

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

ETHAN C. SEITZ

*Defendant*

) Case: 1:21-mj-00325  
 ) Assigned To : Meriweather, Robin M.  
 ) Assign. Date : 3/18/2021  
 ) 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) ETHAN C. SEITZ,

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;

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds;

40 U.S.C. § 5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 03/18/2021

2021.03.18

19:12:06 -04'00'

*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*Printed name and title*

## Return

This warrant was received on (date) 18 MAR 2021, and the person was arrested on (date) 19 MAR 2021  
at (city and state) Cuyahoga Ohio.Date: 19 MAR 2021*Arresting officer's signature*Special Agent John R. Minichello*Printed name and title*

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

ETHAN C. SEITZ

*Defendant*

) Case: 1:21-mj-00325  
 ) Assigned To : Meriweather, Robin M.  
 ) Assign. Date : 3/18/2021  
 ) Description: Complaint w/ Arrest Warrant  
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5:21MJ 1104

## ARREST WARRANT

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 (name of person to be arrested) ETHAN C. SEITZ,  
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Date: 03/18/2021

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19:12:06 -04'00'

*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, 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*

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

ETHAN C. SEITZ

DOB: 7/4/1989

*Defendant(s)*

Case: 1:21-mj-00325

Assigned To : Meriweather, Robin M.

Assign. Date : 3/18/2021

Description: Complaint w/ Arrest Warrant

5:21ms 1104

## 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*

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds  
 Without Lawful Authority,

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds  
 Without Lawful Authority,

40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,

40 U.S.C. § 5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

*Complainant's signature*

John Minichello, 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: 03/18/2021


2021.03.18

19:12:30 -04'00'

*Judge's signature*City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

*Printed name and title*

5:21 PM 1104

Case: 1:21-mj-00325  
Assigned To : Meriweather, Robin M.  
Assign. Date : 3/18/2021  
Description: Complaint w/ Arrest Warrant

### STATEMENT OF FACTS

Your affiant, John R. Minichello, is a Special Agent with the FBI and has served in that capacity since graduating from the basic agent training program at the FBI Academy in Quantico, Virginia in 2010. I am currently assigned to the FBI Cleveland Division. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am an "investigative or law enforcement officer" of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1).

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 are 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 Mike 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 Mike 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.

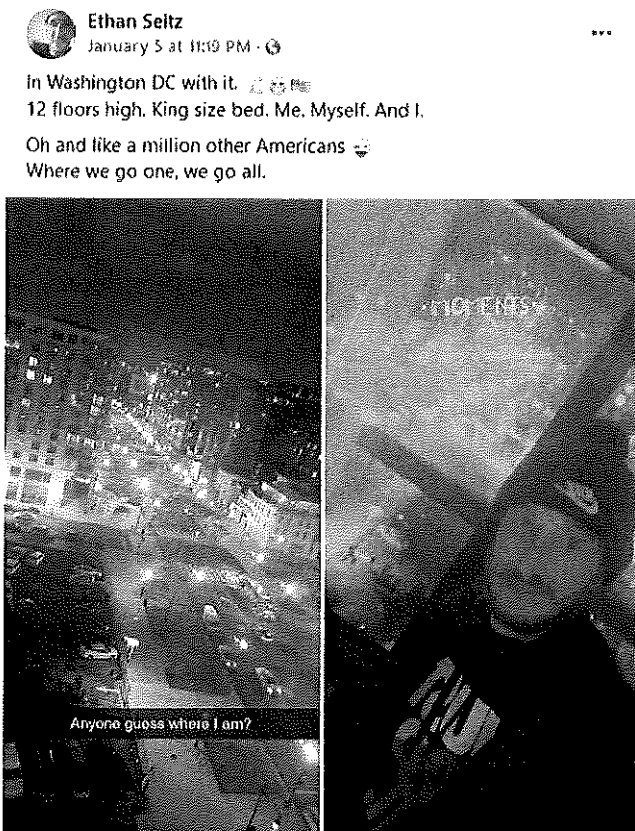
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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 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 13, 2021, two cooperating witnesses (“CW1” and “CW2”) reported to your affiant that Ethan SEITZ, an individual well known to both CW1 and CW2 who uses Facebook account ethan.seitz.3, participated in the protest at the Capitol on January 6, 2021. CW1 and CW2 were aware of SEITZ’s participation because SEITZ posted statements on Facebook account ethan.seitz.3 that he entered the Capitol building. CW1 and CW2 identified the ethan.seitz.3 Facebook account as associated with SEITZ. The ethan.seitz.3 Facebook account also includes photographs and videos, which appear to document SEITZ’s progress from the Capitol grounds through established police barricades, and into the Capitol building itself. CW1 and CW2 provided their information to your affiant voluntarily, without financial compensation or other enticement/inducement, and their reporting was corroborated through a review of publicly available information and law enforcement records.

