

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

UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 21-cr-540**
 :
 TIMOTHY ALLEN HART, :
 :
 :
 :
 Defendants. :

**UNITED STATES’ MOTION OPPOSITION TO DEFENDANT HART’S MOTION
TO MODIFY CONDITIONS OF RELEASE (R. 22)**

The United States of America opposes defendant Timothy Hart’s motion to modify his conditions of release to allow him to travel outside of the United States for leisure.

Mr. Hart is charged in this case with multiple felonies and misdemeanors: 18 U.S.C. § 1752(a)(1) (Entering and Remaining in a Restricted Building); 18 U.S.C. § 1752(a)(2) (Disorderly and Disruptive Conduct in a Restricted Building); 40 U.S.C. § 5104(e)(2)(D) (Violent Entry and Disorderly Conduct in a Capitol Building); 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building); 18 U.S.C. § 231(a)(3) (Civil Disorder); and 18 U.S.C. § 1512(c) (Obstruction). Superseding Indictment, R. 18.

While Mr. Hart has mostly complied with release condition so far, the United States has concerns about travel outside of the United States, where the government would have no recourse if he were to violate his conditions or fail to return.

In addition to the allegations against him in this case, Mr. Hart has two prior convictions and two prior arrests, according to the pretrial services report. R. 6. He has a conviction for Aggravated Robbery (1992) and Telecommunication Harassment (2013). *Id.* at 4-5. According to the pretrial services report, his financial information is unknown—raising a red flag about his

prospects of fleeing. *Id.* at 4.

Mr. Hart has been on supervision in this case since his arrest. While Mr. Hart has not had any violations of his pretrial release, pretrial services has raised concerns. According to the September 2021 compliance report, the Southern District of Ohio believed that Mr. Hart was using controlled substances and requested that drug testing be added to his conditions. R. 15 at 2. Upon pretrial services' request, this Court imposed that requirement. The government's understanding, to the defendant's credit, is that he has not used drugs since the testing requirement has been imposed. And, in December 2021, Mr. Hart had to be hospitalized due to anxiety from this litigation—raising another red flag about his prospects of fleeing. R. 17 at 2.

Finally, the government has identified an online fundraiser that appears to be Mr. Hart's. Below is a screenshot, showing that approximately \$10,000 has been raised for him. The fundraiser is concerning for a number of reasons, but in relation to this particular motion, it is concerning that he could potentially have access to a very large amount of cash if he decides to flee.

Tim Hart Capital Fund

Campaign Created by: Timothy Hart



The funds from this campaign will be received by Timothy Hart.

As a Citizen Journalist, I was in Washington DC to record the day's events on January 6. After collecting photos the crowd swept me into the Capitol with them. At no time was I responsible for any violent action or destruction of any sort. Looking for an exit, I was in the building for a short amount of time, during which time I did take photos/videos.

Any assistance you can spare to help me with transportation & miscellaneous related expenses is gratefully received. Anything unused for that purpose will be donated to charity or returned if possible.

Many thanks,

Tim, Ohio Patriot and Citizen Journalist

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Goal : USD \$100,000
Raised : USD \$10,158

GIVE NOW

101

SHARE NOW

30

PRAY NOW

89

Recent Donations

USD \$ 50

Anonymous Donor

56 days ago

Love you Patriot

♥ 0 👍 0

USD \$ 20

Anonymous Donor

63 days ago

Praying that God will strengthen you in this difficult times.

♥ 0 👍 0

[See all](#)

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Although the defendant is currently in compliance with his release, conditions, given the serious felony charge the defendant faces, the defendant's proposed travel – and his recent efforts to raise funds – raises potential concerns about the defendant returning to this jurisdiction for his case and accordingly the government would oppose the requested modification.

Respectfully submitted,

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