

## UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America  
v.

STEPHEN MICHAEL AYRES

Defendant

)  
) Case: 1:21-mj-00154  
) Assigned to: Judge Robin M. Meriweather  
) Assign Date: 1/22/2021  
) 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)

STEPHEN MICHAEL AYRES

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 1512(c)(2) Obstruction of Justice/Congress

18 USC 1752(a) Unlawful Entry into Restricted Buildings or Grounds

40 USC 5104(e)(2) Violent Entry or Disorderly Conduct on Capitol Grounds

Date: 01/22/2021



2021.01.22

16:03:09 -05'00'

Issuing officer's signature

City and state: Washington D.C.

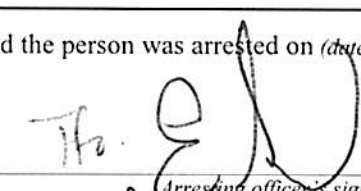
Robin M. Meriweather, Magistrate Judge

Printed name and title

## Return

This warrant was received on (date) 01/22/2021, and the person was arrested on (date) 01/25/2021  
at (city and state) WARREN, OH

Date: 01/25/2021



Arresting officer's signature

Ashlee E. Sanders

Printed name and title

## UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America  
v.  
STEPHEN MICHAEL AYRES

\_\_\_\_\_  
*Defendant*

)  
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(name of person to be arrested) STEPHEN MICHAEL AYRES,  
who is accused of an offense or violation based on the following document filed with the court:

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Date: 01/22/2021

\_\_\_\_\_  
*Issuing officer's signature*

City and state: Washington D.C.

Robin M. Meriweather, 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.

STEPHEN MICHAEL AYRES

Date of Birth: XXXXXXXX

Defendant(s)

)  
)  
)  
)  
)  
)  
)

Case: 1:21-mj-00154

Assigned to: Judge Robin M. Meriweather

Assign Date: 1/22/2021

Description: COMPLAINT W/ ARREST WARRANT

## 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 USC 1512(c)(2) Obstruction of Justice/Congress

18 USC 1752(a) Unlawful Entry into Restricted Buildings or Grounds

40 USC 5104(e)(2) Violent Entry or Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Austin Price, 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: 01/22/2021

Judge's signature

City and state: Washington D.C.

Robin M. Meriweather, Magistrate Judge

Printed name and title

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

<b>UNITED STATES OF AMERICA</b>	)	Case: 1:21-mj-00154
	)	Assigned to: Judge Robin M. Meriweather
v.	)	Assign Date: 1/22/2021
	)	Description: COMPLAINT W/ ARREST WARRANT
	)	<b><u>FILED UNDER SEAL</u></b>
<b>STEPHEN MICHAEL AYRES</b>	)	
	)	
<b>Defendant.</b>	)	

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Austin Price, being duly sworn, affirm and state:

**INTRODUCTION**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and am currently assigned to the Washington Field Office. 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. During my employment with the FBI, I have conducted and/or assisted in criminal investigations involving terrorism, theft of trade secrets, economic espionage, fraud, firearms violations, and other federal violations of the United States Code. In these investigations, I have been involved in evidence collection and the application for, and execution of, arrest and search warrants related to the aforementioned criminal offenses.

2. This affidavit is submitted for the purpose of establishing probable cause. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information conveyed to me by other law enforcement officials. Because this affidavit is

limited in purpose, it is not intended to include each and every fact and matter observed by me or known to the United States.

### **PURPOSE OF AFFIDAVIT**

3. This affidavit is submitted in support of a criminal complaint charging the defendant, Stephen Michael Ayres (“AYRES”) with one count of with one count of Obstruction of Justice/Congress, in violation of Title 18, United States Code, Section 1512(c)(2); one count of Unlawful Entry into Restricted Buildings or Grounds, in violation of Title 18, United States Code, Section 1752(a); and one count of Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of Title 40, United States Code, Section 5104(e)(2). This affidavit is also submitted in support of an arrest warrant for AYRES.

