

Interview

UNITED STATES DISTRICT COURT

for the District of Columbia

United States of America

v.

Rafael Valadez Jr.

Defendant

Case: 1:21-mj-00648
Assigned To : Faruqui, Zia M.
Assign. Date : 11/9/2021
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) Rafael Valadez Jr., 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) - 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: 11/09/2021

Zia M. Faruqui
2021.11.09 21:20:41 -05'00'
Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 11/9/2021, and the person was arrested on (date) 11/15/2021 at (city and state) Indio, CA

Date: 11/15/21

Benjamin Karp
Arresting officer's signature
Benjamin Karp Special Agent
Printed name and title

CLERK, U.S. DISTRICT COURT
11/15/2021
CENTRAL DISTRICT OF CALIFORNIA
BY: _____ RAM _____ DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA 5:21-MJ-00682-DUTY

UNITED STATES OF AMERICA v. Rafael G Valadez	PLAINTIFF DEFENDANT	CASE NUMBER: 1:21-mj-00648 REPORT COMMENCING CRIMINAL ACTION
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TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

- Date and time of arrest: 11/15/2021 AM PM
- The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: Yes No
- Defendant is in U.S. Marshals Service lock-up (in this court building): Yes No
- Charges under which defendant has been booked:
18USC1752(a)(1) and Restricted buildings; Disorderly Conduct
- Offense charged is a: Felony Minor Offense Petty Offense Other Misdemeanor
- Interpreter Required: No Yes Language: _____
- Year of Birth: 1979
- Defendant has retained counsel: No
 Yes Name: _____ Phone Number: _____
- Name of Pretrial Services Officer notified: _____
- Remarks (if any): _____
- Name: SA Benjamin Karp (please print)
- Office Phone Number: (310) 935-8215
- Agency: FBI
- Signature: Benjamin Karp
- Date: 11/15/21

FILED
CLERK, U.S. DISTRICT COURT
11/15/2021
CENTRAL DISTRICT OF CALIFORNIA
BY: RAM DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America	CASE NUMBER	5:21-MJ-00682-DUTY
	1:21-mj-00648	
PLAINTIFF(S)		
v.		
Rafael Valadez Jr		
DEFENDANT(S).		DECLARATION RE OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: United States District Court
in the District of Columbia on 11/9/2021
at 21:20:41 a.m. / p.m. The offense was allegedly committed on or about 1/6/2021
in violation of Title 18; 40 U.S.C., Section(s) 1752(a)(1) and (2); 5104(e)(2)(D) and (G)
to wit: _____

A warrant for defendant's arrest was issued by: US District Court for the District of Columbia

Bond of \$ _____ was set / recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/15/2021
Date

Benjamin Karp
Signature of Agent

Benjamin Karp
Print Name of Agent

FBI
Agency

Special Agent
Title

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

Eastern Division

vs.

Case Number: 5:21-MJ-00682
Initial App. Date: 11/15/2021
Initial App. Time: 2:00 PM

Out of District Affidavit
Custody

Rafael Valadez Jr.

Defendant.

Date Filed: 11/15/2021
Violation: 17 U.S.C., Section 1752(a)(1)
and (2)
CourtSmart/ Reporter: CS-RS-3

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: Sheri Pym

CALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Carter, Kimberly

Deputy Clerk

Courtney Malden

Assistant U.S. Attorney

None

Interpreter/Language

- INITIAL APPEARANCE NOT HELD - CONTINUED
- Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).
- Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and preliminary hearing OR removal hearing / Rule 20.
- Defendant states true name is as charged is _____
- Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.
- Defendant advised of consequences of false statement in financial affidavit. Financial Affidavit ordered **SEALED**.
- Attorney: Angela Viramontes, DFPD Appointed Prev. Appointed Poss. Contribution (see separate order)
- Special appearance by: _____
- Government's request for detention is: GRANTED DENIED WITHDRAWN CONTINUED
- Contested detention hearing is held. Defendant is ordered: Permanently Detained Temporarily Detained (see separate order).
- BAIL FIXED AT \$ PIR (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)
- Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: GRANTED DENIED
- Preliminary Hearing waived. Class B Misdemeanor Defendant is advised of maximum penalties
- This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of all further proceedings.
- PO/PSA WARRANT Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.
- Preliminary Hearing set for _____ at 4:30 PM
- PIA set for: _____ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana
- Government's motion to dismiss case/defendant _____ only: GRANTED DENIED
- Defendant's motion to dismiss for lack of probable cause: GRANTED DENIED
- Defendant executed Waiver of Rights. Process received.
- Court ORDERS defendant Held to Answer to _____ District of Columbia
- Bond to transfer, if bail is posted. Defendant to report on or before 11-18-2021 @ 1:00pm by zoom
- Warrant of removal and final commitment to issue. Date issued: _____ By CRD: _____
- Warrant of removal and final commitment are ordered stayed until _____
- Case continued to (Date) _____ (Time) _____ AM / PM
- Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge.
- Proceedings will be held in the Duty Courtroom Judge's Courtroom _____
- Defendant committed to the custody of the U.S. Marshal Summons: Defendant ordered to report to USM for processing.
- Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.
- Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.
- RELEASE ORDER NO: _____
- Other: _____

PSA USPO FINANCIAL

CR-10 CR-29

READY

Deputy Clerk Initials KA

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Case Name: United States of America v. Rafael Valadez Jr.

Case No. 5:21-MJ-00682

Defendant Material Witness

Violation of Title and Section: 17 U.S.C., Section 1752(a)(1) and (2)

Summons Out of District UNDER SEAL Modified Date: _____

Check only one of the five numbered boxes below (unless one bond is to be replaced by another):

<p>1. <input checked="" type="checkbox"/> Personal Recognizance (<i>Signature Only</i>)</p> <p>2. <input type="checkbox"/> Unsecured Appearance Bond \$ _____</p> <p>3. <input type="checkbox"/> Appearance Bond \$ _____</p> <p>(a). <input type="checkbox"/> Cash Deposit (<i>Amount or %</i>) (<i>Form CR-7</i>) _____</p> <p>(b). <input type="checkbox"/> Affidavit of Surety Without Justification (<i>Form CR-4</i>) Signed by: _____ _____ _____ _____ _____</p>	<p>(c). <input type="checkbox"/> Affidavit of Surety With Justification (<i>Form CR-3</i>) Signed by: _____ _____ _____ _____</p> <p><input type="checkbox"/> With Full Deeding of Property: _____ _____ _____ _____</p> <p>4. <input type="checkbox"/> Collateral Bond in the Amount of (<i>Cash or Negotiable Securities</i>): \$ _____</p> <p>5. <input type="checkbox"/> Corporate Surety Bond in the Amount of: \$ _____</p>	<p>Release No. <u>40079</u></p> <p><input type="checkbox"/> Release to Pretrial ONLY <input type="checkbox"/> Release to Probation ONLY <input checked="" type="checkbox"/> Forthwith Release</p> <p><input type="checkbox"/> All Conditions of Bond (<i>Except Clearing-Warrants Condition</i>) Must be Met and Posted by: _____ _____</p> <p><input type="checkbox"/> Third-Party Custody Affidavit (<i>Form CR-31</i>)</p> <p><input checked="" type="checkbox"/> Bail Fixed by Court: <u>SP</u> / <u>KC</u> (<i>Judge / Clerk's Initials</i>)</p>
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PRECONDITIONS TO RELEASE

- The government has requested a Nebbia hearing under 18 U.S.C. § 3142(g)(4).
- The Court has ordered a Nebbia hearing under § 3142 (g)(4).
- The Nebbia hearing is set for _____ at _____ a.m. p.m.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, the following conditions of release are imposed upon you:

- Submit to: Pretrial Services Agency (PSA) supervision as directed by PSA; Probation (USPO) supervision as directed by USPO.
(*The agency indicated above, PSA or USPO, will be referred to below as "Supervising Agency."*)
- Surrender all passports and travel documents to Supervising Agency no later than _____, sign a Declaration re Passport and Other Travel Documents (*Form CR-37*), and do not apply for a passport or other travel document during the pendency of this case.
- Travel is restricted to Continental U.S. and District of Columbia for court purposes only, unless prior permission is granted by Supervising Agency to travel to a specific other location. Court permission is required for international travel.
- Reside as approved by Supervising Agency and do not relocate without prior permission from Supervising Agency.
- Maintain or actively seek employment and provide proof to Supervising Agency. Employment to be approved by Supervising Agency.
- Maintain or begin an educational program and provide proof to Supervising Agency.

Defendant's Initials: PV Date: 11/15/21

- Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, including but not limited to _____; except _____.
- Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present: _____.
- Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.
- Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.
- Do not engage in telemarketing.
- Do not sell, transfer, or give away any asset valued at \$ _____ or more without notifying and obtaining permission from the Court, except _____.
- Do not engage in tax preparation for others.
- Do not use alcohol.
- Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.
- Do not use or possess illegal drugs or state-authorized marijuana. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.
- Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.
- Submit to: drug and/or alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.
- Participate in residential drug and/or alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. Release to PSA only Release to USPO only
- Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.
- Participate in the Location Monitoring Program marked below and abide by all of the requirements of the program and any indicated restrictions, under the direction of the Supervising Agency. You must pay all or part of the costs of the program based upon your ability to pay as determined by the Supervising Agency. You are financially responsible for any lost or damaged equipment.

Location Monitoring Technology

- Location Monitoring technology at the discretion of the Supervising Agency

or

Defendant's Initials: RW

Date: 11/15/21

- Location Monitoring **with** a bracelet
 - at the discretion of the Supervising Agency **or**
 - Radio Frequency (RF) **or**
 - Global Positioning System (GPS)
 - Release to the Supervising Agency only **or** Placement of bracelet within 24 hours of release

- Location Monitoring **without** a bracelet
 - at the discretion of the Supervising Agency **or**
 - Virtual/Biometric **or**
 - Voice Recognition

Restrictions

- Location Monitoring only - no residential restrictions
- Curfew - You are restricted to your residence every day:
 - from _____ to _____
 - as directed by Supervising Agency
- Home Detention - You are restricted to your residence at all times except for employment, education, religious services, medical needs or treatment, attorney visits, court appearances and obligations, essential needs, and _____, all of which must be preapproved by the Supervising Agency
- Home Incarceration - You are restricted to your residence at all times except for medical needs or treatment, attorney visits, court appearances and obligations, and _____, all of which must be preapproved by the Supervising Agency
- You are placed in the third-party custody (*Form CR-31*) of _____
- Clear outstanding warrants or DMV and traffic violations and provide proof to Supervising Agency within _____ days of release from custody.
- Do not possess or have access to, in the home, the workplace, or any other location, any device that offers internet access except as approved by Supervising Agency. In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.
- Do not associate or have verbal, written, telephonic, electronic, or any other communication with any person who is less than the age of 18 except in the presence of a parent or legal guardian of the minor.
- Do not loiter or be found within 100 feet of any schoolyard, park, playground, arcade, or other place primarily used by children under the age of 18.
- Do not be employed by, affiliated with, own, control, or otherwise participate directly or indirectly in the operation of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.

Defendant's Initials: RV Date: 11/15/21

Do not view or possess child pornography or child erotica. In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

Other conditions:

Call Pretrial Services once per week and verify your address.

GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: RW

Date: 11/15/21

ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.

11/15/21
Date

[Signature]
Signature of Defendant / Material Witness

(714) 250-5642
Telephone Number

Indio, Ca.
City and State (DO NOT INCLUDE ZIP CODE)

Check if interpreter is used: I have interpreted into the _____ language this entire form and have been told by the defendant that he or she understands all of it.

Interpreter's Signature

Date

Approved: _____
United States District Judge / Magistrate Judge

Date

If cash deposited: Receipt # _____ for \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: AV Date: 11/15/21

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA		CLERK, U.S. DISTRICT COURT <div style="border: 1px solid black; padding: 2px; display: inline-block;"> NOV 15 2011 <i>Ram</i> </div> CENTRAL DISTRICT OF CALIFORNIA EASTERN DIVISION BY DEPUTY
UNITED STATES OF AMERICA, v. <i>Rafael Valadez, Jr.</i> DEFENDANT.	CASE NUMBER: <i>5:21-mj-00682-Duty</i>	
WAIVER OF RIGHTS (OUT OF DISTRICT CASES)		

I understand that charges are pending in the District of Colombia alleging violation of 18 U.S.S. 1752 and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

- EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**
- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
 - (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.
- PROBATION OR SUPERVISED RELEASE CASES:**
- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

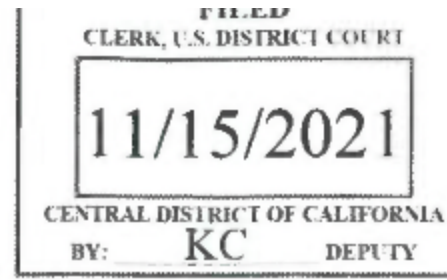
- have an identity hearing
- arrival of process
- have a preliminary hearing
- have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Date: 11/15/21

Rafael Valadez, Jr.
 Defendant
[Signature]
 Defense Counsel
[Signature]
 United States Magistrate Judge

I have translated this Waiver to the defendant in the _____ language.

Date: _____ Interpreter(if required) _____



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, v. Rafael Valadez, Jr.	PLAINTIFF DEFENDANT.	CASE NUMBER: 21-MJ-682
		DECLARATION RE PASSPORT AND OTHER TRAVEL DOCUMENTS

I, Rafael Valadez, Jr., declare that
(Defendant/Material Witness)

- I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case.
- I have been issued a passport or other travel document(s). I will surrender my passport and all other travel document(s) issued to me to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case.
- I am unable to locate my passport(s) or other travel document(s). If I locate any passport or other travel document issued to me, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.
- My passport and all other travel documents issued to me are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of Nov., 20 21
at Riverside, CA
(City and State)

Signature of Defendant/Material Witness

If the declarant is not an English speaker, include the following:

I, _____, am fluent in written and spoken English and _____
languages. I accurately translated this form from English into _____
to declarant _____ on this date.

Date: _____
Interpreter

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA		CLERK, U.S. DISTRICT COURT <div style="border: 1px solid black; padding: 2px; display: inline-block;"> NOV 15 2011 <i>Ram</i> </div> CENTRAL DISTRICT OF CALIFORNIA EASTERN DIVISION BY DEPUTY
UNITED STATES OF AMERICA, v. <i>Rafael Valadez, Jr.</i> DEFENDANT.	CASE NUMBER: <i>5:21-mj-00682-Duty</i>	
WAIVER OF RIGHTS (OUT OF DISTRICT CASES)		

I understand that charges are pending in the District of Colombia alleging violation of 18 U.S.S. 1752 and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

- EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**
- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
 - (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.
- PROBATION OR SUPERVISED RELEASE CASES:**
- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

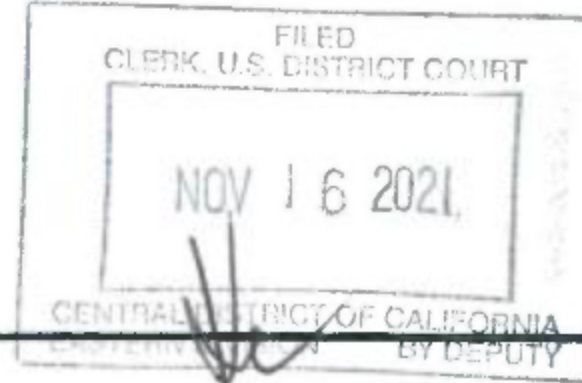
- have an identity hearing
- arrival of process
- have a preliminary hearing
- have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Date: 11/15/21

Rafael Valadez, Jr.
 Defendant
[Signature]
 Defense Counsel
[Signature]
 United States Magistrate Judge

I have translated this Waiver to the defendant in the _____ language.