On January 13, 2021, CW2 provided access to CW2’s Facebook account for your affiant. CW2’s Facebook account is in a “friend” status with ethan.seitz.3, which allows viewing of account content restricted to those in a “friend” status.

While viewing account ethan.seitz.3, your affiant observed statements made by the account user of ethan.seitz.3 on January 5, 2021, in which the user states they are “In Washington DC” and “Anyone guess where I am?” along with a photograph of Ethan SEITZ in what your affiant believes is a hotel room in the Washington, D.C., area.



During the review of Facebook account ethan.seitz.3, your affiant observed multiple video and image files which appear to have been taken using a cellular telephone. Some of these files captured events as the recording party moved with the crowd of rioters from the Capitol grounds, through a police barricade as it was overrun, and into the Capitol building.

Your affiant obtained a search warrant for Facebook account ethan.seitz.3. On or about February 12, 2021, Facebook provided records in response to that warrant, which contained messages between SEITZ and other individuals, in which SEITZ appears to describe some of his activities during the assault on the Capitol. The messages include references to being part of a group of people “pushing.” Other messages indicate that SEITZ and others came to Washington, D.C., to “stop the steal.” These communications include the following messages at the dates and times listed below:

Ethan Seitz to Cody Kissling

2021-01-06 17:48:21 (UTC)

There is a militia here that wants to storm the Capitol and take the building after Trumps speech 🇺🇸

Ethan Seitz to Rae Rue

2021-01-06 19:25:35 (UTC)

I'm goin in the capitol

Ethan Seitz to Rae Rue

2021-01-06 19:27:20 (UTC)

I just climbed in through a broken window

~~Ethan Seitz to Rae Rae~~

2021-01-06 20:03:52 (UTC)

I was inside the capitol and was smashed in a group of people. They fuckin pepper sprayed us and hit us with tear gas canisters inside the capitol building.

~~Ethan Seitz to Cynthia Seitz-Campbell~~

2021-01-06 20:03:52 (UTC)

I was inside upstairs in the capitol pushing with a group of people and they fuckin gassed us again. And pepper sprayed us

~~Ethan Seitz to Rae Rae~~

2021-01-06 20:03:57 (UTC)

I had to climb out a window. I couldnt breathe. I need a fuckin gas mask

~~Ethan Seitz to Cynthia Seitz-Campbell~~

2021-01-06 20:03:57 (UTC)

I had to climb out a window. Couldnt breath or see. Then someone doused my eyes with water

~~Ethan Seitz to Cody Kissling~~

2021-01-06 20:05:11 (UTC)

I climbed through a broken window of the capitol. We pushed and pushed bro. I've been gassed 2 or 3 times. And pepper sprayed. I had to climb back out I couldnt breath.

~~Ethan Seitz to Rae Rae~~

2021-01-07 0:06:30 (UTC)

Yeah I didnt really prepare for that. I didnt expect to be on the frontline storming the capitol and taking the building lol

~~Ethan Seitz to Cynthia Seitz-Campbell~~

2021-01-07 0:07:26 (UTC)

Yeah. My eyes are still burning. My ears are ringing from the flash bombs and shit. And my neck hurts cause I got hit with a night stick trying to pull a woman away from the cops as they were beating her

~~Ethan Seitz to Rae Rae~~

2021-01-07 0:16:49 (UTC)

Lol well I'm safe. I guess its whatever. First time I ever came to DC and I was right at the front of the charge into the capitol 🤔 seems fitting I suppose

~~Ethan Seitz to Brandon Kessinger~~

2021-01-07 0:38:41 (UTC)

But I did storm the fuckin capitol and climb in through a window. Got gassed and pepper sprayed. Flash bombs thrown at me. And fuckin rubber bullets shot at me.

