

UNITED STATES DISTRICT COURT  
for the  
District of Columbia

United States of America  
v.  
NICHOLAS JAMES BROCKHOFF  
DOB: XXXXXX

)  
)  
) Case: 1:21-mj-00444  
) Assigned to: Judge Faruqui, Zia M.  
) Assign Date: 5/24/2021  
) Description: COMPLAINT W/ ARREST WARRANT  
)  
)

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  
\_\_\_\_\_ in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

- 18 U.S.C. § 111(a)(1) - Assaulting, Resisting, or Impeding certain Officers or Employee of the United States in the Performance of their Office Duties,
- 18 U.S.C. § 111(b)(1) - Use of a Deadly or Dangerous Weapon,
- 18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder,
- 18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, (Misdemeanor),
- 18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds, (Misdemeanor),
- 18 U.S.C. § 1752(a)(4) - Knowingly Engages in Act of Physical Violence against any Person or Property in any Restricted Building or Grounds, (Misdemeanor),
- 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in Capitol Building, (Misdemeanor),
- 40 U.S.C. § 5104(e)(2)(F) - Engaging in an Act of Physical Violence in the Grounds or any of the Capitol Buildings, (Misdemeanor),
- 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building, (Misdemeanor).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Bryon J. Speakes, Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by telephone.

Date: 05/24/2021

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

## STATEMENT OF FACTS

On January 6, 2021, your affiant, Bryon J. Speakes was on duty and performing my official duties as a Special Agent with the Federal Bureau of Investigation (“FBI”). I have been a Special Agent since 2015 and, 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. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol 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. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. 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 Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, 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 U.S. Capitol Building and the proceedings underway inside.

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 around 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.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

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 without authority to be there.

At approximately 1:00 p.m., a crowd assembled at the U.S. Capitol on the Lower West Terrace. U.S. Capitol Police (“USCP”) and the Metropolitan Police Department (“MPD”) formed a line of bike racks extending from the North end of the Lower West Terrace to the South end, to act as a barrier against the crowd. While law enforcement officers were attempting to control the crowd at the Lower West Terrace, numerous individuals climbed the top of scaffolding erected for the inauguration of then President Elect Joe Biden. This position allowed individuals to observe law enforcement officers assembled below.

While reviewing surveillance footage of this incident, your Affiant observed an individual later identified as NICHOLAS JAMES BROCKHOFF (hereinafter, “BROCKHOFF”), assaulting law enforcement officers. BROCKHOFF’s actions caused the dispersing of law enforcement officers and impeded law enforcement officers from performing official duties.

Figure One is an image taken from surveillance footage on January 6, 2021. BROCKHOFF is the individual circled in red. Figure Two is an image taken from surveillance footage on January 6, 2021, which depicts the same event from a different and closer angle. In Figure Two, BROCKHOFF can be seen wearing the same blue jacket with a green hood lining and a backpack with a yellow tag, which can be seen in later, close-up photos taken outside the U.S. Capitol. In Images Two and Three, BROCKHOFF is discharging the contents of fire a fire extinguisher from the scaffolding near the Lower West Terrace. BROCKHOFF discharged the content from the fire extinguisher from the elevated position onto both MPD and USCP law enforcement officers who were standing beneath BROCKHOFF and attempting to hold back the rioters. In Figure Three, BROCKHOFF, is wearing the blue jacket with a green hood lining and is holding a red fire extinguisher. *See*, Figures Four-Eight. BROCKHOFF is the individual circled in red in each of the Figures below.

I have interviewed two of the MPD officers who were standing below BROCKHOFF as he sprayed the contents of the fire extinguisher at them. Both officers stated that they were hit with the contents of the fire extinguisher, which caused law enforcement to disperse, and obstructed law enforcement’s ability to see.



*Figure One*



*Figure Two*



*Figure Three*

While reviewing surveillance footage from the U.S. Capitol on January 6, 2021, your Affiant observed BROCKHOFF entering the U.S. Capitol through a broken window. BROCKHOFF was able to access the window by climbing the scaffolding near the Lower West Terrace. In Figure Four, BROCKHOFF is circled in red, is wearing a blue jacket with the green hood lining and backpack with yellow tag, and is entering the U.S. Capitol through the broken window.



