

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

JOHN THOMAS GORDON

Defendant

) Case: 1:22-mj-00151
) Assigned To : Harvey, G. Michael
) Assign. Date : 7/1/2022
) 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)

JOHN THOMAS GORDON

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. § 231(a)(3) - Civil Disorder,
 18 U.S.C. § 1361 - Destruction of Government Property,
 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)(F) - Act of Physical Violence in the Capitol Grounds or Buildings.

Date: 07/01/2022

G. Michael Harvey

Digitally signed by G. Michael Harvey
Date: 2022.07.01 11:08:14 -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) 7/1/2022, and the person was arrested on (date) 7/8/2022
 at (city and state) Martinsburg, WV.

Date: 7/8/2022

Mark McNeal
Arresting officer's signature

Mark McNeal / Special Agent, FBI
Printed name and title

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U.S. District Court
Northern District of West Virginia (Martinsburg)
CRIMINAL DOCKET FOR CASE #: 3:22-mj-00082-RWT All Defendants

Case title: USA v. Gordon

Date Filed: 07/08/2022

Other court case number: 1:22-MJ-00151 District of Columbia

Date Terminated: 10/03/2022

Assigned to: Magistrate Judge Robert W.
Trumble

Defendant (1)

John Thomas Gordon
TERMINATED: 10/03/2022

represented by **Kristen M Leddy**
Federal Public Defender Office - Mtg
651 Foxcroft Ave
Suite 202
Martinsburg, WV 25401
(304) 260-9421
Fax: (304) 260-3716
Email: kristen_leddy@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:231.F

Disposition

Plaintiff

USA

represented by **Eleanor F. Hurney**

U.S. Attorney's Office - Mrt.

U.S. Courthouse

217 W. King Street, Suite 400

Martinsburg, WV 25401

(304) 262-4802

Fax: (304) 262-0591

Email: eleanor.hurney@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: United States Attorney*

Date Filed	#	Docket Text
07/08/2022		Arrest (Rule 5) of John Thomas Gordon (1). (cwm) (Entered: 07/08/2022)
07/08/2022	<u>1</u>	Copy of Criminal Complaint filed in USDC District of Columbia filed by USA as to John Thomas Gordon (1). (Attachment: # <u>1</u> Arrest Warrant)(cwm) Copy to USA, USP, USM. (Entered: 07/08/2022)
07/08/2022	<u>2</u>	** SEALED ** CJA 23 Financial Affidavit by John Thomas Gordon (1). (cwm) Copy mailed to FPD. (Entered: 07/08/2022)
07/08/2022	<u>3</u>	PAPERLESS ORDER as to John Thomas Gordon. Initial Appearance - Rule 5 is set for TODAY, 7/8/2022, AT 11:00 AM in Martinsburg Magistrate Judge Courtroom, 1st Floor before Magistrate Judge Robert W. Trumble. Signed by Magistrate Judge Robert W. Trumble on 7-8-2022. (dh) (Entered: 07/08/2022)
07/08/2022	<u>4</u>	APPOINTMENT ORDER as to John Thomas Gordon (1). Signed by Magistrate Judge Robert W. Trumble on 07/08/2022. (cwm) Copy to defendant; copy emailed to USMS, USPO and FPD. (Entered: 07/08/2022)
07/08/2022	<u>5</u>	MINUTE ENTRY: <u>***NOTICE*** THE ATTACHED DOCUMENT IS NOT ACCESSIBLE. IT IS FOR STATISTICAL PURPOSES ONLY.</u> Proceedings held before Magistrate Judge Robert W. Trumble as to John Thomas Gordon. Initial Appearance - Rule 5 as to John Thomas Gordon held on 7/8/2022. (Court Reporter - FTR.) (tlg) (Entered: 07/08/2022)
07/08/2022	<u>6</u>	WAIVER of Rule 5(c)(3) Hearings by John Thomas Gordon. (tlg) (Entered: 07/08/2022)
07/08/2022	<u>7</u>	ORDER SETTING CONDITIONS OF RELEASE. Signed by Magistrate Judge Robert W. Trumble on 7/8/2022. Copy to USMS. (tlg) (Entered: 07/08/2022)
07/08/2022	<u>8</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL. Signed by Magistrate Judge Robert W. Trumble on 7/8/2022. Copy to USPO, USMS. (tlg) (Entered: 07/08/2022)
10/03/2022	<u>9</u>	NOTICE TO U.S. District Court for D.C. of a Rule 5, Rule 32, or Rule 40 Appearance as to John Thomas Gordon. Your case number is: 1:22mj151.Public documents may be obtained via PACER. To request restricted documents please email InterdistrictTransfer_WVND@wvnd.uscourts.gov . (tlg) (Entered: 10/03/2022)

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

JOHN THOMAS GORDON

Case: 1:22-mj-00151

Assigned To : Harvey, G. Michael

Assign. Date : 7/1/2022

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)

JOHN THOMAS GORDON

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
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Date: 07/01/2022

G. Michael Harvey

Digitally signed by G. Michael Harvey
Date: 2022.07.01 11:08:14 -04'00'*Issuing officer's signature*

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Return

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 at (city and state) Martinsburg, WV.