~~Ethan Seitz~~

2021-01-07 1:56:37 (UTC)

I've been looking at all the news stories about DC today. The narrative is absolutely ridiculous. From someone who was here all day AND inside the capitol building at the very beginning. I promise you.. the fake news is trying to make it out to be a whole other thing. So are the corrupt politicians. The media is reporting it as an attempted coup. When the coup is already happening against Trump through a fraudulent election. The patriots in DC were here to show WE THE PEOPLE will not allow our country to be stolen! #StopTheSteal #MarchForTrump

Ethan Seitz to Cynthia Seitz Campbell

2021-01-07 2:41:49 (UTC)

Oh yeah idgaf dude. I pay taxes. That's mine and every other tax paying americans building. The federal government is run by WE THE PEOPLE. I didnt break no laws. I didnt destroy anything or hurt any body. I didnt even steal anything. Which was really hard for me. Lol

Ethan Seitz/Rae Rae

2021-01-07 18:16:27 (UTC)

Pretty much nothing once Trump is out of office. Pile guns and wait for the war to start

A search of video footage obtained by the FBI revealed a video file which shows SEITZ sitting immediately outside the Capitol at some point following the breach, apparently suffering from exposure to chemical irritants, and wearing clothing which is consistent with a description of himself that he posted to Facebook, which stated:

Ethan Seitz to Cody Kissling

2021-01-07 0:11:25 (UTC)

Blue nike coat. Red hoodie under it. Coat unzipped. Black nike hat.

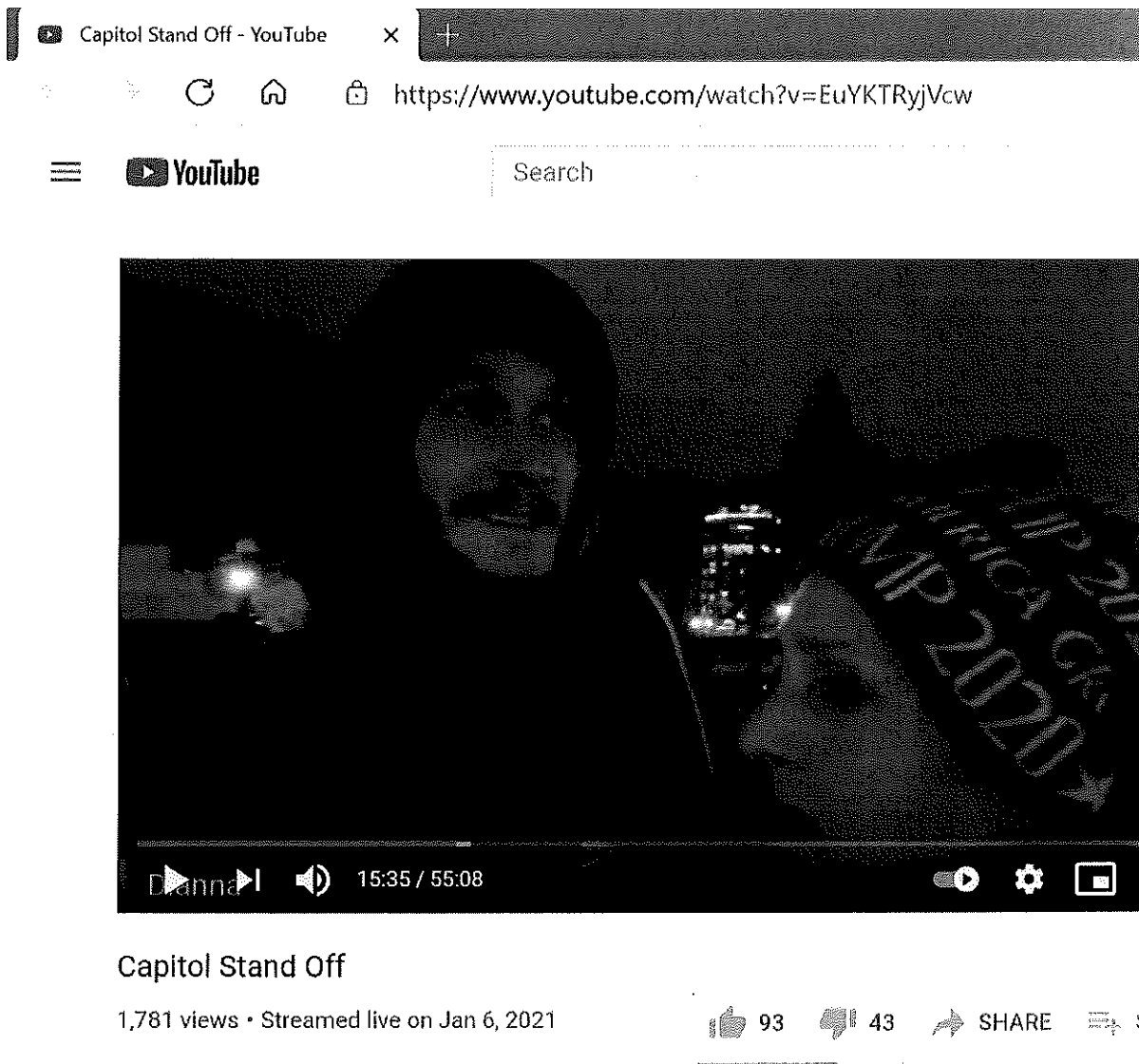
A still image from this video is pictured below:



In addition, your affiant reviewed a video posted to YouTube by a former radio host, D.P., in which she appears to interview SEITZ during the evening of January 6. In the interview, SEITZ gives his name, states that he entered the Capitol building, and describes how he was part of a group that rushed in and went across the Capitol building before encountering a door locked by the “cops” that his group pushed through in order to let rioters through another entrance. He also explains that he thought that the police resistance to the Capitol invasion was “disgusting” because the rioters were there because of “election integrity,” and because of his view that former President

Trump won the 2020 election. SEITZ also mentions that he drove seven hours to travel to Washington, D.C. According to law enforcement records, SEITZ lives in Sandusky, Ohio, which is approximately a seven-hour drive from Washington D.C.

Below is a screenshot from the video of SEITZ's interview with D.P.:



Your affiant has obtained an Ohio driver's license issued to SEITZ, and SEITZ's driver's license photograph is consistent with the individual who appears in photographs in the ethan.seitz3 Facebook account and YouTube video described above, as well as in the U.S. Capitol security footage described below.

Your affiant reviewed video footage from multiple internal U.S. Capitol security cameras, which appear to clearly depict SEITZ inside the Capitol rotunda and connecting hallways during

the invasion of the Capitol on January 6, 2021. The images of SEITZ in the video footage are recognizable not only when compared to his Ohio driver's license photograph, but they are also consistent with the clothing that SEITZ is wearing both in his interview with D.P., and also appear to match other images of SEITZ outside the Capitol described earlier in this affidavit. Below is a screenshot from the video with a red circle added to identify SEITZ:



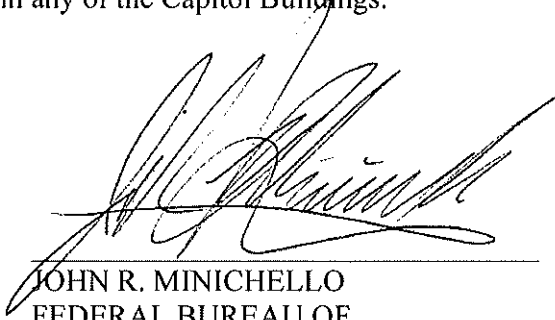
Based on the foregoing, your affiant submits that there is probable cause to believe that SEITZ violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to 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.

Your affiant submits there is also probable cause to believe that Ethan SEITZ violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



JOHN R. MINICHELLO  
FEDERAL BUREAU OF  
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 18<sup>th</sup> day of March 2021.



2021.03.18  
19:13:30 -04'00'

ROBIN M. MERIWEATHER  
U.S. MAGISTRATE JUDGE

AO 466A (Rev. 12/17) Waiver of Rule 5 &amp; 5.1 Hearings (Complaint or Indictment)

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

FILED

MAR 19 2021

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

United States of America

v.

