

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	Case No: 21-MJ-140
	:	
v.	:	
	:	
SCOTT KEVIN FAIRLAMB,	:	
	:	
Defendant.	:	

MOTION FOR TRANSPORT ORDER

The United States of America, by and through the by and through its Attorney, the Acting United States Attorney for the District of Columbia respectfully requests that this Court enter an Order directing the United States Marshals Service to transport Defendant Scott Kevin Fairlamb from the District of New Jersey to the District of Columbia for further proceedings on the Complaint filed against him, charging the defendant with violations of 18 U.S.C. § 231(a)(3) (Certain Acts During Civil Disorder), 18 U.S.C. § 111(a)(1) (Assaulting a Federal Officer), 18 U.S.C. §§ 1752(a)(1)-(4) (Restricted Building or Grounds); 18 U.S.C. § 1752(b)(1)(A)(Carrying a Dangerous Weapon), and 40 U.S.C. § 5104(e)(2) (Violent Entry or Disorderly Conduct) stemming from the defendant's involvement in the insurrection at the United States Capitol on January 6, 2021. In support of its motion, the United States states as follows:

1. On January 22, 2021, Defendant Scott Kevin Fairlamb was arrested in his home state of New Jersey on an arrest warrant issued out of the United States District Court for the District of Columbia by U.S. Magistrate Judge Robin M. Meriweather in connection with a Criminal Complaint charging the defendant with violations of 18 U.S.C. § 231(a)(3) (Certain Acts During Civil Disorder), 18 U.S.C. § 111(a)(1) (Assaulting a Federal Officer), 18 U.S.C. §§ 1752(a)(1)-(4) (Restricted Building or Grounds); 18 U.S.C. § 1752(b)(1)(A)(Carrying a Dangerous Weapon), and 40 U.S.C. § 5104(e)(2) (Violent Entry or Disorderly Conduct).

2. Defendant Scott Kevin Fairlamb made his initial appearance on January 22, 2021 in front of a magistrate judge in the District of New Jersey. At his initial appearance, the government made a motion to detain the defendant without bond pending trial.

3. The presiding Magistrate Judge denied the government's detention motion and released the defendant pursuant to certain conditions, but granted the government's request for a stay of the defendant's release to allow the government to appeal the decision.

4. The United States filed in this Court an Emergency Motion to Review the Court's Release Order on January 22, 2021.

5. In order to resolve the pending motion to review the release determination made by the Magistrate Judge in the District of New Jersey, and to conduct further proceedings in this matter, the defendant, who remains temporarily detained, needs to be transported to the District of Columbia by the United States Marshals Service.

Accordingly, the United States moves this Court to issue an Order directing the United States Marshals Service to transport Defendant Scott Kevin Fairlamb forthwith to the District of Columbia for further proceedings.

WHEREFORE, it is respectfully requested that this motion be granted.

Date: January 22, 2021

Respectfully submitted,

MICHAEL R. SHERWIN
Acting United States Attorney
for the District of Columbia
New York State Bar Reg. No. 4444188

By: /s/ David B. Kent
DAVID B. KENT, D.C. Bar No. 482850
Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-7762
David.Kent@usdoj.gov

/s/ Gauri Gopal
GAURI GOPAL
Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-7230
Gauri.Gopal@usdoj.gov