

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.Jonathon Owen Shroyer (AKA: Jonathan Owen
Shroyer)*Defendant*

) Case: 1:21-mj-00572
) Assigned to: Judge Faruqui, Zia M.
) Assign Date: 8/19/2021
) Description: COMPLAINT W/ ARREST WARRANT
)

RECEIVED
U.S. MARSHALS SERVICE
2021 AUG 23 AM 11:33
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

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) Jonathon Owen Shroyer,
 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. § 1752(a)(1) and (2) - Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority;

40 U.S.C. § 5104(e)(2)(D) and (E) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Zia M. Faruqui Digitally signed by Zia M. Faruqui
Date: 2021.08.19 22:39:48 -04'00'Date: 08/19/2021*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) 08/19/2021, and the person was arrested on (date) 08/23/2021
 at (city and state) Austin, Texas.

Date: 08/23/2021*Arresting officer's signature*

Stephen D. Johnson Special Agent
Printed name and title

UNITED STATES DISTRICT COURT

August 23, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

for the

District of Columbia

BY: kkc

DEPUTY

United States of America

v.

Jonathon Owen Shroyer (AKA: Jonathan Owen Shroyer)
DOB: XXXXXX**WDTX Case No.: 1:21-mj-688-ML****Case: 1:21-mj-00572****Assigned to: Judge Faruqui, Zia M.****Assign Date: 8/19/2021****Description: COMPLAINT W/ ARREST WARRANT***Defendant(s)***CRIMINAL COMPLAINT**


I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the
_____ in the District of Columbia, the defendant(s) violated:*Code Section**Offense Description*18 U.S.C. § 1752(a)(1) and (2) - Knowingly Entering or Remaining in any Restricted Building or
Grounds Without Lawful Authority,

40 U.S.C. § 5104(e)(2)(D) and (E) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.*Complainant's signature*Clarke Burns, Special Agent*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.Date: 08/19/2021**Zia M. Faruqui**

Digitally signed by Zia M.

Faruqui

Date: 2021.08.19 22:58:28 -04'00'

*Judge's signature*City and state: Washington, D.C.Zia M. Faruqui, U.S. Magistrate Judge*Printed name and title*

STATEMENT OF FACTS

Your affiant, Clarke Burns, is a Special Agent assigned to the Federal Bureau of Investigation Washington Field Office's Joint Terrorism Task Force. In my duties as a Special Agent, I am tasked with investigating criminal activity pertaining to international and domestic terrorism. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

SHROYER'S February 2020 Deferred Prosecution Agreement

On January 17, 2020, JONATHON OWEN SHROYER ("SHROYER") was charged by an Information in the Superior Court of the District of Columbia, Case No. 2020 CMD 000820, with a violation of (1) 10 D.C. Code Section 503.16(b)(4) (2001 ed.), Disorderly and Disruptive Conduct on United States Capitol Grounds, and (2) 10 D.C. Code Section 503.16(b)(7) (2001 ed.), Obstructing and Impeding Passage on United States Capitol Grounds, based on SHROYER's disruption of a House Judiciary Committee meeting on December 9, 2019. During the incident, SHROYER, who was seated in the audience observing the hearing in the committee room, jumped up from his seat and shouted in a loud manner while the Judicial Committee was in session. The disruption occurred while the Chairman of the committee was speaking and caused the Chairman to hit the gavel and request that order be restored. SHROYER was removed from the room and placed under arrest.

On February 25, 2020, SHROYER entered into a Community Service Deferred Prosecution Agreement ("DPA") (attached as **Exhibit A**). Pursuant to the DPA, SHROYER agreed to abide by certain standard and special conditions during a four-month deferment period as enumerated in the agreement. As part of the DPA conditions, SHROYER agreed not to violate any laws and to perform 32 hours of verified community service.

Due to the nature of the offense, the DPA included the following special conditions for SHROYER:

1. The defendant agrees not to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof.
2. The defendant agrees not to parade, demonstrate, or picket within any of the Capitol Buildings.
3. The term "Capitol Buildings" means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting 2 or more of such structures, and the real property underlying and enclosed by any such structure.

