

AO 442 (Rev. 11/11) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Christopher Raphael Spencer

AKA: Chris Spencer

Case No.

*Defendant*

## 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) Christopher Raphael Spencer,  
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:

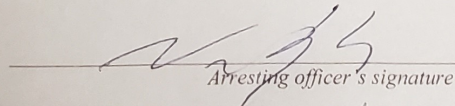
18 U.S.C. 1752 (a)(1)-(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

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

18 U.S.C. 1512(c)(2) - Obstruction of Justice.

Date: 01/18/20212021.01.18 21:37:23  
-05'00'*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) 1/18/2021, and the person was arrested on (date) 1/19/2021  
at (city and state) Winston Salem, NC.Date: 1/19/2021  
*Arresting officer's signature*Norman G. Kuylen SA FBI  
*Printed name and title*



## UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

FILED  
in the Middle District of  
North CarolinaJanuary 19, 2021  
9:17 pmClerk, US District Court  
By: \_\_\_\_\_ kg \_\_\_\_\_

United States of America

v.

CHRISTOPHER RAPHAEL SPENCER

*Defendant*

Case No. 1:21mj26

Charging District's Case No.

**WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* District 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 within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- X an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- X ~~an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that these hearings 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: January 19, 2021/s/ Christopher Raphael Spencer by affirmation in open court*Defendant's signature*/s/ Jay Hardin Ferguson by affirmation in open court*Signature of defendant's attorney*

Jay Hardin Ferguson

*Printed name of defendant's attorney*

## UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

FILED  
in the Middle District of  
North CarolinaJanuary 19, 2021  
6:20 pmClerk, US District Court  
By: \_\_\_\_\_ kg \_\_\_\_\_

United States of America )

v. )

CHRISTOPHER RAPHAEL SPENCER )

Defendant )

Case No. 1:21mj26

## 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: \_\_\_\_\_ as directed  
Place

on \_\_\_\_\_ as directed  
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

- ( X ) (7) The defendant must:

- ( X ) (a) submit to supervision by and report for supervision to the United States Probation Supervising Officer ("USPO") ,

telephone number \_\_\_\_\_, as directed, including by calling the USPO once per week .

- ( ) (b) continue or actively seek employment.

- ( ) (c) continue or start an education program.

- ( ) (d) surrender any passport to: \_\_\_\_\_

- ( ) (e) not obtain a passport or other international travel document.

- ( X ) (f) abide by the following restrictions on personal association, residence, or travel: Travel restricted to the Middle District of North Carolina unless for scheduled court hearings, scheduled consultation with an attorney, or scheduled USPO appointments.

- ( ) (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) get medical or psychiatric treatment: \_\_\_\_\_

- ( ) (i) return to custody each \_\_\_\_\_ a  
t \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment,  
or the following purposes: \_\_\_\_\_ schooling,

- ( ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- ( X ) (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. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- ( ) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- ( X ) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

( ) (i) **Curfew.** You are restricted to your residence every day ( ) from \_\_\_\_\_ t \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or

( X ) (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 approved in advance by the pretrial services office or supervising officer; or

( ) (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities, court appearances, scheduled attorney visits, or other activities specifically approved by the court.

- ( X ) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

( X ) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- ( X ) (r) 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.

- ( X ) (s) See attached Additional Release Conditions



### ADDITIONAL RELEASE CONDITIONS

The defendant must stay away from and have no contact with Washington, D.C., unless for scheduled court hearings, scheduled consultation with an attorney, or scheduled United States Probation Officer appointments.

The defendant must advise his supervising United States Probation Officer prior to any travel within the United States outside of the Middle District of North Carolina.

The defendant must not travel outside of the continental United States without prior Court approval.

The defendant must participate in all future proceedings as directed.

The defendant must not attempt to interfere with or improperly influence any person who may be a witness to the events of January 6, 2021.

The defendant must report virtually at 1:00 p.m. on January 25, 2021, using the following Instructions for Virtual Reporting, and should log in by 12:50 p.m. to secure a connection:

Join ZoomGov Meeting

<https://uscourts-dcd.zoomgov.com/j/1600140355?pwd=VTlkQ0ZEVMJOTVN3bmUwS05nZndZQT09>

Meeting ID: 160 014 0355

Passcode: 634244

One tap mobile

+16692545252,,1600140355#,,,,,0#,,634244# US (San Jose)

+16468287666,,1600140355#,,,,,0#,,634244# US (New York)

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

Meeting ID: 160 014 0355

Passcode: 634244

Find your local number: <https://uscourts-dcd.zoomgov.com/u/aINbEloTB>

Join by SIP

[1600140355@sip.zoomgov.com](mailto:1600140355@sip.zoomgov.com)

**ADDITIONAL RELEASE CONDITIONS**

Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

Meeting ID: 160 014 0355

Passcode: 634244

**ADVICE OF PENALTIES AND SANCTIONS**

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.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a 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 will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will 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 will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the 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.

