

## UNITED STATES DISTRICT COURT

for the  
District of Columbia

United States of America  
v.  
JAMES ROBERT ELLIOTT,  
also known as "Jim Bob"

Defendant

) Case: 1:21-cr-00735  
) Assigned To : Lamberth, Royce C.  
) Assign. Date : 12/15/2021  
) Description: INDICTMENT (B)

## 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) JAMES ROBERT ELLIOTT  
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. §§ 111(a)(1) and (b) - Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon,  
18 U.S.C. § 1752(a)(1) and (b)(1)(A) - Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous  
Weapon,  
18 U.S.C. § 1752(a)(2) and (b)(1)(A) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or  
Dangerous Weapon,  
18 U.S.C. § 1752(a)(4) and (b)(1)(A) - Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or  
Dangerous Weapon,  
40 U.S.C. § 5104(e)(2)(F) - Act of Physical Violence in the Capitol Grounds or Buildings.

Date: 12/15/2021



Zia M. Faruqui

Issuing officer's signature

City and state: Washington D.C.

Zia M. Faruqui, United States Magistrate Judge

Printed name and title

## Return

This warrant was received on (date) 12/17/21, and the person was arrested on (date) 12/20/21  
at (city and state) Batavia, IL.

Date: 12/20/21



Arresting officer's signature

Barrett J. Rife, Special Agent, FBI

Printed name and title

A TRUE COPY-ATTEST  
THOMAS G. BRUTON, CLERKBy: s/ ANYAELLIS  
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS  
NORTH BRANCH ILLINOIS

December 22, 2021

United States of America

Plaintiff(s),

Case No: 21 CR 760

v.

Magistrate Judge: Jeffrey Cummings

**James Elliott**

Defendant(s),

**ORDER**

Initial appearance proceedings held. By agreement and consent of all the parties and pursuant to the CARES Act, all parties appear by telephone conference. Defendant appeared in custody in response to arrest on 12/20/21. Defendant informed of his rights. Attorney, Seema Ahmad, appears on behalf of the defendant. Defendant informed of the charges against him as well as of the maximum possible penalty for those charges in the event of conviction. Defendant does not contest that he is the person named in the arrest warrant and indictment and waives his right to an identity hearing. The Court finds that defendant, James Elliot, is the individual named in the arrest warrant and indictment. Pursuant to Federal Rule of Criminal Procedure Rule 5(f)(1), the Court confirms the prosecutor's continuing obligation under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, to disclose information favorable to the defendant that is material to guilt or punishment. Failure to disclose may result in various consequences, including but not limited to: exclusion of evidence, adverse jury instructions, a mistrial, dismissal of charges, vacatur of a conviction or guilty plea, disciplinary action against the prosecution, and contempt proceedings. Defendant is ordered removed to the District of Columbia to face the charges pending against him in that District. The Court enters conditions of release to which defendant, in part, objected. Enter Order Setting Conditions of Release. Defendant shall be released after processing.

T: (00:40)

Date: December 21, 2021

  
 Jeffrey Cummings  
 United States Magistrate Judge

UNITED STATES DISTRICT COURT  
for the  
Northern District of Illinois

United States of America

v.

James Elliott

*Defendant*

)  
)  
)  
)  
)

Case No. 21 CR 760

**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: United States District Court for the District of Columbia (via Zoom)

*Place*

on

1/6/2022 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.

\$4500 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. Pre-Trial Services Office, as directed \_\_\_\_\_, telephone number 312-435-5793, no later than within 24-hours of release from custody.

☐ (b) continue or actively seek employment.

☐ (c) continue or start an education program.

☐ (d) surrender any passport to: \_\_\_\_\_

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

☒ (f) abide by the following restrictions on personal association, residence, or travel: No travel outside the Northern District of Illinois without prior approval of U.S. Pre-Trial Services, except for direct travel to and from Washington D.C. for court appearances, as necessary.

☐ (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 10pm to 6am, 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.

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**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) Deft. to stay away from Washington D.C. during the pendency of this case, unless for court appearances, meeting(s) with Pretrial, or consultation with counsel. Surrender FOID card and all firearms and dangerous weapons from the residence within three business days and provide verification to Pretrial Services; curfew except for medical emergencies for self or family
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**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.

/s/ James Elliott

*Defendant's Signature*

Chicago, IL

*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: 12/21/2021


*Judicial Officer's Signature*

United States Magistrate Judge Jeffrey Cummings

*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.

James Elliot

*Defendant*)  
)  
)  
)  
)

Case No. 21cr760

Charging District: USDC - District of Columbia  
Charging District's Case No. 21cr735**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: USDC - District of Columbia	Courtroom No.: via zoom
	Date and Time: 1/6/2022 at 1:00 p.m.