In addition, the term "United States Capitol Grounds" was defined to include an area delineated in a map attached to the DPA spanning the Capitol grounds from 3rd Street NW on the west side of the Capitol building, to 2nd Street SE on the east side of the Capitol building (*see*

Exhibit A). SHROYER and his attorney each signed an Acceptance and Attorney's Acknowledgement, respectively, for the DPA. As a result of the DPA, SHROYER had special knowledge of what areas in Washington, D.C. in and around the U.S. Capitol constituted the U.S. Capitol Grounds.

As of January 6, 2021, the DPA remained in effect. SHROYER had not completed, nor reported the completion of, any of the 32 hours of community service as required pursuant to the DPA. On February 5, 2021, counsel for SHROYER emailed the Government to report that SHROYER allegedly "has completed his 32 hours of community service." An attached log provided by SHROYER's counsel reported that SHROYER, in fact, performed only 30 hours of community service beginning on January 19, 2021 through February 4, 2021. Thus, as of January 6, 2021, SHROYER had not completed any hours of community service as required by the DPA, and as of February 5, 2021, his community service obligation remained incomplete.

SHROYER's Involvement in Events Leading up to January 6, 2021

SHROYER is a Texas-based talk-show host associated with the website Infowars (www.infowars.com). SHROYER's show, "The War Room With Owen Shroyer," streams daily on the Infowars platform, "banned.video."

SHROYER traveled to Washington, D.C. in January 2021, and in advance of January 6, 2021, spoke of stopping the certification of the Electoral College vote. In a video¹ posted to the Infowars website on January 5, 2021, SHROYER gave an address in Freedom Plaza in Washington D.C., during which he stated: "Americans are ready to fight. We're not exactly sure what that's going to look like perhaps in a couple of weeks if we can't stop this certification of the fraudulent election . . . we are the new revolution! We are going to restore and we are going to save the republic!"

In another video² posted to the Infowars website on January 5, 2021, SHROYER called into an Infowars live broadcast and said: "what I'm afraid of is if we do not get this false certification of Biden stopped this week. I'm afraid of what this means for the rest of the month . . . Everybody knows election was stolen . . . are we just going to sit here and become activists for 4 years or are going to actually do something about this . . . whatever that cause or course of cause may be?"³

In addition, SHROYER was featured in promotional material circulated by Infowars. One promotional video urged listeners to "come to the big D.C. marches on the 5th and 6th of January, I'll see you there."⁴ The video ended with an edited graphic of SHROYER and others in front of the Capitol building. That graphic is depicted below:

¹ <https://banned.video/watch?id=5ff4aebaa285a02ed04c4d6e>.

² <https://banned.video/watch?id=5ff511bb5a212330029f5a9c>.

³ <https://banned.video/watch?id=5ff511bb5a212330029f5a9c>.

⁴ <https://www.banned.video/watch?id=5ff22bb71f93a8267a6432ee>.

