

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
ETHAN NORDEAN
also known as "Rufio Panman"

)
) 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) ETHAN NORDEAN, also known as "Rufio Panman"
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:

See attached affidavit, which is incorporated herein by reference.

Date: 02/02/2021



2021.02.02
22:11:01 -05'00'

Issuing officer's signature

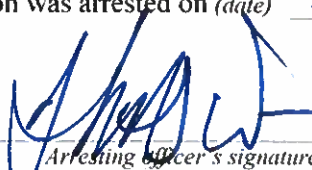
City and state: Washington, D.C.

Zia M. Faruqui, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 2/2/2021, and the person was arrested on (date) 2/3/2021
at (city and state) Auburn, WA

Date: 2/3/2021



Arresting officer's signature

Joseph DeWan Special Agent, FBI
Printed name and title

UNITED STATES DISTRICT COURT

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City and state: Washington, D.C.

Zia M. Faruqui, United States 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
District of ColumbiaUnited States of America
v.
ETHAN NORDEAN
also known as "Rufio Panman"

Case No.

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*18 U.S.C. § 1361 and 2
18 U.S.C. § 1512(c)(2)
18 U.S.C. Section 1752(a)
40 U.S.C. §§ 5104(e)(2)(D) and (G)*Offense Description*Aid and Abet Injury or Depredation Against Government Property
Obstruct or Impede an Official Proceeding.
Knowingly Entering or Remaining in Restricted Building or Grounds.
Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See the attached affidavit, which is incorporated herein by reference.

☐ Continued on the attached sheet.*Complainant's signature*

Nicholas Napoli, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/02/2021

2021.02.02

22:09:59 -05'00'

*Judge's signature*City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Nicholas A. Napoli, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging Ethan Nordean (“NORDEAN”), also known as “Rufio Panman,” with violations of 18 U.S.C. § 1512(c)(2), 18 U.S.C. §§ 1361, 2, 18 U.S.C. § 1752(a), and 40 U.S.C. §§ 5104(e)(2)(D) and (G), in connection with his actions at and inside the U.S. Capitol on or about January 6, 2021. I respectfully submit that this Affidavit establishes probable cause to believe that NORDEAN (i) corruptly did obstruct, influence, or impede an official proceeding before Congress—that is, the certification of the Electoral College; (ii) did aid and abet others, both known and unknown, to forcibly enter the Capitol and thereby cause damage to the building in an amount more than \$1,000—that is, NORDEAN aided and abetted individuals who removed barricades and broke windows to storm the Capitol building; (iii) did knowingly enter or remain in a restricted building or grounds, *i.e.*, the U.S. Capitol, without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct; and (iv) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress.

BACKGROUND OF AFFIANT

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so since February 2019. As such, I am an officer of the United States who is empowered by law

to conduct investigations of and to make arrests for offenses enumerated in Titles 18 and 21 of the United States Code. In addition to my regular duties, I am currently also tasked with investigating criminal activity that occurred in and around the Capitol grounds on January 6, 2021.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, or reports. Because this Affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint, it does not contain each and every fact known to me or the United States concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that NORDEAN violated the crimes set forth herein. All dates listed in this Affidavit should be read as “on or about” a given date.

BACKGROUND

ETHAN NORDEAN, also known as “Rufio Panman”

4. NORDEAN, who utilizes the alias “Rufio Panman,” is a 30 year-old resident of the state of Washington. NORDEAN is a member of a group known as the Proud Boys, and NORDEAN is the self-described “Sergeant of Arms” of the Seattle Chapter of the Proud Boys.



5. Proud Boys is a nationalist organization with multiple U.S. chapters and potential activity in other Western countries. The group describes itself as a “pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western

Chauvinists.” Proud Boys members routinely attend rallies, protests, and other First Amendment-protected events, where certain of its members sometimes engage in acts of violence against individuals whom they perceive as threats to their values. The group has an initiation process for new members, which includes the taking of an “oath.” Proud Boys members often wear the colors yellow and black, as well as other apparel adorned with Proud Boys-related logos and emblems.

Proud Boys’ Appearances at Previous Demonstrations in Washington, D.C.

