

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

David Charles Rhine

) Case: 1:21-mj-00646
) Assigned To : Harvey, G. Michael
) Assign. Date : 11/4/2021
) 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) David Charles Rhine

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: 11/04/2021

Issuing officer's signature

Digitally signed by G. Michael Harvey Date: 2021.11.04 12:27:22 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 4 NOV 2021, and the person was arrested on (date) 9 NOV 2021 at (city and state) Gig Harbor, WA.

Date: 9 Nov 2021

Arresting officer's signature

Marty Trevino Task Force Officer Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

David Charles Rhine

DOB: XXXXXX

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Case: 1:21-mj-00646

Assigned To : Harvey, G. Michael

Assign. Date : 11/4/2021

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)- Entering and Remaining in a Restricted Building or Grounds

18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds

40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building

40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Marty Trevino, Select title

Printed name and title

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

Date: 11/04/2021

Digitally signed by G. Michael Harvey

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

I, Marty Trevino, am a Task Force Officer assigned to the Federal Bureau of Investigation and have served in that capacity since October 2020. By virtue of my assignment with the FBI, I am authorized to conduct investigations into violations of U.S. law. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510 (7) of Title 18 United States Code. As a Task Force Officer, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal.

Background

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, 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.

Identification and Conduct of DAVID CHARLES RHINE

On or about January 10, 2021, a tipster (TIPSTER 1) called the FBI National Threat Operations Center to report that David Rhine, cellular telephone number xxx-xxx-0113 (x0113), of Bremerton, Washington¹, had entered the U.S. Capitol building in Washington, DC on January 6, 2021. Information provided by TIPSTER 1 included that on January 6, 2021, Rhine's wife made a post to Facebook that Rhine had entered the Capitol building during the protest. After seeing the post, TIPSTER 1 confronted Rhine about being in the Capitol building and told him he needed to make a report about his part in the entering of the Capitol. Rhine did not deny entering the Capitol building and said, "the Capitol police moved the barriers to me [sic] into the building."

On January 12, 2021 another tipster (TIPSTER 2) submitted an online tip to the FBI to report that, based on second-hand knowledge, David Rhine, business telephone number xxx-xxx-1030, business address in Gig Harbor, Washington², had been inside the Capitol during the riots of January 6, 2021.

Based on a search of open-source information and law enforcement databases, agents identified a DAVID CHARLES RHINE (RHINE) living in Bremerton, Washington with the same identifiers as those provided by TIPSTER 1.

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, the cellphone associated with phone number x0113, subscribed to by RHINE, was identified as having used a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building.

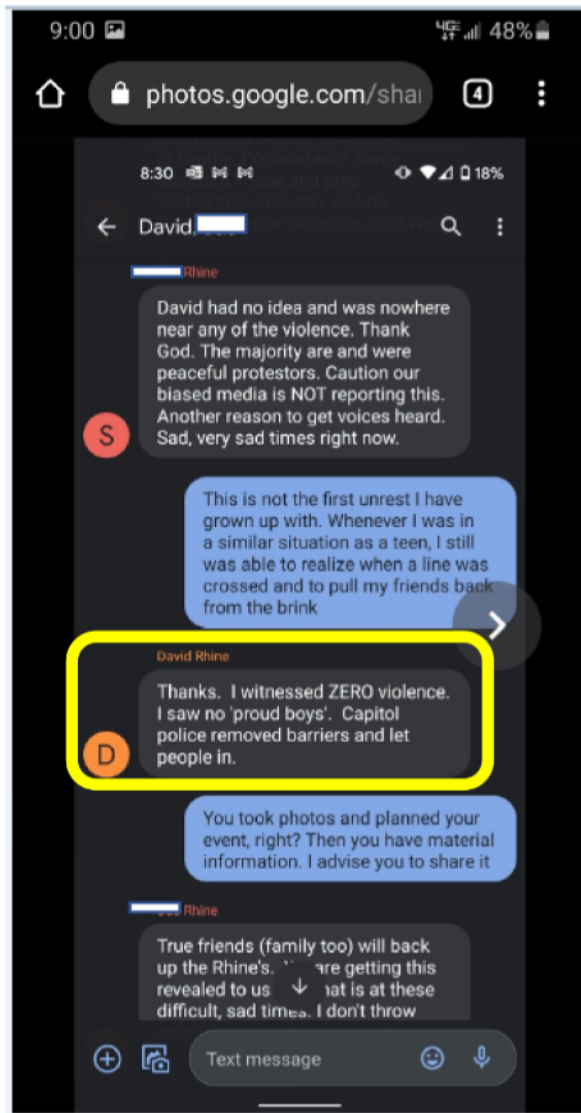
According to records obtained through a search warrant served on Google, a mobile device associated with phone number x0113, subscribed to by RHINE, was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi 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 a device associated with phone number x0113 was within or around the U.S. Capitol on January 6, 2021 between the time of 2:24 PM and 4:47 PM.