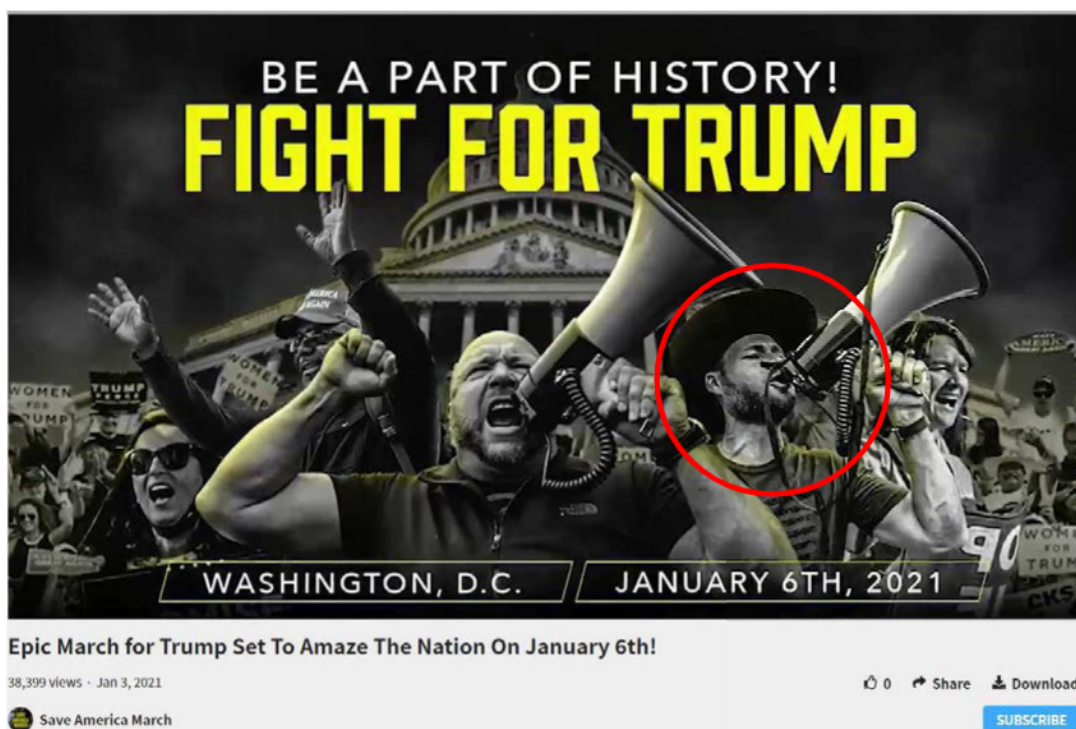


Figure 1 (SHROYER is circled in red)

SHROYER Enters the Restricted Area on January 6, 2021

According to video footage I have reviewed, on January 6, 2021, SHROYER marched to the U.S. Capitol from the Ellipse shortly before the U.S. Capitol was breached. One video⁵ depicted SHROYER, marching with other individuals, leading a crowd of people in a “1776!” chant as the host of the Infowars show on which the video was streamed stated, “Alex Jones at this moment is leading the march toward the Capitol building.” In the same video, SHROYER can be heard telling the crowd, “today we march for the Capitol because on this historic January 6, 2021, we have to let our Congressmen and women know, and we have to let Mike Pence know, they stole the election, we know they stole it, and we aren’t going to accept it!”

After SHROYER arrived at the Capitol grounds, he entered the restricted area. In the screenshots below, SHROYER can be seen standing above the crowd on the west side of the Capitol next to the inauguration stage.⁶

⁵ <https://banned.video/watch?id=5ff634c2f23a18318ceb19f1>.

⁶ The screenshots are from a video posted on January 9, 2021, but taken on January 6, 2021, <https://banned.video/watch?id=5ff9df636756f238a5bf9124>.



VIDEO: Alex Jones Tried To Stop Storming of DC Capitol

156,597 views · Jan 9, 2021

Share Download

Figure 2 (SHROYER is circled in red)



VIDEO: Alex Jones Tried To Stop Storming of DC Capitol

156,597 views · Jan 9, 2021

Share Download

Figure 3 (SHROYER is circled in red)

I have viewed another video⁷ posted to Infowars that purports to be video from the body worn camera of a security detail member from January 6, 2021. The footage depicts SHROYER within the restricted area on both the west and east sides of the Capitol.

I am aware of other videos and photos depicting SHROYER in the restricted area of the U.S. Capitol on January 6, 2021. For example, the FBI received a video from an anonymous tip that depicts SHROYER at the top of the stairs on the east side of the Capitol. At one point in the video, the camera zooms in and a voice can be heard exclaiming “well there’s . . . and Owen Shroyer up there.” A screenshot is attached below:



Figure 4 (SHROYER is circled in red)

SHROYER is publicly known, and appears and identifies himself in numerous videos posted to Infowars and other sites. I am familiar with SHROYER’s appearance in such videos and have identified SHROYER in the above-referenced videos, and other videos and images, depicting SHROYER in the restricted area of the U.S. Capitol on January 6, 2021. In addition, SHROYER appears to have called into an Infowars broadcast live on January 6, from the Capitol grounds.⁸ During the call, SHROYER stated that “we got to the Trump rally at about 8:00 a.m.” and then around 2:00 p.m. “marched to the Capitol.” SHROYER further stated that he was on “one side of the Capitol, so we can’t see both sides, but on this side alone there’s probably about 100,000 people. They’ve taken the Capitol grounds, they’ve surrounded the building itself, they’re on the actual building structure. . . . We literally own these streets right now.”

