

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Nicholas Patrick Hendrix

) Case: 1:21-mj-00446  
 ) Assigned to: Judge Faruqui, Zia M.  
 ) Assign Date: 5/25/2021  
 ) Description: COMPLAINT W/ ARREST WARRANT  
 )

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) Nicholas Patrick Hendrix,

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) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds;

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

40 U.S.C. § 5104(e)(2)(G) - Parade, Demonstrate, or Picket in any of the Capitol Buildings.

Date: 05/25/2021

2021.05.25 15:59:51 -04'00'

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) 5/25/2021, and the person was arrested on (date) 5/27/2021  
 at (city and state) Portland, Maine.

Date: 5/27/2021

Arresting officer's signature

Kristina Troxel, Special Agent  
 Printed name and title

## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Nicholas Patrick Hendrix

DOB:

Case: 1:21-mj-00446

Assigned to: Judge Faruqui, Zia M.

Assign Date: 5/25/2021

Description: COMPLAINT W/ ARREST WARRANT

*Defendant(s)*

## 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,

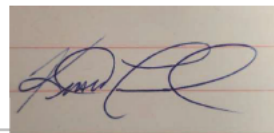
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds,

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

40 U.S.C. § 5104(e)(2)(G) - Parade, Demonstrate, or Picket in any of the Capitol Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

*Complainant's signature*Kristina Troxel, 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: 05/25/2021


2021.05.25

15:59:29 -04'00'

*Judge's signature*City and state: Washington, D.C.Zia M. Faruqui, U.S. Magistrate Judge*Printed name and title*

## 1. STATEMENT OF FACTS

I, Kristina Troxel, am a Special Agent with the Federal Bureau of Investigation (“FBI”), currently assigned to the Boston Field Office, Portland, Maine Resident Agency (RA). I have been so employed since May of 2019. Prior to this assignment, I was an FBI contractor for 15 months working on digital forensic evidence to identify significant mobile application trends utilized by violent criminals. I have received training in conducting counterintelligence, counterterrorism, criminal, and cyber investigations. I have participated and assisted in investigations related to numerous types of violations to include wire fraud, online threatening communications, fraud, violent gangs, counterterrorism, counterintelligence, drugs, human trafficking, kidnapping, and interstate domestic violence. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. 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 a violation of Federal criminal laws.

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.

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 11, 2021, an online tipster notified the FBI Washington Field Office that NICHOLAS HENDRIX (“HENDRIX”) was overheard talking about the U.S. Capitol, showing video from there and stating he had been pepper-sprayed, which suggested to the tipster that HENDRIX was close to the U.S. Capitol. The tipster notified the FBI that HENDRIX lived in Portland, Maine. The FBI Washington Field Office notified the FBI Portland RA Office of the lead.

The FBI reviewed Department of Motor Vehicle (“DMV”) information on HENDRIX and identified his address in Gorham, Maine. On January 21, 2021, the FBI went to HENDRIX’s residence in Gorham, Maine. HENDRIX was not at home at the time, and a family member informed him the FBI wanted to speak with him about the events at the United States Capitol on January 6, 2021. Later that day, the FBI met with HENDRIX at the Hannaford Supermarket parking lot in Standish, Maine. HENDRIX stated that he was inside the United States Capitol on January 6, 2021 but did not break or take anything while there. HENDRIX explained that on January 5, 2021, he drove to Boston, MA and took a bus from Boston to Washington D.C., arriving approximately at 6:30am on January 6, 2021. HENDRIX followed a mass of people to the Capitol and ultimately explained the crowd “pushed” themselves into the Capitol. He further provided that he was inside the Capitol for a “minute or two” before exiting. He attempted to enter the Capitol a second time, but he was hit with pepper-spray and then left the area. HENDRIX went to the bus area to wait for his return trip, eventually leaving Washington D.C. around 6:30pm on January 6, 2021 and arriving at his home around 6:30am on January 7, 2021. HENDRIX perceived that there was not too much resistance from law enforcement to individuals going inside the Capitol building and expressed that he believed the United States Capitol Police were quitting and allowing them to go inside. HENDRIX admitted that he knew it was illegal to enter the Capitol building.

