

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Paul Kovacik

Case: 1:22-mj-00100
Assigned to: Judge Meriweather, Robin M.
Assign Date: 5/10/2022
Description: COMPLAINT W/ ARREST WARRANT

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) Paul Kovacik
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

Date: 05/10/2022



Handwritten signature of Robin M. Meriweather

2022.05.10 15:16:58 -04'00'

Issuing 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) 06/19/22, and the person was arrested on (date) 06/19/22
at (city and state) Rockport, In. 47635.

Date: 06/21/22

Handwritten signature of c/o Tim Heady #72
Arresting officer's signature

Handwritten signature of c/o Tim Heady #72
Printed name and title

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Paul Kovacik
DOB: XXXXXX

)
) Case: 1:22-mj-00100
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 5/10/2022
) 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:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), 40 U.S.C. § 5104(e)(2)(D), and 40 U.S.C. § 5104(e)(2)(G).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Jay Jurci
Jay Jurci, Task Force Officer
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 05/10/2022

Judge's signature: Robin M. Meriweather
2022.05.10 15:15:27 -04'00'

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

Your affiant, JAY JURCI, is a SPECIAL AGENT (Wisconsin Department of Justice) /FBI Joint Terrorism Task Force (JTTF) officer, assigned to the FBI Milwaukee Division. In my duties as a sworn law enforcement special agent, I provide assistance to local law enforcement agencies and investigate crimes of statewide importance and/or those that require highly specialized investigative resources. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a TASK FORCE OFFICER, 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.

According to records obtained through a search warrant served on Google, a mobile device associated with paulko31@hotmail.com was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with paulko31@hotmail.com was within the U.S. Capitol on January 6, 2021 from approximately 2:23 p.m. until approximately 3:42 p.m. Google records show that the “maps display radius” for this location data was, at multiple points, less than 100ft, which encompasses an area that is almost entirely within the U.S. Capitol Building.

Google produced the below user account information for a device responsive to the warrant:

YouTube¹ user name: Wisconsin's Game
Account Email: paulko31@hotmail.com
Recovery SMS: (XXX) XXX-9963

Phone number (XXX) XXX-9963 (the “Kovacik Number”) was associated to Paul Edward Kovacik (“KOVACIK”), DOB August 7, 1967.² On November 16, 2021, I called the Kovacik Number and spoke with a male who identified himself as KOVACIK. He declined to meet in person, but agreed to speak over the phone. In sum and substance, he informed me that he took the train to Washington, D.C., and stayed overnight on January 6, 2021. KOVACIK entered the west side entrance of the Captiol and made his way to an elevator and took it to the third floor.³ As he exited the elevator the area appeared abandoned. He recalled being with another individual whom he observed throw “some type of sticks” down a level towards police.⁴ KOVACIK identified that individual as Zachary Alam.⁵ KOVACIK then made his way down to the second floor; he described a commotion and learned that a girl had been shot. KOVACIK estimated that

¹ YouTube is an American online video sharing and social media platform headquartered in San Bruno, California and owned by Google LLC.

² FBI support personnel ran a routine check on the phone number and email. The phone number was found in FBI reports from a previous incident in Cincinatti, Ohio. KOVACIK was contacted by JTTF at a sports event because he was found in the stadium without a ticket and acting strangely. After being interviewed, he was released without incident.

³ Review of CCTV footage indicates that KOVACIK exited the elevator on the fourth floor.

