

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.
ROBERT SANFORD

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) ROBERT SANFORD
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) and (2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority
40 U.S.C. 5104(e)(2)(D) - Disorderly or Disruptive Conduct on Capitol Grounds
18 U.S.C. 231(a)(3) - Civil Disorder
18 U.S.C. 111(a)(1) - Assaulting, resisting, or impeding certain officers while engaged in the performance of official duties

Date: 01/13/2021

[Signature]

2021.01.13 19:23:01
-05'00'

Issuing officer's signature

City and state: Washington, DC

Zia M. Faruqui, United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 1/13/2021, and the person was arrested on (date) 1/14/2021
at (city and state) ASTON, PA

Date: 1/22/2021

[Signature]

Arresting officer's signature

FBI SA JASON HUFF

Printed name and title

UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_EASTERN\_\_\_\_\_ District of \_\_\_\_\_PENNA\_\_\_\_\_

United States of America )

v. )

ROBERT SANFORD )

Defendant )

Case No. 21-MJ-61

Charging District's Case No. 21-MJ-52

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) District of Columbia

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 within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
(5) a hearing on any motion by the government for detention;
(6) request 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 warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings 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: 01/14/21

Defendant's signature

Signature of defendant's attorney

ENRIQUE LATOISON

Printed name of defendant's attorney

**BAIL STATUS AND ORDER**

NO INTERPRETER NEEDED : DATE: 01/14/21

CASE ASSIGNED TO JUDGE : HEARING TYPE: IA/IDENTITY/PC/DET  
ON RULE 5

Date of Arrest: 01/14/21 : ESR OPERATOR: KEN DUVAK

UNITED STATES OF AMERICA : AUSA: SEAN MCDONNELL  
AUSA FROM DC: JANANI IYENGAR

v. : District of Columbia No: 21-MJ-52  
ED of PA No: 21-MJ-61

ROBERT SANFORD : ENRIQUE LATOISON  
:  CJA Appointed  
 Retained  
 Defenders' Assn. Apptd.

After hearing held this day pursuant to the Federal Rules of Criminal Procedure, or after hearing pursuant to government's motion, the bail status as to the above-named defendant is as follows:

The Government's Motion for Temporary Detention is Granted. A detention hearing and is scheduled for .

The Defendant waived their right to a preliminary hearing.

The Defendant stipulated to  probable cause and/or  identity.

The Government's Motion for Pretrial Detention is Granted. The Defendant is detained pending further proceedings.

The Government's Motion for Pretrial Detention is Denied. See attached Conditions of Release Order.

The Government and Defense have agreed to conditions of release. See attached Conditions of Release Order.

Other: **Charges: 18 USC 1752 (a)(1) and (2) - Knowingly entering or remaining in any restricted building or grounds without lawful authority; 40 USC 5104 (e)(2)(D) – Disorderly or Disruptive Conduct on Capitol Grounds; 18 USC 231 (a)(3) – Civil Disorder; 18 USC 111 (a)(1) – Assaulting, resisting, or impeding certain officers while engaged in the performance of official duties.**

*[ ] AFTER A HEARING, PROBABLE CAUSE WAS FOUND BY THE COURT.*

*[ ] PLEA: NOT GUILTY TO ALL COUNT(S). Counsel have 14 days to file pretrial motions.*

**The Court confirms the prosecutors' obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to disclose information favorable to the defense as to**

Disability on the charged offense(s) or mitigation of any punishment  
criminality on the charged offense(s) or mitigation of any punishment  
that may be imposed. That includes, but is not limited to, information  
covered by *Brady* or *Giglio* that may cast doubt on the credibility or  
accuracy of government witnesses or on the admissibility of government  
evidence. The Court also notifies the prosecutors that possible  
consequences of a violation of this order include the granting of a  
continuance, evidentiary sanctions, dismissal, disciplinary referral, and  
any other relief authorized by law.