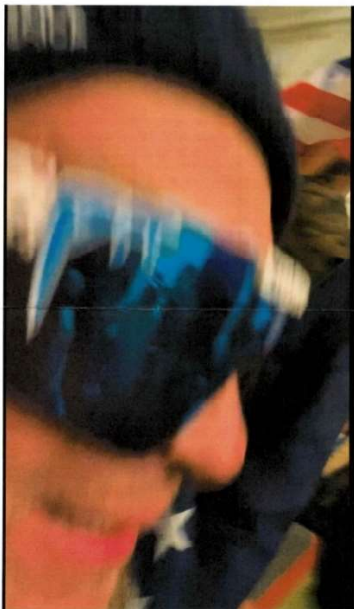
On January 21, 2021, HENDRIX voluntarily permitted the FBI to extract photos and videos taken on January 6, 2021 from his phone. As presented below, a photo from HENDRIX’s phone shows an image of HENDRIX in Washington D.C. dressed in distinctive items, including a watch cap colored in an American flag pattern, ski sunglasses, a distinct t-shirt and protest sign. HENDRIX’s DMV photograph resembles his photograph taken on January 6, 2021, though his image from January 6, 2021 is obscured by the cap and sunglasses. One of the videos provided by HENDRIX shows his perspective when entering the U.S. Capitol surrounded by a crowd. Another video provided by HENDRIX provides a similar perspective taken just outside the U.S. Capitol next to a door, which looks like the outside of the Rotunda Door, as law enforcement attempt to usher out rioters from the U.S. Capitol. In a subsequent interview on March 25, 2021, HENDRIX identified himself in the two below screenshots taken from these two videos as the



phone turned to capture him in the videos while he was inside the U.S. Capitol and just outside the U.S. Capitol.



Photograph of HENDRIX from his phone taken on January 6, 2021.

