

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

**UNITED STATES OF AMERICA**

**v.**

**DAVID C. MISH, JR.,**

**Defendant.**

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: Case: 1:21-mj-00064  
: Assigned to: Judge Zia M. Faruqui  
: Assign Date: 1/15/2021  
: Description: COMPLAINT W/ARREST WARRANT  
:  
:  
: **UNDER SEAL**  
:

**ORDER**

Based on the representations in the government's Motion to Seal the Arrest Warrant, Criminal Complaint and Related Documents and to Delay Entry on the Public Docket of the Filing of this Motion to Seal, this Court makes the following:

**FINDINGS OF FACT**

Public disclosure of the existence of the Arrest Warrant and Criminal Complaint, with its supporting Statement of Facts, at this time might alert the defendant that he is wanted for criminal charges, and this presents the risk that the defendant might attempt to destroy potentially incriminating evidence. In addition, upon learning of the Arrest Warrant, the defendant might flee.

Based on the representations in the government's motion, *Washington Post v. Robinson*, 935 F.2d 282, 289 n.10 (D.C. Cir. 1991), and this Court's findings of facts, this Court finds that there is a compelling governmental interest in sealing the Arrest Warrant, Criminal Complaint with its supporting Statement of Facts, pleadings, records and files in this case and that an extraordinary situation exists that justifies a delay in the public docketing of any notice that the government's motion and this Order have been filed with the Criminal Clerk's office under seal.

Based on the above, it is this 15<sup>th</sup> day of January, 2021,

**ORDERED** that this Order, the attached government motion to seal, the Arrest Warrant, the Complaint, its supporting Statement of Facts, and other related pleadings, shall be filed under seal in the Criminal Clerk's office until further order of this Court. If the defendant is arrested, the Complaint shall be unsealed.

It is further **ORDERED** that the Criminal Clerk's office shall not make any entry on the public docket in this case of the government's motion to seal and the Order granting such motion, the Complaint, and other pleadings filed under seal in this case until further order of this Court.

It is further **ORDERED** that notwithstanding the other provisions of this ORDER, the government shall be permitted to disclose the Arrest Warrant and Complaint with its supporting Statement of Facts and related materials in furtherance of its law enforcement needs and discovery obligations.



Zia M. Faruqui  
2021.01.15  
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UNITED STATES MAGISTRATE JUDGE