

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
KEVIN JAMES LYONS

)
) Case: 1:21-mj-00037
) Assigned to: Judge Zia M. Faruqui
) Assigned Date: 1/12/2021
) 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) KEVIN JAMES LYONS,
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
40 U.S.C. § 5104(e)(2)(C) and (D)- Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/12/2021

2021.01.12
17:30:18 -05'00'

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) 1/12/21, and the person was arrested on (date) 1/13/21
at (city and state) _____

Date: _____

Arresting officer's signature

MEL FEUERMAN

Printed name and title

AUSA Peter S. Salib (312) 697-4092

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JAN 12 2021

**MAGISTRATE JUDGE
GABRIELA FUENTES**

UNITED STATES OF AMERICA

v.

KEVIN JAMES LYONS

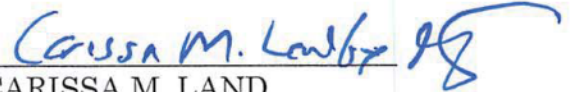
Case No.: 21 CR 23

GABRIEL A. FUENTES
Magistrate Judge

AFFIDAVIT IN REMOVAL PROCEEDING

I, CARISSA M. LAND, personally appearing before United States Magistrate Judge GABRIEL A. FUENTES and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that KEVIN JAMES LYONS has been charged by Complaint in the District of Columbia with the following criminal offenses: knowingly entering or remaining in any restricted building or grounds without lawful authority, and violent entry and disorderly conduct on Capitol grounds.

A copy of the Complaint is attached. A copy of the arrest warrant also is attached.



CARISSA M. LAND
Special Agent
Federal Bureau of Investigation

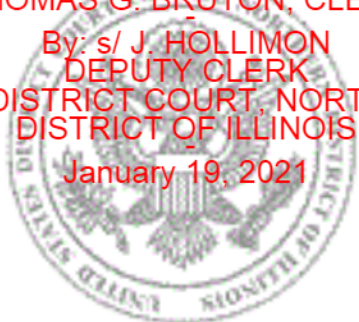
SUBSCRIBED AND SWORN to before me this 13th day of January, 2021.

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK

By: s/ J. HOLLIMON
DEPUTY CLERK

U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

January 19, 2021



GABRIEL A. FUENTES
United States Magistrate Judge

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
KEVIN JAMES LYONS

) Case: 1:21-mj-00037
) Assigned to: Judge Zia M. Faruqui
) Assigned Date: 1/12/2021
) 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
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1) and 40 U.S.C. § 5104(e)(2)(C) and (D).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Jared T. Horan

Complainant's signature

JARED T. HORAN, Special Agent, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: 01/12/2021

Judge's signature

City and state: WASHINGTON, D.C.

ZIA M. FARUQUI, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Jared T. Horan, being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging Kevin James LYONS (hereinafter "LYONS") with violations of 18 U.S.C. § 1752(a) and 40 U.S.C. § 5104(e)(2)(C) and (D). Specifically, on January 6, 2021, LYONS was present in Washington, D.C., and knowingly and willfully joined a crowd of individuals who unlawfully entered the U.S. Capitol and impeded, disrupted, and disturbed the orderly conduct of business by the United States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

2. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since 2016. I am currently assigned to a squad that investigates criminal enterprises and violent gangs for the Washington Field Office. I have training and experience in the areas of violent crimes, gang-related criminal activity, interview and interrogation, evidence recovery, and source recruitment.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as "on or about" dates.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

4. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., 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.

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

6. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol. 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. Vice President Mike Pence was presiding in the Senate chamber.