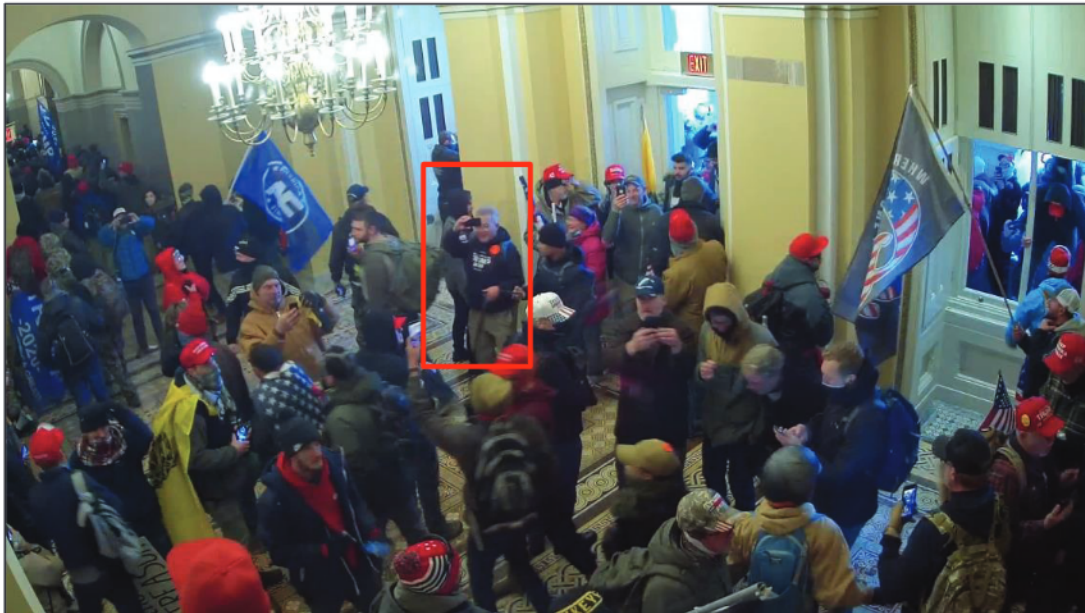
⁴ After reviewing a YouTube video provided by KOVACIK, discussed in more detail below, I believe that the object he described is a velvet hanging stanchion rope. See <https://www.youtube.com/watch?v=xLKGBtHipck> at 27:00.

⁵ On or about January 25, 2021, Alam was charged by complaint with 18 U.S.C. §§ 111(a) and (b), Assault on a Federal Officer with a Dangerous or Deadly Weapon, and other related charges. *United States v. Alam*, 21 mj 00165. A grand jury in the District of Columbia subsequently returned an indictment against Alam, charging him with 18 U.S.C. §§ 111(a) and (b) and other related offenses. *United States v. Alam*, 21 Cr. 0190 (Hon. Faruqui).

he was inside the Capitol for approximately 1-1 ½ hours and mainly on the House side. KOVACIK further informed me that he had recorded multiple videos on January 6, 2021 and agreed to send the videos via email.

After speaking with KOVACIK, on November 16, 2021 at 1:59 p.m., I received an email from paulko31@hotmail.com, providing the links to multiple YouTube videos purportedly filmed by KOVACIK on January 6, 2021.

Video footage obtained from the U.S. Capitol Police, shows a white male (who has been identified as KOVACIK) with gray hair, wearing glasses, a dark-blue hooded sweatshirt with “Trump 2020” in white block lettering, with a bright orange circular sticker or button affixed to his upper left chest, and carrying a light blue backpack. KOVACIK is observed entering through the doors of the Senate Wing entrance to the Capitol at approximately 2:26 p.m. Below is a screen capture taken from the aforementioned video footage. (KOVACIK is indicated in the red box).



The U.S. Capitol Police video footage also shows KOVACIK at approximately 2:29 p.m., boarding an elevator on the first floor in the Crypt with other individuals, including Alam. After exiting the elevator on the fourth floor, KOVACIK proceeded to the H405 stairwell, walked down one flight to the third floor. On the third floor, KOVACIK traveled east to west; at the west stairs near H219 he walked down one flight to the second floor. On the second floor, KOVACIK proceeded east, until being corralled by a plainclothes security officer into the Statuary Hall connector where a large crowd of rioters had massed. The crowd soon pushed past the officers, spilling out into the House corridor. KOVACIK moved with the surge, continuing east, entering the Sam Rayburn room for approximately one minute. KOVACIK exited the Rayburn room and continued east to the Upper House doors. He remained in the hallway on the eastern side of the House chamber for approximately 12-15 minutes before exiting the East House front door at 2:54 p.m. At many points during the approximately 25 minutes that KOVACIK was inside of the Capitol building, he appeared to be filming using a cellphone.

