

AO 442 (Rev. 11/11) Arrest Warrant

# UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America  
v.  
Samuel Fontanez Rodriguez

)  
) Case: 1:22-mj-00152  
) Assigned To : Harvey, G. Michael  
) Assign. Date : 7/6/2022  
) 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) Samuel Fontanez Rodriguez,  
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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority
- 18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in any Restricted Building or Grounds
- 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct on Capitol Grounds
- 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 07/06/2022

**G. Michael Harvey** Digitally signed by G. Michael Harvey  
Date: 2022.07.06 11:27:15 -04'00'  
*Issuing officer's signature*

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge  
*Printed name and title*

### Return

This warrant was received on (date) 7/6/22, and the person was arrested on (date) 7/22/22  
at (city and state) Allentown, PA.

Date: 7/22/22

Carmen Dora de Morales  
*Arresting officer's signature*  
Carmen Dora de Morales / Special Agent  
*Printed name and title* **FBI**

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

**BAIL STATUS AND ORDER**

\_\_\_\_\_ INTERPRETER NEEDED : DATE: 07/22/22

Date of Arrest: 07/22/22 : HEARING TYPE: IA/AC/IDENT/DET/PC  
ON RULE 5

Trial Date: : ESR: CARL HAUGER

UNITED STATES OF AMERICA : AUSA: KELLY LEWIS FALLENSTEIN  
District of Columbia NO. 1:22-mj-00152

v. : ED OF PA NO. 22-mj-1151

SAMUEL FONTANEZ-RODRIGUEZ : MARIA PEDRAZA  
[] CJA Appointed  
: [] Retained  
[x] Defenders' Assn. Apptd.

After a hearing held this day pursuant to the Federal Rules of Criminal Procedure, or after a 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 and probable cause hearing and are scheduled for

The Defendant stipulated on the record to identity and probable cause.

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.

Probable Cause for the violation of supervised release found, Defendant detained (released on conditions as outlined in the "Conditions of Release Order") pending final VOP hearing before \_\_\_\_\_.

Colloquy on defendant's financial qualifications for court-appointed counsel

Other – **Charges: Title 18 USC Section 1752(a)(1) – Knowingly Entering or Remaining in any Restricted Building or Grounds without Lawful Authority.**

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.

[x] The United States is obligated, pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to timely disclose information favorable to the defense as to criminal liability on the charged offense(s) or mitigation of any punishment that may be imposed. Such favorable information includes information that may cast doubt on the credibility of government witnesses. Possible consequences for violating this order include exclusion of evidence, dismissal of charges, contempt proceedings, disciplinary referral, and any other relief authorized by law.

BY: /s/

/S/ PAMELA A. CARLOS

PAMELA A. CARLOS, J.

UNITED STATES MAGISTRATE JUDGE

***TIME IN COURT* 20 MINUTES**

*(Form Revised July 2022)*

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

UNITED STATES OF AMERICA : CRIMINAL  
: :  
v. : :  
: : NO. 22-MJ-1151  
SAMUEL FONTANEZ-RODRIGUEZ :

CONDITIONS OF RELEASE ORDER

**BAIL**

Defendant is **released on bail** in the amount of: \$ 50,000.00

**O/R**  
 **cash**  
 **secured by:**

% cash  
 property at:

**Clerk’s office requirements are not waived.** Execute an Agreement to Forfeit the Property stated above with a copy of the deed as indicia of ownership.

**PRETRIAL SERVICES**

Defendant shall report to Pretrial Services:  
 **as directed** by Pretrial Services.  
 times per week **in person**.  
 Once per week **via telephone**.

Defendant shall attend mental health services under the guidance and supervision of Pretrial Services.

Defendant shall submit to a drug test as directed by Pretrial Services. If negative, no further drug testing or treatment will be necessary.

Defendant shall refrain from excessive use of alcohol or from any use of a narcotic drug or other controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802, without a prescription by a licensed medical practitioner.

