

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT UNITED STATES DISTRICT COURT

DENVER, COLORADO

for the District of Columbia

10:53 am, Jan 19, 2021

JEFFREY P. COLWELL, CLERK

United States of America v.

PATRICK MONTGOMERY

Defendant

Case: 1:21-mj-00044
Assigned to: Judge Robin M. Meriweather
Assign Date: 1/13/2021
Description: COMPLAINT W/ARREST WARRANT
Colorado Case No. 21-mj-00011-STV

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) PATRICK MONTGOMERY
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
40 U.S.C. 5104(e)(2)(G)- Violent Entry and Disorderly Conduct on Capitol Grounds

Robin M. Meriweather
2021.01.13 13:10:14 -05'00'



Handwritten signature of Robin M. Meriweather

Issuing officer's signature

Date: 01/13/2021

City and state: Washington, DC

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 01/13/21, and the person was arrested on (date) 01/17/21
at (city and state) Littleton, Colorado

Date: 01/17/21

Handwritten signature of Michael Timmerman

Arresting officer's signature

TFO Michael Timmerman

Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
PATRICK MONTGOMERY
DOB: ; PDID: None

)
) **Case: 1:21-mj-00044**
) **Assigned to: Judge Robin M. Meriweather**
) **Assign Date: 1/13/2021**
) **Description: COMPLAINT W/ARREST WARRANT**
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1752 (a)(1)	Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority
40 U.S.C. 5104(e)(2)(G)	Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



Complainant's signature

Special Agent Jeffrey Weeks, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: 1/13/2021



Robin M. Meriweather
2021.01.13 13:10:53
-05'00'

Judge's signature

City and state: Washington D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Print

Save As...

Attach

Reset

STATEMENT OF FACTS

Your affiant, Jeffrey Weeks, is employed as a Special Agent by the Federal Bureau of Investigation (“FBI”). Specifically, I am assigned to the Washington Field Office, where I am currently tasked with investigating criminal activity in and around the Capitol grounds. 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 are 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, S.E., in Washington, DC. 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 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 after 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 January 7, 2021, the FBI received several tips from the public (tipsters) that PATRICK MONTGOMERY of Littleton, Colorado, was seen in photographs posted on Facebook inside the Capitol building Senate Chambers on January 6, 2021. The persons providing the tips also indicated that MONTGOMERY had posted photographs from inside the Senate Chamber on that same day.

A tipster, who will be referred to as T-1, identified MONTGOMERY as the man circled in a photograph below, wherein he appears to be standing inside the Senate Chambers:



MONTGOMERY appears to be part of the crowd that entered the Senate Chambers on January 6, 2021, and, as explained below, MONTGOMERY is wearing the same clothes as he was wearing outside the Capitol building on January 6, 2021. Your Affiant spoke with T-1 on January 12, 2021. T-1 told your Affiant that IT is a Facebook friend of MONTGOMERY and that IT knew MONTGOMERY because they worked together as river guides for three years.

Another tipster, who will be referred to as T-2, provided a post from MONTGOMERY'S Facebook page, wherein a member of the public posted on Facebook the photograph above and a commented to MONTGOMERY asking, "Is this you? I saw it on another page and it looked like

you.” T-1 responded, “I have saved this photo and will be indetifying [sic] you to authorities,” to which MONTGOMERY replied, “Got nothing to hide...”



Patrick Montgomery is this you? I saw it on another page and it looked like you



9 hrs Like Reply More



I have saved this photo to my phone and will be indetifying you to authorities.



9 hrs Like Reply More



Patrick Montgomery

[Redacted] 🙌 . Got nothing to hide...

6 hrs Like Reply More

Following this post, MONTGOMERY corresponded with T-1 by email on January 7, 2021. T-1 provided the email exchange to your Affiant. MONTGOMERY’S email address contains the name of MONTGOMERY’S hunting company, Pmonte Outdoors: pmonte3006@[redacted]. In response to T-1 stating, “You have been reported to the police in DC as well as the FBI,” MONTGOMERY responded, “I’m not a scared cat or running from anything. . . . Im [sic] so deeply covered by the best Federal Defense lawyers in the country in case you chicken shit cry boys don’t want it takes to defend our freedom from these corrupt politicians.” MONTGOMERY went on to explain, “I didn’t storm the castle violently. My group was let in peacefully by the police we were talking to with respect. We came a[n]d left peacefully before the anarchist and Antifa showed up breaking shit and being hoodlums.”

