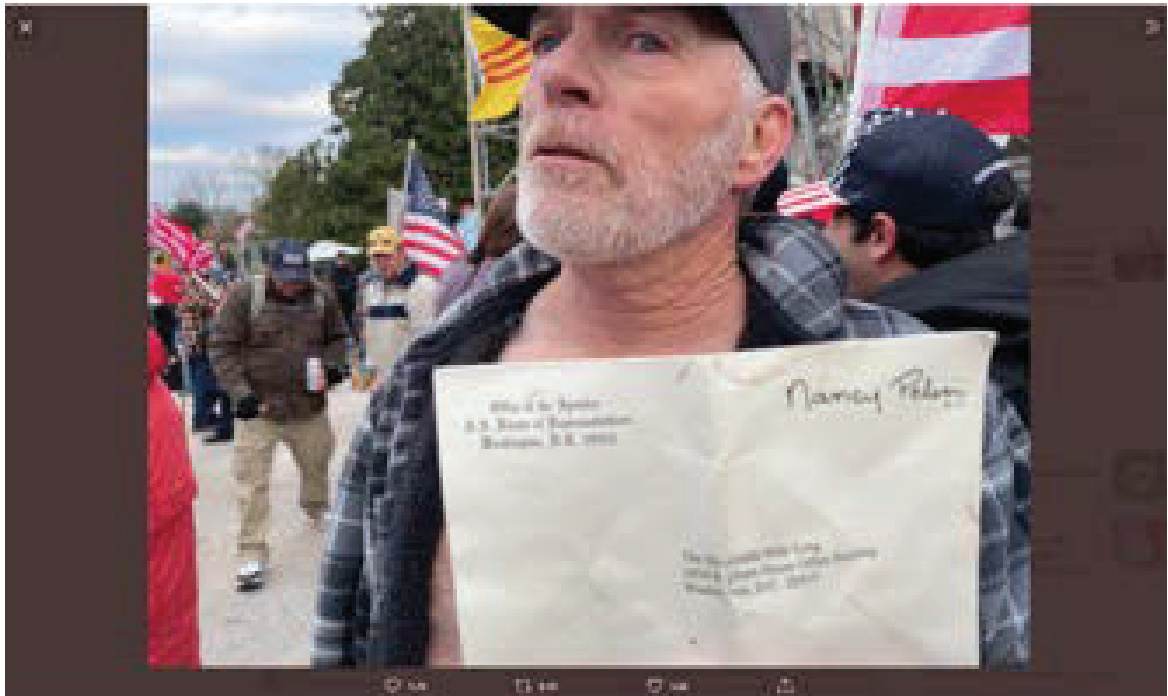


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unidentified individuals appear to try the door to the office however the door is locked. At approximately 2:33 p.m. an unidentified individual pushes in the door to the office. At 2:50 p.m. BARNETT is captured on surveillance video carrying an American flag and a cellular phone while entering the doors which lead to the Speaker's conference room adjoining the main office space. As he is entering it, he is following behind the unidentified individual in the brown jacket. At 2:56 p.m. BARNETT is captured leaving the main office doors of the Speaker's office space with only a phone in his hand.

On the same date, BARNETT spoke to media outlets in a video recording. In the recording, BARNETT is wearing the same hat and plaid jacket as worn inside of the Speaker's office except that BARNETT appears to have removed his shirt. BARNETT is asked by a person off camera how BARNETT obtained an envelope he is holding, which was addressed to The Honorable Billy Long 2453 Rayburn House Office Building Washington, D.C. 20515 with a return address of Office of the Speaker U.S. House of Representatives Washington, D.C. 20515 and a digital signature of Nancy Pelosi. BARNETT states "I did not steal it. I bled on it because they were macing me and I couldn't fucking see so I figured I am in her office. I got blood on her office. I put a quarter on her desk even though she ain't fucking worth it. And I left her a note on her desk that says "Nancy, Bigo was here, you Bitch."

In another photograph which appears to be taken outside on Capitol grounds, BARNETT is depicted holding the envelope he purported to have taken from Speaker Pelosi's office. Based on the writing on the envelope, the envelope appears to be the same envelope BARNETT was photographed holding inside of the office building.



On January 8, 2021, BARNETT waived his Miranda rights and participated in a custodial interview with law enforcement. During the interview, Barnett admitted driving from Arkansas to Washington D.C. to participate in the "Stop the Steal" Rally. During the course of the protests, BARNETT stated he was pushed inside of the Capitol by a large crowd. BARNETT returned the

above pictured envelope to law enforcement during the interview. Law enforcement had previously learned from Speaker Pelosi's staff that the envelope was empty at the time it was taken from Speaker Pelosi's office.

On January 11, 2021, your affiant learned that law enforcement received a tip that in one or more of the photographs of BARNETT seated in Speaker Pelosi's office BARNETT was carrying a stun gun. Your affiant reviewed the photographs again and determined the tip to be accurate. As seen in the zoomed in box in the photograph below, the ZAP brand is clearly visible on the stun gun tucked into BARNETT's pants. Based on the brand on the weapon, and its appearance, the weapon appeared to be a ZAP Hike N Strike 950,000 Volt Stun Gun Walking Stick.



On January 11, 2021, your affiant also learned that law enforcement conducted a search on January 8, 2021, at the residence of BARNETT located on Mount Olive Road, Gravette, Arkansas pursuant to a search warrant issued by Chief U.S. Magistrate Judge Erin L. Wiedemann in the Western District of Arkansas. During the execution of that warrant, law enforcement observed the empty packaging for a ZAP Hike n' Strike Hiking Staff High Voltage Stun Device inside the home. This packaging is shown in the below photograph.

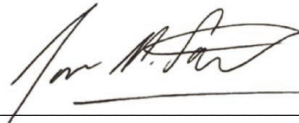


Based on the foregoing, your affiant submits that there is probable cause to believe that BARNETT violated 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; or (2) knowingly, and with intent to impede or 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. Your affiant further submits that there is probable cause to believe that BARNETT violated 18 U.S.C. § 1752(b)(1)(A) which makes a violation of 18 U.S.C. § 1752(a) a crime punishable by up to 10 years imprisonment where the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm. 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 is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant also submits that there is probable cause to believe that BARNETT violated 40 U.S.C. § 5104(e)(2)(C), (D), and (G), which makes it a crime to willfully and knowingly (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of – (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Ground 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; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Furthermore, your affiant submits, there is probable cause to believe that BARNETT also violated 18 U.S.C. § 641, which makes it a crime to steal or purloin..., a thing of value of the United States or of any department or agency thereof or any property made...for the United States or any department or agency thereof . . .” For purposes of this section, the word “value” means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.



SPECIAL AGENT JAMES SOLTES
CAPITOL POLICE DEPARTMENT

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 12th day of January 2021.



G. Michael Harvey
2021.01.12 11:55:50
-05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

CASE NO. 5:21MJ5001-001

RICHARD BARNETT

DEFENDANT

WAIVER OF PERSONAL APPEARANCE

I understand I have the absolute right to appear in person before the Court. After consulting with counsel, however, I choose to waive my right to appear in person for hearings before a Magistrate Judge, including my initial appearance and/or/arraignment and detention hearing, and I opt instead to appear via video conference.

Date: 1/11/21


Defendant's Signature - Richard Barnett


Signature of Defendant's Attorney

Anthony Siano
Printed Name of Defendant's Attorney

RENUNCIA A COMPARECER EN PERSONA

Entiendo que tengo el derecho absoluto de presentarme en persona ante el tribunal. Sin embargo, despues de consultarlo con mi abogado he decidido renunciar a mi derecho de presentarme en persona a mis audiencias ante el Magistrado. Incluyendo mi comparecencia inicial y/o la comparecencia de presentacion de acusaciones, al igual que la audiencia de fianza. En lugar de ello he optado por presentarme por video conferencia.

