

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
Craig Michael Bingert

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) Craig Michael Bingert,
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 USC 231(a)(3) Certain Acts During Civil Disorder

Handwritten signature and stamp, 2021.01.18 09:36:23 -05'00'

Date: 01/18/2021

Issuing officer's signature

City and state: Washington D.C.

Zia M. Faruqui, 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) 1/18/2021
at (city and state) Philadelphia, PA

Date: 1/20/2021

Handwritten signature and title: Special Agent John Murray

Arresting officer's signature

Printed name and title

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

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Craig Michael Bingert

Defendant

Case No. 21-83-M

Charging District's Case No. 21-104-M

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 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:

- [X] an identity hearing and production of the warrant.
[X] 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: 1/19/2021

Craig Bingert
Defendant's signature
Signature of defendant's attorney
Richard J. Fuschino
Printed name of defendant's attorney

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

**UNITED STATES DISTRICT COURT**

for the

EASTERN District of PENNSYLVANIA

United States of America

v.

CRAIG MICHAEL BINGERT

*Defendant*

)  
)  
)  
)  
)

Case No. 21-83-M

Charging District: District of Columbia

Charging District's Case No. 21-104-M

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: TBD	Courtroom No.: TBD
	Date and Time: TBD

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: January 19, 2021

/s/ ELIZABETH T. HEY

*Judge's signature*

ELIZABETH T. HEY, U.S.M.J.

*Printed name and title*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**BAIL STATUS AND ORDER**

<input type="checkbox"/> Interpreter Needed	:	DATE: January 19, 2021
	:	
Date of Arrest 1/19/2021	:	HEARING TYPE: Rule 5 IA/PC/PTD
	:	ESR OPERATOR: Suzanne White
UNITED STATES OF AMERICA	:	AUSA Ronald Sarachan
	:	
v	:	Mag No. 21-83
CRAIG MICHAEL BINGERT	:	
	:	Richard J. Fuschino, Jr., Esquire
	:	<input type="checkbox"/> CJA Apptd.
	:	<input checked="" type="checkbox"/> Retained
	:	<input type="checkbox"/> Defenders' Assn. Apptd.
	:	
	:	

After hearing held this day pursuant to the Federal Rules of Criminal Procedure, or after hearing pursuant to government's motion, the bail status as to the above-named defendant is as follows:

The Government's Motion for Temporary Detention is Granted. A detention hearing are scheduled for

For the reasons stated in open court, the Defendant stipulated to  probable cause and/or  pretrial detention.

The Government's Motion for Pretrial Detention is Granted.

The Government's Motion for Pretrial Detention is Denied. The court finds that the attached conditions of release will reasonably assure the defendant's appearance in court and the safety of the community.

See attached Conditions of Release Order.

The Government and Defense have agreed to conditions of release.

See attached Conditions of Release Order.

Other: For the reasons stated in open court, the Defendant stipulated to identity. Per counsel, Brady Warning to be given by the court in Washington D.C.

*AFTER A HEARING, PROBABLE CAUSE WAS FOUND BY THE COURT.*

*PLEA: NOT GUILTY TO ALL COUNT(S). Counsel have 14 days to file pretrial motions.*

BY:

/s/ ELIZABETH T. HEY

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ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE

**TIME IN COURT 20 minutes**  
(Form Revised October, 2020)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL  
 :  
 :  
 v. :  
 :  
 : NO. 21-83-M  
 :  
 :  
 \_\_\_\_\_ :  
 Craig Michael Bingert

CONDITIONS OF RELEASE ORDER

**BAIL**

Defendant is **released on bail** in the amount of: \$ 25,000

**O/R**

**cash**

**secured by:**

% cash

property at:

**Clerk's office requirements are not waived.** Execute an Agreement to Forfeit the Property stated above with a copy of the deed as indicia of ownership.

**PRETRIAL SERVICES**

Defendant shall report to Pretrial Services:  
 **as directed** by Pretrial Services.  
 times per week **in person**.  
 1 times per week **via telephone**.

Defendant shall attend mental health services under the guidance and supervision of Pretrial Services.

Defendant shall submit to **random drug testing** as directed by Pretrial Services.

Defendant shall refrain from excessive use of alcohol or from any use of a narcotic drug or other controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802, without a prescription by a licensed medical practitioner.

Defendant shall undergo **drug/alcohol treatment** if necessary as determined by Pretrial Services.

Defendant shall submit to **location monitoring** at the following address:

\_\_\_\_\_

\_\_\_\_\_ This Court, based upon evidence that Defendant has adequate financial resources, finds that he/she shall pay all or part of the cost of the court-ordered monitoring program, in an amount to be specified by Pretrial Services.

\_\_\_\_\_ **Curfew.** You are restricted to your residence every day from \_\_\_\_\_ to \_\_\_\_\_, during which electronic monitoring will be in place, or as directed by the pretrial services office or supervising officer.