Your Affiant further confirmed this identification of MONTGOMERY. First, your Affiant viewed pictures posted to the Facebook account for MONTGOMERY. A third tipster, who will be referred to as T-3, stated that she went to high school with MONTGOMERY, and that MONTGOMERY operates PMonte Outdoors in Littleton, Colorado, and he posted the following to his Facebook page entitled, “Patrick Montgomery”:



In this post from January 5, 2021, MONTGOMERY states that he is “Heading to Washington DC to check it out for myself. Figuring out what we do next moving forward. I promise this, it will take courageous Americans doing shit!”

Your Affiant also retrieved a driver’s license photograph of MONTGOMERY and confirmed that the person depicted in MONTGOMERY’S driver’s license photograph bears a strong resemblance to the individual depicted in MONTGOMERY’S Facebook profile and the individual who appears circled in the photograph taken inside the Senate Chamber:



Patrick Montgomery

20m • 

[PROFILE PHOTOGRAPH]



[DRIVER'S LICENSE PHOTOGRAPH]

Moreover, on January 6, 2021, according to an anonymous tipster, MONTGOMERY posted the following photograph to his Facebook page:



T-1 also provided the following posts from MONTGOMERY'S Facebook page:



XM Wi-Fi 6:06 AM 100%
facebook.com

Patrick Montgomery's Photos



Patrick Montgomery
Patrick Montgomery's Photos · 8 hours ago ·
[View Full Size](#) · [More Options](#)

These photos appear to depict the crowd near the Capitol on January 6, 2021, skirmishes with the police at the exterior entrance area of the Capitol, a crowd with the Capitol Dome behind them, the Washington Monument, which is located on the National Mall along the route taken by the group to get to the Capitol, and other landmarks along that same path.

According to T-1, MONTGOMERY also posted on his Facebook page a picture of the Senate Chamber and in the caption brags, “We stormed the Senate...opened those Chamber door for Transparency!”



Later on Facebook, an individual posted on Facebook and warned MONTGOMERY, “Yeah, don’t get into trouble man,” to which MONTGOMERY replied, “[Y]ou guys got to quit being scared to get in trouble! The USA is in trouble! I’ll go down fighting before I’m scared anymore of getting in trouble.”



On January 7, 2021, T-1 informed the FBI that MONTGOMERY deleted his Facebook and Instagram accounts.

Based on the foregoing, your affiant submits that there is probable cause to believe that PATRICK MONTGOMERY violated 18 U.S.C. § 1752(a)(1), which makes it a crime to knowingly enter or remain in any restricted building or grounds without lawful authority to do; 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 MONTGOMERY violated 40 U.S.C. § 5104(e)(2)(G), which makes it a crime to willfully and knowingly (G) parade, demonstrate, or picket in any of the Capitol Buildings.



JEFFREY WEEKS
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 13th day of January 2021.




Robin M. Meriweather
2021.01.13 13:12:04
-05'00'

ROBIN M. MERIWEATHER
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

District of Colorado [checkbox]

United States of America
v.
PATRICK MONTGOMERY
Defendant

Case No. 21-MJ-00011-STV

Charging District's Case No. 21-MJ-00044-RMM

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) UNITED STATES DISTRICT COURT FOR THE 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:

- [checkbox] an identity hearing and production of the warrant.
[checkbox] a preliminary hearing.
[checkbox] a detention hearing.
[checkbox] 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 [checkbox] preliminary hearing and/or [checkbox] 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: 02/02/2021

s/Patrick Montgomery
Defendant's signature

s/Matthew K. Belcher
Signature of defendant's attorney

Matthew K. Belcher
Printed name of defendant's attorney

UNITED STATES DISTRICT COURT

for the

District of Colorado

United States of America)

v.)

Case No. 1:21-mj-00011-STV

Patrick Montgomery)

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, Patrick Montgomery (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:

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

Type of Bond

- () (1) This is a personal recognizance bond.
(checked) (2) This is an unsecured bond of \$ 5,000.00 .
() (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):

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.

AO 98 (Rev. 12/11) Appearance Bond

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: January 19, 2021

s/Patrick Montgomery - signature authorized in court

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 date

CLERK OF COURT

Date: January 19, 2021

s/M. Ortiz

Signature of Clerk or Deputy Clerk

Approved.

Date: January 19, 2021



Judge's signature

UNITED STATES DISTRICT COURT
for the
District of Colorado

United States of America

v.

