



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

12/21/2022

U.S. District Court
District of Columbia

Case Title: USA v Agnieszka Chwiesiuk

Northern District of Illinois Case No.: 22cr661-1 Other Court's Case No.: 22mj281

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.

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Agnieszka Chwiesiuk

) Case: 1:22-mj-00281
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 12/16/2022
) 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) Agnieszka Chwiesiuk

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

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds
18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds
40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building
40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

Robin M. Meriweather

Digitally signed by Robin M. Meriweather
Date: 2022.12.16 17:14:33 -05'00'

Date: 12/16/2022

Issuing'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) 12/16/22, and the person was arrested on (date) 12/19/22
at (city and state) Chicago, IL

Date: 12/19/22

Arresting officer's signature

John J. Colman
Printed name and title

FILED
12/19/2022

AUSA Maureen B. McCurry (312) 353-8788

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

AGNIESZKA CHWIESIUK


Case No.: 22CR661

GABRIEL A. FUENTES
Magistrate Judge

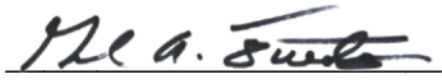
AFFIDAVIT IN REMOVAL PROCEEDING

I, JOHN COLEMAN, personally appearing before United States Magistrate Judge GABRIEL A. FUENTES and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that AGNIESZKA CHWIESIUK has been charged by Complaint in the United States District Court for the District of Columbia with the following criminal offenses: Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); Disorderly Conduct in a Capitol Building in violation of 40 U.S.C. § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building in violation of 40 U.S.C. § 5104(e)(2)(G).

A copy of the Complaint is attached. A copy of the arrest warrant also is attached.


JOHN COLEMAN
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 19th day of December, 2022.


GABRIEL A. FUENTES
United States Magistrate Judge

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America)

v.)

Agnieszka Chwiesiuk)

DOB: XXXXXX)

Case: 1:22-mj-00281

Assigned to: Judge Meriweather, Robin M.

Assign Date: 12/16/2022

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 District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), 40 U.S.C. § 5104(e)(2)(D), and 40 U.S.C. § 5104(e)(2)(G).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

John J. Coleman, Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 12/16/2022

Robin M. Meriweather

Digitally signed by Robin M. Meriweather Date: 2022.12.16 17:16:29 -05'00'

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, John J. Coleman, is a Special Agent with the Federal Bureau of Investigation (FBI). As a Special Agent, I am authorized by law or by a government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws. Currently, I am tasked with investigating criminal activity in and around the United States Capitol (the Capitol) grounds on January 6, 2021.

The Capitol is secured twenty-four hours a day by the United States Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol. On January 6, 2021, the exterior plaza of the Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the 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 the House Chamber of the Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on Tuesday, 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 Michael R. 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 Pence present and presiding over the Senate, a large crowd gathered outside the Capitol. As noted above, temporary barricades and permanent barricades were in place around the exterior of the Capitol. USCP 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 Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and to keep the crowd from entering the Capitol. However, around 2:00 p.m., individuals in the crowd forced entry into the Capitol. Some members of the crowd gained access and entry to the Capitol by breaking windows and assaulting members of the USCP. Others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m., members of the House of Representatives and Senate, including the President of the Senate, Vice President 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 Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

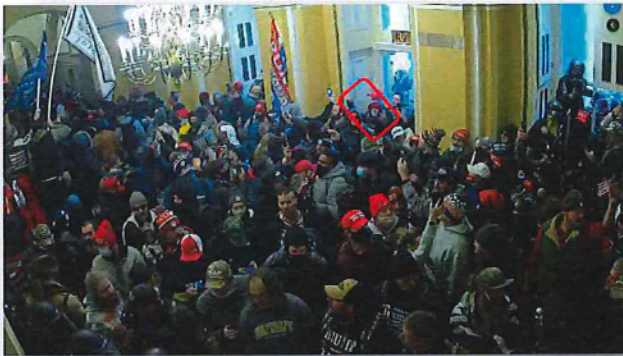
During national news coverage of the events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the Capitol without authority to be there. One such individual is the defendant, AGNIESZKA CHWIESIUK.

IDENTIFICATION OF AGNIESZKA (AKA AGNES) CHWIESIUK¹

On June 11, 2021, FBI agents went to the Chwiesiuk family home in Chicago, Illinois, to execute an arrest warrant issued for Agnieszka's brother—Karol² J. Chwiesiuk (21-CR-536 (CKK)³)—for his participation in the Capitol breach on January 6, 2021. While agents were arresting Karol, Agnieszka spontaneously stated in sum and substance: Are you going to arrest me too? At that time, the agents responded that they were not there to arrest her.

At the time of the arrest of K. Chwiesiuk, the investigation showed that the entire time that K. Chwiesiuk was in the Capitol, he was accompanied by a female with long hair wearing a red knit cap with white and blue stripes; a white and blue facemask with upside-down American flags; a black coat; and a black mini backpack with metallic accents. The FBI also identified that K. Chwiesiuk stayed at the Mayflower Hotel in Washington, D.C., but the investigation revealed that the reservation was under the name of an individual known to be his sister—Agnieszka Chwiesiuk. The FBI had a photograph of Agnieszka from the Office of the Illinois Secretary of State that appeared to match the several photographs and videos in the government's possession showing K. Chwiesiuk in the Capitol and on the Capitol's restricted grounds.

In all the videos and photographs available at that time, however, the previously described female had her hat pulled down to the level of her eyebrows and the previously described face covering pulled up to just below her eyes, obscuring all her face but her eyes. The physical characteristics of the female seen accompanying Chwiesiuk were consistent with Agnieszka as she appeared on the date of her brother's arrest and her driver's license photo.



IMAGES 1a, 1b: A screenshot from United States Capitol Police Closed-Circuit Video (CCV) shows Agnieszka Chwiesiuk entering the Capitol at approximately 2:57 p.m. while holding a cellphone in a manner that is consistent with recording video or taking a photograph.

¹ pronounced *CHESS-wick*

² pronounced *KAHR-uhl*

³ <https://www.justice.gov/usao-dc/defendants/chwiesiuk-karol-j>

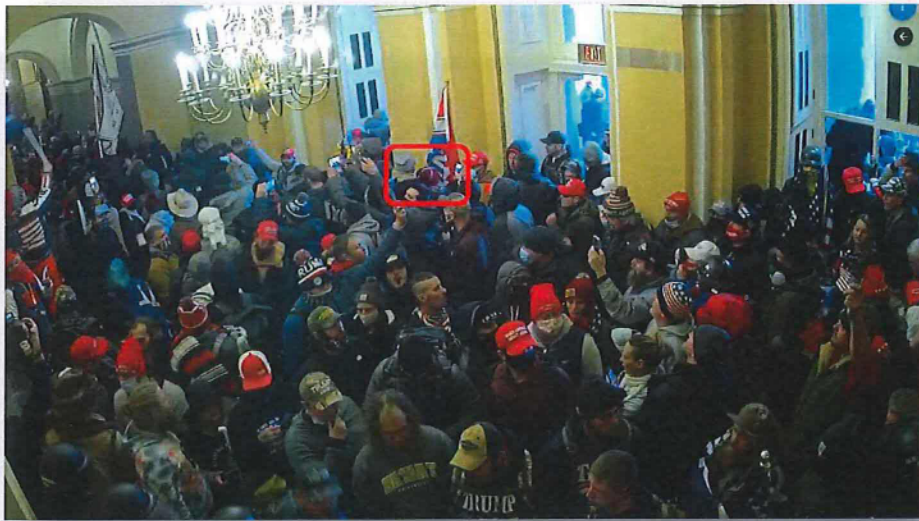


IMAGE 2: A screenshot from USCP CCV showing Agnieszka and her brother, Karol Chwiesiuk in the area just inside of the Senate Wing Door taking what appears to be a selfie at approximately 2:58 p.m.

