

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Christian Cortez

Defendant

) Case: 1:21-mj-00300
) Assigned To : Harvey, G. Michael
) Assign. Date : 3/12/2021
) 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) Christian Cortez,
 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. § 111(a) - (Assaulting a Federal Officer)
 18 U.S.C. § 231(a)(3) - (Civil Disorder);
 18 U.S.C. § 1512(c)(2) - (Obstructing an Official Proceeding);
 18 U.S.C. § 1752(a)(1) and (2) - (Unlawfully Entering Restricted Building to Disrupt Government);
 40 U.S.C. § 5104(e)(2)(D), (E), and (G) - (Disorderly or Disruptive Conduct on Restricted Grounds)

Date: 03/12/2021

Digitally signed by G. Michael Harvey
 Date: 2021.03.12 12:21:31 -05'00'

*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) 3/12/21, and the person was arrested on (date) 3-26-21
 at (city and state) Seabrook, TX.

Date: 3-26-21


Arresting officer's signature

sa John Bray
Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Benjamin Larocca

Defendant

Case: 1:21-mj-00300

Assigned To : Harvey, G. Michael

Assign. Date : 3/12/2021

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) Benjamin Larocca,

who is accused of an offense or violation based on the following document filed with the court:

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☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

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18 U.S.C. § 1752(a)(1) and (2) - (Unlawfully Entering Restricted Building to Disrupt Government);

40 U.S.C. § 5104(e)(2)(D), (E), and (G) - (Disorderly or Disruptive Conduct on Restricted Grounds)

Date: 03/12/2021

Digitally signed by G. Michael
Harvey

Date: 2021.03.12 12:22:38 -05'00'

Issuing officer's signature

City and state: Washington, D.C.G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Return

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 at (city and state) Seabrook, TX.

Date: 3-26-21


Arresting officer's signature

SA John Bray

Printed name and title

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States Courts
Southern District of Texas
FILED

March 26, 2021

Nathan Ochsner, Clerk of Court

United States of America)
v.)
Benjamin Larocca, (XX/XX/XXXX))
Christian Cortez, (XX/XX/XXXX))

Case: 1:21-mj-00300
Assigned To : Harvey, G. Michael
Assign. Date : 3/12/2021
Description: Complaint w/ Arrest Warrant

4:21mj0638

United States Courts
Southern District of Texas
FILED

March 26, 2021

Nathan Ochsner, Clerk of Court

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
_____ in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

Benjamin Larocca-

18 U.S.C. § 1512(c)(2) - (Obstructing an Official Proceeding);
18 U.S.C. § 1752(a)(1) and (2) - (Unlawfully Entering Restricted Building to Disrupt Government); 40 U.S.C. § 5104(e)(2)(D),
(E), and (G) - (Disorderly or Disruptive Conduct on Restricted Grounds)

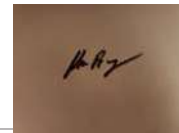
Christian Cortez -

18 U.S.C. § 111(a) - (Assaulting a Federal Officer)
18 U.S.C. § 231(a)(3) - (Civil Disorder);
18 U.S.C. § 1512(c)(2) - (Obstructing an Official Proceeding);
18 U.S.C. § 1752(a)(1) and (2) - (Unlawfully Entering Restricted Building to Disrupt Government); 40 U.S.C. § 5104(e)(2)
(D), (E), and (G) - (Disorderly or Disruptive Conduct on Restricted Grounds)

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.



Complainant's signature

John Bray, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 03/12/2021



Digitally signed by G. Michael
Harvey
Date: 2021.03.12 12:23:08 -05'00'

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, John Bray, is a Special Agent with the Federal Bureau of Investigation (FBI). Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of violations of Federal criminal laws.

The U.S. Capitol 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 were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. 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. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Michael R. Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, 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 building and the proceedings underway inside.

At such time, the certification proceedings were 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; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President 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 sessions resumed.

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

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On January 7, 2021, a witness (Witness 1) called the FBI National Threat Operations Center to report that CHRISTIAN CORTEZ stormed the U.S. Capitol the previous day. The FBI later interviewed Witness 1, and learned that Witness 1 knows CORTEZ from attending school together in League City, Texas. Witness 1 stated that it saw a video on national news in which it recognized CORTEZ at the Capitol wearing a red beanie, grey jacket, and a red t-shirt. Later, Witness 1 provided the FBI with a YouTube link to the video Witness 1 had previously used to identify CORTEZ at the Capitol.¹ Witness 1 also identified CORTEZ's Instagram username as "cortez_golden" and identified the associated profile picture as CORTEZ. A search of Texas Department of Motor Vehicle (DMV) records revealed a CHRISTIAN CORTEZ of Seabrook, Texas and an associated photograph. Your affiant has reviewed both the video and photograph Witness 1 provided and the Department of Motor Vehicle photograph—all three appear to be the same person.