Date: 7/8/2022

Mark McNeal
Arresting officer's signature

Mark McNeal / Special Agent, FBI
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.

JOHN THOMAS GORDON

DOB: XXXXXX

Defendant(s)

)
) Case: 1:22-mj-00151
) Assigned To : Harvey, G. Michael
) Assign. Date : 7/1/2022
) Description: Complaint W/ Arrest Warrant
)

CRIMINAL COMPLAINT

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

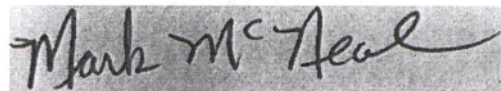
On or about the date(s) of January 6, 2021 in the county of _____ in the
 _____ in the District of Columbia, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 231(a)(3) - Civil Disorder,
 18 U.S.C. § 1361 - Destruction of Government Property,
 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(c)(2)(D) - Disorderly Conduct in a Capitol Building,
 40 U.S.C. § 5104(c)(2)(F) - Act of Physical Violence in the Capitol Grounds or Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

Complainant's signature

Mark McNeal, 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: 07/01/2022

G. Michael Harvey

Digitally signed by G. Michael
Harvey

Date: 2022.07.01 11:09:59 -04'00'

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

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Mark McNeal, is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Martinsburg, West Virginia, Resident Agency, Pittsburgh Field Office. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As an FBI Special Agent, I am authorized by law to engage in the prevention, detention, 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.

Conduct of JOHN THOMAS GORDON
Identification of GORDON

The FBI Washington Field Office published multiple photographs on the FBI website (www.fbi.gov) of participants in the riot at the U.S. Capitol Building on January 6, 2021, seeking to identify those pictured. Each individual pictured was assigned a number to aid in identification, to include Photograph #218 - AFO (Exhibit 1).

Exhibit 1

Photograph #218 - AFO A

The FBI is seeking to identify individuals involved in the riots at the U.S. Capitol on January 6, 2021, including those who assaulted federal law enforcement officers. Call 1-800-CALL-FBI or visit tips.fbi.gov to submit information. Reference the assault on federal officer (AFO) photo number when calling or submitting information online. More at fbi.gov/capitolviolence

On or about February 15, 2021, open-source searches were conducted on AFO-218. Images posted on the Facebook and Instagram page of 794 Social Club located at 1 South Main Street, Petersburg, West Virginia (WV), showed an individual, resembling AFO-218, receiving head tattoos which appeared to match the head tattoos on AFO-218. Photographs from the open-source search are provided below as Exhibit 2.



On March 3, 2021, a tipster (TIPSTER 1) contacted the FBI (NTOC) to report "Johnny Gordon," residential address Lynwood Apartments, Davis, WV, as being the individual in FBI Most Wanted photograph AFO-218. FBI database queries revealed that an individual by the name of JOHN THOMAS GORDON (GORDON) residing at Lynwood Apartments in Davis, West Virginia.

On March 25, 2021, a criminal history search for GORDON revealed that GORDON had several prior felony convictions in Pennsylvania and West Virginia for drug and firearms offenses.

In March 2021, Tucker County (WV) Sheriff Jacob Kopec went to the Lynwood Apartments in Davis, West Virginia, where he made contact with GORDON. Kopec visually confirmed GORDON was APO-218, and Kopec initiated a voluntary interview. During the interview, GORDON provided identifying information and admitted that he was at the U.S. Capitol on January 6, 2021.

On August 24, 2021, a FBI Special Agent interviewed an individual with the initials A.A., who had a romantic relationship with GORDON, but who had terminated the relationship and was now involved in a child custody dispute. During the interview, A.A. advised that GORDON was the individual pictured in the FBI Most Wanted photograph AFO-218. GORDON had told A.A. that he kicked the doors to the U.S. Capitol, to make entry, but he was not able to make entry due to the doors were barred/barricaded. A.A. stated that GORDON also threw what A.A. described as a weighted ball (globe)/yard decoration at windows. A.A. stated that GORDON returned from Washington, D.C. with a trash bag full of his clothing, which was covered in pepper spray. In a subsequent interview, A.A. stated that A.A. had seen a video of GORDON on top of some scaffolding at the U.S. Capitol on January 06, 2021.