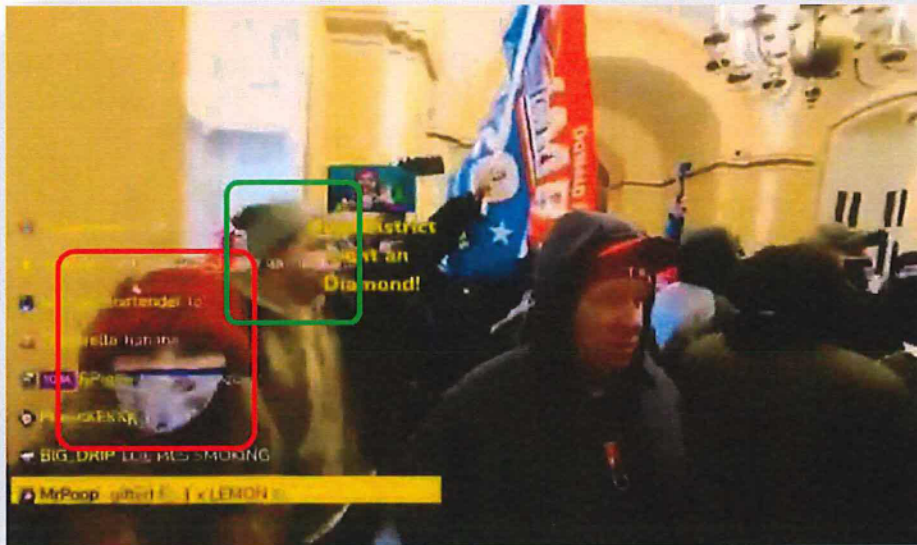
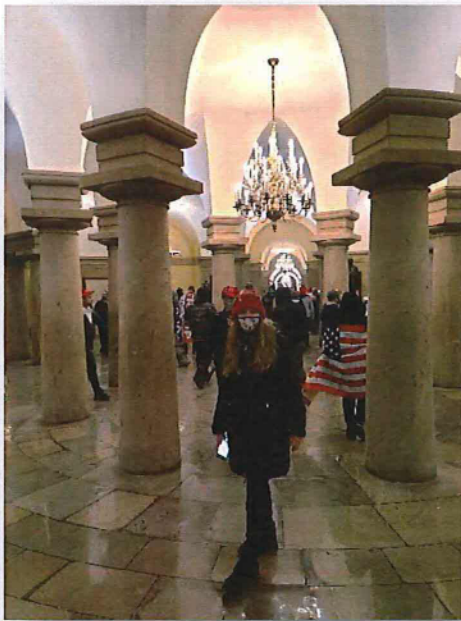
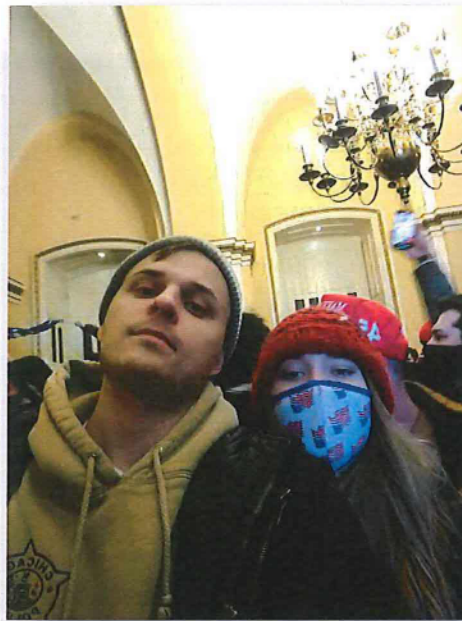


IMAGE 3: A screenshot from separately apprehended Anthime Joseph Gionet's (22-CR-132 (TNM)) livestream video showing Agnieszka (left, in red) and her brother (right, in green) in the area just inside of the Senate Wing Door.

At the time of his arrest, K. Chwiesiuk had a cellphone in his possession that was seized by the FBI. Unfortunately, the cellphone had been significantly damaged to the point where it would not turn on. Pursuant to a search warrant, the FBI was able to recover data and images from K. Chwiesiuk's phone. The FBI recovered the photographs below from K. Chwiesiuk's phone.



