

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Terry Brown

Defendant

) Case: 1:21-MJ-00012
) Assigned to: Judge G. Michael Harvey
) Assigned Date: 1/7/2021
) Description: COMPLAINT W/ ARREST WARRANT

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) Terry Brown 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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority; or Knowingly, With Intent to Impede Government Business or Official Functions, Engaging in Disorderly Conduct on Capitol Grounds

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

Date: 01/07/2021

G. Michael Harvey (signature)

G. Michael Harvey
2021.01.07 20:05:58
-05'00'

Issuing officer's signature

City and state: Washington, DC

G. Michael Harvey, United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 1/11/2021, and the person was arrested on (date) 1/11/2021 at (city and state) MYERSTOWN, PA

Date: 1/15/2021

Geoffrey Ford (signature)

Arresting officer's signature

GEOFFREY FORD, FBI AGENT

Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

MD of PA Rule 40 #:

1:21-MJ-004

United States of America

v.

Terry Brown,

Case No.

12-MJ-012

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:

Table with 2 columns: Code Section, Offense Description. Includes entries for 18 U.S.C. 1752 (a) and 40 U.S.C. 5104 (e)(2).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Joseph Bruno III

Complainant's signature

Joseph Bruno, United States Capitol Police

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: 01/07/2021

Judge's signature

City and state: Washington, DC

G. Michael Harvey, United States Magistrate Judge

Printed name and title

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America

v.

TERRY BROWN

Defendant

Case No. 1:21-MJ-0004

Charging District's Case No. 21-MJ-12

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:

- [X] 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: 1-11-2021

Handwritten signature of defendant, signature of defendant's attorney (Lori Ulrich), and printed name of defendant's attorney (Lori Ulrich).

UNITED STATES DISTRICT COURT
for the
Middle District of Pennsylvania

United States of America)

v.)

TERRY BROWN)

Case No. 1:21-MJ-004)

Defendant)

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 34 U.S.C. § 40702.
- (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 Pre-Trial Services Office, telephone number (717) 901-2860, no later than _____.

() (b) continue or actively seek employment.

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

() (d) surrender any passport to: Clerk, U.S. District Court

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

() (f) abide by the following restrictions on personal association, residence, or travel: Middle District of Pennsylvania, Maryland, District of Columbia

() (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 _____ known to be

() (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, and you must firearms within 24 hours.

() (l) not use alcohol () at all () excessively.

() (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

() (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

() (p) participate in one of the following location restriction programs and comply with its requirements as directed.

() (i) Curfew. You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

() (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

() (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

() (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

() You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

() (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

() (s) _____

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

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

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

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


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

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

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

Acknowledgment of the Defendant

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


 Defendant's Signature
 509 W. Main Ave Plymestown Pa 17063
 City and State
 717-269-1024

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: 1-11-2021


 Judicial Officer's Signature

Martin C. Carlson, U.S. Magistrate Judge
 Printed name and title

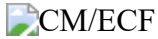
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Cr. No. 1:21-MJ-4
	:	
	:	
v.	:	
	:	(Magistrate Judge Carlson)
	:	
TERRY BROWN	:	
	:	
	:	
Defendant	:	

ORDER

AND NOW this 19th day of January 2021 IT IS ORDERED that the following conditions of release shall apply to the defendant in addition to those conditions of release set at the time of the defendant's initial appearance in this case: The defendant shall report virtually in the District of Columbia for further proceedings in this case at **1:00 p.m. on January 22, 2021** in accordance with the written instructions provided by government counsel to the defendant's retained attorney.

