

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
JASON DOLAN

) Case: 1:21-cr-00028
) Assigned To : Judge Amit P. Mehta
) Assign. Date : 5/26/2021
) Description: SUPERSEDING INDICTMENT (B)
) Related Case: 21-cr-28 (APM)

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) JASON DOLAN
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. § 371 (Conspiracy); 18 U.S.C. §§ 1512(c)(2), 2 (Obstruction of an Official Proceeding and Aiding and Abetting);
18 U.S.C. §§ 1361, 2 (Destruction of Government Property and Aiding and Abetting); 18 U.S.C. § 1752(a)(1)
(Entering and Remaining in a Restricted Building or Grounds)

Date: 05/26/2021



Robin M. Meriweather
2021.05.26 15:48:06
-04'00'
Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 05/26/21, and the person was arrested on (date) 05/27/21
at (city and state) Wellington, Florida

Date: 05/27/21

J. Spence, FBI SA
arresting officer's signature
Printed name and title

RECEIVED

MAY 26 2021

Clerk, U.S. District and
Bankruptcy Courts

FILED BY TM D.C.

May 27, 2021

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

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

Holding a Criminal Term

Grand Jury Sworn in on January 8, 2021

CASE NO. 21-8212-BER

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-cr-28-APM
	:	
v.	:	VIOLATIONS:
	:	
THOMAS CALDWELL,	:	18 U.S.C. § 371 (Conspiracy)
(Counts 1, 2, 4, 9)	:	
	:	18 U.S.C. §§ 1512(c)(2), 2
DONOVAN CROWL,	:	(Obstruction of an Official Proceeding and
(Counts 1, 2, 3, 4, 6)	:	Aiding and Abetting)
	:	
JESSICA WATKINS,	:	18 U.S.C. §§ 1361, 2
(Counts 1, 2, 3, 4, 6)	:	(Destruction of Government Property and
	:	Aiding and Abetting)
	:	
SANDRA PARKER,	:	18 U.S.C. § 1752(a)(1)
(Counts 1, 2, 3, 4, 6)	:	(Entering and Remaining in a Restricted
	:	Building or Grounds)
BENNIE PARKER,	:	
(Counts 1, 2, 4)	:	18 U.S.C. §§ 231(a)(3), 2
	:	(Civil Disorder and Aiding and Abetting)
GRAYDON YOUNG,	:	
(Counts 1, 2, 3, 4, 6, 10)	:	18 U.S.C. § 111(a)(1), 2
	:	(Assaulting, Resisting, or Impeding
LAURA STEELE,	:	Certain Officers and Aiding and Abetting)
(Counts 1, 2, 3, 4)	:	
	:	
KELLY MEGGS,	:	18 U.S.C. § 1512(c)(1)
(Counts 1, 2, 3, 4, 11)	:	(Tampering with Documents or
	:	Proceedings)
CONNIE MEGGS,	:	
(Counts 1, 2, 3, 4)	:	
	:	
KENNETH HARRELSON,	:	
(Counts 1, 2, 3, 4, 12)	:	
	:	
ROBERTO MINUTA,	:	
(Counts 1, 2, 4)	:	

4. On January 6, 2021, a Joint Session of the United States House of Representatives and the United States Senate (“the Joint Session”) convened in the United States Capitol (“the Capitol”) building. The purpose of the Joint Session was to open, count, and resolve any objections to the Electoral College vote of the 2020 U.S. Presidential Election, and to certify the results of the Electoral College vote (“Certification of the Electoral College vote”) as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

The Attack at the U.S. Capitol on January 6, 2021

5. The Capitol is secured 24 hours a day by United States Capitol Police (“Capitol Police”). The Capitol Police maintain permanent and temporary barriers to restrict access to the Capitol exterior, and only authorized individuals with appropriate identification are allowed inside the Capitol building.

6. On January 6, 2021, at approximately 1:00 p.m., the Joint Session convened in the Capitol building for the Certification of the Electoral College vote. Vice President Michael R. Pence, in his constitutional duty as President of the Senate, presided over the Joint Session.

7. A large crowd began to gather outside the Capitol perimeter as the Joint Session got underway. Crowd members eventually forced their way through, up, and over Capitol Police barricades and advanced to the building’s exterior façade. Capitol Police officers attempted to maintain order and stop the crowd from entering the Capitol building, to which the doors and windows were locked or otherwise secured. Nonetheless, shortly after 2:00 p.m., crowd members forced entry into the Capitol building by breaking windows, ramming open doors, and assaulting Capitol Police officers. Other crowd members encouraged and otherwise assisted the forced entry. The crowd was not lawfully authorized to enter or remain inside the Capitol, and no crowd member submitted to security screenings or weapons checks by Capitol Police or other security officials.

8. Shortly thereafter, at approximately 2:20 p.m., members of the House and Senate (including Vice President Pence)—who had withdrawn to separate chambers to resolve an objection—were evacuated from their respective chambers. The Joint Session was halted while Capitol Police and other law-enforcement officers worked to restore order and clear the Capitol of the unlawful occupants.

9. Later that night, law enforcement regained control of the Capitol. At approximately 8:00 p.m., the Joint Session reconvened, presided over by Vice President Pence, who had remained hidden within the Capitol building throughout these events.

10. In the course of these events, over 100 members of law enforcement were assaulted. The Capitol suffered millions of dollars in damage—including broken windows and doors, graffiti, and residue from pepper spray, tear gas, and fire extinguishers deployed both by crowd members who stormed the Capitol and by Capitol Police officers trying to restore order. Additionally, many media members were assaulted and had cameras and other news-gathering equipment destroyed.

The Oath Keepers Militia

11. Members and affiliates of an organization known as the Oath Keepers were among the individuals and groups who forcibly entered the Capitol on January 6, 2021. The Oath Keepers are a large but loosely organized collection of individuals, some of whom are associated with militias. Some members of the Oath Keepers believe that the federal government has been coopted by a cabal of elites actively trying to strip American citizens of their rights. Though the Oath Keepers will accept anyone as members, they explicitly focus on recruiting current and former military, law enforcement, and first-responder personnel. The organization’s name alludes to the oath sworn by members of the military and police to defend the Constitution “from all enemies, foreign and domestic.” The Oath Keepers are led by PERSON ONE.

12. On January 4, 2021, PERSON ONE posted an article to the Oath Keepers website encouraging Oath Keeper members and affiliates to go to Washington, D.C., for the events of January 5-6, 2021, stating: “It is CRITICAL that all patriots who can be in DC get to DC to stand tall in support of President Trump’s fight to defeat the enemies foreign and domestic who are attempting a coup, through the massive vote fraud and related attacks on our Republic. We Oath Keepers are both honor-bound and eager to be there in strength to do our part.”

13. In his January 4 post, PERSON ONE also observed: “As we have done on all recent DC Ops, we will also have well armed and equipped QRF¹ teams on standby, outside DC, in the event of a worst case scenario, where the President calls us up as part of the militia to to assist him inside DC. We don’t expect a need for him to call on us for that at this time, but we stand ready if he does (and we also stand ready to answer the call to serve as militia anytime in the future, and anywhere in our nation, if he does invoke the Insurrection Act).”

14. PERSON ONE named PERSON TEN to be the leader of his group’s operations in Washington, D.C., on January 6, 2021.

Conspirators

15. THOMAS CALDWELL was a 65-year-old resident of Berryville, Virginia.² CALDWELL used the monikers “CAG,” “Spy,” and “CAG Spy.”

16. DONOVAN CROWL was a 50-year-old resident of Woodstock, Ohio.

17. JESSICA WATKINS was a 38-year-old resident of Woodstock, Ohio.

18. SANDRA PARKER was a 60-year-old resident of Morrow, Ohio, and the wife of BENNIE PARKER.

¹ Based on the investigation, “QRF” appears to refer to “quick reaction force.”

² The ages and residences listed herein are as of January 6, 2021.

19. BENNIE PARKER was a 70-year-old resident of Morrow, Ohio, and the husband of SANDRA PARKER.

20. GRAYDON YOUNG was a 54-year-old resident of Englewood, Florida, and the brother of LAURA STEELE. YOUNG used the moniker "GenXPatriot."

21. LAURA STEELE was a 52-year-old resident of Thomasville, North Carolina, and the sister of YOUNG.

22. KELLY MEGGS was a 52-year-old resident of Dunnellon, Florida, and the husband of CONNIE MEGGS. KELLY MEGGS used the moniker "Gator 1" or "OK Gator 1."

23. CONNIE MEGGS was a 59-year-old resident of Dunnellon, Florida, and the wife of KELLY MEGGS.

24. KENNETH HARRELSON was a 40-year-old resident of Titusville, Florida. HARRELSON used the moniker "Gator 6."

25. ROBERTO MINUTA was a 36-year-old resident of Prosper, Texas.

26. JOSHUA JAMES was a 33-year-old resident of Arab, Alabama. JAMES used the moniker "Hydro."

27. [REDACTED]

28. JOSEPH HACKETT was a 50-year-old resident of Sarasota, Florida. HACKETT used the moniker "Ahab."

29. JASON DOLAN was a 44-year-old resident of Wellington, Florida. DOLAN used the moniker "Turmoil."

30. WILLIAM ISAACS was a 21-year-old resident of Kissimmee, Florida.

COUNT ONE
(Conspiracy—18 U.S.C. § 371)

31. The introductory allegations set forth in paragraphs 1 through 30 are re-alleged and incorporated by reference as though set forth herein.

The Conspiracy

32. From at least as early as November 3, 2020, through January 6, 2021, in the District of Columbia and elsewhere, the defendants,

**THOMAS CALDWELL,
DONOVAN CROWL,
JESSICA WATKINS,
SANDRA PARKER,
BENNIE PARKER,
GRAYDON YOUNG,
LAURA STEELE,
KELLY MEGGS,
CONNIE MEGGS,
KENNETH HARRELSON,
ROBERTO MINUTA,
JOSHUA JAMES,
[REDACTED],
JOSEPH HACKETT,
JASON DOLAN, and
WILLIAM ISAACS,**

did knowingly combine, conspire, confederate, and agree with each other and others known and unknown, to commit an offense against the United States, namely, to corruptly obstruct, influence, and impede an official proceeding, that is, the Certification of the Electoral College vote, in violation of Title 18, United States Code, Section 1512(c)(2).

Purpose of the Conspiracy

33. The purpose of the conspiracy was to stop, delay, and hinder the Certification of the Electoral College vote.

Manner and Means

34. CALDWELL, CROWL, WATKINS, SANDRA PARKER, BENNIE PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, MINUTA, JAMES, ██████████ HACKETT, DOLAN, and ISAACS, with others known and unknown, carried out the conspiracy through the following manner and means, among others, by:

- a. Agreeing to participate in and planning an operation to interfere with the Certification of the Electoral College vote on January 6, 2021 (the “January 6 operation”);
- b. Attending or scheduling trainings to teach and learn paramilitary combat tactics in advance of the January 6 operation;
- c. Using websites, social media, text messaging, and messaging applications to recruit other individuals to travel to Washington, D.C., to support the January 6 operation;
- d. Coordinating in advance with others, including members of the Oath Keepers from other regions, and joining forces with these individuals and groups to further the January 6 operation;
- e. Traveling to Washington, D.C., for the January 6 operation;
- f. Bringing and contributing paramilitary gear and supplies—including firearms, camouflaged combat uniforms, tactical vests with plates, helmets, eye protection, and radio equipment—for the January 6 operation;
- g. Donning clothes with the Oath Keepers insignia for the January 6 operation;
- h. Changing into paramilitary gear—including helmets—before participating in the January 6 operation;

- i. Moving together in a military “stack” formation while utilizing hand signals to maintain communication and coordination while advancing toward the Capitol as part of the January 6 operation;
- j. Forcibly storming past exterior barricades, Capitol Police, and other law enforcement officers, and entering the Capitol in executing the January 6 operation; and
- k. Using secure and encrypted communications applications like Signal³ and Zello⁴ to develop plans and later communicate during the January 6 operation.

Overt Acts

Planning for January 6, 2021

35. At a GoToMeeting⁵ held on November 9, 2020, PERSON ONE told those attending the meeting, “We’re going to defend the president, the duly elected president, and we call on him to do what needs to be done to save our country. Because if you don’t guys, you’re going to be in a bloody, bloody civil war, and a bloody – you can call it an insurrection or you can call it a war or fight.” PERSON ONE called upon his followers to go to Washington, D.C., to let the President know “that the people are behind him.” PERSON ONE told his followers they needed to be prepared to fight Antifa, which he characterized as a group of individuals with whom “if the fight comes, let the fight come. Let Antifa – if they go kinetic on us, then we’ll go kinetic back on them. I’m willing to sacrifice myself for that. Let the fight start there. That will give President Trump

³ Signal is an encrypted messaging service.

⁴ Zello is an application that emulates push-to-talk walkie-talkies over cellular telephone networks. Zello can be used on electronic communication devices, like cellular telephones and two-way radios.

⁵ GoToMeeting is an online meeting site that allows users to host conference calls and video conferences via the Internet in real time.

what he needs, frankly. If things go kinetic, good. If they throw bombs at us and shoot us, great, because that brings the president his reason and rationale for dropping the Insurrection Act.” PERSON ONE continued, “I do want some Oath Keepers to stay on the outside, and to stay fully armed and prepared to go in armed, if they have to So our posture’s gonna be that we’re posted outside of DC, um, awaiting the President’s orders. . . . We hope he will give us the orders. We want him to declare an insurrection, and to call us up as the militia.” WATKINS, KELLY MEGGS, HARRELSON, HACKETT, PERSON THREE, PERSON TEN, and others known and unknown attended this GoToMeeting. After PERSON ONE finished speaking, WATKINS and KELLY MEGGS asked questions and made comments about what types of weapons were legal in the District of Columbia.

36. On November 9, 2020, WATKINS, the self-described “C.O. [Commanding Officer] of the Ohio State Regular Militia,” sent text messages to recruit a number of individuals who had expressed interest in joining the Ohio State Regular Militia. In these messages, WATKINS mentioned, among other things, that the militia had a week-long “Basic Training class coming up in the beginning of January,” and told one recruit, “I need you fighting fit by innaugeration.” In describing the program to PERSON TEN, WATKINS said, “It’s a military style basic, here in Ohio, with a Marine Drill Sergeant running it. An hour north of Columbus Ohio[.]”

37. On November 9, 2020, WATKINS asked a recruit if he could “download an App called Zello” and stated, “We all use Zello though for operations.”

38. On November 17, 2020, when a recruit asked WATKINS for her predictions for 2021, WATKINS replied, among other statements:

I can't predict. I don't underestimate the resolve of the Deep State. Biden may still yet be our President. If he is, our way of life as we know it is over. Our Republic would be over. Then it is our duty as Americans to fight, kill and die for our rights.

and:

[I]f Biden get the steal, none of us have a chance in my mind. We already have our neck in the noose. They just haven't kicked the chair yet.

39. On November 23, 2020, CALDWELL sent a text message to WATKINS stating:

Hi, CAP! Wanted to tell you it was great to have you here in Virginia. Don't know what [PERSON ONE] is cooking up but I am hearing rumblings of another Maga March 12 December.⁶ I don't know what will happen but like you I am very worried about the future of our country. Once lawyers get involved all of us normal people get screwed. I believe we will have to get violent to stop this, especially the antifa maggots who are sure to come out en masse even if we get the Prez for 4 more years. Stay sharp and we will meet again. You are my kinda person and we may have to fight next time. I have my own gear, I like to be ON TIME and go where the enemy is, especially after dark. Keep the faith! Spy.

40. On December 3, 2020, YOUNG emailed the Florida chapter of the Oath Keepers a membership application and wrote, "looking to get involved in helping..."