6. On or about November 14, 2020, the “Million MAGA March” was held in Washington, D.C. The Million MAGA March was a widely-attended demonstration in Washington, D.C., which was organized as a peaceful exercise of demonstrators’ First Amendment rights with respect to the 2020 Presidential election. Members of the Proud Boys attended the demonstration wearing their yellow and black colors and other recognizable emblems and logos associated with the group.

7. On or about December 12, 2020, a similar demonstration took place in Washington, D.C. (the “December Demonstration”). Like the Million MAGA March, the December Demonstration was organized as a peaceful First Amendment demonstration, and one focus of the demonstration was to protest against the vote of the Electoral College on that upcoming Monday, December 14, 2020. Certain persons dressed in Proud Boys colors and wearing Proud Boys emblems and logos attended the demonstration.

NORDEAN’s Participation in Unlawful Events at the Capitol on January 6, 2021

8. I have studied video footage and still photographs of the January 6, 2021, incursion of the U.S. Capitol, and I have identified an individual in them as NORDEAN through comparison of those images to photographs and videos of NORDEAN that are widely available online. In

addition, I have reviewed video footage taken by others during the event in which others contemporaneously identify the same individual as NORDEAN. As described herein, the images and video footage that I have reviewed, as well as the other facts gathered in this investigation, establish that NORDEAN did unlawfully enter or remain in the U.S. Capitol as a direct result of others' destruction of federal property; did aid, abet, counsel, command, induce, or procure others to unlawfully enter the U.S. Capitol by means of destruction of federal property; and did corruptly obstruct the official proceedings underway at the U.S. Capitol on January 6, 2021.

9. On January 6, 2021, NORDEAN was observed marching at the front of a group of known Proud Boys on Constitution Avenue, Northwest, in the area around First Street, Northwest. The group was engaged in various chants and response calls, including "F*** Antifa!" and "Whose streets? Our streets!" To NORDEAN's right, and also marching at the front of the group, is a self-described organizer of the Proud Boys, Joseph Biggs.¹

¹ On January 19, 2021, Joseph Biggs has been charged by criminal complaint for violations of 18 U.S.C. §§ 1512(c), 1752(a), and 40 U.S.C. § 5104(e)(2)(D) and (F). *United States v. Joseph Biggs*, 21-mj-126.



10. NORDEAN was also identified in a video taken by a man purporting to be a member of the Proud Boys (“Person A”). Specifically, Person A gave an interview to ABC Action News, which was published online on January 9, 2021. As part of that interview, Person A shared footage that Person A claims was taken on January 6, 2021, while Person A and others were participating in the demonstration. In the version of the interview produced online, Person A can be heard saying, “Yeah, that’s Joe Biggs, that’s Rufio.” Based on my investigation, I understand Person A to be identifying the man in the plaid shirt as Proud Boys organizer Joe Biggs, and the man in the sunglasses and holding a megaphone as NORDEAN, who utilizes the alias “Rufio Panman.”



A Crowd Advances Towards the U.S. Capitol

11. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., 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.

12. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. A joint session of the United States Congress convened at the United States Capitol. 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 Pence was present and presiding, first in the joint session, and then in the Senate chamber.

13. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, and with Vice President-elect Kamala Harris in attendance, 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.

14. Shortly before 1:00 p.m., a large crowd gathered near the pedestrian entrance to the Capitol grounds on First Street. The entrance was secured by a small number of U.S. Capitol Police, who stood behind a waist height metal barrier.



15. Shortly after that above image was captured on video, two men advanced toward the waist-high metal gate. The crowd followed, and within minutes, the crowd overwhelmed the U.S. Capitol Police officers seen at the top of the steps in the image above. The crowd then advanced toward the U.S. Capitol. Your affiant asserts that NORDEAN was not one of the two men who initially advanced toward officers, but was present in the crowd depicted above.

