

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By [Signature]
Deputy Clerk

United States of America
v.
RONNIE BRIAN PRESLEY

Case: 1:21-mj-00185
Assigned to: Judge Faruqui, Zia M
Assign Date: 1/29/2021
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) Ronnie Brian Presley
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. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder;
- 18 U.S.C. § 1512(c)(2) - Obstruction of Justice/Congress;
- 18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
- 18 U.S.C. § 1752(a)(2) - Disorderly Conduct / Impeding Official Business;
- 18 U.S.C. § 1752(a)(4) - Violence in Restricted Building / on Restricted Grounds;
- 40 U.S.C. § 5104(e)(2) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 1/29/2021

[Signature] 2021.01.29
17:18:56 -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) 1/29/2021, and the person was arrested on (date) 3/5/2021
at (city and state) _____

Date: 3/6/2021

[Signature]
Arresting officer's signature
Christopher R. Potts, FBI SA
Printed name and title

CRIMINAL COVER SHEET
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Indictment ()
Complaint (X)
Information ()
Felony ()
Misdemeanor ()
Juvenile ()

County of Offense: Out of District (Washington, D.C.)
AUSA's NAME: Robert S. Levine
Reviewed by AUSA: _____
(Initials)

RONNIE BRIAN PRESLEY
Defendant's Full Name

1330 Rogues Fork Road, Bethpage, TN
Defendant's Address

Interpreter Needed? _____ Yes X No
If Yes, what language? _____

Defendant's Attorney

COUNT(S)	TITLE/SECTION	OFFENSE CHARGED	MAX. PRISON (plus any mandatory minimum)	MAX. FINE
1	18 U.S.C. § 231(a)(3)	Obstruction of Law Enforcement During Civil Disorder	5 years	\$250,000
2	18 U.S.C. § 1512(c)(2)	Obstruction of Justice / Congress	20 years	\$250,000
3	18 U.S.C. § 1752(a)(1)	Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority	1 year	\$100,000
4	18 U.S.C. § 1752(a)(2)	Disorderly Conduct / Impeding Official Business	1 year	\$100,000
5	18 U.S.C. § 1752(a)(4)	Disorderly Conduct / Impeding Official Business	1 year	\$100,000
6	40 U.S.C. § 5104(e)(2)	Violent Entry and Disorderly Conduct on Capitol Grounds	6 months	\$5,000

***If the defendant is found to be an Armed Career Criminal, pursuant to 18 U.S.C. § 924(e), defendant will be subject to a term of imprisonment of between 15 years to life.**

****A charge pursuant to 8 U.S.C. § 1326, may carry a maximum sentence of one of the following: (1) up to 2 years; (2) up to 10 years; or (3) up to 20 years, depending upon a defendant's criminal and removal history.**

Is the defendant currently in custody? Yes () No (X) If yes, State or Federal? Writ requested ()

Has a complaint been filed? Yes (X) No ()
If Yes: Name of the Magistrate Judge Zia M Faruqui, Washington, D.C. Case No.: 1:21-mj-00185
Was the defendant arrested on the complaint? Yes (X) No ()

Has a search warrant been issued? Yes (X) No ()
If Yes: Name of the Magistrate Judge Jeffery S. Frensley Case No.: 21-mj-2774, 21-mj-2775, 21-mj-2801

Was bond set by Magistrate/District Judge? Yes () No () Amount of bond: _____

Is this a Rule 20? Yes () No (X) To/from what district? _____
Is this a Rule 40? Yes () No (X) To/from what district? _____

Estimated trial time: 2-3 Days

The Clerk will issue a **Summons/Warrant** (circle one) (Note: If information, request for a warrant requires presentment of a sworn affidavit of probable cause to a judicial officer, who will determine whether to issue a warrant)

Detention requested: Yes (X) No () Recommended conditions of release: _____

STATEMENT OF FACTS

Your affiant, Jane Courtney, is a Special Agent with the Federal Bureau of Investigation (FBI) and has been so employed since 2014. Specifically, I am assigned to the Washington Field Office (WFO) and currently am tasked with investigating criminal activity in and around the Capitol grounds 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, detention, investigation, or prosecution of violations 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 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.

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 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, shortly 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.

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.

On or about January 17, 2021, the FBI became aware of audio-video and image files, posted on social media and youtube, of one particular person, who was unlawfully inside and around the Capitol on January 6, 2021. In one audio-video post, the subject verbally identified himself as “Ronnie Presley” “from Tennessee.” In several of the postings, including the one in which the subject verbally identifies himself, the subject’s face can be clearly seen. Additionally, the FBI has identified a Facebook account designated “ronnie.bpresley.5,” in which the profile photo is captioned “Ronnie B Presley.” The individual in the profile photo for the Facebook account has a consistent physical appearance with the person who verbally identified himself as “Ronnie Presley” in the audio-video post.