Below are screen captures taken from the aforementioned video footage.

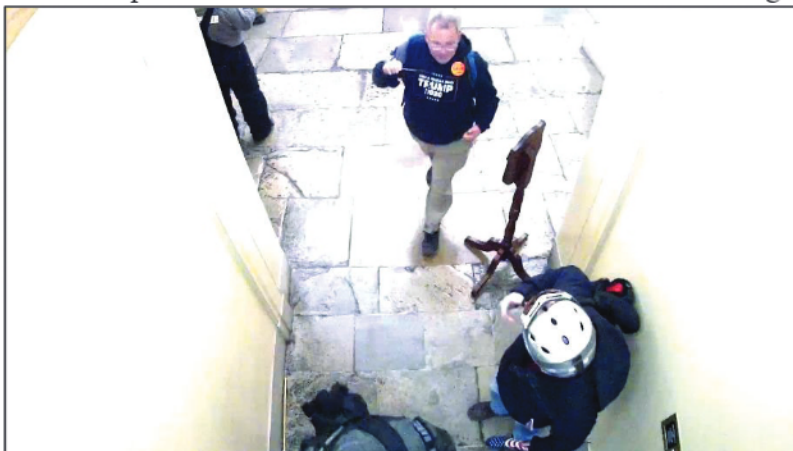


Figure 1 – USC CCTV (approximately 2:29 p.m.)

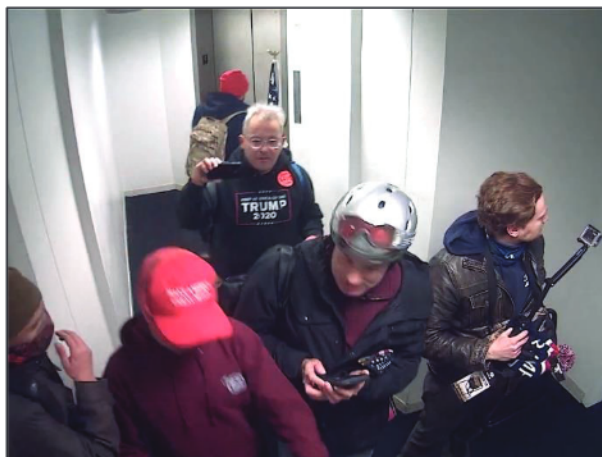


Figure 2 – USC CCTV (approximately 2:30 p.m.)

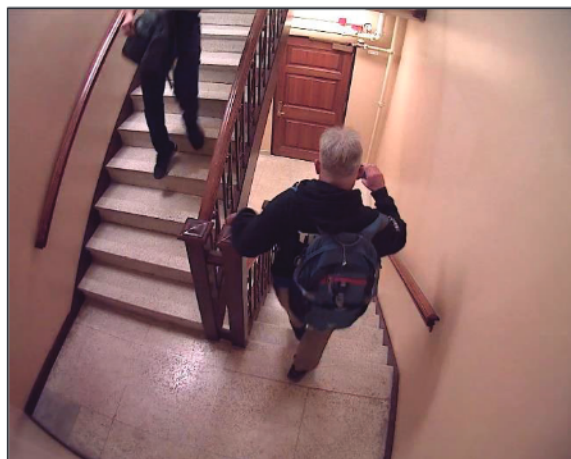


Figure 3 – USC CCTV (approximately 2:31 p.m.)



Figure 4 – USC CCTV (approximately 2:32 p.m.)