\_\_\_\_\_ **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;

\_\_\_\_\_ **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

**PASSPORT**

Defendant shall surrender and/or refrain from obtaining a **passport**.

**TRAVEL**

Travel is restricted to the **Eastern District of Pennsylvania**.

\_\_\_\_\_ Travel is restricted to the \_\_\_\_\_.

Unless prior permission is granted by Pretrial Services.  
Defendant cannot enter Washington, D.C. except for court hearings, pretrial services, or meetings with his attorney.

**FIREARMS**

Defendant shall surrender and/or refrain from obtaining any firearms. Any other firearms in any premises where the defendant resides while on supervised release must be removed from the premises and no firearms are to be brought into the premises during this period. The defendant shall execute a completed Prohibition on Possession of Firearms Agreement.

**MISCELLANEOUS**

Defendant shall have no contact with **co-defendants, potential witnesses** in this case, or individuals engaged in any **criminal activity**.

\_\_\_\_\_ Defendant must maintain present **employment**.

\_\_\_\_\_ Defendant must **actively seek** gainful employment.

\_\_\_\_\_ Defendant shall undergo a **mental competency evaluation**.

\_\_\_\_\_ Defendant must reside:

**at:** \_\_\_\_\_

**with:** \_\_\_\_\_

**COMPUTERS/INTERNET**

\_\_\_\_\_ The Defendant is subject to the following computer/internet restrictions which are to be monitored by U.S. Pretrial Services and may include manual inspection, use of minimally invasive internet detection devices, and/or installation of computer monitoring software to insure compliance with the imposed restrictions.

\_\_\_\_\_ **No computer:** The Defendant is prohibited from possession and/or use of any computers and connected devices.

\_\_\_\_\_ **Computer, no internet access:** The Defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (as World Wide Web, FTP sites, IRC servers, instant messaging).

\_\_\_\_\_ **Computer with internet access:** The Defendant is permitted use of computers or connected devices, is permitted access to the internet for legitimate purposes, and is responsible for any fees connected with the installation and use of monitoring software.

\_\_\_\_\_ **Other Residents:** By consent of other residents, all computers located at the address of record shall be subject to inspection to insure the equipment is password protected.

\_\_\_\_\_ **Other Restrictions:**

**OTHER CONDITIONS:**

As a further condition of release, defendant shall not commit a Federal, State, or local crime during the period of release. The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than 10 years, if the offense is a felony; or a term of imprisonment of not more than 1 year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Any violation of the conditions of release may result in revocation of bail and imprisonment pending trial. Defendant and his counsel shall attend a virtual magistrate court hearing for the U.S. District Court for the District of Columbia on January 22, 2021 at 1:00 p.m. by going to the web address provided by the government.

\_\_\_\_\_  
/s/ Michael Miller  
AUSA

\_\_\_\_\_  
/s/ Richard Fuschino  
DEFENSE ATTORNEY

It is so ORDERED this 19th day of January, 2021.

BY THE COURT:

\_\_\_\_\_  
/s/ Elizabeth T. Hey

UNITED STATES MAGISTRATE/DISTRICT JUDGE



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **MAGISTRATE**  
v. :  
**CRAIG MICHAEL BINGERT** : **NO. 21-83-M**

**PROHIBITION ON POSSESSION OF FIREARM(S) AGREEMENT**

The District Court, as a condition of your release pending judicial proceedings, has ordered that you refrain from possessing a firearm. This condition expressly prohibits you from carrying a firearm or possessing a firearm inside your residence, place of temporary occupancy or vehicle. If you own or possess a firearm(s), you must lawfully transfer or sell the firearm(s) in accordance with the procedure outline below. Failure to abide by this condition may result in the revocation of your release and the filing of additional charges for violating federal firearms laws, including, but not limited to, possession of a firearm by a person under indictment.

In order to lawfully transfer or sell any firearm as required as a condition of release, you or your designee must take the following three steps:

1. Take or cause the firearm(s) to be taken to a federal firearms licensee (FFL) located within the confines of the Eastern District of Pennsylvania. A list of federal firearms licensees operating in the Eastern District of Pennsylvania will be provided to you. The firearm must be transported to the federal firearms licensee in accordance with Pennsylvania law. Pennsylvania law requires that an unloaded firearm be placed in a box and secured in the trunk of vehicle during transport to the premises of the federal firearms licensee.
2. If you sell the firearm to the federal firearms licensee, obtain a dated receipt identifying the firearm by manufacturer, model, caliber and serial number. If you transfer the firearm to a third person, the federal firearms licensee will complete an ATF Form 4473 as required by federal law. This form records the transfer of the firearm from the federal firearms licensee to the third party receiving the firearm. The third party receiving the firearm must request and obtain a photocopy of the ATF Form 4473 from the federal firearms licensee. You should then obtain a copy of the ATF Form 4473 from the third party.
3. Within 72 hours of your release, provide Pre-Trial Services with either a copy of the receipt of sale to the federal firearms licensee or a copy of the

ATF Form 4473 that recorded the transfer of the firearm to a third party.