In one of the audio-video posts from January 6, 2021, Ronnie Pressley of Tennessee, speaking into a cell phone states:

“I stand on the top step of the Capitol.”

“Yeah. I can hear you. Do you see me? I am on the top step of the fucking Capitol!”

In another post, also on January 6, 2021, Ronnie Presley is with a group of other persons unlawfully present near scaffolding just outside the Capitol building, and is heard yelling: “Stands is where we need to go. Do it!” This post is taking place as various persons are unlawfully climbing the scaffolding.

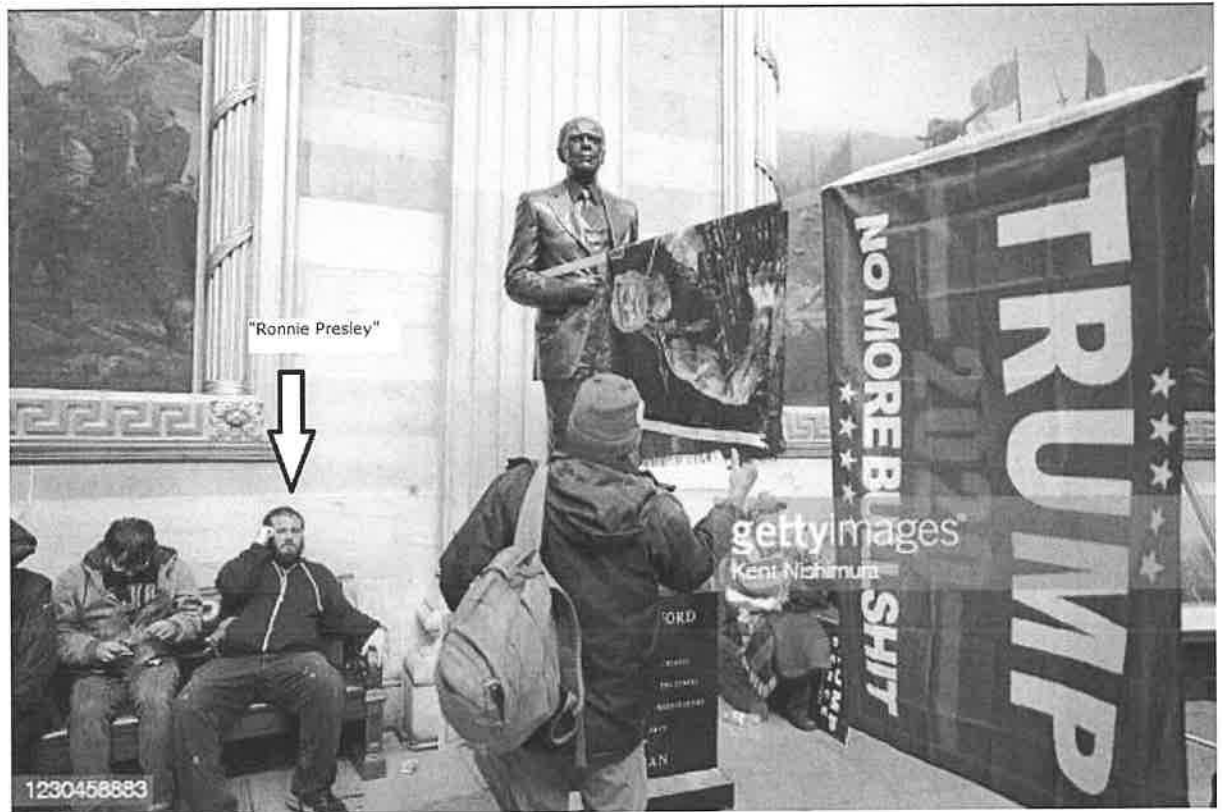
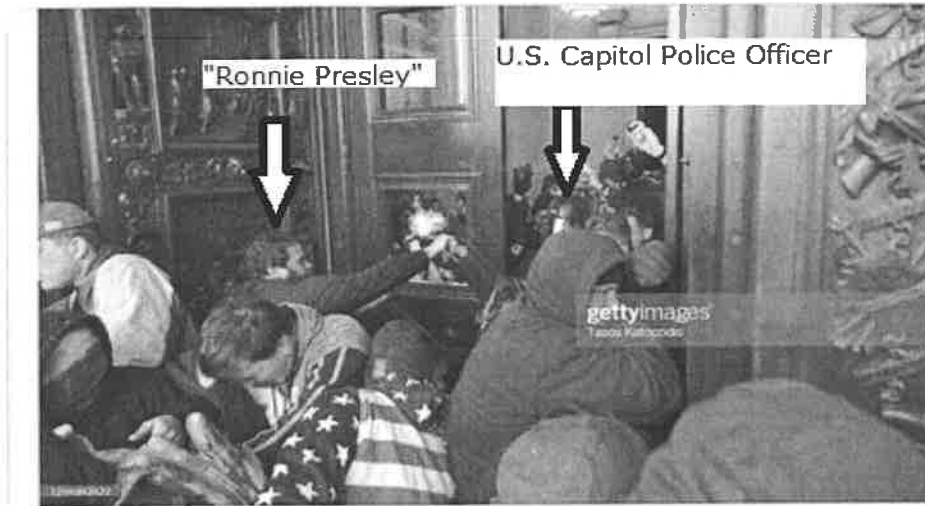
In another post, Ronnie Presley states: “I’m the guy who got you in this building. Don’t take my word for it. Watch the video.”