*Figure Four*

Further, your Affiant reviewed body worn camera (“BWC”) footage from MPD officers located at the U.S. Capitol on January 6, 2021. BWC showed BROCKHOFF in possession of a stolen MPD helmet. In a verbal exchange between MPD officers and BROCKHOFF, MPD officers tell BROCKHOFF, “Now you’re locked up. Now you’re locked up. Turn around. Get him [BROCKHOFF] out. You’re going to come out with an MPD helmet?” BROCKHOFF responds, “I just found it [the MPD helmet] on the ground.”

In another verbal exchange recorded on BWC, a MPD officer asks BROCKHOFF, “What’s your name?” BROCKHOFF responds, “Nick.” The officer then asks, “Nick what?” BROCKHOFF replies, “Brockhoff.” Figure Four is an image of BROCKHOFF that was taken from the BWC that depicts this exchange between BROCKHOFF and the MPD officer. In that same BWC recording, a second MPD officer then asks, “Are you injured?”<sup>1</sup> BROCKHOFF responds, “A little bit.” The MPD officer then inquires, “Are you injured from MPD or climbing through a window?” BROCKHOFF replies, “Glass, glass, glass, yeah.”

Figure Five is an image taken from BWC footage on January 6, 2021. BROCKHOFF is seen holding his hands up and is wearing the blue jacket with green hood lining.



*Figure Five*

A review of social media platforms by an FBI analyst revealed an image of BROCKHOFF wearing the same MPD helmet with the same MPD helmet number on the front above the visor. In Figure Six, BROCKHOFF can be seen below wearing the MPD helmet in the crowd and wearing the same jacket with the green hood lining. Figure Six was taken from an open source website launched after the Capitol riots and apparently intended to crowd source efforts to identify

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<sup>1</sup> During my review of the second MPD officer’s BWC I observed lacerations and bandage applied to BROCKHOFF’s left hand.

persons who breached the Capitol for the FBI by collecting and sorting images from social media posts and the FBI.gov website.<sup>2</sup>



*Figure Six*

Further review of media platforms by an FBI analyst revealed a video Getty Images Inc. which shows BROCKHOFF—wearing the same MPD helmet seen above in Figure Six—making a forced entry into room “ST6M,” later identified as a Republican Conference Room, of the U.S. Capitol.

Figure Seven is an image derived from a YouTube video. BROCKHOFF is wearing a backpack with a yellow tag, blue jacket with green hood lining, and an MPD helmet. In the video, BROCKHOFF can be observed directing other individuals on the best method to make entry into the room.



*Figure Seven*

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<sup>2</sup> While the photo purports to come from Getty and its origins cannot be fully traced, it appears to be consistent with other photos taken from known law enforcement sources and depicting BROCKHOFF wearing the exact same clothing – including the blue jacket with the green hood lining. See, [GreenHornHoodlum \(jan6attack.com\)](https://www.jan6attack.com) (containing multiple images of what appears to be BROCKHOFF).

FBI reviewed records of vehicles known to be operated by BROCKHOFF and members of his immediate family. These records indicated that BROCKHOFF traveled to the area of Washington, D.C. on January 6, 2021.

On April 7, 2021, FBI conducted an in-person interview an individual, who has known BROCKHOFF for approximately five years. During the interview, FBI presented the individual with the images in Figure Eight below. After reviewing the images, the individual positively identified BROCKHOFF.



*Figure Eight*

Based on the foregoing, your affiant submits that there is probable cause to believe that BROCKHOFF violated 18 U.S.C. §§ 111(a) and (b), which makes it a crime to, assault, resist, oppose, impede, intimidate, or interfere a Federal law enforcement officer, as designated in Section 1114 of Title 18, while engaged in or on account of the performance of official duties, or on account of those duties. Section 1114 specifically lists USCP officers as Federal law enforcement officers. This definition under Section 1114 is further extended to any person assisting such a federal officer or employee in the performance of his or her duties or on account of that assistance. USCP officers are Federal law enforcement officers, and MPD officers were assisting them in protecting the Capitol and the Members of Congress on January 6, 2021.

