

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Andrew Wrigley

Case: 1:21-mj-00026

Assigned To : Faruqui, Zia M.

Assign. Date : 1/11/2021

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) Andrew Wrigley,

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)(D) & (G) - Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/11/2021

2021.01.11

17:50:02 -05'00'

*Issuing officer's signature*City and state: Washington, DCZIA M. FARUQUI, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) 1/13/2021, and the person was arrested on (date) 1/15/2021
at (city and state) JIM THORPE, PADate: 1/15/2021*Arresting officer's signature*DUSM R. LENAHAN*Printed name and title*

USDC mpa 3:21mjl

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America)

v.)

Andrew Wrigley) Case No.

DOB:)

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:

Code Section

Offense Description

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)(D) & (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

Thomas Andriko, Special agent

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: 01/11/2021

2021.01.11

17:51:41 -05'00'

Judge's signature

City and state: Washington D.C.

ZIA M. FARUQUI, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.
Andrew Wrigley

Case No.

*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)* Andrew Wrigley

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
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Date: 01/11/2021

2021.01.11

17:50:02 -05'00'

*Issuing officer's signature*City and state: Washington, DCZIA M. FARUQUI, U.S. Magistrate Judge*Printed name and title***Return**This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
at *(city and state)* _____.

Date: _____

*Arresting officer's signature**Printed name and title*

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America

v.

Andrew Wrigley

Defendant

Case No. 3:21-MJ-6

Charging District's Case No. 1:21-MJ-26

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:

1/15/21Brandon R. Peir for Andrew Wrigley

Defendant's signature

[Signature]

Signature of defendant's attorney

Brandon R. Peir

Printed name of defendant's attorney

w/ verbal permission
during video hrg.

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

MIDDLE District of PENNSYLVANIA

United States of America

v.


Andrew Wrigley

Defendant

Case No. 3:21-MJ-6

Charging District: District of Columbia

Charging District's Case No. 1:21-MJ-26

FILED
SCRANTON
 JAN 15 2021
 Per 
DEPUTY CLERK

**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:	Courtroom No.: VIA Zoom
	Date and Time: 1/25/2021 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: 1/15/2021


Judge's signature

KAROLINE MEHALCHICK, US Magistrate Judge

Printed name and title

Join ZoomGov Meeting

<https://uscourts-dcd.zoomgov.com/j/1600140355?pwd=VTlkQ0ZEVMJOTVN3bmUwS05nZndZQT09>

Meeting ID: 160 014 0355

Passcode: 634244

One tap mobile

+16692545252,,1600140355#,,,,,0#,,634244# US (San Jose)

+16468287666,,1600140355#,,,,,0#,,634244# US (New York)

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

Meeting ID: 160 014 0355

Passcode: 634244

Find your local number: <https://uscourts-dcd.zoomgov.com/u/alNbEloTB>

Join by SIP

1600140355@sip.zoomgov.com

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America

v.

Andrew Wrigley
DefendantCase No. 3:21-MJ-6FILED
SCRANTON

JAN 15 2021

For [Signature]
DEPUTY CLERK

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: _____

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
- Eastern District of PA
- , telephone number _____, no later than _____.

- ☒
- (b) continue or actively seek employment.

- ☐
- (c) continue or start an education program.

- ☒
- (d) surrender any passport to:
- PTS in EOPA

- ☒
- (e) not obtain a passport or other international travel document.

- ☐
- (f) abide by the following restrictions on personal association, residence, or travel:
- no travel outside MDPA or EOPA under prior approval by PTS. no travel to Washington DC or Harrisburg, PA for duration of case.

- ☐
- (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.
- or visit any property with firearms.

- ☐
- (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.

