

AO 442 (Rev 01/09) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
CHARLES BRADFORD SMITH,
also known as "Brad Smith"

Defendant

Case: 1:21-cr-00567
Assigned to: Judge Lamberth, Royce C.
Assign Date: 9/8/2021
Description: INDICTMENT (B)

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) CHARLES BRADFORD SMITH
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. § 1512(k) - Conspiracy to Obstruct Official Proceeding.
18 U.S.C. §§ 1752(a)(1) and (b)(1)(A) - Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon.
18 U.S.C. §§ 1752(a)(2) and (b)(1)(A) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon.
18 U.S.C. §§ 1752(a)(3) and (b)(1)(A), 2 - Impeding Ingress and Egress in a Restricted Building or Grounds with a Deadly or Dangerous Weapon and Aiding and Abetting.
40 U.S.C. § 5104(e)(1)(A)(i) - Unlawful Possession of a Dangerous Weapon on Capitol Grounds or Buildings.
40 U.S.C. § 5104(c)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds.
40 U.S.C. §§ 5104(e)(2)(E), 2 - Impeding Passage Through the Capitol Grounds or Buildings and Aiding and Abetting.

[Handwritten signature]

Zia M. Faruqui
2021.09.08 17:10:54
-04'00'

Date: 09/08/2021

Issuing officer's signature

City and state: Washington D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 9-9-2021 ; and the person was arrested on (date) 9-13-2021
at (city and state) Shippensburg, PA

Date: 9-13-2021

[Handwritten signature]
Arresting officer's signature
Rashunda Council / SA
Printed name and title

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                          |   |                           |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. 1:21-MJ-0088 |
|                          | : |                           |
|                          | : |                           |
|                          | : |                           |
| v.                       | : |                           |
|                          | : |                           |
| MARSHAL NEEFE,           | : |                           |
| CHARLES BRADFORD SMITH,  | : |                           |
|                          | : |                           |
| Defendants               | : |                           |

**ORDER**

Upon a finding that the defendants are financially unable to obtain counsel, **IT IS ORDERED** that the Federal Public Defender, 100 Chestnut Street, Suite 306, Harrisburg, Pennsylvania, 17101, telephone number (717) 782-2237, is appointed to represent the defendants in all Middle District of Pennsylvania Rule 5 proceedings.

s/ Martin C. Carlson

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Martin C. Carlson  
United States Magistrate Judge

9/13/2021

Dated: \_\_\_\_\_

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

**UNITED STATES DISTRICT COURT**  
for the  
Middle District of Pennsylvania

United States of America  
v.

CHARLES BRADFORD SMITH  
*Defendant*

)  
)  
)  
)  
)

Case No. 1:21-mj-0088-MCC

Charging District: District of Columbia  
Charging District's Case No. 1:21-CR-00567

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

|  |  |
|--|--|
| Place: U.S. District Court - District of Columbia<br>via Zoom Video/Teleconference | Courtroom No.: Magistrate Judge Zia Faruqui        |
|  | Date and Time: within 3 business days at 1:00 p.m. |

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 09/13/2021

s/ Martin C. Carlson  
*Judge's signature*

Martin C. Carlson, United States Magistrate Judge  
*Printed name and title*

UNITED STATES DISTRICT COURT
for the
Middle District of Pennsylvania

United States of America
v.
CHARLES BRADFORD SMITH
Defendant
Case No. 1:21-MJ-0088

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
(2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
(3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
(4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: District of Columbia Distirct Court via ZOOM
Place

on 9/16/2021 1:00 pm
Date and Time

If blank, defendant will be notified of next appearance.

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

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**ADDITIONAL CONDITIONS OF RELEASE**

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

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

(6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

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

Signed: \_\_\_\_\_

Custodian

Date

(7) The defendant must:

(a) submit to supervision by and report for supervision to the Pre-Trial Services Office, telephone number 717-901-2860, no later than \_\_\_\_\_.

(b) continue or actively seek employment.