Ethan Seitz  
DefendantCase No. 1:21-mj-00325Charging District's Case No. 1:21MJ1104WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) U.S. Dist. Ct.  
for the Dist. of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☒ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
- ☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: March 19, 2021Ethan Seitz / by Walter A. Ray  
Defendant's signatureWalter A. Ray  
Signature of defendant's attorney  
Printed name of defendant's attorney

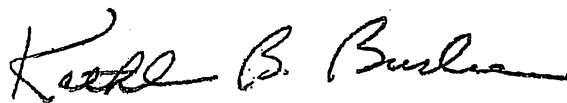
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, | ) | Case No. <u>5:21mj1104</u>         |
|                           | ) |                                    |
| Plaintiff,                | ) |                                    |
|                           | ) |                                    |
| vs.                       | ) | <u>DUE PROCESS PROTECTIONS ACT</u> |
|                           | ) | <u>NOTICE AND ORDER</u>            |
|                           | ) |                                    |
| <u>ETHAN C. SEITZ</u> ,   | ) |                                    |
|                           | ) |                                    |
| Defendant.                | ) | Magistrate Judge Kathleen B. Burke |

Pursuant to the Due Process Protections Act, the Court reminds the government of its obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), to disclose evidence favorable to the defendant and material to the defendant's guilt or punishment. The government is ordered to comply with *Brady* and its progeny. The failure to do so in a timely manner may result in consequences, including dismissal of the indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances.

IT IS SO ORDERED.

Approved: \_\_\_\_\_



**KATHLEEN B. BURKE**  
U.S. MAGISTRATE JUDGE

Date: 3/19/2021

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

United States of America )

v. )

Ethan C. Seitz )

Defendant )

Case No. 5:21 MJ 1104

FILED

MAR 19 2021

## APPEARANCE BOND

## Defendant's Agreement

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

I, Ethan C. Seitz (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ( ☒ ) to appear for court proceedings;  
 ( ☒ ) if convicted, to surrender to serve a sentence that the court may impose; or  
 ( ☒ ) to comply with all conditions set forth in the Order Setting Conditions of Release.

## Type of Bond

- ( ) (1) This is a personal recognizance bond.  
 ( ☒ ) (2) This is an unsecured bond of \$ 20,000.  
 ( ) (3) This is a secured bond of \$ \_\_\_\_\_, secured by:  
     ( ) (a) \$ \_\_\_\_\_, in cash deposited with the court.

- ( ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property  
*(describe the cash or other property, including claims on it — such as a lien, mortgage, or loan — and attach proof of ownership and value):*

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- ( ) (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety):*

## Forfeiture or Release of the Bond

*Forfeiture of the Bond.* This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

*Release of the Bond.* The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

### Declarations

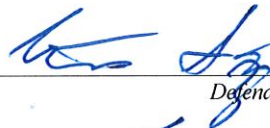
*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

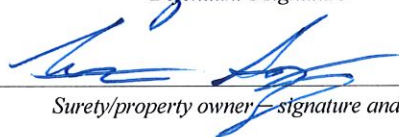
Date: 3/19/21



*Defendant's signature*



*Surety/property owner – printed name*



*Surety/property owner – signature and date*

*Surety/property owner – printed name*

*Surety/property owner – signature and date*

*Surety/property owner – printed name*

*Surety/property owner – signature and date*

CLERK OF COURT

Date: 3/19/21



*Signature of Clerk or Deputy Clerk*

Approved.

Date: 3/19/21



*Judge's signature*

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio**FILED****MAR 19 2021**CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

United States of America

v.

Ethan C. Seitz*Defendant*Case No. 5:21 MJ 1104**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: \_\_\_\_\_

*Place*

on \_\_\_\_\_

*Date and Time*

If blank, defendant will be notified of next appearance.