The video—entitled "1/6/21 Capitol Stormed, Footage"—portrays a mob of rioters confronting a group of U.S. Capitol Police officers while trying to break into the Capitol through a set of large doors. At the beginning of the video, multiple rioters are attempting to break the doors by ramming a metal barricade against them and throwing various objects in the direction of the doors. Eventually, a group of U.S. Capitol Police officers arrive and repeatedly yell at the rioters to "get back!" The mob of rioters then begins chanting "Let us in!"

At about 2 minutes and 49 seconds into the video, law enforcement officers begin filing out of the Capitol with additional metal barricades, while other officers attempt to make a path through the rioters. At about 2 minutes and 52 seconds, CORTEZ is standing on the left side of the doors holding what appears to be a blue flag with "Trump" in white letters. He then breaches the line of rioters, steps in front of one of the officers, and appears to say something to that officer. Soon after, other rioters are seen grabbing the metal barricades and moving them while more officers begin streaming out of the Capitol. At about 3 minutes and 25 seconds, CORTEZ is now standing next to the left, open door while officers are attempting to move the rioters back and seal off the Capitol entrance. Figure One below depicts a screenshot of the video with CORTEZ circled in red.

¹ See <https://youtu.be/8CSKuCiJGp8?t=205> (last accessed on March 11, 2021).



Figure One

At about 4 minutes and 20 seconds into the video, a line of law enforcement officers retreat from the crowd and reenter the Capitol. As they do so, the rioters begin chanting “Traitor,” directed toward what appears to be the officers at the Capitol entrance. Approximately five law enforcement officers are standing in the entrance to the Capitol wearing gas masks and other protective gear. The officers begin spraying what appears to be OC Spray and fire-extinguisher retardant at the mob of rioters. One rioter is holding the right door open. At about 4 minutes and 40 seconds, a law enforcement officer begins trying to pull the doors closed, but rioters grab the doors from the outside and force them to remain open.

At about 4 minutes and 50 seconds into the video, CORTEZ can be heard off-screen, yelling “Fuck you! Oath breakers! Oath breakers! You’re a fuckin’ oath breaker!” Your affiant believes this to be CORTEZ, because he continues to yell as the camera pans toward him, and

the voice and tone are the same as the yelling heard immediately prior off-screen. At about 4 minutes and 55 seconds, the camera begins to show CORTEZ who is now standing in the middle of the path and facing the Capitol doors and officers. CORTEZ is screaming “Do it! We’re just standing here! [Unintelligible] fuckin a! We’re just standing here!” CORTEZ then slams on the ground the blue flag he is holding and takes a step toward the officers in the Capitol entrance. CORTEZ then appears to be sprayed in the face with OC spray, and he yells “Do it some fuckin’ more!” While yelling, CORTEZ takes another step toward officers and thrashes his arms downward, yelling again “Do it some fuckin’ more!” At this time, law enforcement officers begin spraying CORTEZ in the face with fire-extinguisher retardant. A screenshot of CORTEZ confronting and yelling at law enforcement is depicted below in Figure Two.



Figure Two

A second witness (Witness 2) submitted an online tip to the FBI and reported that BEN LAROCCA stormed the U.S. Capitol on January 6, 2021. The FBI later interviewed Witness 2, and learned that Witness 2 knows both LAROCCA and CORTEZ from attending school together in League City, Texas. Witness 2 provided the FBI a video from what Witness 2 knew to be LAROCCA's Instagram account with username "benttrue93."² The video shows a crowd of rioters pushing toward a line of law enforcement officers in what is clearly a hallway in the U.S. Capitol, and the rioters are chanting "Forward!" A temporary caption across the screen reads, "We got in" and then disappears. At about 19 seconds into the video, an individual that appears to be CORTEZ can be seen standing next to the individual holding the camera. This individual is wearing a red beanie, carrying a blue flag, and has similar facial hair to CORTEZ in the video Witness 1 provided, as seen in Figures One and Two above. Witness 2 was not sure if the individual at the 19-second mark was CORTEZ. The FBI also showed this video to Witness 1, who explained that it knew both CORTEZ and LAROCCA from attending school together. Witness 1 identified the individual in the red beanie at the 19-second mark as CORTEZ.

At about 26 seconds into the video provided by Witness 2, the individual holding the camera flips the view to himself. Both Witness 1 and Witness 2 identified this individual as LAROCCA, who is wearing what appears to be a red baseball cap, a dark-colored jacket, and a black strap draped across his shoulder. Witness 1 also identified the "benttrue93" Instagram username at the upper left of the video as belonging to LAROCCA. While in the Capitol, LAROCCA repeatedly chants "Our house!" in response to other rioters chanting "Whose house?" A search of Texas DMV records revealed a BENJAMIN LAROCCA of Pearland, Texas and an associated photograph. Your affiant has reviewed the video Witness 2 provided and the DMV photograph—both appear to be the same person.