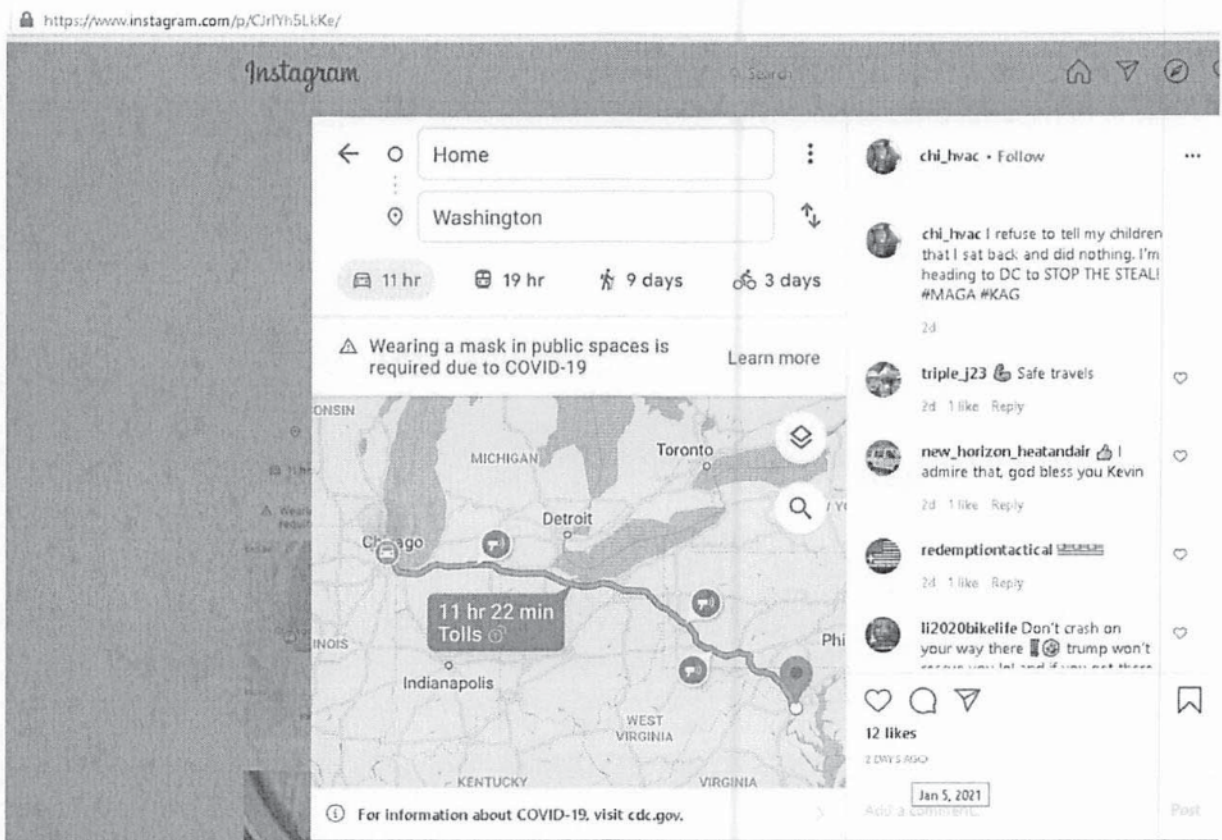
7. With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol Building, and U.S. Capitol police were present and attempting to keep the crowd away from the Capitol buildings and the proceedings underway inside.

8. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was 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. Shortly after 2:00 p.m., however, individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows.

