

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
DAVID MEHAFFIE

Defendant

) Case No. 1:21-cr-40
) Assign to: Judge Trevor N. McFadden
) Date Assigned: 08/04/2021
) Description: SUPERSEDING INDICTMENT (B)
) Case Related to 21-cr-40 (TNM)

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) David Mehaffie
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. §§ 111(a)(1), 2 (Assaulting, Resisting, or Impeding Certain Officers, Aiding and Abetting), 18 U.S.C. § 111(a)(1) and (b) (Inflicting Bodily Injury on Certain Officers), 18 U.S.C. §§ 2111, 2 (Robbery), 18 U.S.C. § 111(a)(1) and (b) (Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon), 18 U.S.C. §§ 1512(c)(2), 2 (Obstruction of an Official Proceeding), 18 U.S.C. § 231(a)(3) (Civil Disorder), 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)(4) and (b)(1)(A) (Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon), 40 U.S.C. § 5104(e)(2)(D), 2 (Disorderly Conduct in a Capitol Building), 40 U.S.C. § 5104(e)(2)(F), 2 (Act of Physical Violence in the Capitol Grounds or Buildings)

Date: 08/04/2021



Robin M. Meriweather
2021.08.04 23:03:36 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) August 6, 2021, and the person was arrested on (date) August 12, 2021
at (city and state) Kettering, Ohio

Date: August 12, 2021

Arresting officer's signature

Kyle G. Metz, Task Force Officer

Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:21-mj-306
	:	
Plaintiff,	:	
	:	
vs.	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
DAVID MEHAFFIE,	:	
	:	
Defendant.	:	
	:	

DUE PROCESS PROTECTIONS ACT ORDER

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to produce all exculpatory evidence to the defendant pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court, or any other remedy that is just under the circumstances.

IT IS SO ORDERED.

August 12, 2021

s/Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:21-mj-306
	:	
Plaintiff,	:	
	:	
vs.	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
DAVID MEHAFFIE,	:	
	:	
Defendant.	:	
	:	

ORDER REGARDING USE OF VIDEO TELECONFERENCING

Pursuant to the CARES Act, H.R. 748 § 15002 *et seq.*, and in accordance with General Order 21-19, this Court finds that the Defendant, after consultation with counsel, has consented to the use of video teleconferencing to conduct the Initial Appearance held on August 12, 2021.

Accordingly, the proceeding held on this date was conducted by video teleconference.

August 12, 2021_____

s/Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

David Mehaffie

Defendant

)
)
)
)
)

Case No. 3:21-MJ-306

APPEARANCE BOND

Defendant's Agreement

I, David Mehaffie (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- () to appear for court proceedings;
- () if convicted, to surrender to serve a sentence that the court may impose; or
- () to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

() (1) This is a personal recognizance bond.

() (2) This is an unsecured bond of \$ _____ .

() (3) This is a secured bond of \$ _____ , secured by:

() (a) \$ _____ , in cash deposited with the court.

() (b) the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value*):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

() (c) a bail bond with a solvent surety (*attach a copy of the bail bond, or describe it and identify the surety*):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

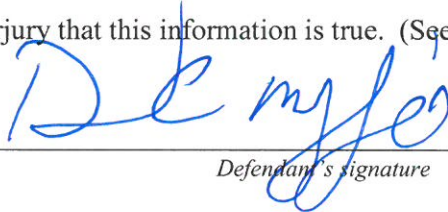
Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 8/12/21



Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

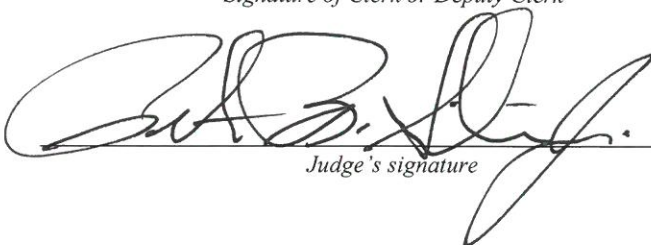
CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Approved.