41. On December 19, 2020, HACKETT sent an email to YOUNG with a subject line "test." The body of the email stated: "I believe we only need to do this when important info is at hand like locations, identities, Ops planning." The email had a photo attached; the photo showed cursive handwriting on a lined notepad that stated: "Secure Comms Test. Good talk tonight guys! Rally Point in Northern Port Charlotte at Grays if transportation is possible. All proton mails."⁷

⁶ An event colloquially referred to as the "Million MAGA March" occurred in Washington, D.C., on November 14, 2020. A similar event occurred in Washington, D.C., on December 12, 2020.

⁷ Based on the investigation, "proton mails" appears to refer to the company "ProtonMail," which offers encrypted email services.

May consider an RP⁸ that won't burn anyone. Comms – work in progress. Messages in cursive to eliminate digital reads. Plans for recruitment and meetings.”

42. On December 19, 2020, YOUNG wrote to a Facebook group: “Please check out Oath Keepers as a means to get more involved. Recruiting is under way. DM me if you want more info.”

43. On December 22, 2020, YOUNG made plans to fly from Florida to North Carolina on January 4, 2021, with a return trip on January 8, 2021.

44. On December 22, 2020, KELLY MEGGS wrote a series of messages on Facebook to another individual that read in part:

- a. “Trump said It’s gonna be wild!!!!!!! It’s gonna be wild!!!!!!! He wants us to make it WILD that’s what he’s saying. He called us all to the Capitol and wants us to make it wild!!! Sir Yes Sir!!! Gentlemen we are heading to DC pack your shit!!!”
- b. “Nice, we will have at least 50-100 OK⁹ there.”

45. On December 25, 2020, KELLY MEGGS wrote a message on Facebook that said in relevant part: “I was named State lead of Florida today.”

46. On December 25, 2020, KELLY MEGGS wrote a message on Facebook that said in relevant part: “We are all staying in DC near the Capitol we are at the Hilton garden inn but I think it’s full. Dc is no guns. So mace and gas masks, some batons. If you have armor that’s good.”

47. On December 26, 2020, YOUNG wrote an email to a Florida company that conducts training on firearms and combat. YOUNG wrote, in part, “I trained with you not long

⁸ Based on the investigation, “RP” appears to refer to “rally point.”

⁹ Based on the investigation, “OK” appears to refer to “Oath Keepers.”

ago. Since then I have joined Oath Keepers. I recommended your training to the team. To that effect, four of us would like to train with you, specifically in your UTM¹⁰ rifle class.”

48. On December 26 and 27, 2020, WATKINS and BENNIE PARKER exchanged text messages relating to preparations for the trip to Washington, D.C., on January 6, 2021. BENNIE PARKER also texted WATKINS, “I may have to see what it takes to join your militia, ours is about gone.”

49. On December 29, 2020, WATKINS sent text messages to CROWL sharing her plans to go to Washington, D.C., for the events of January 6, 2021.

50. On December 29 and 30, 2020, WATKINS and BENNIE PARKER exchanged text messages in which they discussed Oath Keeper membership and meeting in advance to prepare for the trip to Washington, D.C., on January 6, 2021.

51. On December 30, 2020, CALDWELL wrote in a Facebook post: “THIS IS OUR CALL TO ACTION, FREINDS! SEE YOU ON THE 6TH IN WASHINGTON, D.C. ALONG WITH 2 MILLION OTHER LIKE-MINDED PATRIOTS.”

52. On December 30, 2020, WATKINS and CALDWELL exchanged the following text messages:

WATKINS: Looks like we are greenlight to come to DC on the 6th. The Rally Point still at your place?

CALDWELL: Not that I am aware. Have been contacted by NO ONE. Typical [PERSON ONE]. Here’s the rub: [PERSON TWO] and I will be in a hotel within striking distance of the city starting on the 4th so we won’t even BE here. There will be some stuff going on during the 5th and we want to be a part of that whenever it shakes out. Also we want to be in D.C. very early on the 6th, hence closer/virtually no commute time.

¹⁰ Based on the investigation, “UTM” appears to refer to “Ultimate Training Munitions.”

WATKINS: We planned on arriving on the 5th. We want to be in DC by 9am on the 6th. I will reach out to [PERSON THREE], and see if NC boys are coming. If [PERSON ONE] isn't making plans, I'll take charge myself, and get the ball rolling. I think the Metro is smarter than convoy/parking issues. Do you want us to stage ourselves vehicles elsewhere, seeing how you're going to be gone? We can go to a KOA Campground or something...

...

CALDWELL (about two hours later):

Talked to [PERSON THREE]. At least one full bus 40+ people coming from N.C. Another group (unclear if Mississippi guys) also a bus. Busses have their own lane on the 14th street bridge so they will be able to get in and out. [PERSON THREE] is driving plus 1 and arriving nite before. As we speak he is trying to book a room at Comfort Inn Ballston/Arlington because of its close-in location and easy access to downtown because he feels 1) he's too broken down to be on the ground all day and 2) he is committed to being the quick reaction force and bringing the tools if something goes to hell. That way the boys don't have to try to schlep weps on the bus. He'll bring them in his truck day before. Just got a text from him he WAS able to book a room in that hotel I recommended which is on Glebe Road in Arlington. However it goes it will be great to see you again! I sure hope your arm is getting better!

53. On December 31, 2020, CALDWELL replied to a Facebook comment, writing, "It begins for real Jan 5 and 6 on Washington D.C. when we mobilize in the streets. Let them try to certify some crud on capitol hill with a million or more patriots in the streets. This kettle is set to boil..."

54. On December 31, 2020, when invited to a "leadership only" conference call on Signal for the "DC op," WATKINS said she would try to make it if her work obligations permitted.

55. At least as early as December 31, 2020, WATKINS, KELLY MEGGS, JAMES, MINUTA, PERSON ONE, PERSON THREE, PERSON TEN, and others known and unknown joined an invitation-only encrypted Signal group message titled "DC OP: Jan 6 21" (hereinafter the "Leadership Signal Chat").

56. On December 31, 2020, KELLY MEGGS wrote a series of messages to another person on Facebook that said, “You guys Gonna carry?” and “Ok we aren’t either, we have a heavy QRF 10 Min out though.”

57. On December 31, 2020, another individual contacted JAMES via Signal and stated: “i have friends not far from DC with a lot of weapons and ammo if you get un trouble i ca. Coordinate help.” JAMES responded, “That might be helpful, but we have a shitload of QRF on standby with an arsenal.”

58. On December 31, 2020, KELLY MEGGS and JAMES attended a 4-participant GoToMeeting titled “SE leaders dc 1/6/21 op call.” KELLY MEGGS was the organizer of the meeting.

59. On December 31, 2020, KELLY MEGGS and HARRELSON attended a GoToMeeting titled “florida dc op planning chat.” HARRELSON was the organizer of the meeting, which had about 15 participants.

60. On December 31, 2020, JAMES messaged PERSON NINETEEN and asked, “Do we have a farm location for weapons?” PERSON NINETEEN responded, “Not that I am aware of yet. If nothing else, my hotel is in VA and has secured underground parking. About 15-20 minutes outside DC, less if you really don’t care about speed limits... would be great if we had someone with an enclosed truck type vehicle and had a quick response unit just outside the city.” JAMES replied, “I agree.”

61. On January 1, 2021, PERSON FOURTEEN messaged JAMES on Signal and asked, “Hey we told to bring guns and maybe stage them in VA?? But you are showing hotels in DC for Alabama. Are we bring guns or no if so how will that work?” JAMES responded, “Were working on a Farm location Some are bringing long rifles some sidearms... I’m bringing sidearm.”

62. On January 1, 2021, CALDWELL replied to a Facebook comment, writing, “I accept that assignment! I swore to support and defend the Constitution of the United States against all enemies foreign and domestic. I did the former, I have done the latter peacefully but they have morphed into pure evil even blatantly rigging an election and paying off the political caste. We must smite them now and drive them down.”

63. On January 1, 2021, CROWL sent CALDWELL a Facebook message stating, “Happy New year, to you Sir!! Guess I’ll be seeing you soon. Will probably call you tomorrow...mainly because...I like to know wtf plan is. You are the man Commander.”

64. On January 1, 2021, CALDWELL wrote to CROWL, “Check with Cap. I recommended the following hotel to her which STILL has rooms (unbelievable).” CALDWELL then sent a link to the Comfort Inn Ballston, the same hotel that he recommended to others on January 1. CALDWELL continued, “[PERSON TWO] and I are setting up shop there. [PERSON THREE] has a room and is bringing someone. He will be the quick reaction force. Its going to be cold. We need a place to spend the night before minimum. [PERSON ONE] never contacted me so [PERSON TWO] and I are going our way. I will probably do pre-strike on the 5th though there are things going on that day. Maybe can do some night hunting. Oathkeeper friends from North Carolina are taking commercial buses up early in the morning on the 6th and back same night. [PERSON THREE] will have the goodies in case things go bad and we need to get heavy.”

65. On January 1, 2021, CROWL and WATKINS made plans to travel by car to Washington, D.C., to attend the events of January 5-6, 2021.

66. Beginning on January 1, and continuing into January 2, 2021, CALDWELL and CROWL exchanged messages about the hotel where they planned to stay in Arlington, Virginia, and CALDWELL told CROWL: “This is a good location and would allow us to hunt at night if

we wanted to. I don't know if [PERSON ONE] has even gotten out his call to arms but its a little friggin late. This is one we are doing on our own. We will link up with the north carolina crew.”

67. On January 2, 2021, PERSON FIFTEEN messaged JAMES on Signal and asked, “So, I guess I am taking full gear less weapons? Just reading through all the posts. Would rather have it and not need it.” JAMES responded, “Yeah full gear... QRF will have weapons Just leave em home.”

68. On the evening of January 2, 2021, at about 5:43 p.m., KELLY MEGGS posted a map of Washington, D.C., in the Leadership Signal Chat, along with the message, “1 if by land[,] North side of Lincoln Memorial[,] 2 if by sea[,] Corner of west basin and Ohio is a water transport landing !!” KELLY MEGGS continued, “QRF rally points[,] Water of the bridges get closed.”

69. On January 3, 2021, STEELE emailed the Florida chapter of the Oath Keepers a membership application and wrote, “My brother, Graydon Young told me to submit my application this route to expedite the process.” Later in the day, STEELE emailed KELLY MEGGS and wrote, “My brother, Graydon Young told me to send the application to you so I can be verified for the Events this coming Tuesday and Wednesday.” The following day, STEELE sent an email to an Oath Keepers address, copying both YOUNG and KELLY MEGGS, attaching her Florida Oath Keepers membership application and vetting form, and writing, “I was just requested to send my documents to this email.”

70. On January 3, 2021, WATKINS sent CROWL a Facebook message stating, “Running a bit behind. I'll txt when I'm back at the bar. Getting supplies for DC.”

71. On January 3, 2021, WATKINS and BENNIE PARKER discussed the uniforms, gear, and weapons they would wear and bring on January 6, 2021:

WATKINS to BENNIE PARKER: We are not bringing firearms. QRF will be our Law Enforcement

members of Oathkeepers.

BENNIE PARKER to WATKINS:

Good to know.

WATKINS to BENNIE PARKER:

Pack Khaki/Tan pants. Weapons are ok now as well. Sorry for the confusion. We are packing the car and heading your way shortly

BENNIE PARKER to WATKINS:

We don't have any khakis We have jeans and our b d u's¹¹ So I can bring my gun?

72. On January 3, 2021, KELLY MEGGS and HARRELSON served as two of the three “organizers” of an 18-participant GoToMeeting titled “dc planning call.”

73. At least as early as January 3, 2021, WATKINS, KELLY MEGGS, YOUNG, HARRELSON, HACKETT, DOLAN, ISAACS, and others known and unknown joined an invitation-only encrypted Signal group message titled “OK FL DC OP Jan 6” (hereinafter the “Florida Signal Chat”).

74. On January 3, 2021, KELLY MEGGS added HARRELSON to the Leadership Signal Chat, and wrote that HARRELSON would serve as the “Ground Team lead in Florida.”

75. On January 4, 2021, CALDWELL emailed PERSON THREE several maps along with the message, “These maps walk you from the hotel into D.C. and east toward the target area on multiple roads running west to east including M street and P street, two of my favorites”

76. [REDACTED]

[REDACTED]

¹¹ Based on the investigation, “B.D.U.” appears to be a military reference to the Battle Dress Uniform, which is a camouflaged combat uniform.

[REDACTED]

77. [REDACTED]

[REDACTED]

[REDACTED]

Travel to Washington, D.C., for the January 6 Operation

78. On January 4, 2021, KELLY MEGGS wrote in the Florida Signal Chat, “Rally 3 pm if possible and need location DM but only those who will caravan.”

79. On January 4, 2021, HARRELSON and DOLAN departed Florida together in a vehicle rented by DOLAN and traveled to the Washington, D.C., metropolitan area.

80. On January 4, 2021, YOUNG took a flight from Sarasota, Florida, to Greensboro, North Carolina.

81. On January 4, 2021, CROWL, WATKINS, SANDRA PARKER, and BENNIE PARKER departed Ohio together and traveled to Northern Virginia, where they spent the night.

82. On January 4, 2021, PERSON TEN checked into the Hilton Garden Inn in Vienna, Virginia. The room was reserved and paid for using a credit card in PERSON ONE’s name.

83. On January 4, 2021, WATKINS wrote in the Florida Signal Chat, “Where can we drop off weapons to the QRF team? I’d like to have the weapons secured prior to the Op tomorrow.”

84. On the morning of January 5, 2021, HARRELSON asked in the Florida Signal Chat for the location of the “QRF hotel,” and KELLY MEGGS responded by asking for a direct message.

85. On January 5, 2021, PERSON ONE and MINUTA separately traveled to the Washington, D.C., metropolitan area and checked into the Hilton Garden Inn in Vienna, Virginia.

86. On January 5, 2021, YOUNG and STEELE departed North Carolina with others known and unknown and traveled to the Washington D.C., metropolitan area and checked into the Holiday Inn in Springfield, Virginia.

87. CALDWELL paid for a room for two people at the Comfort Inn Ballston from January 5-7, 2021.

88. WATKINS paid for a room for two people at the Comfort Inn Ballston—the hotel recommended by CALDWELL—from January 5-7, 2021, and reserved it under the name “Jessica Wagkins.”

89. SANDRA PARKER paid for a room for two people at the Comfort Inn Ballston from January 5-7, 2021.

90. KELLY MEGGS paid for two rooms, each for two people, at the Comfort Inn Ballston from January 5-6, 2021. The rooms were reserved under the name of PERSON THREE.

91. KELLY MEGGS also booked two rooms at the Hilton Garden Inn in Washington, D.C., from January 5-7, 2021. KELLY MEGGS paid for both of the rooms, using two different credit cards.

92. YOUNG paid for a room for two people at the Holiday Inn in Springfield, Virginia, from January 5-6, 2021.

93. HACKETT paid for a room at the Hilton Garden Inn in Washington, D.C., from January 5-7, 2021. The room was booked in the name of PERSON SIXTEEN.

94. DOLAN booked and paid for a room at the Hilton Garden Inn in Washington, D.C., from January 5-7, 2021.

95. MINUTA, using his personal email address and his personal home address, reserved three rooms at the Mayflower Hotel in Washington, D.C., under the names of MINUTA, JAMES, and PERSON TWENTY. A debit card associated with PERSON FIFTEEN was used to pay for the room reserved under MINUTA's name. A credit card associated with JAMES was used to pay for the room reserved under JAMES's name.

96. [REDACTED]

The January 6 Operation

97. On the morning of January 6, 2021, YOUNG and STEELE traveled together from Springfield, Virginia, to Washington, D.C.

98. On the morning of January 6, 2021, CROWL, WATKINS, CALDWELL, SANDRA PARKER, and BENNIE PARKER, traveled from Arlington, Virginia, to Washington, D.C.

