

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
JONATHAN WALDEN

Case: 1:21-cr-00028
Assigned To : Judge Amit P. Mehta
Assign. Date : 5/26/2021
Description: SUPERSEDING INDICTMENT (B)
Related Case: 21-cr-28 (APM)

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) JONATHAN WALDEN
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. § 371 (Conspiracy); 18 U.S.C. §§ 1512(c)(2), 2 (Obstruction of an Official Proceeding and Aiding and Abetting);
18 U.S.C. § 1752(a)(1) (Entering and Remaining in a Restricted Building or Grounds)



Robin M. Meriweather
2021.05.26 15:46:44
-04'00'

Date: 05/28/2021

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 6/3/2021, and the person was arrested on (date) 6/3/2021
at (city and state) Verbera, Alabama.

Date: 6-3-2021

Arresting officer's signature

Scott Sullivan Special Agent
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

JONATHAN WALDEN)

CASE NO. 2:21-mj-00070-SRW

WAIVER OF PERSONAL APPEARANCE AND CONSENT
TO CONDUCT INITIAL APPEARANCE AND SUBSEQUENT HEARINGS
BY VIDEO TELECONFERENCE

Due to outbreak of Coronavirus Disease 2019 (COVID-19), which has resulted in the President of the United States' declaring a national emergency and the Governor of Alabama's declaring a state public health emergency, and pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, the Defendant hereby waives the right to attend his initial appearance and consents to having the initial appearance and subsequent hearings conducted by video teleconference. Defendant further states he is aware that, pursuant to 18 U.S.C. § 3142(f) and Rules 5, 10 and/or 32.1 of the Federal Rules of Criminal Procedure, he has the right to, as applicable, to a detention hearing, and/or preliminary hearing, in person. He hereby waives the right to attend such hearings in person and consents to having ^{his} ~~her~~ initial appearance and subsequent hearings conducted by video teleconference.


DEFENDANT'S SIGNATURE


ATTORNEY FOR DEFENDANT

June 3, 2021
DATE

June 3, 2021
DATE

ATTEST: A True Copy.
Certified to June 4, 2021
Clerk, U.S. District Court,
Middle District of Alabama

BY Cindy Sanders
Deputy Clerk

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA)

v.)

JONATHAN WALDEN)

APPEARANCE BOND

Case No: 2:21-MJ-70-SRW

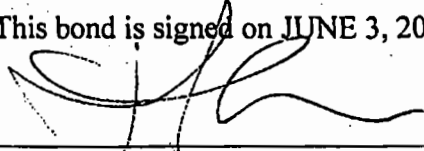
Non-surety: I, the undersigned defendant, acknowledge that I and my personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$25,000.00.

The conditions of this bond are that the defendant, JONATHAN WALDEN, is to appear before this court 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 this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

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

If the defendant appears as ordered or notified 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 United States District Court having cognizance of the above entitled 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 any other laws of the United States.

This bond is signed on JUNE 3, 2021, at MONTGOMERY, ALABAMA.

X 

Defendant's Signature

Signed and acknowledged before me on JUNE 3, 2021.

/s/ Susan Russ Walker

Judicial Officer/Clerk

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Clerk, U.S. District Court,
Middle District of Alabama
BY Cindy Sanders
Deputy Clerk

UNITED STATES DISTRICT COURT

for the
Middle District of Alabama

United States of America)

v.)

JONATHAN WALDEN)

Defendant

Case No: 2:21-MJ-70-SRW

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed.

The defendant must appear at *(if blank, to be notified)* AS DIRECTED
Place

on _____
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- (✓) (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.
- (✓) (6) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Twenty-Five Thousand dollars (\$25,000)

ATTEST: A True Copy.
Certified to June 4, 2021
Clerk, U.S. District Court,
Middle District of Alabama

BY Cendy Sandees
Deputy Clerk

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community,

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

() (7) The defendant is placed in the custody of:

Person or organization: _____

Address (only if above is an organization) _____

City and state: _____ Tel No: (only if above is an organization) _____

who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: _____

Custodian or Proxy

Date

(X) (8) The defendant must:

(X) (a) report weekly to the Pretrial Services Office, Middle District of Alabama, telephone number: (334) 954-3226 AS DIRECTED

(X) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: \$25,000 unsecured appearance bond

() (c) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above described sum _____

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

(X) (e) maintain or actively seek employment unless otherwise authorized by pretrial services.

() (f) maintain or commence an education program.

(X) (g) surrender any passport to: the pretrial officer

(X) (h) obtain no passport.

(X) (i) abide by the following restrictions on personal association, place of abode, or travel: Restricted to Middle District of Alabama. No travel to D.C. except for court and attorney consultations only. Reside at address as approved by USPO.