Based on the foregoing, your affiant submits that there is probable cause to believe that BROCKHOFF violated 18 U.S.C. § 1752(a)(1), (2), and (4) which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (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; and (4) knowingly engages in any



act of physical violence against any person or property in any restricted building or grounds; 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.

Your Affiant submits there is also probable cause to believe that BROCKHOFF violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his or her official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Your Affiant submits there is also probable cause to believe that BROCKHOFF violated 40 U.S.C. § 5104(e)(2)(D), (F), 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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Finally, your Affiant submits there is probable cause to believe that BROCKHOFF violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

The information contained in this affidavit is based on my knowledge of the investigation and information provided by other law enforcement officers. Because this statement of facts is being submitted for the limited purpose of establishing facts sufficient for the charges in the complaint, I have not included each and every fact known to me concerning this investigation.



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BRYON J. SPEAKES  
SPECIAL AGENT, FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1. by telephone, this 24<sup>th</sup> day of May, 2021.

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ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

NICHOLAS JAMES BROCKHOFF,  
Defendant.

Case: 1:21-mj-00444  
: Assigned to: Judge Faruqui, Zia M.  
: Assign Date: 5/24/2021  
: Description: COMPLAINT W/ ARREST WARRANT

**VIOLATIONS:**

- : 18 U.S.C. § 111(a)(1),
- : (Assaulting, Resisting, or Impeding
- : Officers or Employees)
- : 18 U.S.C. § 111(b)(1),
- : (Use of a Deadly or Dangerous Weapon)
- : 18 U.S.C. § 231(a)(3),
- : (Obstruction of Law Enforcement During
- : Civil Disorder)
- : 18 U.S.C. § 1752(a)(1),
- : (Entering and Remaining in a Restricted
- : Building or Grounds)
- : 18 U.S.C. § 1752(a)(2),
- : (Disorderly and Disruptive Conduct in a
- : Restricted Building or Grounds)
- : 18 U.S.C. § 1752(a)(4),
- : (Engaging in Act of Physical Violence
- : against any Person or Property)
- : 40 U.S.C. § 5104(e)(2)(D),
- : (Disorderly Conduct in Capitol Building)
- : 40 U.S.C. § 5104(e)(2)(F),
- : (Engaging in an Act of Physical Violence
- : in the Grounds or any of the Capitol
- : Buildings)
- : 40 U.S.C. § 5104(e)(2)(G),
- : (Parading, Demonstrating, or Picketing
- : in a Capitol Building)

**ORDER**

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the investigation, the United States has

established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date: May 24, 2021

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ZIA M. FARUQUI  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
NICHOLAS JAMES BROCKHOFF

) Case: 1:21-mj-00444
) Assigned to: Judge Faruqui, Zia M.
) Assign Date: 5/24/2021
) 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) NICHOLAS JAMES BROCKHOFF,
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. § 111(a)(1) - Assaulting, Resisting, or Impeding certain Officers or Employee of the United States in the Performance of their Office Duties;
18 U.S.C. § 111(b)(1) - Use of a Deadly or Dangerous Weapon;
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder;
18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, (Misdemeanor);
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds, (Misdemeanor);
18 U.S.C. § 1752(a)(4) - Knowingly Engages in Act of Physical Violence against any Person or Property in any Restricted Building or Grounds, (Misdemeanor);
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in Capitol Building, (Misdemeanor);
40 U.S.C. § 5104(e)(2)(F) - Engaging in an Act of Physical Violence in the Grounds or any of the Capitol Buildings, (Misdemeanor);
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building, (Misdemeanor).