Fecha: _____

Firma del Acusado

Firma del abogado defensor

Nombre del abogado defensor

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

MINUTES

USA _____

PLAINTIFF

ATTY: Clay Fowlkes _____

Kim Harris

Richard Barnett _____

DEFENDANT

ATTY: Anthony J Siano _____

JUDGE: Erin L. Wiedemann, U. S. Magistrate Judge _____

REPORTER: Roxana Guerrero, ECRO _____

CLERK: Roxana Guerrero _____

CASE NO. 5:21-MJ-05001-001 _____

DATE: January 15, 2021 _____

ACTION: Detention Hearing _____

TIME

MINUTES

12:52 pm	CONVENE-Room 210
	Court sets out purpose of hearing
	Government invokes the rule
	Government exhibits 1-12 -admitted
	Defense exhibits A,B,C,D and E -admitted
2:13 pm	Testimony on behalf of Government begins
	Witness identified and sworn
	G1.) FBI SA Jonathan Willett
	Testimony on behalf of Government continues
	Government rests
	Testimony on behalf of Defense begins
	D1.) Jeff House
	Witness identified and sworn
	D2.) Jaklyn Chalk
	Witness identified and sworn
	D3.) Joseph Martinez
	Witness identified and sworn
	D4.) Marie Halpin
	Witness identified and sworn
	D5.) Ashlee Newburn
	Jack Schisler, FPD appointed
	Witness identified and sworn
	D6.) Earl Scroggin

TIME

MINUTES[illegible]

AO 432
(Rev. 2/84)

Administrative Office of the United States Courts

WITNESS AND EXHIBIT RECORD

DATE 1/15/2021	CASE NUMBER 5:21-MJ-05001-001	OPERATOR Roxana Guerrero			PAGE NUMBER 1	
NAME OF WITNESS		DIRECT	CROSS	REDIRECT	RECROSS	PRESIDING OFFICIAL
G1.SA Jonathan Willett		X	X	X		X
D1.Jeff Houpe		X	X			
D2.Jaklyn Chalk		X	X			
D3.Joseph Martinez		X	X			
D4. Marie Halpin		X	X			
D5. Ashlee Newburn		X	X	X		X
D6. Earl Scroggin		X	X			
D7. Tammy Newburn		X	X			X
EXHIBIT NUMBER	DESCRIPTION			ID	ADMITTED IN EVIDENCE	
Gov. Exhibit 1	Surveillance Video			X	X	
Gov. Exhibit 2	Surveillance Video			X	X	
Gov. Exhibit 3	Photo of Barnett (feet on desk)			X	X	
Gov. Exhibit 4	Photo of Barnett (holding letter)			X	X	
Gov. Exhibit 5	Photo of Barnett (standing with stun gun visible)			X	X	
Gov. Exhibit 6	YouTube Video of Barnett			X	X	
Gov. Exhibit 7	Photo of stun gun box			X	X	
Gov. Exhibit 8	Receipt from Bass Pro			X	X	
Gov. Exhibit 9	Video from Bass Pro			X	X	
Gov. Exhibit 10	Photo of letter			X	X	

WITNESS AND EXHIBIT RECORD

[illegible]

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 5:21-MJ-5001

RICHARD BARNETT

DEFENDANT

O R D E R

At the conclusion of the detention hearing on this date, the Court determined that the Defendant should be released on bond.

The Government moved for a three-day stay of the release order to allow it file an appeal under 18 U.S.C. § 3145(a). The motion is DENIED, as the Court believes that the very restrictive conditions of release imposed, including home incarceration and location monitoring, will ensure that the Defendant will not pose a flight risk or danger pending any appeal, and that the Defendant can easily be taken back into custody should the release order be overturned.

IT IS SO ORDERED this 15th day of January, 2021.

s/ Erin L. Wiedemann

HON. ERIN L. WIEDEMANN
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No.5:21MJ-5001-001

Corresponding Case No. 1:21-mj-00013
USDC District of Columbia

RICHARD BARNETT aka “BIGO”

DEFENDANT

ORDER

At the initial appearance conducted on a Complaint from the District of Columbia, the defendant waived the issues of identity and probable cause pending removal of the case to the District of Columbia. The Defendant requested a detention hearing be set in this District. Accordingly, the Defendant is considered detained and remanded to the custody of the United States Marshals Service pending outcome of the detention hearing in this District.

The Detention hearing is scheduled for Friday January 15, 2021 at 12:30 p.m. via zoom.

SO ORDERED this 12th day of January, 2021.

/s/ Erin L. Wiedemann

HONORABLE ERIN L. WIEDEMANN
UNITED STATES CHIEF MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 5:21-MJ-5001

RICHARD BARNETT

DEFENDANT

O R D E R

The District Court Clerk is directed to file the bond granted by this Court under seal. The Defendant shall not be released on this bond, as a stay has been issued in the District of Columbia pending an appeal of the release decision.