Video Evidence

On August 25, 2021, an open-source search of AFO-218 resulted in Internet videos showing a man, matching the description of GORDON, repeatedly throwing an object at the North Door of the U.S. Capitol. Police officers can be seen standing on the other side of the glass window in the door. The fog of tear gas can be seen surrounding the North Door. A Youtube video entitled "interviewing January 6th Rioters on the Capitol Steps" showed that GORDON and others were attempting to destroy the North Door to gain access to the U.S. Capitol on January 6, 2021. A man matching GORDON's description was shown repeatedly throwing an object at the North Door at the 8:30 mark through the 8:55 mark. Shortly before the 8:30 mark, other individuals were shown ramming the North Door with a bicycle rack. Exhibits 3 and 4, below, are screenshots from this video. Based on the similarity in appearance of the individual in the FBI Most Wanted AFO-218 photograph, and other corroborating information from this investigation, I believe the individual pictured in Exhibit 4, below, to be GORDON.

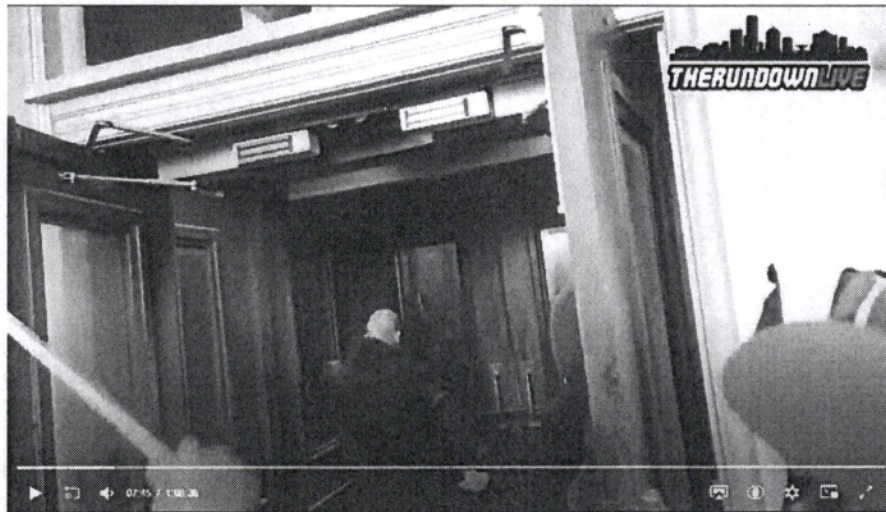
Exhibit 3Exhibit 4

Another Youtube video titled "Save America Protesters Attempt Entrance into Washington DC Capitol" showed a different angle of the same events. A man matching GORDON's description could be seen, beginning at the 4:50 mark, taking a hard object from his jacket and repeatedly throwing it at the North Door until the 9:18 mark. During this time, GORDON could be seen in the video repeatedly kicking the doors in effort to destroy it to gain entry and yelling obscenities at the officers on the other side the North Door (inside the Capitol building) while the officers responded by pepper spraying GORDON and others. Exhibits 5 and 6, below, are screenshots from this video. Based on the similarity in appearance of the individual in the FBI Most Wanted AFO-218 photograph, and other corroborating information from this investigation, I believe the individual pictured in Exhibits 5 and 6, below, to be GORDON.

Exhibit 5



Exhibit 6



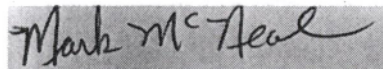
Your affiant submits there is probable cause to believe that JOHN THOMAS GORDON violated 18 U.S.C. §§ 1361 and 2, by willfully injuring or depredating of any property of the United States. The estimated costs to repair the damage to the North Door is more than \$1,000.

Your affiant further submits that there is probable cause to believe that JOHN THOMAS GORDON violated 18 U.S.C. § 1752(a)(1), (2) and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; 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; and (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;] 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. The statute further criminalizes attempts to violate these Sections.

Your affiant submits there is also probable cause to believe that JOHN THOMAS GORDON violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Your affiant submits there is also probable cause to believe that JOHN THOMAS GORDON violated 40 U.S.C. § 5104(e)(2)(D) & (F), 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; and (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings. An act of physical violence includes damage to, or the destruction of, real or personal property.



MARK MCNEAL
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 1st day of July 2022.

G. Michael Harvey Digitally signed by G. Michael Harvey
Date: 2022.07.01 11:10:51 -04'00'

G. MICHAEL HARVEY
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

Case No 3:22-MJ-82-1

JOHN THOMAS GORDON

Defendant.

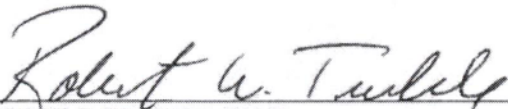
APPOINTMENT ORDER

Defendant submitted a CJA-23 form and, upon review thereof, is found to be indigent and entitled to the appointment of counsel pursuant to the provisions of 18 U.S.C. § 3006A(a).