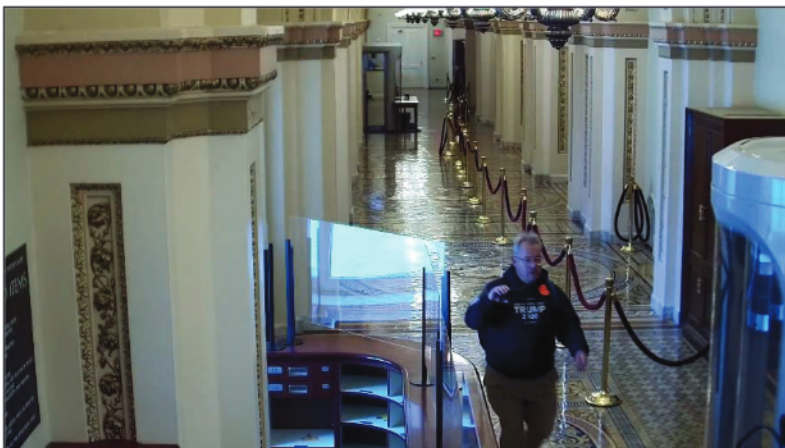


Figure 5 – USC CCTV (approximately 2:33 p.m.)

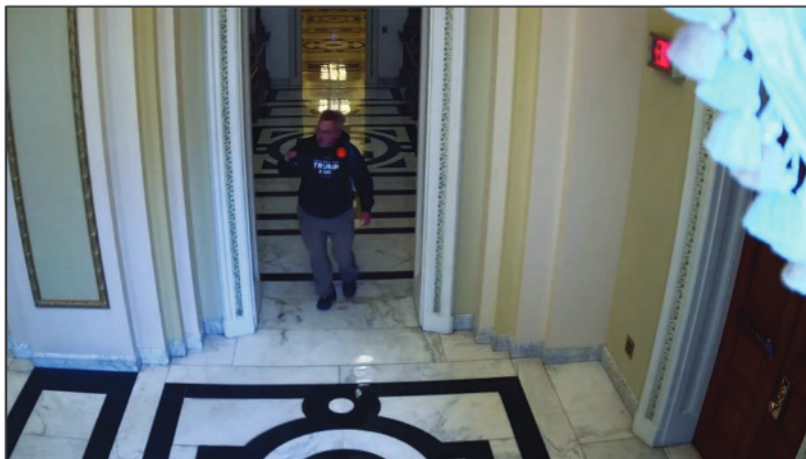


Figure 6 – USC CCTV (approximately 2:34 p.m.)

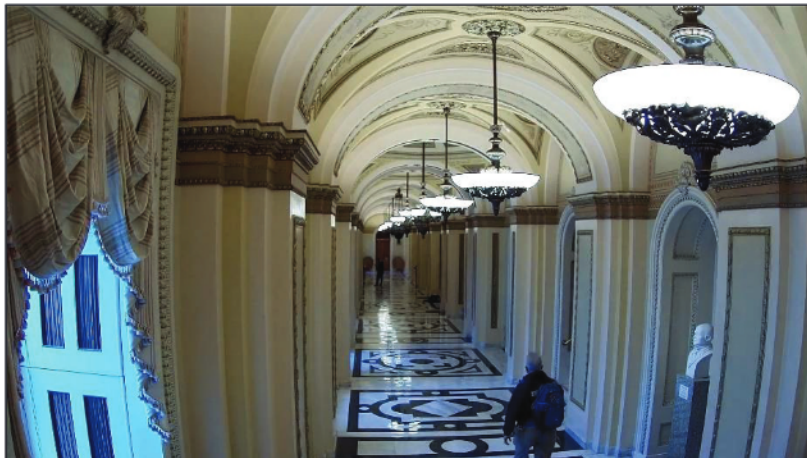


Figure 7 – USC CCTV (approximately 2:35 p.m.)

