

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Jackson Kostolsky

) Case: 1:21-mj-00257

) Assigned to: Judge Faruqui, Zia M

) Assign Date: 2/23/2021

) 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) Jackson Kostolsky,

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) and (a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

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

Date: 02/23/2021

2021.02.23

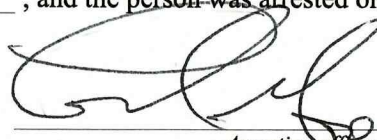
18:45:26 -05'00'

Issuing officer's signature

City and state: Washington, D.C.Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 2/24/21, and the person was arrested on (date) 2/26/21
at (city and state) Allentown PennsylvaniaDate: 2/26/21

Arresting officer's signature

FRANK NERO, Special Agent FBI

Printed name and title

UNITED STATES DISTRICT COURT

for the

____ EASTERN ____ District of ____ PENNA ____

United States of America

v.

JACKSON KOSTOLSKY

Defendant

Case No. 21-MJ-362

Charging District's Case No. 21-MJ-257

**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

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 02/26/21Maranna J. Meehan for defendant*Defendant's signature*Maranna J. Meehan
Maranna J. Meehan*Signature of defendant's attorney*

MARANNA MEEHAN

Printed name of defendant's attorney

APPEARANCE BOND

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
v. : CRIMINAL NO. 21-MJ-362
JACKSON KOSTOLSKY :

WE, THE UNDERSIGNED, jointly and severally, acknowledge that we and our personal representatives are bound to pay to the United States of America the sum of Two hundred fifty thousand and 00/100----- (\$ 250,000.00)

The conditions of this bond are that the defendant above named is to appear before a judge or magistrate of the United States District Court for the Eastern District of Pennsylvania at Philadelphia, and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in the above entitled matter as may be given or issued by a judge or magistrate of the United States District Court for the Eastern District of Pennsylvania, or of any other United States District Court to which the defendant may be removed or the cause transferred, and that the defendant is to abide by any judgment entered in such matter by surrendering himself to serve any sentence imposed and obeying any order or direction in connection with such judgment as the court imposing it may prescribe.

If the defendant appears as ordered and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any judge or magistrate of any United States District Court having cognizance of the above matter at the time of such breach and, if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and by other laws of the United States.

It is agreed and understood that this is a continuing bond including any proceeding on appeal or review which shall continue in full force and effect until such time as the undersigned are duly exonerated.

This bond is signed on this 26th day of FEBRUARY, 20 21, at Allentown, Pennsylvania. ~~Philadelphia~~

Defendant Maranna J. Meehan Address 20 North Adams Street Allentown PA

Surety _____ Address _____

Surety _____ Address _____

SIGNED AND ACKNOWLEDGED before me this 26th day of FEBRUARY, 20 21.

BAIL SET at \$ 250,000.00 /s/ HENRY S. PERKIN

BY: Henry S. Perkin, MAGISTRATE
☒ O.R. ☐ 10% Cash ☐ Cash ☐ Surety
☐ OTHER: _____

United States Magistrate
or Deputy Clerk
United States District Court
Eastern District of Pennsylvania

Date: 02/26/21

/s/ Carlene L. Kohut
Deputy Clerk ~~XXXXXXXXXXXX~~

ORIGINAL - FOR CLERK, U.S.D.C.
PINK - FOR CLERK, U.S.D.C.
YELLOW - FOR DEFENDANT
BLUE - FOR PRETRIAL SERVICES
GREEN - FOR COURTROOM DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL
	:	
v.	:	
	:	NO. <u>21-mj-362</u>
<u>JACKSON KOSTLOSKY</u>	:	NO. in DC 21-mj-257

CONDITIONS OF RELEASE ORDER

BAIL

Defendant is **released on bail** in the amount of: \$250,000

 x **O/R**

 cash

 secured by:

 % cash

 property at:

 Clerk's office requirements are not waived. Execute an Agreement to Forfeit the Property stated above with a copy of the deed as indicia of ownership.

