

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

William D. Merry Jr.

Case: 1:21-mj-00173

Assigned to: Judge Zia M. Faruqui

Assign Date: 1/27/2021

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)*

William D. Merry Jr.

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. § 641-Theft of Government Property

18 U.S.C. § 1752(a)(1)- Knowingly Entering or Remaining in any Restricted Building or Grounds

18 U.S.C. § 1752(a)(2)- Disorderly Conduct Which Impedes the Conduct of Government Business

40 U.S.C. § 5104(e)(2) Disruptive Conduct in the Capitol Buildings

Date: 01/27/2021



2021.01.27

18:30:24 -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)* 01/27/2021, and the person was arrested on *(date)* 02/04/2021  
 at *(city and state)* St. Louis, Missouri.

Date: 02/04/2021

*Arresting officer's signature*

MATTHEW BRUNO Special Agent

*Printed name and title*

MIME-Version:1.0  
From:Moed\_AutoSend@moed.uscourts.gov  
To:MOED\_ECF\_Notification@moed.uscourts.gov  
Bcc:  
--Case Participants: U. S. Attorney - Criminal (usamoe.crimdock@usdoj.gov), Magistrate Judge Nannette A. Baker (genevieve\_bales@moed.uscourts.gov, juliane\_rodriguez@moed.uscourts.gov, nannette\_baker@moed.uscourts.gov, stephen\_suk@moed.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:9154919@moed.uscourts.gov  
Subject:Activity in Case 4:21-mj-05034-NAB USA v. Merry Rule 5 Complaint - Out  
Content-Type: text/html

**U.S. District Court**

**Eastern District of Missouri**

**Notice of Electronic Filing**

The following transaction was entered on 2/5/2021 at 11:17 AM CST and filed on 2/5/2021

**Case Name:** USA v. Merry

**Case Number:** 4:21-mj-05034-NAB

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**RULE 5 COMPLAINT – OUT signed by Judge Magistrate Judge Nannette A. Baker**  
**ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. as to William D. Merry, Jr (1). (DJO)**

**4:21-mj-05034-NAB-1 Notice has been electronically mailed to:**

U. S. Attorney – Criminal usamoe.crimdock@usdoj.gov

**4:21-mj-05034-NAB-1 Notice has been delivered by other means to:**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No: 4:21MJ05034 NAB
	)	
WILLIAM D. MERRY, JR.,	)	
	)	
Defendant.	)	

LIMITED ENTRY OF APPEARANCE

COMES NOW Ethan B. Corlija, attorney at law, and hereby enters his appearance on a limited basis for Defendant, **WILLIAM D. MERRY, JR.**, in the above-entitled cause. Legal counsel's entry of appearance is limited in that counsel's scope of representation will encompass only Defendant's initial appearance in all Federal Rules of Criminal Procedure proceedings pursuant to Rule 5 and matters of preliminary examination and pre-trial release or detention.

Legal counsel respectfully requests that all correspondence, pleadings, and trial or pre-trial motions be provided to the undersigned counsel of record until such time as the case is removed to the United States District Court for the District of Columbia (the charging jurisdiction).

Respectfully Submitted,

**ETHAN B. CORLIJA**  
**ATTORNEY AT LAW**

/s/ Ethan B. Corlija  
Ethan B. Corlija  
Federal Bar Number 52665MO  
5205 Hampton Avenue  
St. Louis, Missouri 63109  
Telephone: 314-832-9600  
Facsimile: 314-353-0181  
E-Mail: ecorlija@sbcglobal.net

**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I, Ethan B. Corlija, legal counsel for Defendant herein, **WILLIAM D. MERRY, JR.**, certify that a true and accurate copy of the forgoing Limited Entry of Appearance has been forwarded to counsel of record for the United States of America at the following address: Mr. Matthew Drake, Assistant United States Attorney, Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, 20th Floor, St. Louis, Missouri 63102, this 5th day of February 2021.