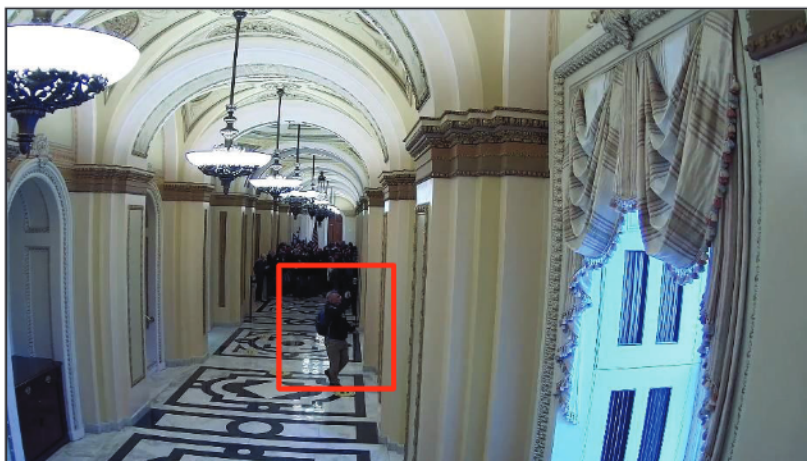


Figure 8 – USC CCTV (approximately 2:41 p.m.)



Figure 9 – USC CCTV (approximately 2:41 p.m.)

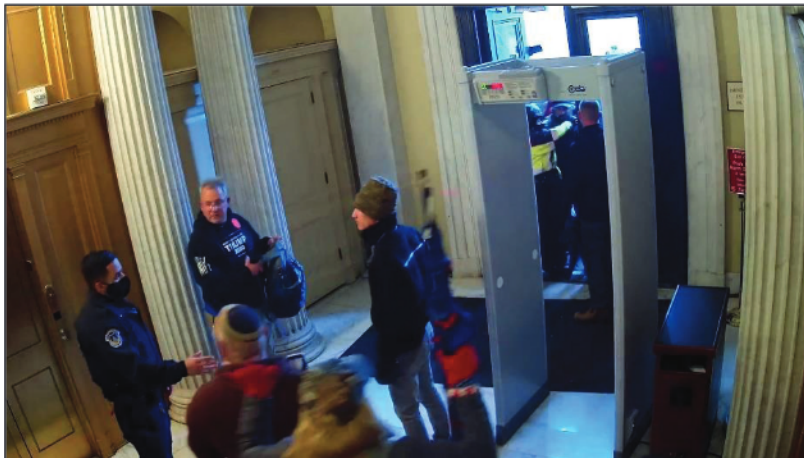


Figure 10 – USC CCTV (approximately 2:54 p.m.)



Figure 11 – USC CCTV (approximately 2:55 p.m.)

In addition, body-worn camera (“BWC”) footage from a Metropolitan Police Department (“MPD”) officer who was positioned in vicinity of the East House front doors, depicts KOVACIK in that area at approximately 2:53 p.m.



Figure 12 – MPD BWC (approximately 2:53 p.m.)

Based on my review of the YouTube videos sent by paulko31@hotmail.com, referenced above, it appears that: (1) the YouTube videos match KOVACIK's route of travel described above and depicted in Figures 1- 12; and (2) the YouTube videos are consistent with the events as described by KOVACIK during the phone interview. For example, the recorder of the video boards an elevator in the Crypt approximately three minutes after entering the Capitol building with the same individuals depicted in Figure 2 above.