99. [REDACTED]

100. At 11:21 a.m., PERSON ONE placed a phone call to KELLY MEGGS, which lasted 51 seconds.

101. At or around this time, CROWL, WATKINS, SANDRA PARKER, BENNIE PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, and HACKETT prepared themselves for battle before heading to the Capitol by equipping themselves with communication devices and donning reinforced vests, helmets, and goggles.

102. [REDACTED]

103. At 12:58 p.m., MINUTA placed a phone call to PERSON ONE, which lasted approximately 1 minute and 11 seconds.

104. At 1:02 p.m., PERSON ONE placed a phone call to MINUTA, which lasted approximately 1 minute and 48 seconds.

105. At 1:25 p.m., PERSON ONE messaged the Leadership Signal Chat, “Pence is doing nothing. As I predicted.” About 15 minutes later, he sent another message, stating, “All I see Trump doing is complaining. I see no intent by him to do anything. So the patriots are taking it into their own hands. They’ve had enough.”

106. At 1:48 p.m., PERSON ONE sent a message to the Leadership Signal Chat informing the group that he was on his way to the Capitol.

107. At 1:50 p.m., WATKINS transmitted a communication over Zello¹² stating, “We have a good group. We have about 30-40 of us. We are sticking together and sticking to the plan.”

108. At 1:52 p.m., HARRELSON and DOLAN unlawfully entered the restricted Capitol grounds.

109. At 1:59 p.m., PERSON TEN placed a phone call to JAMES, which lasted approximately 30 seconds.

¹² On January 6, 2021, WATKINS and others known and unknown communicated and coordinated their actions on Zello, using a Zello channel named “Stop the Steal J6.”

110. At 2:00 p.m., JAMES placed a phone call to PERSON TEN, which lasted approximately 1 minute and 12 seconds.

111. At 2:00 p.m., WATKINS stated on the “Stop the Steal J6” Zello channel, “Y’all, we’re one block away from the Capitol right now. I’m probably gonna go silent when we get there, because I’m gonna be a little busy.”

112. At 2:01 p.m., PERSON TEN placed a phone call to PERSON ONE, which lasted approximately 1 minute and 41 seconds.

113. At 2:03 p.m., PERSON TEN placed a phone call to JAMES, which lasted approximately 39 seconds. About 1 minute later, JAMES placed a phone call to PERSON TEN, which lasted approximately 3 minutes and 36 seconds.

114. At 2:03 p.m., the administrator of the “Stop the Steal J6” Zello channel directed the group, “You are executing citizen’s arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud”

115. At 2:06 p.m., PERSON ONE sent another message to the Leadership Signal Chat asking for PERSON TEN’s location before stating, “I’m trying to get to you.”

116. At 2:06 p.m., CALDWELL sent WATKINS a text message stating: “Where are you? Pence has punked out. We are screwed. Teargassing peaceful protesters at capital steps. Getting rowdy here... I am here at the dry fountain to the left of the Capitol[.]”

117. At 2:07 p.m., JAMES placed a phone call to PERSON TEN, which lasted approximately 30 seconds, followed by an approximately 55-second phone call at 2:10 p.m.

118. At 2:13 p.m., PERSON TEN placed a phone call to JAMES, which lasted approximately 43 seconds.

119. At 2:14 p.m., PERSON TEN wrote to the Leadership Signal Chat, “The have taken ground at the capital[.] We need to regroup any members who are not on mission.”

120. At 2:15 p.m., PERSON ONE placed a phone call to KELLY MEGGS, which lasted approximately 15 seconds.

121. At 2:16 p.m., PERSON TEN placed a phone call to JAMES, which lasted approximately 42 seconds.

122. At 2:21 p.m., HARRELSON and DOLAN joined the crowd on the central east steps of the Capitol.

123. At 2:24 p.m., KELLY MEGGS placed a phone call to PERSON ONE, which lasted approximately 2 seconds.

124. At 2:25 p.m., PERSON ONE forwarded PERSON TEN’s message (“The have taken ground at the capital[.] We need to regroup any members who are not on mission.”) to the Leadership Signal Chat and instructed: “Come to South Side of Capitol on steps” and then sent a photograph showing the southeast side of the Capitol.

125. At 2:28 p.m., CROWL, WATKINS, SANDRA PARKER, BENNIE PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HACKETT, and ISAACS unlawfully entered the restricted Capitol grounds.

126. At 2:31 p.m., PERSON TEN placed a phone call to PERSON ONE, which lasted approximately 5 minutes and 25 seconds.

127. At 2:32 p.m., KELLY MEGGS placed a phone call to PERSON ONE, which lasted approximately 1 minute and 37 seconds.

128. [REDACTED]

[REDACTED]

129. [REDACTED]

[REDACTED]

130. At 2:33 p.m., JAMES placed a phone call to PERSON TEN, which lasted approximately 49 seconds.

131. [REDACTED]

[REDACTED]

132. At 2:35 p.m., CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HACKETT, and ISAACS joined together with others known and unknown to form a column or stack of individuals wearing Oath Keepers clothing, patches, insignia, and battle gear (the “Stack”). Together, the Stack maneuvered in an organized fashion up the steps on the east side of the Capitol—each member keeping at least one hand on the shoulder of the other in front of them.

133. Towards the top of the steps, HARRELSON and DOLAN joined with the Stack.

134. At the top of the steps, the Stack joined and then pushed forward alongside a mob that aggressively advanced towards the Columbus Doors at the central east entrance to the Capitol, assaulted the officers guarding the doors, threw objects and sprayed chemicals towards the officers and the doors, and pulled violently on the doors.

135. At 2:39 p.m., ISAACS joined the crowd in forcibly pushing against one of the Columbus Doors and the law enforcement officers guarding that door. Shortly thereafter, the Capitol doors were breached by the mob, and ISAACS entered the building.

136. Shortly after the mob breached the doors, CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, HACKETT, DOLAN, and the others in the Stack forcibly entered the Capitol.

137. As they entered the Capitol, CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, HACKETT, DOLAN, and the others in the Stack joined the larger mob in pushing past at least one law enforcement officer who was trying to stop them from breaching the Capitol building.

138. After they penetrated the Capitol building, CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, HACKETT, DOLAN, ISAACS, and the others in the Stack collectively moved into an area inside the building known as the Capitol Rotunda.

139. As they navigated through the Capitol Rotunda, CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, HACKETT, DOLAN, ISAACS, and the others in the Stack continued to communicate with one another by keeping their hands on each other's backs.

140. At 2:44 p.m., WATKINS stated on the "Stop the Steal J6" Zello channel, "We are in the mezzanine. We are in the main dome right now. We are rocking it. They are throwing grenades, they are fricking shooting people with paint balls. But we are in here."

141. An individual who had participated in at least one prior Oath Keeper operation with WATKINS responded, “Get it, Jess. Do your fucking thing. This is what we fucking [unintelligible] up for. Everything we fucking trained for.”

142. Shortly thereafter, WATKINS, CROWL, SANDRA PARKER, YOUNG, STEELE, and ISAACS exited the Rotunda through the northbound hallway and attempted to enter the Senate wing of Congress.

143. ISAACS yelled “the fight’s not over” and waved rioters down the hallways towards the Senate.

144. At 2:45 p.m. and afterward, CROWL, WATKINS, SANDRA PARKER, YOUNG, and ISAACS joined the mob in pushing against a line of riot police officers guarding the hallway connecting the Rotunda to the Senate, as WATKINS commanded those around her to “push, push, push,” and to, “get in there, get in there,” while noting, “they [the officers] can’t hold us.”

145. When officers responded by deploying a chemical spray, the mob—including CROWL, WATKINS, SANDRA PARKER, YOUNG, and ISAACS—retreated.

146. CROWL, WATKINS, SANDRA PARKER, YOUNG, STEELE, and ISAACS regrouped in the Rotunda.

147. At 2:45 p.m., KELLY MEGGS, CONNIE MEGGS, HARRELSON, HACKETT, and DOLAN walked southbound out of the Rotunda and towards the House of Representatives.

148. Meanwhile, CALDWELL, who was positioned on the west side of the Capitol, joined with PERSON TWO and others known and unknown in storming past barricades and climbing stairs up to a balcony on the west side of the Capitol building.

149. At 2:48 p.m., CALDWELL sent a message on Facebook, writing, “We are surging forward. Doors breached[.]”

150. At 2:54 p.m., HACKETT exited the Capitol.

151. At 2:57 p.m., HARRELSON and DOLAN exited the Capitol.

152. At 2:59 p.m., KELLY MEGGS and CONNIE MEGGS exited the Capitol.

153. At 3:05 p.m., CROWL, WATKINS, SANDRA PARKER, YOUNG, and STEELE helped ISAACS out of the Capitol.

154. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

155. While entering the Capitol building, MINUTA and JAMES pushed past Capitol Police officers who placed their hands on MINUTA and JAMES in an unsuccessful attempt to stop them from advancing toward the Capitol Rotunda.

156. At 3:17 p.m., when MINUTA and JAMES reached the entrance to the Capitol Rotunda, they joined with others in the crowd in a confrontation with a line of law enforcement officers that had formed a barrier between the lobby and the Capitol Rotunda. JAMES yanked and pushed several of the riot officers out of the way. While engaging in this conduct, JAMES repeatedly yelled, "Get out of my Capitol!" and "This is my fucking building! This is not yours! This is my Capitol!"

157. As he stood behind JAMES while recording the events with a camera, MINUTA yelled, "This is what's bound to happen, just get out! Get out! Get these cops out! It's our fucking building! Get 'em out, get out!"

158. JAMES briefly breached the Rotunda but was expelled by at least one officer who aimed chemical spray directly at JAMES, and multiple officers who pushed him out from behind.

159. At 3:19 p.m., while exiting the Capitol building through the same east side Rotunda door from which he entered, MINUTA held up two fingers and yelled at a law enforcement officer, among other things, “All that’s left is the Second Amendment!”

160. At 3:22 p.m., JAMES exited the Capitol through the east side Rotunda door from which he entered.

161. [REDACTED]

162. At 3:40 p.m., JAMES placed a phone call to PERSON TEN, which lasted approximately 3 minutes and 4 seconds.

163. At 4:04 p.m., MINUTA placed a phone call to PERSON ONE, which lasted approximately 42 seconds.

164. At 4:05 p.m., PERSON ONE placed a phone call to MINUTA, which lasted approximately 2 minutes and 56 seconds.

165. Shortly after 4:00 p.m., individuals who breached the Capitol, to include YOUNG, STEELE, KELLY MEGGS, CONNIE MEGGS, HARRELSON, MINUTA, JAMES, [REDACTED] HACKETT, DOLAN, and ISAACS, among others, gathered together with PERSON ONE and PERSON TEN approximately 100 feet from the Capitol, near the northeast corner of the building.

(In violation of Title 18, United States Code, Section 371)

COUNT TWO
(18 U.S.C. §§ 1512(c)(2), 2—Obstruction of an Official Proceeding and Aiding and Abetting)

166. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein. As set forth in paragraphs 35 through 165, on or about January 6, 2021, in the District of Columbia and elsewhere, the defendants,

**THOMAS CALDWELL,
DONOVAN CROWL,
JESSICA WATKINS,
SANDRA PARKER,
BENNIE PARKER,
GRAYDON YOUNG,
LAURA STEELE,
KELLY MEGGS,
CONNIE MEGGS,
KENNETH HARRELSON,
ROBERTO MINUTA,
JOSHUA JAMES,
[REDACTED],
JOSEPH HACKETT,
JASON DOLAN, and
WILLIAM ISAACS,**

attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, the Certification of the Electoral College vote, and did aid and abet others known and unknown to do the same.

(In violation of Title 18, United States Code, Sections 1512(c)(2), 2)

COUNT THREE

(18 U.S.C. §§ 1361, 2—Destruction of Government Property and Aiding and Abetting)

167. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

168. As set forth in paragraphs 134 through 137 and paragraphs 142 through 145, on January 6, 2021, in the District of Columbia and elsewhere, the defendants,

**DONOVAN CROWL,
JESSICA WATKINS,
SANDRA PARKER,
GRAYDON YOUNG,
LAURA STEELE,
KELLY MEGGS,
CONNIE MEGGS,
KENNETH HARRELSON,
JOSEPH HACKETT,**

**JASON DOLAN, and
WILLIAM ISAACS,**

attempted to, and did, willfully injure and commit depredation against property of the United States, that is, the United States Capitol building, thereby causing or attempting to cause damage that exceeded \$1,000, and did aid and abet others known and unknown to do so.

(In violation of Title 18, United States Code, Sections 1361, 2)

COUNT FOUR
(18 U.S.C. § 1752(a)(1)—Restricted Building or Grounds)

169. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

170. As set forth in paragraphs 125, 136 to 137, 148 to 149, and 154 to 155, on or about January 6, 2021, in the District of Columbia and elsewhere, the defendants,

**THOMAS CALDWELL,
DONOVAN CROWL,
JESSICA WATKINS,
SANDRA PARKER,
BENNIE PARKER,
GRAYDON YOUNG,
LAURA STEELE,
KELLY MEGGS,
CONNIE MEGGS,
KENNETH HARRELSON,
ROBERTO MINUTA,
JOSHUA JAMES,
[REDACTED],
JOSEPH HACKETT,
JASON DOLAN, and
WILLIAM ISAACS,**

did knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, or otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so.

(In violation of Title 18, United States Code, Section 1752(a)(1))

COUNT FIVE

(18 U.S.C. §§ 231(a)(3), 2—Civil Disorder and Aiding and Abetting)

171. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

172. As set forth in paragraph 135, on or about January 6, 2021, within the District of Columbia, the defendant,

WILLIAM ISAACS,

committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, U.S. Capitol Police Officer M.C., while Officer M.C. was lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

(In violation of Title 18, United States Code, Sections 231(a)(3), 2)

COUNT SIX

(18 U.S.C. §§ 231(a)(3), 2—Civil Disorder and Aiding and Abetting)

173. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

174. As set forth in paragraphs 142 through 145, on or about January 6, 2021, within the District of Columbia, the defendants,

**JESSICA WATKINS,
DONOVAN CROWL,
SANDRA PARKER,
GRAYDON YOUNG, and
WILLIAM ISAACS,**

committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, law enforcement officers guarding the hallway between the Capitol Rotunda and Senate chamber, while those officers were lawfully engaged in the lawful performance of their official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

(In violation of Title 18, United States Code, Sections 231(a)(3), 2)

COUNT SEVEN
(18 U.S.C. §§ 231(a)(3), 2—Civil Disorder and Aiding and Abetting)

175. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

176. As set forth in paragraphs 156 and 158, on or about January 6, 2021, within the District of Columbia, the defendant,

JOSHUA JAMES,

committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, law enforcement officers in the Capitol Rotunda, while those officers were lawfully engaged in the lawful performance of their official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

(In violation of Title 18, United States Code, Sections 231(a)(3), 2)

COUNT EIGHT

(18 U.S.C. § 111(a)(1)—Assaulting, Resisting, or Impeding Certain Officers)

177. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

178. As set forth in paragraphs 156 and 158, on or about January 6, 2021, within the District of Columbia, the defendant,

JOSHUA JAMES,

did forcibly assault, resist, oppose, impede, intimidate, and interfere with an officer with the District of Columbia Metropolitan Police Department who was assisting officers and employees of the United States while such persons were engaged in and on account of the performance of official duties, and where the acts in violation of this section involved physical contact with the victim and the intent to commit another felony, namely, Count Two, charging Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, Sections 1512(c)(2), 2.

(In violation of Title 18, United States Code, Section 111(a)(1))

COUNT NINE

(18 U.S.C. § 1512(c)(1)—Tampering with Documents or Proceedings)

179. Paragraphs 1 through 30 and paragraphs 35 through 165 of this Indictment are re-alleged and incorporated as though set forth herein.

180. On January 6, 2021, the Federal Bureau of Investigation (“FBI”) opened an investigation into the attack on the Capitol, and a grand jury of the United States District Court for the District of Columbia subsequently opened an investigation.