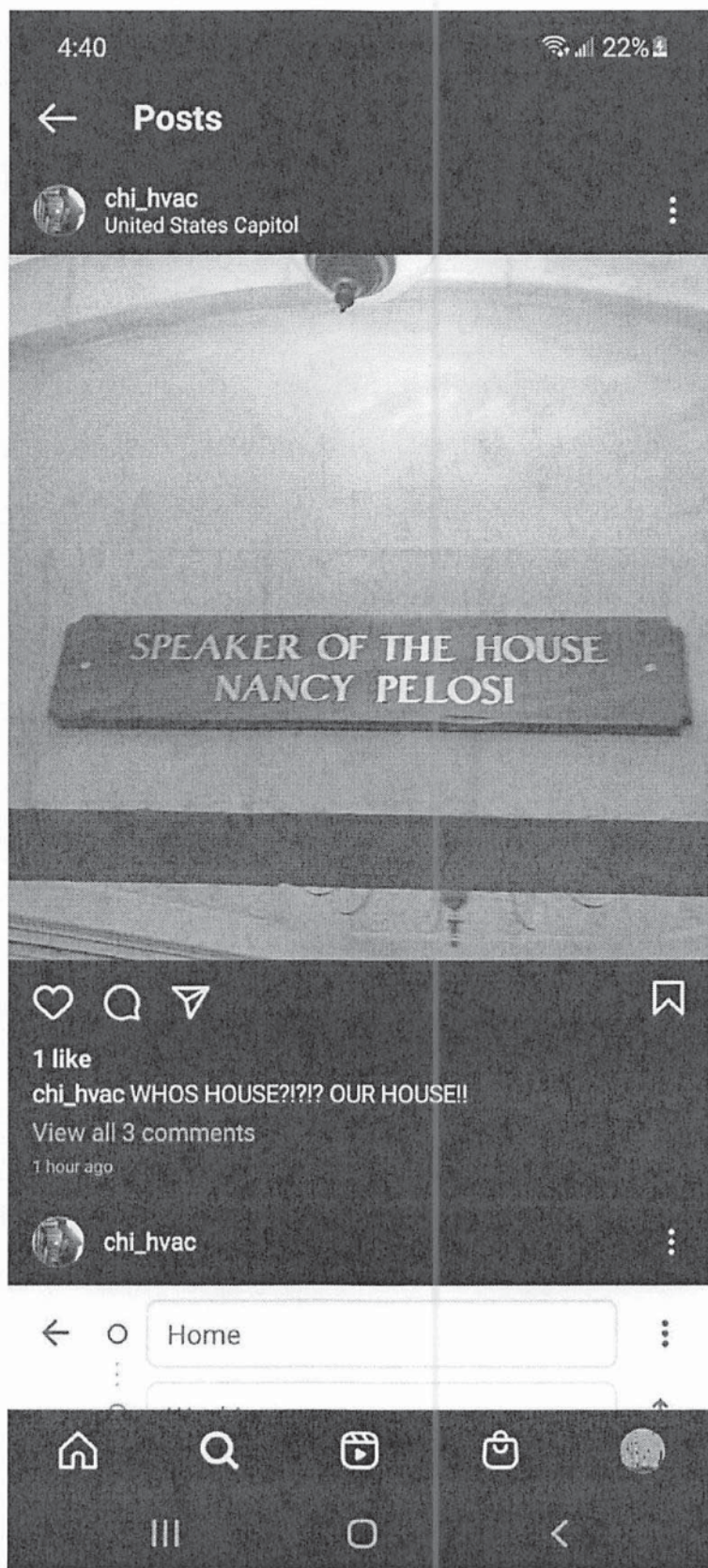
9. Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and the United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States 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 session resumed.

10. 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 scores of individuals inside the U.S. Capitol building without authority to be there, in violation of Federal laws.

11. Following this incident, law enforcement reviewed an Instagram account under the account name @chi_hvac, which appeared, and was later confirmed to belong to LYONS. The main profile page of this account lists the name “Kevin Lyons.” Posted on this account, among other things, was the below photo which appeared to be a screenshot of a map tracing a route from LYONS’ home, which was in the vicinity of Chicago, IL, as marked on the map and confirmed in law enforcement databases, to the Washington, D.C. area. Beside it was a post that read “I refuse to tell my children that I sat back and did nothing. I am heading to DC to STOP THE STEAL!”



12. The same Instagram account posted the photo below depicting a sign that read “Speaker of the House Nancy Pelosi” and wrote under it “WHOS HOUSE?!?!? OUR HOUSE!!!”



13. The above-image appears to capture the area outside of Nancy Pelosi's office within the Capitol.

14. On January 8, 2021, LYONS was interviewed by FBI agents in Chicago at his residence in Chicago, Illinois. During the interview, LYONS provided the following information:

15. LYONS acknowledged that he was in D.C. on Jan 6, 2021, 2021, but was evasive about whether he entered the Capitol Building. LYONS stated that he "100% guaranteed, without incriminating himself" that he saw nothing being damaged. He further stated that in a dream he had, he saw a lot of banging on doors, paper being throwing about, and a mob of people. According to LYONS, in the dream, people really didn't have much choice of where they were going because of the mob. LYONS advised that if he were inside, he was inside for approximately 45 minutes.

16. LYONS was shown the photo referenced above that read "Speaker of the House Nancy Pelosi" at which time LYONS stated, "wow you are pretty good that was up for only an hour." Law enforcement understood LYONS' statement to be expressing surprise that law enforcement officers had found and observed this photograph on his Instagram account because it had only been posted on his account for one hour before it was removed. LYONS then stated that he can't guarantee that he posted it.

17. When subsequently asked whether he still had the picture discussed above on his phone's camera roll, LYONS said yes. LYONS then showed the agents his phone. Displayed on the screen was an image of a wooden plaque with "Speaker of the House Nancy Pelosi" printed on it. The photo on LYONS' phone appeared to be the same photo discussed above that was previously posted and observed on LYONS' Instagram account.