PRETRIAL SERVICES

 x Defendant shall report to Pretrial Services:
 x **as directed** by Pretrial Services.
 times per week **in person**.
 times per week **via telephone**.

 Defendant shall attend mental health services under the guidance and supervision of Pretrial Services.

 x Defendant shall submit to **random drug testing** as directed by Pretrial Services.

 x Defendant shall refrain from excessive use of alcohol or from any use of a narcotic drug or other controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802, without a prescription by a licensed medical practitioner.

 Defendant shall undergo **drug/alcohol treatment** if necessary as determined by Pretrial Services.

 x Defendant shall submit to **location monitoring** or other technology at the discretion of Pretrial Services at the following address:

 x 20 N. Adams Street, Allentown, PA 18104

 This Court, based upon evidence that Defendant has adequate financial resources, finds that he/she shall pay all or part of the cost of the court-ordered monitoring program, in an amount to be specified by Pretrial Services.

 x **Curfew.** You are restricted to your residence every day from 7:00 PM to 7:00 AM, during which electronic monitoring or any other technology will be in place, or as directed by the pretrial services office or supervising officer. Pretrial Services shall have full and complete authority to modify this condition regarding time or technology.

_____ **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;

_____ **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.

PASSPORT

 x Defendant shall surrender and/or refrain from obtaining a **passport**.

TRAVEL

 x Travel is restricted to the **Eastern District of Pennsylvania**.

 x Travel is restricted to the District of Columbia and any districts which he must travel through to appear in the District of Columbia (Delaware and/or Maryland).

 x Unless prior permission is granted by Pretrial Services.

FIREARMS

 x Defendant shall surrender and/or refrain from obtaining any firearms. Any other firearms in any premises where the defendant resides while on supervised release must be removed from the premises and no firearms are to be brought into the premises during this period. The defendant shall execute a completed Prohibition on Possession of Firearms Agreement.

MISCELLANEOUS

 x Defendant shall have no contact with **co-defendants, potential witnesses** in this case, or individuals engaged in any **criminal activity**.

_____ Defendant must maintain present **employment**.

_____ Defendant must **actively seek** gainful employment.

_____ Defendant shall undergo a **mental competency evaluation**.

_____ Defendant must reside:

at: 20 N. Adams Street, Allentown, PA 18104

with: his mother

COMPUTERS/INTERNET

_____ The Defendant is subject to the following computer/internet restrictions which are to be monitored by U.S. Pretrial Services and may include manual inspection, use of minimally invasive internet detection devices, and/or installation of computer monitoring software to insure compliance

with the imposed restrictions.

_____ **No computer:** The Defendant is prohibited from possession and/or use of any computers and connected devices.

_____ **Computer, no internet access:** The Defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (as World Wide Web, FTP sites, IRC servers, instant messaging).

_____ **Computer with internet access:** The Defendant is permitted use of computers or connected devices, is permitted access to the internet for legitimate purposes, and is responsible for any fees connected with the installation and use of monitoring software.

_____ **Other Residents:** By consent of other residents, all computers located at the address of record shall be subject to inspection to insure the equipment is password protected.

_____ **x Other Restrictions:** Other than for the purpose of appearing in court to respond to the subject criminal charges, the Defendant shall not enter or be present in Washington, D.C.