### **STATEMENT OF FACTS**

#### ***Probable Cause – The U.S. Capitol on January 6, 2021***

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. In an effort to identify individuals who had entered the Capitol unlawfully on January 6, 2021, the FBI, Washington D.C. Metropolitan Police Department (MPD), and U.S. Capitol Police (USCP) sought the public's assistance in identifying individuals who unlawfully entered the restricted grounds and building of the U.S. Capitol. As a result, thousands of tips were received in the week following the January 6 incident.

***Probable Cause – AYRES's Hotel Video***

11. Multiple tips pertained to STEPHEN AYRES, specifically that he was one of the many people who had unlawfully entered the U.S. Capitol on January 6, 2021, and that he had then had posted a video on Facebook about it later that day.

12. On January 10, 2021, the FBI reviewed the Facebook video, which was approximately 7:50 minutes long and depicted three individuals—AYRES, a male, and a female—describing their experiences inside the U.S. Capitol building on January 6, 2021. At some point after January 10, 2021, the video was either removed from AYRES's Facebook page or was made private. On January 16, 2021, law enforcement accessed a video posted on YouTube<sup>1</sup> and determined that it was the same video that the FBI had observed on AYRES's Facebook page on January 10, 2021. The video was posted to YouTube on January 7, 2021, by YouTube account "Johnny Anonymous," and was labeled, "It was all ANTIFA breaking into the Capitol 1-6-2021."

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<sup>1</sup> [https://www.youtube.com/watch?v=VP\\_EUGd8LGU](https://www.youtube.com/watch?v=VP_EUGd8LGU).

13. In the video, both AYRES and another male (herein after “Male 1”) identified themselves by first and last name. A female (herein after referred to as “Female 1”) identified herself by first name only. In the below screenshot from the video, AYRES is circled in yellow and Male 1 is circled in green:



14. Male 1 stated the video was being filmed “back at the hotel,” where they were “safe,” but that they had been “all at the Capitol Building” and they wanted to “share what really happened today.” Male 1 stated that “the three of us we were all at the Capitol building” and “all witnessed it with our own eyes.” Male 1 added that Antifa breached the building and were the ones who were violent and breaking doors and windows. Male 1 stated that the incident was led “chiefly” by Antifa.

15. Male 1 stated that he and AYRES “walked right into the Capitol building” after Antifa “breached the door” so it was left open. Male 1 stated that the police “escorted” them from

one end of the building to the other, and AYRES added, “they walked us, yep, yep.” AYRES stated that the police “basically let everyone walk in.” Male 1 stated that it “wasn’t just all these hostile Proud Boys people” and that multiple types of people were there. Male 1 explained that the police “marched them down,” and AYRES added that the police “did a bunch of chanting and then they basically marched them out to go out that door, so everybody walked out the other door.” Male 1 said that “they just wanted that footage of people inside the Capitol building to make it seem like all the Trump people bum-rushed the Capitol.”

16. Also in the video, Female 1 stated that the police “moved the barricades” and let people through. The female said she had her picture taken with an individual whom she later learned was a member of Antifa and who was at the Capitol to “make us look crazy.” Male 1 stated that it was a “staged Antifa setup” coordinated by the media, police, and the Mayor of Washington, D.C. AYRES agreed that the entire incident was “definitely planned out.” AYRES said that, at one point during the incident, the police “flipped the switch and everyone dispersed from there” after the police “got what they needed.” Female 1 stated that, when “it was time to clear everybody, they were like really rough and physical with people,” and someone was “jabbing [her] with his club.”

17. Male 1 stated that “it’s not over, trust me, the purpose of today was to expose Pence as a traitor,” and Female 1 responded that that “the American people are not going to let this slide, especially after today.” AYRES responded, “yup.” AYRES stated that the “fake news” would not accurately report on what happened at the Capitol but that they had “seen it all” and they “got footage all over the place on the Capitol” and that they would “probably share some of it here and there.”

***Probable Cause – W-1's Identification of AYRES***

18. On or about January 16, 2021, law enforcement interviewed a witness (W-1), in connection with a tip that W-1 had provided the FBI on January 13, 2021, regarding AYRES's presence at the U.S. Capitol on January 6, 2021. W-1 is one of AYRES's family members.