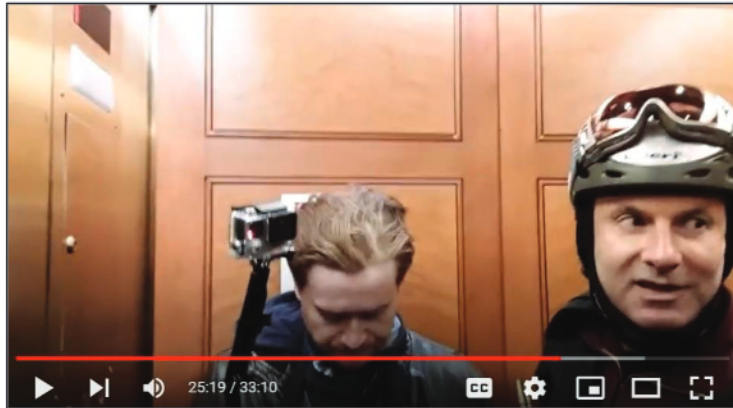


Figure 13 – YouTube⁶

The YouTube video depicts Zachary Alam throwing a velvet stanchion rope over a railing, as described by KOVACIK in the phone interview.



Figure 14 - YouTube⁷

The YouTube video also shows the recorder entering and remaining in the Rayburn room for approximately one minute with other rioters, before returning to the House corridor and rejoining the mob, consistent with CCTV footage depicted above in Figures 8 and 9.

⁶ <https://www.youtube.com/watch?v=xLKGBtHipck> at 25:19.

⁷ *Id.* at 27:02.



Figure 15 - YouTube⁸

During the course of my investigation, I have learned that KOVACIK has prior criminal contacts and obtained prior booking photos. I also learned that KOVACIK had recent criminal contact with Mequon Police Department (MPD), specifically on November 11, 2021. I interviewed the responding MPD Officer and showed him a picture from USC CCTV of a subject that is believed to be KOVACIK inside the U.S. Capitol building on January 6, 2021. The MPD Officer positively identified the subject as KOVACIK. I reviewed still images from bodycam associated with the police contact, Figure 17, and I have examined the known photographs of KOVACIK, Figure 18, and determined they match KOVACIK depicted in Figures 1-12. It should be noted, KOVACIK appears to be wearing the same "Trump 2020" blue sweatshirt from both the Capitol footage and MPD bodycam.



Figure 16 – Mequon PD Bodycam, dtd November 11, 2021


⁸ <https://www.youtube.com/watch?v=Jok7tn6O57o> at 2:50.



Figure 17 – Booking Photos of Paul Kovacik. Source: Wisconsin Dept. of Corrections, dtd January 16, 2020

Based on the foregoing, your affiant submits that there is probable cause to believe that PAUL KOVACIK 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 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 PAUL KOVACIK violated 40 U.S.C. § 5104(e)(2)(D) which makes it a crime to 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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.


Special Agent/TFO Jay Jurci
Federal Bureau of Investigation
Joint Terrorism Task Force

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 10th day of May 2022.


HONORABLE ROBIN M. MERRIWEATHER
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Paul Kovacik

)
) Case: 1:22-mj-00100
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 5/10/2022
) Description: COMPLAINT W/ ARREST WARRANT
)
)

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) Paul Kovacik,
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

Date: 05/10/2022



Robin M. Meriweather

2022.05.10 15:16:58
-04'00'

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

Date: _____

Arresting officer's signature

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

PAUL KOVACIK,

Defendant.

Case: 1:22-mj-00100

Assigned to: Judge Meriweather, Robin M.

Assign Date: 5/10/2022

Description: COMPLAINT W/ ARREST WARRANT

VIOLATIONS:

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)

(Parade, Demonstrate, or Picket in a Capitol Building)

ORDER

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to

seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date: May 10, 2022



JUDGE ROBIN M. MERRIWEATHER
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:22-mj-00089-MPB |
| |) | |
| PAUL KOVACIK, |) | -01 |
| |) | |
| Defendant. |) | |

Entry for June 24, 2022

Before The Hon. Judge Richard L. Young

Parties appear for a Rule 5(c)(3) hearing on a Criminal Complaint out of the District of Columbia (1:22-mj-100).

The government appears by AUSA Matt Miller. Defendant appears in person and by CJA appointed counsel, Barry Blackard. US Probation office represented by Courtney Price.