_____ **X Other:** The defendant shall appear VIA ZOOM in the United States District Court for the District of Columbia on Thursday, March 4, 2021 at 1:00 o'clock P.M. to Judge Zia Faruqi. Below is the Zoom information:

Join ZoomGov Meeting

<https://uscourts-dcd.zoomgov.com/j/1615439875?pwd=M1JnWVV6bjBPTnF3M010SzdtM0NwZz09>

Meeting ID: 161 543 9875

Passcode: 926057

One tap mobile

+16692545252,,1615439875#,,,,,0#,,926057# US (San Jose)

+16468287666,,1615439875#,,,,,0#,,926057# 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: 161 543 9875

Passcode: 926057

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

Join by SIP

1615439875@sip.zoomgov.com

Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

Meeting ID: 161 543 9875
Passcode: 926057

OTHER CONDITIONS:

As a further condition of release, defendant shall not commit a Federal, State, or local crime during the period of release. The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than 10 years, if the offense is a felony; or a term of imprisonment of not more than 1 year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Any violation of the conditions of release may result in revocation of bail and imprisonment pending trial.

Maranna J. Meehan

JACKSON KOSTLOSKY,
DEFENDANT

It is so ORDERED this 26TH day of February, 2021.

BY THE COURT:

/S/ HENRY S. PERKIN
HENRY S. PERKIN
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

JACKSON KOSTOLSKY

Defendant

)

)

)

)

)

Case No. 21-MJ-362

Charging District: District of Columbia

Charging District's Case No. 21-MJ-257

**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: United States District Court for the District of Columbia
333 Constituion Ave., NW Washington, DC

Courtroom No.:

Date and Time: 3/4/2021 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: 02/26/2021

/S/ HENRY S. PERKIN

Judge's signature

HENRY S. PERKIN, USMJ

Printed name and title

BAIL STATUS AND ORDER

NO INTERPRETER NEEDED : DATE: 02/26/21

CASE ASSIGNED TO JUDGE : HEARING TYPE: IA/AC/DET/IDENTITY
ON RULE 5

Date of Arrest: 02/26/21 : ESR REPORTER: KENNETH DUVAK

UNITED STATES OF AMERICA : AUSA: MARY FUTCHER

: District of Columbia No. 21-mj-257

v. : Ed of PA No. 21-MJ-362

JACKSON KOSTOLSKY :
: MARANNA MEEHAN
: ☐ CJA Appointed
: ☐ Retained
: ☒ Defenders' Assn. Apptd.

After hearing held this day pursuant to the Federal Rules of Criminal Procedure, or after hearing pursuant to government's motion, the bail status as to the above-named defendant is as follows:

☐ The Government's Motion for Temporary Detention is Granted. A detention hearing and is scheduled for .

☐ The Defendant waived their right to a preliminary hearing.

☒ The Defendant stipulated to ☒ identity and/or ☐ pretrial detention.

☐ The Government's Motion for Pretrial Detention is Granted. The Defendant is detained pending further proceedings.

☐ The Government's Motion for Pretrial Detention is Denied. See attached Conditions of Release Order.

☒ The Government and Defense have agreed to conditions of release. See attached Conditions of Release Order.

☒ Other: Charges: 18 U.S.C. § 1752(a)(1) and (a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, 40 U.S.C. § 5104(e)(2)(D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

☐ AFTER A HEARING, PROBABLE CAUSE WAS FOUND BY THE COURT.

☐ PLEA: NOT GUILTY TO ALL COUNT(S). Counsel have 14 days to file pretrial motions.

The Court confirms the prosecutors' obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to disclose information favorable to the defense as to criminal liability on the charged offense(s) or mitigation of any punishment that may be imposed. That includes, but is not limited to, information covered by *Brady* or *Giglio* that may cast doubt on the credibility or

Case 1:21-cr-00197-D-F Document 16 Filed 03/04/21 Page 10 of 13
accuracy of government witnesses or on the admissibility of government evidence. The Court also notifies the prosecutors that possible consequences of a violation of this order include the granting of a continuance, evidentiary sanctions, dismissal, disciplinary referral, and any other relief authorized by law.

