

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
DEREK KINNISON

)
) Case No.
)
)
)
)

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) DEREK KINNISON
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 an Official Proceeding); 18 U.S.C. § 1512(c)(2), 2 (Obstruction of an Official Proceeding and Aiding and Abetting); 18 U.S.C. § 1752(a)(1)(Restricted Building or Grounds); 18 U.S.C. § 1752 (a)(2) (Restricted Building or Grounds); 18 U.S.C. § 1512(c)(1) (Tampering with Documents or Proceedings).

Zia M. Faruqui
2021.06.09
16:54:18 -04'00'

Issuing officer's signature

Date: 06/09/2021

City and state: Washington, D.C.

Zia M. Faruqui, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 06/09/2021, and the person was arrested on (date) 06/10/2021
at (city and state) Riverside, CA

Date: 06/10/2021

Arresting officer's signature

Special Agent Erin Norwood
Printed name and title

FILED
CLERK, U.S. DISTRICT COURT
06/10/2021
CENTRAL DISTRICT OF CALIFORNIA
BY: AP DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America

CASE NUMBER

5:21-mj-00416

PLAINTIFF(S)

21-cr-392

v.

Derek Kinnison

DEFENDANT(S).

DECLARATION RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: Grand Jury indictment
in the U.S. District Court District of Columbia on 6/9/21
at 10:00 a.m. / p.m. The offense was allegedly committed on or about 1/6/21
in violation of Title 18 U.S.C., Section(s) 1512(k); 1512(c); 1752(a)(1); 1752(a)(2); 1512
to wit: Conspiracy to Obstruct Proceeding; Obstruction of Proceeding; Restricted Building or Grounds; Tampering

A warrant for defendant's arrest was issued by: U.S. Magistrate Judge Faruqi

Bond of \$ _____ was set / recommended.

Type of Bond:

Relevant document(s) on hand (attach): Sealed Grand Jury indictment

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/10/21
Date


Signature of Agent

Erin Norwood
Print Name of Agent

FBI
Agency

Special Agent
Title

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

vs.

[Derek Kinnison](#)

Plaintiff,

Defendant.

[Eastern](#) Division

Case #: [5:21-MJ-00416](#)

Initial App. Date: [06/10/2021](#)

Time: [2:00 PM](#)

[Out of District](#)

[Affidavit](#)

Custody

Date Filed: [06/10/2021](#)

Violation: [18:1512](#)

CourtSmart/Reporter: [Chi Mei Jui](#)

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: [Kenly Kiya Kato](#)

CALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Donnisha Brown

Deputy Clerk

[Ruben Escalante](#)

Assistant U.S. Attorney

/ None

Interpreter/Language

- Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).
- Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and preliminary hearing
- Defendant states true name is as charged.
- Defendant advised of consequences of false statement in financial affidavit.
- Attorney: Nicolai Cocis and Retained
- BAIL FIXED AT \$25,000 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS.)
- Defendant executed Waiver of Rights.
- RELEASE ORDER NO: 37469
- Other: Defense counsel to sign bond on defendant's behalf. Bond to be replaced by copy signed by defendant by 6/14/21. Defendant ordered to report virtually for initial appearance in District of Columbia at 1:00 p.m. on 6/14/21.

Deputy Clerk Initials: dsb

00 : 13

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JUN 10 2021

CENTRAL DISTRICT OF CALIFORNIA
BY DB DEPUTY

UNITED STATES OF AMERICA,

v.

Derek Kinnison

DEFENDANT.

CASE NUMBER:

5:21-MJ-00416-DUTY

WAIVER OF RIGHTS
(OUT OF DISTRICT CASES)

I understand that charges are pending in the _____ District of _____ Columbia
alleging violation of 18 USC 1512 _____ and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

- have an identity hearing
- arrival of process
- have a preliminary hearing
- have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Derek Kinnison by Nic Goers with permission
Defendant

Nic Goers
Defense Counsel

Kenhyu
United States Magistrate Judge

Date: 06-10-21

I have translated this Waiver to the defendant in the _____ language.

Date: _____
Interpreter(if required)

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Case Name: United States of America v. Derek Kinnison

Case No. 5:21-mj-416

Defendant Material Witness

Violation of Title and Section: 18 U.S.C. Section 1512

Summons Out of District UNDER SEAL Modified Date: _____

Check only one of the five numbered boxes below (unless one bond is to be replaced by another):