Defendant shall undergo **drug/alcohol treatment** if necessary as determined by Pretrial Services.

Defendant shall submit to **location monitoring** at the following address:

This Court, based upon evidence that Defendant has adequate financial resources, finds that he/she shall pay all or part of the cost of the court-ordered monitoring program, in an amount to be specified by Pretrial Services.

**Curfew.** You are restricted to your residence every day from \_\_\_\_\_ to \_\_\_\_\_, during which electronic monitoring will be in place, or as directed by the pretrial services office or supervising officer.

**Home Detention.** You are restricted to your residence at all times except for

employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer;

\_\_\_\_\_ **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

**PASSPORT**

Defendant shall surrender and/or refrain from obtaining a **passport**.

**TRAVEL**

\_\_\_\_\_ Travel is restricted to the **Eastern District of Pennsylvania**.

Advise Pretrial Services of any travel within the US outside of home jurisdiction.

No travel outside of the continental US without Court approval.

Unless prior permission is granted by Pretrial Services.

Defendant shall stay away from DC unless for Court, Pretrial or consultation with an attorney.

**FIREARMS**

Defendant shall surrender and/or refrain from obtaining any firearms. Any other firearms in any premises where the defendant resides while on supervised release must be removed from the premises and no firearms are to be brought into the premises during this period. The defendant shall execute a completed Prohibition on Possession of Firearms Agreement.

**MISCELLANEOUS**

Defendant shall have no contact with **co-defendants, potential witnesses** in this case, or individuals engaged in any **criminal activity**.

\_\_\_\_\_ Defendant must maintain present **employment**.

\_\_\_\_\_ Defendant must **actively seek** gainful employment.

\_\_\_\_\_ Defendant shall undergo a **mental competency evaluation**.

\_\_\_\_\_ Defendant must reside:  
**at:** \_\_\_\_\_

**with:**

**COMPUTERS/INTERNET**

\_\_\_\_\_ The Defendant is subject to the following computer/internet restrictions which are to be monitored by U.S. Pretrial Services and may include manual inspection, use of minimally invasive

internet detection devices, and/or installation of computer monitoring software to insure compliance with the imposed restrictions.

\_\_\_\_\_ **No computer:** The Defendant is prohibited from possession and/or use of any computers and connected devices.

\_\_\_\_\_ **Computer, no internet access:** The Defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (as World Wide Web, FTP sites, IRC servers, instant messaging).

\_\_\_\_\_ **Computer with internet access:** The Defendant is permitted use of computers or connected devices, is permitted access to the internet for legitimate purposes, and is responsible for any fees connected with the installation and use of monitoring software.

\_\_\_\_\_ **Other Residents:** By consent of other residents, all computers located at the address of record shall be subject to inspection to insure the equipment is password protected.

X  **Other Restrictions: Defendant must participate in all future proceedings as directed;**

**OTHER CONDITIONS:**

As a further condition of release, defendant shall not commit a Federal, State, or local crime during the period of release. The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than 10 years, if the offense is a felony; or a term of imprisonment of not more than 1 year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Any violation of the conditions of release may result in revocation of bail and imprisonment pending trial.

It is so ORDERED this  22<sup>ND</sup>  day of  JULY , 2022.

BY THE COURT:

PAMELA A. CARLOS/S/   
PAMELA A. CARLOS  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

EASTERN District of PENNA

United States of America

v.