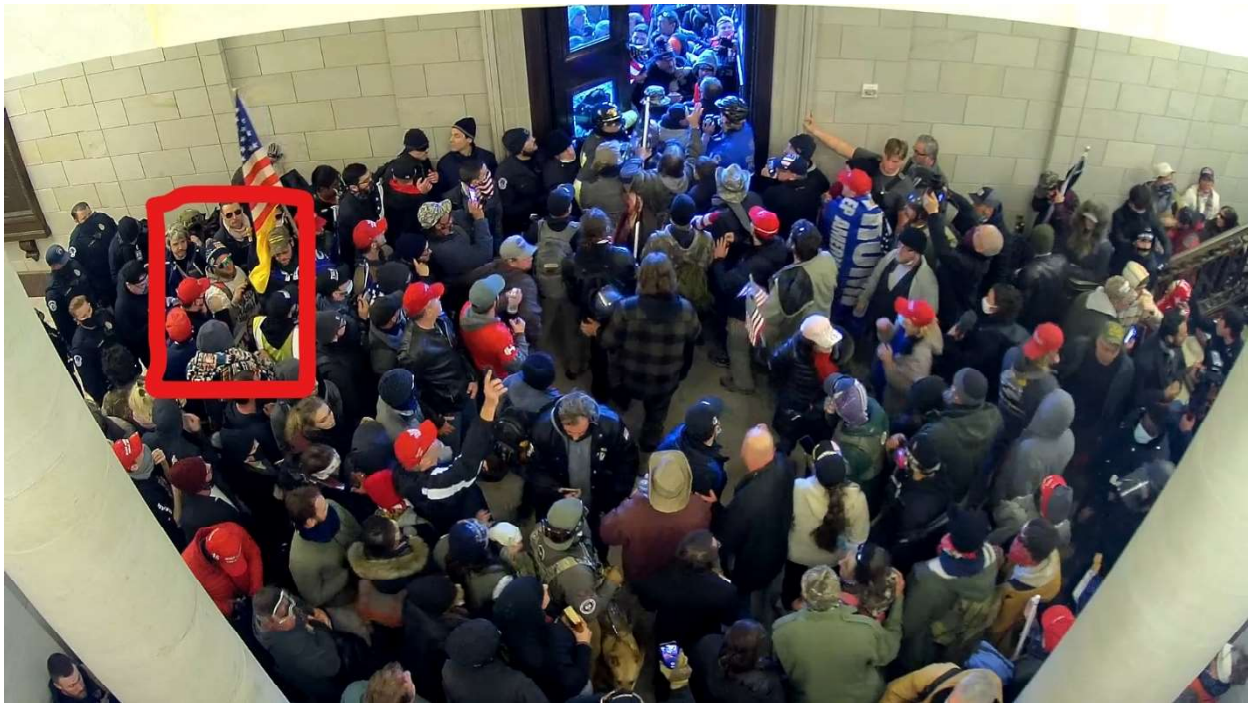


Screenshot of HENDRIX captured from video taken inside the U.S. Capitol on HENDRIX's phone.



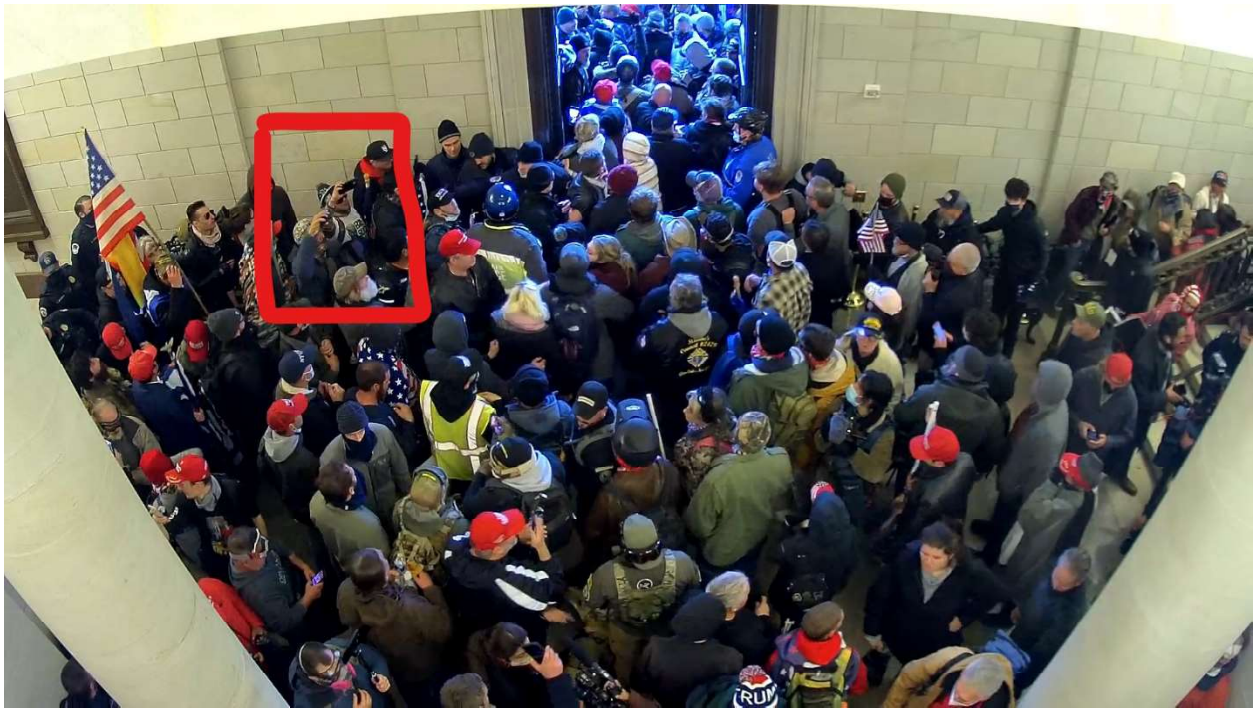
Screenshot of HENDRIX captured from video taken just outside of the U.S. Capitol Rotunda Door on HENDRIX's phone.