A screenshot of the video Witness 2 provided is depicted below in Figures Three and Four. Figure Three shows LAROCCA at the bottom left standing in the Capitol, and the username "benttrue93" in the upper left circled in red. Figure Four depicts CORTEZ at the bottom of the screen, standing in the Capitol.

² A records search of the Texas Department of Motor Vehicles revealed that LAROCCA was born in the year 1993.



Figure Three

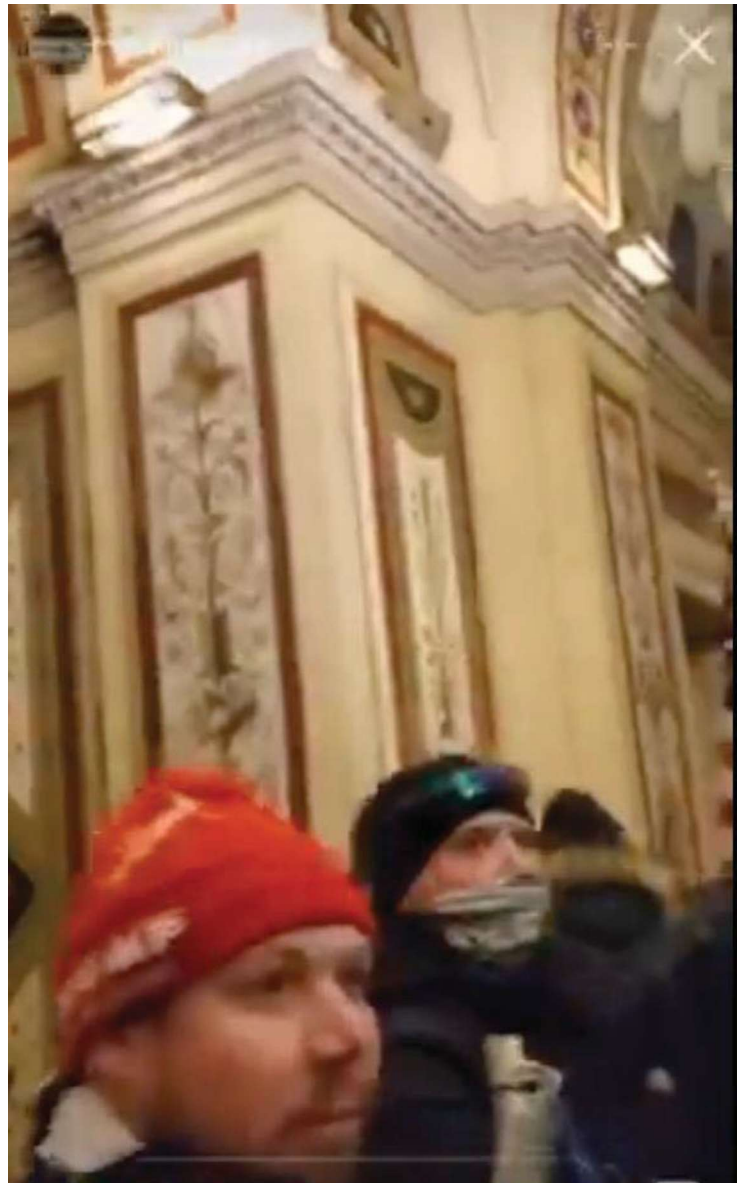


Figure Four

On January 20, 2021, BENJAMIN LAROCCA voluntarily interviewed with the FBI. LAROCCA explained that, on January 4, he and CHRISTIAN CORTEZ drove a rental car from Texas to Virginia, where they stayed at a hotel. On the morning of January 6, LAROCCA and CORTEZ drove two hours to Washington, D.C. He had not heard of any “stop the steal” protest, but said he traveled to Washington D.C. for a “march.” LAROCCA noted that he had a backpack on to collect and buy merchandise while in the city. Eventually, LAROCCA stated he and CORTEZ followed a crowd of people toward the Capitol and entered the Capitol through an open door. LAROCCA said there were no law enforcement officers at the door at the time he and CORTEZ entered. LAROCCA explained that he was “chilling” inside the Capitol and shouting “Our house!” After stating that he remained in the “tour area,” LAROCCA acknowledged that neither he nor CORTEZ had signed up for and were, in fact, not on a tour.

While inside, LAROCCA said he and CORTEZ were together the whole time and never separated.

LAROCCA admitted that his Instagram username is “benttrue93,” and that he had uploaded videos to the account from his cellular phone. The FBI then showed LAROCCA the Instagram video that Witness 2 had provided, depicted in Figures Three and Four above. LAROCCA identified himself as the individual yelling “Our house!” and identified CORTEZ as the individual wearing the red hat—matching the identifications provided by Witness 1 and Witness 2.