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

**ADDITIONAL CONDITIONS OF RELEASE**

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

( ☒ ) (7) The defendant must:( ☒ ) (a) submit to supervision by and report for supervision to the \_\_\_\_\_, telephone number 330-252-6219, no later than 3/22/2021.( ☐ ) (b) continue or actively seek employment and shall comply with the Northern District of Ohio Defendant/Offender Employment Policy which may include participation in training, education, counseling, and/or daily job search as directed by the pretrial services and probation officer. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be directed to perform up to 20 hours of community service per week until employed, as approved or directed by the pretrial services and probation officer.( ☐ ) (c) continue or start an education program.( ☐ ) (d) surrender any passport to: \_\_\_\_\_ and any travel related documents \_\_\_\_\_( ☒ ) (e) not obtain a passport or other international travel document.( ☐ ) (f) abide by the following restrictions on travel restricted to the Northern District of Ohio and/or \_\_\_\_\_( ☒ ) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: \_\_\_\_\_( ☐ ) (h) Undergo a psychiatric/mental health evaluation and/or counseling as directed by Pretrial Services. Take all medication as prescribed.( ☐ ) (i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_( ☐ ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.( ☒ ) (k) not possess a firearm, destructive device, or other weapon.( ☐ ) (l) not use alcohol ( ☐ ) at all ( ☐ ) excessively.( ☒ ) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.( ☒ ) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.( ☐ ) (o) Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer. Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release.( ☒ ) (p) 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.( ☐ ) (q) avoid all contact, directly or indirectly, with codefendants.( ☐ ) (r) \_\_\_\_\_

☐ participate in one of the following location restriction programs and comply with its requirements as directed.

- ☐ Participate in the **Curfew** component of the location monitoring program and abide by all requirements of the program which will include:
- ☐ Location monitoring technology at the discretion of the officer
  - ☐ Radio Frequency (RF) Monitoring
  - ☐ Passive GPS Monitoring
  - ☐ Active GPS Monitoring (to include hybrid GPS)

You shall pay the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.  
Curfew: the defendant is restricted to their residence every day from to, or as directed by Pretrial Services.

- ☐ Participate in the **Home Detention** component of the location monitoring program and abide by all Requirements of the program which will include:
- ☐ Location monitoring technology at the discretion of the officer
  - ☐ Radio Frequency (RF) Monitoring
  - ☐ Passive GPS Monitoring
  - ☐ Active GPS Monitoring (to include hybrid GPS)

You shall pay the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.  
Home Detention: The defendant is restricted to their 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 Pretrial Services.

- ☐ Participate in the **Home Incarceration** component of the location monitoring program and abide by all requirements of the program which will include:
- ☐ Location monitoring technology at the discretion of the officer
  - ☐ Radio Frequency (RF) Monitoring
  - ☐ Passive GPS Monitoring
  - ☐ Active GPS Monitoring (to include hybrid GPS)

You shall pay the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.  
Home Incarceration: The defendant is restricted to their residence at all times except for medical needs or treatment, religious services, attorney visits, and court appearances pre-approved by Pretrial Services.

- ☐ Participate in **Stand Alone Monitoring** - The defendant shall be monitored by the form of location monitoring indicated below which shall be utilized for the purpose of verifying compliance with any court imposed condition of supervision.
- ☐ Location monitoring technology at the discretion of the officer
  - ☐ Radio Frequency (RF) Monitoring
  - ☐ Passive GPS Monitoring
  - ☐ Active GPS Monitoring (to include hybrid GPS)

You shall pay the costs of participation in the location monitoring program, based upon your ability to pay as directed by the pretrial services and probation officer.

☐ participate in cognitive behavioral program as instructed by the pretrial services and probation officer.

☐ **Prohibition on Access to Computer/Internet:** The defendant is prohibited from accessing any computer, Internet Service Provider, bulletin board system or any other public or private computer network or the service at any location \* (including employment or education) without prior written approval of the U.S. Pretrial Services and Probation Office or the Court. Any approval shall be subject to any conditions set by the U.S. Pretrial Services and Probation Office or the Court with respect to that approval. Any computer found is subject to seizure and/or search. A search will not be conducted prior to approval of the Court.

☐ **Computer/Internet Access Permitted:** The defendant shall consent to the U.S. Pretrial Services and Probation Office conducting periodic unannounced examinations of his/her computer system(s), which may include retrieval and copying of all memory from hardware/software and/or removal of such system(s) for the purpose of conducting a more thorough inspection and will consent to having installed on his/her computer(s), at his/her expense, any hardware/software to monitor his/her computer use or prevent access to particular materials. The defendant hereby consents to periodic inspection of any such installed hardware/software to insure it is functioning properly. The defendant shall provide the U.S. Pretrial Services and Probation Office with accurate information about his/her entire computer system (hardware/software); all passwords used by him/her; and his/her Internet Service Provider(s); and will abide by all rules of the Computer Restriction and Monitoring Program.