19. W-1 advised that on January 6, 2021, W-1 observed AYRES post "a bunch of commotion" to AYRES's Facebook account via Facebook Live. As W-1 watched the streaming video, W-1 realized that AYRES, Male 1, Female 1, and others were inside the U.S. Capitol as the streaming video was being broadcast from AYRES's Facebook account. W-1 stated that, in the streaming video, AYRES was acting "like he was at war" and there was a lot of "yelling and screaming going on." At some point during the streaming video, AYRES stated that the incident at the Capitol was "just the beginning" because there was "more to come next week." W-1 did not know what AYRES was referring to regarding "next week."

20. W-1 also advised that, sometime after viewing the streaming video on AYRES's Facebook account, W-1 viewed another video posted to AYRES's Facebook account that depicted AYRES, Male 1, and Female 1 speaking from a hotel room about what happened to them in the U.S. Capitol. W-1 described this hotel video with sufficient detail to confirm that it was the same video, as described above, that the FBI observed on both AYRES's Facebook account and on YouTube.

21. On January 17, 2021, W-1 confirmed that the following photograph, AYRES's Ohio driver's license picture, was in fact AYRES:



22. On January 16, 2021, W-1 provided screenshots of the following posts, which W-1 had taken from AYRES's Facebook page:

- a. In a post, made on December 26, 2020, AYRES stated: "If the [DS] robs president Trump!!! Civil War will ensue!" (Brackets shown are in the original post.)
- b. In another post made on December 27, 2020, AYRES stated that he "and a handful of other people are headed to D.C. for the Trump rally on the 6th!! . . . . So hopefully we are going to hear about [how] all the DS are being tried for treason!!" In the comment section of the same post, AYRES commented that it was "time for us to start standing up to tyranny! History is happening as we speak! . . . It's time for us partiers to stand up and act! Before it's too late!!"
- c. In the following post another post made on December 28, 2020, AYRES shared U.S. President Donald J. Trump's December 27, 2020 Tweet advising his supporters not to "miss" January 6 in Washington, D.C., and AYRES commented, "Where will you be on January 6th? Chilling at home? HOPING this country isn't

going to hell in a hand basket? Or are you willing to start fighting for the American Dream! Again!?!?”

- d. In the following post made on January 1, 2021, AYRES shared a picture and link to an article that purports to show that Speaker of the House Nancy Pelosi’s home was vandalized. AYRES added a caption to the post that stated, “This is just the beginning! The governors, senators, representatives, etc.....Really don’t have a clue what is coming!!”



***Probable Cause – U.S. Capitol Surveillance Video***

23. Law enforcement reviewed surveillance footage from within the U.S. Capitol of the civil unrest on January 6, 2021. After entering the Building through the same entrance at slightly different times, AYRES and Male 1 appear to find each other in the crowd and then stand and

move together. An example of AYRES (baseball hat, red facemask, holding cellphone) and Male 1 (circled in green) together inside the U.S. Capitol Building is:



24. Male 1 is first visible in video footage from within the U.S. Senate wing. Male 1, along with many others, forcefully pushes his way through both the makeshift barricades and the wall of U.S. Capitol Police officers to make entry into the building. Male 1 then stands among dozens of other intruders in the crowded Senate wing lobby as many others continue to flow in from both the door and broken windows now that the police had been forced to retreat. AYRES, donning a black and white baseball cap, hooded jacket, and red facemask, makes his way into the same Senate wing lobby within minutes of Male 1's forced entry. AYRES and Male 1 eventually locate each other among the dozens in the crowd within the Senate lobby.

25. On January 19, 2021, W-1 provided law enforcement the following picture that Male 1 had posted on Male 1's Facebook account on January 5, 2021, which depicted AYRES, Male 1, and others at the U.S. Lincoln Memorial:



26. In the above picture, AYRES is wearing what appears to be the same black and white hat that AYRES is wearing as he walks through the Senate wing lobby in the January 6, 2021, footage.