BY:

S/HENRY S. PERKIN

UNITED STATES MAGISTRATE JUDGE

TIME IN COURT 15 MINUTES

UNITED STATES DISTRICT COURT

for the

EASTERN District of PENNSYLVANIA

United States of America )

v. )

Case No. 21-MJ-61

ROBERT SANFORD )

Defendant )

Charging District's

Case No. 21-MJ-52

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the District of Columbia, (if applicable) division.

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: 01/14/21

/S/ HENRY S. PERKIN

Judge's signature

HENRY S. PERKIN, USMJ

Printed name and title

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**UNITED STATES OF AMERICA**

v.

**ROBERT SANFORD,  
Defendant.**

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**No. 21-61-HSP**

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**UNOPPOSED MOTION OF DEFENDANT ROBERT STANFORD FOR  
RECONSIDERATION OF DETENTION ORDER**

NOW COMES Defendant Robert Sanford, by and through his undersigned counsel, and moves this Honorable Court to reconsider its Order for Detention entered on Thursday, January 14<sup>th</sup>, 2021, and in support thereof, states:

1. On January 14, 2021, the Court held a hearing on the government's Motion to Detain defendant Sanford. During argument, counsel maintained that detention was unwarranted since defendant had no prior criminal history and did not belong to any extremist group linked to the events that occurred at the Capitol on January 6, 2021.
2. Government was given an opportunity to give a brief rebuttal to counsel's argument, the government represented that during the search of defendant's home situated at 2024 Broomall Street, Boothwyn, Pennsylvania, that the F.B.I. discovered evidence (namely a t-shirt) linking defendant to the Proud Boys, an extremist white nationalist group established in 2016.<sup>1</sup>
3. The Court issued its Order denying pretrial release stating verbally that there were no set of conditions that could ensure safety to the community. Counsel firmly believes any mistaken ties to any extremist groups is consistent would your honor's order.
4. On or about the evening of January 14<sup>th</sup>, 2021, the government advised counsel that the prior representation during the detention hearing, that the F.B.I. had seized a t-shirt evidencing his allegiance to the Proud Boys was in fact mistaken. No Proud Boys t-shirt was found during the course of the F.B.I.'s extensive search of defendant's home, nor was any other evidence found indicating defendant was involved and/or a member of any extremist organization.

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<sup>1</sup> Southern Poverty Law Center, *Proud Boys* (<https://www.splcenter.org/fighting-hate/extremist-files/group/proud-boys>) 1/25/2021.

5. Included in the information that defendant seeks to place before the Court is the following:
  - a. Defendant's has no criminal history.
  - b. Defendant, age 55 years old, retired after spending many decades dedicating his life to his community as a public servant. Defendant spent his career as a firefighter for 26 years and retired with an exemplary record.
  - c. Counsel believes that mistake was a significant rebuttal to counsel's argument about Mr. Sanford not being a threat to the public. That mistake also casted doubt upon all other assertions made by counsel on behalf of the client. The mistake of government's representation that evidence was found within defendant's home linking him to a far-right extremist group, namely the Proud Boys. Counsel has been since advised that the government was mistaken in that representation to the Court.
  - d. Accordingly, the government has not opposed this motion for reconsideration of bail.
6. Defendant does have significant ties to the community including ownership of a home, where he lives with his wife of 22 years along with 3 children.
7. Furthermore, given defendant's age and many years of service as a firefighter, he experiences respiratory issues that could render him vulnerable to death or serious injury should he contract COVID-19 while in the custody of the Bureau of Prisons ("BOP"). His particular underlying health issues and advanced age weigh heavily in favor of release pending trial.
8. Any number of conditions of release can be imposed to assure defendant abides all laws and appears as required.

WHEREFORE, Defendant prays that this Court reconsider its Detention Order of January \_\_\_\_, 2021, and grant defendant a bond with such conditions of release as this Honorable Court deems appropriate.