Date: 8/12/21



Judge's signature

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:21-mj-306
	:	
Plaintiff,	:	
	:	
vs.	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
DAVID MEHAFFIE,	:	
	:	
Defendant.	:	
	:	

ORDER

This case came on to be heard pursuant to Fed. R. Crim. P. 5. Defendant herein was arrested in this District upon a warrant issued upon an Indictment in the United States District Court for the District of Columbia, in Case No. 1:21-cr-40. Defendant appeared in open Court on August 12, 2021, and was advised of his rights. On advice of counsel, Defendant waived proof that he is the person named in the Indictment and his right to an Identity Hearing. The Court finds the waiver, knowing, intelligent and voluntary.

IT IS ORDERED THAT THE DEFENDANT APPEAR IN THE United States District Court for the District of Columbia, where the charges are pending against him, for any other proceedings, as ordered by that court.

IT IS FURTHER ORDERED that bond is continued.

August 12, 2021

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.

United States Magistrate Judge

U.S. District Court
Southern District of Ohio (Dayton)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00306-PBS All Defendants

Case title: USA v. Mehaffie

Date Filed: 08/12/2021

Other court case number: 1:21-CR-40 District of Columbia

Assigned to: Magistrate Judge Peter B.
Silvain, Jr

Defendant (1)

David Mehaffie

represented by **Jose Manuel Lopez**
Lopez Severt & Pratt LPA - 3
18 E Water Street
Troy, OH 45373
937-335-5658
Email: jml@lsplaw.org
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 **Nicholas Dingeldein**
United States Attorney's Office
200 W Second Street
Room 602
Dayton, Oh 45402
937-225-2910

Email: nicholas.dingeldein@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
08/12/2021	<u>1</u>	Rule 5(c)(3) Documents Received as to David Mehaffie. (cib) (Entered: 08/12/2021)
08/12/2021		Minute Entry for proceedings held before Magistrate Judge Peter B. Silvain, Jr: Initial Appearance in Rule 5(c)(3) Proceedings as to David Mehaffie held on 8/12/2021. Nick Dingeldein appeared for USA. Jose Manuel Lopez appeared for Defendant. Defendant appeared via Video with his permission. Defendant informed of his rights, pending charges, and possible penalties. Defendant informed of Court Hearing in District of Columbia on 8/17/21 at 1:00 p.m. via Zoom. Defendant released on Own Recognizance Bond with Conditions. USA presented an Oral Motion to Unseal the Case. (Recorded By: CourtSmart, record number: PBS 8-12-21) (cib) (Entered: 08/12/2021)
08/12/2021	<u>2</u>	Order Regarding Use Of Video Teleconferencing as to David Mehaffie. Signed by Magistrate Judge Peter B. Silvain, Jr on 8/12/21. (cib) (Entered: 08/12/2021)
08/12/2021	<u>3</u>	Due Process Protections Act Order as to David Mehaffie. Signed by Magistrate Judge Peter B. Silvain, Jr on 8/12/21. (cib) (Entered: 08/12/2021)
08/12/2021	<u>4</u>	Arrest Warrant Returned Executed on 8/12/21 in case as to David Mehaffie. (cib) (Entered: 08/12/2021)
08/12/2021	<u>5</u>	ORDER Setting Conditions of Release as to David Mehaffie. Own Recognizance. Signed by Magistrate Judge Peter B. Silvain, Jr on 8/12/21. (cib) (Entered: 08/12/2021)
08/12/2021	<u>6</u>	REMOVAL ORDER as to David Mehaffie. Signed by Magistrate Judge Peter B. Silvain, Jr on 8/12/21. (cib) (Entered: 08/12/2021)

PACER Service Center			
Transaction Receipt			
08/12/2021 16:27:41			
PACER Login:	nicholasdingeldein	Client Code:	
Description:	Docket Report	Search Criteria:	3:21-mj-00306-PBS
Billable Pages:	2	Cost:	0.20