<p>1. <input type="checkbox"/> Personal Recognizance (Signature Only)</p> <p>2. <input type="checkbox"/> Unsecured Appearance Bond</p> <p>3. <input checked="" type="checkbox"/> Appearance Bond \$ <u>25,000</u></p> <p>(a.) <input type="checkbox"/> Cash Deposit (Amount or %) (Form CR-7)</p> <p>(b.) <input checked="" type="checkbox"/> Affidavit of Surety Without Justification (Form CR-4) Signed by: <u>Defendant's wife</u> <u>to be filed by 12pm</u> <u>on 6/11/21</u></p>	<p>(c.) <input type="checkbox"/> Affidavit of Surety With Justification (Form CR-3) Signed by:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/> With Full Deeding of Property:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>4. <input type="checkbox"/> Collateral Bond in the Amount of (Cash or Negotiable Securities): \$ _____</p> <p>5. <input type="checkbox"/> Corporate Surety Bond in the Amount of: \$ _____</p>	<p>Release No. <u>37469</u></p> <p><input type="checkbox"/> Release to Pretrial ONLY</p> <p><input type="checkbox"/> Release to Probation ONLY</p> <p><input checked="" type="checkbox"/> Forthwith Release</p> <p><input type="checkbox"/> All Conditions of Bond (Except Clearing-Warrants Condition) Must be Met and Posted by:</p> <p>_____</p> <p><input type="checkbox"/> Third-Party Custody Affidavit (Form CR-31)</p> <p><input type="checkbox"/> Bail Fixed by Court: <input checked="" type="checkbox"/> <u>KK</u> / <u>dsb</u> (Judge / Clerk's Initials)</p>
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PRECONDITIONS TO RELEASE

- The government has requested a Nebbia hearing under 18 U.S.C. § 3142(g)(4).
- The Court has ordered a Nebbia hearing under § 3142 (g)(4).
- The Nebbia hearing is set for _____ at _____ a.m. p.m.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, the following conditions of release are imposed upon you:

- Submit to: Pretrial Services Agency (PSA) supervision as directed by PSA; Probation (USPO) supervision as directed by USPO.
(The agency indicated above, PSA or USPO, will be referred to below as "Supervising Agency.")
- Surrender all passports and travel documents to Supervising Agency no later than 6/11/21 @ 4pm, sign a Declaration re Passport and Other Travel Documents (Form CR-37), and do not apply for a passport or other travel document during the pendency of this case.
- Travel is restricted to CD/CA & District of Columbia unless prior permission is granted by Supervising Agency to travel to a specific other location. Court permission is required for international travel.
- Reside as approved by Supervising Agency and do not relocate without prior permission from Supervising Agency.
- Maintain or actively seek employment and provide proof to Supervising Agency. Employment to be approved by Supervising Agency.
- Maintain or begin an educational program and provide proof to Supervising Agency.

Defendant's Initials: KK Date: 6-14-21

Defendant Material Witness

Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, including but not limited to _____; except _____.

Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present: _____.

Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not engage in telemarketing.

Do not sell, transfer, or give away any asset valued at \$ _____ or more without notifying and obtaining permission from the Court, except _____.

Do not engage in tax preparation for others.

Do not use alcohol.

Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.

Do not use or possess illegal drugs or state-authorized marijuana. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.

Submit to: drug and/or alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.

Participate in residential drug and/or alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. Release to PSA only Release to USPO only

Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

Participate in the Location Monitoring Program and abide by all of the requirements of the program, under the direction of Supervising Agency, which will or will not include a location monitoring bracelet. You must pay all or part of the costs of the program based upon your ability to pay as determined by Supervising Agency. You must be financially responsible for any lost or damaged equipment.

Location monitoring only - no residential restrictions;

-or-

You are restricted to your residence every day:

from _____ a.m. p.m. to _____ a.m. p.m.

as directed by Supervising Agency;

-or-

Defendant's Initials: DK

Date: 6-14-21

Defendant Material Witness

You are restricted to your residence at all times except for medical needs or treatment, attorney visits, court appearances, and _____, all of which must be preapproved by Supervising Agency;

Release to PSA only Release to USPO only

You are placed in the third-party custody (Form CR-31) of _____.

Clear outstanding warrants or DMV and traffic violations and provide proof to Supervising Agency within _____ days of release from custody.

Do not possess or have access to, in the home, the workplace, or any other location, any device that offers internet access except as approved by Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

Do not associate or have verbal, written, telephonic, electronic, or any other communication with any person who is less than the age of 18 except in the presence of a parent or legal guardian of the minor.

Do not loiter or be found within 100 feet of any schoolyard, park, playground, arcade, or other place primarily used by children under the age of 18.

Do not be employed by, affiliated with, own, control, or otherwise participate directly or indirectly in the operation of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.

Do not view or possess child pornography or child erotica. In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

Other conditions:

Defendant is ordered to stay away from the District of Columbia unless for Court, Pretrial, or Consultation with attorney.

GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: DK

Date: 6-14-21



Defendant



Material Witness

ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.