18. When asked if there were any other pictures from the Capitol Building on his phone, LYONS displayed a second picture of the wooden plaque with "Speaker of the House Nancy Pelosi"

printed on it and a video. The second picture of the plaque was nearly identical to the one discussed above. The video was of a group of people walking through what appeared to be the Capitol Building.

19. When asked whether he would be willing to give the FBI agents a copy of the video, LYONS said the file would be too big, and offered to upload his videos to YouTube and email the links to the agents. On January 9, 2020, FBI Special Agent Land (SA Land) received an email from an email address that included LYONS's first and last names. The email stated, "Hello Nice FBI Lady, Here are the links to the videos. Looks like Podium Guy is in one of them, less the podium. Let me know if you need anything else. Kevin Lyons."

20. SA Land opened the first link and viewed a video which showed a large group of people outside the Capitol Building. SA Land recognized the voice of LYONS speaking throughout the video. The video was posted on LYONS's YouTube's channel and was approximately 90 seconds in length.

21. SA Land opened the second link and viewed a video of people walking in what appeared to be a hallway of the Capitol Building. SA Land recognized the voice of LYONS speaking throughout the video. The video was posted on LYONS's YouTube's channel and was approximately 0:3:15 in length.

22. SA Land opened the third link and viewed a video of a group of people walking in the Rotunda of the Capitol Building. The video was posted on LYONS's YouTube's channel and was approximately 48 seconds in length.

23. During the January 8, 2021 in-person interview with LYONS at his home, LYONS also admitted to traveling from Chicago to Washington, DC to attend President Trump's rally.

LYONS described himself as a tourist at the events and said that he had live streamed his experiences.

24. According to LYONS, on January 6, 2021, he took an Uber to the Washington Monument where the rally was held. He attempted to wear his level 3 Kevlar vest, but was unable to fit it over his sweatshirt.

25. LYONS indicated that the rally was the only event he planned on attending that day. LYONS stated that while he was at the rally, he walked along Pennsylvania Avenue and heard “flash bangs” and saw people walking towards him with red faces. The crowd of people continued to push towards the Capitol Building. LYONS claimed that there was very little he could do to escape the crowd because he weighed 140 pounds. LYONS indicated that as he neared the Capitol Building, he saw people tearing up scaffolding and people climbing up the Capitol Building walls. LYONS stated that he walked up the stairs of the Capitol Building and entered it through its rear doors. He claimed that he did not enter through a window.

26. LYONS stated that once he was inside the Capitol Building, he walked to the Rotunda where he took a moment to look at the statues and get his bearings. LYONS indicated that he then walked up an interior staircase to the second floor, but that he did not go into the House of Representative’s Chamber because he did not know where it was located. LYONS stated that he stayed primarily in the hallways, but did enter the “big boss” office. LYONS was asked if this was a reference to Nancy Pelosi and he stated yes. Prior to entering Representative Pelosi’s office, LYONS indicated that he took a picture of the plaque located outside of Representative Pelosi’s office and uploaded the image to his Instagram account. LYONS explained that Representative Pelosi’s office was a “good size” office and there were approximately 20 to 30 people in it. He saw a broken mirror, but advised it was broken before he entered the office. LYONS claimed that while

he was in Representative Pelosi's office, a Capitol Police Officer entered with his "40mm" pistol drawn. LYONS indicated immediately raised his arms above his head. LYONS stated that the officer told him to get out and LYONS immediately left the office. As he made his way to the first floor, LYONS indicated that the second floor was filled with tear gas and that he passed by several officers with AR-15 rifles. After exiting the Capitol Building, LYONS stated that he went directly to his vehicle and left Washington, DC.

27. LYONS admitted that @chi_hvac was his Instagram account and @hydra_shoc was his Twitter account.

CONCLUSIONS OF AFFIANT

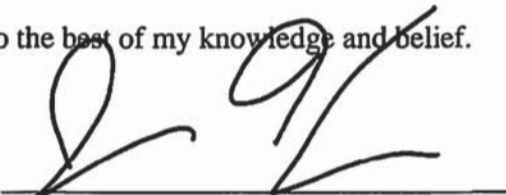
28. Based on the foregoing, your affiant submits that there is probable cause to believe that LYONS violated:

- a. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (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; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage 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 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; and
- a. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

29. As such, I respectfully request that the court issue an arrest warrant for LYONS.

The statements above are true and accurate to the best of my knowledge and belief.