The FBI then showed LAROCCA the video Witness 1 had provided, depicted in Figures One and Two above. LAROCCA explained that he was standing in the crowd of rioters seen at the 39-second mark in the video. According to LAROCCA, rioters were trying to breach the Capitol door. LAROCCA explained that he had retreated down a handicap ramp and returned to the scene near the doors on a few occasions to avoid the mace and fire-extinguisher retardant. LAROCCA then identified CORTEZ at about the 5-minute mark as the individual screaming at law enforcement officers and receiving mace and fire-extinguisher retardant to the face, as detailed above.

LAROCCA then provided the FBI with a thumb drive that contained videos and pictures of his trip with CORTEZ to Washington, D.C. One video appears to be the same Instagram video that Witness 2 provided to the FBI. Another video appears to be LAROCCA’s point of view during the video that Witness 1 provided, showing the scene at the entrance to the Capitol.

Also on January 20, 2021, CHRISTIAN CORTEZ voluntarily interviewed with the FBI. CORTEZ explained that he and BENJAMIN LAROCCA rented a car and drove together from Texas to Virginia on January 4, 2021, where they stayed in a hotel in Richmond, Virginia. On January 6, CORTEZ stated that he was wearing a red hat, red shirt, and black jacket. That morning, he and LAROCCA drove from Virginia to Washington, D.C. for the rally with President Donald J. Trump. CORTEZ explained that, after President Trump made a statement about marching to the Capitol, he and LAROCCA traveled with a crowd of others to the Capitol.

When they got to the Capitol, CORTEZ explained, he did not see barricades, ropes, or officers. CORTEZ noted that he never pushed past any officers and that he tried to stop others from assaulting officers or vandalizing the Capitol. As he approached the Capitol, CORTEZ stated the he used a flight of exterior stairs and eventually entered an atrium.

The FBI showed CORTEZ the video Witness 2 provided, as seen above in Figures Three and Four. CORTEZ identified himself and LAROCCA in the video, standing inside the Capitol. Similarly, the FBI showed CORTEZ the video Witness 1 had provided, as seen in Figures One and Two. CORTEZ explained that the atrium seen in this video was the same atrium he remembered being in on January 6. CORTEZ acknowledged that rioters were trying to breach the door, and he expressed disagreement with the vandalism. CORTEZ then identified himself in the video at about the 5-minute mark, as the individual wearing the red hat and dark jacket, and carrying a “Trump Train” flag. CORTEZ stated he was standing on the side near the door trying to help the officers when he got sprayed with something. At this time, CORTEZ admitted,

he stepped in front of the doors and started yelling at the officers, including shouting “Oath breakers!” CORTEZ acknowledged that he had been sprayed by fire-extinguisher retardant as officers were trying to close the doors to the Capitol.

Based on the foregoing, your affiant believes both CHRISTIAN CORTEZ and BENJAMIN LAROCCA committed federal offenses on January 6, 2021.

Your affiant submits there is probable cause to believe CHRISTIAN CORTEZ violated 18 U.S.C. § 111(a), which makes it unlawful to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties. For purposes of section 111 of Title 18, United States Capitol Police Officers constitute persons designated in section 1114 of Title 18.

Your affiant additionally submits there is probable cause to believe CHRISTIAN CORTEZ violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Your affiant additionally submits there is probable cause to believe CHRISTIAN CORTEZ and BENJAMIN LAROCCA violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

Your affiant additionally submits there is probable cause to believe CHRISTIAN CORTEZ and BENJAMIN LAROCCA violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (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; 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, including the Vice President, 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.

Finally, your affiant submits there is probable cause to believe CHRISTIAN CORTEZ and BENJAMIN LAROCCA violated 40 U.S.C. § 5104(e)(2)(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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



JOHN BRAY
SPECIAL AGENT, FBI

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



Digitally signed by G.
Michael Harvey
Date: 2021.03.12 12:24:28
-05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Christian Cortez

Defendant

Case: 1:21-mj-00300

Assigned To : Harvey, G. Michael

Assign. Date : 3/12/2021

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Date: 03/12/2021Digitally signed by G. Michael Harvey
Date: 2021.03.12 12:21:31 -05'00'

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) 3/25/21, and the person was arrested on (date) 3/26/21
at (city and state) Seabrook, TX

Date: 3/26/21

Arresting officer's signature

Ndubisi Nwachuku

Printed name and title

MIME-Version:1.0
From:DCECF_LiveDB@txs.uscourts.gov
To:DC_Notices@localhost.localdomain
Bcc:
--Case Participants:
--Non Case Participants:
--No Notice Sent:

Message-Id:35227387@txs.uscourts.gov
Subject:Activity in Case 21-638 Sealed v. Sealed (Redacted Notice)
Content-Type: text/html

U.S. District Court

SOUTHERN DISTRICT OF TEXAS

Notice of Electronic Filing

The following transaction was entered on 3/26/2021 at 12:44 PM CDT and filed on 3/26/2021

Case Name: USA v. SEALED

Case Number: 4:21-mj-00638 *SEALED*

Filer:

Document Number: No document attached

Docket Text:

*****Set Hearings as to Benjamin Larocca and Christian Cortez: Initial Appearance – Rule 5 set for 3/26/2021 at 02:00 PM before Magistrate Judge Sam S Sheldon (kmurphy, 4)**

4:21-mj-00638 *SEALED*-1 No electronic public notice will be sent because the case/entry is sealed.