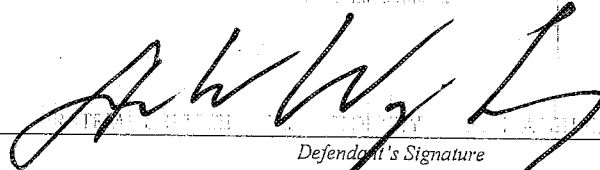
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (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

J. in Thorpe, PA 18229

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: 1-15-21



Judicial Officer's Signature

KAROLINE MEHALCHICK, US MAGISTRATE JUDGE

Printed name and title

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 3:21-MJ-00006
-vs-	:	
	:	(CHIEF MJ MEHALCHICK)
ANDREW WRIGLEY,	:	
Defendant	:	(Electronically filed)

GOVERNMENT'S MOTION TO VACATE PRELIMINARY HEARING
PURSUANT TO F.R.C.P. Rule 5.1(a)(4)

AND NOW, the United States of America, by its undersigned counsel, moves this court to vacate the preliminary hearing/exam currently scheduled on February 2, 2021 at 10:00 a.m. pursuant to Federal Rule of Criminal Procedure Rule 5.1 (Doc. 11). In support of this motion, the following is submitted:

1. On January 15, 2021, Andrew Wrigley was arrested in the Middle District of Pennsylvania pursuant to an arrest warrant and criminal complaint from the District of Colombia. Mr. Wrigley was charged with misdemeanors only.

2. On January 15, 2021, this Court held an initial appearance pursuant to Rule 5 of the Federal Rules of Criminal Procedure. This Court scheduled a preliminary examination to be held in the District of Columbia on January 25, 2021 at 10:00 a.m. and scheduled another preliminary hearing before this Court on February 2, 2020.

3. On January 21, 2021, the Government filed an Information in the District Court, District of Columbia, charging Mr. Wrigley with four misdemeanor charges stemming from his involvement with the January 6, 2021, storming of the United States Capitol.

4. Pursuant to Federal Rule of Criminal Procedure 5.1(a)(4), a Preliminary Hearing must be held unless, “the government files an information charging the defendant with a misdemeanor[.]”

5. For the convenience of the Court, a proposed Order is attached to the government’s motion.

WHEREFORE, for the reasons stated herein, the United States respectfully requests that this Honorable Court grant the Government's Motion for Motion to Vacate the Preliminary Hearing currently scheduled within the Middle District of Pennsylvania on February 2, 2021.

Respectfully submitted,

Bruce D. Bandler
Acting United States Attorney

Date: January 25, 2021

/s/ James M. Buchanan
James M. Buchanan
Assistant United States Attorney

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 3:21-MJ-00006
-vs-	:	
	:	(CHIEF MJ MEHALCHICK)
ANDREW WRIGLEY	:	
Defendant	:	(Electronically filed)

CERTIFICATE OF CONCURRENCE

I, James M. Buchanan, Assistant U.S. Attorney, hereby certify that Brandon Reish, Esquire, counsel for the defendant, concurs in the within Motion to Vacate Preliminary Hearing Pursuant to F.R.C.P. Rule 5.1(a)(4).

/s/ James M. Buchanan
James M. Buchanan
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	Criminal No. 3-21-MJ-00006
-vs-	:	
	:	(CHIEF MJ MEHALCHICK)
ANDREW WRIGLEY	:	
Defendant	:	(Electronically filed)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers, that on January 25, 2021, she served a copy of the attached:

**Government's Motion to Vacate Preliminary Hearing
Pursuant to F.R.C.P. Rule 5.1(a)(4).**

by electronic filing on the following:

Brandon R. Reish, Esquire

/s/ Christina M. Nihen
CHRISTINA M. NIHEN
Legal Assistant

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 3:21-MJ-00006
-vs-	:	
	:	(CHIEF MJ MEHALCHICK)
ANDREW WRIGLEY,	:	
Defendant	:	(Electronically filed)

ORDER

AND NOW, this ____ day of _____, 2021, it is hereby
ORDERED that the motion of the United States to vacate the
preliminary hearing scheduled within the Middle District of
Pennsylvania on February 2, 2021 is hereby GRANTED.

KAROLINE MEHALCHICK
U.S. CHIEF MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

NOTICE

UNITED STATES OF AMERICA

VS.

