

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Thomas Munn (AKA: Tom Munn)

) Case: 1:21-mj-00521
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 7/12/2021
) 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) Thomas Munn,

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) - Disorderly Conduct in a Capitol Building;
- 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 07/12/2021

2021.07.12
10:15:54 -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) 7/12/2021, and the person was arrested on (date) 7/13/2021
at (city and state) Borger, TX.

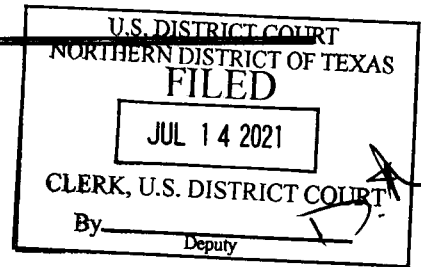
Date: 7/13/2021

Arresting officer's signature

David Bolyard, Special Agent
Printed name and title

UNITED STATES DISTRICT COURT

for the
Northern District of Texas



United States of America)

v.)

Case No. 2:21-MJ-107-2-BR

THOMAS MUNN (AKA: TOM MUNN) (2))

Defendant)

Charging District's Case No. 1:21-MJ-0521

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 warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary 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: 07/14/2021

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:21-mj-107-BR-2
	§	Charging District: District of Columbia
	§	Case No. 1:21-mj-00521
	§	
THOMAS MUNN	§	
	§	
Defendant.	§	

ORDER ON INITIAL APPEARANCE

On today’s date, Defendant, THOMAS MUNN, appeared in person and without counsel before the undersigned United States Magistrate Judge for the purpose of an Initial Appearance in accordance with Rule 5, Federal Rule of Criminal Procedure. The United States appeared by and through the Assistant United States Attorney for the Northern District of Texas.

In accordance with Rule 5, the defendant received a copy of the Complaint filed in the originating cause and acknowledged understanding the charges therein. The defendant was advised of the rights relative to the making and the refusal to make statements that might be used against Defendant and acknowledged understanding such rights. The defendant was further advised of the right to retain counsel and of the right to request the Court to appoint counsel if unable to afford to retain counsel. The defendant acknowledged understanding the right to counsel and requested that the Court appoint counsel. The Court found the defendant financially unable to obtain counsel.

The government gave notice to the Court that it would not be moving for pretrial detention in this case. Based on this announcement, the Court finds the defendant should be released on a personal recognizance with certain specific conditions of release. The defendant was advised of

the conditions of release and acknowledged understanding such conditions.

The defendant was advised of the right to a Preliminary Examination and an Identity Hearing and acknowledged understanding such right. At the hearing, the defendant waived the right to have the hearings in the Northern District of Texas, reserving the right to have the hearings in the District of Columbia.

Defendant, THOMAS MUNN, is ordered released after processing by the United States Marshal.

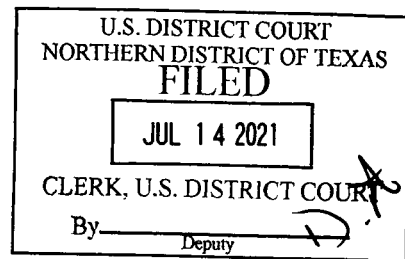
IT IS SO ORDERED.

ENTERED on July 14, 2021.



LEE ANN RENO
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
for the
Northern District of Texas



United States of America
v.
THOMAS MUNN
Defendant

Case No. 2:21-mj-107-BR-2
Charging District: District of Columbia
1:21-mj-00521

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: by video teleconference in the District of Columbia
Place

on Monday, July 19, 2021 at 1:00 p.m. EST
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:
Person or organization
Address (only if above is an organization)
City and state Tel. No.

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: Custodian Date

- (X) (7) The defendant must:
(X) (a) submit to supervision by and report for supervision to the U. S. Probation Office, telephone number (806) 324-2351, no later than 24 hours of release from custody.
(b) continue or actively seek employment.
(c) continue or start an education program.
(X) (d) surrender any passport to: Probation Officer
(X) (e) not obtain a passport or other international travel document.
(X) (f) abide by the following restrictions on personal association, residence, or travel: Travel is restricted to the Northern District of Texas and directly to and from Washington, D.C. for attorney consultations and court appearances except as directed in advance and in writing by the Pretrial Services Officer.
(g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including:
(h) get medical or psychiatric treatment:
(i) return to custody each 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.
(X) (k) not possess a firearm, destructive device, or other weapon.
(l) not use alcohol () at all () excessively.
(X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
(n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
(o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
(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.
(q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
() You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
(X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
(X) (s) Contact pretrial services once per week and verify your address.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

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

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

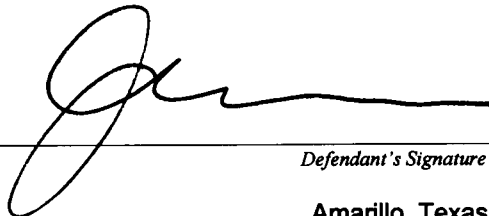
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

Amarillo, Texas

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: 7/14/2021



Judicial Officer's Signature

LEE ANN RENO, UNITED STATES MAGISTRATE JUDGE

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

United States of America)

v.)