Defendant submits a financial affidavit, which is approved; counsel is appointed for the limited purposes of this hearing.

The Court formally arraigns defendant and reads the Complaint in open court. The Court advises the defendant of his rights, charges and possible penalties.

The Defendant waived his right to an identity hearing.

The government does not move for detention. The Court orders defendant released under conditions. The defendant is ordered to appear before Magistrate Judge Zia Faruqui, via Zoom, on June 28, 2022 at 1:00 p.m. (EST) for an Initial Appearance hearing in the District of Columbia.

The defendant executes the Waiver of Rule 5 Hearings and is released under conditions imposed.

Distributed electronically to all ECF registered counsel of record.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION


| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:22-mj-00089-MPB |
| |) | |
| PAUL KOVACIK, |) | -01 |
| |) | |
| Defendant. |) | |

ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5(F)

Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, the court, with both the prosecutor and defense counsel present, confirms the government's obligation to disclose favorable evidence to the accused under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and orders it to do so. Favorable evidence under *Brady* need only have some weight and includes both exculpatory and impeaching evidence. Failure to produce such evidence in a timely manner may result in sanctions, including, but not limited to, adverse jury instructions, dismissal of charges, and contempt proceedings.

SO ORDERED.

Date: June 24, 2022



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

Distributed electronically to all ECF registered counsel of record.

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America)

v.)

PAUL KOVACIK)

Defendant)

Case No. 3:22-mj-0089

Charging District's Case No. 1:22-mj-0010

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:

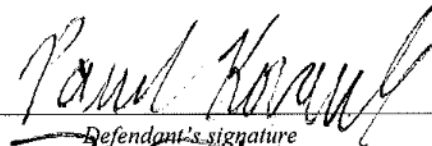
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary 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.

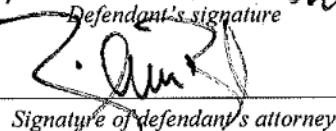
I agree to waive my right(s) to:

- 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: 6.24.22


Defendant's signature


Signature of defendant's attorney

BARRY SLACKAM

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
for the
Southern District of Indiana

UNITED STATES OF AMERICA
v.
PAUL E. KOVACIK (01)
Defendant

Case No. 3:22-MJ-00089

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: Via Zoom Meeting (Zoom link to be provided to the defendant and defense counsel.)
Place

on June 28, 2022 at 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.

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 UNITED STATES PRETRIAL SERVICES AGENCY , telephone number _____, no later than AS THEY INSTRUCT .
 - () (b) continue or actively seek employment.
 - () (c) continue or start an education program.
 - () (d) surrender any passport to: THE U.S. PROBATION OFFICE FOR THE SOUTHERN DISTRICT OF INDIANA
 - () (e) not obtain a passport or other international travel document.
 - () (f) abide by the following restrictions on personal association, residence, or travel: RESTRICTED TO THE SOUTHERN DISTRICT OF INDIANA UNLESS PRE-APPROVED BY THE U.S. PRETRIAL SERVICES AGENCY
 - () (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: ANY CO-DEFENDANTS OR POTENTIAL CO-DEFENDANTS - IF RELATED DO NOT DISCUSS CASE
 - () (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 () not 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.
 - () (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 location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
 - () (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - () (ii) Voice Recognition; or
 - () (iii) Radio Frequency; or
 - () (iv) GPS.

ADDITIONAL CONDITIONS OF RELEASE

- (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 office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (t) The defendant shall not incur new credit charges or open additional lines of credit. The defendant shall provide the pretrial release office access to any requested financial information for both business and personal accounts.
- (u) Defendant is to report to the U.S. Marshals Office, 46 East Ohio Street, Room 176 Indianapolis, Indiana on _____ between the hours of 9:00 am and 3:00 p.m. EST for processing.

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.