SPECIAL AGENT JARED T. HORAN
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 12th day of January, 2021.

THE HONORABLE G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
KEVIN JAMES LYONS

) Case: 1:21-mj-00037
) Assigned to: Judge Zia M. Faruqui
) Assigned Date: 1/12/2021
) 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) KEVIN JAMES LYONS
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
40 U.S.C. § 5104(e)(2)(C) and (D)- Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/12/2021

Signature, 2021.01.12 17:30:18 -05'00', 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

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

| | | |
|-------------------|---|--------------------------------------|
| USA |) | Case No: 21 CR 23-1 |
| |) | |
| v. |) | |
| |) | Magistrate Judge: Gabriel A. Fuentes |
| |) | |
| Kevin James Lyons |) | |
| |) | |

ORDER

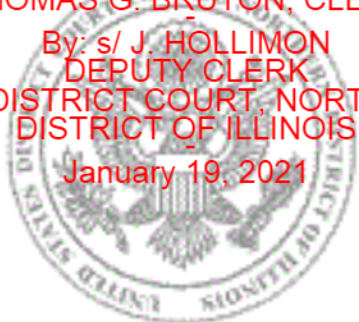
Initial appearance proceedings held. Removal proceedings held. By agreement and consent of all parties and pursuant to the CARES Act, all parties appear by telephone conference. Defendant Kevin James Lyons appears in response to an arrest on 1/13/21. Defendant advised of charges and penalties available under the law and informed of his rights. The Court enters the appearance of attorney Lawrence Wolf Levin as counsel for defendant. Defendant waives the identity hearing. The Court enters a finding of identity. The Government and defendant agree on conditions of release, which the Court accepts with additional release conditions and modifications as stated on the record. Defendant released on a \$10,000.00 appearance bond with conditions. Enter Order Setting Conditions of Release. Terminated defendant Kevin James Lyons. Defendant ordered removed to the District of Columbia for further proceedings. As stated on the record, the Court orders the defendant to appear in the District of Columbia where the charges are pending to answer those charges. Enter order (attached). As stated on the record, the Court orders the defendant to appear for a hearing before the designated judge on 1/19/21 at 1:00 p.m. (via video conference or as otherwise directed by the District Court for the District of Columbia) at the U.S. District Court, District of Columbia, 333 Constitution Ave. NW, Washington, DC 20001. Defendant is ordered released after processing.

(T: 00:35)

Date: January 13, 2021

/s/ 
GABRIEL A. FUENTES
UNITED STATES MAGISTRATE JUDGE

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK
By: s/ J. HOLLIMON
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
January 19, 2021



UNITED STATES DISTRICT COURT
for the
Northern District of Illinois

United States of America

v.

KEVIN JAMES LYONS

Defendant

)
)
)
)
)

Case No. 21 CR 23

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 42 U.S.C. § 14135a.
(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 for the District of Columbia (via video link provided to counsel)
Place

on 1/19/2021 1:00 pm
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

\$10,000.00 Unsecured Bond

ADDITIONAL CONDITIONS OF RELEASE

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 (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: _____
Custodian Date
- (X) (7) The defendant must:
- (X) (a) submit to supervision by and report for supervision to the Pretrial Services Officer as directed,
 telephone number _____, no later than _____.
- (X) (b) continue or actively seek employment.
- () (c) continue or start an education program.
- (X) (d) surrender any passport to: Pretrial Services
- (X) (e) not obtain a passport or other international travel document.
- (X) (f) abide by the following restrictions on personal association, residence, or travel: Northern District of Illinois and the District of Columbia for Court-related appearances only
- (X) (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 1/6/21 incident at the U.S. Capitol; any person planning any act to impeded, disrupt, or disturb the orderly conduct of business by U.S. House or Senate, any federal agency or U.S. court
- () (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.
- (X) (k) not possess a firearm, destructive device, or other weapon.
- (X) (l) not use alcohol () at all (X) excessively.
- (X) (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.
- () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
 () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
- (X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (X) (s) not travel to Washington, D.C., and not visit or be near any local, state, or federal government building or property anywhere in the U.S., except as required for in-person court appearances in the District Court of the

District of Columbia, as ordered by that court. Remove all firearms from home;

Surrender FOID card to Pretrial Services. Submit to an interview by PTS at its discretion.

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.