In one posted image, Ronnie Presley is among a group of persons in front of a Capitol doorway with a broken window. In the image, Ronnie Presley has grabbed the top portion of a U.S. Capitol Police Officer’s riot shield.

Stills from the social media audio-video files, and the social media images, appear here:







The profile page of the Facebook account ronnie.bpresley.5 appears here:



Driver's license records from Tennessee revealed a RONNIE BRIAN PRESLEY (hereinafter, PRESLEY), and provided a date of birth for PRESLEY and a residence address in Tennessee. PRESLEY's image in the Tennessee driver's license records is a strong match for both the person unlawfully inside of the Capitol on January 6, 2021, who verbally identified himself on social media as "Ronnie Presley . . . from Tennessee" and for the profile image on the Facebook account of ronnie.bpresley.5. In addition, two persons who are close to PRESLEY, in separate interviews, confirmed to law enforcement that the person in the post identifying himself as "Ronnie Presley from Tennessee" is in fact PRESLEY.

Based on the foregoing, your affiant submits that there is probable cause to believe that PRESLEY violated 18 U.S.C. § 1752(a)(1), (2), and (4), 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; (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; 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.

Your affiant submits there is also probable cause to believe that PRESLEY violated 40 U.S.C. § 5104(e)(2)(D), (F) 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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Your affiant further submits there is probable cause to believe that PRESLEY violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

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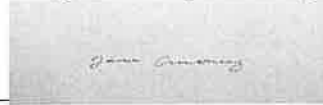
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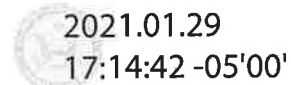
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Finally, your affiant submits there is probable cause to believe that PRESLEY violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.



Jane Courtney, Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 29th day of January 2021.



2021.01.29
17:14:42 -05'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

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

UNITED STATES DISTRICT COURT

for the

MIDDLE District of TENNESSEE

ATTEST AND CERTIFY
A TRUE COPY

CLERK

U.S. DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

By: *[Signature]*
Deputy Clerk

United States of America)

v.)

RONNIE PRESLEY)

Defendant)

Case No. 21-mj-1050

Charging District's Case No. 1:21-mj-00185

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 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: March 8, 2021

Consent obtained via videoconference
Defendant's signature

[Signature]
Signature of defendant's attorney

Barbara D. Holmes U.S. Magistrate Judge

ATTEST AND CERTIFY
TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
Deputy Clerk

MAGISTRATE JUDGE HOLMES COURTROOM MINUTES FOR CRIMINAL PROCEEDINGS
by VIDEOCONFERENCE

U.S.A. v. Ronnie Presley, No. 21-mj-1050

ATTORNEY FOR GOVERNMENT: Josh Kutzman

ATTORNEY FOR DEFENDANT: Dumaka Galazy (AFPD) Panel Retained

PRETRIAL SERVICES/PROBATION OFFICER: Kim Hamey

INTERPRETER NEEDED? YES NO LANGUAGE/INTERPRETER: _____
 PRESENT ON TELEPHONE

INITIAL APPEARANCE ON A SUMMONS ARRESTED ON: 3-5-21

DEFENDANT HAS A COPY OF:

- Complaint Indictment Information Supervised Release Pet. Other _____
- Defendant advised of the charges and the maximum penalties
- Defendant has a copy of notice of rights
- Defendant advised of right to counsel Counsel retained
- Defendant sworn and/or certified under penalty of perjury and financial affidavit filed FPD Appointed
- Defendant advised of right to silence
- Defendant advised of right to Consular notification
- GOVERNMENT and DEFENDANT advised of Due Process Protections Act of 2020
- Government motion for detention
- Defendant temporarily detained ICE detainer on defendant
- Defendant waived detention hearing Defendant reserved right to hearing in future
- Defendant to remain in Federal custody
- Defendant to be returned to State custody Defendant waived rights under IAD
- Defendant advised of right to preliminary hearing Defendant waived preliminary hearing
- Defendant ordered to psychological/psychiatric evaluation
- Defendant to remain on current conditions of supervised release
- Defendant released on:
 - Own recognizance with conditions of release standard special
 - Appearance bond in the amount of: _____
 - Property bond [description of property]: _____