/s/ Ethan B. Corlija  
Ethan B. Corlija Federal Bar #52665MO

MIME-Version:1.0  
From:Moed\_AutoSend@moed.uscourts.gov  
To:MOED\_ECF\_Notification@moed.uscourts.gov  
Bcc:  
--Case Participants: Ethan B. Corlija (ecorlija@sbcglobal.net), U. S. Attorney - Criminal (usamoe.crimdock@usdoj.gov), Magistrate Judge Nannette A. Baker (genevieve\_bales@moed.uscourts.gov, juliane\_rodriguez@moed.uscourts.gov, nannette\_baker@moed.uscourts.gov, stephen\_suk@moed.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:9155228@moed.uscourts.gov  
Subject:Activity in Case 4:21-mj-05034-NAB USA v. Merry Arrest on Rule 5(c)(3)  
Content-Type: text/html

**U.S. District Court**

**Eastern District of Missouri**

**Notice of Electronic Filing**

The following transaction was entered on 2/5/2021 at 1:06 PM CST and filed on 2/5/2021

**Case Name:** USA v. Merry

**Case Number:** 4:21-mj-05034-NAB

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**Arrest of defendant William D. Merry, Jr date of arrest: 2/5/2021 on charging papers from DC (AAT)**

**4:21-mj-05034-NAB-1 Notice has been electronically mailed to:**

U. S. Attorney – Criminal usamoe.crimdock@usdoj.gov

Ethan B. Corlija ecorlija@sbcglobal.net

**4:21-mj-05034-NAB-1 Notice has been delivered by other means to:**

MIME-Version:1.0  
From:Moed\_AutoSend@moed.uscourts.gov  
To:MOED\_ECF\_Notification@moed.uscourts.gov  
Bcc:  
--Case Participants: U. S. Attorney - Criminal (usamoe.crimdock@usdoj.gov), Ethan B. Corlija (ecorlija@sbcglobal.net), Magistrate Judge Nannette A. Baker (genevieve\_bales@moed.uscourts.gov, juliane\_rodriguez@moed.uscourts.gov, nannette\_baker@moed.uscourts.gov, stephen\_suk@moed.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:9155272@moed.uscourts.gov  
Subject:Activity in Case 4:21-mj-05034-NAB USA v. Merry  
Content-Type: text/html

**U.S. District Court**

**Eastern District of Missouri**

**Notice of Electronic Filing**

The following transaction was entered on 2/5/2021 at 1:21 PM CST and filed on 2/5/2021

**Case Name:** USA v. Merry  
**Case Number:** 4:21-mj-05034-NAB  
**Filer:**  
**Document Number:** 2(No document attached)

**Docket Text:**

**ELECTRONIC MINUTE ENTRY (no pdf attached) for proceedings held before Magistrate Judge Nannette A. Baker: Initial Appearance re: Rule 5c3 – MJ arrest case only as to William D. Merry, Jr held on 2/5/2021. Under Section 15002(b)(2)(A) of the CARES act, in response to the COVID–19 crisis this Court authorizes the use of video and telephone conferencing for criminal hearings. The defendant has been advised and consents on the record to proceed by Zoom. Counsel for the government and for the defendant also participate by Zoom.** Defendant sworn. Defendant advised of rights and indicated an understanding of those rights. Defendant given copy of: Complaint. Defendant to retain: Ethan Corlija. Pretrial Services Officer: bradley rentfro., Rule 5c3 Removal Hearing as to William D. Merry, Jr held on 2/5/2021. Defendant does not contest identity and waives identity hearing., Preliminary Examination or Hearing as to William D. Merry, Jr held on 2/5/2021. Defendant waives preliminary hearing. Based upon the waiver the Court finds probable cause to believe the defendant violated the law set out in the complaint., Bond Execution Hearing as to William D. Merry, Jr held on 2/5/2021. Bond set in the amount of: Personal Recognizance. Bond papers executed. The defendant is ordered released after processing. (Probation/Pretrial Officer: bradley rentfro) (proceedings started: 1:00pm) (proceedings ended: 1:16pm)(Recorded on Zoom by: A. Thompson) (Defendant Location: BOND)(Appearance for Government: Matthew Drake)(Appearance for Defendant: Ethan Corlija) (AAT)

**4:21-mj-05034-NAB–1 Notice has been electronically mailed to:**

U. S. Attorney – Criminal usamoe.crimdock@usdoj.gov

Ethan B. Corlija    ecorlija@sbcglobal.net

**4:21-mj-05034-NAB-1 Notice has been delivered by other means to:**

## UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America

v.

WILLIAM D. MERRY, JR.

*Defendant*

Case No. 4:21 MJ 5034 NAB

Charging District's Case No. 1:21-MJ-173

**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: 02/05/2021*Defendant's signature*

# 52665MO

*Signature of defendant's attorney*

Ethan B. Corlija

*Printed name of defendant's attorney*



AO 98 (Rev. 12/11) Appearance Bond

## UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America

v.