/s/  
Enrique Latoison, Esquire  
212 West Front Street Suite 300  
Media, PA 19063  
(610) 999-1439  
Fax: 484.441.1358  
Email: Enrique@LatoisonLaw.com  
*Attorney for Defendant Robert Sanford*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 26th, 2021 I electronically filed the foregoing with the clerk of the Court using the CM/ECF system, which will send notification to the following:

Janani Iyengar  
Assistant United States Attorney  
U.S. Attorney's Office for the District of Columbia  
555 4<sup>th</sup> Street, NW  
Washington, D.C. 20530  
Office: (202)-252-7760  
Cell: (202)-870-4487

All other counsel.

/s/  
Enrique Latoison, Esquire  
212 West Front Street Suite 300  
Media, PA 19063  
(610) 999-1439  
Fax: 484.441.1358  
Email: Enrique@LatoisonLaw.com  
*Attorney for Defendant Robert Sanford*

**United States District Court  
Eastern District of Pennsylvania (Allentown)  
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00061-1**

Case title: USA v. SANFORD  
Other court case number: 21-mj-52 District of Columbia

Date Filed: 01/14/2021

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Assigned to: Unassigned

**Defendant (1)**

**ROBERT SANFORD**

represented by **ENRIQUE A. LATOISON**  
212 W. FRONT STREET  
SUITE 300  
MEDIA, PA 19063  
215-275-8855  
Email: Enrique@LatoisonLaw.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**

18 USC 1752(a)(1) and (2)  
KNOWINGLY ENTERING OR  
REMAINING IN ANY RESTRICTED  
BUILDING OR GROUNDS WITHOUT  
LAWFUL AUTHORITY; 40 USC 5104(e)  
(2)(D) DISORDERLY OR DISRUPTIVE  
CONDUCT ON CAPITOL GROUNDS; 18  
USC 231(a)(3) CIVIL DISORDER; 18 USC  
111(a)(1) ASSAULTING, RESISTING OR  
IMPEDING OFFICERS WHILE

**Disposition**

ENGAGED IN THE PERFORMANCE OF  
OFFICIAL DUTIES

**Plaintiff**

USA

represented by **SEAN P. MCDONNELL**  
U.S. ATTORNEY'S OFFICE  
615 CHESTNUT ST SUITE 1250  
PHILADELPHIA, PA 19106  
215-861-8263  
Email: sean.mcdonnell@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

Date Filed	#	Docket Text
01/14/2021		Arrest (Rule 40) of ROBERT SANFORD (er, ) (Entered: 01/15/2021)
01/14/2021	<a href="#">1</a>	Minute Entry for proceedings held before MAGISTRATE JUDGE HENRY S. PERKIN IA/IDENTITY/PC/DET ON RULE 5 Proceedings as to ROBERT SANFORD held on 1/14/21. Deft. stipulated to probable cause and/or identity. The Government's Motion for Pretrial Detention is Granted. The deft. is detained pending further proceedings. Court Reporter ESR.(er, ) (Entered: 01/15/2021)
01/14/2021	<a href="#">2</a>	COMMITMENT TO ANOTHER DISTRICT AS TO ROBERT SANFORD. DEFENDANT COMMITTED TO DISTRICT OF COLUMBIA.. Signed by MAGISTRATE JUDGE HENRY S. PERKIN on 1/14/21.1/15/21 Entered and Copies E-Mailed. (er, ) (Entered: 01/15/2021)
01/14/2021	<a href="#">3</a>	WAIVER of Rule 5(c)(3) Hearing by ROBERT SANFORD. (er, ) (Entered: 01/15/2021)
01/19/2021		***TRANSFERRED CASE as to ROBERT SANFORD TO THE DISTRICT OF COLUMBIA. (ap, ) (Entered: 01/19/2021)
01/26/2021	<a href="#">4</a>	First MOTION for Reconsideration of <i>Detention</i> by ROBERT SANFORD. (LATOISON, ENRIQUE) (Entered: 01/26/2021)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
01/26/2021 13:49:06			
<b>PACER Login:</b>	BrittanyBryant:6635828:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:21-mj-00061
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10
<b>Exempt flag:</b>	Exempt	<b>Exempt reason:</b>	Always

**PACER fee: Exempt**