

**U.S. District Court
District of Hawaii (Hawaii)
CRIMINAL DOCKET FOR CASE #: 1:22-mj-01130-KJM-1
Internal Use Only**

Case title: USA v. Rogers

Date Filed: 06/30/2022

Assigned to: MAGISTRATE JUDGE
KENNETH J. MANSFIELD

Defendant (1)

Pierre Rogers

represented by **Maximilian J. Mizono**
Office of the Federal Public Defender
PJKK Federal Building
300 Ala Moana Blvd Rm 7-104
Honolulu, HI 96850
808-541-2521
Email: max_mizono@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

18:1344A.F - Counts 1-6: Bank Fraud 18
U.S.C. §§ 1344 and 2; 18:1343.F - Counts
7-9: Wire Fraud and Attempted Wire Fraud

Disposition

18 U.S.C. §§ 1343, 1349 and 2;
 18:1957-7482.F - Count 10: Money
 Laundering 18 U.S.C. § 1957; 1:22-cr-74-
 PB - District of New Hampshire

Plaintiff

USA

represented by **Mohammad Khatib**

Office of the United States Attorney
 Prince Kuhio Federal Building
 300 Ala Moana Blvd Ste 6100
 Honolulu, HI 96850
 (808) 541-2850
 Fax: (808) 541-2958
 Email: mohammad.khatib@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government

Email All Attorneys

Email All Attorneys inc. Terminated Defendants

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
06/30/2022	1	EO : as to Pierre Rogers - Initial Appearance is set for 7/1/2022 10:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (Added attorney Maximilian J. Mizono for Pierre Rogers pending Financial Affidavit). (MAGISTRATE JUDGE KENNETH J. MANSFIELD)(bbb) (Entered: 06/30/2022)
06/30/2022	2	DECLARATION OF DANIEL BOTTY; EXHIBITS 1 AND 2 as to Pierre Rogers - filed by USA. (Attachments: # 1 Exhibit 1 - Indictment from the District of New Hampshire as to Pierre Rogers (1:22-cr-74-PB), # 2 Exhibit 2 - Arrest Warrant (1:22-cr-74-PB)) (jni) (Entered: 06/30/2022)
06/30/2022		Arrest (Rule 40) of Pierre Rogers (jni) (Entered: 06/30/2022)
07/01/2022	3	EO: as to Pierre Rogers - The Initial Appearance - Rule 5 previously set for 10:30 a.m. IS CONTINUED TO 1:00 p.m. on the same date of 7/1/2022 in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. Parties have been notified. (MAGISTRATE JUDGE KENNETH J. MANSFIELD)(bbb) (Entered: 07/01/2022)
07/01/2022	4	EP: INITIAL APPEARANCE - RULE 5 as to DEFENDANT (1) PIERRE ROGERS held. Defendant present and in custody. <u>Appointment of Counsel:</u> Defendant sworn to Financial Affidavit. Court appoints Maximilian Mizono and

		the Office of the Federal Public Defender. <u>Initial Appearance:</u> Mr. Mizono represents having reviewed the charges with Defendant. Defendant acknowledges general understanding of the charges. Mr. Mizono represents that Defendant waives Identity Hearing and production of the warrant. Court conducts colloquy with Defendant to confirm waiver of Identity Hearing and production of warrant. Court finds Defendant knowingly, voluntarily and intelligently waives right to Identity Hearing and production of warrant. Fully executed Waiver of Rule 5 & 5.1 Hearings submitted to the Court. Defendant is ORDERED to appear before the District of New Hampshire on July 11, 2022 at 2:30 p.m. (EDT), unless otherwise ordered by the Court. <u>Detention Hearing:</u> Government confirms no motion to detain was filed and agrees with recommendation of Pretrial Services. Defendant concurs. Court adopts the recommendation of Pretrial Services and orders defendant released on an unsecured bond in the amount of: <u>\$50,000.00</u> with the following conditions: <i>(See attached Minutes for details)</i> The Court reviewed the above release conditions with Defendant. Defendant advised of possible adverse action for failure to comply with any condition, to include issuance of a warrant for Defendant's arrest, revocation of release status and detention pending trial. Defendant acknowledged understanding the foregoing release conditions, his obligation to comply, and the consequences of violating any conditions of release. These minutes will serve as the conditions of bond. Defendant to be released forthwith on conditions of pretrial release as provided above. Court to prepare Abstract of Release. <u>Due Process Protection Act Advisory:</u> The Court orders the United States to comply with its disclosure obligations under <i>Brady v. Maryland</i> and its progeny. Failing to timely do so may result in consequences such as sanctions, adverse jury instructions, exclusion of evidence, and dismissal of charges. This order incorporates the provisions of the Court's February 1, 2021 General Order Regarding Rule 5(f). Initial Appearance in Rule 5(c)(3) Proceedings as to Pierre Rogers held on 7/1/2022. Bond set as to Pierre Rogers (1): \$50,000 Unsecured. (FTR-CT C5 / 1:02 - 1:19 p.m.) (MAGISTRATE JUDGE ROM TRADER) (jni) (Entered: 07/01/2022)
07/01/2022	 5	CJA 23 Financial Affidavit - by Pierre Rogers (jni) (Entered: 07/01/2022)
07/01/2022	6	WAIVER of Rule 5 & 5.1 Hearings - by Pierre Rogers (jni) (Entered: 07/01/2022)