Date: 05/24/2021

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) , and the person was arrested on (date)
at (city and state)

Date:

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA

-vs-

Case No. 1:21-mj-00012-jay

Nicholas James Brockhoff

ORDER OF TEMPORARY DETENTION PENDING HEARING<sup>1</sup>  
PURSUANT TO BAIL REFORM ACT

Upon motion of the Government , it is ORDERED that a detention hearing is set for

June 3, 2021

2:00 pm

before United States Magistrate Judge Jon A. York via Video. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: May 27, 2021

s/ Jon A. York  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure or intimidate a prospective witness or juror.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cr. No. 21-MJ-00012-JAY

NICHOLAS JAMES BROCKHOFF

Defendant.

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NOTICE OF ENTRY OF APPEARANCE

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Please take notice that the below signed counsel, herein enters her appearance as counsel of record on behalf of the above styled defendant in this cause. **Please remove the FPD's name from the distribution list.**

This 27<sup>th</sup> day of May, 2021.

s/ LARONDA R. MARTIN  
Assistant Federal Defender  
109 South Highland, Suite 105  
Jackson, TN 38301  
(731) 427-2556

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Notice of Appearance has been forwarded by electronic means via the Court's electronic filing system to Mr. Matthew Wilson, Assistant U.S. Attorney, 109 S. Highland, Avenue, 3<sup>rd</sup> Floor, Jackson, TN 38301. This 27<sup>th</sup> day of May, 2021.

s/ LARONDA R. MARTIN  
Assistant Federal Defender

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA

-vs-

Case No. 1:21-mj-00012-jay

Nicholas James Brockhoff

ORDER APPOINTING COUNSEL PURSUANT TO  
THE CRIMINAL JUSTICE ACT

This Court has determined that the above-named defendant is financially unable to obtain adequate representation in the above-styled case, and is otherwise qualified for appointment of counsel. Accordingly, the Court makes the following appointment pursuant to the Criminal Justice Act (18 U.S.C. § 3006A):

APPOINTMENT OF COUNSEL

- Federal Public Defender appointed

TYPE OF APPOINTMENT

- Rule 5 proceedings in this district

DONE and ORDERED at 111 S. Highland Ave., Jackson, Tennessee on June 01, 2021

s/Jon A. York  
UNITED STATES MAGISTRATE JUDGE



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA

-vs-

Case No. 1:21-mj-00012-jay

Nicholas James Brockhoff

ORDER OF DETENTION PENDING TRIAL

FINDINGS

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. The following facts and circumstances require the defendant to be detained pending trial.

- The defendant makes no application for release at this time. A motion for conditions of release and a detention hearing may be filed at a later date; OR
- No condition or combination of conditions of release will reasonably assure the appearance of the defendant as required.
- No condition or combination of conditions of release will reasonably assure the safety of any other person and the community.
- No condition or combination of conditions of release will reasonably assure the appearance of the defendant as required or the safety of any other person and the community.

This conclusion is based on the findings and analysis of the matters enumerated in 18 U.S.C. § 3142(g) as stated on the record in open court at the detention hearing.

DIRECTIONS REGARDING DETENTION

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from

persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a Court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the Defendant to the United States marshal for the purpose of an appearance in connection with a Court proceeding.

Date: June 3, 2021

s/ Jon A. York  
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
v.	)	
Nicholas James Brockhoff	)	No. 1:21-mj-00012-jay
Defendant.	)	

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**ORDER ON DUE PROCESS PROTECTIONS**

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Pursuant to the Due Process Protections Act, the Court confirms the obligation of the United States to produce all exculpatory evidence to the defendant pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

**IT SO ORDERED.**

s/Jon A. York  
UNITED STATES MAGISTRATE JUDGE

Dated:           June 03, 2021

UNITED STATES DISTRICT COURT

for the

Western District of Tennessee

United States of America )

v. )

) Case No. 1:21-mj-12-jay

Nicholas James Brockhoff )

*Defendant* )

) Charging District's

) Case No. 21-mj-444

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the District Court of the District of Columbia,  
 (if applicable) \_\_\_\_\_ division. The defendant may need an interpreter for this language:  
 \_\_\_\_\_.