SAMUEL FONTANEZ-RODRIGUEZ

Defendant

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)
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)
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)

Case No. 22-MJ-1151

Charging District's Case No.
1:22-mj-00152

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

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

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

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
(2) an identity hearing to determine whether I am the person named in the charges;
(3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
(4) a preliminary hearing 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:

- [x] an identity hearing and production of the warrant.
[x] a preliminary hearing.
[x] 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

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

Date: 7/22/2022

Handwritten signature of Maria Pedraza

Defendant's signature

/s/ MARIA PEDRAZA

Signature of defendant's attorney

MARIA PEDRAZA

Printed name of defendant's attorney

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of Pennsylvania

United States of America  
v.  
SAMUEL FONTANEZ-RODRIGUEZ

*Defendant*

)  
) Case No. 22-mj-1151  
)

) Charging District: District of Columbia  
) Charging District's Case No. 1:22-mj-00152

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: Magistrate Judge G. Michael Harvey  
Washington, DC

Courtroom No.: VIA ZOOM

Date and Time: 7/28/2022 1:00 pm

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 07/22/2022

/S/ PAMELA A. CARLOS

*Judge's signature*

PAMELA A. CARLOS, USMJ

*Printed name and title*

**United States District Court  
Eastern District of Pennsylvania (Allentown)  
CRIMINAL DOCKET FOR CASE #: 5:22-mj-01151 All Defendants  
Internal Use Only**

Case title: USA v. FONTANEZ-RODRIGUEZ

Date Filed: 07/22/2022

Other court case number: 22-MJ-152 DISTRICT OF COLUMBIA Date Terminated: 07/26/2022

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Assigned to: Unassigned

**Defendant (1)**

**SAMUEL FONTANEZ-RODRIGUEZ**  
*TERMINATED: 07/26/2022*

represented by **MARIA ANTOINETTE PEDRAZA**  
FED COMM DEFENDER OFFICE  
601 WALNUT STREET  
SUITE 540 WEST  
PHILADELPHIA, PA 19106  
215-928-1100  
Email: maria\_pedraza@fd.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**





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**Plaintiff**

**USA**

represented by **KELLY LEWIS FALLENSTEIN**  
U.S. ATTORNEY'S OFFICE

615 CHESTNUT ST SUITE 1250  
 PHILADELPHIA, PA 19106  
 Email: kelly.fallenstein@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant US Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/22/2022	 <u>1</u>	Minute Entry for proceedings held before MAGISTRATE JUDGE PAMELA A. CARLOS : IA/AC/IDENT/DET/PC on Rule 5 Proceedings as to SAMUEL FONTANEZ-RODRIGUEZ held on 7/22/22. The Defendant stipulated on the record to identity and probable cause. The Government and Defense have agreed to conditions of release. Court Reporter ESR.(er) (Entered: 07/22/2022)
07/22/2022	<u>2</u>	ORDER SETTING CONDITIONS OF RELEASE AS TO SAMUEL FONTANEZ-RODRIGUEZ (2) O/R \$50,000. DEFT. SHALL REPORT TO PRETRIAL SERVICES, ETC. Signed by MAGISTRATE JUDGE PAMELA A. CARLOS on 7/22/22.7/22/22 Entered and Copies E-Mailed. (er) (Entered: 07/22/2022)
07/22/2022	 <u>3</u>	O/R Bond Entered as to SAMUEL FONTANEZ-RODRIGUEZ in amount of \$ \$50,000. (er) (Entered: 07/22/2022)
07/22/2022	<u>4</u>	WAIVER of Rule 5(c)(3) Hearing by SAMUEL FONTANEZ-RODRIGUEZ (er) (Entered: 07/22/2022)
07/22/2022	<u>5</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL AS TO SAMUEL FONTANEZ-RODRIGUEZ. Signed by MAGISTRATE JUDGE PAMELA A. CARLOS on 7/22/22.7/26/22 Entered and Copies E-Mailed. (mas) (Entered: 07/26/2022)
07/22/2022		(Court only) ***Case Terminated as to SAMUEL FONTANEZ-RODRIGUEZ (mas) (Entered: 07/26/2022)
07/26/2022		(Court only) ***Terminated defendant SAMUEL FONTANEZ-RODRIGUEZ, pending deadlines, and motions. (ke) (Entered: 07/26/2022)