CASE NO. 3:21-MJ6

Andrew Wrigley

TYPE OF CASE: **CRIMINAL**

TAKE NOTICE that a proceeding in this case has been **SCHEDULED** for the time and place listed below:

Place: William J. Nealon Federal Building
235 North Washington Avenue
Scranton, PA 18503

COURTROOM NO.: TBA

DATE: Tuesday, February 2, 2021

TIME: 10:00 AM

TYPE OF PROCEEDINGS: Preliminary Exam

Date: 01/25/2021

Peter Welsh, Clerk of Court

s/ Corey Wimmer

Corey Wimmer
Deputy Clerk

TO: Honorable Karoline Mehalchick
James Buchanan, AUSA
Brandon Reish, Esquire
U.S. Probation
U.S. Marshal
Court Reporter

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
 : Criminal No. 3:21-MJ-00006
 -vs- :
 : (CHIEF MJ MEHALCHICK)
 ANDREW WRIGLEY, :
 Defendant : (Electronically filed)

ORDER

AND NOW, this 25th day of January, 2021, it is hereby
ORDERED that the motion of the United States to vacate the
preliminary hearing scheduled within the Middle District of
Pennsylvania on February 2, 2021 is hereby GRANTED.

Karoline Mehalchick

KAROLINE MEHALCHICK
U.S. CHIEF MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

Andrew Wrigley,

Defendant

CRIMINAL NO. 3:21-MJ-6

(MEHALCHICK, M.J.)

ORDER

NOW, this **15th** day of **January 2021**, the above-named defendant having requested an attorney without payment of fee, and having completed the required Financial Affidavit (Form CJA 23) in support of said request, and having certified same to be correct;

AND, the Court being satisfied that said individual neither is financially able to obtain counsel nor is waiving the right to counsel;

IT IS ORDERED THAT the Federal Public Defender for the Middle District of Pennsylvania, 201 Lackawanna Avenue, Suite 317, Scranton, Pennsylvania 18503, be and hereby is appointed to represent the defendant in all matters pertaining to the above-captioned action.

Dated: January 15, 2021

s/ Karoline Mehalchick

KAROLINE MEHALCHICK
Chief United States Magistrate Judge

United States District Court
Middle District of Pennsylvania (Scranton)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00006-KM All Defendants
Internal Use Only

Case title: USA v. Wrigley

Date Filed: 01/15/2021

Other court case number: 1:21-MJ-26 District of Columbia

Assigned to: Chief MJ Karoline
Mehalchick

Defendant (1)**Andrew Wrigley**

represented by **Brandon R. Reish**
Federal Public Defender's Office
201 Lackawanna Avenue
Suite 317
Scranton, PA 18503
570-343-6285
Email: brandon_reish@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**Plaintiff****USA**represented by **James Buchanan**

DOJ-USAO
 235 N. Washington Ave.
 Suite 311
 Scranton, PA 18503
 570-348-2800
 Email: james.buchanan@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
01/15/2021	 9	(Court only) Minute Entry for proceedings held before Chief MJ Karoline Mehalchick: Initial Appearance as to Andrew Wrigley held on 1/15/2021 (Court Reporter L. Boyanowski.) Total Time in Court [:36] (cw) (Entered: 01/15/2021)
01/15/2021	8	ORDER REQUIRING THE DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Andrew Wrigley -Hearing scheduled for 1/25/2021 at 1:00 via Zoom- Information regarding Zoom HRG is attached Signed by Chief MJ Karoline Mehalchick on 1/15/2021. (cl) (Entered: 01/15/2021)
01/15/2021	7	ORDER Setting Conditions of Release as to Andrew Wrigley (1) ROR - SEE ORDER FOR SPECIFIC Signed by Chief MJ Karoline Mehalchick on 1/15/2021. (cl) (Entered: 01/15/2021)
01/15/2021	6	RULE 5 NOTICE re: Brady disclosure obligations as to defendant Andrew Wrigley. (cw) (Entered: 01/15/2021)
01/15/2021	5	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Andrew Wrigley Signed by Chief MJ Karoline Mehalchick on 1/15/2021. (cw) (Entered: 01/15/2021)
01/15/2021	4	WAIVER of Waiver of Rule 5 by Andrew Wrigley (cw) (Entered: 01/15/2021)
01/15/2021	 3	CJA 23 - FINANCIAL AFFIDAVIT by Andrew Wrigley (cw) (Entered: 01/15/2021)
01/15/2021	2	Consent to Proceed via Video (cw) (Entered: 01/15/2021)
01/15/2021	1	Rule 40 Documents Received as to Andrew Wrigley (cw) (Entered: 01/15/2021)