



**UNITED STATES DISTRICT COURT
Northern District of Illinois
219 South Dearborn Street
Chicago, Illinois 60604**

**Thomas G. Bruton
Clerk**

(312) 435-5670

Transfer of Criminal Case

6/6/2022

District of Columbia

Case Title: USA v. DiFrancesco

Northern District of Illinois Case No.: 1:22-cr-00288-1 Other Court's Case No.: 1:22-mj-00121

Dear Sir/Madam:

Enclosed please find a certified copy of the docket sheet and documents being transferred to your court pursuant to:

F.R.C.R.P 5:

☐ In ☒ Out

- ☒ Order.
- ☒ Commitment Order.
- ☐ Bond Transfer.
- ☒ Order Setting Conditions of Release.
- ☒ Appearance bond.
- ☐ Financial Affidavit.

18 U.S.C § 3605 Transfer of Jurisdiction Probation 22 ☐ In ☐ Out

- ☐ Certified copy of the Probation 22 form.
- ☐ Indictment.
- ☐ Information.
- ☐ Superseding Indictment.
- ☐ Superseding Information.
- ☐ Sentencing Order.
- ☐ Amended Sentencing Order.
- ☐ Rule 12B form.

- ☐ Email us a certified copy of the charging instrument, judgment, signed Probation 22 form and the docket sheet.
- ☐ **F.R.Cr.P. 20** ☐ **F.R.Cr.P. 21** ☐ In ☐ Out
- ☐ Indictment.
- ☐ Information.
- ☐ Superseding Indictment.
- ☐ Superseding Information.
- ☐ Sentencing Order.
- ☐ Consent to Transfer Jurisdiction.

Sincerely,
Thomas G. Bruton, Clerk of Court

By: /s/Paula Harrison
Deputy Clerk

TO BE COMPLETED BY THE RECEIVING DISTRICT

Please acknowledge receipt via email to: docketing_ilnd@ilnd.uscourts.gov

Date:

Clerk, U.S. District Court
By:
Deputy Clerk

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Kimberly DiFrancesco

Defendant

) Case: 1:22-mj-00121
) Assigned To : Meriweather, Robin M.
) Assign. Date : 5/27/2022
) 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)

Kimberly DiFrancesco

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.



2022.05.27 18:47:53

-04'00'

Date: 05/27/2022

Issuing officer's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 05/27/22, and the person was arrested on (date) 06/02/22
 at (city and state) Chicago, IL

Date: 06/02/22

Arresting officer's signature

Task Force Officer Christina Feisten
 Printed name and title

FILED
6/2/2022

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

AUSA Ann Marie E. Ursini (312) 697-4092

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

KIMMBERLY DIFRANCESCO

Case No.: 22-cr-00288
HEATHER K. MCSHAIN
Magistrate Judge


AFFIDAVIT IN REMOVAL PROCEEDING

I, CHRISTINA FREISLEBEN, telephonically appearing before United States Magistrate Judge HEATHER K. MCSHAIN and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that KIMMBERLY DIFRANCESCO has been charged by Complaint in the District of Columbia with the following criminal offense: Entering and Remaining in a Restricted Building or Grounds in violation of 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); Disorderly Conduct in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G). A copy of the Complaint is attached. A copy of the arrest warrant also is attached.



CHRISTINA FREISLEBEN
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to me by phone this 2nd day of June, 2022.


HEATHER K. MCSHAIN
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Kimberly DiFrancesco

) Case: 1:22-mj-00121
) Assigned To : Meriweather, Robin M.
) Assign. Date : 5/27/2022
) 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) Kimberly DiFrancesco,
 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: 05/27/2022

Issuing officer's signature
City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

Return

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

Date: _____

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Trudy Castle (AKA: Trudy DiFrancesco, Trudy von Keudell)

DOB: [REDACTED]

Kimberly DiFrancesco

DOB: [REDACTED]

Defendant(s)

Case: 1:22-mj-00121

Assigned To : Meriweather, Robin M.