IT IS SO ORDERED this 16th day of January, 2021.

s/ Erin L. Wiedemann

HON. ERIN L. WIEDEMANN
UNITED STATES MAGISTRATE JUDGE

WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION
5:21MJ-5001-001

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED ON JANUARY 19, 2021

UNITED STATES OF AMERICA

v.

RICHARD BARNETT,
Defendant.

:
:
: MAGISTRATE NO. 21-MJ-13 (GMH)
:
:
:

TRANSPORT ORDER

Having considered the United States' Motion to have the defendant Richard Barnett transported from the Western District of Arkansas to the District of Columbia for further proceedings on the Complaint filed against him, it is hereby **ORDERED**

That the United States Marshals Service transport the defendant forthwith from the Western District of Arkansas to the District of Columbia for further proceedings in this matter.

DATE: January 15, 2021



A handwritten signature in black ink, reading "Beryl A. Howell".

BERYL A. HOWELL
CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

United States of America

v.

Richard Barnett aka Bigo

Defendant

Case No. 5:21-mj-05001

Charging District's

Case No. 1:21-mj-00013

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of Columbia,
 (if applicable) _____ division. The defendant may need an interpreter for this language:
N/A.

The defendant: ☒ will retain an attorney.
☐ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 01/19/2021



Judge's signature

Hon. Erin L. Wiedemann U.S. Magistrate Judge

Printed name and title

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CLOSED

U. S. District Court
Western District of Arkansas (Fayetteville)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-05001-ELW All Defendants

Case title: USA v. Barnett
Other court case number: 1:21-mj-00013 District of Columbia

Date Filed: 01/08/2021
Date Terminated: 01/19/2021

Assigned to: Honorable Erin L. Wiedemann

Defendant (1)

Richard Barnett

TERMINATED: 01/19/2021

also known as

Bigo

TERMINATED: 01/19/2021

represented by **Anthony J Siano**

Anthony J. Siano, ESQ.

333 Westchester Avenue

Suite S302

White Plains, NY 10604

914-997-0100

Fax: 914-997-0100

Email: tonysiano@aol.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

None

Highest Offense Level (Terminated)

None

Disposition

Complaints

18:1752(a)-KNOWINGLY ENTERING OR
REMAINING IN ANY RESTRICTED
BUILDING OR GROUNDS WITHOUT
LAWFUL AUTHORITY; 40:5104(e)(2)-
VIOLENT ENTRY AND DISORDERLY
CONDUCT ON CAPITOL GROUNDS;

18:641-THEFT OF PUBLIC MONEY,
PROPERTY, OR RECORDS

Plaintiff

USA

represented by **Kimberly Nicole Davis Harris**
United States Attorney's Office
414 Parker Avenue
Fort Smith, AR 72901
(479) 783-5125
Fax: (479) 441-0578
Email: Kimberly.Harris@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
01/08/2021		Arrest (Rule 5) of Richard Barnett.Other District: District of Columbia USDC Case No. 1:21-mj-00013. (rg) (Entered: 01/11/2021)
01/08/2021	<u>1</u>	COMPLAINT as to Richard Barnett. (rg) (Entered: 01/11/2021)
01/08/2021	<u>2</u>	THE DOCUMENT IS RESTRICTED TO COURT USERS. Arrest Warrant as to Richard Barnett.(USDC, District of Columbia, Case No. 1:21-mj-00013). (rg) (Entered: 01/11/2021)
01/11/2021	<u>3</u>	Arrest Warrant Returned Executed on 1/8/2021 as to Richard Barnett.(USDC, District of Columbia, Case No. 1:21-mj-00013) (rg) (Entered: 01/11/2021)
01/11/2021	4	TEXT ONLY ORDER Setting Hearings as to Richard Barnett. This hearing will be accessible via video conference ONLY. Access to the courthouse will not be allowed. Any non-party desiring access to the hearing should contact chambers at ELWinfo@arwd.uscourts.gov by 1/11/2021 5:00 PM and state their interest in the case. Recording of these proceedings by any means is prohibited (see FRCP 53 and Local Rule 83.2(a)). Violation of this prohibition may result in sanctions. Disruptive behavior will not be tolerated and may result in automatic removal from the conference. Please keep devices on mute unless asked to speak by the judge. Initial Appearance - Rule 5 set for 1/12/2021 03:00 PM before Honorable Erin L. Wiedemann. Signed by Honorable Erin L. Wiedemann on January 11, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/11/2021)
01/11/2021	<u>5</u>	WAIVER of PERSONAL APPEARANCE at a Rule 5 Initial Appearance pursuant to the CARES Act of 2020 with the consent of the Defendant, or the Juvenile, after consultation with counsel by Richard Barnett. (rg) (Entered: 01/11/2021)
01/11/2021	<u>6</u>	MOTION for Anthony J. Siano to Appear Pro Hac Vice by Richard Barnett. (src) (Entered: 01/11/2021)
01/11/2021		CLERK'S NOTICE REGARDING FILING FEE. The following document was received and filed without the appropriate filing fee as to Richard Barnett : <u>6</u> MOTION for Anthony J. Siano to Appear Pro Hac Vice.