)

)

)

)

)

Case No.

4:21 MJ 5034 NAB

Charging District: District of Columbia,

Case No. 1:21-MJ-173

WILLIAM D. MERRY, JR.

*Defendant*

## APPEARANCE BOND

## Defendant's Agreement

I, William D. Merry, Jr. (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ( ☒ ) to appear for court proceedings;
- ( ☒ ) if convicted, to surrender to serve a sentence that the court may impose; or
- ( ☒ ) to comply with all conditions set forth in the Order Setting Conditions of Release.

## Type of Bond

- ( ☒ ) (1) This is a personal recognizance bond.
- ( ☐ ) (2) This is an unsecured bond of \$ \_\_\_\_\_.
- ( ☐ ) (3) This is a secured bond of \$ \_\_\_\_\_, secured by:
  - ( ☐ ) (a) \$ \_\_\_\_\_, in cash deposited with the court.
  - ( ☐ ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property  
(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- ( ☐ ) (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

AO 98 (Rev. 12/11) Appearance Bond

**Forfeiture or Release of the Bond**

*Forfeiture of the Bond.* This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

*Release of the Bond.* The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

**Declarations**

*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 02/05/2021

  
Defendant's signature

\_\_\_\_\_  
Surety/property owner – printed name\_\_\_\_\_  
Surety/property owner – signature and date\_\_\_\_\_  
Surety/property owner – printed name\_\_\_\_\_  
Surety/property owner – signature and date\_\_\_\_\_  
Surety/property owner – printed name\_\_\_\_\_  
Surety/property owner – signature and dateDate: 02/05/2021

  
Judge's signature

## UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America

v.

WILLIAM D. MERRY, JR.*Defendant*

)

)

)

)

)

Case No. 4:21 MJ 5034 NAB  
 Charging District: District of Columbia,  
 Case No. 1:21-MJ-173

**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. Pretrial Services, 6<sup>th</sup> Floor, Thomas F. Eagleton U.S. Courthouse, 111 S. 10<sup>th</sup> St., St. Louis, MO immediately after release/processing by the U.S. Marshal.

*Place*

Defendant will be contacted at a later date regarding his report date in the District of Columbia.

on

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

**ADDITIONAL CONDITIONS OF RELEASE**

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: \_\_\_\_\_

Custodian

Date

- ☒ (7) The defendant must:

- ☒ (a) submit to supervision by and report for supervision to the U.S. Pretrial Services Office  
Thomas F. Eagleton U.S. Courthouse  
111 S. 10<sup>th</sup> St., Ste. 6.345  
St. Louis, MO 63102

telephone number 314-244-7000 .

- ☒ (b) continue or actively seek employment.
- ☐ (c) continue or start an education program.
- ☒ (d) surrender any passport to: Clerk of Court within 24 hours.
- ☒ (e) not obtain a passport or other international travel document.
- ☒ (f) abide by the following restrictions on personal association, residence, or travel: Defendant shall remain within the Eastern District of Missouri unless written permission for travel outside the district is given by the U.S. Pretrial Services Agency after consultation with the federal prosecutor or the Court. Defendant may travel to the District of Columbia for Court-related matters only.
- ☐ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution.
- ☐ (h) get medical or psychiatric treatment: \_\_\_\_\_
- ☐ (i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_
- ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- ☒ (k) not possess a firearm, destructive device, or other weapon. **Defendant must remove all firearms, destructive devices, or other weapons from his residence within twenty-four hours.**
- ☐ (l) not use alcohol ( ☐ ) at all ( ☐ ) excessively.
- ☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
- ☒ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- ☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.
- ☐ (i) **Curfew.** You are restricted to your residence every day ( ☐ ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ☐ ) as directed by the pretrial services office or supervising officer; or
- ☐ (ii) **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; or
- ☐ (iii) **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.
- ☐ (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
- ☐ You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
- ☒ (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☐ (s) \_\_\_\_\_

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

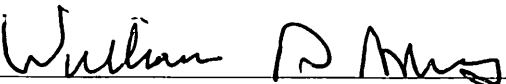
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
 Defendant's Signature

St. Louis, MO  
 City and State

**Directions to the United States Marshal**

- ( ☒ ) The defendant is ORDERED released after processing.  
 ( ☐ ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 2/5/2021

  
 Judicial Officer's Signature

Nannette A. Baker, United States Magistrate Judge  
 Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