Assign. Date : 5/27/2022

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. § 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.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.TFO Christina Freisleben

Complainant's signature

Christina Freisleben, 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: 05/27/2022

2022.05.27 18:46:31
 -04'00'

Judge's signature

City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Task Force Officer Christina Freisleben with the Federal Bureau of Investigation (“FBI”) is assigned to Joint Terrorism Task Force (JTTF) in Chicago, IL. In my duties as a Task Force Officer, I investigate criminal violations related to Domestic and International Terrorism. 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 are 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 U.S. Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the U.S. House of Representatives and the U.S. Senate were meeting in separate chambers of the U.S. 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 House and the 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 U.S. Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the U.S. 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.

On about January 15, 2021, FBI Dallas received a tip from an individual who explained that that his/her spouse received, via text message, three photos that appeared to be taken from inside the U.S. Capitol building. The tipster shared the photos with the FBI, and agents confirmed by comparison to surveillance footage and other sources that the pictures were taken inside the U.S. Capitol building at around 2:25 – 2:30 pm on January 6, 2021. The tipster reported that the texts were sent from KIMBERLY DIFRANCESCO from cell phone number (XXX) XXX-3675. The tipster reported that DIFRANCESCO was a friend of his/her spouse. Two of the texted photos are provided below:



According to records obtained through a search warrant served on AT&T, on January 6, 2021, the cell phone associated with (XXX) XXX-3675 was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building. Subscriber records for number (XXX) XXX-3675 indicated the registered owner of the account is KIMBERLY DIFRANCESCO, with a subscriber address in Elmhurst, Illinois.

Toll records for KIMBERLY DIFRANCESCO's phone indicated that KIMBERLY DIFRANCESCO made contact with another cell phone on January 6, with the number (XXX) XXX-1555. The (XXX) XXX-1555 number was identified through AT&T records as also having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building on January 6, 2021. AT&T records indicted the phone associated with (XXX) XXX-1555 is assigned to TRUDY DiFrancesco, at the same address in Elmhurst, Illinois.

The AT&T services for (XXX) XXX-1555 are also paid for by KIMBERLY DIFRANCESCO. Based on the fact that both KIMBERLY DIFRANCESCO and TRUDY DiFrancesco are on the same phone account, and that they reported the same last name, I believe that they are related, though I have not determined the precise nature of their relationship. Law enforcement database records indicate that TRUDY DiFrancesco currently uses the name TRUDY CASTLE and has also used the name Trudy Von Keudell.

After learning this information indicating that both DIFRANCESCO and CASTLE were inside the U.S. Capitol on January 6, 2021, agents attempted to identify these individuals and locate them in video or photos taken inside the Capitol that day. I have reviewed driver's license photos taken for both individuals and compared those photos with video footage taken on January 6. Based on this comparison, I have located video footage of a woman I believe to be DIFRANCESCO wearing a red hooded sweatshirt, green pants, gray gym shoes, black jacket, black backpack, and black hat or gaiter, approaching the Senate Wing Door to the U.S. Capitol at around 2:19 pm on January 6—just minutes after the first rioters breached the Capitol building through a broken window next to the same door. An image from this video footage is shown at Figure 1:

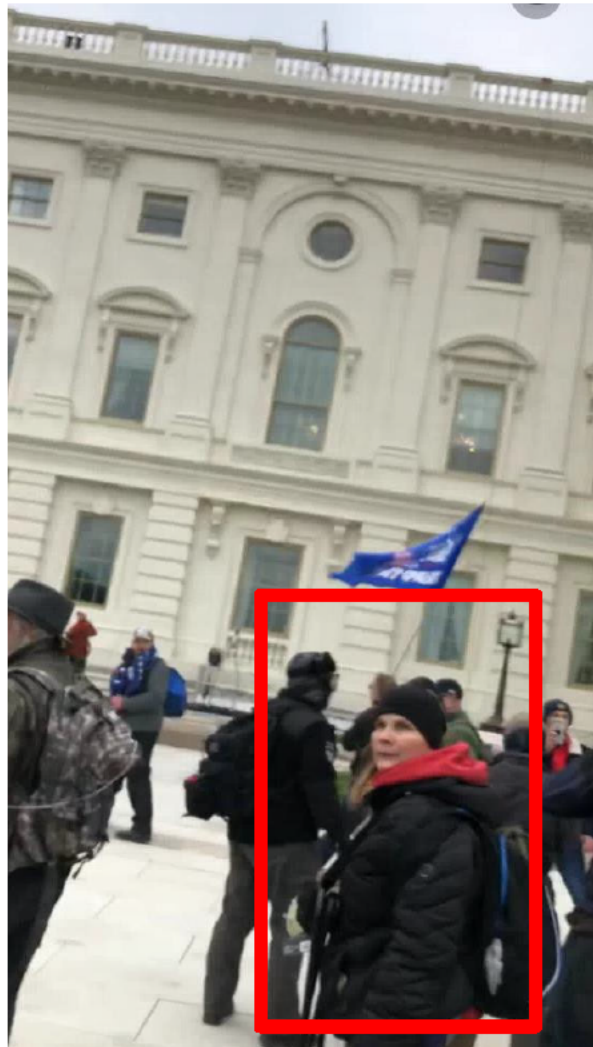


Figure 1

A few minutes later, at approximately 2:24 pm, the same woman can be seen entering the U.S. Capitol through the Senate Wing Door. Next to her is another woman, who based on my review of driver's license records and the video footage I believe to be CASTLE, who is wearing a white jacket, dark pants, a red, white, and blue knit "Trump" hat with a pom-pom, carrying multiple small American flags and a black satchel. An image of both women entering through the Senate Wing Door at approximately 2:24 pm is shown at Figure 2:

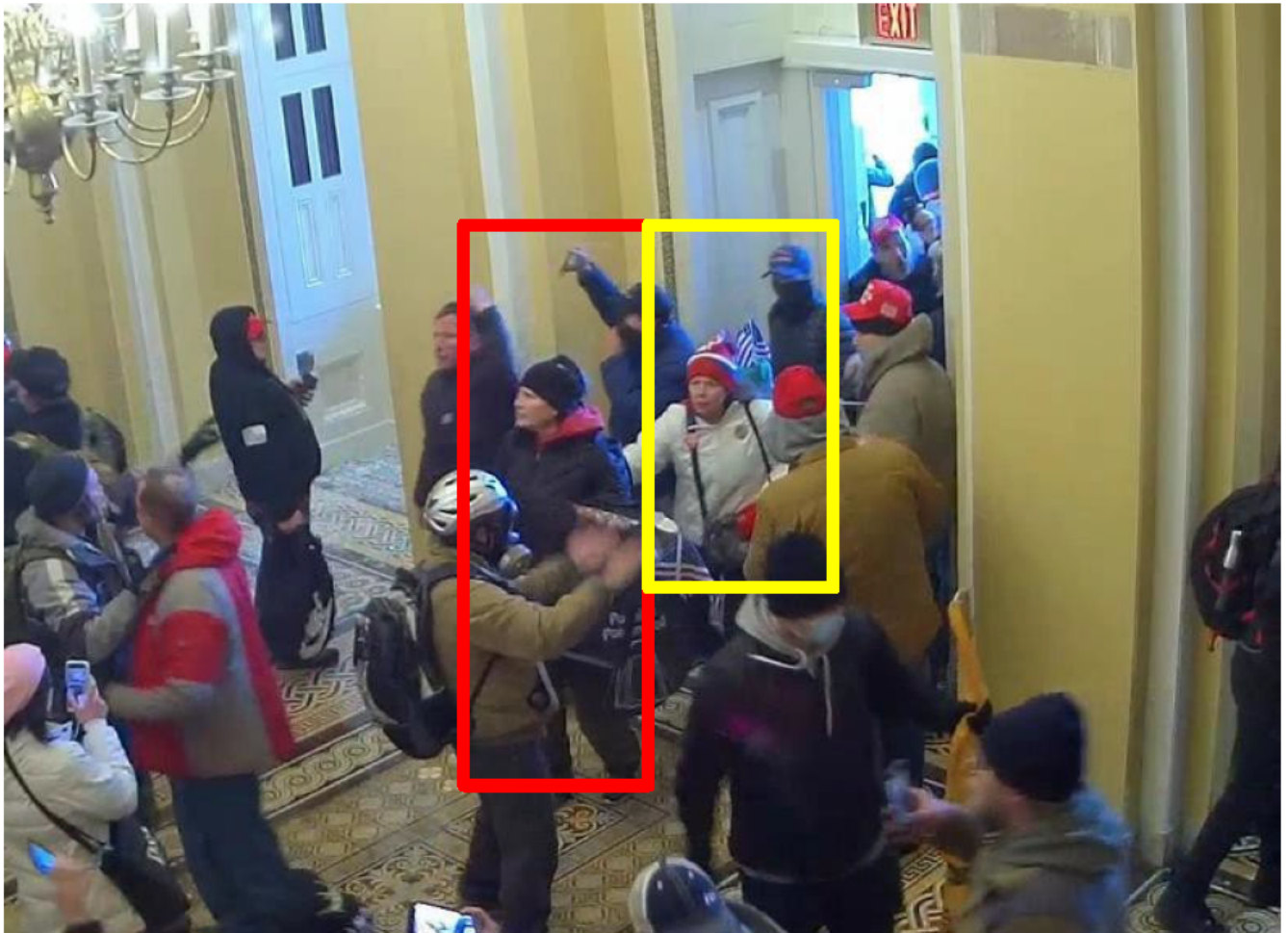


Figure 2

Video from inside the Capitol shows that by around 2:29 pm, the two women made their way from the Senate Wing Door on the northwest side of the building, to the elevator lobby near the Visitor's Center on the southeast side of the building, which is accessible by walking through the Crypt. CASTLE can be seen in the image shown at Figure 3, just after rioters interfered with the operation of a security door that appears intended to but unsuccessful at blocking access to the adjacent hallway. She then walked through the security door as it was opening, using her arm in what appears to be an effort to protect her head or move the door up should the door deploy downward again, as shown at Figure 4. Moments later, DIFRANCESCO can be seen following CASTLE through the doorway.