☐ **Computer/Internet Restrictions:** The defendant is prohibited from accessing any on-line computer service at any location (including employment or education) without prior written approval of the U.S. Pretrial Services and Probation Office or the Court. This includes any Internet Service Provider, bulletin board system or any other public or private computer network. Any approval shall be subject to conditions set by the U.S. Pretrial Services and Probation Office or the Court with respect to that approval.

The defendant shall consent to the U.S. Pretrial Services and Probation Office conducting periodic unannounced examinations of his/her computer system(s), which may include retrieval and copying of all memory from hardware/software and/or removal of such system(s) for the purpose of conducting a more thorough inspection and will consent to having installed on his/her computer(s), at the defendant's expense, any hardware/software to monitor his/her computer use or prevent access to particular materials. The defendant hereby consents to periodic inspection of any such installed hardware/software to insure it is functioning properly.

The defendant shall provide the U.S. Pretrial Services and Probation Office with accurate information about the defendant's entire computer system (hardware/software); all passwords used by him/her; and the defendant's Internet Service Provider(s); and will abide by all rules of the Computer Restriction and Monitoring Program.

☐ **No Contact with Minors:** The defendant shall not associate or have verbal, written, telephone, or electronic communication with any person under the age of 18 except in the presence of the parent or legal guardian of said minor. This provision does not encompass persons under the age of 18, such as waiters, cashiers, ticket vendors, etc., with whom the defendant must deal in order to obtain ordinary and usual commercial services.

The defendant shall not frequent or loiter within 1000 feet of schoolyards, playgrounds, theme parks, arcades, swimming pools, skating rinks, toy stores and other places where persons under the age of 18 play, congregate, or gather, without the prior express written approval of the U.S. Pretrial Services and Probation Office.

The defendant shall not seek, obtain or maintain any employment, volunteer work, church or recreational activities involving minors (persons under the age of 18) in any way without the prior express written approval of the U.S. Pretrial Services and Probation Office.

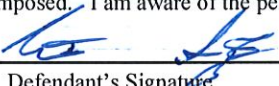
**TO THE DEFENDANT:**

**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.

**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 surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Defendant's Signature

Bucyrus Ohio  
City and State:

419-631-7703  
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 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:

3/19/21

  
Judicial Officer's Signature

KATHLEEN B. BURKE, U.S. Magistrate Judge  
Printed name and title

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Termed

**U.S. District Court  
Northern District of Ohio (Akron)  
CRIMINAL DOCKET FOR CASE #: 5:21-mj-01104-KBB All Defendants**

Case title: United States of America v. Seitz

Date Filed: 03/19/2021

Date Terminated: 03/19/2021

Assigned to: Magistrate Judge Kathleen B.  
Burke

**Defendant (1)****Ethan C. Seitz*****TERMINATED: 03/19/2021***

represented by **Nathan A. Ray**  
Burdon & Merlitti  
Ste. 201  
137 South Main Street  
Akron, OH 44308  
330-253-7171  
Fax: 330-253-7174  
Email: [burdon-merlitti@neo.rr.com](mailto:burdon-merlitti@neo.rr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*  
*Bar Status: Active*

**Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

18:1752(a)(1) - Knowingly Entering or  
Remaining in any Restricted Building or  
Grounds Without Lawful Authority;

**Disposition**

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Grounds Without Lawful Authority; 40:  
5104(e)(2)(D) and 40: 5104(e)(2)(G) -  
Violent Entry and Disorderly Conduct on  
Capitol Grounds

## Plaintiff

**United States of America**

represented by **Jerome J. Teresinski**  
Office of the U.S. Attorney - Cleveland  
Northern District of Ohio  
Ste. 400  
801 Superior Avenue, W  
Cleveland, OH 44113  
216-663-1961  
Fax: 216-522-4041  
Email: [Jerome.Teresinski2@usdoj.gov](mailto:Jerome.Teresinski2@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*  
*Bar Status: Govt*