181. On January 8, 2021, in response to a request from CROWL for a video, CALDWELL sent the video, and subsequently unsent the message containing the video.

182. Between January 6, 2021, and January 19, 2021, CALDWELL deleted photographs from his Facebook account that documented his participation in the attack on the Capitol on January 6, 2021.

183. Between January 6, 2021, and January 19, 2021, in the District of Columbia and elsewhere, the defendant,

THOMAS CALDWELL,

did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding, that is, the FBI investigation and the grand jury investigation into the attack on the Capitol on January 6, 2021.

(In violation of Title 18, United States Code, Section 1512(c)(1))

COUNT TEN

(18 U.S.C. § 1512(c)(1)—Tampering with Documents or Proceedings)

184. Paragraphs 1 through 30, paragraphs 35 through 165, and paragraph 180 of this Indictment are re-alleged and incorporated as though set forth herein.

185. On January 8, 2021, YOUNG deleted his Facebook account.

186. On January 8, 2021, in the District of Columbia and elsewhere, the defendant,

GRAYDON YOUNG,

did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding, that is, the FBI investigation and the grand jury investigation into the attack on the Capitol on January 6, 2021.

(In violation of Title 18, United States Code, Section 1512(c)(1))

COUNT ELEVEN

(18 U.S.C. § 1512(c)(1)—Tampering with Documents or Proceedings)

187. Paragraphs 1 through 30, paragraphs 35 through 165, and paragraph 180 of this Indictment are re-alleged and incorporated as though set forth herein.

188. Sometime after January 7, 2021, KELLY MEGGS deleted from his cellular telephone certain media, files, and communications that showed his involvement in the offenses alleged herein.

189. On or around January 7, 2021, in the District of Columbia and elsewhere, the defendant,

KELLY MEGGS,

did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding, that is, the FBI investigation and the grand jury investigation into the attack on the Capitol on January 6, 2021.

(In violation of Title 18, United States Code, Section 1512(c)(1))

COUNT TWELVE

(18 U.S.C. § 1512(c)(1)—Tampering with Documents or Proceedings)

190. Paragraphs 1 through 30, paragraphs 35 through 165, and paragraph 180 of this Indictment are re-alleged and incorporated as though set forth herein.

191. Sometime after January 7, 2021, HARRELSON deleted from his cellular telephone certain media, files, and communications that showed his involvement in the offenses alleged herein.

192. On or around January 7, 2021, in the District of Columbia and elsewhere, the defendant,

KENNETH HARRELSON,

did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding, that is, the FBI investigation and the grand jury investigation into the attack on the Capitol on January 6, 2021.

(In violation of Title 18, United States Code, Section 1512(c)(1))

COUNT THIRTEEN

(18 U.S.C. § 1512(c)(1)—Tampering with Documents or Proceedings)

193. Paragraphs 1 through 30, paragraphs 35 through 165, and paragraph 180 of this Indictment are re-alleged and incorporated as though set forth herein.

194. Sometime after January 7, 2021, JAMES deleted from his cellular telephone the Leadership Signal Chat.

195. On January 8, 2021, JAMES instructed PERSON FIFTEEN to “make sure that all signal comms about the op has been deleted and burned,” and PERSON FIFTEEN confirmed PERSON FIFTEEN did in fact do so.

196. On or around January 7-8, 2021, in the District of Columbia and elsewhere, the defendant,

JOSHUA JAMES,

did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempted to do so, with the intent to impair its integrity and availability for use in an official proceeding, that is, the FBI investigation and the grand jury investigation into the attack on the Capitol on January 6, 2021.

(In violation of Title 18, United States Code, Section 1512(c)(1))

A TRUE BILL

FOREPERSON

Channing D. Phillips / jpr

CHANNING D. PHILLIPS
ACTING ATTORNEY FOR THE UNITED STATES
IN AND FOR THE DISTRICT OF COLUMBIA

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
JASON DOLAN

) Case: 1:21-cr-00028
) Assigned To : Judge Amit P. Mehta
) Assign. Date : 5/26/2021
) Description: SUPERSEDING INDICTMENT (B)
) Related Case: 21-cr-28 (APM)

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) JASON DOLAN
who is accused of an offense or violation based on the following document filed with the court:

- Indictment [checked] Superseding Indictment [checked] 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. § 371 (Conspiracy); 18 U.S.C. §§ 1512(c)(2), 2 (Obstruction of an Official Proceeding and Aiding and Abetting);
18 U.S.C. §§ 1361, 2 (Destruction of Government Property and Aiding and Abetting); 18 U.S.C. § 1752(a)(1)
(Entering and Remaining in a Restricted Building or Grounds)

Date: 05/26/2021



Robin M. Meriweather
2021.05.26 15:48:06
-04'00'

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, United States 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

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: CJA Clerk (cmecf_cja@flsd.uscourts.gov), Federal Public Defender (fls_ecf@fd.org)
--No Notice Sent:

Message-Id:21130035@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Initial Appearance - Rule 5(c)(3)/Rule 40
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 5/27/2021 at 11:54 AM EDT and filed on 5/27/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 3(No document attached)

Docket Text:

PAPERLESS Minute Order for proceedings held by Zoom video conference before Magistrate Judge Bruce E. Reinhart: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Jason Dolan held on 5/27/2021. Date of Arrest or Surrender: 5/27/2021. Defendant was present and consented to appear by video. Defendant was sworn. Defendant was advised of charges, rights, and maximum penalties. Defendant questioned regarding appointment of counsel and found to be indigent. CJA appointed. Total time in court: 17 minutes. Detention Hearing set for 5/28/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Status Conference Re: Removal/Identity Hearing set for 5/28/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Attorney Appearance(s): Mark Dispoto by Zoom, Frederick Hutchinson via Telephone Attorney added: Frederick Charles Hutchinson, III for Jason Dolan for REMOVAL/RULE 5 to another District CJA representation. Date attorney was appointed CJA: 5/27/2021. (Digital 10:23:42/10:49:34) Signed by Magistrate Judge Bruce E. Reinhart on 5/27/2021. (tmn)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov,

Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdkkt@usdoj.gov,
virginia.teague@usdoj.gov

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: United States Pretrial, Probation and PSIunit Office (Court Desk) (flsp_cd@flsp.uscourts.gov)
--No Notice Sent:

Message-Id:21128986@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Notice of Hearing
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 5/27/2021 at 8:58 AM EDT and filed on 5/27/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 2(No document attached)

Docket Text:

PAPERLESS NOTICE OF HEARING as to Jason Dolan Initial Appearance – Rule 5(c)(3)/40 set for 5/27/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. (tmn)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 113C 9:21-08212M-001

United States of America

v.

Jason Dolan

Defendant.

**MOTION TO APPEAR *PRO HAC VICE*,
CONSENT TO DESIGNATION, AND REQUEST TO
ELECTRONICALLY RECEIVE NOTICES OF ELECTRONIC FILING**

In accordance with Local Rules 4(b) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys of the United States District Court for the Southern District of Florida, the undersigned respectfully moves for the admission *pro hac vice* of Michael T. van der Veen of the law firm of van der Veen, O'Neill, Hartshorn and Levin, for purposes of appearance as co-counsel on behalf of Jason Dolan in the above-styled case only, and pursuant to Rule 2B of the CM/ECF Administrative Procedures, to permit Michael T. van der Veen to receive electronic filings in this case, and in support thereof states as follows:

1. Michael T. van der Veen, is not admitted to practice in the Southern District of Florida and is a member in good standing of the United States District Court for the Eastern District of Pennsylvania.

2. Movant, Manuel Vazquez Esquire, of the law firm of Manuel Vazquez P.A., Law Office of Manuel Vazquez, P.A., 2332 Galiano St. Fl. 2, Coral Gables, Florida 33134-5402, 305-445-2344, is a member in good standing of the Florida Bar and the United States District Court for the Southern District of Florida and is authorized to file through the Courts electronic filing system. Movant consents to be designated as a member of the Bar of this Court with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, upon whom filings shall be served, who shall be required to electronically file and serve all documents and things that may be filed and served electronically, and who shall be responsible for filing and

serving documents in compliance with the CM/ECF Administrative Procedures. *See* Section 2B of the CM/ECF Administrative Procedures.

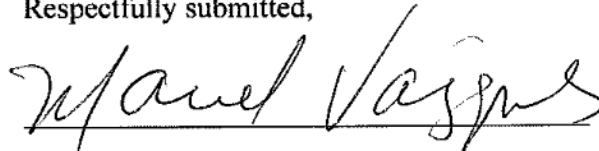
3. In accordance with the local rules of this Court, Michael T. van der Veen has made payment of this Court's \$200 admission fee. A certification in accordance with Rule 4(b) is attached hereto.

4. Michael T. van der Veen, by and through designated counsel and pursuant to Section 2B CM/ECF Administrative Procedures, hereby requests the Court to provide Notice of Electronic Filings to Michael T. van der Veen at email address: mtv@mtvlaw.com

WHEREFORE, Manuel Vazquez moves this Court to enter an Order Michael T. van der Veen to appear before this Court on behalf of Jason Dolan for all purposes relating to the proceedings in the above-styled matter and directing the Clerk to provide notice of electronic filings to Michael T. van der Veen.

Date: May 28, 2021

Respectfully submitted,



Manuel Vazquez, Esq.

FL Bar I.D. 132826

mvaz@mvazlaw.com

Manuel Vazquez P.A.

Law Office of Manuel Vazquez, P.A.

2332 Galiano St Fl 2

305-445-2344

Attorneys for Michael T. van der Veen

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 113C 9:21-08212M-001

United States of America

Plaintiff,

v.

Jason Dolan

Defendant.

_____ /

CERTIFICATION OF MICHAEL T. VAN DER VEEN

Michael T. van der Veen, Esquire, pursuant to Rule 4(b) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys, hereby certifies that: (1) I have studied the Local Rules of the United States District Court for the Southern District of Florida; (2) I am a member in good standing of the United States District Court for the Eastern District of Pennsylvania and (3) I have not filed three or more motions for pro hac vice admission in this District within the last 365 days.



Michael T. van der Veen, Esq.

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:21137854@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Add Attorneys
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/1/2021 at 10:16 AM EDT and filed on 5/28/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: No document attached
Docket Text:
[Attorney update in case as to Jason Dolan. Attorney Michael T. van der Veen for Jason Dolan added \(cw\)](#)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:21138016@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Status Conference
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/1/2021 at 10:36 AM EDT and filed on 5/28/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 5(No document attached)

Docket Text:

PAPERLESS Minute Entry for proceedings held by Zoom and in-person before Magistrate Judge Bruce E. Reinhart: Status Conference Re: Detention and Status Re: Removal/Identity hearing as to Jason Dolan held on 5/28/2021. (Detention Hearing set for 6/2/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Status Conference Re: Removal/Identity hearing set for 6/2/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate.) Total time in court: 10 minutes. Attorney Appearance(s): Mark Dispoto, Frederick Charles Hutchinson, III, Michael T. van der Veen (Digital Zoom 5-28-21 12:45 PM) (tmn)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:21138285@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Order on Motion to Appear Pro Hac Vice
Content-Type: text/html

U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/1/2021 at 11:10 AM EDT and filed on 6/1/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 6(No document attached)

Docket Text:
PAPERLESS ORDER granting [4] Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Michael T. van der Deen. Signed by Magistrate Judge William Matthewman on 6/1/2021. (no00)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Manuel Vazquez mvaz@mvazlaw.com

Frederick Charles Hutchinson, III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, cierra.collier@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafsls-brdkt@usdoj.gov, usafsls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:21146114@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Detention Hearing
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/2/2021 at 8:02 PM EDT and filed on 6/2/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 7(No document attached)

Docket Text:

PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The Defendant requested an in person hearing in the courtroom. Status Conference Re Removal as to Jason Dolan held on 6/2/2021. The Defendant waived the Removal hearing, the Waiver of Rule 5 and 5.1 Hearings form was executed and the Court found the waiver knowing and voluntary. Detention Hearing as to Jason Dolan held on 6/2/2021. The Court took judicial notice of the Fourth Superseding Indictment and the Pretrial Services Report. Government Proffer. Witness Justin Spence S/A FBI testified. The Court continued the Detention Hearing. (Continuation of Detention Hearing set for 6/3/2021 at 10:30 AM in West Palm Beach Division before WPB Duty Magistrate.)..Total time in court: 1 hour(s) : 47 minutes. Attorney Appearance(s): Mark Dispoto appeared by Zoom Video Teleconference, Frederick Charles Hutchinson, III appeared in person in the courtroom, Michael T. van der Veen appeared by Zoom Video Teleconference. (Digital 10:39:27/11:26:49) (kza)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov,

Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdkk@usdoj.gov,
virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

FILED BY VW D.C.
JUN 02 2021
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B.

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America
v.

JASON DOLAN
Defendant

Case No. 21-8212-BER

Charging District's Case No. 21-CR-28-APM

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: 6/2/2021

[Signature]
Defendant's signature

[Signature]
Signature of defendant's attorney

Rick Hutchinson
Printed name of defendant's attorney

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:21149014@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Detention Hearing
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/3/2021 at 3:06 PM EDT and filed on 6/3/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 9(No document attached)

Docket Text:

PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The defendant appeared in the courtroom. Continuation of Detention Hearing as to Jason Dolan held on 6/3/2021. Government's additional proffer. Government Exhibit #s 1 and 2 admitted in evidence. Defendant Proffer. Argument held. The Court denied pretrial detention and Bond set at \$100,000 PSB. Noor-Rita Dolan and Corinne Dolan testified and the Court approved them as co-signers on the bond. The Government requested a stay of the release order – the Court stayed the release until 4:00 p.m. on Friday, June 4, 2021. Total time in court: 2 hour(s) : 12 minutes. Attorney Appearance(s): Mark Dispoto by Zoom video, Frederick Charles Hutchinson, III in person in the courtroom, Michael T. van der Veen by Zoom Video. Other appearances: U.S. Probation Officer Nathan Vreeland in the courtroom. (Digital 10:45:37) (kza)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-mj-8212-BER

UNITED STATES OF AMERICA,

v.

JASON DOLEN,

Defendant.

GOVERNMENT'S EXHIBITS

The United States respectfully files the following exhibit from the detention hearing that took place on June 2-3, 2021:

Exhibit Number	Description
1	Photograph 1
2	Photographs 2

Respectfully submitted,

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

By: s/ Mark Dispoto
Assistant United States Attorney
Court ID# A5501143
500 S. Australian Avenue, Suite 400
West Palm Beach, Florida 33401
Tel: (561) 209-1032
mark.dispoto@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2021, I electronically filed the foregoing with the Clerk of the Court using CMECF.

s/ Mark Dispoto
Assistant United States Attorney





**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 21-mj-8212-BER

United States of America,

v.

JASON DOLEN,

Defendant.

CERTIFICATE OF COMPLIANCE RE ADMITTED EVIDENCE

I, Mark Dispoto, as counsel for the defendant, the United States of America, hereby certify the following:

Check the applicable sections:

ALL EXHIBITS E-FILED: All documentary exhibits and photographs of non-documentary physical exhibits admitted into evidence have been electronically filed in CM/ECF.

EXHIBITS NOT E-FILED: Some documentary exhibits and/or other physical exhibits admitted into evidence cannot be electronically filed in CM/ECF. This includes sealed criminal exhibits and contraband. The following identifies those exhibit numbers that have been retained by the Clerk, and separately identifies those exhibit numbers retained by this filing party. (Itemize or attach a list). Retained by the Clerk: _____

Retained by filing party: _____

AUDIO/VIDEO EXHIBITS: The following audio and/or video exhibits were entered into evidence during these proceedings: video recording of defendant's post-Miranda interview. The filing party has conventionally filed with the Clerk of Court a CD or DVD containing the audio or video recording.