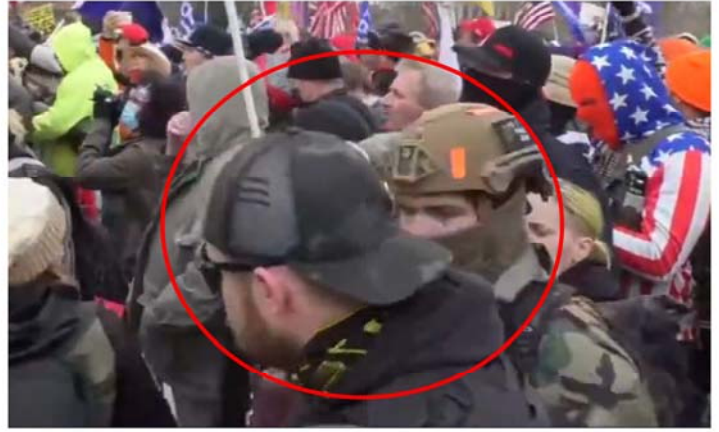
16. After overwhelming the pedestrian gate near the Peace Monument and other entrances, the crowd advanced on the U.S. Capitol where another line of U.S Capitol Police and barricades attempted to stop the crowd from advancing to the walls of the building. Additional people continued to arrive until what I estimate to be thousands of people had gathered in front of the Capitol on its west side. Among the first to reach the police line in the west plaza of the Capitol was a person that I recognize as NORDEAN.



17. As can be seen in the images below, a person that I recognize as NORDEAN remained at or near the front of the crowd as Capitol Police attempted to reform a police line. Shortly thereafter, NORDEAN then appeared to engage in a brief exchange with a person that I recognize as Robert Gieswein, who was among the first to enter the Capitol through a window that was broken by a person that has been identified as Proud Boy Dominic Pezzola.² I have reviewed

² On January 27, 2021, a grand jury returned an indictment that charged Gieswein with violations of 18 U.S.C. §§ 1512(c)(2), 111(a)(1) and (b), 1361, 2, and 1752(a)(1). *United States v. Robert*

video footage of people in the crowd closest to the police line, and a person that I recognize as Pezzola is also present at or near the front of the crowd at various times.



18. Assembled close behind NORDEAN in the crowd in front of the Capitol were a group of individuals that I have identified as many of the same people who had been seen marching behind NORDEAN, Biggs, and other Proud Boys earlier in the day.

19. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

Gieswein, 21-cr-24. On January 29, 2021, a grand jury returned an indictment that charged Pezzola with violations of, among other things, 18 U.S.C. §§ 231, 1361, 1512(c)(1) and (2), and 1752, and conspiracy to commit violations of 18 U.S.C. § 231, for his unlawful conduct at the Capitol on January 6, 2021, including the breaking of a window with a stolen Capitol Police riot shield. *United States v. Dominic Pezzola*, 21-cr-52 (TJK).

20. At such time, the certification proceedings were 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.

21. Among the first people to enter the building was Gieswein (pictured left below), who entered the building after Pezzola (pictured right below) broke an exterior window using a riot shield.³



22. As a result of the events generally described above, members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice

³ Based on evidence collected in this investigation to date, your affiant does not herein assert or intend to otherwise suggest that NORDEAN was present in the immediate vicinity when the events described in this paragraph took place.

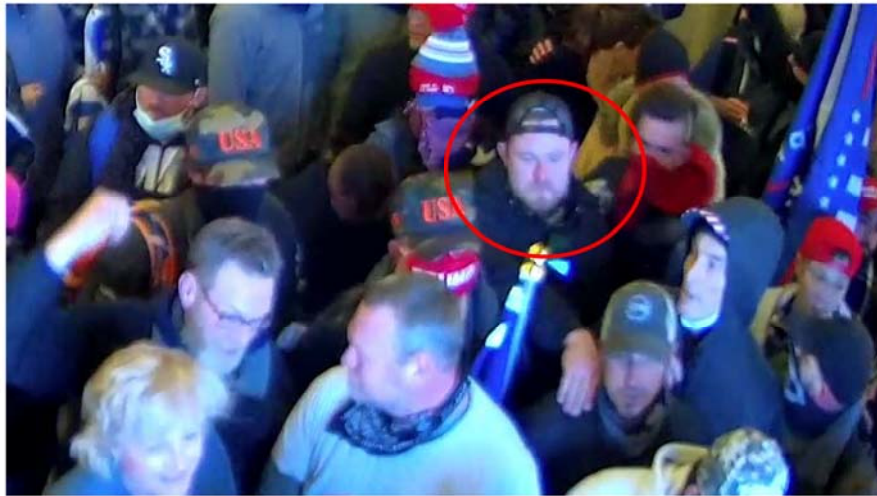
President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

NORDEAN Enters the Capitol

24. 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.