*Attested to on Open Court by the Defendant*  
 Defendant's Signature

\_\_\_\_\_  
 City and State

**Directions to the United States Marshal**

- ( X ) 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: January 19, 2021

*[Signature]*  
 Judicial Officer's Signature

L. Patrick Auld, U.S. Magistrate Judge

Printed name and title

**U.S. District Court  
North Carolina Middle District (NCMD)  
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00026-LPA All Defendants**

Case title: USA v. SPENCER  
Other court case number: X:21mjXX District of Columbia

Date Filed: 01/19/2021  
Date Terminated: 01/19/2021

Assigned to: MAG/JUDGE L. PATRICK  
AULD

**Defendant (1)**

**CHRISTOPHER RAPHAEL SPENCER**

*TERMINATED: 01/19/2021*

*also known as*

**CHRIS SPENCER**

*TERMINATED: 01/19/2021*

represented by **JAY HARDIN FERGUSON**  
**THOMAS FERGUSON & MULLINS, L**  
**.L. P.**  
**119 E. MAIN ST.**  
**DURHAM, NC 27701**  
**919-682-5648**  
**Fax: 919-688-7251**  
**Email: ferguson@tfblawyers.com**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
**Designation: CJA Appointment**

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

Rule 5 Arrest

**Disposition**

**Plaintiff**

**USA**

represented by **GRAHAM TOD GREEN**  
**U. S. ATTORNEY'S OFFICE**  
**251 N. MAIN ST., STE. 726**



WINSTON-SALEM, NC 27101  
 336-631-5268 x3003  
 Fax: 336-631-5049  
 Email: graham.green@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: United States Attorney*

Date Filed	#	Docket Text
01/19/2021		Arrest (Rule 5) of CHRISTOPHER RAPHAEL SPENCER (Garrett, Kim) (Entered: 01/19/2021)
01/19/2021		Minute Entry for proceedings held before MAG/JUDGE L. PATRICK AULD:INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to CHRISTOPHER RAPHAEL SPENCER held on 1/19/2021. AUSA Graham Green. Defendant advised of rights and charges. Defendant confirmed financial was correct and requested court appointed counsel. Attorney Jay Ferguson present and appointed. Government not requesting detention. Defendant released to appear as directed. Oral Notice given of the Due Process Protections Act 2020. Proceedings recorded. (Garrett, Kim) (Entered: 01/19/2021)
01/19/2021	<u>1</u>	<b>SEALED</b> FINANCIAL AFFIDAVIT by CHRISTOPHER RAPHAEL SPENCER. (Garrett, Kim) (Entered: 01/19/2021)
01/19/2021	<u>2</u>	WAIVER of Rule 5(c)(3) Hearing by CHRISTOPHER RAPHAEL SPENCER (Garrett, Kim) (Entered: 01/19/2021)
01/19/2021	<u>3</u>	ORDER appointing CJA Panel Attorney JAY HARDIN FERGUSON to CHRISTOPHER RAPHAEL SPENCER. Signed by MAG/JUDGE L. PATRICK AULD on 1/19/21. (Garrett, Kim) (Entered: 01/19/2021)
01/19/2021	<u>4</u>	<b>ORDER Setting Conditions of Release</b> for CHRISTOPHER RAPHAEL SPENCER. Signed by MAG/JUDGE L. PATRICK AULD on 1/19/21. (Garrett, Kim) (Entered: 01/19/2021)
01/20/2021	<u>5</u>	Notice to District of Columbia of a Rule 5, Rule 32, or Rule 40 Appearance as to CHRISTOPHER RAPHAEL SPENCER. Docket sheet and documents attached. (If you require certified copies of any documents, please send a request to interdistrict_NCMD@ncmd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (Garland, Leah) (Entered: 01/20/2021)

PACER Service Center			
Transaction Receipt			
02/09/2021 15:00:24			
<b>PACER Login:</b>	BrittanyBryant:6635828:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:21-mj-00026-LPA
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10
<b>Exempt flag:</b>	Exempt	<b>Exempt reason:</b>	Always

**PACER fee: Exempt**