Patrick Montgomery

Defendant

)
)
)
)
)

Case No. 1:21-mj-00011-STV

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: TBA

Place

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. Probation Office, 1929 Stout St, Denver, CO 303-844-5424
 And call Pretrial Services once per week
 - (✓) (b) continue or actively seek employment.
 - () (c) continue or start an education program.
 - (✓) (d) surrender any passport to: To the clerk, U.S. District Court within 2 business days.
 - (✓) (e) not obtain a passport or other international travel document.
 - (✓) (f) abide by the following restrictions on personal association, residence, or travel: _____
 Advise Pretrial Services of any travel within the US outside of home jurisdiction
 - () (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____
 - () (h) get medical or psychiatric treatment: Get medical, psychiatric, and/or mental health treatment as required by your supervising officer.
 - () (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.
 - (✓) (l) not use alcohol () at all (✓) excessively.
 - (✓) (m) Except as authorized by court order, the defendant shall 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. Except as authorized by court order, the defendant shall not possess, use or sell marijuana or any marijuana derivative (including THC) in any form (including edibles) or for any purpose (including medical purposes). Without the prior permission of the probation officer, the defendant shall not enter any marijuana dispensary or grow facility.
 - (✓) (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 supervising officer, and comply with all 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) The defendant shall not act as an informant for any law enforcement agency without prior permission of the Court.
 - (✓) (t) Stay away from the District of Columbia unless for Court, Pretrial or consultation with attorney
 - (✓) (u) Stay away from government buildings in Colorado, other than for authorized or official purposes
 - () (v) _____

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.

s/Patrick Montgomery - signature authorized in court

Defendant's Signature

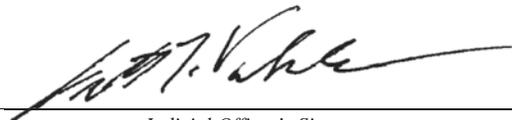
Denver, Colorado

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: January 19, 2021



Judicial Officer's Signature

Scott T. Varholak, U.S. Magistrate Judge

Printed name and title

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT
for the
District of Colorado

United States of America)

v.)

Patrick Montgomery
Defendant)

Case No. 21-mj-00011-STV

Charging District:

Charging District's Case No. 21-mj-00044 Rmm

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:

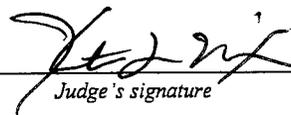
Place: U.S. District Court
virtual court hearing

Courtroom No.: defendant has been provided link

Date and Time: 2-5-21 1:00 p.m eastern

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: February 2, 2021


Judge's signature

KRISTEN L. MIX
U.S. MAGISTRATE JUDGE
DISTRICT OF COLORADO

U.S. District Court - District of Colorado
District of Colorado (Denver)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00011-STV All Defendants

Case title: USA v. Montgomery
Other court case number: 21-MJ-00044 District of Columbia

Date Filed: 01/19/2021
Date Terminated: 02/02/2021

Assigned to: Magistrate Judge Scott T.
Varholak

Defendant (1)

Patrick Montgomery
TERMINATED: 02/02/2021

represented by **Matthew Kyle Belcher**
Office of the Federal Public Defender-
Denver
633 Seventeenth Street
Suite 1000
Denver, CO 80202
303-294-7002
Fax: 303-294-1192
Email: Matthew_Belcher@fd.org
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1752.F-Knowingly Entering or
Remaining in any Restricted Building or
Grounds Without Lawful Authority. 40
U.S.C 5104(e)(2)(G) - Violent Entry and
Disorderly Conduct on Capitol Grounds.

Disposition

Plaintiff

USA

represented by **Daniel Robert McIntyre**
 U.S. Attorney's Office-Denver
 1801 California Street
 Suite 1600
 Denver, CO 80202
 303-454-0100
 Email: daniel.mcintyre@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Federal Agency Attorney