United States Capitol Police closed-circuit television (CCTV) footage shows HENDRIX was inside the U.S. Capitol for approximately one minute and 23 seconds near the Rotunda Door of the United States Capitol. As shown below, the CCTV footage shows an individual that matches HENDRIX on January 6, 2021 to include a bearded male wearing a watch cap colored in an American flag pattern and ski sunglasses. As well, the CCTV footage shows this individual using his phone to capture images from inside the U.S. Capitol. The CCTV footage matches the scene depicted by HENDRIX's video from a different perspective, including the people in the video and specifically one individual holding an American flag. Moreover, the timeline of HENDRIX's entrance into the Capitol matches the timeframe on the CCTV footage; The extraction from HENDRIX's phone indicates the video of HENDRIX entering the U.S. Capitol was created around 3:15pm EST, which is the same timeframe in which the FBI was able to locate HENDRIX on USCP CCTV.



Screenshot from USCP CCTV inside U.S. Capitol showing HENDRIX with cap and sunglasses.





Screenshot from USCP CCTV inside the U.S. Capitol showing HENDRIX using phone.

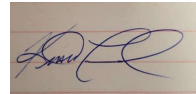
During the January 21, 2021 interview, HENDRIX was wearing a watch cap and sunglasses that looked similar to the ones he wore on January 6, 2021. The cap and sunglasses HENDRIX wore during the January 21, 2021 interview look like the same cap and glasses worn by the person depicted in the above screen shots from USCP CCTV. During the March 25, 2021 interview, HENDRIX permitted the FBI to photograph the sunglasses, shirt and sign he had with him in Washington D.C. on January 6, 2021. The sunglasses HENDRIX showed the FBI on March 25, 2021 look like the same glasses worn by the person depicted in the above screenshots from USCP CCTV.



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



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Special Agent Kristina Troxel  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 25th day of May 2021.



2021.05.25

15:59:08 -04'00'

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ZIA M. FARUQUI  
MAGISTRATE JUDGE



## UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Nicholas Patrick Hendrix

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This offense is briefly described as follows:

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Date: 05/25/2021

2021.05.25 15:59:51 -04'00'

*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) \_\_\_\_\_, 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 Maine

United States of America

v.

Nicholas Patrick Hendrix

*Defendant*)  
)  
)  
)  
)

Case No. 2:21-mj-135-JHR

## APPEARANCE BOND

## Defendant's Agreement

I, Nicholas Patrick Hendrix (*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 \$ 5,000.00 .

( ☐ ) (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.

*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: 5/27/2021

/s/ Nicholas Patrick Hendrix

*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: 5/27/2021

/s/ Stacey L. Graf

*Signature of Clerk or Deputy Clerk*

Approved.

Date: 5/27/2021

/s/ John H. Rich III, U.S. Magistrate Judge

*Judge's signature*



# UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_ District of \_\_\_\_\_

United States of America

v.

Case No.

Charging District's Case No.

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

## 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)* \_\_\_\_\_

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:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ 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 those 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: \_\_\_\_\_

\_\_\_\_\_  
*Defendant's signature*

\_\_\_\_\_  
*Signature of defendant's attorney*

\_\_\_\_\_  
*Printed name of defendant's attorney*

UNITED STATES DISTRICT COURT  
for the  
District of Maine

United States of America

v.

Nicholas Patrick Hendrix

*Defendant*

Case No. 2:21-mj-135-JHR

**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 Thursday, June 3, 2021, at 1:00 p.m.

*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**

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

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 U.S. Probation and Pretrial Services Office, telephone number 207-780-3358, no later than as directed.

( ☐ ) (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.

( ☒ ) (f) abide by the following restrictions on personal association, residence, or travel: \_\_\_\_\_

no travel outside state of Maine without supervising officer's approval; no travel to Washington D.C. unless court-related; no travel outside U.S. without Court approval.

( ☐ ) (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: as directed

( ☐ ) (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. This provision does not permit the use of marijuana even with a prescription, without further permission of the Court or probation officer.

( ☒ ) (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.