/s/ Martin C. Carlson
Martin C. Carlson
United States Magistrate Judge



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**United States District Court
Middle District of Pennsylvania (Harrisburg)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00004-MCC All Defendants *SEALED*
Internal Use Only**

Case title: USA v. SEALED

Date Filed: 01/11/2021

Assigned to: Magistrate Judge Martin C.
Carlson

Defendant (1)

Terry Brown

represented by **Lori J. Ulrich**
Federal Public Defender's Office
100 Chestnut Street
Suite 306
Harrisburg, PA 17101-2540
717-782-2237
Email: lori_ulrich@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Terrence J. McGowan
Killian & Gephart, LLP
218 Pine Street
Harrisburg, PA 17101
717-232-1851
Email: tjmcgowan@killiangephart.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None




Disposition**Highest Offense Level (Terminated)**



None

Complaints18:1752(a) - Knowingly Entering or
Remaining in any Restricted**Disposition****Plaintiff**

USA

represented by **Daryl Ford Bloom**
 U.S. Attorney's Office
 228 Walnut Street, Suite 220
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 717-221-4482
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
01/11/2021	view1	SEALED CRIMINAL COMPLAINT as to Terry Brown (1). (kjm) (Entered: 01/12/2021)
01/11/2021	view	Arrest (Rule 40) of Terry Brown. (kjm) (Entered: 01/12/2021)
01/11/2021	view2	MOTION to Redact Complaint by USA in case as to Terry Brown. (kjm) (Entered: 01/12/2021)
01/11/2021	view3	ORDER granting 2 Motion to Redact in case as to Terry Brown (1)Signed by Magistrate Judge Martin C. Carlson on January 11, 2021. (kjm) (Entered: 01/12/2021)
01/11/2021	 lockview4	*SEALED* SEALED DOCUMENT(S) - Unredacted Arrest Paperwork from District of Columbia as to Terry Brown. (Attachments: # 1 Cover sheet, # 2 Affidavit, # 3 Warrant) (kjm) (Entered: 01/12/2021)
01/11/2021	 view5	(Court only) Minute Entry for proceedings held before Magistrate Judge Martin C. Carlson:Initial Appearance in Rule 40 Proceedings as to Terry Brown held on 1/11/2021. (Tape #Webex Recorded - Saved to Network Drive.)Total Time in Court [:30] (kjm) (Entered: 01/12/2021)
01/11/2021	 view6	CJA 23 - FINANCIAL AFFIDAVIT by Terry Brown. (kjm) (Entered: 01/12/2021)

01/11/2021	view7	WAIVER of of Identity Hearing by Terry Brown. (kjn) (Entered: 01/12/2021)
01/11/2021	view8	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for Initial Appearance ONLY as to Terry Brown.Signed by Magistrate Judge Martin C. Carlson on January 11, 2021. (kjn) (Entered: 01/12/2021)
01/11/2021	view9	ORDER Setting Conditions of Release (Redacted) as to Terry Brown. Signed by Magistrate Judge Martin C. Carlson on January 11, 2021. (kjn) (Entered: 01/12/2021)
01/11/2021	 view10	Sealed Document - Unredacted OSCR. (kjn) (Entered: 01/12/2021)
01/12/2021	view11	SCHEDULING ORDER as to Terry Brown - A Preliminary Hearing is set for 1/19/2021 at 10:00 AM in Harrisburg - Courtroom 5 and Webex before Magistrate Judge Martin C. Carlson. Signed by Magistrate Judge Martin C. Carlson on January 12, 2021. (kjn) (Entered: 01/12/2021)
01/13/2021	view12	NOTICE OF APPEARANCE: Terrence J. McGowan appearing for Terry Brown (mw) (Entered: 01/13/2021)
01/19/2021	 view13	(Court only) Minute Entry for proceedings held before Magistrate Judge Martin C. Carlson:Docket Call as to Terry Brown held on 1/19/2021. An Indictment has been returned. Preliminary hearing not held. Supplemental order will be entered directing appearance in District of Columbia. (Tape #Webex Recorded - Saved to Network Drive.)Total Time in Court [:05] (kjn) (Entered: 01/19/2021)
01/19/2021	view14	ORDER as to Terry Brown - The defendant shall report virtually in the District of Columbia for further proceedings in this case at 1:00 p.m. on January 22, 2021 in accordance with the written instructions provided by government counsel to the defendants retained attorney. Signed by Magistrate Judge Martin C. Carlson on January 19, 2021. (kjn) (Entered: 01/19/2021)
01/19/2021	view	DOCKET ANNOTATION: Rule 40 documents and a copy of the docket sheet electronically sent to the District of Columbia via the InterDistrict transfer email account, 1/19/21. (rw) (Entered: 01/19/2021)