Date Filed	#	Docket Text
01/19/2021	1	RULE 5 AFFIDAVIT as to Patrick Montgomery from the District of District of Columbia. (jgonz,) (Entered: 01/19/2021)
01/19/2021	2	Arrest of Patrick Montgomery. Initial Appearance set for 1/19/2021 02:00 PM in Courtroom A 401 before Magistrate Judge Scott T. Varholak. (Text Only entry) (jgonz,) (Entered: 01/19/2021)
01/19/2021	3	<p>MINUTE ENTRY for Initial Appearance in Rule 5(c)(3) and Detention proceedings (by VTC) as to Patrick Montgomery held on 1/19/2021 held before Magistrate Judge Scott T. Varholak. Defendant does not object to proceeding by VTC. Defendant present in custody. Defendant advised. Financial Affidavit accepted by the court. Court appoints counsel. Government is not seeking detention and agrees that Defendant should be released pursuant to the conditions that have been discussed with pretrial services and defense counsel. Bond set as to Patrick Montgomery (1) \$5,000 unsecured. Defendant advised of conditions of bond and remanded for processing and release. Defendant authorizes the court to place his s/signature on bond paperwork. Preliminary Examination and Identity hearing set for 2/2/2021 2:00 PM in Courtroom A 401 before Magistrate Judge Kristen L. Mix. Pursuant to the Due Process Protections Act, the Court confirms that United States' obligation to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court (Total time: 17 minutes, Hearing time: 2:34-2:51)</p> <p>APPEARANCES: Julia Martinez on behalf of the Government, Matthew Belcher on behalf of the defendant, Angela Ledesma on behalf of pretrial. FTR: 401. (morti,) Text Only Entry Modified on 1/19/2021 to include Brady v. Maryland (morti,). Modified on 1/29/2021 to correct the time for the Preliminary Examination and Detention hearings to be held on 2/2/2021 (morti,). (Entered: 01/19/2021)</p>
01/19/2021	4	CJA 23 Financial Affidavit by Patrick Montgomery. (morti,) (Entered: 01/19/2021)
01/19/2021	5	ORDER APPOINTING COUNSEL as to Patrick Montgomery by Magistrate Judge Scott T. Varholak on 1/19/2021. Text Only Entry (morti,) (Entered: 01/19/2021)
01/19/2021	6	Unsecured Bond Entered as to Patrick Montgomery in amount of \$ \$5,000. (morti,) (Entered: 01/19/2021)
01/19/2021	7	NOTICE OF ATTORNEY APPEARANCE: Matthew Kyle Belcher appearing for Patrick Montgomery Attorney Matthew Kyle Belcher added to party Patrick Montgomery(pty:dft) (Belcher, Matthew) (Entered: 01/19/2021)
01/19/2021	8	ORDER Setting Conditions of Release as to Patrick Montgomery (1) \$5,000 unsecured, by

		Magistrate Judge Scott T. Varholak on 1/19/2021. (morti,) (Entered: 01/19/2021)
01/21/2021	9	Passport Receipt as to Patrick Montgomery.Surrender of passport re Bond Conditions; Passport Number 498724975 issued by USA. (jtorr,) (Entered: 01/22/2021)
01/27/2021	10	Arrest Warrant Returned Executed on 1/17/2021 in case as to Patrick Montgomery. (jgonz,) (Entered: 01/29/2021)
01/29/2021	11	Preliminary Examination and Identity Hearing as to Patrick Montgomery set for 2/2/2021 02:00 PM in Courtroom A 401 before Magistrate Judge Kristen L. Mix by VTC. Text Only Entry (morti,) (Entered: 01/29/2021)
02/02/2021	12	MINUTE ENTRY for Preliminary and Identity Hearing as to Patrick Montgomery held before Magistrate Judge Kristen L. Mix on 2/2/2021. Defendant present on bond and consents to proceeding via video conference. Court is in receipt of a waiver of identity hearing. Waiver accepted. Government notes that an Information has been filed in the charging district, and defendant is therefore no longer entitled to a preliminary hearing. Defendant ordered to report to court in the charging district as directed. Defendant's bond continued. (Total time: 5 minutes, Hearing time: 2:11-2:16) APPEARANCES ALL PARTIES APPEAR BY PHONE : Julia Martinez on behalf of the Government, Matthew Belcher on behalf of the defendant. FTR: KLM Courtroom A401. (lgale,) Text Only Entry (Entered: 02/02/2021)
02/02/2021	13	WAIVER of Rule 5 & 5.1 Hearings by Patrick Montgomery (lgale,) (Entered: 02/02/2021)
02/02/2021	14	Order Requiring a Defendant to Appear in the District where Charges are Pending and Transferring Bail as to Patrick Montgomery by Magistrate Judge Kristen L. Mix on 2/2/21. (lgale,) (Entered: 02/02/2021)
02/02/2021	15	Notice to District of Columbia of Rule 5 or 32 or 40 Initial Appearance: Please use PACER court links to access the public docket and documents. If the District of Colorado has a surrendered passport, it is being mailed to your court via USPS certified mail with return receipt. For a bond transmittal, please contact our case administration specialist at [cod.docketing.uscourts.gov] If you wish to designate a different email address for future transfers, please send your request to InterdistrictTransfer_TXND@txnd.uscourts.gov. as to Patrick Montgomery Your case number is:21-mj-00044-RMM. (Text Only Entry) (lgale,) (Entered: 02/02/2021)
02/02/2021	16	MAGISTRATE CASE TERMINATED as to Patrick Montgomery by Magistrate Judge Kristen L. Mix on 2/2/21. Text Only Entry (lgale,) (Entered: 02/02/2021)

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