

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Benjamin Martin,

Defendant

Case: 1:21-mj-00555

Assigned to: Judge Harvey, G. Michael

Assign Date: 8/6/2021

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) _____
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) - Entering and Remaining in a Restricted Building or Grounds;
 18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building;
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building;
 18 U.S.C. § 231(a)(3) - Obstructing Law Enforcement During Civil Disorder;
 18 U.S.C. § 1512(c)(2) - Obstructing or Impeding an Official Proceeding.

Date: 08/06/2021

Digitally signed by

G. Michael Harvey

Date: 2021.08.06

11:05:57 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

G. Michael Harvey U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 8/16/21, and the person was arrested on (date) 9/2/21
at (city and state) MADERA, CA

Date: 9-2-21

Arresting officer's signature

CONNOR LEADBETTER, SPECIAL AGENT
Printed name and title

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

FILED

Sep 03, 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America

v.

Benjamin Martin,
[REDACTED]

Defendant

Case: 1:21-mj-00555

Assigned to: Judge Harvey, G. Michael

Assign Date: 8/6/2021

Description: COMPLAINT W/ ARREST WARRANT

1:21-MJ-00091 EPG

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) _____,

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) - Entering and Remaining in a Restricted Building or Grounds;
 18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building;
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building;
 18 U.S.C. § 231(a)(3) - Obstructing Law Enforcement During Civil Disorder;
 18 U.S.C. § 1512(c)(2) - Obstructing or Impeding an Official Proceeding.

Date: 08/06/2021

Digitally signed by

G. Michael Harvey

Date: 2021.08.06

11:05:57 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

G. Michael Harvey 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

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Benjamin Martin, [REDACTED]

Case: 1:21-mj-00555

Assigned to: Judge Harvey, G. Michael

Assign Date: 8/6/2021

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) - Entering and Remaining in a Restricted Building or Grounds;
 18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building;
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building;
 18 U.S.C. § 231(a)(3) - Obstructing Law Enforcement During Civil Disorder;
 18 U.S.C. § 1512(c)(2) - Obstructing or Impeding an Official Proceeding.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.*Connor Ledbetter**Complainant's signature*

Connor L. Ledbetter, 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: 08/06/2021

Digitally signed by G.
 Michael Harvey
 Date: 2021.08.06
 11:07:32 -04'00'

*Judge's signature*City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

APPEARANCE

Case Number: 21-MJ-91-EPG

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

BENJAMIN MARTIN

(Defendant's Name)

I certify that I am admitted to practice in this court.

Date: August 8, 2021.

/s/ ROGER T. NUTTALL
Signature

ROGER T. NUTTALL
Print Name

42500
State Bar Number

2333 MERCED STREET
Address

FRESNO, CA 93721
City Zip Code

(559) 233-2900
Phone Number

angel@nuttallcoleman.com
E-Mail Address

☐ Appointed
☒ Retained

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**U.S. District Court
Eastern District of California - Live System (Fresno)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00091-EPG-1**

Case title: USA v. Martin

Date Filed: 09/03/2021

Other court case number: 1:21-mj-00555 U.S. District Court
for the District of Columbia

Assigned to: Magistrate Judge Erica P.
Grosjean

Defendant (1)

Benjamin Martin

represented by **Roger Taylor Nuttall**
Nuttall & Coleman
2333 Merced St.
Fresno, CA 93721
559-233-2900
Fax: 559-485-3852
Email: angel@nuttallcoleman.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

RULE 5(c)(3)

Disposition

Plaintiff**USA**

Date Filed	#	Docket Text
09/03/2021	<u>1</u>	RULE 5(c)(3) ARREST and DOCUMENTS RECEIVED from District of Columbia. Case 1:21-mj-00555 as to Benjamin Martin (1). (Rivera, O) (Entered: 09/03/2021)
09/03/2021	2	MINUTES (Text Only) for proceedings held via video conference before Magistrate Judge Erica P. Grosjean: INITIAL APPEARANCE ON OUT-OF-DISTRICT WARRANT RE COMPLAINT (USDC, DISTRICT OF COLUMBIA) as to Benjamin Martin held on 9/3/2021. The hearing was conducted via video and telephonically pursuant to General Orders 614, 620, 624, 628, 630, and 632 and the CARES Act. Defendant and counsel consented to the appearance by video. Defendant advised of charges/rights; reading/advisement waived; identity hearing waived; preliminary examination requested and ordered; DENIAL ENTERED. Discovery/reciprocal discovery requested and ordered. Pursuant to defendant's request, and with good cause found, the detention hearing is set outside the statutory time-frame. <u>DETENTION HEARING set for 9/8/2021 at 02:00 PM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean (defendant ordered temporarily detained pending said hearing). PRELIMINARY EXAMINATION HEARING set for 9/17/2021 at 02:00 PM in Courtroom 7 (SKO) before Magistrate Judge Sheila K. Oberto.</u> The court instructed government counsel under Rule 5(f) to comply with its disclosure obligations under <i>Brady v. Maryland</i> . Government Counsel: Joseph Barton (via Zoom) present. Defense Counsel: Roger Nuttal (via Zoom) present. Custody Status: Custody (via Zoom) present. Court Reporter/CD Number: ECRO - Alice Timken. (Rooney, M) (Entered: 09/07/2021)
09/07/2021	3	ORDER (TEXT ONLY) as to Defendant Benjamin Martin signed by Magistrate Judge Erica P. Grosjean on 9/3/2021: According to the Federal Rules of Criminal Procedure Rule 5(f), the government is ordered to comply with its discovery obligations as required by federal law, including those duties imposed by <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and all applicable decisions interpreting <i>Brady</i> . This order does not relieve any party of any other discovery obligation. The consequences for violating this order or the government's obligations under <i>Brady</i> may include sanctions, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges, among other consequences. (Rooney, M) (Entered: 09/07/2021)
09/08/2021	<u>4</u>	NOTICE of ATTORNEY APPEARANCE: Roger Taylor Nuttall appearing for Benjamin Martin. Attorney Nuttall, Roger Taylor added. (Nuttall, Roger) (Entered: 09/08/2021)
09/08/2021	5	MINUTES (Text Only) for proceedings held via video conference before Magistrate Judge Erica P. Grosjean: DETENTION HEARING as to Benjamin Martin held on 9/8/2021. The hearing was conducted via video and telephonically pursuant to General Orders 614, 620, 624, 628, 630, and 632 and the CARES Act.

Defendant and counsel consented to the appearance by video. DETENTION HEARING as to Benjamin John Martin held on 9/8/2021. The matter of detention was argued and submitted, with the Court ORDERING DEFENDANT RELEASED on the following conditions: Post a \$15,000.00 cash bond, by 4:00 PM on 9/9/2021, to be replaced with a property bond posted and owned by Cary Gray and Brian Martin, third party custody, which property is to be posted by 10/8/2021, surrender passport by 4:00 PM on 9/9/2021, do not apply/obtain another passport and/or travel document during the pendency of these proceedings, and on all other conditions as read into the record. Defendant's release is delayed until the first working day at 8:30 AM following the surrender of the passport and posting of the cash bond. Government Counsel: Joseph Barton (via Zoom) present. Defense Counsel: Roger Nuttall (via Zoom) present. Custody Status: Custody (via Zoom) present. Court Reporter/CD Number: ECRO - Otilia Rosales. (Rooney, M) (Entered: 09/09/2021)