

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America

v.

Ryan Nichols

Defendant

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Case No. 21-cr-117-TFH-01

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: US District Court: 333 Constitution Ave NW Washington DC 20001

Place

for a status hearing before Judge Thomas F. Hogan

on 12/13/2022 11:30 am

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

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

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 Bonnie Nichols

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: Sworn on the Record

Bonnie Nichols
Custodian

11/22/2022
Date

(7) The defendant must:

(a) submit to supervision by and report for supervision to the US Pretrial/Probation Office for the Eastern District of Texas and report as directed, telephone number (903) 590-1330, no later than _____, Defendant is to contact the US Probation Office within 24 hours of arrival into the jurisdiction for additional reporting instructions and placement on LM

(b) continue or actively seek employment.

(c) continue or start an education program.

(d) surrender any passport to: US Pretrial/Probation Office for the Eastern District of Texas

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

(f) abide by the following restrictions on personal association, residence, or travel: Stay away from Washington, DC except for Court, meetings with attorney and PSA business. All movement within the Eastern District of Texas must be approved by US Pretrial/Probation Office for the Eastern District of Texas. Court to approve all other travel.

(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: anyone involved in the riot at the U.S. Capitol on January 6, 2021, including co-defendants.

(h) get medical or psychiatric treatment: As directed by the Eastern District of Texas

(i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

(j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(k) not possess a firearm, destructive device, or other weapon.

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

(m) 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; or

(iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

- (q) submit to the following location monitoring technology and comply with its requirements as directed:
- (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - (ii) Voice Recognition; or
 - (iii) Radio Frequency; or
 - (iv) GPS.
- (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (t) Defendant shall receive and comply with courtesy supervision of the US Pretrial/Probation Office for the Eastern District of Texas. Defendant is not to apply for or obtain a Handgun License. Permit a Probation Officer to visit home at any time.
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Defendant shall be permitted to attend weekly Sunday church services at Moberly Baptist Church in Longview, TX. Defendant is permitted to leave his home no earlier than 9am on Sundays and he must return to his home no later than 1:30pm; he must travel directly to Moberly Baptist Church and return home directly following church. Defendant is strictly prohibited from visiting any other location during this time.

Defendant shall take medication as prescribed by any physician, psychiatrist, or health-care provider. Defendant shall not take medication that is not prescribed to him.

Defendant shall not have access to the Internet or Internet-capable devices except to review discovery and communicate with counsel. Defendant's Internet access shall be limited to the following websites: www.evidence.com; www.relativity.com; www.westlaw.com; and www.lexisnexis.com.

All internet-capable devices of family members residing with Defendant shall be password protected. Defendant shall not be provided the password to any of these devices.

Defendant must submit computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, in his home or used by those family members residing with him, to a search. Defendant must warn other people who use these computers or devices capable of accessing the Internet that the devices may be subject to searches pursuant to this condition. A pretrial services officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search will be conducted at a reasonable time and in a reasonable manner.

Defendant's custodian shall on Monday of each week beginning November 28, 2022, complete, sign, and (through Defendant's counsel) submit to the Court a declaration attesting under penalty of perjury to Defendant's compliance with the conditions of his release.

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.

Acknowledged on the Record


Defendant's Signature

Washington, DC

*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: 11/22/2022


Judicial Officer's Signature

Thomas F. Hogan, US District Judge

Printed name and title