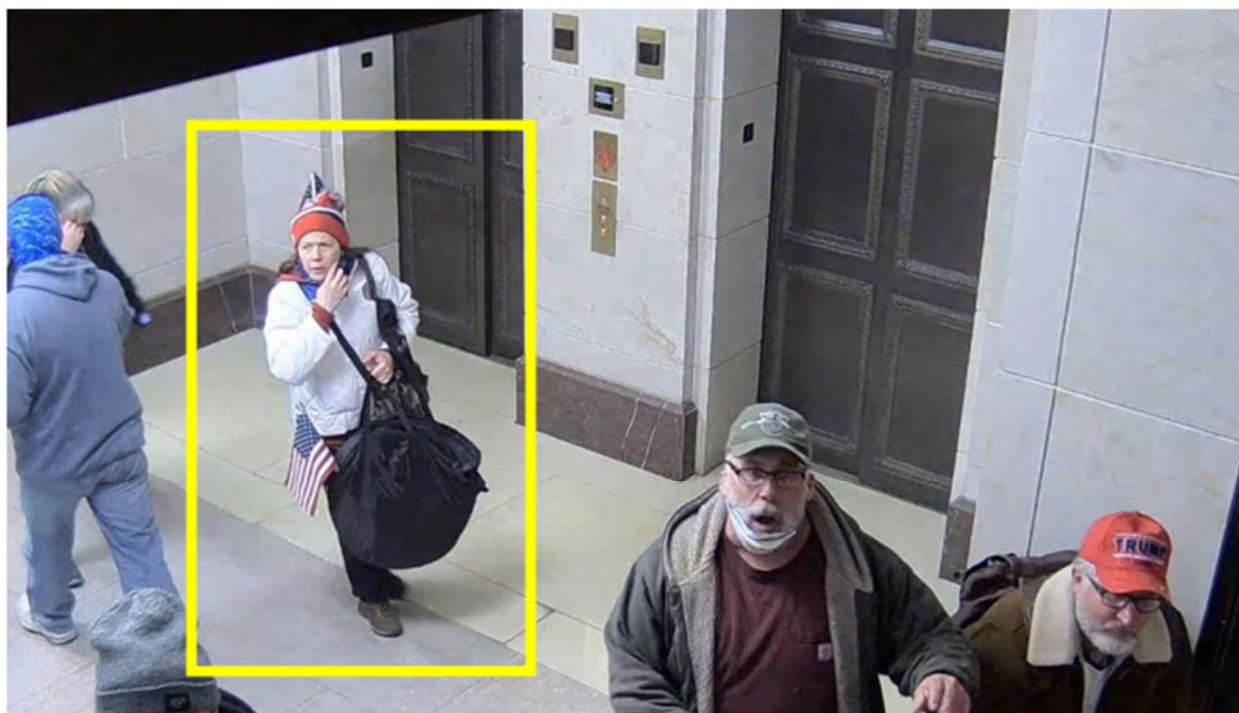


Figure 3



Figure 4

From there, DIFRANCESCO and CASTLE can be seen making their way down to the lower level Visitor's Center at around 2:30 pm, where DIFRANCESCO appears to be talking on a handheld radio, as shown in Figure 5. At around 2:34, the women went back upstairs and exited

the same elevator at the first floor lobby, then made their way back down the stairs to the Visitor's Center and up again between around 2:34 and 2:46 pm. At around 2:47, they walked back through the Crypt and on to the Senate Wing Door, where video footage shows that they exited the building at approximately 3:02 pm.



Figure 5

Video footage of the Capitol grounds that afternoon shows that the two women did not leave the vicinity after they exited the building. In fact, they sat outside for some time, and met up with a man while they were outside. Based on my comparison of an Illinois driver's license photograph and the images taken outside the Capitol, I believe the man they met up with, shown in Figure 6, is Castle's adult son, Nicholas Von Keudell, from Hampshire, Illinois.

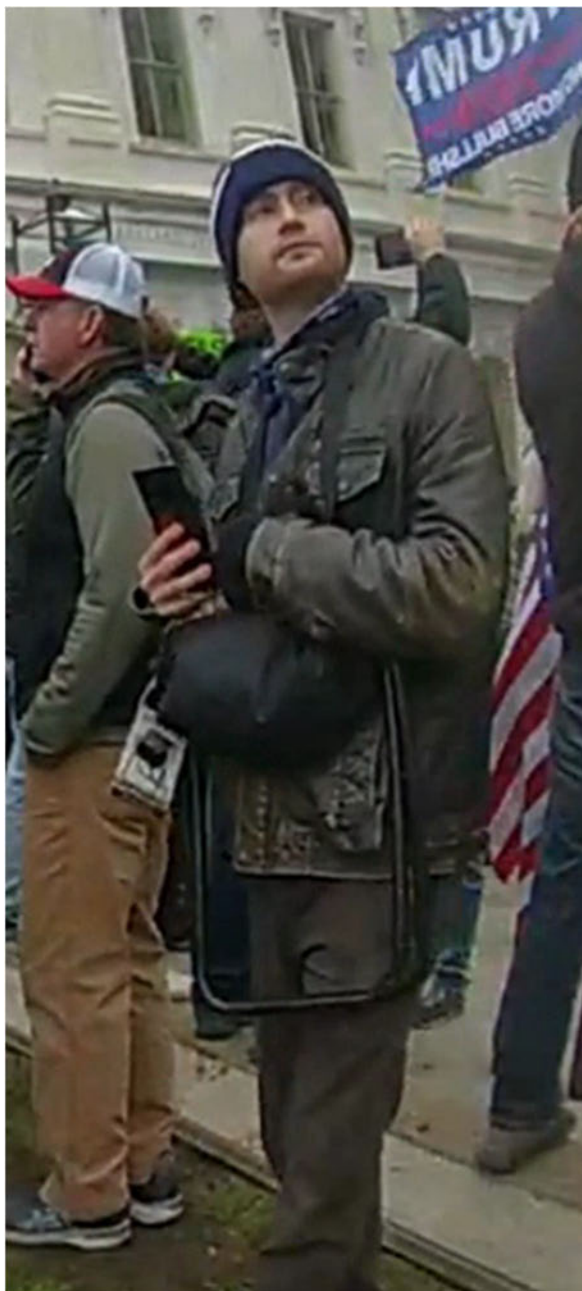


Figure 6

At around 4:21 pm, CASTLE and DIFRANCESCO can be seen in video footage outside the Capitol re-approaching the Senate Wing Door in what appears to be an effort to re-enter the building. At that time, law enforcement officers pushed away the rioters, and the women appear to depart, as shown in Figure 7. By around 4:33 pm, the women were seen on video surveillance footage on the north side of the building.