Any original exhibits that have been returned to or retained by the filing party after electronic filing shall be kept for safe keeping until the conclusion of any appeals. Upon order of court, the filing party agrees to return the original exhibits to the Clerk of Court.

Signature: Mark Dispoto

Date: 6/3/2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-mj-8212-BER
	:	
v.	:	
	:	
JASON DOLAN,	:	
	:	
Defendant.	:	

**NOTICE OF GOVERNMENT’S INTENT TO APPEAL
COURT’S DETENTION ORDER AND MOTION TO EXTEND STAY**

The United States respectfully informs the Court and Defendant Jason Dolan of its intention to file a motion in the District of Columbia for review of the release order entered yesterday by Your Honor. To effectuate its motion, the Government hereby requests an extension of Your Honor’s stay until Friday, June 11, 2021 at 4:00 p.m. In support thereof, the government states the following:

1. On May 26, 2021, the grand jury sitting in the District of Columbia indicted Defendant Dolan on counts of Conspiracy, in violation of 18 U.S.C. § 371; Obstruction of an Official Proceeding and Aiding and Abetting, in violation of 18 U.S.C. §§ 1512(c)(2), 2; Destruction of Government Property and Aiding and Abetting, in violation of 18 U.S.C. §§ 1361, 2; and Restricted Building or Grounds Access, in violation of 18 U.S.C. §§ 1752(a)(1). The same day, the Court in the District of Columbia issued a warrant for Defendant Dolan’s arrest.

2. On May 27, 2021, the FBI arrested Defendant Dolan in the Southern District of Florida.

3. On May 28, 2021, Defendant Dolan had his initial appearance before Magistrate Judge Bruce E. Reinhart. On the government's motion, Judge Reinhart ordered Defendant Dolan detained during a short continuance, pursuant to 18 U.S.C. § 3142(f).

4. On June 2 and 3, 2021, a detention hearing was held before Your Honor. As a result of that hearing, Your Honor denied the government's motion for detention and ordered Defendant Dolan released. On the government's *ore temus* motion, Your Honor stayed the release order until June 4, 2021, at 4 p.m., to provide the government time to decide whether to pursue a review of the release order with the District Court in the District of Columbia, pursuant to 18 U.S.C. § 3145(a)(1).

5. Last night, undersigned counsel for the United States was informed by the government attorney handling this matter in the District of Columbia that the government intends to appeal Your Honor's order of release.

6. Given the need to obtain and review transcripts of approximately four hearing hours, the government submits it would be appropriate to file the motion for review in approximately one week: by Friday, June 11, 2021. Section 3145(a) demands that, once filed, a motion to review a release order "be determined promptly."

7. As such, the government hereby requests an extension for one week of Your Honor's previously imposed stay of its detention order. This extension is for a reasonable period

of time necessary to effectuate the government's appeal and is consistent with Southern District of Florida Local Criminal Rule 4(a)(2).

Respectfully submitted,

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

By: s/ Mark Dispoto
Assistant United States Attorney
Court ID# A5501143
500 S. Australian Avenue, Suite 400
West Palm Beach, Florida 33401
Tel: (561) 209-1032
mark.dispoto@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2021, I electronically filed the foregoing with the Clerk of the Court using CMECF.

s/ Mark Dispoto
Assistant United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

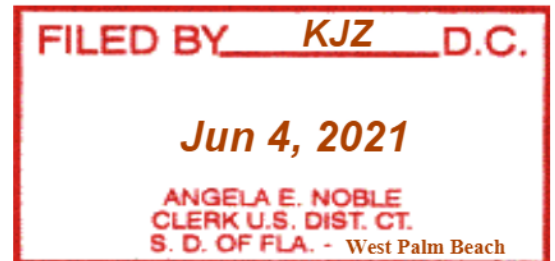
CASE NO. 21-8212-BER

UNITED STATES OF AMERICA,

v.

JASON DOLAN,

Defendant.



**ORDER GRANTING IN PART AND DENYING IN PART THE
GOVERNMENT’S MOTION TO EXTEND STAY [DE 12]**

THIS CAUSE is before the Court upon the Government’s Notice of Government’s Intent to Appeal Court’s Detention Order and Motion to Stay (“Motion”) [DE 12]. The Court began a detention hearing in this case on June 2, 2021, which continued and concluded on June 3, 2021. The Court ultimately released Defendant on extremely stringent conditions including, but not limited to, home incarceration, GPS location monitoring, supervision by the U.S. Probation Office’s Special Offender Unit (SPU), computer and electronic device restrictions, and a \$100,000 personal surety bond co-signed by Defendant’s wife and adult daughter.

At the conclusion of yesterday’s pretrial detention hearing, the Government made an *ore tenus* motion for a short stay to give it the opportunity to determine if it was going to appeal the Court’s decision to release Defendant. The Court agreed to stay Defendant’s release until today, Friday, June 4, 2021, at 4:00 p.m., so that the Government could make its determination regarding an appeal.

In the Motion [DE 12] currently before the Court, the Government informs the Court and

Defendant of its intention to file a motion in the United States District Court for the District of Columbia for review of the release order entered by the undersigned. The Government also requests an extension of the stay until Friday, June 11, 2021, at 4:00 p.m. According to the Government, the requested extension is for a reasonable period of time as the Government must obtain and review transcripts of the four-hour detention hearing.


Southern District of Florida Local Rule 4(a)(2) states in relevant part that “[a]t the conclusion of a hearing pursuant to 18 U.S.C. § 3142 in which a Magistrate Judge has entered an order granting pretrial release, the government may make an *ore tenus* motion that the Magistrate Judge exercise discretion to stay the release order for a reasonable time, to allow the government to pursue review or appeal of the release order, in accordance with 18 U.S.C. § 3145.” S.D. Fla. L.R. 4(a)(2). Additionally, 18 U.S.C. § 3145(a) demands that, once filed, a motion to review a release order “be determined promptly.”

The Court has carefully considered the Motion and the applicable rule and statute. A short extension of the stay until Thursday, June 10, 2021, at 4:00 p.m., is reasonable given the facts of this case. In light of the foregoing, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Government’s Motion to Stay [DE 12] is **GRANTED IN PART AND DENIED IN PART**.
2. The Court hereby extends the stay of Defendant’s release until **Thursday, June 10, 2021, at 4:00 p.m.**
3. If the Government needs a further extension of time beyond June 10th at 4:00 p.m., it shall file a motion for such extension establishing its asserted good cause for any such request. However, the Court expects the Government to proceed expeditiously and without delay on

this matter as a pretrial detainee's liberty is at stake.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, in the Southern District of Florida, this 4th day of June, 2021.


WILLIAM MATTHEWMAN
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

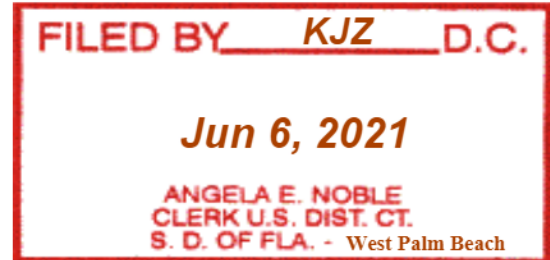
Case No. 21-8212-BER

UNITED STATES OF AMERICA,

v.

JASON DOLAN,

Defendant.



**ORDER DENYING GOVERNMENT’S ORE TENUS MOTION
FOR PRETRIAL DETENTION**

THIS MATTER is before the Court upon the Government’s *ore tenus* motion to detain Defendant Jason Dolan (“Defendant”) without bond pending trial in accordance with 18 U.S.C. § 3142, commonly known as the Bail Reform Act of 1984. The Government moved for pre-trial detention of Defendant on the basis that he is a substantial or serious risk of flight or nonappearance and a danger to the community.¹ The Court held an in-court detention hearing on June 2, 2021, which continued on June 3, 2021.²

At the conclusion of the detention hearing, the Court orally denied the Government’s request for to hold Defendant in pretrial detention, for the reasons stated on the record. This written

¹ At the outset of the detention hearing, the Government announced that it was seeking Defendant’s pretrial detention on both risk of flight or nonappearance and dangerousness grounds. However, it became apparent during the course of the hearing that Defendant does not present a serious risk of flight or nonappearance, and the Government primarily focused its argument as to the dangerousness prong to support its pretrial detention request.

² Defendant requested to appear at his removal and detention hearing in-person from the courtroom rather than remotely. The Court granted that request. Further, in order to expeditiously and fairly address the pending matters in this district, the undersigned allowed CJA counsel Frederick Charles Hutchinson III, Esq., to remain on the case during these removal and detention proceedings so that he could be present with Defendant in the courtroom. The undersigned U.S. Magistrate Judge was present in the courtroom, while Defendant’s out-of-state *pro hac vice* counsel, Michael T. van der Veen, Esq., FBI Special Agent Justin Spence, and the prosecutor, Mark Dispoto, Esq., all appeared remotely. Both Defendant and the Government were in agreement with this procedure.

Order now follows.

I. The Release of Defendant Dolan on Strict Release and Bond Conditions, and the Denial of the Government's Request for Pretrial Detention, Comports with the Bail Reform Act and Applicable Case Law, Including the Recent Decision of the D.C. Circuit in *U.S. v Munchel*

As stated on the record at the hearing, the Court has ordered Defendant released under the careful supervision of the U.S. Probation Office's Special Offender Unit (SPU) with very strict conditions, including but not limited to, Home Incarceration at his residence in Wellington, Florida, where he resides with his wife and 18-year-old daughter; GPS Location Monitoring; no contact with any Oath Keepers or anyone who participated or was involved in the January 6, 2021 attack on the U.S. Capitol; computer and electronic device monitoring to ensure that Defendant does not have or use any form of encrypted communications; no firearms in his possession or home; travel restrictions; surrender of his passport; compliance with all standard conditions of release; and a \$100,000 personal surety bond co-signed by Defendant's wife and adult daughter.³

It must be noted at the outset that Defendant is a U.S. citizen and a resident of Palm Beach County, Florida; he is married with an adult child; he has no prior criminal convictions of any kind; he served in the U.S. Marines for 20 years where he attained the rank of Staff Sergeant and was Honorably Discharged upon retirement in 2014; he has the support of his family as his wife and adult daughter both agreed to co-sign the \$100,000 personal surety bond and appeared in court on his behalf; and he recently had a hip replacement and has mobility issues. The U.S. Probation Office completed a Pretrial Services Report after interviewing Defendant and recommended his

³ The Government previously notified the Court of its intent to appeal the undersigned's release Order to the Honorable Amit P. Mehta, U.S. District Judge in the U.S. District Court for the District of Columbia, and it requested a stay of this Court's release Order. The Court granted a stay in its discretion pursuant to S.D. Fla. L.R.4(a)(2) on June 4, 2021 [DE 13], thereby staying the release Order regarding Defendant until June 10, 2021 at 4:00 p.m.

release on conditions.

The Court is convinced, after carefully considering all the evidence, exhibits, testimony, information, proffers, and argument, that the release of Defendant on very stringent conditions, and denial of pretrial detention, is in full accord with the dictates of the Bail Reform Act and applicable case law, including a very recent decision of the District of Columbia Circuit Court of Appeals.

Specifically, in *U.S. v. Munchel*, 991 F.3d 1273, 1275 (D.C. Cir.), *judgment entered*, 844 F. App'x 373 (D.C. Cir. 2021), the U.S. Court of Appeals for the District of Columbia Circuit considered the consolidated appeals of two defendants, Eric Gavelek Munchel and Lisa Marie Eisenhart, who had been charged in relation to the same U.S. Capitol attack which occurred on January 6, 2021, and who were subsequently ordered held on pretrial detention on dangerousness grounds. The District of Columbia Court of Appeals remanded both pretrial detention orders. *Id.* at 1285. Upon remand, the Government withdrew its request for pretrial detention, and both defendants were ordered released by the U.S. District Court for the District of Columbia. *U.S. v. Munchel and Eisenhart*, 1:21-cr-118-RCL (D.D.C. Mar. 29, 2021), ECF No. 60. The very recent *Munchel* opinion, dealing with the issue of pretrial detention in two cases arising out of the same January 6, 2021 assault on the U.S. Capitol, provides further clear legal guidance to the Court and is fully supportive of this Court's decision to deny pretrial detention and order Defendant Dolan's pretrial release on stringent conditions.

In *U.S. v. Munchel*, *supra*, the Court of Appeals quoted *U.S. v. Salerno*, 481 U.S. 739, 755 (1987) for the following proposition: "In our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." 991 F.3d at 1279. Importantly, the Court of

Appeals in *Munchel* opined that to order a defendant preventatively detained on dangerousness grounds, a court must identify “an articulable threat posed by the defendant to an individual or the community.” *Id.* at 1290. Although the threat need not be of physical violence, “it must be clearly identified.” *Id.* at 1293. In Defendant Dolan’s case, the Government did not establish by clear and convincing evidence that he poses an articulable threat to an individual or the community; nor did the Government sufficiently establish a clearly identified threat posed by Defendant’s release.

In sum, while the January 6, 2021 attack on the U.S. Capitol, in which Defendant allegedly participated along with scores of other individuals, was reprehensible, illegal, and traitorous to the United States of America and its democratic institutions, this Court must nonetheless resist the knee-jerk urge to detain, and instead must scrupulously follow the law set forth in the Bail Reform Act, 18 U.S.C. § 3142, applicable case law, and the principles of our U.S. Constitution. In doing so, it is very clear that the Government’s effort to detain Defendant is without support and is thus due to be denied.

II. Defendant Dolan Successfully Rebutted the Statutory Rebuttable Presumption Which Applies in this Case

While the statutory rebuttable presumptions in 18 U.S.C. § 3142(e) do apply in this case⁴, the Court finds that Defendant has successfully rebutted these presumptions. “Once the statutory presumptions are raised, the defendant carries the burden of production to come forward with evidence to rebut the presumptions.” *U.S. v. Quartermaine*, 913 F.2d 910, 916 (11th Cir. 1990). But this “obligation to come forward with evidence does not shift to the defendant the

⁴ The undersigned made a finding at the detention hearing that the statutory rebuttal presumptions under 18 U.S.C. § 3142(e)(3)(C) apply here. Defendant has been charged with an offense (felony destruction of property, in violation of 18 U.S.C. §§ 1361, 2) which is an offense listed in section 2332b(g)(5)(B) of title 18, U.S. Code, and for which a maximum term of imprisonment of 10 years or more is prescribed.

government's burden of persuasion." *Id.* (citing *U.S. v. King*, 849 F.2d 485, 488 (11th Cir. 1988)).

In a rebuttable presumption case, the defendant bears the burden of producing evidence to suggest that he is not dangerous and/or that he is not likely to flee if released. *Quartermaine*, 913 F.2d at 916 (quoting *U.S. v. Hurtado*, 779 F.2d 1467, 1479 (11th Cir. 1985)). In presumption cases, "the presumption becomes evidence to be considered along with other evidence listed in the [Bail Reform] Act as indicative of risk of flight or danger to the community." *Quartermaine*, 913 F.2d at 916. Finally, the presumption of detention does not alter the defendant's underlying presumption of innocence. *See* 18 U.S.C. § 3142(j).

Because Defendant met his burden of production and successfully rebutted the statutory rebuttable presumptions, and because the Government failed to meet its burden of persuasion, the Court finds that Defendant's release is appropriate despite the existence of the statutory presumptions.

III. Analysis of Bail Reform Act Statutory Factors

A. Nature and Circumstances of the Offenses Charged

Defendant is charged by way of a Fourth Superseding Indictment in case number 21-cr-28-APM in the U.S. District Court for the District of Columbia with the following four counts: conspiracy, in violation of 18 U.S.C. § 371 (Count 1); obstruction of an official proceeding and aiding and abetting, in violation of 18 U.S.C. §§ 1512(c)(2), 2 (Count 2); destruction of government property and aiding and abetting, in violation of 18 U.S.C. §§ 1361, 2 (Count 3); and knowingly entering and remaining in a restricted building or grounds, in violation of 18 U.S.C. § 1752(a)(1) (Count 4). If convicted, Defendant faces up to five years in prison for Count 1, up to 20 years in prison for Count 2, up to 10 years in prison for Count 3, and up to one year in prison

for Count 4.