27. On January 20, 2021, law enforcement showed W-1 seven (7) screenshots that were taken at various points during the time that AYRES is visible in the surveillance footage as he walks through the Senate lobby. W-1 immediately recognized the individual in the photographs to be AYRES. Though the individual was wearing a face mask, W-1 confirmed that it was “definitely” AYRES based on the facial features that were still visible in the photographs. Additionally, AYRES was wearing the same hat that he was wearing in the picture that Male 1 had posted on Facebook of the group at the Lincoln Memorial on the day before. W-1 also recognized the jacket that AYRES was wearing in the photographs to be the same jacket that AYRES was wearing during AYRES’s live-stream from within the U.S. Capitol on Facebook live

on January 6, 2021. The following three images are examples of AYRES in the surveillance footage:



***Probable Cause –AYRES’s Facebook Records***

28. On January 17, 2021, law enforcement accessed AYRES’s public Facebook page and confirmed that the hotel video of AYRES, Male 1, and Female 1 was still not visible. The following posts, among others, were visible:

- a. In a post made on January 2, 2021, AYRES stated: “History is being made right in front of your eyes! When your grandchildren ask “Where were you when.....happened?” What's your answer going to be?” The post attaches an image of a poster stating, “January 6th Washington, DC, the president is calling on us to come back to Washington on January 6th for a big protest – ‘Be there, will be wild.’”
- b. In a post made on January 3, 2021, AYRES stated: “Mainstream media, social media, Democrat party, FISA courts, Chief Justice John Roberts, Joe Biden, Nancy Pelosi, etc....all have committed TREASON against a sitting U.S. president!!! All are now put on notice by ‘We The People!’”

- c. In a post made on January 4, 2021, AYRES shared an article entitled, “Report: Biden’s Inaugural Parade Viewing Stands Taken Down - Parade in Doubt – They’re Afraid it Will Turn into a Massive MAGA Rally.” AYRES’s caption stated that he knows “nobody will be there!! The election was rigged!!!”
- d. In a post made on January 5, 2021, AYRES shared a black and white picture of someone holding a sign that reads: “YOUR OBEDIENCE IS PROLONGING THIS NIGHTMARE.”

29. On January 19, 2021, U.S. District Court for the District of Columbia Magistrate Judge Robin M. Meriweather authorized a search warrant for AYRES’s Facebook account. On January 20, 2021, Facebook produced records responsive to the search warrant. The account’s user-supplied name was “Stephen Ayres,” the account was associated with a “Gmail” address with the name “steveayres” and a number, and the account was associated with a telephone number ending in 1076, which was last “verified” on December 19, 2020. In a public records database, this particular phone number was associated with AYRES in two separate reports. Additional review of data provided by Facebook revealed the following:

- a. On January 5, 2021, Male 1 “tagged” AYRES in a picture at the Lincoln Memorial (same picture as described above by W-1).
- b. On January 6, 2021, at 7:52 p.m. Eastern Standard Time (EST), AYRES “was live” with Male 1 and Female 1 and posted the same video from the hotel room that was posted on Facebook and YouTube, discussed above.
- c. On January 6, 2021, at 7:15 p.m. EST, AYRES, posted the following picture of himself with Male 1 being interviewed outside of the U.S. Capitol with the

following caption: “Made it on Faux News!! Front and center!! [Name of Male 1] on the left and me on the right!” AYRES was wearing what appeared to be the same hooded jacket he was seen wearing on surveillance video while inside the Senate wing lobby, as described above.



- d. On January 7, 2021, AYRES posted an image of “Viking guy” with the following caption: “The Capitol building is probably the 2nd most protected building in DC! Right behind the White House! If they didn't want the protestors inside the Capitol building, they never would of been in there! That simple! Yes it definitely doesn't

pass the smell test! Unarmed citizens over powered fully armed swat teams??????”

AYRES tagged Male 1 in this post.

- e. On January 6, 2021 at 2:50 p.m. EST, AYRES sent the following picture to another Facebook user of people storming the U.S. Capitol. At 3:28 p.m. EST, AYRES messaged the same user: “Some cops already stood down and took their gear off in our favor”.