(c) continue or start an education program.

(d) surrender any passport to: Clerk of Court

(e) not obtain a passport or other international travel document.

(f) abide by the following restrictions on personal association, residence, or travel: Middle District of Pennsylvania and Maryland and D.C. for court travel only

(g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendants

(h) get medical or psychiatric treatment: \_\_\_\_\_  
as directed

(i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_

(j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(k) not possess a firearm, destructive device, or other weapon.

(l) not use alcohol (  ) at all (  ) excessively.

(m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

(o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(p) participate in one of the following location restriction programs and comply with its requirements as directed.

(i) **Curfew.** You are restricted to your residence every day (  ) from \_\_\_\_\_ to \_\_\_\_\_, or (  ) as directed by the pretrial services office or supervising officer; or

(ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

(iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or

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

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

(q) submit to the following location monitoring technology and comply with its requirements as directed:

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**ADDITIONAL CONDITIONS OF RELEASE**

- (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
  - (ii) Voice Recognition; or
  - (iii) Radio Frequency; or
  - (iv) GPS.
- (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (t) sign and return the order setting conditions of release within 7 days and not enter a federal building except for court proceedings and supervision
-

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

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

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

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

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

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

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

**Acknowledgment of the Defendant**

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

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*Defendant's Signature*

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*Address and Telephone Number*

**Directions to the United States Marshal**

- (  ) The defendant is ORDERED released after processing.
- (  ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 9/13/2021s/ Martin C. Carlson*Judicial Officer's Signature*Martin C. Carlson, U.S. Magistrate Judge*Printed name and title*

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America
v.
CHARLES BRADFORD SMITH
Defendant

Case No. 1:21-mj-0088-MCC
Charging District's Case No. 1:21-CR-0567

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 within 14 days of my first appearance if I am in custody and 21 days otherwise unless I am indicted to determine whether there is probable cause to believe that an offense has been committed;
(5) a hearing on any motion by the government for detention;
(6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- [X] an identity hearing and production of the warrant.
[] a preliminary hearing.
[] a detention hearing.
[] an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 9/13/21

Charles B. Smith
Defendant's signature

Melissa Porter
Signature of defendant's attorney

Melissa Porter
Printed name of defendant's attorney

FILED
HARRISBURG, PA

SEP 13 2021

PER I#2
DEPUTY CLERK



CLOSED

**United States District Court**  
**Middle District of Pennsylvania (Harrisburg)**  
**CRIMINAL DOCKET FOR CASE #: 1:21-mj-00088-MCC All Defendants**  
**\*SEALED\***  
***Internal Use Only***

Case title: USA v. SEALED

Date Filed: 09/14/2021  
Date Terminated: 09/14/2021

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Assigned to: Magistrate Judge  
Martin C. Carlson

**Defendant (1)**

**Marshall Neefe**

*TERMINATED: 09/14/2021*

represented by **Melissa B. Porter**  
Federal Public Defender's Office  
100 Chestnut Street, Suite 306  
Harrisburg, PA 17101  
717-782-2237  
Email: [melissa\\_porter@fd.org](mailto:melissa_porter@fd.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

18:1512K.F

**Disposition**

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Assigned to: Magistrate Judge  
Martin C. Carlson

**Defendant (2)**

**Charles Bradford Smith**

*TERMINATED: 09/14/2021*

represented by **Melissa B. Porter**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

**Disposition**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

18:1512K.F

**Disposition****Plaintiff**

USA

represented by **Michael A. Consiglio**  
 U.S. Attorney's Office  
 Federal Building  
 Suite 220  
 228 Walnut Street  
 Harrisburg, PA 17108-1754  
 717-221-4482  
 Email: [michael.consiglio@usdoj.gov](mailto:michael.consiglio@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