4:21-mj-00638 *SEALED*-2 No electronic public notice will be sent because the case/entry is sealed.

MIME-Version:1.0
From:DCECF_LiveDB@txs.uscourts.gov
To:DC_Notices@localhost.localdomain
Bcc:
--Case Participants:
--Non Case Participants:
--No Notice Sent:

Message-Id:35227370@txs.uscourts.gov
Subject:Activity in Case 21-638 Sealed v. Sealed (Redacted Notice)
Content-Type: text/html

U.S. District Court

SOUTHERN DISTRICT OF TEXAS

Notice of Electronic Filing

The following transaction was entered on 3/26/2021 at 12:43 PM CDT and filed on 3/26/2021

Case Name: USA v. SEALED

Case Number: 4:21-mj-00638 *SEALED*

Filer:

Document Number: No document attached

Docket Text:

Arrest (Rule 40) of Benjamin Larocca and Christian Cortez, filed. (kmurphy, 4)

4:21-mj-00638 *SEALED*-1 No electronic public notice will be sent because the case/entry is sealed.

4:21-mj-00638 *SEALED*-2 No electronic public notice will be sent because the case/entry is sealed.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas

ENTERED

March 27, 2021

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

versus

Christian Cortez


§
§
§
§
§

Case No. 4:21-mj-00638

Order Appointing Counsel

Because the above named defendant has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender is hereby appointed to represent this person in the above designated case.

Signed on March 27, 2021.



Sam S. Sheldon
United States Magistrate Judge

MIME-Version:1.0
From:DCECF_LiveDB@txs.uscourts.gov
To:DC_Notices@localhost.localdomain
Bcc:
--Case Participants: James Stafford (info@staffordkeyserbromberg.com, keyserstaf@aol.com),
Federal Public Defender - Houston (hou_ecf@fd.org)
--Non Case Participants:
--No Notice Sent:

Message-Id:35231463@txs.uscourts.gov
Subject:Activity in Case 4:21-mj-00638 USA v. Laroca et al Initial Appearance - Rule
5(c)(3)
Content-Type: text/html

U.S. District Court

SOUTHERN DISTRICT OF TEXAS

Notice of Electronic Filing

The following transaction was entered on 3/27/2021 at 7:19 AM CDT and filed on 3/26/2021

Case Name: USA v. Laroca et al
Case Number: 4:21-mj-00638
Filer:
Document Number: No document attached
Docket Text:

Minute Entry for proceedings held before Magistrate Judge Sam S Sheldon: INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Benjamin Larocca, Christian Cortez held on 3/26/2021. Defendant requests appointed counsel. #1,2 Financial Affidavit executed orally, 1,2. Order appointing Federal Public Defender. #2 Order of Temporary Detention Pending Hearing.#2. The case is UNSEALED. Deft #1 Unsecured Bond \$50,000. Deft #2 Detention/Probable Cause set for 3/29/21 at 2pm before Judge Stacy. Appearances:AUSA Alamdar Hamdani, FPD M. Meyers.(Digital # 2:02-2:21PM)(ERO:Yes) (Interpreter:No) Deft remanded to Custody, filed.(sjones, 4)

4:21-mj-00638-1 Notice has been electronically mailed to:

James Stafford keyserstaf@aol.com, info@staffordkeyserbromberg.com

4:21-mj-00638-1 Notice has not been electronically mailed to:

4:21-mj-00638-2 Notice has been electronically mailed to:

Federal Public Defender - Houston hou_ecf@fd.org

4:21-mj-00638-2 Notice has not been electronically mailed to:

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ENTERED

March 27, 2021

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

versus

Benjamin Larocca, Christian Cortez

§
§
§
§
§

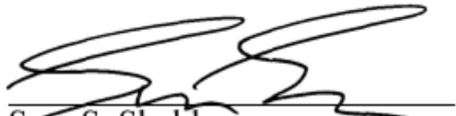
Case No. 4:21-mj-00638

ORDER

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is **ORDERED** to comply with the prosecutor's disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny. The Government is also notified of the potential consequences of violating this Order and the disclosure obligations. The consequences include, but are not limited to, sanctions such as delaying trial or other proceedings, excluding evidence, giving adverse jury instructions, granting a new trial, dismissing the case, or finding the Government in contempt.