I have read the above-described prohibition on possession of a firearms while on release and agree to lawfully transfer or sell any firearm(s) in my possession in the manner described. I understand that failure to abide by this condition may result in the revocation of my release.

Defendant Graig Burnett

Date: 1/19/21

**United States District Court**  
**Eastern District of Pennsylvania (Philadelphia)**  
**CRIMINAL DOCKET FOR CASE #: 2:21-mj-00083-1**

Case title: USA v. BINGERT

Date Filed: 01/19/2021

Date Terminated: 01/19/2021

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Assigned to: Unassigned

**Defendant (1)**

**CRAIG MICHAEL BINGERT**  
*TERMINATED: 01/19/2021*

represented by **RICHARD J. FUSCHINO , JR.**  
LAW OFFICE OF RICHARD J.  
FUSCHINO  
1600 LOCUST ST  
PHILADELPHIA, PA 19103  
215-568-1442  
Fax: 215-568-1449  
Email: rjf@fuschinolaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

18:231(a)(3) - CERTAIN ACTS DURING  
CIVIL DISORDER

**Disposition**

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**Plaintiff**

**USA**

represented by **RONALD A. SARACHAN**  
U.S. ATTORNEY'S OFFICE  
615 CHESTNUT ST SUITE 1250

PHILADELPHIA, PA 19106  
 215-861-8652  
 Email:  
 USAPAE.DeportedAUSA@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

Date Filed	#	Docket Text
01/19/2021		Arrest (Rule 40) of CRAIG MICHAEL BINGERT (mac, ) (Entered: 01/19/2021)
01/19/2021	<a href="#">1</a>	Minute Entry for proceedings held before MAGISTRATE JUDGE ELIZABETH T. HEY Initial Appearance/PC/PTD in Rule 5(c)(3) Proceedings as to CRAIG MICHAEL BINGERT held on 1/19/21. For the reasons stated in open court, the defendant stipulated to pc. The Government and Defense have agreed to conditions of release. See attached Conditions of Release Order. For the reasons stated in open court, the defendant stipulated to identity. Per counsel, Brady Warning given by the Court in Washington D.C.Signed by Judge Elizabeth T. Hey.Court Reporter Suzanne White.(mac, ) (Entered: 01/19/2021)
01/19/2021	<a href="#">2</a>	WAIVER of Rule 5(c)(3) Hearing by CRAIG MICHAEL BINGERT (mac, ) (Entered: 01/19/2021)
01/19/2021	<a href="#">3</a>	Prohibition on possession of firearm(s) agreement filed by CRAIG MICHAEL BINGERT. (mac, ) (Entered: 01/19/2021)
01/19/2021	<a href="#">4</a>	O/R Bond Entered as to CRAIG MICHAEL BINGERT in amount of \$ 25,000, (mac, ) (mac, ). (Entered: 01/19/2021)
01/19/2021	<a href="#">5</a>	ORDER SETTING CONDITIONS OF RELEASE AS TO CRAIG MICHAEL BINGERT (1)THAT DEFENDANT IS RELEASED ON BAIL IN THE AMOUNT OF \$25,000 O/R WITH THE FOLLOWING CONDITIONS AS OUTLINED HEREIN. Signed by MAGISTRATE JUDGE ELIZABETH T. HEY on 1/19/21.1/19/21 Entered and Copies Not Mailed and E-Mailed. (mac, ) (Entered: 01/19/2021)
01/19/2021	<a href="#">6</a>	ORDER REQUIRING DEFENDANT TO APPEAR IN THE DISTRICT OF COLUMBIA AS TO CRAIG MICHAEL BINGERT. Signed by MAGISTRATE JUDGE ELIZABETH T. HEY on 1/19/21.1/19/21 Entered and Copies Not Mailed and E-Mailed. (mac, ) (Entered: 01/19/2021)
01/21/2021		***TRANSFERRED CASE as to CRAIG MICHAEL BINGERT to the District of Columbia. (ap, ) (Entered: 01/21/2021)
01/27/2021		DOC. NOS. 5, 6 MAILED TO AUSA AS TO CRAIG MICHAEL BINGERT (ems) (Entered: 01/27/2021)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
02/09/2021 13:44:45			
<b>PACER Login:</b>	BrittanyBryant:6635828:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:21-mj-00083
<b>Billable</b>	1	<b>Cost:</b>	0.10

<b>Pages:</b>			
<b>Exempt flag:</b>	Exempt	<b>Exempt reason:</b>	Always

**PACER fee: Exempt**