

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA :
 :
 v. : **MAGISTRATE NO. 21-MJ-75 (RMM)**
 :
TIMOTHY LOUIS HALE-CUSANELLI, :
Defendant. :

MOTION FOR TRANSPORT ORDER

The United States of America, by and through the undersigned Assistant United States Attorney, respectfully requests that this Court enter an Order directing the United States Marshals Service to transport defendant Timothy Louis Hale-Cusanelli from the District of New Jersey to the District of Columbia for further proceedings on the Complaint filed against him, charging the defendant with Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, in violation of 18 U.S.C. §§ 1752(a)(1), (a)(2), Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of 18 U.S.C. §§ 5104(e)(2)(D), and (e)(2)(G), and Obstructing a Law Enforcement Officer During a Civil Disorder, in violation of 18 U.S.C. § 231(a)(3). In support of its motion, the United States states as follows:

1. On January 15, 2021, the defendant Timothy Louis Hale-Cusanelli, was arrested in his home state of New Jersey on an arrest warrant issued out of the United States District Court for the District of Columbia by Magistrate Judge Robin M. Meriweather in connection with a Criminal Complaint charging the defendant with Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, in violation of 18 U.S.C. §§ 1752(a)(1), (a)(2), Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of 18 U.S.C. §§ 5104(e)(2)(D),

and (e)(2)(G), and Obstructing a Law Enforcement Officer During a Civil Disorder, in violation of 18 U.S.C. § 231(a)(3).

2. Defendant Hale-Cusanelli made his initial appearance on January 19, 2021 in front of a Magistrate Judge in the District of New Jersey. At his initial appearance, the government made a motion to detain the defendant without bond pending trial pursuant to 18 U.S.C. § 3142(f)(2)(B), which provides for detention in cases where there is a serious risk that, if release, the defendant will obstruct or attempt to obstruct justice, or threaten injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness.
3. The presiding Magistrate Judge denied the government's detention motion and released the Defendant pursuant to certain conditions.
4. An Assistant United States Attorney for the District of New Jersey orally moved to stay the defendant's release pending an appeal by the government. The Magistrate Judge granted that request and ordered that Defendant's release would be delayed until January 22, 2021.
5. The United States filed in this Court an Emergency Motion to Review the Court's Release Order on January 19, 2021.
6. In order to have counsel appointed to represent Defendant in the District of Columbia, to resolve the pending motion to review the release determination made by the Magistrate Judge in the District of New Jersey, and to conduct further proceedings in this matter, Defendant, who remains temporarily detained, needs to be transported to the District of Columbia by the United States Marshals Service.

Accordingly, the United States moves this Court to issue an Order directing the United States Marshals Service to transport defendant Timothy Louis Hale-Cusanelli forthwith to the District of Columbia for further proceedings.

Respectfully submitted,
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TRANSPORT ORDER

Having considered the United States' Motion to have the defendant Timothy Louis Hale-Cusanelli transported from the District of New Jersey to the District of Columbia for further proceedings on the Complaint filed against him, it is hereby **ORDERED**

That the United States Marshals Service transport the defendant forthwith from the District of New Jersey to the District of Columbia for further proceedings in this matter.

DATE:

BERYL A. HOWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA