

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Kimberly Wargo

Case: 1:22-mj-00093
Assigned to: Judge Meriweather, Robin M.
Assign Date: 5/3/2022
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 Wargo,
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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,
40 U.S.C. § 5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 05/02/2022



Handwritten signature of Robin M. Meriweather

2022.05.03
12:52:52 -04'00'

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) 5-3-22, and the person was arrested on (date) 5-4-22
at (city and state) Cleveland, Ohio.

Date: 5/4/22

Handwritten signature of David Kasulones

Arresting officer's signature

DAVID KASULONES, DUSM
Printed name and title

FILED

UNITED STATES DISTRICT COURT

9:02 am May 04 2022
Clerk U.S. District Court
Northern District of Ohio
Cleveland

for the
District of Columbia

OHND: 1:22 MJ 4140

United States of America
v.
Kimberly Wargo

) Case: 1:22-mj-00093
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 5/3/2022
) 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 Wargo,
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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
- 18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
- 40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,
- 40 U.S.C. § 5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 05/02/2022



Robin M. Meriweather

2022.05.03
12:52:52 -04'00'

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

OHND: 1:22 MJ 4140

United States of America
v.

Kimberly Wargo,
Colton Wargo,

) Case: 1:22-mj-00093
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 5/3/2022
) Description: COMPLAINT W/ ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

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

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

Code Section

Offense Description

- 18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,
40 U.S.C. § 5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Complainant's signature

David Kasulones, 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: 05/03/2022



Judge's signature

2022.05.03

12:48:42 -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, David M. Kasulones, is a Deputy Marshal with the United States Marshal Service, Department of Justice (DOJ), and I am assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigation's Counterterrorism Division in Cleveland, Ohio. As a TFO, I am authorized to investigate violations of the laws of the United States. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021.

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, shortly 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.

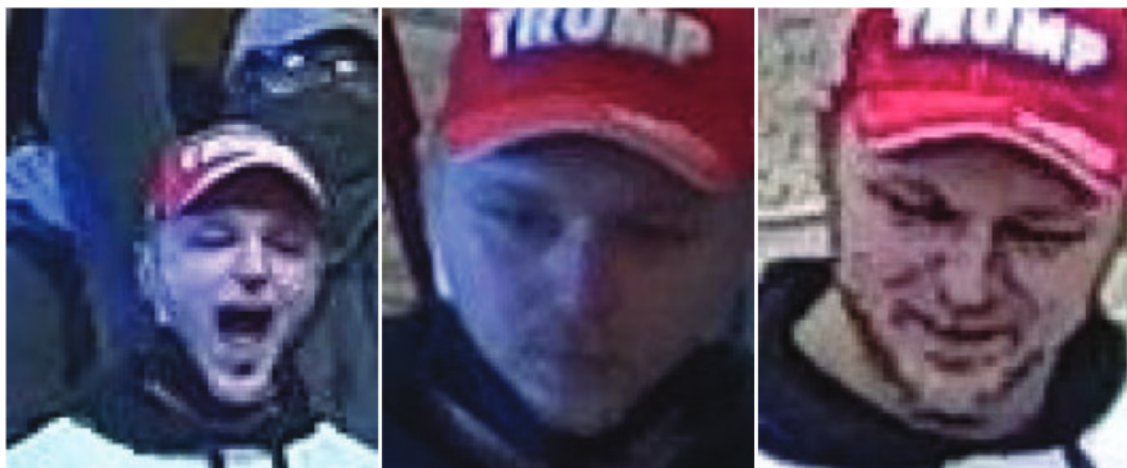
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On May 6, 2021, the Federal Bureau of Investigation (FBI) Cleveland Division received a lead from the FBI Washington Field Office (WFO) indicating that COLTON WARGO was possibly inside the United States Capitol on January 6, 2021. According to records obtained through a search warrant served on Google, a mobile device associated with COLTON WARGO was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that the subject device associated with was within the U.S. Capitol or on the Capitol grounds from approximately 1:55 p.m. until 3:22 p.m. EST.

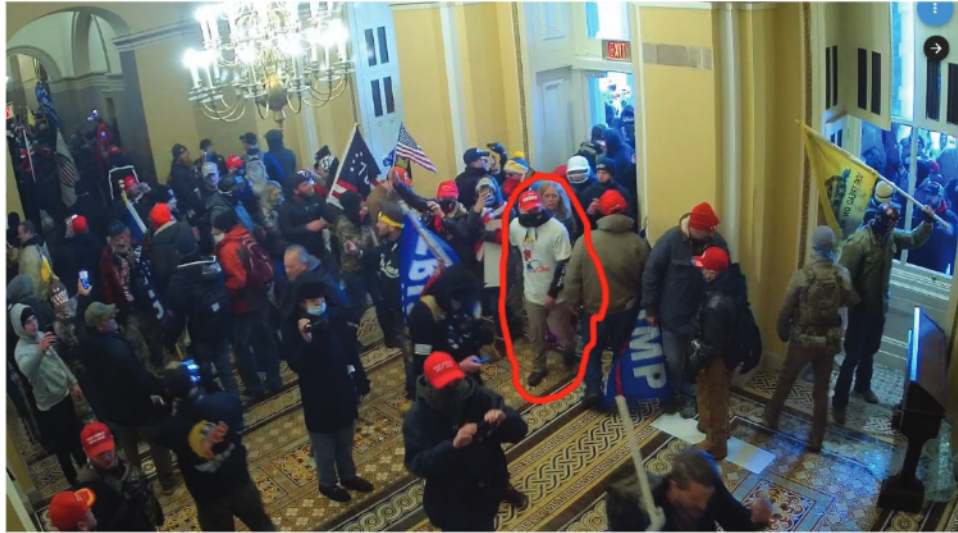
Photos 1, 2 and 3 were obtained from images captured by surveillance cameras inside the Capitol on January 6, 2021 and matched to an Ohio Bureau of Motor Vehicles image of COLTON WARGO issued on November 04, 2020.

Photos 1, 2 and 3



The Capitol building was first breached at approximately 2:11 p.m. at the Senate Wing Door on January 6, 2021. On that date and at that location, video surveillance cameras captured additional images of COLTON WARGO and, immediately to his rear, KIMBERLY WARGO as they entered the Capitol at approximately 2:20 p.m. See Photo 4.

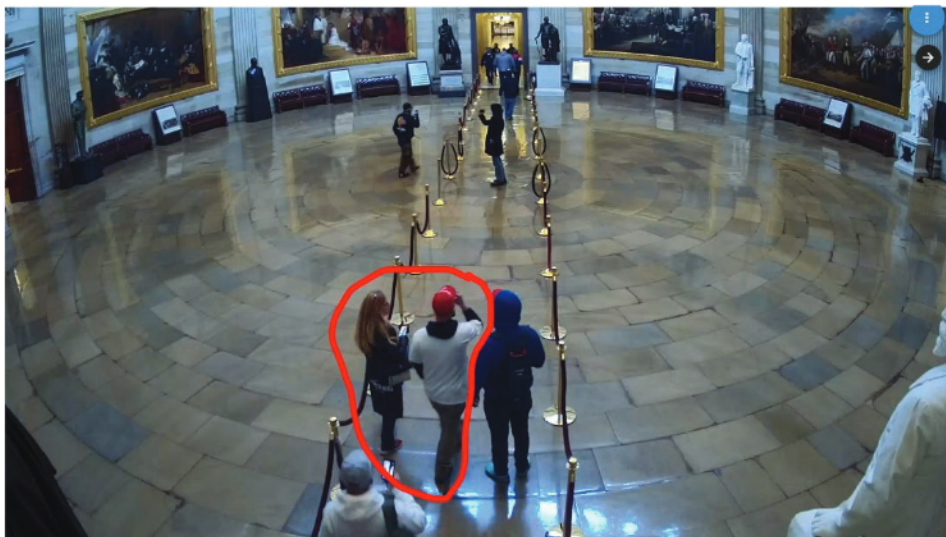
Photo 4



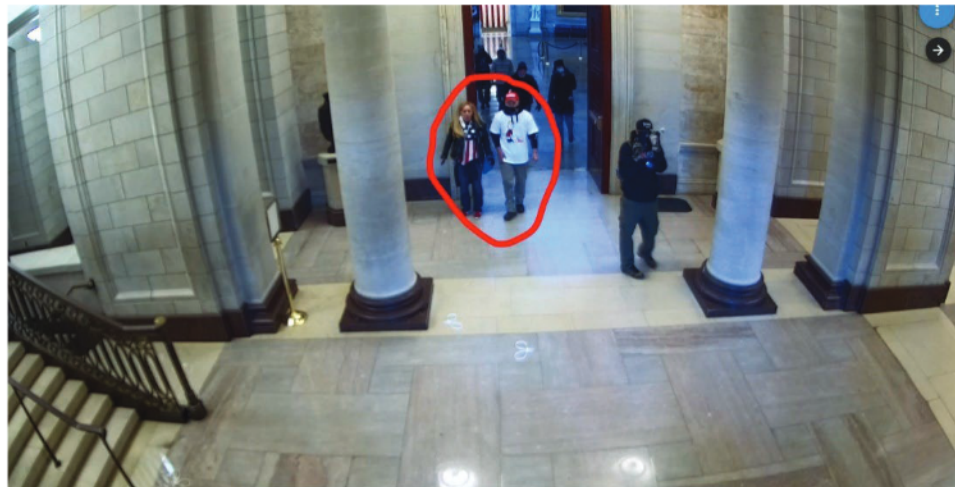
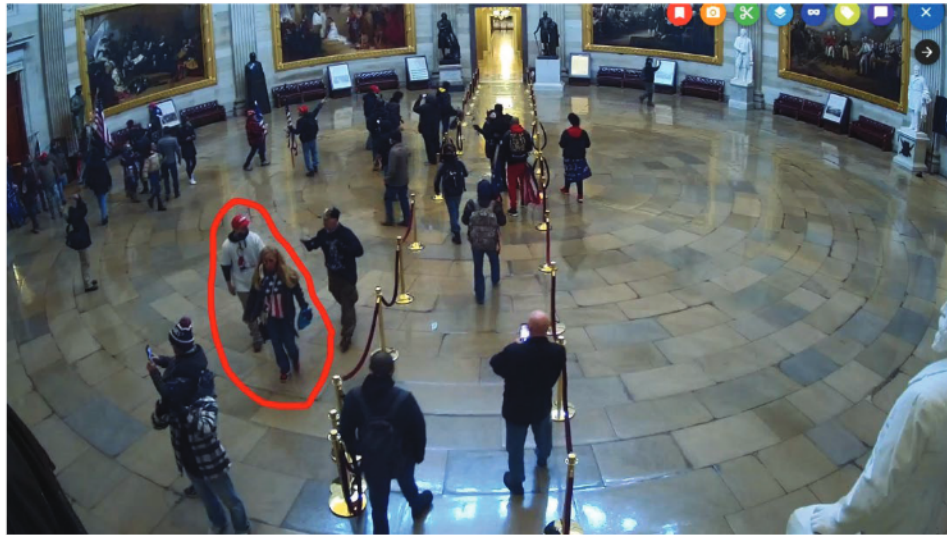
COLTON WARGO wore a white t-shirt with a cartoon image of President Trump, a black hoodie, a red hat, and dark pants. KIMBERLY WARGO wore a dark-colored jacket over a red, white and blue flag shirt and blue jeans.

From approximately 2:23 to 2:26 p.m., COLTON WARGO and KIMBERLY WARGO walked in and out of the Rotunda, as revealed in Photos 5-7.

Photo 5



Photos 6 and 7



After leaving the Rotunda, from approximately 2:28 to 2:29 p.m., surveillance cameras captured KIMBERLY WARGO as she appeared to lead COLTON WARGO through the hallways of the Capitol near House and Senate offices. See Photos 9-11.

Photos 9 and 10



Photo 11



KIMBERLY WARGO and COLTON WARGO (“the Wargos”) entered Statuary Hall at approximately 2:30 p.m. and left a few minutes later to travel to other parts of the Capitol. Photo 12 shows the WARGOS inside Statuary Hall. Photo 13 shows the WARGOS in the adjacent hallway, where they became part of a mob in the Capitol.

Photo 12

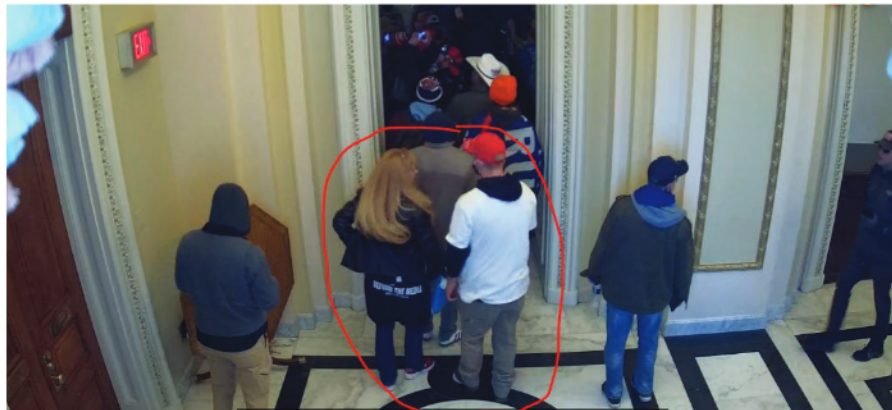


Photo 13



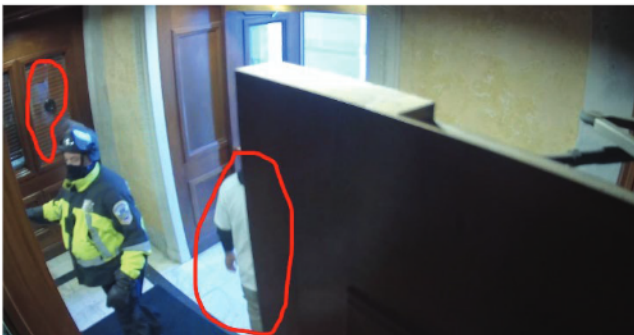
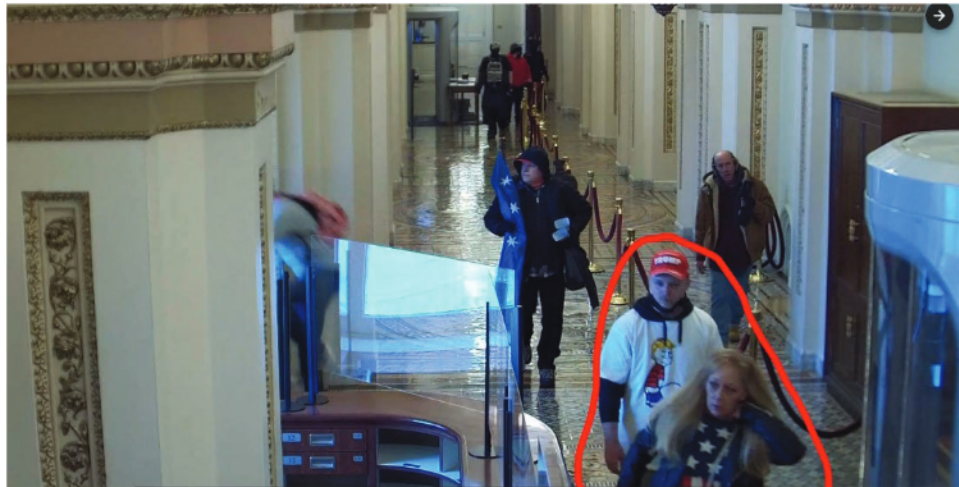
In Photo 14, the WARGOS joined the mob as they entered the East Staircase and traveled to another floor of the Capitol.

Photo 14



The WARGOS continued to travel inside the Capitol until they entered the House Gallery at approximately 2:46 p.m., as shown in Photo 15, and exited through the South Door at approximately 2:52 p.m., as shown in Photos 16 and 17. In total, the WARGOS remained inside the Capitol for approximately 30 minutes.

Photos 15-17



On May 20, 2021, COLTON WARGO agreed to be interviewed by the FBI at his residence in Westlake, Ohio. COLTON WARGO admitted to being inside the U.S. Capitol, with his mother, KIMBERLY WARGO, on January 6, 2021. COLTON WARGO stated that he and his mother drove to Washington, D.C. to attend the rally for President Trump. After the rally, they walked with the crowd to the U.S. Capitol Building. He stated that he and his mother approached the west front of the Capitol, noticed people walking through an open door, and took advantage of the opportunity and followed the crowd into the Capitol. He stated that he walked up a flight of stairs to the second floor after entering the building. He also stated that he and his mother left the Capitol after they were yelled at by an armed tactical police team.

COLTON WARGO also admitted that he was wearing a white T-shirt with a cartoon image of President Trump on January 6, 2021, which is consistent with the images captured on video surveillance. On August 9, 2021, your Affiant and FBI Special Agent Timothy Kolonick re-interviewed COLTON WARGO and provided him with a copy of an image of a male and female inside the Capitol building. He admitted that the image was of him, wearing a white T-shirt and red baseball hat, and his mother, standing in front of him and to his right, in the Capitol. He initialed Photo 18, afterward your affiant also initialed Photo 18 as a witness.

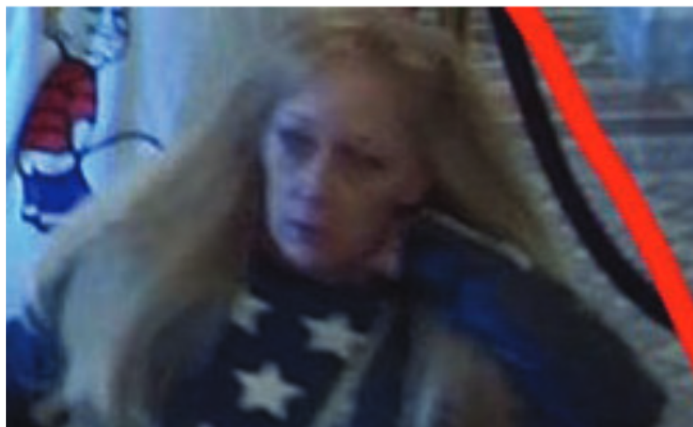
Photo 18



CAW
JLW 8/9/21

KIMBERLY WARGO also voluntarily agreed to be interviewed by the FBI on May 20, 2021. She admitted that she attended the President's rally in Washington, D.C. on January 6, 2021, with her son, COLTON WARGO, and they walked with the crowd to the Capitol Building after the rally. When they saw people going into the Capitol, they decided to go in as well. She added that they walked around inside the Capitol until a team of police officers yelled at them and told them to get out of the building. Interviewers had Photo 19 in their possession during the interview but did not show it to KIMBERLY WARGO, however, the interviewers agreed that KIMBERLY WARGO matched the image of the woman shown in Photo 19.

Photo 19



Based on the foregoing, your affiant submits that there is probable cause to believe that COLTON WARGO and KIMBERLY WARGO violated 18 U.S.C. § 1752(a)(1) and (2), which make 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 COLTON WARGO and KIMBERLY WARGO 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.



David M. Kasulones,
Task Force Officer
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 3rd day of May, 2022.



2022.05.03

12:48:12 -04'00'

ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

FILED

5:29 pm May 04 2022
Clerk U.S. District Court
Northern District of Ohio
Cleveland

United States of America

v.

Kimberly Wargo

Defendant

Case No. 1:22-mj-04140

Charging District's Case No. 1:22mj93

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
(2) an identity hearing to determine whether I am the person named in the charges;
(3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
(4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
(5) a hearing on any motion by the government for detention;
(6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- [X] an identity hearing and production of the warrant.
[] a preliminary hearing.
[] a detention hearing.
[X] an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
[X] preliminary hearing and/or [] detention hearing 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:

5/4/22

Handwritten signature of Kimberly Wargo

Defendant's signature

Handwritten signature of attorney

Signature of defendant's attorney

TIMOTHY C. IVEY

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

FILED

5:30 pm May 04 2022
Clerk U.S. District Court
Northern District of Ohio
Cleveland

United States of America

v.

Kimberly Wargo

Defendant

Case No. 1:22-mj-04140

APPEARANCE BOND

Defendant's Agreement

I, Kimberly Wargo (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:

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

Type of Bond

- () (1) This is a personal recognizance bond.
(X) (2) This is an unsecured bond of \$ 25,000.00 .
() (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: 5/4/22

X Kimberly Wargo 24
Defendant's signature

Kimberly Wargo

Surety/property owner – printed name

X Kimberly Wargo 24
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: 5/4/22

s/Kyle DeVan

Signature of Clerk or Deputy Clerk

Approved.

Date: 5/4/22

s/Jonathan D. Greenberg

Judge's signature

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 OHND, telephone number 216-357-7300, no later than ASAP.

(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: NDOH, District of Columbia for court purposes only

(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) _____

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
 Cleveland OH
 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: 5/4/22

s/Jonathan D. Greenberg

Judicial Officer's Signature

Jonathan D. Greenberg, United States Magistrate Judge

Printed name and title

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Termed

U.S. District Court
Northern District of Ohio (Cleveland)
CRIMINAL DOCKET FOR CASE #: 1:22-mj-04140-JDG-1

Case title: United States of America v. Wargo

Date Filed: 05/04/2022

Other court case number: 1:22mj93 USDC District of
Columbia

Date Terminated: 05/04/2022

Assigned to: Magistrate Judge Jonathan
D. Greenberg

Defendant (1)

Kimberly Wargo

TERMINATED: 05/04/2022

represented by **Timothy C. Ivey**

Office of the Federal Public Defender -
Akron

Northern District of Ohio

Ste. 700

50 South Main Street

Akron, OH 44308

330-375-5739

Fax: 330-375-5738

Email: timothy_ivey@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Bar Status: Active

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

[Query](#) [Reports](#) [Utilities](#) [Help](#) [What's New](#) [Log Out](#)

Highest Offense Level (Terminated)

None

Complaints

18:1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 18:1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 40:5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds;
 40:5104(e)(2)(G) - Violent Entry and Disorderly Conduct on Capitol Grounds

Disposition

Plaintiff

United States of America

represented by **Brian S. Deckert**

Office of the U.S. Attorney - Cleveland
 Northern District of Ohio
 Ste. 400
 801 Superior Avenue, W
 Cleveland, OH 44113
 216-622-3873
 Email: Brian.Deckert@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
05/04/2022		Arrest (Rule 40) of Kimberly Wargo (1) on 5/4/22. (D,Ky) (Entered: 05/04/2022)
05/04/2022	1	Rule 40 Warrant received as to Kimberly Wargo (1). (Attachments: # 1 Complaint, # 2 Statement of facts)(D,Ky) (Entered: 05/04/2022)
05/04/2022		IMPORTANT: Notice [non-document] as to Kimberly Wargo (1). Initial Appearance set for 5/4/2022 at 02:00 AM to be held by video conference (Cleveland) before Magistrate Judge Jonathan D. Greenberg. (D,Ky) (Entered: 05/04/2022)
05/04/2022		Minutes of proceedings [non-document] Initial Appearance on rule 5 hearing before Magistrate Judge Jonathan D. Greenberg as to Kimberly Wargo held on

		<p>5/4/22. All parties appeared via video conference. AUSA Brian Deckert present for the government. Federal Public Defender Timothy Ivey present and appointed for the defendant. Defendant consented to participating via video conference, with no objection from defense counsel or government. The Court finds that consent was knowingly and voluntarily made by defendant. Pursuant to the Due Process Protections Act, the Court reminds the government of its obligations under Brady v. Maryland, 373 U.S. 83 (1963), to disclose evidence favorable to the defendant and material to the defendant's guilt or punishment. The government is ordered to comply with Brady and its progeny. The failure to do so in a timely manner may result in consequences, including dismissal of the indictment or information, exclusion of government evidence or witnesses, adverse jury instructions, dismissal of charges, contempt proceedings, sanctions by the Court, or any other remedy that is just under the circumstances. Defendant waives right to identity and production of the warrant. Defendant waives a preliminary hearing in this district and requests it be held in the charging district. Government does not move for detention and agrees with Pretrial Services recommendation of bond. Defendant is released on a \$25,000.00 unsecured bond with conditions. (ECRO K. Malley) (PTS: A. Bennett) Time: 30 minutes. (D,Ky) (Entered: 05/04/2022)</p>
05/04/2022	3	CJA 23 Financial Affidavit by Kimberly Wargo (1). Magistrate Judge Jonathan D. Greenberg on 5/4/22. (D,Ky) (Entered: 05/04/2022)
05/04/2022		Order [non-document] Appointing Federal Public Defender Timothy Ivey. The Federal Public Defender is reminded of counsel's obligation to report significant changes in defendant's employment or financial circumstances sufficient to enable defendant to pay, in whole or in part, for legal representation. CJA Plan, Part IV (D)(2). Magistrate Judge Jonathan D. Greenberg on 5/4/22. (D,Ky) (Entered: 05/04/2022)
05/04/2022	4	Order regarding use of video conference/teleconferencing as to Kimberly Wargo (1). Signed by Magistrate Judge Jonathan D. Greenberg on 5/4/22. (D,Ky) (Entered: 05/04/2022)
05/04/2022	5	Waiver of Rule 5(c)(3) Hearing by Kimberly Wargo (1). Defendant waives right to identity and production of the warrant. Defendant waives a preliminary hearing in this district and requests it be held in the charging district. (D,Ky) (Entered: 05/04/2022)
05/04/2022	6	Appearance Bond Entered as to Kimberly Wargo (1) in amount of \$ 25,000.00, unsecured. (D,Ky) (Entered: 05/04/2022)
05/04/2022	7	Order Setting Conditions of Release as to Kimberly Wargo (1) on \$25,000.00 unsecured bond. Signed by Magistrate Judge Jonathan D. Greenberg on 5/4/22. (D,Ky) (Entered: 05/04/2022)
05/04/2022	8	Order requiring to appear to the district where charges are pending and transferring bail to District of Columbia Issued as to Kimberly Wargo (1) by Magistrate Judge Jonathan D. Greenberg. (D,Ky) (Entered: 05/04/2022)
05/04/2022		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Kimberly Wargo (1). Your case number is: 1:22mj93. Using your PACER

account, you may retrieve the docket sheet and any text-only entry via the case number link. The following document link(s) is also provided: Order Appointing Public Defender, [3](#) Financial Affidavit - CJA23, [7](#) Order Setting Conditions of Release, [1](#) Rule 40 Warrant from Another District, [5](#) Waiver of Rule 5(c)(3) Hearing, Notice of Hearing or Conference, [8](#) Warrant of Removal Issued, [4](#) Order Regarding Use of Video Conferencing/Teleconferencing, [6](#) Bond, Initial Appearance - Rule 5(c)(3), Add and Terminate Attorneys, Arrest - Rule 40, Speedy Trial - Location Start. If you require certified copies of any documents, please send a request to ohndml_InterDistrictTransfer@ohnd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov. (D,Ky) (Entered: 05/04/2022)