07/01/2022	<u>7</u>	Abstract of Release as to Pierre Rogers (jni) (Entered: 07/01/2022)
07/01/2022	<u>8</u>	ORDER REQUIRING DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Pierre Rogers - Signed by MAGISTRATE JUDGE ROM TRADER on 7/1/2022. (jni) (Entered: 07/01/2022)

MINUTES

CASE NUMBER: 1:22-MJ-01130-KJM-1
CASE NAME: United States of America v. (1) Pierre Rogers
ATTYS FOR PLA: KeAupuni Akina
ATTYS FOR DEFT: Maximilian Mizono
U.S. Pretrial Officer: Erin Patrick

JUDGE:	Rom Trader	REPORTER:	FTR - Courtroom 5
DATE:	07/01/2022	TIME:	1:02 - 1:19 p.m.

COURT ACTION: EP: INITIAL APPEARANCE - RULE 5 as to DEFENDANT (1)
PIERRE ROGERS held.

Defendant present and in custody.

Appointment of Counsel:

Defendant sworn to Financial Affidavit. Court appoints Maximilian Mizono and the Office of the Federal Public Defender.

Initial Appearance:

Mr. Mizono represents having reviewed the charges with Defendant. Defendant acknowledges general understanding of the charges. Mr. Mizono represents that Defendant waives Identity Hearing and production of the warrant. Court conducts colloquy with Defendant to confirm waiver of Identity Hearing and production of warrant. Court finds Defendant knowingly, voluntarily and intelligently waives right to Identity Hearing and production of warrant. Fully executed Waiver of Rule 5 & 5.1 Hearings submitted to the Court.

Defendant is ORDERED to appear before the District of New Hampshire on July 11, 2022 at 2:30 p.m. (EDT), unless otherwise ordered by the Court.

Detention Hearing:

Government confirms no motion to detain was filed and agrees with recommendation of

Pretrial Services. Defendant concurs.

Court adopts the recommendation of Pretrial Services and orders defendant released on an unsecured bond in the amount of: **\$50,000.00** with the following conditions:

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services. You are required to inform Pretrial Services within 24 hours of any contact with law enforcement, including but not limited to, any arrest, questioning (excludes instant offense), or traffic stop.
- (7g1) Surrender any passport and all travel documents to the U.S. Pretrial Services Office. Do not apply for/obtain a passport. If not convicted, the passport will be returned to the defendant unless needed for evidentiary purposes. If convicted, Pretrial Services will transfer the passport to the U.S. Probation Office upon disposition of this case unless otherwise directed by the Court. Surrender no later than: **July 13, 2022**.
- (7h2) Travel is restricted to **State of Hawaii, the State of California, and the State of New Hampshire for Court purposes only**.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services. **Surrender firearms by July 13, 2022 and provide verification to Pretrial Services**.
- (8n) Provide Pretrial Services with any and all requested financial information regarding your financial status including, but not limited to: employment and all sources of income, bank accounts, assets and liabilities, and investments. You are required to sign and execute an Authorization to Release Financial Information as requested by Pretrial Services.
- (8o) Pretrial Services is authorized to run credit reports on a random and "as needed" basis during the course of supervision to ensure compliance with pretrial release conditions. You are required to sign and execute any necessary release forms including, but not limited to an Authorization to Release Financial Information, as requested by Pretrial Services.
- (8p) You are prohibited from applying for or receiving any loans or lines of credit, unless otherwise **disclosed in writing** to Pretrial Services.
- Other Conditions: **Appear as instructed for arraignment in the U.S. District Court for the District of New Hampshire**.

In addition to the Special Conditions of Release as specified above, Defendant is subject to the following conditions:

- Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.
- Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
- Defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.

The Court reviewed the above release conditions with Defendant. Defendant advised of possible adverse action for failure to comply with any condition, to include issuance of a warrant for Defendant's arrest, revocation of release status and detention pending trial. Defendant acknowledged understanding the foregoing release conditions, his obligation to comply, and the consequences of violating any conditions of release.

These minutes will serve as the conditions of bond.

Defendant to be released forthwith on conditions of pretrial release as provided above.