25. Photographs and digital videos taken on January 6, 2021, show that NORDEAN was among those who entered the U.S. Capitol building after rioters forced entry and pushed past Capitol Police officers. Photographs and video also show that NORDEAN was near the front of the crowd of rioters, who collectively approached, stood off against, and vastly outnumbered Capitol Police.





NORDEAN's Social Media Posts Before January 6, 2021

26. NORDEAN was an active poster on the social media site “Parler,” where he identified himself as “Rufio Panman” and utilized the username “@REBELRUFIO”.



27. NORDEAN's posts prior to January 6, 2021, indicate that he and other Proud Boys members were planning in advance to organize a group that would attempt to overwhelm police

barricades and enter the United States Capitol building.

28. On or about, December 27, 2020, NORDEAN posted the following message on his Parler page: “Anyone looking to help us with safety/protective gear, or communications equipment it would be much appreciated, things have gotten more dangerous for us this past year, anything helps.” The post then linked to a fundraising site called “Protective gear and communications by Rufio Panman.”

29. On or about, January 4, 2021, NORDEAN posted a video to Parler which he captioned “Let them remember the day they decided to make war with us.” Screenshots taken from the video show NORDEAN and other Proud Boys dressed in tactical gear along with the phrase “Back the YELLOW,” which is a phrase commonly used to show support for the Proud Boys.



30. Also on or about, January 4, 2020, NORDEAN “echoed,” or shared, a post by a fellow Proud Boy leader (“Individual A”) on the social media platform, Parler. Individual A posted a picture of himself and NORDEAN at a protest with the caption “And fight we will.”



31. Also, on or about, January 4, 2021, NORDEAN posted a link to his Parler page. The link allowed users to access an episode of NORDEAN's video podcast, "Rebel Talk with Rufio," where NORDEAN interviewed Individual A about their participation in a rally in Washington, D.C., during which Individual A was stabbed, and other Proud Boys related matters. The video itself is approximately 63 minutes long. Relevant excerpts are described below, in summary and in part.

- a. At approximately 7:20, NORDEAN stated "People don't understand the price that comes with being a Patriot these days."
- b. At approximately 9:00, Individual A stated "We [the Proud Boys] are looked at almost like the soldiers of the right wing. People are looking to us to lead the way. . .we gladly will step up and take our place where they want us. . . This stuff is real. We are in a war."
- c. At approximately 10:30, NORDEAN stated that he is President of his local

Proud Boys chapter and has been telling his “guys” that they need to “make [themselves] an enemy of this corrupt system.” NORDEAN further stated “The police are starting to become a problem,” which frustrated NORDEAN because “we’ve had their back for years. . . .”

- d. At approximately 13:20, NORDEAN decried that people “are just constantly bashing” the Proud Boys for their efforts to “protect the community.” NORDEAN stated “we’re never going to look good doing it, because violence doesn’t look good .”
- e. From approximately 21:20 to approximately 31:00, NORDEAN and Individual A discussed what they viewed as “blatant, rampant voter fraud” in the Presidential election and what they think the American people should do about it. During this exchange, Individual A states “They think we’re stupid. They think we’re just going to be spoonfed. Us patriots ain’t dumb.” NORDEAN responds, “I think they’re relying on complacency. I think they’re relying on the Facebook posts, and that’s all we’re going to do.” NORDEAN went on to say that, rather than being complacent, the Proud Boys were going to “bring back that original spirit of 1776 of what really established the character of what America is. And it’s not complacency, it’s not low standards. It’s ‘this is how it’s going to be, and I don’t give a god damn.’”
- f. At approximately 31:30, NORDEAN stated that voter fraud in the Presidential election had killed democracy, and further stated “Democracy is dead? Well, then no peace for you. No democracy, no peace.”

- g. At approximately 46:50, Individual A stated “They’re freaking out about us not wearing colors in D.C.” referring to the Proud Boys’ stated plan of going “incognito” on January 6, 2021, rather than wearing their traditional black and yellow. In response, NORDEAN stated “Oh, I’m excited to play into that, and we’ve all got our disguises. We’ve got so many fun ideas. I really don’t know what we’re going to end up doing, as far as what we’re going to look like or how we’re going to organize, but it’s going to be fun. . . ”
- h. At approximately 60:00, Individual A stated “We’re coming back. We’re coming to D.C. and were going to take this country back. Your gifts, and your thoughts, and your financial contributions will not go for nothing.”