It is so **ORDERED**.

SIGNED on March 27, 2021.


Sam S. Sheldon
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas

ENTERED

March 27, 2021

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

§

versus

§

Case No. 4:21-mj-00638

§

Christian Cortez

§

§

ORDER OF DETENTION PENDING HEARING

A hearing in this case is scheduled as follows:

Preliminary Examination and Detention Hearing
March 29, 2021 at 02:00 PM
by video

IT IS ORDERED: Pending the hearing, the defendant is to be detained in the custody of the United States Marshal or any other authorized officer. The custodian must bring the defendant to the hearing at the time, date, and place set forth above.

Date: March 26, 2021


Sam S. Sheldon
United States Magistrate Judge

MIME-Version:1.0
From:DCECF_LiveDB@txs.uscourts.gov
To:DC_Notices@localhost.localdomain
Bcc:
--Case Participants: James Stafford (info@staffordkeyserbromberg.com, keyserstaf@aol.com),
Federal Public Defender - Houston (hou_ecf@fd.org)
--Non Case Participants:
--No Notice Sent:

Message-Id:35239528@txs.uscourts.gov
Subject:Activity in Case 4:21-mj-00638 USA v. Laroca et al Preliminary Examination &
Detention Hearing
Content-Type: text/html

U.S. District Court

SOUTHERN DISTRICT OF TEXAS

Notice of Electronic Filing

The following transaction was entered on 3/29/2021 at 4:56 PM CDT and filed on 3/29/2021

Case Name: USA v. Laroca et al

Case Number: 4:21-mj-00638

Filer:

Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Magistrate Judge Frances H Stacy: PRELIMINARY EXAMINATION & DETENTION HEARING as to Christian Cortez held on 3/29/2021 ; deft waived identity; probable cause determine ; bond given \$50,000.00. Appearances:J Lake f/fpd; A Hamdani f/ausa.(Court Reporter: F Warner)(Digital # 3:05-4:49) Deft continued on bond given, filed.(bwhite, 4)

4:21-mj-00638-2 Notice has been electronically mailed to:

Federal Public Defender - Houston hou_ecf@fd.org

James Stafford keyserstaf@aol.com, info@staffordkeyserbromberg.com

4:21-mj-00638-2 Notice has not been electronically mailed to:

United States District Court

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

V.

CHRISTIAN CORTEZ

APPEARANCE BOND

Defendant

CASE NUMBER **CR-H-21MJ638**

Non-surety: I, the undersigned defendant acknowledge that I and upon my Personal Recognizance
 Surety: XX We, the undersigned, jointly severally acknowledge that we and our . . .
 personal representatives, jointly and severally, are bound to pay to the United States of America the sum of
 \$ 50,000.00, and there has been deposited in the Registry of the Court the sum of
 \$ _____ in cash _____ (describe other security.)

The conditions of this bond are that the defendant CHRISTIAN CORTEZ
 (name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States district court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such a matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States district court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States district court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on _____ at Houston, Texas
 Date Place

Defendant. _____ Address. _____

Surety. _____ Address. _____

Surety. _____ Address. _____

Signed and acknowledged before me on _____
 Date

 Judicial Officer/Clerk

Approved: _____
 Judicial Officer

JUSTIFICATION OF SURETIES

I, the undersigned surety, say that I reside at _____
 _____; and that my net worth is the sum
 of _____ dollars (\$ _____). I further
 state that

 Surety

Sworn to before me and subscribed in my presence on _____
 _____ Date
 at _____
 _____ Place

 Name and Title

 Signature of Judicial Officer/Clerk

I, the undersigned surety, say that I reside at _____
 _____; and that my net worth is the sum
 of _____ dollars (\$ _____). I further
 state that

 Surety

Sworn to before me and subscribed in my presence on _____
 _____ Date
 at _____
 _____ Place

 Name and Title

 Signature of Judicial Officer/Clerk

Justification Approved: _____

 Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

**ORDER SETTING CONDITIONS
OF RELEASE**

V.
CHRISTIAN CORTEZ

Defendant

CASE NUMBER: CR-H-21-MJ-638

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified)

_____ on _____
Place Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- () (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- () (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of _____ dollars in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(X) (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and state) _____

(Tel.No.) _____

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled

Signed: _____

Custodian or Proxy

Date

(X) (7) The defendant shall:

(X) (a) report to the

PROBATION

telephone number

713-250-5218

() (b) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described _____

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

(X) (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

(X) (g) surrender any passport to: _____

(X) (h) obtain no passport.