6-14-21

Date

Signature of Defendant / Material Witness

951-460-5995

Telephone Number

Lake Elsinore California

City and State (DO NOT INCLUDE ZIP CODE)

Check if interpreter is used: I have interpreted into the _____ language this entire form and have been told by the defendant that he or she understands all of it.

Interpreter's Signature

Date

Approved:

United States District Judge / Magistrate Judge

June 14, 2021

Date

If cash deposited: Receipt # _____ for \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: DK

Date: 6-14-21

25026 Las Brisas Rd.
Murrieta, CA 92562



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, <p style="text-align: center;">PLAINTIFF</p>	CASE NUMBER: <p style="text-align: center;">5:21-mj-416</p>
<p style="text-align: center;">v.</p> Derek Kinnison <p style="text-align: center;">DEFENDANT.</p>	<p style="text-align: center;">DECLARATION RE PASSPORT AND OTHER TRAVEL DOCUMENTS</p>

I, Derek Kinnison, declare that
(Defendant/Material Witness)

- I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case.
- I have been issued a passport or other travel document(s). I will surrender my passport and all other travel document(s) issued to me to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case.
- I am unable to locate my passport(s) or other travel document(s). If I locate any passport or other travel document issued to me, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.
- My passport and all other travel documents issued to me are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14 day of June, 2021
at Lake Elsinore California
(City and State)



Signature of Defendant/Material Witness

If the declarant is not an English speaker, include the following:
I, _____, am fluent in written and spoken English and _____
languages. I accurately translated this form from English into _____
to declarant _____ on this date.

Date: _____

Interpreter

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00416-DUTY All Defendants**

Case title: USA v. Kinnison

Date Filed: 06/10/2021

Other court case number: 21-CR-392 District of Columbia

Date Terminated: 06/15/2021

Assigned to: Duty Magistrate Judge

Defendant (1)

Derek Kinnison

TERMINATED: 06/15/2021

represented by **Nicolaie Cocis**

Law Offices of Nicolai Cocis

25026 Las Brias Road

Murrieta, CA 92562

951-695-1400

Email: nic@cocislaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Division - US Courthouse

312 North Spring Street 12th Floor
 Los Angeles, CA 90012-4700
 213-894-2434
 Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
06/10/2021	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Derek Kinnison, originating in the District of Columbia. Defendant charged in violation of: 18: 1512(k); 1512(c); 1752(a)(1); 1752(a)(2); 1512. Signed by agent Erin Norwood, FBI, Special Agent. filed by Plaintiff USA. (cio) (Entered: 06/15/2021)
06/10/2021	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Derek Kinnison; defendants Year of Birth: 1981; date of arrest: 6/10/2021 (cio) (Entered: 06/15/2021)
06/10/2021	3	Defendant Derek Kinnison arrested on warrant issued by the USDC District of Columbia at Washington. (Attachments: # 1 Out-of-District Indictment)(cio) (Entered: 06/15/2021)
06/10/2021	4	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Kenly Kiya Kato as to Defendant Derek Kinnison. Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; <u>see</u> General Order 21-02 (written order). Defendant arraigned and states true name is as charged. Attorney: Nicolaie Cocis for Derek Kinnison, Retained, present. Court orders bail set as: Derek Kinnison (1) \$25,000 Appearance Bond, (SEE BOND CONDITIONS). Court orders defendant held to answer to District of Columbia. RELEASE ORDER NO: 37469. Defense counsel to sign bond on defendant's behalf. Bond to be replaced by copy signed by defendant by 6/14/21. Defendant ordered to report virtually for initial appearance in District of Columbia at 1:00 p.m. on 6/14/21. Court Reporter: Chia Mei Jui. (cio) (Entered: 06/15/2021)
06/10/2021	6	CONSENT to Video Conference/Telephonic Conference filed by Defendant Derek Kinnison. (cio) (Entered: 06/15/2021)
06/10/2021	7	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Derek Kinnison (cio) (Entered: 06/15/2021)
06/10/2021	8	WAIVER OF RIGHTS approved by Magistrate Judge Kenly Kiya Kato as to Defendant Derek Kinnison. (cio) (Entered: 06/15/2021)
06/14/2021	5	BOND AND CONDITIONS OF RELEASE filed as to Defendant Derek Kinnison conditions of release: \$25,000 Appearance Bond (SEE BOND CONDITIONS) approved by Magistrate Judge Shashi H. Kewalramani. (cio) (Entered: 06/15/2021)
06/14/2021	9	DECLARATION RE: PASSPORT filed by Defendant Derek Kinnison, declaring that my passport and any other travel documents are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case. (cio) (Entered: 06/15/2021)
06/15/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Defendant Derek Kinnison. Your case number is: 21-CR-392. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: 4 Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40),,. If you require certified copies of any documents, please send a

request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (cio) (Entered:
06/15/2021)