IMAGES 4a, 4b, 4c, 4d: (l to r, top to bottom) Four photographs recovered from K. Chwiesiuk's damaged cellphone. The top left photograph appears to have been taken near the stage where the former president spoke in the morning of January 6, 2021; the top right photo appears to have been taken in the area just inside the Senate Wing Door; and the bottom two photos appear to have been taken in the Capitol Crypt. Significantly, Agnieszka's full face can be seen in the top left and bottom right photographs.

Once the FBI had K. Chwiesiuk's cellphone extraction, they were able to compare the photographs found therein to USCP CCV. This comparison confirmed that the female who enters, walks around, and then exits the Capitol with K. Chwiesiuk is the same individual that appears in Images 4a, 4b, 4c, and 4d.

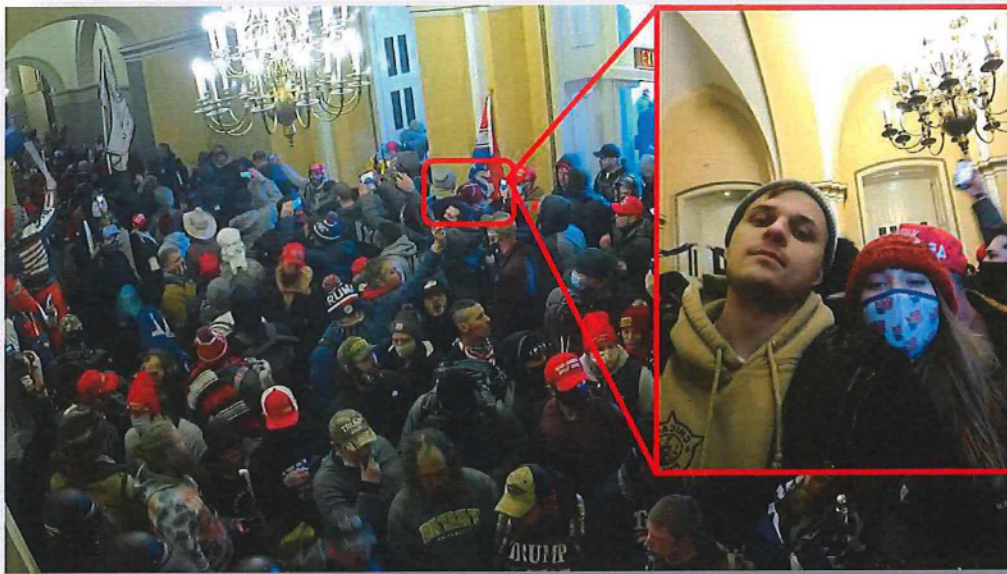


IMAGE 5: A comparison of Images 2 and 4b.

Furthermore, I was present at the arrest of K. Chwiesiuk on June 11, 2021, and I had an opportunity to see Agnieszka Chwiesiuk without a mask. As soon as I saw the individual pictured in Images 4a and 4d, I identified her as Agnieszka Chwiesiuk. I also compared the previously obtained photograph of Agnieszka from the Office of the Illinois Secretary of State to Images 4a and 4d, and I found it to be the same person.

ACTIONS OF AGNIESZKA CHWIESIUK ON JANUARY 6, 2021

After positively identifying Agnieszka using the photographs recovered from her brother's phone, the FBI was able to identify several instances of publicly available, open-source intelligence (OSINT) in which Agnieszka appears. As is consistent with the Statement of Facts filed in her brother's case (21-CR-536 (CKK), ECF No. 1-1), Agnieszka first attended the former president's rally at the Ellipse near the White House. Agnieszka then walked down Pennsylvania Avenue to the U.S. Capitol with her brother and other individuals who attended the rally.



IMAGE 6: A screenshot from a publicly available video showing Agnieszka (red) and her brother (green) near the Ellipse and the Washington Monument before marching to the Capitol.