Based on the foregoing, your affiant submits that there is probable cause to believe that SHROYER violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official

⁷ <https://banned.video/watch?id=5ffe25bc0d763c3dca0c4da1>. This video is dated January 6, 2021, but was posted to Infowars on January 12, 2021.

⁸ <https://banned.video/watch?id=5ff6148af23a18318ce99233>.

functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that SHROYER violated 40 U.S.C. § 5104(e)(2)(D) and (E), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings.



CLARKE BURNS, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 19th day of August 2021.

Zia M. Faruqui



Digitally signed by Zia M. Faruqui
Date: 2021.08.19 23:00:10 -04'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Jonathon Owen Shroyer (AKA: Jonathan Owen
Shroyer)

Defendant

Case: 1:21-mj-00572

Assigned to: Judge Faruqui, Zia M.

Assign Date: 8/19/2021

Description: COMPLAINT W/ ARREST WARRANT

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) Jonathon Owen Shroyer,
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. § 1752(a)(1) and (2) - Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority;

40 U.S.C. § 5104(e)(2)(D) and (E) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 08/19/2021

Zia M. Faruqui

Digitally signed by Zia M. Faruqui
Date: 2021.08.19 22:39:48 -04'00'

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) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

United States District Court
Western District of Texas
Austin Division

United States of America,
Plaintiff,

v.

Jonathon Owen Shroyer,
Defendant

No. A-21-MJ-00688

GOVERNMENT'S NOTICE OF ATTORNEY APPEARANCE

Comes now the United States Attorney for the Western District of Texas and files this Notice of Attorney Appearance in the above-styled and numbered cause.

The United States Attorney, by and through the undersigned Assistant United States Attorney (AUSA), hereby notifies the Defendant and this Court that AUSA G. Karthik Srinivasan will act as counsel for the Government in the above-named proceeding and that AUSA Gabriel Cohen should no longer receive the electronic notifications on the above entitled cause.

Respectfully submitted,

Ashley C. Hoff
United States Attorney

By: /s/ G. Karthik Srinivasan
G. Karthik Srinivasan
Assistant United States Attorney
903 San Jacinto, Suite 334
Austin, Texas 78701
(512) 916-5858 (phone)
(512) 916-5854 (fax)

CERTIFICATE OF SERVICE

I certify that on this the 23rd of August 2021, a copy of the foregoing Government's Notice was filed with the Clerk of the Court using the CM/ECF System, thus providing notification of such filing to all counsel of record.

/s/G. Karthik Srinivasan

G. Karthik Srinivasan
Assistant United States Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA

vs.

(1) Jonathon Owen Shroyer

Defendant

§
§
§
§
§
§

Criminal No.: **AU:21-M -00688(1)**

Date Appeared: 08/23/2021

Time: 1:26 PM - 1:57 PM (21 minutes)

INITIAL APPEARANCE - District of Columbia (1:21-mj-572)

1. Complaint Filed	<u>August 23, 2021</u> <i>Date</i>	Warrant Issued:	<u>August 23, 2021</u> <i>Date</i>
Arrested	<u>August 23, 2021</u> <i>Date</i>	Agency:	<u>USMS</u> <i>Agency</i>

2. COURT PERSONNEL:

U.S. Magistrate Judge:	<u>MARK LANE</u>
Courtroom Deputy:	<u>Amanda Deichert</u>
Pretrial Officer:	<u>Kyona Stubbs</u>
Interpreter:	<u>N/A</u>