Accordingly, it is

ORDERED Kristen M. Leddy, Assistant Federal Public Defender for the Northern District of West Virginia, Summit Bank Building, 651 Foxcroft Avenue, Ste. 202, Martinsburg, West Virginia 25401, Telephone No. (304) 260-9421, is hereby APPOINTED to represent the defendant in this action. The Clerk is directed to forward a copy of this Order to the defendant, the Office of the Federal Public Defender, United States Attorney, United States Probation, and the United States Marshal's Office.

DATED: 7-8-2022


ROBERT W. TRUMBLE
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

United States of America

v.

JOHN THOMAS GORDON

Defendant

Case No. 3:22MJ82

Charging District's Case No. 1:22MJ151

FILED

JUL 08 2022

U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* U.S. DISTRICT COURT FOR
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.

Date:

7/8/22

John Gordon

Defendant's signature

Kristen M Ledy

Signature of defendant's attorney

KRISTEN M LEDDY

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

FILED

JUL 08 2022

U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401

United States of America

v.

John Thomas Gordon

Defendant

Case No. 3:22MJ82

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 42 U.S.C. § 14135a.
- (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:

W. Craig Broadwater Federal Building and U.S. Courthouse
217 West King Street
Martinsburg, West Virginia 25401

Place

on

Date and Time

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

ADDITIONAL CONDITIONS OF RELEASE

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

ADDITIONAL CONDITIONS OF RELEASE

- (X) (7) The defendant shall:
- (X) (a) submit to supervision by and report for supervision to United States Probation,
telephone number 304-267-0778, no later than AS DIRECTED.
 - (X) (b) continue or actively seek employment.
 - () (c) continue or start an education program.
 - (X) (d) surrender any passport to: Clerk, WVND
 - (X) (e) not obtain a passport or other international travel document.
 - (X) (f) abide by the following restrictions on personal association, residence, or travel: travel restricted to Northern District of West Virginia and to the District of Columbia for court purposes only unless approved in advance by Pretrial Services.
 - (X) (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: anyone who is named in the indictment/information against you unless that person is your spouse, child, parent or sibling.
 - () (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.
 - (X) (k) not possess a firearm, destructive device, or other weapon.
 - (X) (l) not consume alcohol.
 - (X) (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.
 - (X) (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.
 - (X) (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 everyday 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.
 - () (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.
 - () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
 - (X) (r) 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.
 - (X) (s) not purchase, possess or use any paraphernalia related to any controlled substance.
 - (X) (t) not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants, and shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.
 - (X) (u) not abuse prescription medication.
 - (X) (v) shall be prohibited from possessing a potentially vicious/dangerous animal or residing with anyone who possesses a potentially vicious animal. The Probation Officer has sole authority to determine what animals are considered to be potentially vicious/dangerous.
 - () (w) participate in a program of mental health counseling if directed by the pretrial services office or supervising officer.
 - (X) (x) shall have all firearms, destructive devices, and other weapons removed from any property owned, accessed, or inhabited by the defendant. Removal must be conducted by someone other than the defendant, and shall be completed prior to the defendant's return to the property.
 - (X) (y) Stay away from DC unless for Court, Pretrial, or consultation with attorney.
 - (X) (z) Call Pretrial Services once per week and verify address.
 - (X) (aa) Advise Pretrial Services of any travel within the US outside of home jurisdiction.
 - (X) (bb) No travel outside of the continental US without Court Approval.
 - (X) (cc) Participate in all future proceedings as directed.

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

Martinsburg, WV

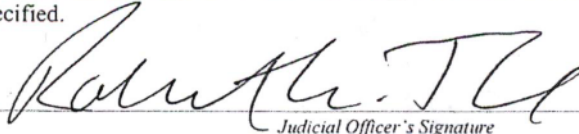
City and State

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:

7/8/22



Judicial Officer's Signature

Robert W. Trumble, United States Magistrate Judge

Printed name and title

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

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

United States of America

v.

JOHN THOMAS GORDON

Defendant

Case No. 3:22MJ82

Charging District: U.S. District Court for D.C.

Charging District's Case No. 1:22MJ151

FILED

JUL 08 2022

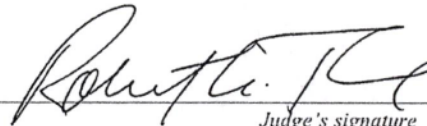
U.S. DISTRICT COURT-WVND
MARTINSBURG, WV 25401**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

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:	Courtroom No.: ZOOM VIDEOCONFERENCING
By Zoom videoconferencing, information given to Defendant.	Date and Time: TUESDAY, JULY 12, 2022, AT 2PM

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:

7/8/22


Judge's signature

Robert W. Trumble, US Magistrate Judge

Printed name and title