MIME-Version:1.0  
From:Moed\_AutoSend@moed.uscourts.gov  
To:MOED\_ECF\_Notification@moed.uscourts.gov  
Bcc:  
--Case Participants: Ethan B. Corlija (ecorlija@sbcglobal.net), U. S. Attorney - Criminal (usamoe.crimdock@usdoj.gov), Magistrate Judge Nannette A. Baker (genevieve\_bales@moed.uscourts.gov, juliane\_rodriguez@moed.uscourts.gov, nannette\_baker@moed.uscourts.gov, stephen\_suk@moed.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:9158665@moed.uscourts.gov  
Subject:Activity in Case 4:21-mj-05034-NAB USA v. Merry Receipt  
Content-Type: text/html

**U.S. District Court**

**Eastern District of Missouri**

**Notice of Electronic Filing**

The following transaction was entered on 2/9/2021 at 3:01 AM CST and filed on 2/8/2021

**Case Name:** USA v. Merry

**Case Number:** 4:21-mj-05034-NAB

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**Receipt 4644091970 in the amount of \$0.00 for PASSPORT on behalf of William Merrity Jr (CCAM)**

**4:21-mj-05034-NAB-1 Notice has been electronically mailed to:**

U. S. Attorney – Criminal    usamoe.crimdock@usdoj.gov

Ethan B. Corlija    ecorlija@sbcglobal.net

**4:21-mj-05034-NAB-1 Notice has been delivered by other means to:**

**RULE 5 INITIAL APPEARANCE RECORD BEFORE MAGISTRATE JUDGE NANNETTE A. BAKER**

MJ #: 21-5034

DC #: 1:21 MJ 173 (District of Columbia)

Defendant's Name: William D. Merry, Jr.

Age/DOB: \_\_\_\_\_

- ☐ Right to remain silent; and that Defendant's statements can be used against him.  
☐ Defendant placed under oath.

Date of Initial Appearance: 02/05/21

Proceedings Commenced: \_\_\_\_\_

Date Federal Custody Commenced: \_\_\_\_\_

U.S. Attorney: Matt Drake

☒ Present☐ Not Present

Defense Attorney: Ethan Corlija

☒ Present☐ Not Present

Pretrial Services Officer: Brad

☒ Present☐ Not Present

Probation Officer: N/A

☐ Present☐ Not Present**INITIAL APPEARANCE**

Defendant advised of the following:

☒ Nature of Offense☒ Given copy of:☒ Complaint☐ Information☐ Indictment☐ Petition☒ Rule 5(c)(3) removal to: District of Columbia☒ Right to be represented by counsel and have counsel appointed, if indigent☒ Retained: Ethan Corlija☐ Appointed: \_\_\_\_\_

☒ As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings.

☒ Right to a preliminary examination under Rule 5.1 OR preliminary hearing under 32.1☒ Within 14 days if detained; and within 21 days if released☒ Right to hearing under Rule 40 if charged in another district☒ Right to transfer here for guilty plea under Rule 20 if charged in another district**ARRAIGNMENT**☐ Defendant ARRAIGNED.☐ Defendant pled not guilty to \_\_\_\_\_ counts of the \_\_\_\_\_☐ Trial to be set by Judge \_\_\_\_\_ ☐ Pretrial matters referred to Judge \_\_\_\_\_☐ Counsel requests time to file pretrial motions. ☐ Oral motion.☐ GRANTED. Pretrial motions/notice of intent not to file pretrial motions due \_\_\_\_\_☐ Referred to Judge \_\_\_\_\_☒ BAIL SET☒ O/R☐ Sec. \_\_\_\_\_☐ Unsec. \_\_\_\_\_☐ MOTION FOR PRETRIAL DETENTIONmade by: ☐ United States☐ Magistrate Judge**NEXT HEARING(S)**

\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ Judge: \_\_\_\_\_  
 \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ Judge: \_\_\_\_\_

Disposition at Initial Appearance:

☐ Committed to Custody☐ Released on Bond

  
 NANNETTE A. BAKER  
 UNITED STATES MAGISTRATE JUDGE

**NOTES/COMMENTS:**

Defendant waived all hearings in St. Louis.