32. On or about, January 5, 2021, the day before the riots, NORDEAN posted the following statement to his Parler page: “It is apparent now more than ever, that if you are a patriot, you will be targeted and they will come after you, funny thing is that they don’t realize is, is we are coming for them. You’ve chosen your side, black and yellow teamed with red, white and blue against everyone else.”

NORDEAN’S Social Media Posts After January 6, 2021

33. On January 8, 2021, NORDEAN posted a picture of himself with the caption “Violent extremist,” which your affiant interprets as an effort to make light of the public condemnation of NORDEAN’s and others’ participation in the riot at the United States Capitol building on January 6, 2021.



Rufio Panman · @REBELRUFIO

2 days ago · 7386

Violent extremist



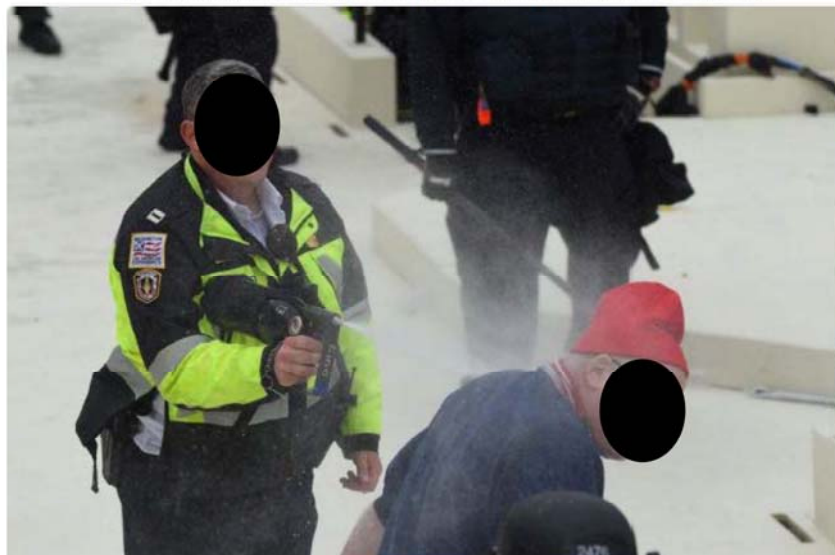
34. On January 8, 2021, NORDEAN posted a photo on his Parler page of a United States Capitol Police officer administering pepper spray on January 6, 2021, with a caption celebrating disparaging police officers as “honorable oath breakers.” NORDEAN further stated that “if you feel bad for the police, you are part of the problem. . .” NORDEAN also stated, in part, “[t]hey care more about federal property (our property) than protecting and serving the people.”



Rufio Panman · @REBELRUFIO

2 days ago · 13768

The honorable oath breakers. If you feel bad for the police, you are part of the problem. They care more about federal property (our property) than protecting and serving the people. BACK THE BLACK AND YELLOW



CONCLUSIONS OF AFFIANT

35. Based on the foregoing, your Affiant submits that there is probable cause to believe that NORDEAN violated:

- 18 U.S.C. § 1512(c)(2), which makes it a crime to corruptly obstruct, influence, or impede any official proceeding—to include a proceeding before Congress—or make an attempt to do so—here, the proceeding to certify the vote results of the Electoral college.
- 18 U.S.C. § 1361, 18 U.S.C. § 2, which makes it a crime to aid or abet the willful depredation against any property of the United States—here, the barricades surrounding the U.S. Capitol and the windows and doors on the west side of the Capitol where Nordean and other rioters broke into the Capitol.
- 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; 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.
- 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D)

utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

36. As such, I respectfully request that the court issue an arrest warrant for NORDEAN.

The statements above are true and accurate to the best of my knowledge and belief.

Respectfully submitted,



Nicholas A. Napoli
Special Agent
Federal Bureau of Investigation

Subscribed and sworn pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on February 2, 2021.