( ☐ ) (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 \_\_\_\_\_ to \_\_\_\_\_, or ( ☐ ) as directed by the pretrial services office or supervising officer; or

( ☐ ) (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 and court appearances or other activities specifically approved by the court; or

( ☐ ) (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

**Note:** Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.



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**ADDITIONAL CONDITIONS OF RELEASE**

- ( ☐ ) (q) submit to the following location monitoring technology and comply with its requirements as directed:
- ( ☐ ) (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
  - ( ☐ ) (ii) Voice Recognition; or
  - ( ☐ ) (iii) Radio Frequency; or
  - ( ☐ ) (iv) GPS.
- ( ☐ ) (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- ( ☒ ) (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ( ☐ ) (t) \_\_\_\_\_
- \_\_\_\_\_

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**ADVICE OF PENALTIES AND SANCTIONS**

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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.

\_\_\_\_\_  
/s/ Nicholas Patrick Hendrix

*Defendant's Signature*

\_\_\_\_\_  
Portland, ME

*City and State*

**Directions to the 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: 5/27/2021

\_\_\_\_\_  
/s/ John H. Rich III

*Judicial Officer's Signature*

\_\_\_\_\_  
John H. Rich III, U.S. Magistrate Judge

*Printed name and title*

UNITED STATES DISTRICT COURT  
for the  
District of Maine

United States of America	)	
	)	
	)	
v.	)	Case No. 2:21-mj-135-JHR
	)	
Nicholas Patrick Hendrix	)	Charging District: District of Columbia
<i>Defendant</i>	)	Charging District Case No. 1:21-mj-446

**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: Before U.S. Magistrate Judge Zia F. Faruqui      Courtroom No.: By Video

Date/Time: Thursday, June 3, 2021, 1:00 PM

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: 5/27/2021

/s/ John H. Rich III

---

*Judge's signature*

John H. Rich III, U.S. Magistrate Judge

---

*Printed name and title*



**U.S. District Court  
District of Maine (Portland)  
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00135-JHR All Defendants**

Case title: USA v. HENDRIX

Date Filed: 05/26/2021

Date Terminated: 05/28/2021

Assigned to: MAGISTRATE JUDGE JOHN  
H. RICH III

**Defendant (1)**

**NICHOLAS PATRICK HENDRIX**

*TERMINATED: 05/28/2021*

represented by **DAVID R. BENEMAN**  
FEDERAL DEFENDER'S OFFICE  
P.O. BOX 595  
PORTLAND, ME 04112-0595  
207-553-7070 ext. 101  
Fax: 207-553-7017  
Email: [David.Beneman@fd.org](mailto:David.Beneman@fd.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

COUNT ONE - KNOWINGLY  
ENTERING OR REMAINING IN ANY  
RESTRICTED BUILDING OR GROUNDS  
WITHOUT LAWFUL AUTHORITY,  
18:1752(a)(1). COUNT TWO -  
DISORDERLY AND DISRUPTIVE

**Disposition**

CONDUCT IN A RESTRICTED  
BUILDING OR GROUNDS, 18:1752(a)(2).  
COUNT THREE - VIOLENT ENTRY  
AND DISORDERLY CONDUCT ON  
CAPITOL GROUNDS, 40:5104(e)(2)(D).  
COUNT FOUR - PARADE,  
DEMONSTRATE, OR PICKET IN ANY  
OF THE CAPITOL BUILDINGS,  
40:5104(e)(2)(G).