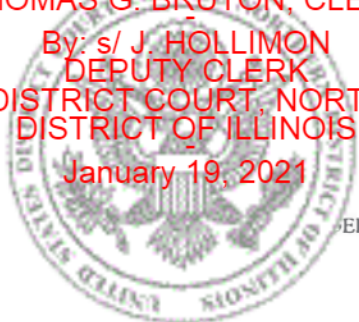
Kevin James Lyons Jr.
[Handwritten signature]
[Handwritten signature]
[Handwritten signature]
City and State

Directions to the United States Marshal

- (X) 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: 1/13/21 A TRUE COPY-ATTEST THOMAS G. BRUTON, CLERK

By: s/ J. HOLLIMON DEPUTY CLERK U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS



January 19, 2021

[Handwritten signature]

Judicial Officer's Signature

Gabriel A. Fuentes, U.S. Magistrate Judge

Printed name and title

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the
Northern District of Illinois

| | | |
|--------------------------|---|---|
| United States of America |) | |
| v. |) | Case No. 21 CR 23-1 |
| Kevin James Lyons |) | |
| <i>Defendant</i> |) | Charging District: District of Columbia |
| |) | Charging District's Case No. 1-21-mj-0037 |

**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: United States District Court, District of Columbia 333 Constitution Ave. NW, Washington DC 20001 | Courtroom No.: N/A |
| | Date and Time: 1/19/2021 at 1:00 p.m. |

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: January 13, 2021

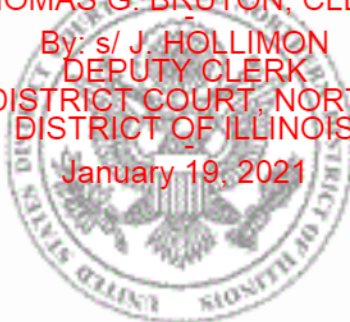


Judge's signature

Gabriel A. Fuentes, U.S. Magistrate Judge

Printed name and title

A TRUE COPY-ATTEST
 THOMAS G. BRUTON, CLERK
 By: s/ J. HOLLIMON
 DEPUTY CLERK
 U.S. DISTRICT COURT, NORTHERN
 DISTRICT OF ILLINOIS
 January 19, 2021



IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|-------------------|---|--------------------------------------|
| USA |) | Case No: 21 CR 23-1 |
| |) | |
| v. |) | |
| |) | Magistrate Judge: Gabriel A. Fuentes |
| |) | |
| Kevin James Lyons |) | |
| |) | |

ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5(f)

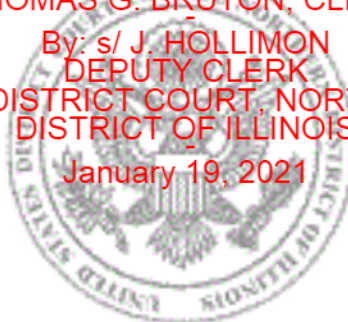
Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, the court, with both the prosecutor and defense counsel present, confirms the government’s obligation to disclose favorable evidence to the accused under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and orders it to do so. Favorable evidence under *Brady* need have only some weight and includes both exculpatory and impeaching evidence. Failure to produce such evidence in a timely manner may result in sanctions, including, but not limited to, adverse jury instructions, dismissal of charges, and contempt proceedings.

Date: January 13, 2021

/s/ 

GABRIEL A. FUENTES
UNITED STATES MAGISTRATE JUDGE

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK
By: s/ J. HOLLIMON
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
January 19, 2021



TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6.3.3 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00023 All Defendants
Internal Use Only

Case title: USA v. Lyons
 Other court case number: 21-mj-00037 U.S.D.C. of
 Columbia

Date Filed: 01/12/2021
 Date Terminated: 01/13/2021

Assigned to: Honorable Gabriel A.
 Fuentes

Defendant (1)

Kevin James Lyons
TERMINATED: 01/13/2021

represented by **Lawrence Wolf Levin**
 Law Office of Lawrence Wolf Levin
 214 West Ohio
 5th Floor
 Chicago, IL 60654
 (312) 236-7543
 Email: lwlwolf@gmail.com
ATTORNEY TO BE NOTICED
Designation: Pro Bono