¹ The full phone number and partial address were provided by TIPSTER 1, but are omitted here due to the public nature of this filing.

² The full phone number and full address were provided by TIPSTER 2, but are omitted here due to the public nature of this filing.

On or about February 1, 2021, agents attempted to interview RHINE at his place of work. RHINE confirmed his identity but declined to comment upon being questioned regarding his presence in Washington D.C. on January 6, 2021.

On or about March 16, 2021, agents conducted an interview of TIPSTER 1, who had known RHINE since 2017. TIPSTER 1 had no indication that RHINE traveled to Washington D.C. in January 2021 until a friend informed him of a Facebook post by RHINE’s wife stating that she was proud of her husband because he had been at the January 6th rally and had entered the Capitol. TIPSTER 1 did not see the actual post, but saw a screen shot sent to him by his friend referring to RHINE entering the U.S. Capitol building on January 6, 2021. TIPSTER 1 believed that RHINE’s wife deleted the Facebook post shortly after posting it. TIPSTER 1 reached out to RHINE and RHINE’s wife via text message in regards to his presence in the U.S. Capitol. RHINE responded that he saw no violence, and that the Capitol police removed barriers and let people in:



In September 2021, TIPSTER 1 reviewed the following photograph taken from closed-circuit video (CCV) from inside the U.S. Capitol building on January 6, 2021. TIPSTER 1 identified the person circled as RHINE. RHINE appears to be wearing a dark blue hooded jacket, a red hat and a backpack, and to be carrying a blue flag with white stars. TIPSTER 1 reviewed several other screenshots believed to be of RHINE but could not confirm RHINE's identity due to the quality of the images.



A review of video footage from U.S. Capitol CCV footage of the events of January 6, 2021 revealed a person believed to be RHINE present in various locations the U.S. Capitol building.³ I believe the person identified in the series of screenshots below to be RHINE based on a comparison of CCV footage with the photograph of RHINE identified by TIPSTER 1. I tracked this individual on multiple CCV cameras throughout the U.S. Capitol building based on his clothing and accessories, and based on a comparison of the CCV footage with RHINE's most recent driver's license photograph.

At approximately 2:42 PM (19:42:22Z) CCV captured a person believed to be RHINE entering the U.S. Capitol building on the second floor through the Upper House Door. He was wearing a dark blue hooded jacket and red hat, and appeared to be carrying a blue flag with white stars (sometimes referred to as Washington Headquarters Flag) and white cowbells:

³ All times listed from Capitol Police videos are shown in "Zulu" time. On January 6, 2021, Zulu time was expressed as military time five hours ahead of Eastern Standard Time. For instance, the time of 19:00 is 2:00 PM, Eastern Standard Time.



At approximately 2:46 PM (19:46:54Z), CCV captured a person believed to be RHINE wearing what appears to be the same dark blue hooded jacket and red hat, and carrying what appear to be the same flag and cowbells in the House Gallery hallway on the third floor of the U.S. Capitol building:



At approximately 2:47 PM (19:47:38Z) CCV captured a person believed to be RHINE wearing what appears to be the same dark blue hooded jacket and red hat, and carrying what appear to be the same flag and cowbells walking down a third floor hallway of the U.S. Capitol building:



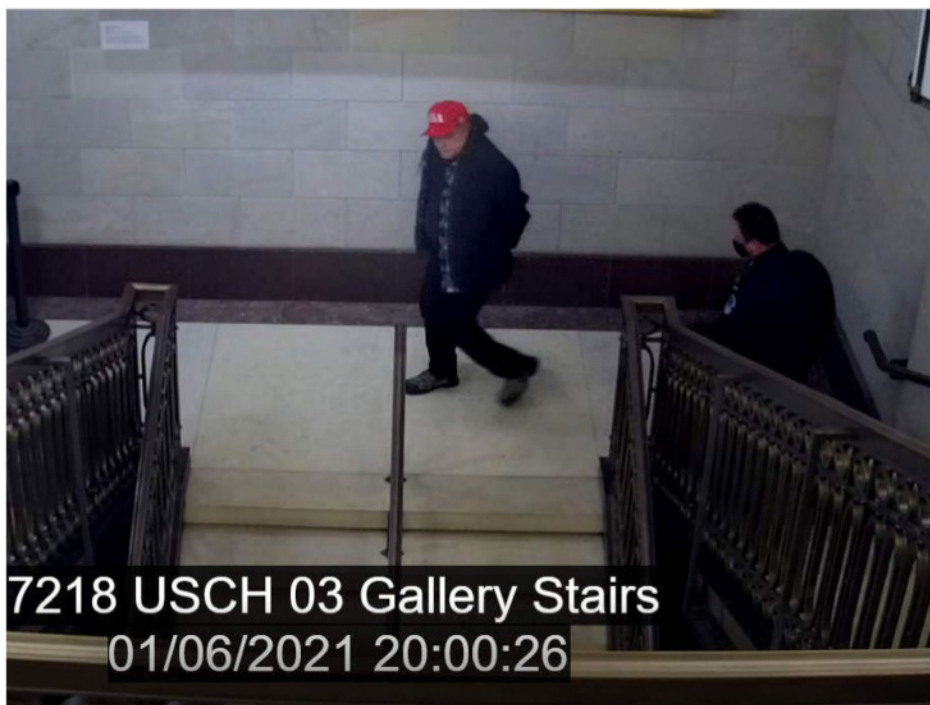
At 2:47 PM (19:47:58Z), CCV captured a closer shot of a man believed to be RHINE wearing what appears to be the same blue hooded jacket and red hat, and carrying what appear to be the same flag. As explained above, TIPSTER 1 identified the person circled below as RHINE:



RHINE was confronted by a Capitol Police Officer, later identified as Officer J.A., while on the third floor. At approximately 2:57 PM (19:57:17Z), CCV captured a person believed to be RHINE wearing a red hat and dark jacket being detained by Office J.A. According to Officer J.A., RHINE was searched and found in possession of two knives and pepper spray. Those items were seized by officers and RHINE was placed in flex cuffs behind his back:



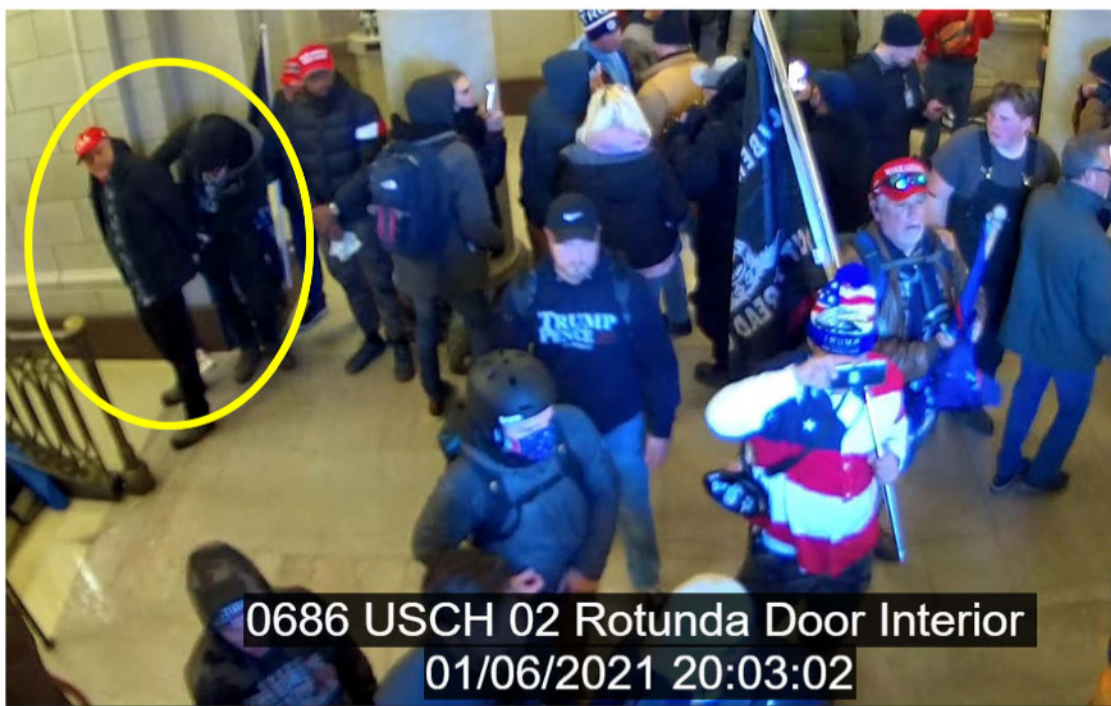
At approximately 3:00 PM (20:00:26Z), CCV captured a person believed to be RHINE wearing a red hat and dark hooded jacket being escorted down the down the Gallery Stairs to the second floor of the U.S. Capitol building:



At approximately 3:02 PM (20:02:25Z), CCV captured Officer J.A. releasing RHINE in the Rotunda Door interior area and walking away. RHINE still had flex-cuffs on after being released. According to Officer J.A., Officer J.A. told RHINE he was releasing him and for RHINE to exit the Capitol building. RHINE told the officer he would leave the building. The officer left RHINE, still flex-cuffed, in the second floor Rotunda door area and returned to his other duties:



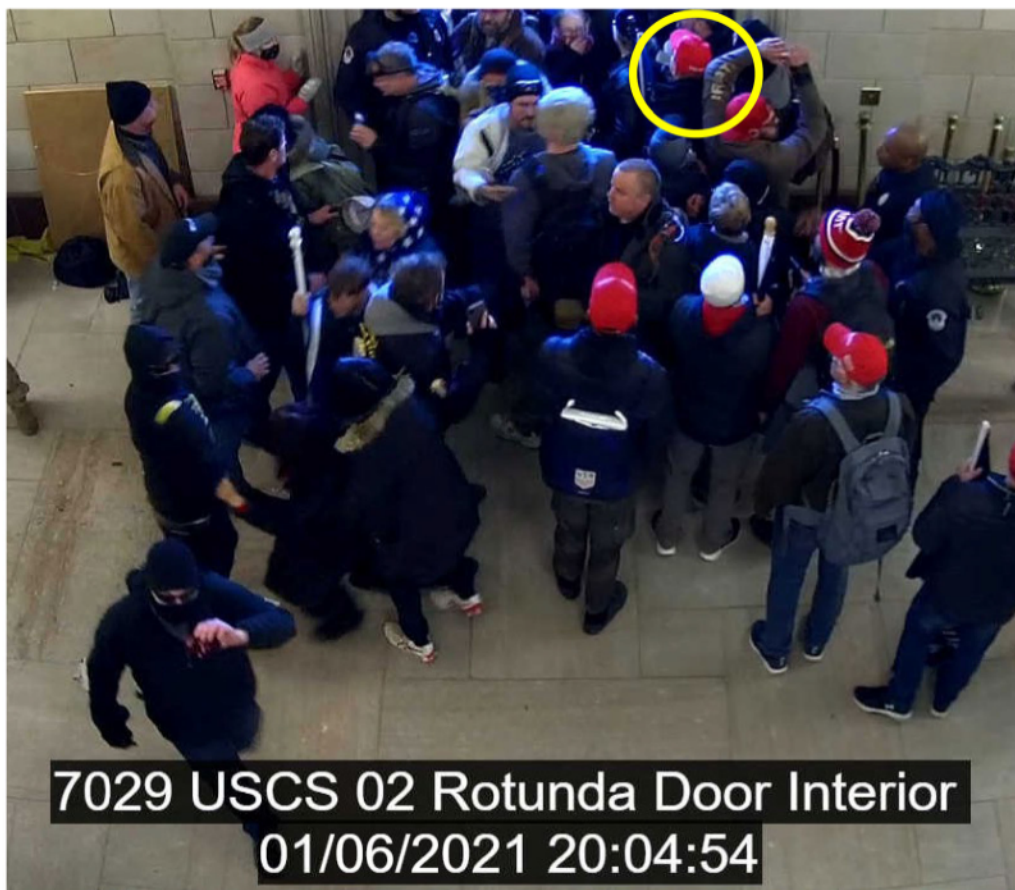
At approximately 3:03 PM (20:03:02Z), CCV captured an unidentified individual taking the flex-cuffs off of RHINE:



At approximately 3:04 PM (20:04:15Z), CCV captured a person believed to be RHINE wearing a red hat and dark hooded jacket, with his phone visible, and the unknown individual at the stairs in the Rotunda Door interior area:



At approximately 3:04 PM (20:04:54Z), CCV captured a person believed to be RHINE wearing a red hat and dark jacket leaving the U.S. Capitol building through the Rotunda Door:

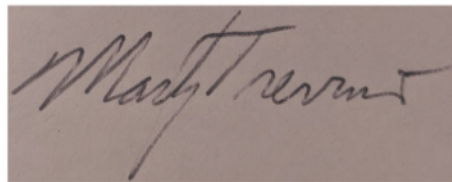


Criminal Charges

Based on the foregoing, your affiant submits that there is probable cause to believe that DAVID CHARLES RHINE violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that DAVID CHARLES RHINE 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.