3. APPEARANCES:

AUSA:	<u>- Excused</u>
DEFT:	<u>- Excused</u>

4. PROCEEDINGS:

a.	Age	<u>32</u>	Education	<u>Bachelors Degree</u>	Gender	<u>Male</u>
b.	Defendant understands proceedings and is mentally competent.					<u>Y</u>
c.	Defendant is informed of constitutional rights.					<u>Y</u>
d.	Defendant understands charges.					<u>Y</u>
e.	If charged on complaint, Defendant informed of right to Preliminary Hearing.					<u>Y</u>
f.	Defendant informed of right to legal counsel.					<u>Y</u>

<u> </u>	1)	Defendant waives counsel.
<u> </u>	2)	Defendant states he/she will retain counsel.
<u> X </u>	3)	Defendant states he has retained: <u>Norm Pattis</u> Phone No.: <u>203-400-5815</u>
<u> </u>	4)	Defendant requests appointment of counsel.
<u> </u>		Defendant HAS NOT completed the CJA23 financial affidavit. Court will appoint counsel in the interest of justice based on deft's verbal accounting of financial status.
<u> </u>		Defendant HAS completed the CJA23 financial affidavit and the Court will appoint counsel because: The defendant is indigent at this time. Even though the defendant is not indigent, counsel will be appointed in the interests of justice.
<u> </u>		The Court finds that the defendant is NOT eligible and denies request.

PROCEEDING MEMO - INITIAL APPEARANCE

In Re: (1) Jonathon Owen Shroyer

Page 2 of 2 Pages

g. PRE-TRIAL RELEASE:

- _____ 1) The Government makes ☐ oral or ☐ written motion for detention under 18 USC 3142.
Court sets detention hearing for _____
- _____ 2) The Court sua sponte moves for detention. The detention hearing is set for _____ at _____
- _____ 3) The Defendant ☐ is released ☐ will be released on the following conditions:
Bond is set at \$ _____

(Check the following that apply:)

- | | |
|---------------------------|---|
| _____ unsecured | _____ unsecured with 10% posted to the registry |
| _____ cash or corporate | _____ additional sureties |
| _____ 3rd party custodian | _____ as set forth in Order Setting Conditions of Release |

h. Temporary Detention issued 08/23/2021 Preliminary Hearing set for _____

i. REMOVAL PROCEEDINGS:

The Defendant is advised of Rule 20 and Rule 5 rights and

- _____ 1) The Defendant waives Rule 5(c)(3)(D)(ii) and is detained pending removal to the _____ . Detention hearing is to be held in that district.
- _____ 2) The Defendant waives Rule 5 and is released on bond. The Defendant is ordered to appear in the District of Columbia ☐ on _____ or ☐ when notified by the prosecuting district.
- X 3) The Defendant is ☐ detained ☒ released on bond and requests Rule 5(c)(3) hearing. The Court sets hearing for _____ Identity and Preliminary Hearing on August 27, 2021 at 11:30 am.

j. Other: Defendant ordered to appear by ZOOM on August 26, 2021 at 1:00pm ET for District of Columbia.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA §
 §
vs. § Case No: AU:21-M -00688(1)
 §
(1) Jonathon Owen Shroyer § Charging District: District of Columbia
 § Charging District's Case No.: 1:21-mj-572

**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: By ZOOM https://uscourts-dcd.zoomgov.com/j/16189525787?pwd=Wlh3MUY5VTRZTUFSYXM5RElnN2UvZz09 Meeting ID: 161 8952 5787 Passcode: 860903	Judge: Magistrate Judge Meriweather Date and Time: Thursday, August 26, 2021 at 1:00pm ET
--	---

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: August 23, 2021



MARK LANE
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
for the
Western District of Texas

FILED
AUG 23 2021
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY CLERK

United States of America

v.

Jonathon Owen Shroyer

Case No. 1:21-00688M-1

Defendant

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: U.S. District Court for the District of Columbia

Place

333 Constitution Avenue NW Washington, Courtroom 6

on _____ as directed.

Date and Time

If blank, defendant will be notified of next appearance.

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

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 U.S. Pretrial Services Office, telephone number 512-916-5297, no later than as directed.