While the charges against Defendant are very serious and involve participation along with scores of others in a horrific, wholly unjustified attack on our U.S. Capitol and upon our institutions of government, he is not alleged to have assaulted or attacked a U.S. Capitol police officer or any other person; he did not possess a firearm, Taser or any weapon while in the U.S. Capitol; he did not possess Zip ties or handcuffs; he is not alleged to be a leader of the Oath Keepers; and he appears to have been in the U.S. Capitol for approximately ten minutes. While he is charged with destruction of government property in Count 3, there was no proffer or evidence presented that Defendant himself actually destroyed any government property. Rather, it appears that, as to Count 3, he is charged under an aiding and abetting theory pursuant to 18 U.S.C. § 2.

Although the charges are very serious and strike at the foundations of our democracy, Defendant's personal involvement appears to be less egregious than many others who personally attacked law enforcement officers, personally damaged property, sought to locate and injure or kill members of Congress, or possessed weapons while in the U.S. Capitol. Accordingly, this first factor—the nature and circumstances of the offenses charged—is neutral as to Defendant's detention or release.

B. Weight of the Evidence

The Court took judicial notice of the Fourth Superseding Indictment in 21-cr-28-APM in the U.S. District Court for the District of Columbia. The Court need not repeat those allegations here but has carefully reviewed the allegations, many of which were asserted by the Government, and discussed by the parties and the Court, during the lengthy detention hearing.

The Government's proffer also included the assertion that surveillance footage from the Comfort Inn in Arlington, Virginia, from January 7, 2021 at 8:55 a.m., shows Defendant and a co-

defendant pushing a luggage dolly through a hotel. The Government proffered that the luggage dolly appears to have rifle cases on it. While law enforcement believes that participants in the January 6, 2021 entry into the U.S. Capitol building used this hotel to store weaponry, law enforcement cannot be sure what was inside the containers on the dolly. Accordingly, this alleged fact provides little support for the Government's request that Defendant be detained.

The Government also alleges, but cannot currently prove, that the anonymous Oath Keeper who provided an interview to thegatewaypundit.com on May 24, 2021, was Defendant Dolan. During that interview, the anonymous individual acknowledged that the Government was going to arrest him, and he alleged that the deep state had intentionally released magnetic locks on the U.S. Capitol doors to allow the rioters inside on the day of the attack. While these comments are noted, the Government failed to meet its burden to show that these comments were, in fact, made by Defendant Dolan. The Court cannot simply assume this Defendant made those comments.

The Government further argued that Defendant had disposed of firearms and Oath Keepers gear in likely anticipation of his arrest and search of his home. The facts show that Defendant was recently arrested at his home located in Wellington, Florida. When law enforcement executed the lawfully acquired federal search warrant, they were unable to locate any firearms or any Oath Keepers clothing or memorabilia. Law enforcement interviewed several of Defendant's neighbors, many of whom reported that they had previously seen firearms in Defendant's residence. One individual stated that Defendant often carries a firearm outside of his home. Additionally, during a cursory search of Defendant's cell phone, law enforcement uncovered a photo of Defendant's wife holding an assault-style weapon. Law enforcement believes that Defendant intentionally removed all evidence of firearms and all evidence showing his affiliation with the Oath Keepers from his home to avoid detection by law enforcement. While this position of the Government is

certainly plausible, it is also plausible that Defendant decided to cease further involvement with the Oath Keepers and has sold his firearms or stored them elsewhere. In any event, the Government's proffer and argument does not establish a knowing or willful destruction of evidence or obstruction by Defendant.

In sum, the weight of the evidence as to the charges lodged against Defendant is substantial. Additionally, a grand jury has already made a finding of probable cause as to the charges lodged against Defendant. Therefore, while the Government failed to sufficiently establish or prove the entirety of its proffer, the weight of the evidence against Defendant is a factor in favor of detention.

C. History and Characteristics of the Defendant

The Court takes judicial notice of the Pretrial Services Report, in which the assigned Pretrial Services Officer and the Supervisory Probation Officer recommended that Defendant be released on strict conditions.

Defendant was born in Jacksonville, Arkansas, on June 26, 1976. He graduated from Lawrence High School in Lawrence, New Jersey, and he earned an Associate's Degree from Hawaii Pacific University in 2003. He served in the U.S. Marine Corps for two decades, from August 1994 until August 2014. Defendant received an honorable discharge and reached the rank of Staff Sergeant. Defendant possesses a U.S. passport and has traveled to The Bahamas, Singapore, Iceland, England, Malaysia, Germany, and Indonesia, as well as additional countries.

Defendant's mother lives in Georgia, and his father is deceased. His two siblings live in Missouri and Arizona, respectively. Defendant has been married for approximately 19 years and has an 18-year-old daughter. He lives with his wife and daughter in Wellington, Florida, and has been associated with the same address for the past five years.

Defendant has been unemployed for the past one and a half years. He left his previous

employer—the Four Seasons Hotel in Palm Beach, Florida—to get hip replacement surgery, and he has been unable to find new employment. He receives military retirement pay and benefits. Defendant owns a truck, but he owes money on it. His wife drives an unencumbered sedan. Defendant does not have substantial net assets, and his income and expenses generally break even monthly.

Defendant is generally in good physical health, but he had a hip replacement surgery approximately 18 months ago and still suffers from pain and mobility issues. He also has some “gut problems.” Defendant has no history of mental health treatment, substance abuse history, or substance abuse treatment. Defendant’s history and characteristics favor his release on bond and other conditions.

D. Defendant’s Criminal History

Defendant has never been convicted of a crime. When he was 18 years old, he was arrested in New Jersey for possession of “a firearm” at school. However, despite the title of the crime charged, he was actually arrested for showing a pocketknife to his shop teacher. The charge was ultimately dismissed. Thereafter, when he was 23 years old, Defendant was arrested in Myrtle Beach, South Carolina, for assault and battery (high and aggravated nature). That arrest allegedly involved a bouncer tossing Defendant out of a bar, and the charge was ultimately withdrawn. Defendant’s lack of any criminal convictions, along with his brief and ancient history of arrests, favor his release on bond and other conditions.

IV. Legal Standard

The policy underlying the Bail Reform Act “is to permit release under the least restrictive condition compatible with assuring the future appearance of the defendant.” *U.S. v. Price*, 773 F.2d 1526, 1527 (11th Cir. 1985) (per curiam). The policy underlying the Bail Reform Act “is to

permit release under the least restrictive condition compatible with assuring the future appearance of the defendant.” *U.S. v. Price*, 773 F.2d 1526, 1527 (11th Cir. 1985) (per curiam). When the Government seeks to detain a criminal defendant pending trial based on his status as a flight risk, it must prove by a preponderance of the evidence that no condition or set of conditions will reasonably assure his presence at trial. *U.S. v. Medina*, 775 F.2d 1398, 1402 (11th Cir. 1985). By contrast, when the Government seeks to detain a criminal defendant based on a contention that he is a danger to the community, it must show by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of the community. *Id.*

“Under the statutory scheme set forth in the Bail Reform Act, ‘it is only a limited group of offenders who should be denied bail pending trial.’” *U.S. v. Enix*, 1:15-CR-00142 EAW, 2016 WL 3960905, at *2 (W.D.N.Y. Jul. 21, 2016) (quoting *U.S. v. Sabhmani*, 493 F.3d 63, 75 (2d Cir. 2007)). *See also Munchel, supra; Salerno, supra.*

V. Discussion

A. Likelihood of Defendant’s Appearance if Released

As noted previously, the Court finds that the Defendant has successfully rebutted the statutory rebuttable presumption as to risk of flight or nonappearance in Court, and further, that the Government has failed to meet its burden of establishing Defendant’s risk of flight or nonappearance in Court by a preponderance of the evidence. For the reasons orally stated on the record and for the reasons contained in this written Order, the Court finds that Defendant does not present a serious risk of flight or nonappearance in court if released on bond and other stringent conditions. The Court finds that there are conditions of release which will reasonably assure Defendant’s presence when required at all court proceedings. Finally, the Court finds that the stringent combination of pretrial release conditions imposed by the Court will reasonably assure

Defendant's presence at all court proceedings if Defendant is released.

Defendant is a U.S. citizen who resides in Wellington, Florida. He has lived at the same residence with his wife and 18-year-old daughter for approximately five years. There is no indication that he was planning to flee even though he seemingly knew that law enforcement was coming to arrest him at some point. Defendant lacks the financial resources to flee, and he appears ready to face the charges lodged against him. His behavior in court was appropriate and respectful. Defendant is a U.S. citizen who served his country honorably for 20 years as a U.S. Marine. In sum, the Court finds that Defendant has rebutted the statutory presumption and that the Government has failed to show by a preponderance of evidence that Defendant is a risk of flight or nonappearance in court if released.

B. Nature and Seriousness of the Danger to Any Person or the Community that would be posed by Defendant's Release

As noted previously, the Court finds that Defendant has successfully rebutted the statutory presumption of dangerousness, and that the Government has failed to meet its burden as to dangerousness by clear and convincing evidence. The Government failed to establish that Defendant poses an articulable threat to an individual or the community and failed to sufficiently show a clearly identified threat posed by Defendant's release. *See Munchel, supra.*

For the reasons stated orally on the record and the reasons stated in this written Order, the Court finds that Defendant does not constitute a danger to the community or to any person in the community if released on bond and stringent conditions. Furthermore, the Court finds the stringent combination of conditions of release that it has ordered will reasonably assure the safety of any person and the community.

VI. Conclusion

Based on the dictates of the Bail Reform Act and applicable case law, and based on the


record before this Court, it is clear that pretrial detention of Defendant Dolan is unsupported by the facts and the law. The undersigned finds that there are conditions of release that will reasonably assure the safety of the community and Defendant's appearance at trial. *See U.S. v. Chimurenga*, 760 F.2d 400, 405 (2d Cir. 1985) (affirming court's decision to release on bond a defendant charged with a violation of the RICO Act); *U.S. v. Capolongo*, 16-cr-8284, 2016 WL 4272371 (S.D. Fla. Aug. 10, 2016) (denying the Government's request for pretrial detention in removal case), *aff'd*, *U.S. v. Capolongo*, 16-cr-522-28, DE 174 (S.D.N.Y Aug. 12, 2016). For the foregoing reasons, and for those stated on the record in open Court, it is hereby **ORDERED** that the Government's *ore tenus* motion for Pretrial Detention is **DENIED**; and it is

FURTHER ORDERED that Defendant shall be released upon a \$100,000 personal surety bond co-signed by Defendant's wife and adult daughter. The bond shall carry all the standard conditions of release and also include the following special conditions: (1) Defendant cannot obtain or apply for a new passport or travel documents, as he already surrendered his passport to the U.S. Probation Officer in Court; (2) Defendant must report to Pretrial Services as directed; (3) Defendant will have no contact whatsoever with any victims, witnesses, Oath Keepers, or anyone who participated or was involved in the attack on the U.S. Capitol on January 6, 2021; (4) Defendant shall not possess any firearms, and there can be no firearms in his home; (5) Defendant will be on Home Incarceration with GPS Location Monitoring 24 hours a day (paid for by Defendant) with allowances for approved or emergency medical needs; (6) Defendant will be under the supervision of the U.S. Probation Office's Special Offender Unit (SPU) which provides very close supervision of a released defendant; (7) Defendant shall not possess encryption software on any computers/phones/devices, and U.S. Probation is permitted to search Defendant's devices for such software; (8) Defendant shall actively seek full-time employment and any employment

shall be approved by Pretrial Services or the Court; and (9) Defendant will be restricted to traveling solely within the Southern District of Florida, and to the District of Columbia for court proceedings but only when approved by U.S. Probation or the Court; and it is

FURTHER ORDERED that this Order is stayed until 4:00 p.m. on Thursday, June 10, 2021, to allow the Government an opportunity to perfect an appeal to the Honorable U.S. District Judge Amit P. Mehta, in the U.S. District Court for the District of Columbia, who is presiding over the pending Indictment in that District. Defendant shall remain in custody until that date or until further Order of the Court.

DONE and ORDERED in open court at West Palm Beach, Palm Beach County, in the Southern District of Florida, on the 3rd day of June, 2021, and signed this 6th day of June, 2021.


WILLIAM MATTHEWMAN
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-mj-8212-BER
	:	
v.	:	
	:	
JASON DOLAN,	:	
	:	
Defendant.	:	

SECOND MOTION TO EXTEND STAY OF COURT’S BOND ORDER

NOW COMES, the United States, by and through the undersigned Assistant United States Attorney, hereby respectfully files this Renewed Second Motion to Extend Stay of this Court’s bond order issued on Thursday, June 3, 2021. In support thereof, the government states the following:

1. On Thursday, June 3, 2021, Your Honor denied the government’s request for detention and ordered that defendant Dolan shall be released on bond with certain conditions (ECF 14). The government promptly requested the Court to stay its order to give it an opportunity to decide whether to appeal the ruling to the District Court in the District of Columbia. The Court granted the stay until Friday, June 4, 2021 at 4:00 p.m. (*Id.*).

2. On Friday, June 4, 2021, the government filed a Notice of Intent to Appeal and Motion to Extend the Stay until Friday, June 11, 2021 (ECF 12). The government stated that the additional 7-day stay was needed to allow it to effectuate its appeal. The Court granted the motion, in part, extending its stay until Thursday, June 10, 2021, at 4:00 p.m. (ECF 13, 14).

3. Also on Friday, June 4, 2021, in case 21-cr-28 (D.D.C.), Judge Mehta of the District Court in the District of Columbia issued a minute order setting a briefing scheduling for the

government's forthcoming motion to review or revoke this Court's release order. According to the minute order, the government's motion is due on June 8 and the opposition is due on June 10, and the Court will conduct a virtual hearing on June 11.

4. Pursuant to this Court's June 4, 2021 order, "If the Government needs a further extension of time beyond June 10th at 4:00 p.m., it shall file a motion for such extension establishing its asserted good cause for any such request" (ECF 13).

5. The government respectfully submits that it has shown good cause for a short further extension, in that the government is proceeding expeditiously and expects Judge Mehta to rule on the motion by the end of the day on June 11. To allow Defendant Dolan to be released prior to Judge Mehta reaching a decision on the government's motion would frustrate the purpose of the expedited briefing schedule.