IMAGE 7: A screenshot from a publicly available news broadcast (<https://www.psep.tv/w/1gqGvoAjjpOJB> at 27 min. 09 sec.) showing Agnieszka and her brother as they walk down Pennsylvania Avenue towards the Capitol. K. Chwiesiuk appears to be assembling the TRUMP 2020 flag that he is seen with in later photos and video.

Once she arrived at the Capitol, Agnieszka made her way from the West Lawn up to the NW Plaza, which at the time was full of rioters with other rioters continuing to stream in. Although the original breach of the Capitol occurred at the Senate Wing Door at approximately 2:13 p.m., USCP arrived at that location and contained that breach point. By approximately 2:27 p.m., only rioters who were already in the Capitol were allowed to exit through the window to the south of the Senate Wing Door. At the same time, rioters were being cleared from the Upper West Terrace by police officers from the Metropolitan Police Department and forced towards the NW Plaza. During the time when Agnieszka was there, physical altercations between rioters and police officers were taking place, and video from around that time shows that many rioters were chanting and calling for violence.

At approximately 2:42 p.m., a rioter with a cane smashed out the window of a fire door by the Senate Parliamentarian's Office and rioters began flooding in through that entrance. At approximately 2:48 p.m., the rioters just outside the Senate Wing Door violently breached that location once again.

Agnieszka was among the rioters in the NW Plaza, and at approximately 2:58 p.m., she had made her way to the front of the crowd and entered the Capitol through the broken-out doorway of the Senate Wing Door. *See* Images 1a, 1b, *supra*.



IMAGE 8: A screenshot from a publicly available video showing Agnieszka and her brother in the NW Plaza near the Senate Wing Door (just off-screen to the left) before they entered the Capitol.

Once inside the Capitol, Agnieszka turned south and walked towards the Crypt, a large circular room that sits directly below the Grand Rotunda of the Capitol. Agnieszka reached the Crypt at approximately 3:03 p.m., and while inside, her brother used his cellphone to capture Image 4d. OSINT also shows Agnieszka with her own phone out, turned on, and being used in a manner that is consistent with taking pictures or recording video.



IMAGE 9: A screenshot from a publicly available video showing Agnieszka and her brother in the Capitol Crypt. Agnieszka has her phone out and is holding and using it in a manner that is consistent with recording video or taking photographs.

By approximately 3:06 p.m., Agnieszka left the Crypt, walked north back to the Senate Wing Door, and exited the Capitol through a broken-out window that is to the south of the Senate Wing Door.

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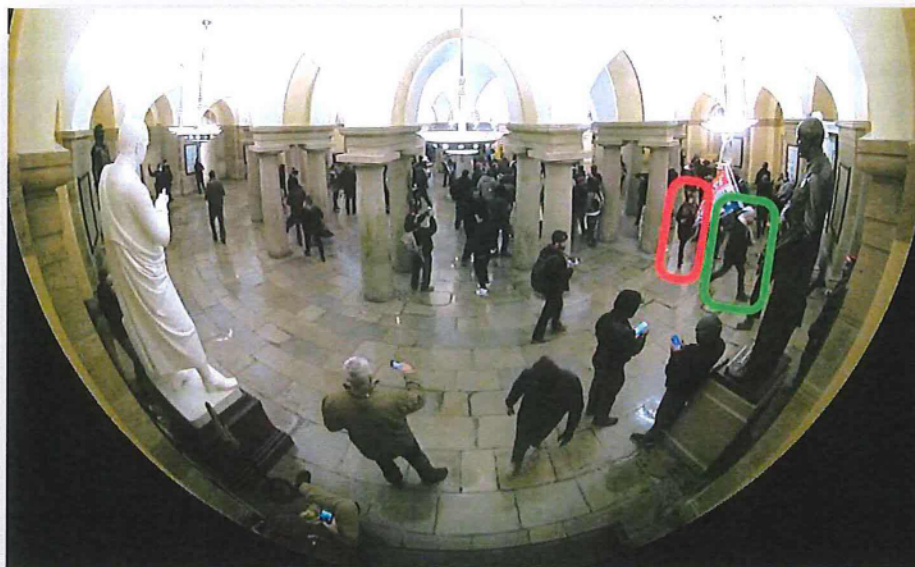


IMAGE 10: A screenshot from USCP CCV showing Agnieszka leaving the Capitol Crypt at approximately 3:06 p.m.