Date: _____ Interpreter(if required) _____



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America,

Plaintiff,

CASE NUMBER:

5:21-mj-682-Duty

v.

Rafael Valadez, Jr.

Defendant.

ADVISEMENT OF
DEFENDANT'S STATUTORY &
CONSTITUTIONAL RIGHTS

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.

IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 11/15/21

[or] 
Signature of Defendant

I have personally heard a translation in the _____ language read to me and understand the above Advisement of Rights.

Dated: _____

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the _____ language.

Dated: _____

Signature of Interpreter

Print Name of Interpreter

STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 11/15/21


Signature of Attorney

CLOSED

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00682-DUTY All Defendants**

Case title: USA v. Valadez

Date Filed: 11/15/2021

Other court case number: 1:21MJ648 District of Columbia

Date Terminated: 11/15/2021

Assigned to: Duty Magistrate Judge

Defendant (1)

Rafael Valadez, Jr
TERMINATED: 11/15/2021

represented by **Angela C. C. Viramontes**
Federal Public Defenders Office
Riverside Office
3801 University Avenue Suite 700
Riverside, CA 92501
951-276-6346
Fax: 951-276-6368
Email: Angela_Viramontes@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Assistant 2241-2255 US Attorney LA-CR**

AUSA - Office of US Attorney
Criminal Division - US Courthouse
312 North Spring Street
Los Angeles, CA 90012-4700
213-894-2434
Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
11/15/2021	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Rafael Valadez, Jr, originating in the District of Columbia. Defendant charged in violation of: 18:1752(a)(1),40:5104(e). Signed by agent Benjamin Karp, FBI, Special Agent. USA. (mhe) (Entered: 11/19/2021)
11/15/2021	2	SEALED Defendant Rafael Valadez, Jr arrested on warrant issued by the USDC District of Columbia at Washington DC. (Attachments: # 1 Charging Documents)(mhe) (Entered: 11/19/2021)
11/15/2021	3	REPORT COMMENCING CRIMINAL ACTION as to Defendant Rafael Valadez, Jr; defendants Year of Birth: 1979; date of arrest: 11/15/2021 (mhe) (Entered: 11/19/2021)
11/15/2021	4	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Sheri Pym as to Defendant Rafael Valadez, Jr. Contested detention hearing held. Defendant arraigned and states true name is as charged. Attorney: Angela C. C. Viramontes for Rafael Valadez, Jr, Deputy Federal Public Defender, present. Court orders bail set as: Rafael Valadez Jr (1) Personals Recognizance, see attached for terms and conditions. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to District of Columbia. Bond to Transfer. Defendant ordered to report on 11/18/21 by 1:00 pm. Court Smart: CS-RS-3. (mhe) (Entered: 11/19/2021)
11/15/2021	6	DECLARATION RE: PASSPORT filed by Defendant Rafael Valadez, Jr, declaring that I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case. (mhe) (Entered: 11/19/2021)
11/15/2021	7	WAIVER OF RIGHTS approved by Magistrate Judge Sheri Pym as to Defendant Rafael Valadez, Jr. (mhe) (Entered: 11/19/2021)
11/15/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Defendant Rafael Valadez, Jr. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: 4 Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40). If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (mhe) (Entered: 11/19/2021)
11/16/2021	5	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Rafael Valadez, Jr. (mhe) (Entered: 11/19/2021)
11/16/2021	8	FINANCIAL AFFIDAVIT filed as to Defendant Rafael Valadez, Jr. (Not for Public View pursuant to the E-Government Act of 2002) (mhe) (Entered: 11/19/2021)