- RULE 5 - Defendant advised of right to identity hearing Defendant waived identity hearing
- RULE 5 - Defendant reserved right to have preliminary hearing in District of Prosecution
- RULE 5 - Defendant elected to have detention hearing in District of Prosecution
- RULE 5 - DEFENDANT ADVISED OF RIGHT TO RULE 20 TRANSFER

PRELIMINARY/DETENTION/ARRAIGNMENT CONTINUED TO: 10:30, Fri, March 12

- GRAND JURY WAIVED IN OPEN COURT [Defendant sworn and advised of rights by Court]
- ARRAIGNMENT
 - Defendant acknowledges he/she has copy of Indictment/Information Court advised Def. of penalties
 - Defendant waives reading thereof Indictment/Information read to defendant by Judge
- PLEA: GUILTY NOT GUILTY Defendant intends to plead guilty and case referred to DJ

DATE: 3-8-21 TOTAL TIME: 25 min
BEGIN TIME: 1:00 END TIME: 1:25

Digitally Recorded

ATTEST AND CERTIFY
A TRUE COPY
CLERK

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

Deputy Clerk

AO 470 (Rev. 8/85) Order of Temporary Detention

UNITED STATES DISTRICT COURT

MIDDLE

District of

TENNESSEE

UNITED STATES OF AMERICA

ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT

V.

RONNIE BRIAN PRESLEY

Case

21-mj-1050

Defendant

Upon motion of the _____ Government _____, it is ORDERED that a

detention hearing is set Friday, March 12, 2021 * at 10:30 a.m. Prel. Hrg. Is set for same time
Date *Time*

before the Honorable Barbara D. Holmes, U.S. Magistrate Judge
Name of Judicial Officer

TO BE HELD BY VIDEOCONFERENCE

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) _____

_____ and produced for the hearing.
Other Custodial Official

Date: March 8, 2021

Barbara D. Holmes
Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).
A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By *[Signature]*
Deputy Clerk

UNITED STATES OF AMERICA)
)
 v.)
)
RONNIE BRIAN PRESLEY)

Case No. 21-MJ-1050

Magistrate Judge Holmes

MOTION FOR DETENTION

The United States of America, by and through Mary Jane Stewart, Acting United States Attorney for the Middle District of Tennessee, and Robert S. Levine and Joshua A. Kurtzman, Assistant United States Attorneys, hereby moves this Court for detention of the defendant under 18 U.S.C. § 3142(f)(2) because there is a serious risk that defendant Ronnie Brian Presley (the “defendant”) will flee and/or obstruct or attempt to obstruct justice.

The defendant poses a serious flight risk because he has been extremely evasive and avoiding law enforcement officers since he learned of potential federal charges against him. On February 23, 2021, an agent for the FBI spoke with the defendant and they discussed the fact that the FBI was looking for the defendant. The FBI informed the defendant that he had federal criminal charges against him and that he needed to turn himself in. The defendant said he knew that the FBI had been to his parents’ home, and said he was no longer in “Central Tennessee” but was “out east.” The defendant said he would call back the FBI agent, but he did not say that he was willing to turn himself in.

On February 24, 2021, an agent for the FBI again spoke with the defendant. The FBI agent told the defendant that there was an outstanding warrant to arrest the defendant on federal charges. The FBI agent told the defendant that he needed to turn himself in. The defendant did not agree to do so.

On March 2, 2021, after not hearing from the defendant for six days, an agent for the FBI received a call from someone who identified himself as the defendant's friend. The defendant's friend discussed the terms and conditions under which the defendant was willing to turn himself in. The defendant's friend, however, did not provide a date or time for the defendant to be arrested.

On March 3, 2021, an agent for the FBI received another call from the defendant's friend. The defendant's friend again discussed the terms and conditions under which the defendant was willing to turn himself in. The defendant's friend, however, did not provide a date or time for the defendant to be arrested.

On March 5, 2021, an agent for the FBI received another call from the defendant's friend. The defendant's friend said he thought the defendant would call the FBI agent later that day. The defendant's friend, however, did provide details related to the arrest of the defendant.

On March 5, 2021, the FBI located the defendant at a residence in Old Hickory, Tennessee, in the Middle District of Tennessee. At the time the FBI located the defendant, he had provided no details to coordinate his arrest on federal charges.