**Plaintiff**

**USA**

represented by **CRAIG M. WOLFF**  
U.S. ATTORNEY'S OFFICE  
DISTRICT OF MAINE  
100 MIDDLE STREET PLAZA  
PORTLAND, ME 04101  
(207) 780-3257  
Email: [Craig.Wolff@usdoj.gov](mailto:Craig.Wolff@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
05/26/2021	<u><a href="#">1</a></u>	Pretrial Services Report as to NICHOLAS PATRICK HENDRIX filed by U.S. Probation. (Access to document is restricted to USA and applicable defendant only) (Attachments: # <u><a href="#">1</a></u> Supplement release conditions)(HADAM, ASHLEY) (Entered: 05/26/2021)
05/27/2021		Case unsealed per notice of arrest as to NICHOLAS PATRICK HENDRIX (nrg) (Entered: 05/27/2021)
05/27/2021		Arrest (Rule 5) per notification by AUSA Wolff of NICHOLAS PATRICK HENDRIX. (nrg) (Entered: 05/27/2021)
05/27/2021	<u><a href="#">2</a></u>	Rule 5 Documents as to NICHOLAS PATRICK HENDRIX (Attachments: # <u><a href="#">1</a></u> Statement of Facts, # <u><a href="#">2</a></u> Arrest Warrant)(nrg) (Entered: 05/27/2021)
05/27/2021	3	NOTICE OF VIDEO HEARING as to NICHOLAS PATRICK HENDRIX: New Arrest Initial Appearance and Attorney Appointment Hearing set for 5/27/2021 03:30 PM in VIDEO HEARING before MAGISTRATE JUDGE JOHN H. RICH III. Participants will receive a separate invitation for joining the video hearing. (nrg) (Entered: 05/27/2021)
05/27/2021	<u><a href="#">4</a></u>	Financial Affidavit by NICHOLAS PATRICK HENDRIX (Access to document is restricted to USA and applicable defendant only) (nrg) (Entered: 05/27/2021)
05/27/2021		NOTICE of Docket Entry Modification as to NICHOLAS PATRICK HENDRIX regarding 5 Synopsis: this docket entry was modified by the clerk's office on 5/27/2021, to seal and mark as filed in error as it contains non-public information. The synopsis will be refiled. (nrg) (Entered: 05/27/2021)
05/27/2021	<u><a href="#">6</a></u>	SYNOPSIS as to NICHOLAS PATRICK HENDRIX (WOLFF, CRAIG) (Entered: 05/27/2021)

05/27/2021	<a href="#">7</a>	Minute Entry for proceedings held before MAGISTRATE JUDGE JOHN H. RICH III: Rule 5 Hearing held on 5/27/2021: Defendant advised of rights as to NICHOLAS PATRICK HENDRIX. The defendant waived identity hearing and production of the warrant and reserved preliminary hearing for the prosecuting district. Attorney Appointment Hearing held. DAVID R BENEMAN appointed. Bond Hearing held as to NICHOLAS PATRICK HENDRIX, Bond set as to NICHOLAS PATRICK HENDRIX (1) 5,000.00 unsecured. Bond Made in the amount of \$5,000.00 unsecured with conditions imposed pursuant to Order Setting Conditions of Release. The defendant was ordered released after processing. (Court Reporter: Lori Dunbar) (slg) Modified on 5/28/2021 to remove detention hearing text (slg). (Entered: 05/28/2021)
05/27/2021	<a href="#">8</a>	ORAL ORDER approving <a href="#">4</a> Financial Affidavit as to NICHOLAS PATRICK HENDRIX (1). By MAGISTRATE JUDGE JOHN H. RICH III. (slg) (Entered: 05/28/2021)
05/27/2021	<a href="#">9</a>	WAIVER of Rule 5 Hearings by NICHOLAS PATRICK HENDRIX (slg) (Entered: 05/28/2021)
05/27/2021	<a href="#">10</a>	Appearance Bond ( Unsecured ) as to NICHOLAS PATRICK HENDRIX. (slg) (Entered: 05/28/2021)
05/27/2021	<a href="#">11</a>	ORDER Setting Conditions of Release as to NICHOLAS PATRICK HENDRIX. By MAGISTRATE JUDGE JOHN H. RICH III. (slg) (Entered: 05/28/2021)
05/27/2021	<a href="#">12</a>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to NICHOLAS PATRICK HENDRIX. By MAGISTRATE JUDGE JOHN H. RICH III. (slg) (Entered: 05/28/2021)
05/28/2021		Notice to DISTRICT OF COLUMBIA 1:21-mj-446 of a Rule 5 Initial Appearance hearing as to NICHOLAS PATRICK HENDRIX. Using your PACER account, please retrieve the docket sheet and any other necessary documents. All restricted access documents will be sent via email. If you require certified copies of any documents please send a request to <a href="mailto:ecfhelp@med.uscourts.gov">ecfhelp@med.uscourts.gov</a> . (slg) (Entered: 05/28/2021)