

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Anthony Joseph Scirica

)
) Case: 1:21-mj-00472
) Assigned To : Harvey, G. Michael
) Assign. Date : 6/14/2021
) 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) Anthony Joseph Scirica,

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) and (2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 40 U.S.C. § 5104(e)(2)(D) and (G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 06/14/2021

Digitally signed by
 G. Michael Harvey
 Date: 2021.06.14
 11:19:15 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 06/14/2021, and the person was arrested on (date) 06/16/2021
 at (city and state) WINSTON-SALEM, NC.

Date: 06/16/2021

Arresting officer's signature

DOUGLAS LEVITZ, SA - FBF

Printed name and title

MIME-Version:1.0
From:ECF@ncmd.uscourts.gov
To:ecf@ncmd.uscourts.gov
Bcc:
--Case Participants: LINDSEY ANN FREEMAN (jhartmann@usa.doj.gov, laurie.lochner@usdoj.gov, lindsey.freeman3@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MAG/JUDGE JOI ELIZABETH PEAKE (allison_bennett@ncmd.uscourts.gov, clarke_martin@ncmd.uscourts.gov, jasmine_johnson@ncmd.uscourts.gov, judge_peake@ncmd.uscourts.gov, kevin_todd@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)
--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov), U. S. Marshal's Office (ecf.usmsncm@usdoj.gov, jeannie.helms@usdoj.gov, jessica.williams2@usdoj.gov)
--No Notice Sent:

Message-Id:3424780@ncmd.uscourts.gov
Subject:Activity in Case 1:21-mj-00212-JEP USA v. SCIRICA Arrest - Rule 5
Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 6/16/2021 at 1:03 PM EST and filed on 6/16/2021

Case Name: USA v. SCIRICA
Case Number: 1:21-mj-00212-JEP
Filer:
Document Number: No document attached
Docket Text:
Arrest (Rule 5) of ANTHONY JOSEPH SCIRICA. (Kemp, Donita)

1:21-mj-00212-JEP-1 Notice has been electronically mailed to:

LINDSEY ANN FREEMAN lindsey.freeman3@usdoj.gov, JHartmann@usa.doj.gov, laurie.lochner@usdoj.gov, USANCM.ecfcriminal@usdoj.gov

1:21-mj-00212-JEP-1 Notice will not be electronically mailed to:

MIME-Version:1.0

From:ECF@ncmd.uscourts.gov

To:ecf@ncmd.uscourts.gov

Bcc:

--Case Participants: LINDSEY ANN FREEMAN (jhartmann@usa.doj.gov, laurie.lochner@usdoj.gov, lindsey.freeman3@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MARK A. JONES (lvines@belldavispitt.com, mjones@belldavispitt.com), MAG/JUDGE JOI ELIZABETH PEAKE (allison_bennett@ncmd.uscourts.gov, clarke_martin@ncmd.uscourts.gov, jasmine_johnson@ncmd.uscourts.gov, judge_peake@ncmd.uscourts.gov, kevin_todd@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)

--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov)

--No Notice Sent:

Message-Id:3425024@ncmd.uscourts.gov

Subject:Activity in Case 1:21-mj-00212-JEP USA v. SCIRICA Initial Appearance - Rule 5

Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 6/16/2021 at 4:37 PM EST and filed on 6/16/2021

Case Name: USA v. SCIRICA

Case Number: 1:21-mj-00212-JEP

Filer:

Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before MAG/JUDGE JOI ELIZABETH PEAKE: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to ANTHONY JOSEPH SCIRICA held on 6/16/2021. Defendant advised of rights and charges; Oral Notice given of the Due Process Protections Act 2020. The Government agrees to conditions of release and the defendant is instructed to appear via zoom on Monday, June 28, 2021 at 1:00 PM in the District of Columbia; It is Ordered that the period from June 16, 2021, up to and including June 28, 2021, be and is hereby excluded from provisions of the Speedy Trial Act under Title 18, United States Code, Section 3161, et seq.; Order Setting Conditions of Release forthcoming. (AUSA Lindsey Freeman; General appearance entered by Attorney Mark Jones on behalf of defendant ANTHONY JOSEPH SCIRICA; Proceedings Recorded) (Kemp, Donita)

1:21-mj-00212-JEP-1 Notice has been electronically mailed to:

LINDSEY ANN FREEMAN lindsey.freeman3@usdoj.gov, JHartmann@usa.doj.gov, laurie.lochner@usdoj.gov, USANCM.ecfcriminal@usdoj.gov

MARK A. JONES mjones@belldavispitt.com, lvines@belldavispitt.com

1:21-mj-00212-JEP-1 Notice will not be electronically mailed to:

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

FILED in the Middle District of North Carolina June 16, 2021 4:48 pm Clerk, US District Court By: dmk

United States of America

v.