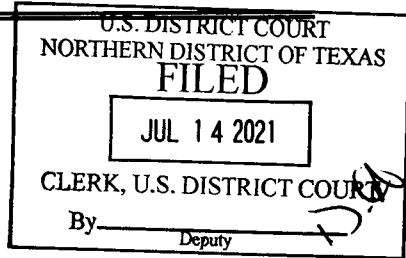
THOMAS MUNN)

Defendant)

Case No. 2:21-mj-107-BR-2

Charging District: District of Columbia

1:21-mj-00521



APPEARANCE BOND

Defendant's Agreement

I, THOMAS MUNN (*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 \$ _____ .
- () (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

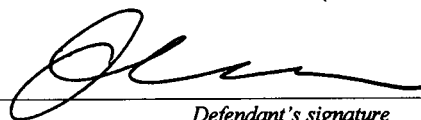
Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (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: 07/14/2021



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: _____

Signature of Clerk or Deputy Clerk

Approved.



Date: 07/14/2021

LEE ANN RENO, UNITED STATES MAGISTRATE JUDGE

Judge's signature

**U.S. District Court
Northern District of Texas (Amarillo)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00107-BR-2**

Case title: USA v. Munn et al

Date Filed: 07/12/2021

Other court case number: 1:21-mj-00521 District of Columbia

Assigned to: Magistrate Judge Lee Ann
Reno

Defendant (2)

Thomas Munn

also known as

Tom Munn

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

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) – DISORDERLY CONDUCT IN A CAPITOL BUILDING; 40 U.S.C. § 5104(e)(2)(G) – PARADING, DEMONSTRATING, OR PICKETING IN A CAPITOL BUILDING

Plaintiff

USA

represented by **Ann Howey–DOJ**
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Email: ann.howey@usdoj.gov
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Designation: US Attorney's Office
Bar Status: Not Admitted

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Designation: US Attorney's Office
Bar Status: Not Admitted

Date Filed	#	Page	Docket Text
07/12/2021	<u>1</u>		Rule 5 documents received from District of Columbia as to Kristi Munn (1), Thomas Munn (2), Dawn Munn (3), Joshua Munn (4), Kayli Munn (5). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the

			<u>Judges Copy Requirements</u> and <u>Judge Specific Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. (chmb) (Entered: 07/13/2021)
07/13/2021	<u>2</u>		ELECTRONIC ORDER SCHEDULING INITIAL APPEARANCE as to Kristi Munn, Thomas Munn, Dawn Munn, Kayli Munn: Initial Appearance set for 7/14/2021 09:30 AM in US Courthouse, Courtroom 2nd Floor, 205 S. E. 5th Ave., Amarillo, TX 79101-1559 before Magistrate Judge Lee Ann Reno. (Ordered by Magistrate Judge Lee Ann Reno on 7/13/2021) (chmb) (Entered: 07/13/2021)
07/14/2021	<u>6</u>		ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Lee Ann Reno: Initial Appearance as to Thomas Munn held on 7/14/2021. Date of Arrest: 7/13/2021. Deft first appearance. Deft advised of rights/charge. Deft appeared without counsel. Deft requested appointed counsel. Financial affidavit executed. Deft qualifies for court appointed counsel. Government did not move for pretrial detention. Deft released on conditions. Location interval set to: LR. Attorney Appearances: AUSA – Joshua Jerome Frausto-DOJ; Defense – None. (No exhibits) Time in Court – 0:15. (Court Reporter: Digital File) (USPO Reyes.) (chmb) (Entered: 07/14/2021)
07/14/2021	<u>10</u>		(Document Restricted) CJA 23 Financial Affidavit by Thomas Munn. (chmb) (Entered: 07/14/2021)
07/14/2021	<u>14</u>	4	WAIVER of Rule 5 Hearings by Thomas Munn. (chmb) (Entered: 07/14/2021)
07/14/2021	<u>18</u>	5	ORDER ON INITIAL APPEARANCE as to Thomas Munn: The government gave notice to the Court that it would not be moving for pretrial detention in this case. Based on this announcement, the Court finds the defendant should be released on a personal recognizance with certain specific conditions of release. The defendant was advised of the conditions of release and acknowledged understanding such conditions. (Ordered by Magistrate Judge Lee Ann Reno on 7/14/2021) (chmb) (Entered: 07/14/2021)
07/14/2021	<u>23</u>	7	ORDER Setting Conditions of Release as to Thomas Munn. (Ordered by Magistrate Judge Lee Ann Reno on 7/14/2021) (chmb) (Entered: 07/14/2021)
07/14/2021	<u>24</u>	10	Personal Recognizance Bond Entered as to Thomas Munn. (chmb) (Entered: 07/14/2021)