2021.02.02
22:11:30 -05'00'

HON. ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE

UNITED STATE DISTRICT COURT
For the WESTERN DISTRICT OF WASHINGTON
at Seattle

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ETHAN NORDEAN,

Defendant

Case No.: MJ21-067

WAIVER OF RULE 5(c)(3)(D) HEARING
and ORDER OF TRANSFER

WAIVER OF RULE 5(c)(3)(D) HEARING

I, Ethan Nordean, have appeared before a United States Magistrate Judge in the Western District of Washington, who has advised me of the provisions of Rule 20 and of my right to further hearing pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure. I wish to waive my right to such further hearing, therefore:

- a) I acknowledge that I am the person named in an indictment, information, or Warrant pending in the U.S. District Court for the District of Columbia;
- b) I waive my right to production of the warrant or of any other original paper Related to these charges or certified copies thereof;
- c) If I am entitled to a preliminary examination. I elect to have it conducted in the district where the prosecution is pending; and
- d) I consent to the issuance of an order directing me to appear and answer in said district where the charges are pending

Dated this 8th day of February, 2021.

/s/ Corey Endo

Defense Counsel

Corey Endo for Ethan Nordean

Defendant

ORDER OF TRANSFER

Based upon the foregoing Waiver, it is hereby ORDERED that the further proceedings in this case shall be conducted in the U.S. District Court for the District of Columbia. The Clerk of this Court shall forthwith transmit to the Clerk in said district the records of proceedings conducted in this district. Unless the defendant is released on bond, the U. S. Marshal is directed to transport defendant as promptly as possible to that district.

If released on bond, the defendant is directed to appear in that district for further proceedings at the time and place specified on the bond, or as otherwise directed by court order.

Dated this 8th day of February, 2020



United States Magistrate Judge



United States District Court
Western District of Washington



UNITED STATES OF AMERICA,
vs.
ETHAN NORDEAN

APPEARANCE BOND
CASE No: MJ21-067

I understand that I may be released from custody, pending further proceedings in this case, on the conditions marked below:

- **Court Appearances.** I must appear in court at the *E. Barrett Prettyman United States Courthouse, 333 Constitution Avenue, N.W., Room 1225, Washington, DC 20001*; Courtroom: via ZOOM, on Monday, February 15, 2021 at 1:00 PM Eastern Time and at all other hearings in this case, including turning myself in to begin serving a sentence, should that occasion arise. **I UNDERSTAND THAT A WILLFUL FAILURE TO APPEAR IN COURT AT A TIME SET FOR HEARING IS A SEPARATE CRIMINAL OFFENSE, PUNISHABLE BY UP TO 10 YEARS IMPRISONMENT AND A FINE OF \$250,000.**
- **No Law Violations.** I must not commit a federal, state, or local crime during the period of release. I understand that if I commit a felony while on release, my sentence can be increased by a maximum of ten years. If I commit a misdemeanor while on release, my sentence can be increased by a maximum of one year. These sentences would be consecutive to all other applicable sentences.
- **DNA Testing.** I must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- **No Controlled Substances.** I must not use, consume or possess any controlled substances, including medication, unless prescribed by a physician and approved in advance by the Pretrial Services Officer.
- **Address.** I must furnish my attorney, and/or Pretrial Services if supervised, with my current address and telephone number (if any) where I will reside upon release and where I will receive any notices of hearing dates. I must report any changes in that address or telephone number to my attorney, and/or Pretrial Services if supervised, within one business day.
- **Restrictions on Travel.** I must not travel outside the Continental United States or as directed below under 'Other Conditions'.
- **Victim and Witness Protection.** I must not harass, threaten, intimidate, tamper with, improperly influence, or injure the person or property of witnesses, jurors, informants, victims of crime, judicial officers, or other persons related to official proceedings before the Court, in violation of 18 U.S.C. § 1503, 1512, and 1513.
- **Pretrial Supervision.** I am subject to Pretrial Services supervision by the Pretrial Services Office of the Court and must abide by such of the general and special conditions of release as that office shall impose. I must report to the Office of Pretrial Services at E. Barrett Prettyman United States Courthouse 333 Constitution Avenue, N.W., Room 1225 Washington, DC 20001 within 24 hours of my release unless released during a weekend or on a holiday in which case I must report at 9:00 a.m. the following court day.

The defendant has had a full opportunity to review this Appearance Bond and confer with his/her attorney. During the detention hearing, conducted by video/telephone during the COVID-19 Health Emergency, defendant orally agreed to be bound by the terms of the bond. A copy of this executed document shall be provided to the defendant at the hearing's conclusion via US Marshal.