IMAGE 11: A screenshot from USCP CCV showing Agnieszka leaving the Capitol at approximately 3:08 p.m.

Your affiant submits there is probable cause to believe that **Agnieszka CHWIESIUK** 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 18 U.S.C. § 1752, 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 **Agnieszka CHWIESIUK** violated 40 U.S.C. §§ 5104(e)(2)(D) and (G) which make 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.


Special Agent John J. Coleman
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 16th day of December 2022.

**Robin M.
Meriweather**

 Digitally signed by Robin M.
Meriweather
Date: 2022.12.16 17:18:22 -05'00'

HONORABLE ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Agnieszka Chwiesiuk

)
) **Case: 1:22-mj-00281**
) **Assigned to: Judge Meriweather, Robin M.**
) **Assign Date: 12/16/2022**
) **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) Agnieszka Chwiesiuk,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds
- 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds
- 40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building
- 40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

Date: 12/16/2022

**Robin M.
Meriweather**

Digitally signed by Robin M. Meriweather
Date: 2022.12.16 17:14:33 -05'00'

Issuing'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

Northern District of Illinois

United States of America)

v.)

Agnieszka Chwiesiuk) Case No. 22CR661

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, Agnieszka Chwiesiuk (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 \$ 10,000.00 .
() (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: 12/19/2022


 Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

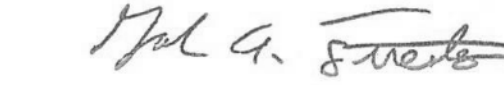
CLERK OF COURT

Date: 12/19/2022


 Signature of Clerk or Deputy Clerk

Approved.

Date: 12/19/2022



Judge's signature

UNITED STATES DISTRICT COURT
for the
Northern District of Illinois

United States of America

v.

Agnieszka Chwiesiuk

Defendant

)
)
)
)
)

Case No. 22CR661

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: Initial Appearance in the District of Columbia via VTC

Place

at a date/time and using a join-in hyperlink to be provided by the government

on

Date and Time

If blank, defendant will be notified of next appearance.

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

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 _____, telephone number _____, no later than _____.
 - (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 of the continental US without Court approval; Advise Pretrial Services of any travel within the US outside of home jurisdiction
 - (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) Stay away from Washington, D.C., unless for Court, Pretrial Hearing, or consultation with attorney; Call Pretrial Services once per week and verify address;
Participate in all future proceedings as directed; do not discuss the details of the case or the ongoing January 6 investigations/prosecutions with Karol Chwiesiuk

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.

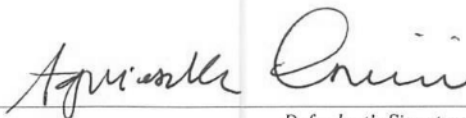
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (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

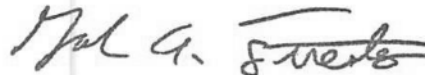
Chicago IL

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: 12/19/2022



Judicial Officer's Signature

Gabrielle A. Fuentes Magistrate Judge

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.

AGNIESZKA CHWIESIUK
Defendant

)
) Case No. 22 CR 661-1
)
) Charging District: District of Columbia
) Charging District's Case No. 1:22-mj-00281


**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: U.S. District Court, District of Columbia 333 Constitution Avenue, NW Washington, D.C. 20001	Courtroom No.: TBD
	Date and Time: TBD

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: December 21, 2022



Judge's signature

Gabriel A. Fuentes U. S. Magistrate Judge

Printed name and title

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK

By: s/ DAVID JOZWIAK
DEPUTY CLERK

U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

December 21, 2022



United States District Court
Northern District of Illinois - CM/ECF NextGen 1.6.3 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00661-1
Internal Use Only