BY:

S/HENRY S. PERKIN

UNITED STATES MAGISTRATE JUDGE

TIME IN COURT 15 MINUTES

**United States District Court
Eastern District of Pennsylvania (Allentown)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00362-1**

Case title: USA v. KOSTOLSKY
Other court case number: 21-mj-257 District of Columbia

Date Filed: 02/26/2021
Date Terminated: 02/26/2021

Assigned to: Unassigned

Defendant (1)

JACKSON KOSTOLSKY
TERMINATED: 02/26/2021

represented by **MARANNA J. MEEHAN**
DEFENDER ASSOCIATION OF
PHILADELPHIA
SUITE 540 W, THE CURTIS CENTER
601 WALNUT STREET
PHILADELPHIA, PA 19106
215-928-1100
Fax: 215-928-1112
Email: maranna_meehan@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

18:1752(A)(1) AND (A)(2) -
KNOWINGLY ENTERING OR
REMAINING IN ANY RESTRICTED
BUILDING OR GROUNDS WITHOUT
LAWFUL AUTHORITY; 40:5104(E)(2)(D)
AND (G) - VIOLENT ENTRY AND

Disposition

DISORDERLY CONDUCT ON CAPITAL
 GROUNDS

Plaintiff

USA

represented by **MARY A. FUTCHER**
 U.S. ATTORNEY'S OFFICE
 615 CHESTNUT ST SUITE 1250
 PHILADELPHIA, PA 19106
 215-861-8636
 Email: mary.futcher@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
02/26/2021		Arrest (Rule 40) of JACKSON KOSTOLSKY (er,) (Entered: 02/26/2021)
02/26/2021	1	Minute Entry for proceedings held before MAGISTRATE JUDGE HENRY S. PERKIN : Initial Appearance/Det./Identity on Rule 5 Proceedings as to JACKSON KOSTOLSKY held on 2/26/21. The Deft. stipulated to Identity. Government and Defense have agreed to conditions of release. Court Reporter ESR.(er,) (Entered: 02/26/2021)
02/26/2021	2	ORDER SETTING CONDITIONS OF RELEASE AS TO JACKSON KOSTOLSKY (1) THAT DEFENDANT IS RELEASED ON BAIL IN THE AMOUNT OF \$250,000. DEFENDANT SHALL REPORT TO PRETRIAL SERVICES AS DIRECTED, ETC. Signed by MAGISTRATE JUDGE HENRY S. PERKIN on 2/26/21.2/26/21 Entered and Copies E-Mailed. (er,) (Entered: 02/26/2021)
02/26/2021	3	WAIVER of Rule 5(c)(3) Hearing by JACKSON KOSTOLSKY (er,) (Entered: 02/26/2021)
02/26/2021	4	PROHIBITION ON POSSESSION OF FIREARM(S) AGREEMENT AND ORDER AS TO JACKSON KOSTOLSKY. Signed by MAGISTRATE JUDGE HENRY S. PERKIN on 2/26/21.2/26/21 Entered and Copies E-Mailed. (er,) (Entered: 02/26/2021)
02/26/2021	5	O/R Bond Entered as to JACKSON KOSTOLSKY in amount of \$ \$250,000. (er,) (er,). (Entered: 02/26/2021)
02/26/2021	6	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAILAS TO JACKSON KOSTOLSKY. Signed by MAGISTRATE JUDGE HENRY S. PERKIN on 2/26/21.2/26/21 Entered and Copies E-Mailed. (er,) (Main Document 6 replaced on 2/26/2021) (er,). (Entered: 02/26/2021)
03/03/2021		***TRANSFERRED CASE as to JACKSON KOSTOLSKY TO THE DISTRICT OF COLUMBIA. (ap,) (Entered: 03/03/2021)

PACER Service Center	
Transaction Receipt	
03/30/2021 16:12:14	
PACER	BrittanyBryant:6635828:0 Client Code:

Login:			
Description:	Docket Report	Search Criteria:	5:21-mj-00362
Billable Pages:	1	Cost:	0.10
Exempt flag:	Exempt	Exempt reason:	Always

PACER fee: Exempt