The defendant:  will retain an attorney.  
 is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 06/03/2021

s/Jon A. York

*Judge's signature*

Jon A. York, United States Magistrate Judge

*Printed name and title*

**U.S. District Court**  
**Western District of Tennessee (Jackson)**  
**CRIMINAL DOCKET FOR CASE #: 1:21-mj-00012-jay All Defendants**  
**Internal Use Only**

Case title: United States of America v. Brockhoff  
Other court case number: 21-mj-444 District of DC

Date Filed: 05/27/2021  
Date Terminated: 06/03/2021

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Assigned to: Magistrate Judge Jon A. York

**Defendant (1)**

**Nicholas James Brockhoff**  
USM #47559-509  
*TERMINATED: 06/03/2021*

represented by **LaRonda Renee Martin**  
OFFICE OF THE FEDERAL PUBLIC  
DEFENDERS  
109 South Highland  
Suite 105  
Jackson, TN 38301  
731-427-2556  
Email: [laronda\\_martin@fd.org](mailto:laronda_martin@fd.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

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**Plaintiff**

**United States of America**

represented by **Matthew J. Wilson**  
U.S. ATTORNEY'S OFFICE - Jackson  
109 S. Highland Ave.  
3rd Floor Federal Bldg.  
Jackson, TN 38301  
731-422-6220

Email: matthew.j.wilson@usdoj.gov

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Retained***Stephen P. Hall**

U.S. ATTORNEY'S OFFICE

Federal Building

167 N. Main St.

Ste. 800

Memphis, TN 38103

901-544-4231


Fax: 901-544-4230




Email: stephen.hall@usdoj.gov



*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Retained*

Email Attorneys, Primary Addresses

Email Attorneys, Primary and Secondary Addresses

<b>Date Filed</b>	<b>#</b>	<b>Select <a href="#">all</a> / <a href="#">clear</a></b>	<b>Docket Text</b>
05/27/2021	 <a href="#">1</a>	<input type="checkbox"/>	Rule 5 Documents Received as to Nicholas James Brockhoff (Attachments: # <a href="#">1</a> Statement of Facts, # <a href="#">2</a> Order to Seal, # <a href="#">3</a> Arrest Warrant)(ars) (Entered: 05/27/2021)
05/27/2021	2		<p>Minute Entry for proceedings held before Magistrate Judge Jon A. York: Initial Appearance in Rule 5 Proceedings as to Nicholas James Brockhoff held on 5/27/2021. AUSA Wilson present for the govt. Dft informed Court that he was attempting to hire a lawyer and would need to speak to his family. AFD Martin present on standby. Dft advised of his rights and the charges against him. USA seeks detention; Probable Cause and Detention Hearing set for <b>6/3/2021 02:00 PM</b> before Magistrate Judge Jon A. York. Status Conference regarding attorney set for <b>6/1/2021 09:30 AM</b> before Magistrate Judge Jon A. York.</p> <p>Both proceedings will be done via Microsoft Teams video conference. The Court will email the parties an invitation for the video conference prior to the proceeding. Defendants in custody will appear via video. Defendants on bond may participate by video or call into the conference. A call-in number will be provided in the email invitation.</p> <p>Counsel should submit any exhibits to be offered to the Judge's ECF mailbox prior to the proceeding.</p> <p>The public may also access the video proceeding. Defense counsel is responsible for sharing access information with the defendant's family. The Government is responsible for notifying any known victims of their right to access the proceeding. If the public and/or media wish to attend in the video proceeding, please click on the following link to request access information: <a href="https://www.tnwd.uscourts.gov/videohearings">https://www.tnwd.uscourts.gov/videohearings</a> The access information will be delivered via email to the email address from which the request originated.</p>