☒ (b) continue or actively seek employment.

☐ (c) continue or start an education program.

☒ (d) surrender any passport to: U.S. Pretrial Services

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

☒ (f) abide by the following restrictions on personal association, residence, or travel: Travel restricted to Travis, Williamson, and Hays Counties

unless otherwise approved by the Court or U.S. Pretrial Services. No travel to DC unless traveling for Court Appearances, Pretrial Meetings, or Attorney visits.

☒ (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: victims/witness/co-defendants

☐ (h) get medical or psychiatric treatment: _____

☐ (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:

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) _____
-

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.



Defendant's Signature

City and State

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: 8/23/2021
Judicial Officer's Signature

U.S. Magistrate Judge Mark Lane

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA

v.

Case Number: AU:21-M -00688(1)

(1) Jonathon Owen Shroyer
Defendant

Dear Sir or Madam:

TAKE NOTICE that the above-entitled case has been set before:

UNITED STATES DISTRICT COURT JUDGE MARC LANE,

at the **United States District Court 501 West 11th Street Austin Texas 78701** as Courtroom 8 for the following:

IDENTITY PRELIMINARY HEARING

on **Friday August 27, 2021 at 11:00 AM**

EVERYONE to whom this notice is addressed (except those to whom copies are sent for information only) must appear IN PERSON unless excused from appearing by the Court.

ATTORNEYS are reminded that it is their duty to advise clients, witnesses, and others concerning rules of decorum to be observed in Court. (Local Court Rule AT-5(b)(12)).

WHENEVER defendants or witnesses in a criminal case have need for the services of a court interpreter, the attorney must inform the Clerk not later than five (5) business days before the scheduled Court proceeding.

If defendant chooses to waive hearing, a written waiver (see attached) must be signed by defendant and his/her counsel and filed by 4:00 p.m. the day before scheduled hearing.

Date Issued: August 23, 2021

(1) Jonathon Owen Shroyer

Attorney at Law

/s/

Amanda Deichert
Magistrate Courtroom Deputy
(512) 466-5806 Ext. 8705

cc: U.S. Probation
U.S. Pretrial Services
U.S. Clerk
U.S. Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA

v.

Case Number: AU:21-M -00688(1)

(1) Jonathon Owen Shroyer

Charging District's Case No.: 1:21-mj-572

☐ **ai** ☐ **r of Rul** ☐ **5** ☐ **51** ☐ **ari**
(Complaint/Indictment)

I understand that I have been charged in another district, the 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 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 warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary 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.

(1) Jonathon Owen Shroyer, *Defendant*

Date

☐ **n** ☐ **e** ☐ **f** ☐ **Defendant**

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHON OWEN SHROYER,

Defendant.

Case No. AU:21-MJ-00688(1)

Charging Dist. Case No.: 1:21-mj-572

NOTICE OF APPEARANCE OF COUNSEL

PLEASE TAKE NOTICE that Attorney Marc J. Randazza of Randazza Legal Group, PLLC hereby enters his appearance in this action on behalf of Defendant Jonathan Owen Shroyer.

It is respectfully requested that copies of all future papers and pleadings relevant to this matter be served upon the undersigned counsel of record.

Dated: August 26, 2021.

Respectfully submitted,

/s/ Marc J. Randazza

Marc J. Randazza (admitted W.D. Tex)
RANDAZZA LEGAL GROUP, PLLC
2764 Lake Sahara Drive, Suite 109
Las Vegas, NV 89117
Telephone: 702-420-2001
ecf@randazza.com

Attorneys for Defendant
Jonathan Owen Shroyer

Case No. AU:21-M-00688(1)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above document was filed and served upon all parties of record on August 26, 2021 by CM/ECF, the court's electronic filing system.

/s/ Marc J. Randazza

Marc J. Randazza

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

USA

vs.

(1) Jonathon Owen Shroyer
Defendant

§
§
§
§
§
§

Case Number: AU:21-M -00688(1)

Charging District Case No.: 1:21-mj-572

Waiver of Rule 5 & 5.1 Hearing
(Complaint/Indictment)

I understand that I have been charged in another district, the 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:

☒ () an identity hearing and production of the warrant.