Case title: USA v. Chwiesiuk

Date Filed: 12/19/2022

Other court case number: 1:22-mj-00281 District of Columbia

Assigned to: Honorable Gabriel A. Fuentes

Defendant (1)

Agnieszka Chwiesiuk

represented by **Keith J. Scherer**
The Law Office of Keith J. Scherer, PC
190 S. LaSalle
#3850
Chicago, IL 60603
(773)485-8882
Email: keith@kjsdefense.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA 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 **Maureen McCurry**
United States Attorney's Office
219 South Dearborn Street
Chicago, IL 60604
312-353-5300
Email: maureen.mccurry@usdoj.gov


LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

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

Pretrial Services

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

Date Filed	#	Docket Text
12/19/2022	<u>1</u>	RULE 5(c)(3) Affidavit in Removal Proceedings signed by Judge Honorable Gabriel A. Fuentes as to Agnieszka Chwiesiuk (1). (jk2,) (Entered: 12/19/2022)
12/19/2022		ARREST of defendant Agnieszka Chwiesiuk. (lxx,) (Entered: 12/20/2022)
12/19/2022	<u>2</u>	ORDER as to Agnieszka Chwiesiuk: Initial appearance and removal proceedings held in open court upon defendant's arrest on 12/19/22 on an arrest warrant and criminal complaint issued out of the District of the District of Columbia. Defendant was advised of rights and prosecutorial obligations under Rules 5(d), 5(f), and 58, and including Rule 20. Defendant waived identity, and the Court found for the reasons stated on the record that transfer and commitment of this matter to the District of Columbia should occur, and it is so ordered. Enter Order. Defendant waived her right to a Rule 5.1 preliminary hearing. The government and defendant agreed on terms of release as stated in the Order Setting Conditions of Release. Enter Order. Defendant was admonished on the record of the release conditions. Subject to the Court's review of a financial affidavit, the Court appointed Keith Scherer of the Federal Defender Panel as defendant's attorney for limited purposes of the removal proceedings in the Northern District of Illinois only. Signed by the Honorable Gabriel A. Fuentes on 12/19/2022. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/19/2022	<u>3</u>	ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5(f) as to Agnieszka Chwiesiuk. Signed by the Honorable Gabriel A. Fuentes on 12/19/2022. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/19/2022	 <u>4</u>	ORDER Setting Conditions of Release as to Agnieszka Chwiesiuk in amount of \$10,000.00, unsecured. Signed by the Honorable Gabriel A. Fuentes on 12/19/2022. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/19/2022	 <u>5</u>	APPEARANCE Bond as to Agnieszka Chwiesiuk in the amount of \$10,000.00, unsecured. (lxx,) (Entered: 12/20/2022)
12/20/2022	<u>6</u>	MINUTE entry before the Honorable Gabriel A. Fuentes as to Agnieszka Chwiesiuk: At the close of the initial appearance on 12/19/22, the government moved for an exclusion of time under 18 U.S.C. § 3161, the defense did not object, and the Court