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: 12/21/21

*Judge's signature*

Jeffrey Cummings, U.S. Magistrate Judge

*Printed name and title*



**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**

Date: 12/23/21

Address: USDC District of Columbia

Case Title: USA v. Elliott

Northern District of Illinois Case No.: 21cr760-1 Other Court's Case No.: 1:21cr735

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/A. Ellis  
Deputy Clerk

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TO BE COMPLETED BY THE RECEIVING DISTRICT

Please acknowledge receipt via email to: [docketing\\_ilnd@ilnd.uscourts.gov](mailto:docketing_ilnd@ilnd.uscourts.gov)

Date:

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

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 6.3.3 (Chicago)**  
**CRIMINAL DOCKET FOR CASE #: 1:21-cr-00760-1**

Case title: USA v. Elliott

Date Filed: 12/21/2021

Other court case number: 1:21cr735 USDC District of Columbia

Date Terminated: 12/21/2021

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Assigned to: Honorable Jeffrey Cummings**Defendant (1)****James Robert Elliott***TERMINATED: 12/21/2021**also known as*

Jim Bob

*TERMINATED: 12/21/2021*represented by **Seema Ahmad**

Federal Defender Program

55 East Monroe Street

Unit 2800

Chicago, IL 60615

(312) 621-8300

Email: seema\_ahmad@fd.org

*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**

18:3146.F Failure to Appear

**Disposition****Plaintiff****USA**represented by **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***Aaron Richard Bond**

United States Attorney's Office

219 South Dearborn

5th Floor

Chicago, IL 60604

312-469-6047

Email: aaron.bond@usdoj.gov

**ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Docket Text
12/20/2021		ARREST of defendant James Robert Elliott. (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>1</u></a>	RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Jeffrey Cummings as to James Robert Elliott (1). (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>2</u></a>	ORDER as to James Robert Elliott: Initial appearance proceedings held. By agreement and consent of all the parties and pursuant to the CARES Act, all parties appear by telephone conference. Defendant appeared in custody in response to arrest on 12/20/21. Defendant informed of his rights. Attorney, Seema Ahmad, appears on behalf of the defendant. Defendant informed of the charges against him as well as of the maximum possible penalty for those charges in the event of conviction. Defendant does not contest that he is the person named in the arrest warrant and indictment and waives his right to an identity hearing. The Court finds that defendant, James Elliot, is the individual named in the arrest warrant and indictment. Pursuant to Federal Rule of Criminal Procedure Rule 5(f)(1), the Court confirms the prosecutor's continuing obligation under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, to disclose information favorable to the defendant that is material to guilt or punishment. Failure to disclose may result in various consequences, including but not limited to: exclusion of evidence, adverse jury instructions, a mistrial, dismissal of charges, vacatur of a conviction or guilty plea, disciplinary action against the prosecution, and contempt proceedings. Defendant is ordered removed to the District of Columbia to face the charges pending against him in that District. The Court enters conditions of release to which defendant, in part, objected. Enter Order Setting Conditions of Release. Defendant shall be released after processing. Signed by the Honorable Jeffrey Cummings on 12/21/21. Mailed notice (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>3</u></a>	ORDER Appointing Counsel. Signed by the Honorable Jeffrey Cummings on 12/21/21. Mailed notice (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>4</u></a>	ATTORNEY Appearance for defendant James Robert Elliott by Seema Ahmad. (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>5</u></a>	FINANCIAL Affidavit filed by James Robert Elliott (SEALED). (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#"><u>6</u></a>	ORDER Setting Conditions of Release as to James Robert Elliott in amount of \$4,500.00,

		UNSECURED. Signed by the Honorable Jeffrey Cummings on 12/21/21. Mailed notice (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#">7</a>	APPEARANCE Bond as to James Robert Elliott in the amount of \$ 4,500.00. (aee, ) (Entered: 12/22/2021)
12/21/2021	<a href="#">8</a>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Defendant James Robert Elliott committed to USDC District of Columbia. (Terminated defendant James Robert Elliott). Signed by the Honorable Jeffrey Cummings on 12/21/21. Mailed notice (aee, ) (Entered: 12/22/2021)
12/23/2021	<a href="#">9</a>	CERTIFIED and Transmitted to USDC District of Columbia the electronic record as to James Robert Elliott. (aee, ) (Entered: 12/23/2021)
12/27/2021	<a href="#">10</a>	PRETRIAL Bail Report as to James Robert Elliott (SEALED) (Dominguez, Daniel) (Entered: 12/27/2021)
12/28/2021	<a href="#">11</a>	MINUTE entry before the Honorable Jeffrey Cummings:as to James Robert Elliott: The Court has reviewed the Pretrial Services Report <a href="#">10</a> and it hereby amends Paragraph 7(b) of the Order Setting Conditions of Release <a href="#">6</a> to require defendant to continue or actively seek employment. Mailed notice (cc, ) (Entered: 12/28/2021)

PACER Service Center			
Transaction Receipt			
01/10/2022 13:09:07			
PACER Login:	BrittanyBryant:6635828:0	Client Code:	
Description:	Docket Report	Search Criteria:	1:21-cr-00760
Billable Pages:	2	Cost:	0.20
Exempt flag:	Exempt	Exempt reason:	Always

**PACER fee: Exempt**