**U.S. District Court  
Eastern District of Missouri (St. Louis)  
CRIMINAL DOCKET FOR CASE #: 4:21-mj-05034-NAB-1**

Case title: USA v. Merry

Date Filed: 02/05/2021

Other court case number: 1:21-mj-000173 District of  
Columbia

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Assigned to: Magistrate Judge  
Nannette A. Baker

**Defendant (1)**

**William D. Merry, Jr.**

represented by **Ethan B. Corlija**  
5205 Hampton Avenue  
St. Louis, MO 63109  
314-832-9600  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*  
*Bar Status: Active*

**Pending Counts**

None

**Highest Offense Level  
(Opening)**

None

**Terminated Counts**

None

**Highest Offense Level  
(Terminated)**


None

**Complaints**

RULE 5c3 OUT

**Dispositi**

**Dispositi**

**GREGORY J. LINHARES, CLERK  
A TRUE COPY OF THE ORIGINAL  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
BY: **



**Plaintiff**

**USA**

represented by



**U. S. Attorney – Criminal**  
 UNITED STATES ATTORNEYS  
 OFFICE – St. Louis  
 111 S. Tenth Street  
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 St. Louis, MO 63102  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*  
*Bar Status: Gov*

Email All Attorneys  
 (will not send to terminated parties)

Email All Attorneys and Additional Recipients  
 (will not send to terminated parties)

Date Filed	#	Page	Docket Text
02/05/2021			RULE 5 COMPLAINT – OUT signed by Judge Magistrate Judge Nannette A. BakerACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E–GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. as to William D. Merry, Jr (1). (DJO) (Entered: 02/05/2021)
02/05/2021	<u>1</u>		ENTRY OF ATTORNEY APPEARANCE: by Ethan B. Corlija on behalf of William D. Merry, Jr (Corlija, Ethan) (Entered: 02/05/2021)
02/05/2021			Arrest of defendant William D. Merry, Jr date of arrest: 2/5/2021 on charging papers from District of Colombia (AAT) (Entered: 02/05/2021)
02/05/2021	2		ELECTRONIC MINUTE ENTRY (no pdf attached) for proceedings held before Magistrate Judge Nannette A. Baker: Initial Appearance re: Rule 5c3 – MJ arrest case only as to William D. Merry, Jr held on 2/5/2021. Under Section 15002(b)(2)(A) of the CARES act, in response to the COVID–19 crisis this Court authorizes the use of video and telephone conferencing for criminal hearings. The defendant has been advised and consents on the record to proceed by Zoom. Counsel for the government and for the defendant also participate by Zoom.Defendant sworn. Defendant advised of rights and indicated an understanding of those rights. Defendant given copy of: Complaint. Defendant to retain: Ethan Corlija. Pretrial Services Officer: bradley rentfro., Rule 5c3 Removal Hearing as to William D. Merry, Jr held on 2/5/2021. Defendant does not contest identity and waives identity hearing., Preliminary Examination or Hearing as to William D. Merry, Jr held on 2/5/2021. Defendant waives preliminary hearing. Based upon the waiver the Court finds probable cause to believe the defendant violated the law set out in the complaint., Bond Execution Hearing as to William D. Merry, Jr held on 2/5/2021. Bond set in the amount of: Personal Recognizance. Bond papers executed. The defendant is ordered released after processing. (Probation/Pretrial Officer: bradley rentfro) (proceedings started: 1:00pm) (proceedings ended: 1:16pm)(Recorded on Zoom by: A. Thompson) ( <b>Defendant Location: BOND</b> )(Appearance for Government:

		Matthew Drake)(Appearance for Defendant: Ethan Corlija) (AAT) (Entered: 02/05/2021)
02/05/2021	<u>3</u>	WAIVER of Rule 5(c)(3) Hearings by William D. Merry, Jr (AAT) (Entered: 02/05/2021)
02/05/2021	<u>4</u>	CJA 23 Financial Affidavit by William D. Merry, Jr (AAT) (Entered: 02/05/2021)
02/05/2021	<u>5</u>	Appearance Bond Entered as to defendant William D. Merry, Jr Signed by Magistrate Judge Nannette A. Baker on 2/5/2021. (AAT) (Entered: 02/05/2021)
02/05/2021	<u>6</u>	ORDER Setting Conditions of Release by Defendant William D. Merry, Jr. Signed by Magistrate Judge Nannette A. Baker on 2/5/2021. (AAT) (Entered: 02/05/2021)
02/05/2021	<u>8</u>	Rule 5 papers prepared by the judge as to William D. Merry, Jr. (EAB) (Entered: 02/09/2021)
02/08/2021		Receipt 4644091970 in the amount of \$0.00 for PASSPORT on behalf of William Merrity Jr (CCAM) (Entered: 02/09/2021)