Considering the defendant's persistent efforts to avoid detection by the FBI in order to effectuate his arrest, there is a serious risk that the defendant will flee while his charges are pending.

Moreover, the nature and circumstances of the offense suggest that there is a serious risk that the defendant will obstruct justice. The defendant traveled to Washington, D.C. to attend the "Stop the Steal" rally on January 6, 2021. After the rally ended, the defendant unlawfully entered the U.S. Capitol along with a mob of rioters who smashed windows and broke through doors.

Pictures and videos from the U.S. Capitol show the defendant as part of that mob. In one video, the defendant states, "I'm the guy who got you in this building. Don't take my word for it. Watch the video." In one picture, the defendant is among a group of people in front of a Capitol

doorway with a broken window. The defendant is grabbing the top portion of a U.S. Capitol Police Officer's riot shield.

For his conduct the defendant was charged with, among other things, Obstructing, Influencing, or Impeding an Official Proceeding, in violation of 18 U.S.C. § 1512(c)(2), and Obstructing a Law Enforcement Officer During the Commission of Civil Disorder, in violation of 18 U.S.C. § 231(a)(3). The defendant's very recent conduct is indicative of the serious risk he poses to obstruct justice in connection with his own charges.

Accordingly, the United States moves for detention. Additionally, the United States respectfully requests a three-day continuance to prepare for the detention hearing. 18 U.S.C. § 3142(f).

Dated: March 8, 2021

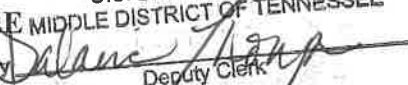
Respectfully submitted,

MARY JANE STEWART
Acting United States Attorney
Middle District of Tennessee

/s/ Robert S. Levine
ROBERT S. LEVINE
Assistant United States Attorney
110 9th Avenue South
Nashville, Tennessee 37203
Phone: (615) 736-5151

/s/ Joshua A. Kurtzman
JOSHUA A. KURTZMAN
Assistant United States Attorney
110 9th Avenue South
Nashville, Tennessee 37203
Phone: (615) 401-6617

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By  Deputy Clerk

UNITED STATES OF AMERICA)
)
v.)
)
RONNIE BRIAN PRESLEY)

Case No. 21-mj-1050

ORDER

Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, as amended by the Due Process Protections Act of 2020, the Court reminds the government of its obligation under *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, to disclose evidence favorable to the defendant and material to the defendant’s guilt or punishment. The government is ordered to produce such evidence reasonably promptly upon discovery, as required by Local Rule 16.01(a)(3). Failure to do so in a timely manner may result in consequences, including, but not limited to, dismissal of the indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances.

It is SO ORDERED.



BARBARA D. HOLMES
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By *Salvatore Thompson*
Deputy Clerk

UNITED STATES OF AMERICA)
)
 v.) NO. 21-mj-1050
)
)
 RONNIE BRIAN PRESLEY)

ORDER

On the basis of Defendant's affidavit or his statements to the Court, the Court determines that
Defendant:

- is financially able to employ counsel and, therefore, denies his application for appointment of counsel at government expense.
- is financially unable to employ counsel and appoints the Office of the Federal Public Defender to represent him.
- is financially unable to pay the fee of any witness and pursuant to Rule 17(b), of the Federal Rules of Criminal Procedure, the Clerk shall issue a subpoena for any witness, PROVIDED that Defendant and his counsel shall submit subpoenas only for those witnesses whose presence is necessary to present an adequate defense to the charge or charges.
- Upon Motion of the Government, the Court may order repayment or partial repayment from Defendant for the attorney and witness fees for these services should it appear Defendant has such ability at a later time.

It is so ORDERED.

Dated: March 8, 2021

Barbara D. Holmes
BARBARA D. HOLMES
United States Magistrate Judge

cc: United States Attorney
Federal Public Defender
United States Probation
United States Marshal

ATTEST AND CERTIFY

CLERK

U.S. DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

CRIMINAL PROCEEDINGS

Deputy Clerk

MAGISTRATE JUDGE HOLMES COURTROOM MINUTES FOR CRIMINAL PROCEEDINGS
by VIDEOCONFERENCE

U.S.A. v. Ronnie Brian Presley, No. 21-mj-1050

ATTORNEY FOR GOVERNMENT: Robert Levine

ATTORNEY FOR DEFENDANT: Dumeka Shabazz AFPD Panel Retained

PRETRIAL SERVICES/PROBATION OFFICER: Vanisha Brown

INTERPRETER NEEDED? YES NO LANGUAGE/INTERPRETER: _____
 PRESENT ON TELEPHONE

INITIAL APPEARANCE ON A SUMMONS ARRESTED ON: _____

DEFENDANT HAS A COPY OF:

Complaint Indictment Information Supervised Release Pet. Other _____

Defendant advised of the charges and the maximum penalties

Defendant has a copy of notice of rights

Defendant advised of right to counsel Counsel retained

Defendant sworn and/or certified under penalty of perjury and financial affidavit filed FPD Appointed

Defendant advised of right to silence

Defendant advised of right to **Consular notification**

GOVERNMENT and DEFENDANT advised of Due Process Protections Act of 2020

Government motion for detention

Defendant temporarily detained ICE detainer on defendant

Defendant waived detention hearing Defendant reserved right to hearing in future

Defendant to remain in Federal custody

Defendant to be returned to State custody Defendant waived rights under IAD

Defendant advised of right to preliminary hearing Defendant waived preliminary hearing

Defendant ordered to psychological/psychiatric evaluation

Defendant to remain on current conditions of supervised release

Defendant released on:

Own recognizance with conditions of release standard special

Appearance bond in the amount of: _____

Property bond [description of property]: _____

RULE 5 - Defendant advised of right to identity hearing Defendant waived identity hearing

RULE 5 - Defendant reserved right to have preliminary hearing in District of Prosecution

RULE 5 - Defendant elected to have detention hearing in District of Prosecution

RULE 5 - DEFENDANT ADVISED OF RIGHT TO RULE 20 TRANSFER

PRELIMINARY/DETENTION/ARRAIGNMENT CONTINUED TO: _____

GRAND JURY WAIVED IN OPEN COURT [Defendant sworn and advised of rights by Court]

ARRAIGNMENT

Defendant acknowledges he/she has copy of Indictment/Information Court advised Def. of penalties

Defendant waives reading thereof Indictment/Information read to defendant by Judge

PLEA: GUILTY NOT GUILTY Defendant intends to plead guilty and case referred to DJ

DATE: 3-12-21

BEGIN TIME: 10:30

TOTAL TIME: 15 min

END TIME: 10:45

Digitally Recorded

10 min
Preel
5 min
Det

UNITED STATES OF AMERICA v. Ronnie Brian Proasley NO. 21-mj-1050

RULE 5 IDENTITY HEARING

- Held, defendant found to be person named in warrant
- Held, defendant found NOT to be person named in warrant and released
- Waived in open Court

PRELIMINARY HEARING

CONTINUED TO: _____

- Probable Cause found/Held to answer/bound over Discharged from custody
- Defendant waived preliminary hearing *in this District*
- RULE 5 - Held to answer in District of Prosecution
- RULE 5 - Defendant reserved right to have hearing in District of Prosecution

DETENTION HEARING

CONTINUED TO: _____

- Government withdrew motion for detention or agreed to release
- Pretrial Services Report made a part of the record Counsel moved to retain copy of PTSR/granted
- Bond set at: _____ Defendant released on [date]: _____
- RULE 5 - Defendant elected to have hearing in District of Prosecution
- Defendant waived detention hearing *in this District* Defendant reserved right to hearing in future
- Defendant detained, order to enter *District* ICE detainer pending
- Defendant to remain in Federal custody Defendant to be returned to *State custody*
- Government moved for stay of execution of release pending appeal *District of Prosecution*
- Motion granted Motion denied
- Defendant advised of right to appeal

ARRAIGNMENT ON MISDEMEANOR

- Defendant acknowledges he/she has copy of Indictment/Information
- Indictment/Information read to defendant by Judge Defendant waives reading thereof
- PLEA: GUILTY NOT GUILTY
- Misdemeanor - defendant consented to trial before Magistrate Judge
- Written plea agreement/filed in open Court Oral plea agreement
- Guilty plea: Accepted Rejected Taken under advisement

OTHER

Type of hearing and outcome: _____

DEFENDANT DID NOT APPEAR AS DIRECTED, BENCH WARRANT ISSUED

NOTES/EVIDENTIARY MATTERS/SENTENCING: (Witnesses, Exhibits, Attach W/Ex List if necessary)

AO 94 (Rev. 06/09) Commitment to Another District

UNITED STATES DISTRICT COURT

for the

District of

United States of America)

v.)