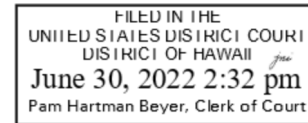
Court to prepare Abstract of Release.

Due Process Protection Act Advisory:

The Court orders the United States to comply with its disclosure obligations under *Brady v. Maryland* and its progeny. Failing to timely do so may result in consequences such as sanctions, adverse jury instructions, exclusion of evidence, and dismissal of charges. This order incorporates the provisions of the Court's February 1, 2021 General Order Regarding Rule 5(f).

Submitted by: Lian Abernathy, Courtroom Manager

CLARE E. CONNORS #7936
Acting United States Attorney
District of Hawaii



MOHAMMAD KHATIB
Assistant U.S. Attorney
Room 6100, PJKK Federal Building 300 Ala Moana Blvd.
Honolulu, Hawaii 96850
Telephone: (808) 440-9227
Facsimile: (808) 541-2958
E-mail: mohammad.khatib@usdoj.gov

Attorneys for the
United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	MAG. NO. 22-1130 KJM
	)	
Plaintiff,	)	CR. NO. 22-74-PB-1 (DNH)
	)	
vs.	)	DECLARATION OF
	)	DANIEL BOTTY;
PIERRE ROGERS,	)	EXHIBITS 1 and 2
	)	
Defendant.	)	
	)	

DANIEL BOTTY, declares and states as follows:

1. I am a Deputy U.S. Marshal with the United States Marshal Service for the District of Hawaii.
2. Attached hereto and incorporated herein by reference as “Exhibit 1” is a true and correct copy of an arrest warrant issued on June 29, 2022, by the District

of New Hampshire for the above-named defendant, Pierre Rogers, Criminal Case 22-cr-74-PB-1.

3. Attached hereto and incorporated herein by reference as “Exhibit 2” is a true and correct copy of an indictment issued on June 27, 2022, by the District of New Hampshire for the above-named defendant, Pierre Rogers, Criminal Case 22-cr-74-PB-1.

4. On June 30, 2022, Pierre Rogers verbally identified himself, displayed his driver’s license, and self-surrendered to U.S. Marshals personnel.

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

Executed on June 30, 2022, at Honolulu, Hawaii.

A handwritten signature in cursive script, reading "Daniel Botty", written in black ink on a white background.

Daniel Botty
Deputy U.S. Marshal

Exhibit 2

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of New Hampshire

RECEIVED**JUN 29 2022****US MARSHALS SERVICE**

United States of America

v.

Pierre Rogers

Defendant

Case No. 22-cr-74-PB-1

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)* Pierre Rogers

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:

Counts 1, 3, 4, and 5: (18 U.S.C. §§1344,2) Bank Fraud
 Count 7: (18 U.S.C. §§1343,2) Wire Fraud
 Count 9: (18 U.S.C. §§1349,1343,2) Attempted Wire Fraud
 Count 10: (18 U.S.C. §1957) Money Laundering

Date: 06/29/2022City and state: Concord, New Hampshire*Issuing officer's signature*Megan Cahill, Deputy Clerk*Printed name and title*

REC'D USM/HI 06/30/22 1047

Return

This warrant was received on *(date)* 06/30/2022, and the person was arrested on *(date)* 06/30/2022
 at *(city and state)* Honolulu HI

Date: 06/30/2022*Arresting officer's signature*

Daniel Botry DUSM
Printed name and title

UNITED STATES DISTRICT COURT

for the

District of HawaiiFILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

United States of America

v.

Case No.

JUL - 1 2022

Pierre Roger

Defendant

Charging District's Case No.

at 1 o'clock and 21 min. P.
CLERK, U.S. District CourtWAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

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

New HampshireDistrict of

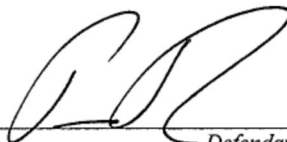
I have been informed of the charges and of my rights to:

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

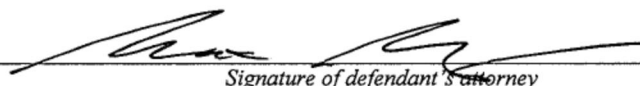
I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☒ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
- ☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.
- I do not waive hearings in D. of New Hampshire*

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 7/1/22

Defendant's signature



Signature of defendant's attorney

Max Mizono

Printed name of defendant's attorney

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
District of Hawaii

United States of America

(01) PIERRE ROGERS

Defendant

Case No. 1:22-mj-01130-KJM-1

Charging District: District of New Hampshire

Charging District's Case No. 22-cr-74-PB(1/2)

**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 New Hampshire
55 Pleasant Street
Concord, NH 03301-3941

Courtroom No.:

Date and Time: 7/11/2022 2:30 pm

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: 07/01/2022



Rom A. Trader
United States Magistrate Judge