

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

UNITED STATES OF AMERICA :
 :
 v. : **CASE NO. 21-MJ-90 (ZMF)**
 :
 GINA BISIGNANO, :
 Defendant. :

**MOTION FOR BENCH WARRANT AND TO
STAY ANY RELEASE ORDER**

The United States of America requests that the Court issue a bench warrant for the defendant, Gina Bisignano, and order the Magistrate Judge in the U.S. District Court for the Central District of California to stay any release order in this case until the Chief Judge of this Court—the Court in which the criminal complaint was issued—has a chance to review it.

Yesterday, January 19, 2021, the defendant was arrested on a criminal complaint issued by a U.S. Magistrate Judge of this Court, charging the defendant with multiple felony offenses arising from the January 6, 2021, insurrection at the U.S. Capitol. The complaint charges the defendant with corruptly endeavoring to obstruct the Joint Session of Congress meeting to affirm the Electoral College’s vote in the Presidential Election—that is, inciting rioters to storm the Capitol to stop the Joint Session; aiding and abetting the destruction of property—that is, inciting the smashing of windows through which rioters stormed the Capitol; attempting to interfere with law enforcement engaged in official duties arising from civil disorder—that is, inciting rioters to surge through a line of U.S. Capitol Police officers to stop rioters from storming the Capitol; and other offenses. Upon the defendant’s arrest, an unregistered firearm was found in her apartment. The defendant admitted it belonged to her and claimed that she intended to register it.

The defendant was promptly presented to a Magistrate in the Central District of California (CDCA). The government moved for detention under 18 U.S.C. § 3142(f)(1)(A). The Magistrate

denied the government's motion, ordered the defendant released on conditions, and scheduled a preliminary hearing for February 4, 2021. The government informed the Magistrate that we intended to appeal the detention decision and asked that the release order be stayed. The Magistrate refused. The government promptly contacted the Chief Judge of this Court and requested an emergency stay. The Chief Judge swiftly issued orders staying the defendant's release and directing that the U.S. Marshals Service (USMS) transport the defendant to this District forthwith for a detention hearing.

The government promptly transmitted the Chief Judge's orders to CDCA, USMS, and the Pretrial Services Agency (PSA), but it was too late—the defendant was released. The government apprised the defendant's counsel about the orders and PSA directed that she self-surrender this morning. Through her attorney, the defendant refuses to self-surrender, contending that the stay order is moot, because she has been released, and that the forthwith transportation order is invalid because she has not waived a preliminary hearing in the district of presentment, CDCA.

To preserve the government's right to appeal a Magistrate's release order and the Chief Judge of this Court's authority to review it, the government moves this Court to issue a bench warrant for the defendant's arrest and an order directing the Magistrate to stay any release order until the Chief Judge of this Court has an opportunity to review it. A proposed order is attached.

Respectfully submitted,

MICHAEL SHERWIN
ACTING UNITED STATES ATTORNEY

_____/s/_____
KIMBERLY L. PASCHALL
Assistant United States Attorney
D.C. Bar 1015665
U.S. Attorney's Office
555 4th Street, N.W., Room 4116
Washington, D.C. 20530202-
252-2650
Kimberly.Paschall@usdoj.gov

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ORDER

Upon consideration of the Government's Motion for Bench Warrant and to Stay any Release Order,

It is this _____ day of January, 2021,

ORDERED, that the Motion for a Bench Warrant is hereby **GRANTED** and the defendant's arrest shall be effected forthwith; and

ORDERED that any release order in the United States District Court for the Central District of California be stayed pending an appeal to the Chief Judge of this Court.

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