Figure 7

In an effort to determine the identity of these individuals, as described above, I compared the surveillance footage with known photos of DIFRANCESCO, CASTLE, and Von Keudell. Based on these comparisons, and based on the location of the cell phones used by CASTLE and DIFRANCESCO at the U.S. Capitol building and grounds on January 6, I believe the individuals described above are likely CASTLE and DIFRANCESCO, and that the man they met with after leaving the building was Von Keudell.

In a further attempt to identify the individuals, agents conducted interviews with individuals who knew the women. On September 2021, agents interviewed a neighbor of DIFRANCESCO's who has lived next door to DIFRANCESCO since 2010 and has spoken to her on several occasions. The neighbor reviewed Figure 8, a still image from interior US Capitol surveillance footage, and reported that he was confident that the woman in the black coat was DIFRANCESCO.



Figure 8

Also in September 2021, agents interviewed an employee at the apartment complex where law enforcement records indicate CASTLE lived in from 2014 through June 2021. The employee reported he/she has been working full time at the apartment complex since 2017 and speaks with the residents on a day-to-day basis. The employee reviewed Figures 3 (above) and 9 (below), and recognized the woman in the white coat as TRUDY CASTLE. The employee did not recall seeing her recently so checked their database and indicated she no longer rents there.

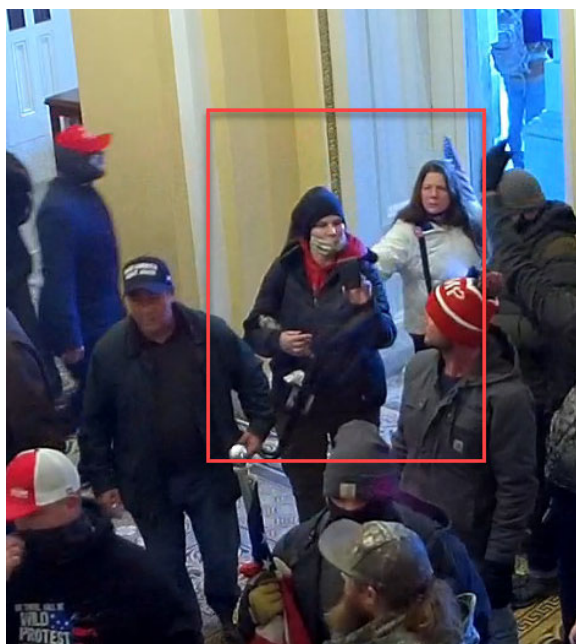


Figure 9

I have reviewed telephone toll records for DIFRANCESCO and CASTLE's phones, which indicate that both DIFRANCESCO and CASTLE used their telephones to make and receive calls and text messages during the afternoon of January 6, 2021, including during the time they were seen in and around the U.S. Capitol building. I have reviewed historical cell site location data associated to the toll records which plotted the location of DIFRANCESCO and CASTLE's cell phones from January 5, 2021 to January 7, 2021 which showed travel from Chicago area to Washington DC and back to Chicago area during that time frame.

I have reviewed iCloud data from DIFRANCESCO's Apple account, which Apple records show is registered to DIFRANCESCO. In that account, I located the three images, described above, that were sent by text message to the tipster's spouse. I also located additional photographs, taken with DIFRANCESCO's Apple iPhone, that show DIFRANCESCO and CASTLE on January 6 that appear to be taken outside the U.S. Capitol, including Figure 10, below.



Figure 10

Based on the foregoing, your affiant submits that there is probable cause to believe that KIMBERLY DIFRANCESCO and TRUDY CASTLE, aka Trudy DiFrancesco, aka Trudy Von Keudell, 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 KIMBERLY DIFRANCESCO and TRUDY CASTLE, aka Trudy DiFrancesco, aka Trudy Von Keudell, violated 40 U.S.C. § 5104(e)(2)(D) and (G), 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 (G) parade, demonstrate, or picket in any of the Capitol Buildings.

TFO *Christina Freisleben*

Task Force Officer Christina Freisleben
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 27th day of May 2022.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK

By: s/ PAULA HARRISON
DEPUTY CLERK

U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

June 6, 2022

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIMBERLY DIFRANCESCO,

Defendant.