		<p>You <u>MUST</u> pay the filing fee of \$ 100.00 or file a motion to proceed In Forma Pauperis, if appropriate, within 2 business days.</p> <p>Present your payment to the appropriate Divisional Office or Pay Online, using the Criminal -> Other Documents -> Filing Fee Submitted event. (src) (Entered: 01/11/2021)</p>
01/12/2021	<u>7</u>	<p>ORDER granting <u>6</u> Motion to Appear Pro Hac Vice. Anthony Siano appearing for as to Richard Barnett (1). The Court waives the requirement that local counsel be designated. Mr. Siano is directed to immediately register for Pro Hac Vice filer access through PACER and enter his appearance in this matter. Mr. Siano is further directed to immediately pay the requisite Pro Hac Vice fee immediately following the unsealing of this case. Signed by Honorable Erin L. Wiedemann on January 12, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/12/2021)</p>
01/12/2021	<u>8</u>	<p>NOTICE OF ATTORNEY APPEARANCE: Anthony J Siano appearing for Richard Barnett. (src) (Entered: 01/12/2021)</p>
01/12/2021	<u>9</u>	<p>AMENDED COMPLAINT as to Richard Barnett. (rg) (Entered: 01/12/2021)</p>
01/12/2021	<u>10</u>	<p>THIS DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND COURT USERS.</p> <p>Penalties as to Richard Barnett. (rg) (Entered: 01/12/2021)</p>
01/12/2021	<u>11</u>	<p>THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT.</p> <p>PRETRIAL REPORT in case as to Richard Barnett. (tree) (Entered: 01/12/2021)</p>
01/12/2021		<p>Case unsealed as to Richard Barnett. (rg) (Entered: 01/12/2021)</p>
01/12/2021	12	<p>TEXT ONLY Minute Entry for proceedings held before Honorable Erin L. Wiedemann: Initial Appearance in Rule 5 Proceedings as to Richard Barnett held on 1/12/2021. Appearance entered by Anthony Siano, Retained, on behalf of defendant. Defendant waived the issues of identity and probable cause in this district. Defendant requested a Detention Hearing in open court. Defendant remanded to custody of U.S. Marshals Service pending Detention Hearing in this district. (Roxana Guerrero-Digital Recorder) (Proceedings held in Fayetteville-Room 210) (rg) (Entered: 01/12/2021)</p>
01/12/2021	<u>13</u>	<p>ORDER OF DETENTION as to Richard Barnett. Defendant remanded to the custody of the U.S. Marshals Service pending hearing or release on bond. Detention Hearing set for 1/15/2021 12:30 PM in Fayetteville - 2nd flr (Rm 210) before Honorable Erin L. Wiedemann. Signed by Honorable Erin L. Wiedemann on January 12, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/12/2021)</p>
01/12/2021	14	<p>TEXT ONLY ORDER Setting Hearings as to Richard Barnett. This hearing will be accessible via video conference ONLY. Access to the courthouse will not be allowed. Any non-party desiring access to the hearing should contact chambers at ELWinfo@arwd.uscourts.gov by 1/14/2021 12:00 PM and state their interest in the case. Recording of these proceedings by any means is prohibited (see FRCrimP 53 and Local Rule 83.2(a)). Violation of this prohibition may result in sanctions. Disruptive behavior will not be tolerated and may result in automatic removal from the conference. Please keep devices on mute unless asked to speak by the judge Detention Hearing set for 1/15/2021 12:30 PM before Honorable Erin L. Wiedemann. Signed by Honorable Erin L. Wiedemann on January 12, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/12/2021)</p>