Email All Attorneys

Email All Attorneys and Additional Recipients

| Date Filed | #                        | Docket Text  |
|------------|--------------------------|--|
| 03/19/2021 |                          | Arrest (Rule 40) of Ethan C. Seitz (1) on 3/19/2021. (P,G) (Entered: 03/19/2021)   |
| 03/19/2021 | <u><a href="#">1</a></u> | Rule 40 Warrant received as to Ethan C. Seitz (1) (Attachments: # <u><a href="#">1</a></u> Criminal Complaint, # <u><a href="#">2</a></u> Statement of Facts)(P,G) (Entered: 03/19/2021)   |
| 03/19/2021 |                          | CJA 20 Appointment of Attorney Nathan A. Ray for Ethan C. Seitz. Counsel is reminded of their obligation to report significant changes in defendant's employment or financial circumstances sufficient to enable defendant to pay, in whole or in part, for legal representation. CJA Plan, Part IV (D)(2). Magistrate Judge Kathleen B. Burke on 3/19/2021. (P,G) (Entered: 03/19/2021)   |
| 03/19/2021 |                          | <b>Minutes of proceedings</b> [non-document] before Magistrate Judge Kathleen B. Burke. Initial Appearance in Rule 5(c)(3) Proceedings as to Ethan C. Seitz (1) held on 3/19/2021. All parties appeared via video conference. AUSA Jerome Teresinski present for the government. Attorney Nathan Ray present and appointed for the defendant. Defendant consented to participating via video conference, with no objection from defense counsel or government. Government is not seeking detention and does not object to a bond with conditions. Defendant is released on a \$20,000.00 unsecured bond with conditions. Defendant waives identity hearing. Defendant waives preliminary hearing in this district. An initial appearance is scheduled via Zoom in District of Columbia on Wednesday, March 24th at 1:00 pm. An oral motion to extend the speedy trial date till March 24th was granted. (Court Reporter ECRO: J. Topalovic; Pretrial Officer: Travis Jennings) Time: 30 minutes. (P,G) (Entered: 03/19/2021) |
| 03/19/2021 | <u><a href="#">2</a></u> | <b>Due Process Protections Act Notice and Order:</b> Pursuant to the Due Process Protections Act, the Court reminds the government of its obligations under Brady v. Maryland, 373 U.S. 83 (1963), to disclose evidence favorable to the defendant and material to the defendant's   |

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|            |                   |  |
|------------|-------------------|--|
|            |                   | indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances. Magistrate Judge Kathleen B. Burke on 3/19/2021. (P,G) (Entered: 03/19/2021)  |
| 03/19/2021 | <a href="#">3</a> | CJA 23 Financial Affidavit by Ethan C. Seitz (1). Magistrate Judge Kathleen B. Burke on 3/19/2021. (P,G) (Entered: 03/19/2021)   |
| 03/19/2021 | <a href="#">4</a> | Waiver of Rule 5(c)(3) Hearing by Ethan C. Seitz (1). (P,G) (Entered: 03/19/2021)  |
| 03/19/2021 | <a href="#">5</a> | Appearance Bond Entered as to Ethan C. Seitz (1) in amount of \$ 20,000, unsecured. (P,G) (Entered: 03/19/2021)  |
| 03/19/2021 | <a href="#">6</a> | <b>Order</b> Setting Conditions of Release. Magistrate Judge Kathleen B. Burke on 3/19/2021. (P,G) (Entered: 03/19/2021)   |
| 03/19/2021 |                   | Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Ethan C. Seitz (1). Your case number is: 1:21mj325. Using your PACER account, you may retrieve the docket sheet and any text-only entry via the case number link. The following document link(s) is also provided: <a href="#">4</a> Waiver of Rule 5(c)(3) Hearing, <a href="#">3</a> Financial Affidavit - CJA23, <a href="#">5</a> Bond, <a href="#">2</a> Order,, <a href="#">6</a> Order Setting Conditions of Release. If you require certified copies of any documents, please send a request to ohndml_InterDistrictTransfer@ohnd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov. (P,G) (Entered: 03/19/2021) |