Paul Korund
 Defendant's Signature

City and State

Directions to the United States Marshal

- () The defendant is ORDERED released after processing by U.S. Marshal on or before _____
- () The defendant is ORDERED released.
- () 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: 6/24/2022

Richard L. Young
 Judicial Officer's Signature

Richard L. Young, Judge

Printed name and title

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

Def. Initials: _____

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**U.S. District Court
Southern District of Indiana (Evansville)
CRIMINAL DOCKET FOR CASE #: 3:22-mj-00089-MPB-1**

Case title: USA v. KOVACIK

Date Filed: 06/27/2022

Assigned to: Magistrate Judge Matthew P. Brookman

Defendant (1)

PAUL KOVACIK

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Warrant for Arrest out of the District of Columbia (1:22-mj-100)

Disposition

Plaintiff

USA

| Date Filed | # | Docket Text |
|-------------------|-------------------|--|
| 06/27/2022 | 1 | Warrant for Arrest out of the District of Columbia by USA as to PAUL KOVACIK (1). (1:22-mj-100) (Attachments: # 1 Affidavit, # 2 Arrest Warrant, # 3 Order to Seal)(TMB) (Entered: 06/27/2022) |

| | | |
|------------|-------------------|---|
| 06/27/2022 | 2 | COURTROOM MINUTES for proceedings held before Judge Richard L. Young: Initial Appearance in Rule 5(c)(3) Proceedings out of the District of Columbia as to PAUL KOVACIK (1) held on 6/24/2022. The government appears by AUSA Matt Miller. Defendant appears in person and by CJA appointed counsel, Barry Blackard. US Probation office represented by Courtney Price. Defendant submits a financial affidavit, which is approved; counsel is appointed for the limited purposes of this hearing. The Court formally arraigns defendant and reads the Complaint in open court. The Court advises the defendant of his rights, charges and possible penalties. The Defendant waived his right to an identity hearing. The government does not move for detention. The Court orders defendant released under conditions. The defendant is ordered to appear before Magistrate Judge Zia Faruqui, via Zoom, on June 28, 2022 at 1:00 p.m. (EST) for an Initial Appearance hearing in the District of Columbia. The defendant executes the Waiver of Rule 5 Hearings and is released under conditions imposed. (Court Reporter Maggie Techert) (TMB) (Entered: 06/27/2022) |
| 06/27/2022 | 4 | Order Appointing CJA Counsel Barry Blackard as to PAUL KOVACIK (1). Such appointment shall be deemed effective as of 6/23/2022. Signed by Judge Richard L. Young on 6/24/2022. (TMB) (Entered: 06/27/2022) |
| 06/27/2022 | 5 | ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5 (F) as to PAUL KOVACIK (1). Signed by Judge Richard L. Young on 6/24/2022. (TMB) (Entered: 06/27/2022) |
| 06/27/2022 | 6 | Arrest Warrant Returned by US Marshal. Service of Warrant EXECUTED on 6/21/2022 in case as to PAUL KOVACIK (1). Electronic Notice to USM-W. (TMB) (Entered: 06/27/2022) |
| 06/27/2022 | 7 | WAIVER of Rule 5(c)(3) Hearing by PAUL KOVACIK (1) (TMB) (Entered: 06/27/2022) |
| 06/27/2022 | 8 | ORDER Setting Conditions of Release as to PAUL KOVACIK (1). Signed by Judge Richard L. Young on 6/24/2022. Electronic Notice to USM-C.(TMB) (Entered: 06/27/2022) |
| 06/27/2022 | | <p>Notice of a Rule 5 or Rule 32 Initial Appearance as to PAUL KOVACIK (1). Transferee court case number is: 1:22-mj-100. Using a PACER account, the docket sheet and any documents may be received via the case number link. No documents/record will be sent to the receiving district court.</p> <p>If the receiving district court requires certified copies of any documents please send that request to InterdistrictTransfer_INSD@insd.uscourts.gov. (TMB) (Entered: 06/27/2022)</p> |

Case #: 3:22-mj-00089-MPB-1