- f. On January 6, 2021, at 6:15 p.m. EST, AYRES posted a video (screenshot below) of rioters storming the U.S. Capitol:



g. In addition to the instances above, AYRES “went live” on Facebook at the following times on January 6, 2021: 4:09 p.m. EST, 7:56 a.m. EST, 7:43 a.m. EST, and 7:34 a.m. EST.

### **CONCLUSION**

30. Based on the foregoing, your affiant submits that there is probable cause to believe that AYRES 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.

31. Your affiant also submits that there is probable cause to believe that AYRES violated 18 U.S.C. § 1752(a), 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. 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 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.

32. Your affiant also submits there is probable cause to believe that AYRES violated 40 U.S.C. § 5104(e)(2)(D), which makes it a crime to willfully and knowingly 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.



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SPECIAL AGENT AUSTIN PRICE  
FEDERAL BUREAU OF INVESTIGATION

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS  
OF FED. R. CRIM. P. 4.1 BY TELEPHONE, THIS 22<sup>ND</sup> DAY OF JANUARY, 2021.

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ROBIN M. MERIWATHER  
U.S. MAGISTRATE JUDGE

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioUnited States of America  
v.  
STEPHEN MICHAEL AYRES*Defendant*

Case No. 1:21-mj-03008-TMP

Charging District's Case No. 1:21-mj-154

**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:

- ☐ 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: 01/25/2021

*[Handwritten signature of Stephen Michael Ayres]*  
Defendant's signature

*[Handwritten signature of attorney]*  
Signature of defendant's attorney

Printed name of defendant's attorney

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

United States of America )

v. )

STEPHEN MICHAEL AYRES )

Case No. 1:21-mj-03008-TMP

Defendant )

## APPEARANCE BOND

## Defendant's Agreement

I, STEPHEN MICHAEL AYRES (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 \$ 20,000.00.

( ) (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.

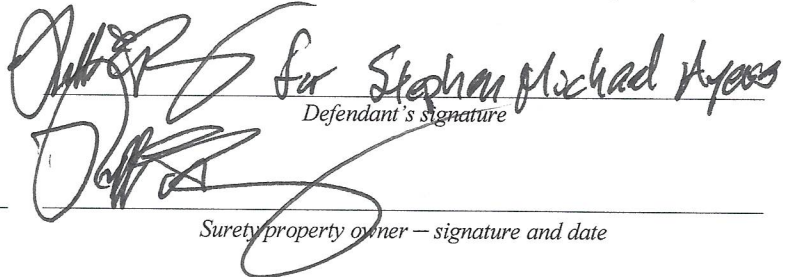
*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

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

Date: 01/25/2021

STEPHEN MICHAEL AYRES

*Surety/property owner – printed name*

*Defendant's signature*  


*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*

SANDY OPACICH  
CLERK OF COURT

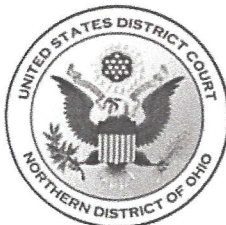
Date: 01/25/2021

s/ Jaclyn Darrah, Deputy Clerk

*Signature of Clerk or Deputy Clerk*

Approved.

Date: 01/25/2021



  
 Thomas M. Parker, United States Magistrate Judge

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Termed

**U.S. District Court**  
**Northern District of Ohio (Cleveland)**  
**CRIMINAL DOCKET FOR CASE #: 1:21-mj-03008-TMP All Defendants**

Case title: United States of America v. Ayres

Date Filed: 01/25/2021

Date Terminated: 01/26/2021

Assigned to: Magistrate Judge Thomas M.  
Parker

**Defendant (1)****Stephen Michael Ayres*****TERMINATED: 01/26/2021***represented by **Russell S. Bensing**

Ste. 600

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Cleveland, OH 44114

216-632-9161

Fax: 216-241-5464

Email: [rbensing@ameritech.net](mailto:rbensing@ameritech.net)*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**Rule 5 - USDC District of Columbia  
(Complaint)**Disposition**

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United States of America

represented by **Duncan T. Brown**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*  
*Bar Status: Govt*