(X) (i) abide by the following restrictions on personal association, place of abode, or travel:

(X) HARRIS AND SURROUNDING COUNTIES ; WASHINGTON DC

(X) (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to:

No Contact with any Potential Witnesses

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows:

() (l) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

(X) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

(X) (o) refrain from (X) any () excessive use of alcohol.

(X) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. §802, unless prescribed by a licensed medical practitioner.

(X) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

(X) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services offices or supervising officer.

(X) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibit substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will or () will not include electronic monitoring or other location verification system. You shall pay all of part of the cost of the program based upon your ability to pay as determined by the pretrial office or supervising officer.

() (i) Curfew. You are restricted to your residence everyday () 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 as pre-approved by the pretrial services office or supervising officer; or

() (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, court appearances pre-approved by the pretrial services office or supervising officer.

(X) (u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(X) (v) NOT ALLOWED TO TRAVEL TO DC EXCEPT FOR COURT

(X) (w) DEFT TO PAY FOR TREATMENT IF FINANCIALLY ABEL

() (x)

WHITE COPY-COURT

YELLOW-DEFENDANT

BLUE-U.S. ATTORNEY

PINK-U.S. MARSHAL

GREEN-PRETRIAL SERVICES

AO199C Rev. 4/91) Advice of Penalties

Page _____ of _____ Pages

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pretrial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of 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 shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall 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 shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

Acknowledgment of 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 to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

Directions to 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 judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: _____

Signature of Judicial Officer

U. S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

United States District Court

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

CHRISTIAN CORTEZ

APPEARANCE BOND

Defendant

CASE NUMBER **CR-H-21MJ638**

Non-surety: I, the undersigned defendant acknowledge that I and upon my Personal Recognizance
Surety: XX We, the undersigned, jointly severally acknowledge that we and our . . .
personal representatives, jointly and severally, are bound to pay to the United States of America the sum of
\$ 50,000.00, and there has been deposited in the Registry of the Court the sum of
\$ _____ in cash _____ (describe other security.)

The conditions of this bond are that the defendant CHRISTIAN CORTEZ
(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States district court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such a matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States district court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States district court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on _____ at Houston, Texas
Date Place

Defendant. _____ Address. _____

Surety. _____ Address. _____

Surety. _____ Address. _____

Signed and acknowledged before me on _____
Date

Judicial Officer/Clerk

Approved: _____
Judicial Officer

JUSTIFICATION OF SURETIES

I, the undersigned surety, say that I reside at _____
 _____; and that my net worth is the sum
 of _____ dollars (\$ _____). I further
 state that

 Surety

Sworn to before me and subscribed in my presence on _____
 _____ Date
 at _____
 _____ Place

 Name and Title

 Signature of Judicial Officer/Clerk

I, the undersigned surety, say that I reside at _____
 _____; and that my net worth is the sum
 of _____ dollars (\$ _____). I further
 state that

 Surety

Sworn to before me and subscribed in my presence on _____
 _____ Date
 at _____
 _____ Place

 Name and Title

 Signature of Judicial Officer/Clerk

Justification Approved: _____

 Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

**ORDER SETTING CONDITIONS
OF RELEASE**

V.
CHRISTIAN CORTEZ

Defendant

CASE NUMBER: CR-H-21-MJ-638

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified)

_____ on _____
Place Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- () (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- () (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of _____ dollars in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(X) (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and state) _____

(Tel.No.) _____

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled

Signed: _____

Custodian or Proxy

Date

(X) (7) The defendant shall:

(X) (a) report to the _____

PROBATION

telephone number _____

713-250-5218

() (b) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: _____

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described _____

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

(X) (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

(X) (g) surrender any passport to: _____

(X) (h) obtain no passport.

(X) (i) abide by the following restrictions on personal association, place of abode, or travel:

(X) HARRIS AND SURROUNDING COUNTIES ; WASHINGTON DC

(X) (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to:

No Contact with any Potential Witnesses

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____

() (l) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

(X) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

(X) (o) refrain from (X) any () excessive use of alcohol.

(X) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. §802, unless prescribed by a licensed medical practitioner.

(X) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

(X) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services offices or supervising officer.

(X) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibit substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will or () will not include electronic monitoring or other location verification system. You shall pay all of part of the cost of the program based upon your ability to pay as determined by the pretrial office or supervising officer.

() (i) Curfew. You are restricted to your residence everyday () 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 as pre-approved by the pretrial services office or supervising officer; or

() (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, court appearances pre-approved by the pretrial services office or supervising officer.