| Date Filed | #         | Docket Text  |
|------------|-----------|--|
| 09/13/2021 | <u>1</u>  | SEALED INDICTMENT from the District of Columbia as to Marshall Neefe (1), Charles Bradford Smith (2). (kjn) (Entered: 09/14/2021)  |
| 09/13/2021 | <u>2</u>  | (Court only) Minute Entry for proceedings held before Magistrate Judge Martin C. Carlson:Initial Appearance in Rule 40 Proceedings as to Marshall Neefe, Charles Bradford Smith held on 9/13/2021. (Tape #Webex Recorded - Saved to Network Drive.)Total Time in Court [:30] (kjn) (Entered: 09/14/2021) |
| 09/13/2021 | <u>3</u>  | CJA 23 - FINANCIAL AFFIDAVIT by Marshall Neefe. (kjn) (Entered: 09/14/2021)  |
| 09/13/2021 | <u>4</u>  | CJA 23 - FINANCIAL AFFIDAVIT by Charles Bradford Smith. (kjn) (Entered: 09/14/2021)  |
| 09/13/2021 | <u>5</u>  | MOTION FOR DETENTION by USA as to Marshall Neefe. (kjn) (Entered: 09/14/2021)  |
| 09/13/2021 | <u>6</u>  | WAIVER of of Identity Hearing by Marshall Neefe. (kjn) (Entered: 09/14/2021)   |
| 09/13/2021 | <u>7</u>  | WAIVER of of Identity Hearing by Charles Bradford Smith. (kjn) (Entered: 09/14/2021)   |
| 09/13/2021 | <u>8</u>  | ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Marshall Neefe, Charles Bradford Smith. Signed by Magistrate Judge Martin C. Carlson on September 13, 2021. (kjn) (Entered: 09/14/2021)   |
| 09/13/2021 | <u>9</u>  | ORDER Setting Conditions of Release as to Charles Bradford Smith. Signed by Magistrate Judge Martin C. Carlson on September 13, 2021. (kjn) (Entered: 09/14/2021)  |
| 09/13/2021 | <u>10</u> | ORDER TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Charles Bradford Smith. Signed by Magistrate   |

|            |           |  |
|------------|-----------|--|
|            |           | Judge Martin C. Carlson on September 13, 2021. (kjn) (Entered: 09/14/2021)   |
| 09/13/2021 | <u>11</u> | ORDER SCHEDULING A DETENTION HEARING as to Marshall Neefe. Detention Hearing set for 9/14/2021 at 4:00 PM in Harrisburg – Courtroom 5 before Magistrate Judge Martin C. Carlson. Signed by Magistrate Judge Martin C. Carlson on September 13, 2021. (kjn) (Entered: 09/14/2021) |
| 09/14/2021 |           | Arrest (Rule 40) of Marshall Neefe, Charles Bradford Smith. (kjn) (Entered: 09/14/2021)  |
| 09/14/2021 |           | Sealed Document as to Charles Bradford Smith – Unredacted OSCR. (kjn) (Entered: 09/14/2021)  |
| 09/14/2021 | <u>12</u> | (Court only) Minute Entry for proceedings held before Magistrate Judge Martin C. Carlson:Detention Hearing as to Marshall Neefe held on 9/14/2021. (Tape #Digitally Recorded – Saved to Network Drive.)Total Time in Court [1:15] (kjn) (Entered: 09/15/2021)                    |
| 09/14/2021 | <u>13</u> | ORDER OF DETENTION PENDING TRIAL as to Marshall Neefe (1). Signed by Magistrate Judge Martin C. Carlson on September 14, 2021. (kjn) (Entered: 09/15/2021)   |
| 09/14/2021 | <u>14</u> | COMMITMENT TO ANOTHER DISTRICT as to Marshall Neefe. Defendant committed to District of District of Columbia. Signed by Magistrate Judge Martin C. Carlson on September 14, 2021. (kjn) (Entered: 09/15/2021)  |
| 09/15/2021 |           | (Court only) ***Case Terminated as to Marshall Neefe, Charles Bradford Smith. Transfer documents emailed to District of Columbia. (kjn) (Entered: 09/15/2021)  |