RONNIE BRIAN PRESLEY)

Defendant)

Case No. 21-mj-1050

Charging District's

Case No. 1:21-mj-00185

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:

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: March 15, 2021


Judge's signature



BARBARA D. HOLMES, United States Magistrate Judge

Printed name and title

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By 
Deputy Clerk

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By: *Calvin Thompson*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA)
)
 v.) MD/TN NO. 21-mj-1050
) District of Columbia
 RONNIE BRIAN PRESLEY) No. 1:21-mj-00185

**ORDER HOLDING DEFENDANT TO ANSWER
IN THE DISTRICT OF COLUMBIA**

The defendant, Ronnie Brian Presley, was arrested in this District on a Warrant issued on January 29, 2021, in the District of Columbia, charging him with violations of 18 U.S.C. §§ 231(a)(3), 1512(c)(2), 1752(a)(1), 1752(a)(2), 1752(a)(4) and 40 U.S.C. § 5104(e)(2).

Section I. Preliminary Proceedings:

- X Defendant waived an identity hearing at the initial appearance.
- X Defendant waived a preliminary hearing pending his return to the District of Columbia.

Section II. Bond/Detention Proceedings.

- X Defendant waived a hearing on the Government's motion for detention pending his return to the District of Columbia

IT IS HEREBY ORDERED:

- X That defendant be HELD TO ANSWER in the District of Columbia, including for a preliminary hearing and a detention hearing upon his request. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility pending disposition of the charges filed against him, and he shall be held separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding. A Commitment to the U.S. Marshal shall issue.

It is SO ORDERED.

Barbara D. Holmes
BARBARA D. HOLMES
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

ATTEST AND CERTIFY
A TRUE COPY
CLERK

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

By *[Signature]*
Deputy Clerk

UNITED STATES

v.

RONNIE BRIAN PRESLEY

)
)
)
)
)

Case No. 3:21-mj-1050
USDC DC Case No. 1:21-mj-00185

ORDER

At the initial appearance held on March 8, 2021, Defendant Ronnie Brian Presley requested a preliminary hearing and detention hearing in this district. On March 12, 2021, Defendant appeared with his counsel, Assistant Federal Public Defender Dumaka Shabazz for the preliminary and detention hearing. Assistant U.S. Attorney Robbie Levine appeared for the United States.

At the commencement of the preliminary and detention hearing, Defendant, by and through counsel, announced his intention to waive the preliminary hearing and the detention hearing at this time with reservation of the right to request those hearings in the prosecuting district by motion at a later date as appropriate. The Court confirmed the waiver with Defendant.

It is therefore ORDERED that Defendant be detained until trial or further order of the Court, and Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility pending disposition of the charges filed against her, and she shall be held separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the

corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

It is SO ORDERED.


BARBARA D. HOLMES
United States Magistrate Judge

**U.S. District Court
Middle District of Tennessee (Nashville)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-01050 All Defendants
Internal Use Only**

Case title: USA v. Presley

Date Filed: 03/09/2021
Date Terminated: 03/15/2021

Assigned to: Magistrate Judge Barbara D. Holmes

Defendant (1)

Ronnie Brian Presley
Rule 5 Transfer to the District of Columbia
TERMINATED: 03/15/2021

represented by **Dumaka Shabazz**
Federal Public Defender's Office (MDTN)
810 Broadway
Suite 200
Nashville, TN 37203
(615) 736-5047
Email: Dumaka_Shabazz@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

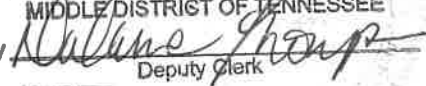
Highest Offense Level (Terminated)

None

Complaints

18:231(a)(3), 18:1512(c)(2), 18:1752(a)(1),
18:1752(a)(2), 18:1752(a)(4) and 40:5104(e)
(2) Obstruction of law enforcement during
civil disorder; obstruction of
Justice/Congress; knowingly entering or
remaining in any restricted building or

Disposition

ATTEST AND CERTIFY
A TRUE COPY
CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
By 
Deputy Clerk

Disposition

Disposition

grounds without lawful authority; disorderly conduct in a restricted building or grounds; disorderly conduct/impeding official business; violent entry and disorderly conduct on Capitol Grounds