(X) (j) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to: co-defendants and anyone associated with the Oath Keepers

() (k) undergo a mental health assessment and participate in mental health treatment as recommended by USPO _____

() (l) return to custody each (week) day at _____ o'clock after being released each (week) day at _____ o'clock for employment, schooling, or the following purpose(s): _____

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

(X) (n) do not possess a firearm, destructive device, or other dangerous weapon.

() (o) do not use () any alcohol () excessive alcohol.

(X) (p) do 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.

(X) (q) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and 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 or attempt to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.

(X) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services officer or supervising officer considers it advisable, and follow all rules of the program.

ADDITIONAL CONDITIONS OF RELEASE

- (s) participate in one of the following location monitoring program components and abide by its requirements as the pretrial services officer or supervising officer instructs:
- (i) **Curfew.** You are restricted to your residence very day from _____ to _____, or as directed by the pretrial services office or supervising officer.
 - (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 pre-approved by the pretrial services office or supervising officer.
 - (iii) **Home Incarceration.** You are restricted to a 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.
- (t) submit to the location monitoring indicated below and abide by all of the program requirements and instructions provided by the pretrial services officer or supervising officer related to the proper operation of the technology.
- The defendant must pay all or part of the cost of the program based upon your ability to pay as the pretrial services office or supervising officer determines.
 - (i) Location monitoring technology as directed by the pretrial services office or supervising officer;
 - (ii) Radio Frequency (RF) monitoring;
 - (iii) Passive Global Positioning Satellite (GPS) monitoring;
 - (iv) Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS);
 - (v) Voice Recognition monitoring.
- (u) report as soon as possible, to the pretrial services officer or supervising officer, any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- (v) follow all instructions of the supervising officer.
- (w) the defendant is prohibited from acquiring or attempting to acquire any further debt or opening new lines of credit without permission of the probation officer.
- (x) neither the defendant nor anyone acting on his/her behalf or at his/her discretion may prepare, present, file, or otherwise be involved in any way with federal or state income tax returns for anyone other than himself or a valid dependent.
- (y) The defendant shall notify any employer or prospective employer of the pending federal charge as directed by the supervising officer.
- (z) No access to electronic communication devices that would allow communication through encrypted or non-encrypted applications.

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.

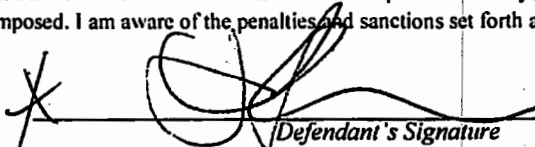
It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve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

VERBENA, AL

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 June 3, 2021

/s/ Susan Russ Walker

Judicial Officer's Signature

U.S. MAGISTRATE JUDGE SUSAN RUSS WALKER

Printed name and title

UNITED STATES DISTRICT COURT

for the
Middle District of Alabama

United States of America

v.

Jonathan Walden

Defendant

Case No. 2:21-mj-00070-SRW

Charging District's Case No. 1:21-cr-00028-APM

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 to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
(5) a hearing on any motion by the government for detention;
(6) request a 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 judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
[] preliminary hearing and/or [] detention hearing 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: 6-3-21

[Handwritten signature of Jonathan Walden]

Defendant's signature

[Handwritten signature of Stephen P. Gauder]

Signature of defendant's attorney

Stephen P. Gauder

Printed name of defendant's attorney

ATTEST: A True Copy.
Certified to June 4, 2021
Clerk, U.S. District Court,
Middle District of Alabama
BY: Cindy Sanders
Deputy Clerk

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

COURTROOM DEPUTY'S MINUTES

DATE: JUNE 3, 2021

PROCEEDING: REMOVAL HEARING (R.5)

DIGITAL RECORDING: 3:38 – 3:51

COURT REPORTER: BLANTON CALLEN

PRESIDING: U.S. MAGISTRATE JUDGE SUSAN RUSS WALKER

DEPUTY CLERK: CINDY SANDERS

CASE NUMBER: 2:21mj70-SRW
PO/PTSO: Terrence Marshall
INTERPRETER? No Yes
Name:

DEFENDANT NAME: JONATHAN WALDEN
AUSA: Alice LaCour
DEFENSE ATTORNEY: Stephen Ganter
Type counsel: FPD