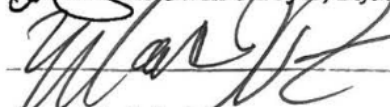
() a preliminary hearing.

() 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.

26 August 2021
Date


Jonathon Owen Shroyer, Defendant

Counsel for Defendant

Case No. AU:21-M-00688(1)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above document was filed and served upon all parties of record on August 26, 2021 by CM/ECF, the court's electronic filing system.

/s/ Marc J. Randazza

Marc J. Randazza

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00688-ML All Defendants**

Case title: USA v. Shroyer

Date Filed: 08/23/2021

Other court case number: 1:21-mj-572 District of Columbia

Assigned to: Judge Mark Lane

Defendant (1)**Jonathon Owen Shroyer**represented by **Marc J. Randazza**

Randazza Legal Group, PLLC
2764 Lake Sahara Drive, Suite 109
Las Vegas, NV 89117
702-420-2001
Fax: 702-297-6584
Email: mjr@randazza.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

18 U.S.C. § 1752(a)(1) and (2) –
Knowingly Entering or Remaining
in any Restricted Building or
Grounds Without Lawful
Authority; 40 U.S.C. §
5104(e)(2)(D) and (E) – Violent
Entry and Disorderly Conduct on
Capitol Grounds. District of

Disposition

Plaintiff**USA**represented by **G. Karthik Srinivasan**US Attorney's Office – Western District of
Texas

903 San Jacinto Blvd., Suite 334

Austin, TX 78701

512-370-1253

Fax: 512-916-5854

Email: karthik.srinivasan@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Gabriel Aaron Cohen**

U.S. Attorney's Office

Austin Office

903 San Jacinto Blvd., Suite 334

Austin, TX 78701

512-370-1246

Fax: 512-916-5854

Email: gabriel.cohen@usdoj.gov**TERMINATED: 08/23/2021****LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

Date Filed	#	Page	Docket Text
08/23/2021	<u>1</u>	4	Arrest (Rule 5/Rule 32.1) of Jonathon Owen Shroyer. (kkc) (Entered: 08/23/2021)
08/23/2021	<u>2</u>	13	NOTICE OF ATTORNEY APPEARANCE G. Karthik Srinivasan appearing for USA. (Srinivasan, G.) (Entered: 08/23/2021)
08/23/2021			Attorney G. Karthik Srinivasan for USA added, Attorney Gabriel Aaron Cohen terminated as to Jonathon Owen Shroyer. (jf) (Entered: 08/23/2021)
08/23/2021	<u>3</u>	15	Minute Entry for proceedings held before Judge Mark Lane:Initial Appearance in Rule 5(c)(3) Proceedings as to Jonathon Owen Shroyer held on 8/23/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold – ERO.) (jf) (Entered: 08/23/2021)
08/23/2021	<u>4</u>	17	ORDER Requiring Defendant to Appear in the District Where Charges are Pending and Transferring Bail as to Jonathon Owen Shroyer. Signed by Judge Mark Lane. (jf) (Entered: 08/23/2021)
08/23/2021	<u>5</u>	18	ORDER Setting Conditions of Release. Signed by Judge Mark Lane. (jf) (Entered: 08/23/2021)
08/23/2021	<u>6</u>	22	NOTICE OF HEARING as to Jonathon Owen Shroyer: Identity / Preliminary Hearing set for 8/27/2021 at 11:30 AM before Judge Mark Lane (jf) (Entered: 08/23/2021)

08/26/2021	<u>7</u>	24	NOTICE OF ATTORNEY APPEARANCE: Marc J. Randazza appearing for Jonathon Owen Shroyer . Attorney Marc J. Randazza added to party Jonathon Owen Shroyer(pty:dft) (Randazza, Marc) (Entered: 08/26/2021)
08/26/2021	<u>8</u>	26	Waiver of Identity Hearing by Jonathon Owen Shroyer (Randazza, Marc) (Entered: 08/26/2021)