Plaintiff

USA

represented by **Joshua A. Kurtzman**
 U.S. Attorney's Office (Nashville Office)
 Middle District of Tennessee
 110 Ninth Avenue, S
 Suite A961
 Nashville, TN 37203-3870
 (615) 401-6617
 Fax: (615) 401-6626
 Email: Joshua.Kurtzman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Robert S. Levine
 U.S. Attorney's Office (Nashville Office)
 Middle District of Tennessee
 110 Ninth Avenue, S
 Suite A961
 Nashville, TN 37203-3870
 (615) 736-5151
 Email: robert.levine@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
03/08/2021	<u>1</u>	Warrant Issued in the District of Columbia on 1/29/2021 Returned Executed in this District on 3/6/2021 as to Ronnie Brian Presley. (Attachments: # <u>1</u> Criminal Complaint from District of Columbia, # <u>2</u> Criminal Cover Sheet from District of Columbia, # <u>3</u> Attachment Statement of Facts from District of Columbia) (dt). (Entered: 03/09/2021)
03/08/2021		Arrest (Rule 5) of Ronnie Brian Presley. (dt) (Entered: 03/09/2021)
03/08/2021	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Barbara D. Holmes:Initial Appearance in Rule 5(c)(3) Proceedings as to Ronnie Brian Presley held on 3/8/2021 by videoconference. Defendant appeared with appointed counsel Dumaka Shabazz. Defendant temporarily detained. Preliminary Hearing and Detention Hearing continued to Friday, 3/12/2021 at 10:30 a.m. (dt) (Entered: 03/09/2021)
03/08/2021	<u>3</u>	WAIVER of Rule 5(c)(3) Hearing by Ronnie Brian Presley. (dt) Modified on 3/9/2021 (dt). (Entered: 03/09/2021)
03/08/2021	<u>4</u>	MOTION for Detention by USA as to Ronnie Brian Presley. (dt) (Entered: 03/09/2021)

03/08/2021	<u>5</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Ronnie Brian Presley. Signed by Magistrate Judge Barbara D. Holmes on 3/8/2021. (dt) (Entered: 03/09/2021)
03/08/2021	<u>6</u>	ORDER as to Ronnie Brian Presley: Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, as amended by the Due Process Protections Act of 2020, the Court reminds the government of its obligation under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, to disclose evidence favorable to the defendant and material to the defendant's guilt or punishment. The government is ordered to produce such evidence reasonably promptly upon discovery, as required by Local Rule 16.01(a)(3). Failure to do so in a timely manner may result in consequences, including, but not limited to, dismissal of the indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances. Signed by Magistrate Judge Barbara D. Holmes on 3/8/2021. (dt) (Entered: 03/09/2021)
03/08/2021	<u>7</u>	ORDER as to Ronnie Brian Presley: Detention Hearing and Preliminary Hearing by video set for 3/12/2021 at 10:30 AM. Signed by Magistrate Judge Barbara D. Holmes on 3/8/21. (dt) (Entered: 03/09/2021)
03/11/2021	<u>8</u>	MOTION for Leave to <i>Manually File a DVD</i> by USA as to Ronnie Brian Presley. (Attachments: # <u>1</u> Attachment Proposed Order)(Levine, Robert) (Entered: 03/11/2021)
03/11/2021	<u>9</u>	ORDER as to Ronnie Brian Presley: The United States of America has moved for leave to manually file one DVD, containing the United States' Preliminary/Detention Hearing Exhibits 2, 3, 4, and 5. It is hereby ORDERED that the United States' motion for leave, DE <u>8</u> , is GRANTED. The United States is hereby permitted to manually file the DVD with the Clerk of the Court. Signed by Magistrate Judge Barbara D. Holmes on 3/11/2021. (vh) (Entered: 03/11/2021)
03/12/2021		RECEIPT of Manual Filing by USA re <u>9</u> Order. DVD received in Clerk's Office this date and forwarded to Magistrate Judge Holmes chambers. (dt) (Entered: 03/12/2021)
03/12/2021	<u>10</u>	Minute Entry for proceedings held before Magistrate Judge Barbara D. Holmes: Preliminary Hearing and Detention Hearing as to Ronnie Brian Presley held on 3/12/2021. Defendant appeared with appointed counsel. Defendant waived preliminary hearing and detention hearing in this District. Defendant to remain in Federal custody. Defendant to be return to District of Prosecution. (dt) (Entered: 03/15/2021)
03/12/2021	<u>11</u>	ORDER OF DETENTION as to Ronnie Brian Presley. Signed by Magistrate Judge Barbara D. Holmes on 3/12/2021. (dt) (Entered: 03/15/2021)
03/12/2021	<u>12</u>	ORDER HOLDING DEFENDANT TO ANSWER IN THE DISTRICT OF COLUMBIA as to Ronnie Brian Presley. Signed by Magistrate Judge Barbara D. Holmes on 3/12/2021. (dt) (Entered: 03/15/2021)
03/15/2021	<u>13</u>	COMMITMENT TO ANOTHER DISTRICT as to Ronnie Brian Presley. Defendant committed to District of Columbia. Signed by Magistrate Judge Barbara D. Holmes on 3/15/2021. (dt) (Entered: 03/15/2021)
03/15/2021	<u>14</u>	Rule 5(c)(3) Documents Transmitted as to Ronnie Brian Presley to the District of Columbia. (dt) (Entered: 03/15/2021)
03/15/2021		(Court only) ***Case closed. (dt) (Entered: 03/15/2021)