			<p>Parties should consult the instructions for <a href="#">Joining a Meeting in Teams</a> or <a href="#">Joining a Meeting Without a Teams Account</a>.</p> <p>Please email <a href="mailto:andrew_shulman@tnwd.uscourts.gov">andrew_shulman@tnwd.uscourts.gov</a> for any questions. (Court Reporter FTR.) (ars) (Entered: 05/27/2021)</p>
05/27/2021	<a href="#">3</a>	<input type="checkbox"/>	ORDER OF TEMPORARY DETENTION as to Nicholas James Brockhoff. Signed by Magistrate Judge Jon A. York on 5/27/2021. (ars) (Entered: 05/27/2021)
05/27/2021	<a href="#">4</a>	<input type="checkbox"/>	NOTICE OF ATTORNEY APPEARANCE: LaRonda Renee Martin appearing for Nicholas James Brockhoff (Martin, LaRonda) (Entered: 05/27/2021)
06/01/2021	5		Minute Entry for proceedings held before Magistrate Judge Jon A. York: Status Conference as to Nicholas James Brockhoff held on 6/1/2021. AUSA Hopper present for the govt; dft present from detention facility. Dft informed Court that he would need appointed counsel. Dft previously executed a financial affidavit and the Federal Public Defender was appointed; AFD Martin present. Detention Hearing remains set for 6/3/2021 - Dft will now appear in person in Courtroom for teams hearing. Dft remanded to custody of marshals. (Court Reporter Teams.) (ars) (Entered: 06/01/2021)
06/01/2021	<a href="#">6</a>	<input type="checkbox"/>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Nicholas James Brockhoff. Signed by Magistrate Judge Jon A. York on 6/1/2021. (ars) (Entered: 06/01/2021)
06/01/2021	 <a href="#">7</a>	<input type="checkbox"/>	CJA 23 Financial Affidavit by Nicholas James Brockhoff (ars) (Entered: 06/01/2021)
06/01/2021	 <a href="#">8</a>	<input type="checkbox"/>	PRETRIAL SERVICES REPORT as to Nicholas James Brockhoff. (Smith, Ryan) (Entered: 06/01/2021)
06/03/2021	9		Minute Entry for proceedings held before Magistrate Judge Jon A. York: Detention Hearing as to Nicholas James Brockhoff held on 6/3/2021. Present were AUSA Hall and AFD Martin; dft present in room with AFD Martin. Dft waived identity hearing, asked for his probable cause hearing to be held in the charging district, and requested his detention hearing be held in this district; waiver signed. Gvt witness: FBI SA Themistocles Tsarnas; dft witness: Laura Gallardo, FD Investigator. Dft ordered detained. Rule 5(f) Oral Order made. Dft committed to the District Court of the District of Columbia and remanded to the custody of marshals. (Court Reporter Teams.) (ars) (Entered: 06/03/2021)
06/03/2021	<a href="#">10</a>	<input type="checkbox"/>	ORDER OF DETENTION as to Nicholas James Brockhoff. Signed by Magistrate Judge Jon A. York on 6/3/2021. (ars) (Entered: 06/03/2021)
06/03/2021	<a href="#">11</a>	<input type="checkbox"/>	ORDER RE: CRIMINAL RULE 5(f) as to Nicholas James Brockhoff. Signed by Magistrate Judge Jon A. York on 6/3/2021. (ars) (Entered: 06/03/2021)
06/03/2021	<a href="#">12</a>	<input type="checkbox"/>	COMMITMENT TO ANOTHER DISTRICT as to Nicholas James Brockhoff. Defendant committed to District of District Court of the District of Columbia. Signed by Magistrate Judge Jon A. York on 6/3/2021. (ars) (Entered: 06/03/2021)
06/03/2021			(Court only) ***Staff Notes as to Nicholas James Brockhoff: Copy of

		Order of Commitment placed in USM box on this date. (ars) (Entered: 06/03/2021)
06/03/2021		(Court only) ***Staff Notes as to Nicholas James Brockhoff: Copy of docket and all documents emailed to InterdistrictTransfer_DCD@dcd.uscourts.gov on this date. (ars) (Entered: 06/03/2021)
06/03/2021		(Court only) ***Terminated defendant Nicholas James Brockhoff, pending deadlines, and motions. (ars) (Entered: 06/03/2021)

or