

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Walter J. Messer (AKA: Walt Messer)

*Defendant*

Case: 1:21-mj-00541

Assigned To : Meriweather, Robin M.

Assign. Date : 07/26/2021

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)

Walter J. Messer

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:

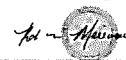
18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

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

40 U.S.C. § 5104(e)(2)(G) - Parade, Demonstrate, or Picket in any of the Capitol Buildings..

Date: 07/26/2021



2021.07.26

18:02:55 -04'00'

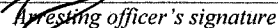
*Issuing officer's signature*

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

*Printed name and title*

## Return

This warrant was received on (date) July 26, 2021, and the person was arrested on (date) July 28, 2021  
at (city and state) Dayton, Ohio.Date: July 28, 2021  
*Arresting officer's signature*

Kyle G Metz, Task Force Officer

*Printed name and title*

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Walter J. Messer (AKA: Walt Messer)

DOB: 12/17/1969

*Defendant(s)*

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Case: 1:21-mj-00541

Assigned To : Meriweather, Robin M.

Assign. Date : 07/26/2021

Description: COMPLAINT W/ ARREST WARRANT

## 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. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds  
Without Lawful Authority,18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds  
Without Lawful Authority,

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

40 U.S.C. § 5104(e)(2)(G) - Parade, Demonstrate, or Picket in any of the Capitol Buildings..

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.*Complainant's signature*

Kyle Metz, Task Force Officer

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by telephone.Date: 07/26/2021*Judge's signature*City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

*Printed name and title*

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Walter J. Messer (AKA: Walt Messer)

*Defendant*)  
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)**Case: 1:21-mj-00541****Assigned To : Meriweather, Robin M.****Assign. Date : 07/26/2021****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)* Walter J. Messer,

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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

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

40 U.S.C. § 5104(e)(2)(G) - Parade, Demonstrate, or Picket in any of the Capitol Buildings..

Date: 07/26/2021*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, 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*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, | : |                                     |
| Plaintiff,                | : | Case No. 3:21-mj-291                |
| -vs-                      | : | Magistrate Judge Sharon L. Ovington |
| WALTER J. MESSER,         | : |                                     |
| Defendant.                | : |                                     |

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**ORDER APPOINTING COUNSEL UNDER THE CRIMINAL JUSTICE ACT**

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This case is before the Court upon Defendant's application for appointment of counsel pursuant to 18 U.S.C. §3006A. Upon the Court's *Sua Sponte* Order for Appointment of Counsel, the Court appointed a member of the Criminal Justice Act Panel.

IT IS ACCORDINGLY ORDERED that James Fleisher, of the CJA Panel for the Southern District of Ohio, is appointed as counsel to represent the Defendant in this case.

July 28, 2021

s/Sharon L. Ovington  
Sharon L. Ovington  
United States Magistrate Judge

**U.S. District Court  
Southern District of Ohio (Dayton)  
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00291-SLO-1**

Case title: USA v. Messer

Date Filed: 07/28/2021

Other court case number: 1:21-mj-541 USDC for the District of  
Columbia

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Assigned to: Magistrate Judge Sharon L.  
Ovington

**Defendant (1)**

**Walter J Messer**

represented by **James P Fleisher**  
Bieser, Greer & Landis - 3  
6 North Main Street  
Suite 400  
Dayton, OH 45402  
937-223-3277  
Fax: 937-223-6339  
Email: jpf@biesergreer.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**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 Attorney's Office

200 W Second Street

Room 602

Dayton, Oh 45402

937-225-2910

Email: nicholas.dingeldein@usdoj.gov

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

| Date Filed | #                        | Docket Text  |
|------------|--------------------------|--|
| 07/28/2021 | <a href="#"><u>2</u></a> | CJA 20 as to Walter J Messer: Appointment of Attorney James P Fleisher for Walter J Messer. Signed by Magistrate Judge Sharon L. Ovington on 7/28/21. (rp) (Entered: 08/02/2021)   |
| 07/28/2021 |                          | Minute Entry for proceedings held before Magistrate Judge Sharon L. Ovington via GTM: Initial Appearance as to Walter J Messer held on 7/28/2021; AUSA Nicholas Dingeldein appeared on behalf of the Government; Defendant stated he is able to afford counsel; the Court stated the importance of having an attorney at every stage of the proceedings; CJA Panel Attorney James P Fleisher is appointed for Walter J Messer until Defendant retains counsel; rights and penalties explained and understood; Defendant WAIVED his right to an Identity Hearing; WAIVER to be submitted to the Court for filing; the Court accepted the Waiver; Criminal Rule 5(f) statement by the Court; the issue of a right to a preliminary hearing was raised by the Court; AUSA Dingeldein stated that Defendant does have a right to a preliminary hearing; the Preliminary Hearing will be held in 20 days (here in this district or the charging district?); the Government is not moving for pretrial detention; Defendant released O/R. (Recorded By: CourtSmart, record number: 1:01-1:11) (rp) (Entered: 08/02/2021) |
| 07/28/2021 | <a href="#"><u>1</u></a> | Rule 5(c)(3) Documents Received (Complaint and Warrant) as to Walter J Messer (Attachments: # <a href="#"><u>1</u></a> Warrant) (rp) (Entered: 08/02/2021)   |

**PACER Service Center****Transaction Receipt**

08/05/2021 19:46:44

|                        |               |                         |                   |
|------------------------|---------------|-------------------------|-------------------|
| <b>PACER Login:</b>    | aveldhuis     | <b>Client Code:</b>     |                   |
| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 3:21-mj-00291-SLO |
| <b>Billable Pages:</b> | 2             | <b>Cost:</b>            | 0.20              |