OTHER SPECIAL CONDITIONS:

- Travel is restricted to King County, Washington, or as directed by Pretrial Services. The defendant may travel to the District of Columbia for court purposes only.
- Maintain residence as directed. Do not change residence without prior approval of Pretrial Services or as directed by Pretrial Services.
- Surrender all current and expired passports and travel documents to the court. Do not apply for/obtain a new passport or travel document from any country without permission of the court. If the surrendered passport is a foreign passport, it shall be forwarded to Immigration and Customs Enforcement if defendant is convicted of an offense, unless otherwise ordered by the Court.
- Maintain employment, or, if unemployed, actively seek employment as directed by Pretrial Services.
- The defendant shall abide by all federal, state, and local directives regarding the COVID-19 pandemic.
- The defendant shall comply with a curfew (5:30pm – 6:30am), or as directed by Pretrial Services.
- You shall not have direct contact or indirect contact with any existing and/or future co-defendant(s) in this case.
- You shall not have direct contact or indirect contact with any existing and/or future witnesses in this case.
- Defendant will be released at 3:00pm Pacific Time on February 8, 2021 unless the government files an appeal by 3:00pm Pacific. If an appeal is filed, the release order is stayed pending disposition by the District Judge.

Appearance Bond
Page 2 of 2

ETHAN NORDEAN

MJ21-067

AGREEMENT BY DEFENDANT: I understand and agree to comply with every condition marked above, and I understand that if I fail to comply with any conditions of my release, the Court will immediately issue a warrant for my arrest, and I will be subject to a revocation of release, an order of detention, and prosecution for contempt of court. I understand this appearance bond remains in effect during any proceeding on appeal or review.

X /s/ Corey Endo for Ethan Nordean
Signature

February 8, 2021
Date Signed

AUBURN, WA
City, State of Residence

ORDER OF RELEASE

It is therefore ORDERED:

- (1) Defendant shall comply with all conditions of this appearance Bond;
- (2) Defendant shall be released from custody, and shall remain at liberty so long as he or she complies with the provisions of this Appearance Bond, or until further order of the Court.

February 8, 2021
Date Signed



Brian A. Tsuchida
UNITED STATES CHIEF MAGISTRATE JUDGE

cc: Defendant, Defense Counsel, U.S. Attorney, U.S. Marshal, Pretrial Services

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BOND,CLOSED

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00067-BAT-1

Case title: USA v. Nordean
Other court case number: 21-MJ-195 District of Columbia

Date Filed: 02/03/2021
Date Terminated: 02/08/2021

Assigned to: Hon. Brian A Tsuchida

Defendant (1)

Ethan Nordean

TERMINATED: 02/08/2021

also known as

Rufio Panman

TERMINATED: 02/08/2021

represented by **Corey Endo**
FEDERAL PUBLIC DEFENDER'S
OFFICE (SEA)
1601 5TH AVE
STE 700 WESTLAKE CENTER OFFICE
TOWER
SEATTLE, WA 98101
206-553-1100
Email: corey_endo@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

Aid and Abet Injury or Depredation Against
Government Property - 18:1361 and 2
Obstruct or Impede an Official Proceeding -
18:1512(c)(2)
Knowingly Entering or Remaining in

Disposition

Restricted Building or Grounds - 18:1752(a)
 Violent Entry and Disorderly Conduct on
 Capitol Grounds - 40:5104(e)(2)(D) and (G)