Marty Trevino, FBI, Task Force Officer

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 4th day of November 2021.



Digitally signed by
G. Michael Harvey
Date: 2021.11.04
12:30:33 -04'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
David Charles Rhine

)
) Case: 1:21-mj-00646
) Assigned To : Harvey, G. Michael
) Assign. Date : 11/4/2021
) 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) David Charles Rhine,
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: 11/04/2021

Digitally signed by G. Michael
Harvey
Date: 2021.11.04 12:27:22 -04'00'

Issuing officer's signature

City and state: Washington, D.C.

G. Michael Harvey, 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

MIME-Version:1.0
From:ECF@wawd.uscourts.gov
To:ECF@wawd.uscourts.gov
Bcc:
--Case Participants: Christian Enrique Izaguirre (amy_strickling@fd.org, christian_izaguirre@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org, waw_ecf_notifications_tac@fd.org), Hillary Klug Stuart (caseview.ecf@usdoj.gov, ecf-crm.usawaw@usdoj.gov, hillary.stuart@usdoj.gov, kelly.shirkey@usdoj.gov), Judge David W. Christel (christeldocs@wawd.uscourts.gov, lisa_ledford@wawd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:8754823@wawd.uscourts.gov
Subject:Activity in Case 3:21-mj-05241-DWC USA v. Rhine Order re Due Process Protections Act
Content-Type: text/html

U.S. District Court

United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered on 11/10/2021 at 10:46 AM PST and filed on 11/9/2021

Case Name: USA v. Rhine
Case Number: 3:21-mj-05241-DWC
Filer:
Document Number: 3(No document attached)

Docket Text:

The Court Orders as follows: Pursuant to the Due Process Protection Act, counsel for the government is reminded of his/her obligations pursuant to *Brady v. Maryland* and its progeny to disclose exculpatory material and information, as required by applicable statute and case law. The failure to do so in a timely manner may result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, or any other remedy that is just under the circumstances. By Judge David W. Christel. (No.pdf image attached) (KEB)

3:21-mj-05241-DWC-1 Notice has been electronically mailed to:

Hillary Klug Stuart hillary.stuart@usdoj.gov, CaseView.ECF@usdoj.gov, ECF-crm.usawaw@usdoj.gov, Kelly.Shirkey@usdoj.gov

Christian Enrique Izaguirre christian_izaguirre@fd.org, WAW_ECF_Notifications_Tac@fd.org, amy_strickling@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org

3:21-mj-05241-DWC-1 Notice will not be electronically mailed to:

MIME-Version:1.0
From:ECF@wawd.uscourts.gov
To:ECF@wawd.uscourts.gov
Bcc:
--Case Participants: Christian Enrique Izaguirre (amy_strickling@fd.org, christian_izaguirre@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org, waw_ecf_notifications_tac@fd.org), Hillary Klug Stuart (caseview.ecf@usdoj.gov, ecf-crm.usawaw@usdoj.gov, hillary.stuart@usdoj.gov, kelly.shirkey@usdoj.gov), Judge David W. Christel (christeldocs@wawd.uscourts.gov, lisa_ledford@wawd.uscourts.gov)
--Non Case Participants: PTS-Tacoma (taccmecf@wawpt.uscourts.gov)
--No Notice Sent:

Message-Id:8754818@wawd.uscourts.gov
Subject:Activity in Case 3:21-mj-05241-DWC USA v. Rhine Initial Appearance - Rule 5(c)(3)
Content-Type: text/html

U.S. District Court

United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered on 11/10/2021 at 10:46 AM PST and filed on 11/9/2021

Case Name: USA v. Rhine
Case Number: 3:21-mj-05241-DWC
Filer:
Document Number: 2(No document attached)

Docket Text:

Minute Entry for proceedings held before Judge David W. Christel- CRD: *Kim Brye*; AUSA: *Hillary Stuart*; Def Cnsl: *Christian Izaguirre*; PTS: *Leona Nguyen*; Time of Hearing: **2:30 PM; Courtroom: **C**; Session #: **TAC211109**; INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to David Charles Rhine held on 11/9/2021. FPD Christian Izaguirre present for this hearing only as defendant has retained private counsel. Parties advised of Due Process Protection Act. Defendant advised of rights and charges. Parties discuss conditions of release. Defendant placed on bond and provided Zoom hearing information for next hearing date of 11/16/21 at 1:00PM (EST) with District of Columbia. (KEB)**