- Date of Arrest 6/3/2021: charges this district; Rule 5; on WRIT
- Defendant's First Appearance; Pretrial Release; Prob/Sup Rel Violator. Advised of rights/charges
- Financial Affidavit executed.
- ORAL MOTION for appointment of Counsel
- ORAL ORDER appointing Federal Public Defender - Notice of Appearance to be filed
- Panel Attorney appointed; to be appointed - prepare voucher
- NOTICE to retained Criminal Defense Attorney handed to counsel
- Defendant advises he will retain counsel or has retained: Click here to enter text.
- Government's ORAL Motion for Detention Hearing to be followed by written motion
- Government's WRITTEN Motion for Detention filed.
- Detention Hearing Waived; set for: at
- ORDER OF TEMPORARY DETENTION PENDING HEARING to be entered
- ORDER OF DETENTION HEARING PENDING TRIAL to be entered
- Bond hearing scheduled for: Click here to enter a date. at Click here to enter text.
- Bond not executed. Defendant to remain in Marshal's custody
- Release order entered. Defendant advised of conditions of release
- BOND EXECUTED (M/D AL charges) – Amount: \$. Defendant released
- BOND EXECUTED (R. 5) - defendant to report to originating district as ordered
- Defendant ORDERED REMOVED to originating district
- Identity/Removal Hearing scheduled for: Click here to enter a date.
- Waiver of preliminary hearing; Rule 5 hearing; Preliminary Revocation Hearing
- Court finds PROBABLE CAUSE: Defendant bound over to: Grand Jury; District Judge
- ARRAIGNMENT held - Plea of NOT GUILTY entered; set
- DISCOVERY DISCLOSURE date:
- Trial set during CRIMINAL TERM commencing:

ATTEST: A True Copy
Certified to June 4, 2021
Clerk, U.S. District Court,
Middle District of Alabama
BY Cindy Sanders
Deputy Clerk

CLOSED

**U.S. District Court
Alabama Middle District (Montgomery)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00070-SRW-1
Internal Use Only**

Case title: USA v. Walden

Date Filed: 06/03/2021

Date Terminated: 06/03/2021

Assigned to: Honorable Judge Susan
Russ Walker

ATTEST: A True Copy.
Certified to June 4, 2021
Clerk, U.S. District Court,
Middle District of Alabama
BY Cindy Sanders
Deputy Clerk

Defendant (1)

Jonathan Walden

TERMINATED: 06/03/2021

represented by **Federal Defender**
Federal Defenders
Middle District of Alabama
817 South Court Street
Montgomery, AL 36104
334-834-2099
Fax: 834-0353
Email: ECFCMALM@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*
**Bar Status: US Attorney-and other
Special**

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints






Disposition



Rule 5 - District of Columbia

Plaintiff

USA

represented by **Alice Shih LaCour**
 United States Attorney's Office
 Middle District of Alabama
 131 Clayton Street
 Montgomery, AL 36104
 334-223-7280
 Fax: 334-223-7560
 Email: alice.lacour@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
 Designation: Assistant U S Attorney
Bar Status: US Attorney-and other Special

Date Filed	#	Docket Text
06/03/2021		Arrest (Rule 5) of Jonathan Walden (cs,) (Entered: 06/03/2021)
06/03/2021	<u>1</u>	NOTICE of Waiver of Personal Appearance and Consent to Conduct Initial Appearance and Subsequent Hearings by Video Teleconference as to Jonathan Walden (Ganter, Stephen) (Entered: 06/03/2021)
06/03/2021	 <u>2</u>	CJA 23 Financial Affidavit by Jonathan Walden (cs,) (Entered: 06/03/2021)
06/03/2021		ORAL MOTION to Appoint Counsel by Jonathan Walden. (cs,) (Entered: 06/03/2021)
06/03/2021		ORAL ORDER granting Oral Motion to Appoint Counsel: Appointed Federal Defender as to Jonathan Walden (1). Entered by Honorable Judge Susan Russ Walker on 6/3/2021. (cs,) (Entered: 06/03/2021)
06/03/2021	  <u>3</u>	Non-Surety Bond Entered as to Jonathan Walden in amount of \$ 25,000.00, (Document Restricted to Case Participants) (cs,) (Entered: 06/03/2021)
06/03/2021	  <u>4</u>	ORDER Setting Conditions of Release as to Jonathan Walden (1) \$25,000.00 Non-Surety (Document Access Restricted to Case Participants.). Signed by Honorable Judge Susan Russ Walker on 6/3/2021. (cs,) (Entered: 06/03/2021)
06/03/2021	<u>5</u>	WAIVER of Rule 5(c)(3) Hearing by Jonathan Walden (cs,) (Entered: 06/03/2021)
06/03/2021		ORAL ORDER entered pursuant to Fed. R. Crim. P. 5(f) as to Jonathan Walden. Entered by Honorable Judge Susan Russ Walker on 6/3/2021.

		(cs,) (Entered: 06/03/2021)
06/03/2021	 <u>6</u>	Minute Entry for proceedings held before Honorable Judge Susan Russ Walker: Initial Appearance in Rule 5(c)(3) Proceedings as to Jonathan Walden held on 6/3/2021 (PDF available for court use only) (Court Reporter Blanton Callen.) (cs,) (Entered: 06/03/2021)
06/03/2021		(Court only) ***Case, defendant, deadlines, hearings and motions Terminated as to Jonathan Walden (cs,) (Entered: 06/03/2021)