Plaintiff

USA represented by **Jehiel Isaac Baer**
 UNITED STATES ATTORNEY'S OFFICE
 700 STEWART STREET
 STE 5220
 SEATTLE, WA 98101
 206-553-4169
 Email: jehiel.baer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
02/03/2021	1	CHARGING DOCUMENT RECEIVED FROM the District of Columbia as to Ethan Nordean. (SNP) (Entered: 02/03/2021)
02/03/2021		Arrest of Ethan Nordean on 2/3/2021. (SNP) (Entered: 02/03/2021)
02/03/2021	3	ORDER APPOINTING FEDERAL PUBLIC DEFENDER appointing Corey Endo for Ethan Nordean. On the basis of the defendant's sworn financial statement, the court finds that he/she is financially unable to retain counsel. It is hereby ORDERED that the Federal Public Defender for the Western District of Washington be and hereby is appointed to represent the defendant pursuant to Title 18 United States Code 3006A. Approved by Hon. Brian A Tsuchida. (<i>No.pdf image attached</i>) (SNP) (Entered: 02/03/2021)
02/03/2021	4	MOTION for Detention by USA as to Ethan Nordean. (SNP) (Entered: 02/03/2021)
02/03/2021	5	Minute Entry for proceedings held before Hon. Brian A Tsuchida- CRD: <i>S. Prather</i> ; AUSA: <i>Jehiel Baer</i> ; Def Cnsl: <i>Corey Endo</i> ; PTS: <i>Leona Nguyen</i> ; Court Reporter: <i>Zoom Recording</i> ; Time of Hearing: <i>2:00PM</i> ; Courtroom: <i>12B</i> ; INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Ethan Nordean held on 2/3/2021. Defendant present in custody via Zoom conference from Courtroom 12A, pursuant to General Order 18-20. Parties address the need for video hearing. Defendant consents to appear by video. Defendant advised of rights. Financial Affidavit reviewed. Counsel appointed. Defendant advised of charges and penalties in the District of Columbia. Court withholds signing Order of Transfer and sets Status Hearing. Government requests a detention hearing. Hearings set and defendant remanded to custody. Detention and Status Hearing set for 2/8/2021 at 09:00 AM before Hon. Brian A Tsuchida. (SNP) (Entered: 02/03/2021)
02/05/2021	7	MEMORANDUM <i>In Support of Pretrial Detention</i> by USA as to Ethan Nordean (Baer, Jehiel) (Entered: 02/05/2021)
02/08/2021	8	RESPONSE to <i>United States' Memorandum in Support of Pretrial Detention</i> by Ethan Nordean (Endo, Corey) (Entered: 02/08/2021)
02/08/2021	9	Minute Entry for proceedings held before Hon. Brian A Tsuchida- CRD: <i>A. Quach</i> ; AUSA: <i>Jehiel Baer (video)</i> , <i>Sarah Vogel (video)</i> ; Def Cnsl: <i>Corey Endo (video)</i> ; PTS:

		<i>Leona Nguyen (audio)</i> ; Court Reporter: <i>Zoom Digital Recording</i> ; Time of Hearing: <i>9:00am</i> ; Courtroom: <i>Zoom</i> ; STATUS AND DETENTION HEARING as to Ethan Nordean held on 2/8/2021. Defendant present in custody and appearing by video. Defendant consents to proceed by audio/video conference. Court reviews record. Defendant waives Identity Hearing. Court signs Order of Transfer. Government maintains Motion for Detention and makes argument. Defense Counsel agrees with Pretrial's recommendation of release and makes argument. For reasons stated on the record, Defendant ORDERED released and placed on bond. Government notifies the Court of its intention to file an appeal. Court allows the government until 3:00pm Pacific to file their appeal. If filed, release order is stayed pending disposition. (AQ) (Entered: 02/08/2021)
02/08/2021	10	The Court Orders as follows: Pursuant to the Due Process Protection Act, counsel for the government is reminded of his/her obligations pursuant to <i>Brady v. Maryland</i> and its progeny to disclose exculpatory material and information, as required by applicable statute and case law. The failure to do so in a timely manner may result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, or any other remedy that is just under the circumstances. By Hon. Brian A Tsuchida. <i>(No.pdf image attached)</i> (AQ) (Entered: 02/08/2021)
02/08/2021	11	WAIVER OF RULE 5 HEARINGS AND ORDER OF TRANSFER to the District of Columbia as to Ethan Nordean by Hon. Brian A Tsuchida. (cc: PTS, USMO) (AQ) (Entered: 02/08/2021)
02/08/2021	12	Appearance Bond Entered as to Ethan Nordean (1). Release Order is stayed if appeal is filed by 3:00pm Pacific. (cc: PTS/USPO/USMO) (AQ) (Entered: 02/08/2021)
02/08/2021	13	NOTICE OF FILING OF MOTION FOR REVIEW OF RELEASE ORDER by USA as to Ethan Nordean. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (AQ) (Entered: 02/09/2021)