3:21-mj-05241-DWC-1 Notice has been electronically mailed to:

Hillary Klug Stuart hillary.stuart@usdoj.gov, CaseView.ECF@usdoj.gov, ECF-crm.usawaw@usdoj.gov, Kelly.Shirkey@usdoj.gov

Christian Enrique Izaguirre christian_izaguirre@fd.org, WAW_ECF_Notifications_Tac@fd.org, amy_strickling@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org

3:21-mj-05241-DWC-1 Notice will not be electronically mailed to:



United States District Court
Western District of Washington



UNITED STATES OF AMERICA,
vs.
David Charles Rhine

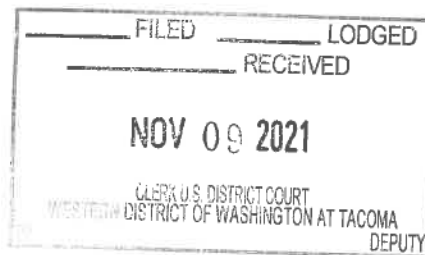
APPEARANCE BOND
CASE No: MJ21-5241

I understand that I may be released from custody, pending further proceedings in this case, on the conditions marked below:

- **Court Appearances.** I must appear in court at the 333 Constitution Avenue, N.W, Washington, DC; *Courtroom: via Zoom*, on Tuesday, November 16, 2021 at 1:00 PM and at all other hearings in this case, including turning myself in to begin serving a sentence, should that occasion arise. **I UNDERSTAND THAT A WILLFUL FAILURE TO APPEAR IN COURT AT A TIME SET FOR HEARING IS A SEPARATE CRIMINAL OFFENSE, PUNISHABLE BY UP TO 1 YEAR IMPRISONMENT AND A FINE OF \$100,000.**
- **No Law Violations.** I must not commit a federal, state, or local crime during the period of release. I understand that if I commit a felony while on release, my sentence can be increased by a maximum of ten years. If I commit a misdemeanor while on release, my sentence can be increased by a maximum of one year. These sentences would be consecutive to all other applicable sentences.
- **DNA Testing.** I must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- **No Controlled Substances.** I must not use, consume or possess any controlled substances, including medication, unless prescribed by a physician and approved in advance by the Pretrial Services Officer.
- **Address.** I must furnish my attorney, and/or Pretrial Services if supervised, with my current address and telephone number (if any) where I will reside upon release and where I will receive any notices of hearing dates. I must report any changes in that address or telephone number to my attorney, and/or Pretrial Services if supervised, within one business day.
- **Restrictions on Travel.** I must not travel outside the Continental United States or as directed below under 'Other Conditions'.
- **Victim and Witness Protection.** I must not harass, threaten, intimidate, tamper with, improperly influence, or injure the person or property of witnesses, jurors, informants, victims of crime, judicial officers, or other persons related to official proceedings before the Court, in violation of 18 U.S.C. § 1503, 1512, and 1513.
- **Pretrial Supervision.** I am subject to Pretrial Services supervision by the Pretrial Services Office of the Court and must abide by such of the general and special conditions of release as that office shall impose. I must report to the Office of Pretrial Services, (253) 882-3705, United States Courthouse, 1717 Pacific Avenue, Tacoma, Washington within 24 hours of my release unless released during a weekend or on a holiday in which case I must report at 9:00 a.m. the following court day.

OTHER SPECIAL CONDITIONS:

- Travel is restricted to the Western District of Washington and the District of Columbia for court purposes only, or as directed by Pretrial Services.
- Surrender all current and expired passports and travel documents to the court. Do not apply for/obtain a new passport or travel document from any country without permission of the court. If the surrendered passport is a foreign passport, it shall be forwarded to Immigration and Customs Enforcement if defendant is convicted of an offense, unless otherwise ordered by the Court.
- You shall not have direct contact or indirect contact with any existing and/or future witnesses in this case.
- The defendant shall abide by all federal, state, and local directives regarding the COVID-19 pandemic.



David Charles Rhine

MJ21-5241


AGREEMENT BY DEFENDANT: I understand and agree to comply with every condition marked above, and I understand that if I fail to comply with any conditions of my release, the Court will immediately issue a warrant for my arrest, and I will be subject to a revocation of release, an order of detention, and prosecution for contempt of court. I understand this appearance bond remains in effect during any proceeding on appeal or review.