Respectfully submitted,

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

By: s/ Mark Dispoto
Assistant United States Attorney
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Tel: (561) 209-1032
mark.dispoto@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2021, I electronically filed the foregoing with the Clerk of the Court using CMECF.

s/ Mark Dispoto
Assistant United States Attorney

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: Nathan Vreeland (nathan_vreeland@flsp.uscourts.gov), AUSA (caseview.ecf@usdoj.gov, e.j.yera@usdoj.gov), Federal Public Defender (fls_ecf@fd.org)
--No Notice Sent:

Message-Id:21161506@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Order
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/8/2021 at 9:58 AM EDT and filed on 6/8/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 16(No document attached)

Docket Text:

PAPERLESS ORDER. This matter is before the Court sua sponte. In light of the fact that the Honorable Amit P. Mehta has set a hearing in case no. 21-cr-28-APM on the Government's appeal of the undersigned Magistrate Judge's denial of the Government's request for pretrial detention in the United States District Court for the District of Columbia for Friday, June 11, 2021, the Court hereby extends its stay of Defendant Jason Dolan's release until after Judge Mehta rules on the Government's appeal. Once the undersigned is notified of Judge Mehta's ruling, the undersigned will hold a very prompt hearing to address any remaining issues in this district before signing an order or warrant of removal. Signed by Magistrate Judge William Matthewman on 6/8/2021. (no00)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: Nathan Vreeland (nathan_vreeland@flsp.uscourts.gov)
--No Notice Sent:

Message-Id:21161563@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Order on Motion for Miscellaneous Relief
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/8/2021 at 10:10 AM EDT and filed on 6/8/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 17(No document attached)

Docket Text:

PAPERLESS ORDER granting [15] the Government's Second Motion to Extend Stay of Court's Bond Order in accord with the Paperless Order just entered at Docket Entry 16. Signed by Magistrate Judge William Matthewman on 6/8/2021. (no00)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmechautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafis-brdkt@usdoj.gov, usafis-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: James Peirce (james_peirce@flsp.uscourts.gov), Nathan Vreeland (nathan_vreeland@flsp.uscourts.gov)
--No Notice Sent:

Message-Id:21177967@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Status Conference
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/11/2021 at 5:00 PM EDT and filed on 6/11/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 21(No document attached)

Docket Text:

PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The Hearing was held by Zoom video conference with all parties. The Defendant waived his physical appearance in the courtroom and appeared by video from the West Palm Beach U.S. Marshal's cell block. The Court found the hearing cannot be further delayed without serious harm to the interests of justice due to the Covid-19 pandemic, the Cares Act and Chief Judge Moore's Administrative Orders. The Court approved defendant's waiver of personal presence and found the Defendant's consent to appear by video knowing and voluntary. Status Conference Re: Bond/Detention as to Jason Dolan held on 6/11/2021. The Court was informed by the parties that District Judge Mehta affirmed Magistrate Judge Matthewman's Order Denying the Governments motion for pretrial detention and ordering the Defendant released on conditions. The following condition of release was also added: Defendant shall turnover all firearms in his possession, custody or control to the appropriate authorities on or before June 18, 2021. U.S. Probation in West Palm Beach shall accept the Defendant's firearms. Judge Matthewman ordered the Defendant released from custody and the Defendant was ordered to call U.S. Probation Officer Michael Santucci this afternoon or evening immediately upon Defendant's release at the telephone number provided on the record. The Court will extend the CJA appointment of Frederick Hutchinson until Friday, June 18, 2021. Defendant shall appear in the United States District Court for the District of Columbia on July 2, 2021 at 11:00 a.m. The Order of Removal will be signed by Judge Matthewman. Total time in court: 13 minutes. Attorney Appearance(s): AUSA Jeff Nestler (DC), Frederick Charles Hutchinson, III, Michael T. van der Veen. Other appearances: U.S. Probation Officer Michael Santucci. (Digital 16:05:06) (kza)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com,
hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov,
Jennifer.M.Smith2@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-hqdk@usdoj.gov,
virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

MIME-Version:1.0
From:cmecfautosender@flsd.uscourts.gov
To:flsd_cmecf_notice
Bcc:
--Case Participants: Frederick Charles Hutchinson, III (fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com, rick@hutchhufflaw.com), Manuel Vazquez (mvaz@mvazlaw.com), Mark Dispoto (caseview.ecf@usdoj.gov, cierra.collier@usdoj.gov, jennifer.m.smith2@usdoj.gov, mark.dispoto@usdoj.gov, usafsl-brdkt@usdoj.gov, usafsl-hqdk@usdoj.gov, virginia.teague@usdoj.gov), Michael T. van der Veen (mtv@mtvlaw.com), Magistrate Judge Bruce E. Reinhart (reinhart@flsd.uscourts.gov)
--Non Case Participants: James Peirce (james_peirce@flsp.uscourts.gov), Nathan Vreeland (nathan_vreeland@flsp.uscourts.gov), AUSA (caseview.ecf@usdoj.gov, e.j.yera@usdoj.gov), Federal Public Defender (fls_ecf@fd.org)
--No Notice Sent:

Message-Id:21178018@flsd.uscourts.gov
Subject:Activity in Case 9:21-mj-08212-BER USA v. Dolan Order
Content-Type: text/html

U.S. District Court

Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 6/11/2021 at 5:05 PM EDT and filed on 6/11/2021

Case Name: USA v. Dolan
Case Number: 9:21-mj-08212-BER
Filer:
Document Number: 22(No document attached)

Docket Text:

PAPERLESS ORDER: In light of the fact that the Government's appeal has been denied, and in light of the fact that this Court's Order Denying Government's Motion for Pretrial Detention [DE 14] has been affirmed, the Court hereby lifts its stay of its release order. As stated on the record in open court at the June 11, 2021 hearing before the undersigned this afternoon, Defendant Jason Dolan shall be released today and shall comply with all conditions of release and bond conditions. Signed by Magistrate Judge William Matthewman on 6/11/2021. (kza)

9:21-mj-08212-BER-1 Notice has been electronically mailed to:

Frederick Charles Hutchinson , III rick@hutchhufflaw.com, fchutch@hotmail.com, hutch-law@hotmail.com, info@hutchhufflaw.com

Manuel Vazquez mvaz@mvazlaw.com

Mark Dispoto mark.dispoto@usdoj.gov, CaseView.ECF@usdoj.gov, cierra.collier@usdoj.gov, Jennifer.M.Smith2@usdoj.gov, usafsl-brdkt@usdoj.gov, usafsl-hqdk@usdoj.gov, virginia.teague@usdoj.gov

Michael T. van der Veen mtv@mtvlaw.com

9:21-mj-08212-BER-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:

FILED BY KJZ D.C.

Jun 11, 2021

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

APPEARANCE BOND: _____

CASE NO.: 21-8212-BER

UNITED STATES OF AMERICA:

Plaintiff,

v.

USM #: 47455-509

JASON DOLAN

Defendant,

_____ /

I, the undersigned defendant and I or we, the undersigned sureties, jointly and severally acknowledge that we and our personal representatives, jointly and severally, are bound to pay the United States of America, the sum of \$ 100,000 PSB

STANDARD CONDITIONS OF BOND

The conditions of this bond are that the defendant:

1. Shall appear before this Court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of the defendant's release as may be ordered or notified by this Court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is required to ascertain from the Clerk of Court or defense counsel the time and place of all scheduled proceedings on the case. In no event may a defendant assume that his or her case has been dismissed unless the Court has entered an order of dismissal. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment. This is a continuing bond, including any proceeding on appeal or review, which shall remain in full force and effect until such time as the Court shall order otherwise.

2. May not travel outside the Southern District of Florida unless otherwise approved by the Court prior to any such travel. The Southern District of Florida consists of the following counties: Broward, Highlands, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach and St. Lucie.

3. May not change his/her present address without prior notification and approval from the U.S. Probation Officer or the Court.

4. Must cooperate with law enforcement officers in the collection of a DNA sample if the collection is required by 42 U.S.C. Section 14135a.

5. Must not violate any federal, state or local law while on release in this case. Should the defendant come in contact with law enforcement he/she shall notify the U.S. Probation Officer within 72 hours.

SPECIAL CONDITIONS OF BOND

In addition to compliance with the previously stated conditions of bond, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel documents, if any, to Pretrial Services and not obtain any travel documents during the pendency of the case;
- b. Report to Pretrial Services as follows: (X) as directed or ___ time(s) a week in person and ___ time(s) a week by telephone;
- c. Submit to substance abuse testing and/or treatment, contribute to the cost of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- d. Refrain from ___ excessive OR ___ abstain from alcohol use or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. §802), without a prescription by a licensed medical practitioner;
- e. Participate in a mental health assessment and/or treatment and contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Officer;
- f. Employment restriction(s): _____
- g. Maintain or actively seek full-time employment; - APPROVED BY US PROBATION
- h. Maintain or begin an educational program;
- i. Avoid all contact with victims or witnesses to the crimes charged, except through counsel. The AUSA shall provide defense counsel and pretrial services with the names of all victims or witnesses. The prohibition against contact does not take effect until defense counsel receives the list. The prohibition against contact applies only to those persons on the list, but the prosecutor may expand the list by sending written notice to defense counsel and pretrial services.; NO CONTACT WITH ANY OATH KEEPER
- j. Avoid all contact with co-defendants and defendants in related cases, except through counsel;
- k. Refrain from possessing a firearm, destructive device or other dangerous weapons and shall surrender (if any), their concealed weapons permit to the U.S. Probation Office;
- l. None of the signatories may sell, pledge, mortgage, hypothecate, encumber, etc., any real property they own, until the bond is discharged, or otherwise modified by the Court;
- m. May not visit commercial transportation establishment: airports, seaport/marinas, commercial bus terminals, train stations, etc.;
- n. Defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations of the defendant's computer equipment at his/her place of employment or on the computer at his/her residence which may include retrieval and copying of all data from the computer(s) and any internal or external peripherals to ensure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection; and consent at the direction of the U.S. Probation Officer to have installed on the defendant's computer(s), at the defendant's expense, any hardware or software systems to monitor the defendant's computer use;

- NO ENCRYPTION SOFTWARE ON DEVICES
- COMPUTER SEARCH REQUIREMENT - SPECIFICALLY ONLY TO DETERMINE IF ENCRYPTION SOFTWARE EXISTS, NOT TO CONDUCT FULL WARRANTLESS SEARCH

___ o. **LOCATION MONITORING PROGRAM:** The defendant shall be monitored by the form of location monitoring and shall abide by all technology requirements as noted below, as well as contribute to the costs of services rendered based on (X) ability to pay as determined by the U.S. Probation Officer – or – () paid by U.S. Probation;

X Location monitoring technology at the discretion of the officer

___ Radio Frequency (RF) monitoring (Electronic Monitoring)

X Active GPS Monitoring

___ Voice Recognition

___ Curfew: You are restricted to your residence every day from ___ to ___, or as directed by the supervising officer.

OR

X Home Detention: You are restricted to your residence at all times except for:

(X) medical

() substance abuse or mental health treatment

() court appearances

() attorney visits or court ordered obligations

() religious services

() employment

() other activities as pre-approved by the supervising officer

DEFENDANT TO GO
STRAIGHT HOME
IMMEDIATELY UPON
RELEASE AND CALL HIS
USPOON HIS WAY HOME.

— p. **RESIDENTIAL RE-ENTRY CENTER:** The defendant shall reside at a residential re-entry center or halfway house and abide by all the rules and regulations of the program. The cost to be paid by () Pretrial Services or () based on the defendant's ability to pay. You are restricted to the residential re-entry center/halfway house at all times except for:

() employment

() education

() religious services

() medical, substance abuse, or mental health treatment

() attorney visits

() court appearances

() court ordered obligations

() reporting to Pretrial Services

() other _____

___ q. **Third-Party Custody:** _____ will serve as a third party custodian and will report any violations of the release conditions to the U.S. Probation Officer. Failure to comply with these requirements, the third party custodian can be subject to the provisions of 18 U.S.C. § 401, Contempt of Court.

___ r. The defendant shall submit his person, property, residence, vehicle, papers, computers, (as defined in 18 U.S.C. 1030(e)(1)), other electronic communication or data storage devices or media, or office, to a search conducted by a United States Probation Officer. The defendant must warn any other occupants that the premises may be subject to searches pursuant to this condition. Any search must be conducted at a reasonable time and in a reasonable manner.

s. Mandatory Adam Walsh Conditions: Defendant shall abide by specified restrictions on personal associations, place of abode, or travel, to avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense; report on a regular basis to a designated law enforcement agency, pretrial services agency or other agency; comply with a specified curfew (with electronic monitoring) and refrain from possessing a firearm, destructive device or other dangerous weapons.

t. Additional Sex Offense Conditions For Defendants Charged or Convicted of a Sexual Offense:

1. () Defendant may not have contact with victim(s), or any child under the age of 18, unless approved by the Court or allowed by the U.S. Probation Officer.
2. () The defendant shall not possess or use any data encryption technique or program and shall provide passwords and administrative rights to the U.S. Probation Officer.
3. () Defendant shall participate in specialized sex offender evaluation and treatment, if necessary, and to contribute to the costs of services rendered based on ability to pay, as determined by the U.S. Probation Office.
4. () Defendant shall not possess, procure, purchase or otherwise obtain any internet capable device and/or computer. Additionally, the defendant is prohibited from using another individual's computer or device that has internet capability.
5. () Defendant is prohibited from establishing or maintaining any email account or social media account. Additionally, the defendant is prohibited from using another individual's email account or social media account. Must provide monthly or upon request, personal phone and credit card billings to Pretrial Services to confirm there are no services with any internet services provider.
6. () Defendant is not permitted to enter places where children congregate including, but not limited to any play areas, playgrounds, libraries, children-themed restaurants, daycares, schools, amusement parks, carnivals/fairs, unless approved by the U.S. Probation Officer.
7. () The defendant shall not be involved in any children's or youth organizations.
8. () Defendant is prohibited from viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services.
9. () The defendant shall participate in a maintenance polygraph examination to periodically investigate the defendant's compliance. The polygraph examination shall specifically address only defendant's compliance or non-compliance with the special conditions of release and shall not inquire into the facts of the pending criminal case against defendant. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

u. May travel to and from: SDFL, DC, and must notify Pretrial Services of travel plans before leaving and upon return.

v. Comply with the following additional conditions of bond:

DEFENDANT SHALL NOT USE ANY ENCRYPTION DEVICES; DEFENDANT SHALL BE IN US PROBATION'S SPECIAL OFFENDER UNIT. COSIGNED BY DEFENDANT'S WIFE AND HIS DAUGHTER, NOOR-RITA DOLAN AND CORINNE DOLAN, NO OATH KEEPERS SHALL VISIT THE DEFENDANT AT HIS HOME DEFENDANT SHALL TURNOVER ALL FIREARMS IN HIS POSSESSION, CUSTODY OR CONTROL TO THE APPROPRIATE AUTHORITIES.

PENALTIES AND SANCTIONS APPLICABLE TO DEFENDANT

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, and order of detention, as provided in 18 U.S.C. §3148, forfeiture of any bail posted, and a prosecution for contempt as provided in 18 U.S.C. §401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

Title 18 U.S.C. §1503 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a felony criminal offense punishable by imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall 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 shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted, which means that the defendant will be obligated to pay the full amount of the bond, which may be enforced by all applicable laws of the United States.

PENALTIES AND SANCTIONS APPLICABLE TO SURETIES

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

SIGNATURES

I have carefully read and I understand this entire appearance bond consisting of seven pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

DEFENDANT

Signed this 3rd day of June, 20 21 at West Palm Beach, Florida

Signed and acknowledged before me:

DEFENDANT: (Signature) 

WITNESS: _____

WELLINGTON FLORIDA
City State

City State

CORPORATE SURETY

Signed this _____ day of _____, 20 ____ at _____, Florida

SURETY: _____

AGENT: (Signature) _____

PRINT NAME: _____

City State

INDIVIDUAL SURETIES

Signed this 3RD day of JUNE, 20 21 at WPB, Florida

SURETY: (Signature) 

PRINT NAME: Rita Dolan

RELATIONSHIP TO DEFENDANT: wife

Wellington Florida
City State

Signed this 3RD day of JUNE, 20 21 at WPB, Florida

SURETY: (Signature) 

PRINT NAME: Corinne Dolan

RELATIONSHIP TO DEFENDANT: Daughter

Wellington Florida
City State

Signed this _____ day of _____, 20 ____ at _____, Florida

SURETY: (Signature) _____

PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

City State

Signed this _____ day of _____, 20 ____ at _____, Florida

SURETY: (Signature) _____

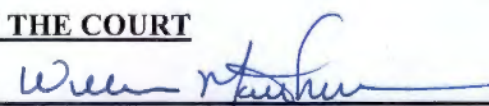
PRINT NAME: _____

RELATIONSHIP TO DEFENDANT: _____

City State

APPROVAL BY THE COURT

Date: June 11, 2021
~~June 3, 2021~~



William Matthewman
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 21-8212-BER

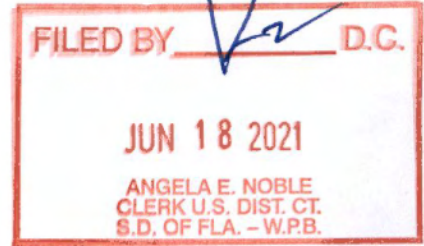
UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON DOLAN

Defendant.