		granted the motion. The Court construed the motion as a request to exclude, from computation of the 30-day time period within which an information must be filed after defendant's arrest, see 18 U.S.C. § 3161(b), the period of delay resulting from the proceeding relating to the transfer of the case to the District of the District of Columbia, or from the removal of defendant from the Northern District of Illinois to the District of the District of Columbia. 18 U.S.C. § 3161(h)(1)(E). Accordingly, the time from the 12/19/22 initial appearance until the date of defendant's first court appearance in the District of the District of Columbia (whether it be remote or in person), is excluded from the 30-day time period allowed for filing of an information after defendant's arrest in this misdemeanor matter. Upon transfer of this matter to the District of the District of Columbia, all further motions to exclude time must be filed in that district. The Court wishes all parties and counsel a safe, pleasant and healthy holiday season. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/20/2022	<u>7</u>	MINUTE entry before the Honorable Gabriel A. Fuentes as to Agnieszka Chwiesiuk: On the release of defendant under the Release Order as proposed by the parties at the 12/19/22 initial appearance, all of the conditions contained in the order signed by defendant remain in effect, but late on 12/19/22, Pretrial Services advised that it wanted to include an additional condition, namely Paragraph 7(a) of the release order (requiring supervision by Pretrial Services and requiring defendant to report to Pretrial Services as directed by that agency), which was not included in the proposed order submitted to the Court by the parties and reviewed and approved by the Pretrial Services officer in open court before the Court stated that it would enter such proposed order. This oversight caused the Court to conduct a further independent review of the proposed order as submitted by the parties. On further review, the Court determined that in addition to Paragraph 7(a), the Court will require the following additional paragraphs to be included in an Amended Release Order: 7(b) (requiring defendant to continue or actively seek employment); 7(d) (surrender any passport to Pretrial Services immediately); 7(e) (do not obtain a passport or other international travel document); 7(m) (do not use or possess a narcotic drug or other controlled substances defined in 21 U.S.C. Section 802, unless prescribed by a licensed medical practitioner); and 7(s) (report all law enforcement contacts to Pretrial Services as soon as possible). See U.S. v. Karol Chwiesiuk, Order Setting Conditions of Release, No. 21 CR 373 (D.E. 5) (N.D. Ill. June 11, 2021). The parties are ordered to either: (a) tender to the courtroom deputy by 4:30 p.m. on 12/20/22 an executed (by defendant) copy of an Amended Release Order with the foregoing release conditions specified in addition to those marked on the initial proposed release order; or (b) appear for a hearing at 10 a.m. on 12/21/22 in Courtroom 1838 of the Dirksen U.S. Courthouse to raise with the Court any objections either party may have to the additional conditions specified here. Tendering an executed version of the Amended Release Order to the Court on 12/20/22 will result in the striking of the 12/21/22 hearing and will be taken as an absence of any objection to, and as an affirmance by defendant of her understanding of, and agreement with, all release conditions in the Amended Release Order. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/20/2022	<u>8</u>	MINUTE entry before the Honorable Gabriel A. Fuentes as to Agnieszka Chwiesiuk: Amended order tendered to the Court. Enter amended order setting conditions of release. The hearing set for 12/21/2022 at 10 a.m. is stricken. Mailed notice. (lxx,) (Entered: 12/20/2022)
12/20/2022	 <u>9</u>	AMENDED ORDER Setting Conditions of Release as to Agnieszka Chwiesiuk in amount of \$ 10,000.00, unsecured. Signed by the Honorable Gabriel A. Fuentes on 12/20/2022. Mailed notice. (lxx,) (Entered: 12/20/2022)

12/20/2022	<u>10</u>	PRETRIAL Bail Report as to Agnieszka Chwiesiuk (SEALED) (tm,) (Entered: 12/20/2022)
12/21/2022	<u>11</u>	FINANCIAL Affidavit filed by Agnieszka Chwiesiuk (SEALED). (lxx,) (Entered: 12/21/2022)
12/21/2022	<u>12</u>	MINUTE entry before the Honorable Gabriel A. Fuentes as to Agnieszka Chwiesiuk: Based on the Court's review of the tendered financial affidavit and of information in the Pretrial Services report, the Court declines to appoint attorney Scherer to represent defendant under the CJA other than for the removal proceedings and related matters on December 19 and 20, 2022. The Court has determined that defendant is not eligible for ongoing CJA-funded appointed counsel in this district. Mailed notice. (lxx,) (Entered: 12/21/2022)
12/21/2022	<u>13</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Defendant Agnieszka Chwiesiuk committed to District of Columbia. Signed by the Honorable Gabriel A. Fuentes on 12/21/2022. Mailed notice (daj,) (Entered: 12/21/2022)
12/21/2022	<u>14</u>	CERTIFIED and Transmitted to District of Columbia via email the record consisting of the transmittal letter as to Agnieszka Chwiesiuk. (daj,) (Entered: 12/21/2022)

A TRUE COPY-ATTEST
 THOMAS G. BRUTON, CLERK

By: s/ DAVID JOZWIAK
 DEPUTY CLERK

U.S. DISTRICT COURT, NORTHERN
 DISTRICT OF ILLINOIS

December 21, 2022