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

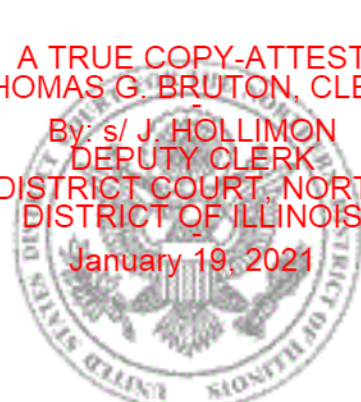
18:1752.F Knowingly Entering or
 Remaining in any Restricted Building
 or Grounds without Lawful Authority ,
 18:1752.P

Disposition

A TRUE COPY-ATTEST
 THOMAS G. BRUTON, CLERK

By: s/ J. HOLLIMON
 DEPUTY CLERK
 U.S. DISTRICT COURT, NORTHERN
 DISTRICT OF ILLINOIS

January 19, 2021



Plaintiff

USA

represented by **Peter S. Salib**

U.S. Attorney's Office
 219 South Dearborn Street
 5th Floor
 Chicago, IL 60604
 312 697 4092
 Email: peter.salib@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney


AUSA - Chicago

United States Attorney's Office (NDIL - Chicago)
 219 South Dearborn Street
 Chicago, IL 60604
 Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Pretrial Services

(312) 435-5793
 Email:
 ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED
Designation: Pretrial Services

| Date Filed | # | Select all / clear | Docket Text |
|-------------------|-------------------|---|---|
| 01/12/2021 | 1 | <input type="checkbox"/> | RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Gabriel A. Fuentes as to Kevin James Lyons (1). (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | | | ARREST of defendant Kevin James Lyons. (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | 2 | <input type="checkbox"/> | ORDER as to Kevin James Lyons: Initial appearance proceedings held. Removal proceedings held. By agreement and consent of all parties and pursuant to the CARES Act, all parties appear by telephone conference. Defendant Kevin James Lyons appears in response to an arrest on 1/13/21. Defendant advised of charges and penalties available under the law and informed of his rights. The Court enters the appearance of attorney Lawrence Wolf Levin as counsel for defendant. Defendant waives the identity hearing. The Court enters a finding of identity. The |

| | | | |
|------------|---|--------------------------|---|
| | | | Government and defendant agree on conditions of release, which the Court accepts with additional release conditions and modifications as stated on the record. Defendant released on a \$10,000.00 appearance bond with conditions. Enter Order Setting Conditions of Release. Terminated defendant Kevin James Lyons. Defendant ordered removed to the District of Columbia for further proceedings. As stated on the record, the Court orders the defendant to appear in the District of Columbia where the charges are pending to answer those charges. Enter order (attached). As stated on the record, the Court orders the defendant to appear for a hearing before the designated judge on 1/19/21 at 1:00 p.m. (via video conference or as otherwise directed by the District Court for the District of Columbia) at the U.S. District Court, District of Columbia, 333 Constitution Ave. NW, Washington, DC 20001. Defendant is ordered released after processing. Signed by the Honorable Gabriel A. Fuentes on 1/13/2021. Mailed notice (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | 3 | <input type="checkbox"/> | ORDER Pursuant to Federal Rule of Criminal Procedure 5(f) as to Kevin James Lyons. Signed by the Honorable Gabriel A. Fuentes on 1/13/2021. Mailed notice (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | 4 | <input type="checkbox"/> | ATTORNEY Appearance for defendant Kevin James Lyons by Lawrence Wolf Levin. (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | 5 | <input type="checkbox"/> | ORDER Requiring a Defendant to appear in the District where charges are pending and transferring bail as to Kevin James Lyons. Signed by the Honorable Gabriel A. Fuentes on 1/13/2021. Mailed notice (jh,) (Entered: 01/19/2021) |
| 01/13/2021 |  6 | <input type="checkbox"/> | ORDER Setting Conditions of Release as to Kevin James Lyons in amount of \$ 10,000, Unsecured. Signed by the Honorable Gabriel A. Fuentes on 1/13/2021. Mailed notice (jh,) (Entered: 01/19/2021) |
| 01/13/2021 | 7 | | APPEARANCE Bond as to Kevin James Lyons in the amount of \$ 10,000. (jh,) (Entered: 01/19/2021) |
| 01/19/2021 | 8 | <input type="checkbox"/> | CERTIFIED and Transmitted to U.S.D.C. District of Columbia the complete record as to Kevin James Lyons. (jh,) (Entered: 01/19/2021) |

View Selected

or

Download Selected