No. 22-cr-00288

Magistrate Judge McShain

ORDER

Initial appearance and removal proceedings held on 06/02/2022. Defendant appears in response to arrest in this District on 06/02/2022. Retained counsel Michael Gillespie appears on behalf of the Defendant. Defendant informed of the charges against her as well as of the possible sentence/fine if convicted of those charges. Defendant waives her right to an identity hearing. The Court finds that Defendant is the individual named in the Complaint filed in the United States District Court for the District of Columbia. Defendant waives her right to a preliminary examination in both this District and in the United States District Court for the District of Columbia. Government and Defendant agree on certain conditions of release. Enter Order Setting Conditions of Release. Pursuant to Federal Rule of Criminal Procedure 5(f), the court orally admonished the parties, confirmed the government's obligation to disclose favorable evidence to the accused under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and ordered it to do so. Defendant shall be released after processing. Defendant shall appear on her own accord to answer the pending charges in the United States District Court for the District of Columbia, as directed. All pending matters in this case in the Northern District of Illinois are hereby terminated.

T:00:25



HEATHER K. McSHAIN

United States Magistrate Judge

DATE: June 2, 2022

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

United States of America,)	
Plaintiff,)	Case No.: 1:22-cr-00288
)	
v.)	Magistrate Judge McShain
)	
Kimberly Difrancesco,)	
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 have only 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.



HEATHER K. McSHAIN
United States Magistrate Judge

DATE: June 2, 2022

UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

United States of America)

v.)

Case No. 22cr288

Kimberly DiFrancesco)

Defendant)

APPEARANCE BOND

Defendant's Agreement

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

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

Type of Bond

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

(☒) (2) This is an unsecured bond of \$ 4,500.00 .

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

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

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

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

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

Forfeiture or Release of the Bond

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

AO 98 (Rev. 12/11) Appearance Bond

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

Declarations

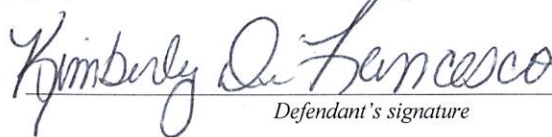
Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

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

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

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

Date: 06/02/2022


Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date


CLERK OF COURT

Date: 6/2/22


Signature of Clerk or Deputy Clerk

Approved.

Date: 6/2/22


Judge's signature

UNITED STATES DISTRICT COURT
for the
Northern District of Illinois

United States of America
v.

Kimberly DiFrancesco

Defendant

Case No.

22cr288

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: 219 S. Dearborn Street as directed by the Court and Pretrial Services

Place

on _____

Date and Time

If blank, defendant will be notified of next appearance.

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

\$4,500 unsecured

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 _____, telephone number _____, no later than _____.

☐ (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: notify pretrial of any travel outside of the Northern District of Illinois; no travel to Washington DC except for court appearances, meetings with pretrial services, or consultations with an attorney

☐ (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: _____

☐ (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.

ADDITIONAL CONDITIONS OF RELEASE

- ☐ (q) submit to the following location monitoring technology and comply with its requirements as directed:
- ☐ (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) surrender FOID card to Pretrial Services no later than June 6, 2022.
-
-

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:

6/2/22



Judicial Officer's Signature



Printed name and title

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

Northern District of Illinois

United States of America

v.

Kimberly Difrancesco

Defendant)
)
)
)
)

Case No. 22-cr-00288

Charging District: District of Columbia

Charging District's Case No. 1:22-mj-00121

**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.:
	Date and Time:

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: 06/02/2022


Judge's signature

Heather K. McShain, United States Magistrate Judge

Printed name and title

United States District Court
Northern District of Illinois - CM/ECF NextGen 1.6.3 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00288-1
Internal Use Only

Case title: USA v. DiFrancesco
 Other court case number: 1:22-mj-00121 District of Columbia

Date Filed: 06/02/2022

Date Terminated: 06/02/2022

Assigned to: Honorable Heather K.
 McShain

Defendant (1)

Kimberly DiFrancesco
TERMINATED: 06/02/2022

represented by **Michael P. Gillespie**
 Law Offices of Gillespie and Gillespie
 53 West Jackson Boulevard
 Suite 1062
 Chicago, IL 60604
 (312) 588-1281
 Email: mpg924@yahoo.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