01/13/2021		Pro Hac Vice motion filing fee paid as to Richard Barnett re Clerk's Notice Regarding Filing Fee,, : \$ 100, receipt number AARWDC-2311682. (Siano, Anthony) (Entered: 01/13/2021)
01/15/2021	<u>15</u>	THE DOCUMENT IS FILED UNDER SEAL WITH THE COURT. Addendum to PRETRIAL REPORT in case as to Richard Barnett. (tree) (Entered: 01/15/2021)
01/15/2021	<u>16</u>	Minute Entry for proceedings held before Honorable Erin L. Wiedemann: Detention Hearing as to Richard Barnett held on 1/15/2021. (Roxana Guerrero-Digital Recorder) (Proceedings held in Fayetteville-Room 210) (Attachments: # <u>1</u> witness/exhibit list) (rg) (Entered: 01/15/2021)
01/15/2021	<u>17</u>	ORDER DENYING Government's motion for three-day stay of the release order as to Richard Barnett; see order for specifics. Signed by Honorable Erin L. Wiedemann on January 15, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/15/2021)
01/16/2021	<u>18</u>	ORDER directing the District Court Clerk to file the bond granted by this Court under seal as to Richard Barnett; see order for specifics. Signed by Honorable Erin L. Wiedemann on January 16, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) Modified text on 1/19/2021 (lgd). (Entered: 01/16/2021)
01/16/2021	<u>19</u>	*UNDER SEAL* Unsecured Bond Entered as to Richard Barnett in amount of \$5,000.00. (rg) (rg). (Entered: 01/16/2021)
01/16/2021	<u>20</u>	*UNDER SEAL* ORDER Setting Conditions of Release as to Richard Barnett (1) \$5,000.00 Unsecured Bond. Signed by Honorable Erin L. Wiedemann on January 16, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (rg). (Entered: 01/16/2021)
01/19/2021	<u>21</u>	MOTION for Emergency Stay and Review of Release order to Stay.(USDC, District of Columbia, Case No. 21-MJ-13) by USA as to Richard Barnett. (rg) (Entered: 01/19/2021)
01/19/2021	<u>22</u>	ORDER as to Richard Barnett GRANTING the governments Motion to Stay. Signed by Chief Judge Beryl A. Howell on January 15, 2021.(USDC, District of Columbia, Case No. 21-MJ-13) (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/19/2021)
01/19/2021	<u>23</u>	ORDER, as to RICHARD BARNETT, GRANTING the governments Motion to Transport. Signed by Chief Judge Beryl A. Howell on January 15, 2021.(USDC, District of Columbia, Case No. 21-MJ-13) (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/19/2021)
01/19/2021	<u>24</u>	COMMITMENT TO ANOTHER DISTRICT as to Richard Barnett. Defendant committed to District of District of Columbia. Signed by Honorable Erin L. Wiedemann on January 19, 2021. (cc via CM/ECF: U.S. Probation Office, U.S. Marshals Service) (rg) (Entered: 01/19/2021)
01/19/2021	<u>25</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Detention Hearing as to Richard Barnett held on January 15, 2021, before Judge Erin L. Wiedemann. Court Reporter/Transcriber Paula K Barden, Telephone number paula_barden@arwd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber. After the Release of Transcript Restriction deadline, it, or a redacted transcript, may be obtained through the Court Reporter/Transcriber or PACER A Notice of Intent to Request Redaction of the Transcript <u>MUST</u> be filed within 7 calendar days of the filing of the transcript and served manually

		on the court reporter/transcriber. Redaction Request due 2/9/2021. Redacted Transcript Deadline set for 2/19/2021. Release of Transcript Restriction set for 4/19/2021. (pkb) (Entered: 01/19/2021)
01/19/2021	26	Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Richard Barnett. Your case number is: 1:21mj-00013. (If you require certified copies of any documents, please send a request to CRinfo_Team@arwd.uscourts.gov.) (If you wish to designate a different email address to notify your court of future criminal case transfers, please send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (rg) (Entered: 01/19/2021)