<input checked="" type="checkbox"/> 	November 9, 2021	Bremerton, Washington
Signature	Date Signed	City, State of Residence

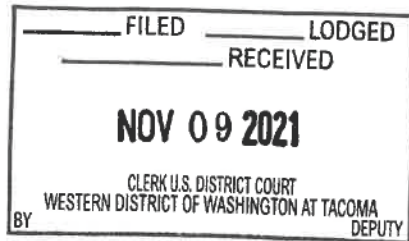
ORDER OF RELEASE

It is therefore ORDERED:

- (1) Defendant shall comply with all conditions of this appearance Bond;
- (2) Defendant shall be released from custody, and shall remain at liberty so long as he or she complies with the provisions of this Appearance Bond, or until further order of the Court.

November 9, 2021	
Date Signed	David Christel UNITED STATES MAGISTRATE JUDGE

cc: Defendant, Defense Counsel, U.S. Attorney, U.S. Marshal, Pretrial Services



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID CHARLES RHINE,

Defendant.

CASE NO. MJ21-5241

WAIVER OF RULE 5(c)(3)(D)
HEARING AND ORDER OF
TRANSFER

WAIVER OF RULE 5(c)(3)(D) HEARING

I, DAVID CHARLES RHINE, have appeared before a United States Magistrate Judge in the Western District of Washington, who has advised me of the provisions of Rule 20 and of and my right to a further hearing pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure. I wish to waive my right to such further hearing, therefore:

- (a) I acknowledge that I am the person named in an indictment, information or warrant pending in the U. S. District Court for the District of Columbia (1:21-MJ-00646).

- (b) I waive my right to production of the warrant or any other original papers relating to these charges or certified copies thereof;
- (c) If I am entitled to a preliminary examination, I elect to have it conducted in the district where the prosecution is pending; and,
- (d) I consent to the issuance of an order directing me to appear and answer in said district where the charges are pending.

Dated this 9th day of November, 2021.

Defense Counsel

Signature of Defendant

* * * * *

ORDER OF TRANSFER

Based upon the foregoing Waiver, it is hereby ORDERED that further proceedings in this case shall be conducted in the U. S. District Court for the District of Columbia.

The Clerk of this Court shall forthwith transmit to the Clerk in said district the records of proceedings conducted in this district.

Unless defendant is released on bond, the U. S. Marshal is directed to transport defendant as promptly as possible to that district.

If released on bond, defendant is directed to appear in that district for further proceedings at the time and place specified on the bond, or as otherwise directed by court order.

David W. Christel
United States Magistrate Judge



UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

OFFICE OF THE CLERK

Tacoma

1717 Pacific Ave., Suite 3100

Tacoma, WA 98402

(253) 882-3826

RAVI SUBRAMANIAN
District Court Executive
Clerk of Court

ERIC SMITS
Chief Deputy Clerk

November 10, 2021

CLERK, US DISTRICT COURT

District of Columbia

InterDistrictTransfer_DCD@dcd.uscourts.gov

Re: David Charles Rhine

Your No: 1:21-MJ-00646-GMH

Our No: MJ21-5241-DWC

Dear Clerk

An Order of Transfer was entered on 11/09/2021, transferring the above captioned case to your court pursuant to Rule 5. Attached you will find a PDF image of our *Internal* Docket Sheet and **all** documents contained in the Western District of Washington Court File.

The defendant was released on bond and directed to appear in your district via Zoom on November 16, 2021 at 1:00 p.m. (EST) before Magistrate Judge Robin M. Meriweather.

Please acknowledge receipt by returning a stamped copy of this letter to me at Kim_Brye@wawd.uscourts.gov.

Sincerely,

RAVI SUBRAMANIAN, District Court Executive

By Kim Brye
Deputy Clerk

Enc

MIME-Version:1.0
From:ECF@wawd.uscourts.gov
To:ECF@wawd.uscourts.gov
Bcc:
--Case Participants: Christian Enrique Izaguirre (amy_strickling@fd.org, christian_izaguirre@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org, waw_ecf_notifications_tac@fd.org), Hillary Klug Stuart (caseview.ecf@usdoj.gov, ecf-crm.usawaw@usdoj.gov, hillary.stuart@usdoj.gov, kelly.shirkey@usdoj.gov), Judge David W. Christel (christeldocs@wawd.uscourts.gov, lisa_ledford@wawd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:8755238@wawd.uscourts.gov
Subject:Activity in Case 3:21-mj-05241-DWC USA v. Rhine Arrest
Content-Type: text/html

U.S. District Court

United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered on 11/10/2021 at 1:15 PM PST and filed on 11/9/2021

Case Name: USA v. Rhine
Case Number: 3:21-mj-05241-DWC
Filer:
Document Number: No document attached
Docket Text:
[Arrest of David Charles Rhine on 11/9/2021. \(KEB\)](#)