ANTHONY JOSEPH SCIRICA

Defendant

Case No. 1:21MJ212

Charging District's Case No. 21MJ472

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) United States District Court for the 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:

- [] an identity hearing and production of the warrant.
[] a preliminary hearing.
[] a detention hearing.
[X] 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: 06/16/2021

Handwritten signature of defendant and attorney, and printed name of attorney Mark A. Jones.

UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina

United States of America
v.

ANTHONY JOSEPH SCIRICA
Defendant

Case No. 1:21MJ212

FILED
in the Middle District of
North Carolina
June 16, 2021
4:47 pm
Clerk, US District Court
By: dmk

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: U.S. District Court, 251 N. Main Street, Winston-Salem, NC 27101

Place

as directed.

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

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, Address, 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 United States Probation Office, telephone number, no later than as directed. (b) continue or actively seek employment. (c) continue or start an education program. (d) surrender any passport to: United States Probation Office; returned to him if travel approved. (e) not obtain a passport or other international travel document. (f) abide by the following restrictions on personal association, residence, or travel: Advise Pretrial Services of any travel outside Middle District of North Carolina; no travel outside the continental United States unless prior approval is given by a U.S. Probation Officer. (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: (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. (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. *unless otherwise directed*
- (t) Call Pretrial Services once per week; and remain outside of the District of Columbia unless traveling there for matters relating to the Court, Pretrial Services, and/or representation by an attorney.

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

Winston-Salem, North Carolina

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: 6/16/2021


Judicial Officer's Signature

Joi Elizabeth Peake, United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

FILED in the Middle District of North Carolina
June 16, 2021 4:48 pm
Clerk, US District Court By: <u>dmk</u>

United States of America)

v.)

ANTHONY JOSEPH SCIRICA)

Defendant)

Case No. 21MJ212

Charging District: District of Columbia

Charging District's Case No. 21MJ472

ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: U.S. District Court for the District of Columbia 333 Constitution Avenue N.W. Washington D.C. 20001	Courtroom No.: via Zoom
	Date and Time: 6/28/2021 1:00 pm

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 06/16/2021



Joi Elizabeth Peake
Judge's signature

Joi Elizabeth Peake, United States Magistrate Judge

Printed name and title

**U.S. District Court
North Carolina Middle District (NCMD)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00212-JEP-1
*Internal Use Only***

Case title: USA v. SCIRICA

Date Filed: 06/16/2021

Date Terminated: 06/16/2021

Assigned to: MAG/JUDGE JOI
ELIZABETH PEAKE

Defendant (1)

ANTHONY JOSEPH SCIRICA
TERMINATED: 06/16/2021

represented by **MARK A. JONES**
BELL DAVIS & PITT, P.A.
POB 21029
WINSTON-SALEM, NC 27120-1029
336-714-4122
Fax: 336-714-4101
Email: mjones@belldavispitt.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

Complaints

Rule 5 Arrest

Disposition

Plaintiff

USA

represented by **LINDSEY ANN FREEMAN**
 UNITED STATES ATTORNEY'S
 OFFICE
 101 SOUTH EDGEWORTH STREET,
 SUITE 400
 GREENSBORO, NC 27401
 336-332-6347
 Email: lindsey.freeman3@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: United States Attorney

Date Filed	#	Page	Docket Text
06/16/2021		3	Arrest (Rule 5) of ANTHONY JOSEPH SCIRICA. (Kemp, Donita) (Entered: 06/16/2021)
06/16/2021		4	Minute Entry for proceedings held before MAG/JUDGE JOI ELIZABETH PEAKE: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to ANTHONY JOSEPH SCIRICA held on 6/16/2021. Defendant advised of rights and charges; Oral Notice given of the Due Process Protections Act 2020. The Government agrees to conditions of release and the defendant is instructed to appear via zoom on Monday, June 28, 2021 at 1:00 PM in the District of Columbia; It is Ordered that the period from June 16, 2021, up to and including June 28, 2021, be and is hereby excluded from provisions of the Speedy Trial Act under Title 18, United States Code, Section 3161, et seq.; Order Setting Conditions of Release forthcoming. (AUSA Lindsey Freeman; General appearance entered by Attorney Mark Jones on behalf of defendant ANTHONY JOSEPH SCIRICA; Proceedings Recorded) (Kemp, Donita) (Entered: 06/16/2021)
06/16/2021	<u>1</u>	5	WAIVER of Rule 5 & 5.1 Hearings by ANTHONY JOSEPH SCIRICA. (Kemp, Donita) (Entered: 06/16/2021)
06/16/2021	<u>2</u>	6	ORDER Setting Conditions of Release for ANTHONY JOSEPH SCIRICA. Signed by MAG/JUDGE JOI ELIZABETH PEAKE on 6/16/2021. (Kemp, Donita) (Entered: 06/16/2021)
06/16/2021	<u>3</u>	10	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL. Signed by MAG/JUDGE JOI ELIZABETH PEAKE on 6/16/2021. (Kemp, Donita) (Entered: 06/16/2021)