ORDER OF REMOVAL

- A(n) Complaint
- Indictment
- Information
- Probation Violation Warrant
- Bench Warrant

having been filed in the _____ District of COLUMBIA charging the above named defendant with 18:371, 1512 (e)(2)(A), 13612, 1752 (e)(1) and the defendant having

- surrendered
- been arrested

in the Southern District of Florida, having had an initial appearance before the Court and having:

- waived further hearing
- been given a hearing in accordance with Fed.R.Crim.P. 40

and having posted the bail as set by the Court, it is thereupon

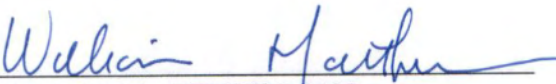
ORDERED AND ADJUDGED as follows:

1. The defendant is held to answer in the District in which

the charge is outstanding and shall appear before the District Court thereof at such time and place as may be ordered; and

2. All funds and documents filed with the Clerk of court in this case shall be transferred to the District where the charge is outstanding.

DONE AND ORDERED at West Palm Beach, Florida this ^{17th}~~18th~~ day of JUNE, 2021.


WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

**U.S. District Court
Southern District of Florida (West Palm Beach)
CRIMINAL DOCKET FOR CASE #: 9:21-mj-08212-BER-1**

Case title: USA v. Dolan

Date Filed: 05/27/2021

Other court case number: 21-cr-28-APM District of Columbia Date Terminated: 06/17/2021

Assigned to: Magistrate Judge
Bruce E. Reinhart

Defendant (1)

Jason Dolan

47455-509

ENGLISH; YOB:1976

TERMINATED: 06/17/2021

represented by **Frederick Charles Hutchinson , III.**

F.C. Hutchinson Law Office

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Michael T. van der Veen

van der Veen O'Neill Hartshorn and Levin

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Manuel Vazquez

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305-445-2344

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ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

Conspiracy

Disposition

Plaintiff

USA

represented by **Mark Dispoto**
United States Attorney's Office
500 E Broward Boulevard
7th Floor
Fort Lauderdale, FL 33301-3002
561-820-8711
Fax: 561-820-8777
Email: mark.dispoto@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
05/27/2021	<u>1</u>		Magistrate Removal of Indictment from the District of Columbia Case number in the other District 21-cr-28-APM as to Jason Dolan (1). (tmn) (Entered: 05/27/2021)
05/27/2021	2		PAPERLESS NOTICE OF HEARING as to Jason Dolan Initial Appearance – Rule 5(c)(3)/40 set for 5/27/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. (tmn) (Entered: 05/27/2021)
05/27/2021	3		PAPERLESS Minute Order for proceedings held by Zoom video conference before Magistrate Judge Bruce E. Reinhart: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Jason Dolan held on 5/27/2021. Date of Arrest or Surrender: 5/27/2021. Defendant was present and consented to appear by video. Defendant was sworn. Defendant was advised of charges, rights, and maximum penalties. Defendant questioned regarding appointment of counsel and found to be indigent. CJA appointed. Total time in court: 17 minutes. Detention Hearing set for 5/28/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Status Conference Re: Removal/Identity Hearing set for 5/28/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Attorney Appearance(s): Mark Dispoto by Zoom, Frederick Hutchinson via Telephone Attorney added: Frederick Charles Hutchinson, III for Jason Dolan for REMOVAL/RULE 5 to another District CJA representation. Date attorney was appointed CJA: 5/27/2021. (Digital

		10:23:42/10:49:34) Signed by Magistrate Judge Bruce E. Reinhart on 5/27/2021. (tmn) (Entered: 05/27/2021)
05/28/2021	<u>4</u>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Michael T. van der Veen. Filing Fee \$ 200.00. Receipt # AFLSDC-14726997 by Jason Dolan. Attorney Manuel Vazquez added to party Jason Dolan(pty:dft). Responses due by 6/11/2021 (Vazquez, Manuel) (Entered: 05/28/2021)
05/28/2021		Attorney update in case as to Jason Dolan. Attorney Michael T. van der Veen for Jason Dolan added (cw) (Entered: 06/01/2021)
05/28/2021	5	PAPERLESS Minute Entry for proceedings held by Zoom and in-person before Magistrate Judge Bruce E. Reinhart: Status Conference Re: Detention and Status Re: Removal/Identity hearing as to Jason Dolan held on 5/28/2021. (Detention Hearing set for 6/2/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate. Status Conference Re: Removal/Identity hearing set for 6/2/2021 10:00 AM in West Palm Beach Division before WPB Duty Magistrate.) Total time in court: 10 minutes. Attorney Appearance(s): Mark Dispoto, Frederick Charles Hutchinson, III, Michael T. van der Veen (Digital Zoom 5-28-21 12:45 PM) (tmn) (Entered: 06/01/2021)
06/01/2021	6	PAPERLESS ORDER granting <u>4</u> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Michael T. van der Deen. Signed by Magistrate Judge William Matthewman on 6/1/2021. (no00) (Entered: 06/01/2021)
06/02/2021	7	PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The Defendant requested an in person hearing in the courtroom. Status Conference Re Removal as to Jason Dolan held on 6/2/2021. The Defendant waived the Removal hearing, the Waiver of Rule 5 and 5.1 Hearings form was executed and the Court found the waiver knowing and voluntary. Detention Hearing as to Jason Dolan held on 6/2/2021. The Court took judicial notice of the Fourth Superseding Indictment and the Pretrial Services Report. Government Proffer. Witness Justin Spence S/A FBI testified. The Court continued the Detention Hearing. (Continuation of Detention Hearing set for 6/3/2021 at 10:30 AM in West Palm Beach Division before WPB Duty Magistrate.)..Total time in court: 1 hour(s) : 47 minutes. Attorney Appearance(s): Mark Dispoto appeared by Zoom Video Teleconference, Frederick Charles Hutchinson, III appeared in person in the courtroom, Michael T. van der Veen appeared by Zoom Video Teleconference. (Digital 10:39:27/11:26:49) (kza) (Entered: 06/02/2021)
06/02/2021	<u>8</u>	WAIVER of Rule 5 and 5.1 Hearings by Jason Dolan (kza) (Entered: 06/03/2021)
06/03/2021	9	PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The defendant appeared in the courtroom. Continuation of Detention Hearing as to Jason Dolan held on 6/3/2021. Government's additional proffer. Government Exhibit #s 1 and 2 admitted in evidence. Defendant Proffer. Argument held. The Court denied pretrial detention and Bond set at \$100,000 PSB. Noor-Rita Dolan and Corinne Dolan testified and the Court approved them as co-signers on the bond. The Government requested a stay of the release order – the Court stayed the release until 4:00 p.m. on

		Friday, June 4, 2021. Total time in court: 2 hour(s) : 12 minutes. Attorney Appearance(s): Mark Dispoto by Zoom video, Frederick Charles Hutchinson, III in person in the courtroom, Michael T. van der Veen by Zoom Video. Other appearances: U.S. Probation Officer Nathan Vreeland in the courtroom. (Digital 10:45:37) (kza) (Entered: 06/03/2021)
06/03/2021	<u>10</u>	NOTICE of Filing Exhibits by USA as to Jason Dolan (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Dispoto, Mark) (Entered: 06/03/2021)
06/03/2021	<u>11</u>	CERTIFICATE of Compliance Re Admitted Evidence for exhibit(s): 1-2 as to Jason Dolan by Mark Dispoto (Dispoto, Mark) (Entered: 06/03/2021)
06/04/2021	<u>12</u>	NOTICE of Intent to Appeal Detention Order and Motion to Extend Stay by USA as to Jason Dolan (Dispoto, Mark) (Entered: 06/04/2021)
06/04/2021	<u>13</u>	ORDER GRANTING IN PART AND DENYING IN PART THE GOVERNMENT'S MOTION TO EXTEND STAY [DE 12] as to Jason Dolan re <u>12</u> Notice (Other) filed by USA. The Court hereby extends the stay of Defendants release until Thursday, June 10, 2021, at 4:00 p.m. Signed by Magistrate Judge William Matthewman on 6/4/2021. See attached document for full details. (kza) (Entered: 06/04/2021)
06/06/2021	<u>14</u>	ORDER DENYING GOVERNMENT'S ORE TENUS MOTION FOR PRETRIAL DETENTION as to Jason Dolan. IT IS FURTHER ORDERED that Defendant shall be released upon a \$100,000 personal surety bond co-signed by Defendants wife and adult daughter. The bond shall carry all the standard conditions of release and also include the following special conditions: (1) Defendant cannot obtain or apply for a new passport or travel documents, as he already surrendered his passport to the U.S. Probation Officer in Court; (2) Defendant must report to Pretrial Services as directed; (3) Defendant will have no contact whatsoever with any victims, witnesses, Oath Keepers, or anyone who participated or was involved in the attack on the U.S. Capitol on January 6, 2021; (4) Defendant shall not possess any firearms, and there can be no firearms in his home; (5) Defendant will be on Home Incarceration with GPS Location Monitoring 24 hours a day (paid for by Defendant) with allowances for approved or emergency medical needs; (6) Defendant will be under the supervision of the U.S. Probation Office's Special Offender Unit (SPU) which provides very close supervision of a released defendant; (7) Defendant shall not possess encryption software on any computers/phones/devices, and U.S. Probation is permitted to search Defendants devices for such software; (8) Defendant shall actively seek full-time employment and any employment shall be approved by Pretrial Services or the Court; and (9) Defendant will be restricted to traveling solely within the Southern District of Florida, and to the District of Columbia for court proceedings but only when approved by U.S. Probation or the Court; and it is FURTHER ORDERED that this Order is stayed until 4:00 p.m. on Thursday, June 10, 2021, to allow the Government an opportunity to perfect an appeal to the Honorable U.S. District Judge Amit P. Mehta, in the U.S. District Court for the District of Columbia, who is presiding over the pending Indictment in that District. Defendant shall remain in custody until that date or until further Order of the Court. Signed by Magistrate Judge William Matthewman on 6/6/2021. See attached document for full details. (kza) (Entered: 06/07/2021)
06/08/2021	<u>15</u>	

		Second MOTION to Extend Stay of Bond Order by USA as to Jason Dolan. Responses due by 6/22/2021 (Dispoto, Mark) (Entered: 06/08/2021)
06/08/2021	16	PAPERLESS ORDER. This matter is before the Court sua sponte. In light of the fact that the Honorable Amit P. Mehta has set a hearing in case no. 21-cr-28-APM on the Government's appeal of the undersigned Magistrate Judge's denial of the Government's request for pretrial detention in the United States District Court for the District of Columbia for Friday, June 11, 2021, the Court hereby extends its stay of Defendant Jason Dolan's release until after Judge Mehta rules on the Government's appeal. Once the undersigned is notified of Judge Mehta's ruling, the undersigned will hold a very prompt hearing to address any remaining issues in this district before signing an order or warrant of removal. Signed by Magistrate Judge William Matthewman on 6/8/2021. (no00) (Entered: 06/08/2021)
06/08/2021	17	PAPERLESS ORDER granting <u>15</u> the Government's Second Motion to Extend Stay of Court's Bond Order in accord with the Paperless Order just entered at Docket Entry 16. Signed by Magistrate Judge William Matthewman on 6/8/2021. (no00) (Entered: 06/08/2021)
06/09/2021	<u>18</u>	TRANSCRIPT of Initial Appearance Hearing as to Jason Dolan held on 5/27/21 before Magistrate Judge Bruce E. Reinhart, 1-17 pages, Court Reporter: Diane Miller, 772-467-2337 / Diane_Miller@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/30/2021. Redacted Transcript Deadline set for 7/12/2021. Release of Transcript Restriction set for 9/7/2021. (dmr) (Entered: 06/09/2021)
06/09/2021	<u>19</u>	TRANSCRIPT of Detention Hearing as to Jason Dolan held on 6/2/21 before Magistrate Judge William Matthewman, 1-85 pages, Court Reporter: Diane Miller, 772-467-2337 / Diane_Miller@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/30/2021. Redacted Transcript Deadline set for 7/12/2021. Release of Transcript Restriction set for 9/7/2021. (dmr) (Entered: 06/09/2021)
06/09/2021	<u>20</u>	TRANSCRIPT of Continuation of Detention Hearing as to Jason Dolan held on 6/3/21 before Magistrate Judge William Matthewman, 1-95 pages, Court Reporter: Diane Miller, 772-467-2337 / Diane_Miller@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/30/2021. Redacted Transcript Deadline set for 7/12/2021. Release of Transcript Restriction set for 9/7/2021. (dmr) (Entered: 06/09/2021)
06/11/2021	21	PAPERLESS Minute Entry for proceedings held before Magistrate Judge William Matthewman: The Hearing was held by Zoom video conference with all parties. The Defendant waived his physical appearance in the courtroom and appeared by video from the West Palm Beach U.S. Marshal's cell block. The Court found the hearing cannot be further delayed without serious harm to the interests of justice due to the Covid-19 pandemic, the Cares Act and Chief

		<p>Judge Moore's Administrative Orders. The Court approved defendant's waiver of personal presence and found the Defendant's consent to appear by video knowing and voluntary. Status Conference Re: Bond/Detention as to Jason Dolan held on 6/11/2021. The Court was informed by the parties that District Judge Mehta affirmed Magistrate Judge Matthewman's Order Denying the Governments motion for pretrial detention and ordering the Defendant released on conditions. The following condition of release was also added: Defendant shall turnover all firearms in his possession, custody or control to the appropriate authorities on or before June 18, 2021. U.S. Probation in West Palm Beach shall accept the Defendant's firearms. Judge Matthewman ordered the Defendant released from custody and the Defendant was ordered to call U.S. Probation Officer Michael Santucci this afternoon or evening immediately upon Defendant's release at the telephone number provided on the record. The Court will extend the CJA appointment of Frederick Hutchinson until Friday, June 18, 2021. Defendant shall appear in the United States District Court for the District of Columbia on July 2, 2021 at 11:00 a.m. The Order of Removal will be signed by Judge Matthewman. Total time in court: 13 minutes. Attorney Appearance(s): AUSA Jeff Nestler (DC), Frederick Charles Hutchinson, III, Michael T. van der Veen. Other appearances: U.S. Probation Officer Michael Santucci. (Digital 16:05:06) (kza) (Entered: 06/11/2021)</p>
06/11/2021	<u>22</u>	<p>PAPERLESS ORDER: In light of the fact that the Government's appeal has been denied, and in light of the fact that this Court's Order Denying Government's Motion for Pretrial Detention [DE 14] has been affirmed, the Court hereby lifts its stay of its release order. As stated on the record in open court at the June 11, 2021 hearing before the undersigned this afternoon, Defendant Jason Dolan shall be released today and shall comply with all conditions of release and bond conditions. Signed by Magistrate Judge William Matthewman on 6/11/2021. (kza) (Entered: 06/11/2021)</p>
06/11/2021	<u>23</u>	<p>\$100,000 PSB Bond Entered as to Jason Dolan Approved by Magistrate Judge William Matthewman. <i>Please see bond image for conditions of release.</i> (kza) (Additional attachment(s) added on 6/13/2021: # <u>1</u> Restricted Bond with 7th Page) (kza). (Entered: 06/13/2021)</p>
		<p><i>Main Document</i></p>
		<p><i>Attachment # 1 Restricted Bond with 7th Page (Not Attached)</i></p>
06/17/2021	<u>24</u>	<p>ORDER OF REMOVAL ISSUED to District of District of Columbia as to Jason Dolan. Closing Case for Defendant. Signed by Magistrate Judge William Matthewman on 6/17/2021. <i>See attached document for full details.</i> (spe) (Entered: 06/17/2021)</p>