3:21-mj-05241-DWC-1 Notice has been electronically mailed to:

Hillary Klug Stuart hillary.stuart@usdoj.gov, CaseView.ECF@usdoj.gov, ECF-crm.usawaw@usdoj.gov, Kelly.Shirkey@usdoj.gov

Christian Enrique Izaguirre christian_izaguirre@fd.org, WAW_ECF_Notifications_Tac@fd.org, amy_strickling@fd.org, jessica_cvitanovic@fd.org, julie_valencia@fd.org, maritza_pitot@fd.org

3:21-mj-05241-DWC-1 Notice will not be electronically mailed to:

BOND,CLOSED

**U.S. District Court
United States District Court for the Western District of Washington
(Tacoma)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-05241-DWC-1**

Case title: USA v. Rhine

Date Filed: 11/10/2021

Other court case number: 1:21-MJ-00646-GMH District of
Columbia

Date Terminated: 11/09/2021

Assigned to: Judge David W.
Christel

Defendant (1)

David Charles Rhine
TERMINATED: 11/09/2021

represented by **Christian Enrique Izaguirre**
FEDERAL PUBLIC DEFENDER'S OFFICE
(TAC)
1331 BROADWAY
STE 400
TACOMA, WA 98402
253-593-6710
Email: christian_izaguirre@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

18:1752(a)(1) – Entering and

Disposition

Remaining in Restricted Building;
 18:1752(a)(2) – Disorderly
 Conduct in a Restricted Building;
 40:5104(e)(2)(D) – Disorderly
 Conduct in a Capitol Building;
 40:5104(e)(2)(G) – Demonstrating
 in a Capitol Building

Plaintiff

USA

represented by **Hillary Klug Stuart**
 UNITED STATES ATTORNEY'S
 OFFICE
 700 STEWART STREET
 STE 5220
 SEATTLE, WA 98101
 253-428-3665
 Email: hillary.stuart@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Page	Docket Text
11/09/2021	<u>1</u>		CHARGING DOCUMENT RECEIVED FROM District of Columbia (Complaint, Warrant) as to David Charles Rhine (KEB) Modified on 11/10/2021 (KEB). (Entered: 11/10/2021)
11/09/2021	2		Minute Entry for proceedings held before Judge David W. Christel– CRD: <i>Kim Brye</i> ; AUSA: <i>Hillary Stuart</i> ; Def Cnsl: <i>Christian Izaguirre</i> ; PTS: <i>Leona Nguyen</i> ; Time of Hearing: <i>2:30 PM</i> ; Courtroom: <i>C</i> ; Session #: <i>TAC211109</i> ; INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to David Charles Rhine held on 11/9/2021. FPD Christian Izaguirre present for this hearing only as defendant has retained private counsel. Parties advised of Due Process Protection Act. Defendant advised of rights and charges. Defendant executes Waiver of Rule 5 Hearing – Accepted. Order of Transfer signed. Parties discuss conditions of release. Defendant placed on bond and provided Zoom hearing information for next hearing date of 11/16/21 at 1:00PM (EST) with District of Columbia. (KEB) Modified on 11/10/2021 to correct waiver information. (KEB) (Entered: 11/10/2021)
11/09/2021	3		The Court Orders as follows: Pursuant to the Due Process Protection Act, counsel for the government is reminded of his/her obligations pursuant to <i>Brady v. Maryland</i> and its progeny to disclose exculpatory material and information, as required by applicable statute and case law. The failure to do so in a timely manner may result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, or any other remedy that is just under the circumstances. By Judge David W. Christel. (<i>No.pdf image attached</i>) (KEB) (Entered: 11/10/2021)
11/09/2021	<u>4</u>		Appearance Bond Entered as to David Charles Rhine (1) PTS bond with standard and special conditions. (cc: PTS/USPO/USMO) (KEB) (Entered: 11/10/2021)

11/09/2021	<u>5</u>	WAIVER OF RULE 5 HEARINGS AND ORDER OF TRANSFER to District of Columbia as to David Charles Rhine by Judge David W. Christel. (cc: PTS, USMO) (KEB) (Entered: 11/10/2021)
11/09/2021		Arrest of David Charles Rhine on 11/9/2021. (KEB) (Entered: 11/10/2021)
11/10/2021	<u>7</u>	LETTER from Western District of Washington to the District of Columbia regarding Rule 5 Transfer as to defendant David Charles Rhine. (KEB) (Entered: 11/10/2021)