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
01/25/2021		Arrest (Rule 40) of Stephen Michael Ayres (1) on 1/25/2021. (D,JJ) (Entered: 01/25/2021)
01/25/2021	<a href="#">1</a>	Rule 40 Warrant received as to Stephen Michael Ayres (1). (Attachments: # <a href="#">1</a> Complaint, # <a href="#">2</a> Affidavit). (D,JJ) (Entered: 01/25/2021)
01/25/2021		CJA 20 Appointment of Attorney Russell S. Bensing for Stephen Michael Ayres. 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 Thomas M. Parker on 1/25/2021. (D,JJ) (Entered: 01/25/2021)
01/25/2021		<b>Minutes of proceedings</b> [non-document] before Magistrate Judge Thomas M. Parker. Initial Appearance in Rule 5(c)(3) Proceedings as to Stephen Michael Ayres (1) held on 1/25/2021. All parties appeared and consented to participating via video conference. Duncan Brown present as counsel for the government; Russell Bensing present and appointed as counsel for the defendant. Also present but observing only was Jeff Nestler, counsel for the government in the USDC, District of Columbia. Government advised of obligations pursuant to the Due Process Protections Act. Defendant advised of his rights and the charges against him; Defendant waived identity and preliminary hearings. Government did not move for detention. The court set bond at \$20,000 unsecured with standard and special conditions of release. Defendant consented on the record to having Attorney Bensing sign the bond and waiver documents on his behalf. Defendant ordered released after processing and ordered to report for his hearing in the United States District Court, District of Columbia via video conference on February 8, 2021 at 1:00 P.M. (Court Reporter/ECRO: B. Laster. Pretrial Services: A. Garth & J. Gray. Time: 35 minutes). (D,JJ) (Entered: 01/25/2021)
01/25/2021	<a href="#">2</a>	<b>Order</b> regarding use of video conference/teleconferencing as to Stephen Michael Ayres (1). Magistrate Judge Thomas M. Parker on 1/25/2021. (D,JJ) (Entered: 01/25/2021)
01/25/2021	<a href="#">3</a>	<b>Order</b> as to Stephen Michael Ayres (1). 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

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		other remedy that is just under the circumstances. Magistrate Judge Thomas M. Parker on 1/25/2021. (D,JJ) (Entered: 01/25/2021)
01/25/2021	<a href="#">5</a>	Waiver of Rule 5(c)(3) Hearing by Stephen Michael Ayres (1). (D,JJ) (Entered: 01/26/2021)
01/25/2021	<a href="#">6</a>	Appearance Bond entered as to Stephen Michael Ayres (1) in amount of \$ \$20,000.00, unsecured. (D,JJ) (Entered: 01/26/2021)
01/25/2021	<a href="#">7</a>	<b>Order</b> Setting Conditions of Release as to Stephen Michael Ayres (1). Magistrate Judge Thomas M. Parker on 1/25/2021. (D,JJ) (Entered: 01/26/2021)
01/25/2021	<a href="#">8</a>	Arrest Warrant Returned Executed on 1/25/2021 in case as to Stephen Michael Ayres (1). (D,JJ) (Entered: 01/26/2021)
01/26/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Stephen Michael Ayres (1). Your case number is: 1:21mj00154. The clerk will transmit any necessary sealed document under separate cover. 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: Terminate Criminal Case, Terminate Defendant, 4 Pretrial Services Report, <a href="#">6</a> Bond, <a href="#">1</a> Rule 40 Warrant from Another District, Arrest - Rule 40, <a href="#">2</a> Order Regarding Use of Video Conferencing/Teleconferencing, <a href="#">7</a> Order Setting Conditions of Release, <a href="#">8</a> Warrant Returned Executed, Initial Appearance - Rule 5(c)(3), <a href="#">3</a> Order, <a href="#">5</a> Waiver of Rule 5(c)(3) Hearing, CJA 20 - Appointment. 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. (D,JJ) (Entered: 01/26/2021)
02/17/2021		CJA 20 as to Stephen Michael Ayres (1): Authorization to Pay Attorney Russell S. Bensing. Magistrate Judge Thomas M. Parker on 2/17/2021. (D,JJ) (Entered: 02/18/2021)