(X) (u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(X) (v) NOT ALLOWED TO TRAVEL TO DC EXCEPT FOR COURT

(X) (w) DEFT TO PAY FOR TREATMENT IF FINANCIALLY ABEL

() (x) _____

WHITE COPY-COURT

YELLOW-DEFENDANT

BLUE-U.S. ATTORNEY

PINK-U.S. MARSHAL

GREEN-PRETRIAL SERVICES

AO199C Rev. 4/91) Advice of Penalties

Page _____ of _____ Pages

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pretrial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of 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 shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall 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 shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

Acknowledgment of 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 to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

Directions to 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 judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: _____

Signature of Judicial Officer

U. S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CRIMINAL DOCKET FOR CASE #: 4:21-mj-00638-2
*Internal Use Only***

Case title: USA v. Laroca et al

Date Filed: 03/26/2021

Other court case number: 1:21mj0300 District of Columbia

Assigned to: Magistrate Judge Sam
S Sheldon

Defendant (2)

Christian Cortez

represented by **Federal Public Defender – Houston**
440 Louisiana
Ste 310
Houston, TX 77002
713-718-4600
Fax: 713-718-4610
Email: hou_ecf@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community
Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

Disposition

18 U.S.C. § 111(a) – (Assaulting a
Federal Officer) 18 U.S.C. §
231(a)(3) – (Civil Disorder); 18
U.S.C. § 1512(c)(2) – (Obstructing
an Official Proceeding); 18 U.S.C.
§ 1752(a)(1) and (2) – (Unlawfully

Entering Restricted Building to
 Disrupt Government); 40 U.S.C. §
 5104(e)(2) (D), (E), and (G) –
 (Disorderly or Disruptive Conduct
 on Restricted Grounds)

Plaintiff

USA

Date Filed	#	Page	Docket Text
03/26/2021	<u>1</u>	4	Copy of the Complaint and arrest warrants District of Columbia 1:21mj0300 as to Benjamin Larocca and Christian Cortez, filed.(kmurphy, 4) (Entered: 03/26/2021)
03/26/2021		17	Arrest (Rule 5) of Benjamin Larocca and Christian Cortez, filed. (kmurphy, 4) (Entered: 03/26/2021)
03/26/2021		16	***Set Hearings as to Benjamin Larocca and Christian Cortez: Initial Appearance – Rule 5 set for 3/26/2021 at 02:00 PM before Magistrate Judge Sam S Sheldon (kmurphy, 4) (Entered: 03/26/2021)
03/26/2021	<u>3</u>	18	ORDER APPOINTING FEDERAL PUBLIC DEFENDER. Federal Public Defender – Houston for Christian Cortez (Signed by Magistrate Judge Sam S Sheldon) Parties notified. (sjones, 4) (Entered: 03/27/2021)
03/26/2021		19	Minute Entry for proceedings held before Magistrate Judge Sam S Sheldon: INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Benjamin Larocca, Christian Cortez held on 3/26/2021. Defendant requests appointed counsel. #1,2 Financial Affidavit executed orally, 1,2. Order appointing Federal Public Defender. #2 Order of Temporary Detention Pending Hearing.#2. The case is UNSEALED. Deft #1 Unsecured Bond \$50,000. Deft #2 Detention/Probable Cause set for 3/29/21 at 2pm before Judge Stacy. Appearances:AUSA Alamdar Hamdani, FPD M. Meyers.(Digital # 2:02–2:21PM)(ERO:Yes) (Interpreter:No) Deft remanded to Custody, filed.(sjones, 4) (Entered: 03/27/2021)
03/26/2021	<u>4</u>	20	BRADY ORDER on Rule 5(f) as to Benjamin Larocca, Christian Cortez (Signed by Magistrate Judge Sam S Sheldon) Parties notified. (sjones, 4) (Entered: 03/27/2021)
03/26/2021	<u>5</u>	21	Order of Temporary Detention Pending Hearing as to Christian Cortez Preliminary Examination & Detention Hearing set for 3/29/2021 at 02:00 PM in by video before Magistrate Judge Frances H Stacy (Signed by Magistrate Judge Sam S Sheldon) Parties notified. (sjones, 4) (Entered: 03/27/2021)
03/29/2021		22	Minute Entry for proceedings held before Magistrate Judge Frances H Stacy: PRELIMINARY EXAMINATION & DETENTION HEARING as to Christian Cortez held on 3/29/2021 ; deft waived identity; probable cause determine ; bond given \$50,000.00. Appearances:J Lake f/fpd; A Hamdani f/ausa.(Court Reporter: F Warner)(Digital # 3:05–4:49) Deft continued on bond given, filed.(bwhite, 4) (Entered: 03/29/2021)

03/29/2021	<u>9</u>	23	Unsigned Bond Entered as to Christian Cortez ; \$50,000.00 unsecured., filed. (bwhite, 4) (Entered: 03/29/2021)
03/30/2021	<u>10</u>	28	Unredacted Bond Entered as to Christian Cortez, filed. (bwhite, 4) (Entered: 03/30/2021)
03/30/2021	<u>11</u>	33	UNREDACTED Bond Entered as to Christian Cortez, filed. (bwhite, 4) (Entered: 03/30/2021)