18:1752.F ---- Temporary Residence of the
 President

Disposition

A TRUE COPY-ATTEST
 THOMAS G. BRUTON, CLERK
 By: s/ PAULA HARRISON
 DEPUTY CLERK
 U.S. DISTRICT COURT, NORTHERN
 DISTRICT OF ILLINOIS
 June 6, 2022

Plaintiff

USA

represented by **Ann Marie E. Ursini**

United States Attorney's Office
 Northern District of Illinois
 Eastern Division
 219 S. Dearborn St., 5th Floor
 Chicago, IL 60604
 (312) 353-5300
 Email: annmarie.ursini@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney



AUSA - Chicago

United States Attorney's Office (NDIL - Chicago)
 219 South Dearborn Street
 Chicago, IL 60604
 Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Pretrial Services

.
 (312) 435-5793
 Email:
 ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED
Designation: Pretrial Services

Date Filed	#	Docket Text
06/02/2022	<u>1</u>	RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Heather K. McShain as to Kimberly Difrancesco (1). (ph,) (Entered: 06/03/2022)
06/02/2022		ARREST of defendant Kimberly Difrancesco. (ph,) (Entered: 06/06/2022)
06/02/2022	<u>2</u>	ORDER as to Kimberly Difrancesco : Initial appearance and removal proceedings held on 06/02/2022. Defendant appears in response to arrest in this District on 06/02/2022. Retained counsel Michael Gillespie appears on behalf of the Defendant. Defendant informed of the charges against her as well as of the possible sentence/fine if convicted of those charges. Defendant waives her right to an identity hearing. The Court finds that Defendant is the individual named in the Complaint filed in the United States District Court for the District of Columbia. Defendant waives her right to a preliminary examination in both this District and in the United States District Court for the District of Columbia. Government and Defendant agree on certain conditions of release. Enter Order Setting Conditions of Release. Pursuant to Federal Rule of Criminal Procedure 5(f), the court orally admonished the parties, confirmed the government's obligation to disclose favorable evidence to the accused under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and ordered it to do so. Defendant shall be released after processing. Defendant shall appear on her own accord to answer the pending charges in the United States District Court for the District of Columbia, as

		directed. All pending matters in this case in the Northern District of Illinois are hereby terminated. Signed by the Honorable Heather K. McShain on 6/2/2022. Mailed notice (ph,) (Entered: 06/06/2022)
06/02/2022	<u>3</u>	ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5(f) as to Kimberly Difrancesco. Signed by the Honorable Heather K. McShain on 6/2/2022. Mailed notice (ph,) (Entered: 06/06/2022)
06/02/2022	<u>4</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Defendant Kimberly Difrancesco committed to District of Columbia. Signed by the Honorable Heather K. McShain on 6/2/2022. Mailed notice (ph,) (Entered: 06/06/2022)
06/02/2022	<u>5</u>	ATTORNEY Appearance for defendant Kimberly Difrancesco by Michael P. Gillespie. (ph,) (Entered: 06/06/2022)
06/02/2022	 <u>6</u>	APPEARANCE Bond as to Kimberly Difrancesco in the amount of \$ 4,500.00. (ph,) (Entered: 06/06/2022)
06/02/2022	 <u>7</u>	ORDER Setting Conditions of Release as to Kimberly Difrancesco in amount of \$ 4,500.00, Unsecured Signed by the Honorable Heather K. McShain on 6/2/2022. Mailed notice (ph,) (Entered: 06/06/2022)
06/06/2022	<u>8</u>	PRETRIAL Bail Report as to Kimberly Difrancesco (SEALED) (Tramonte, Carla) (Entered: 06/06/2022)
06/06/2022	<u>9</u>	MINUTE entry before the Honorable Heather K. McShain as to Kimberly Difrancesco: The clerk's office is instructed to update the defendant's first name on the docket to the correct spelling Kimberly. Mailed notice. (pk,) (Entered: 06/06/2022)
06/06/2022	<u>10</u>	CERTIFIED and Transmitted to District of Columbia the complete record consisting of Order, Commitment Order, Order Setting Conditions of Release, Apperance Bond as to Kimberly Difrancesco. (ph,) (Entered: 06/06/2022)