U.S. District Court
Western District of Kentucky (Bowling Green)
CRIMINAL DOCKET FOR CASE #: 1:21−mj−00014−HBB All Defendants

Case title: USA v. Bauer
Date Filed: 01/15/2021
Other court case number: 1:21−mj−00059 USDC, District of Columbia

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Assigned to: Magistrate Judge H. Brent Brennenstuhl

Defendant (1)

Robert L. Bauer

Pending Counts	**Disposition**
None	

Highest Offense Level (Opening)

None

Terminated Counts	**Disposition**
None	

Highest Offense Level (Terminated)

None

Complaints	**Disposition**
Removal from District of Columbia	

Plaintiff

USA

represented by **Madison T. Sewell**
U.S. Attorney Office − Bowling Green
241 East Main Street, Suite 305
Bowling Green, KY 42101
270−243−4938
Email: madison.sewell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text

01/15/2021			Arrest (Rule 5) of Robert L. Bauer (CDF) (Entered: 01/19/2021)
01/15/2021	1		Rule 5 Documents Received from District of Columbia, Case Number 1:21−mj−00059, as to Robert L. Bauer (Attachments: # 1 Rule 5 Documents) (CDF) (Entered: 01/19/2021)
01/15/2021	2		Case Assignment: Case Assigned to Magistrate Judge H. Brent Brennenstuhl. (CDF) (Entered: 01/19/2021)
01/15/2021	3	5	Appearance Bond Entered as to Robert L. Bauer in amount of $25,000 unsecured, with Order Setting Conditions of Release. (CDF) (Entered: 01/19/2021)
01/15/2021	4		SEALED DOCUMENT re 1 Rule 5 Documents Received (CDF) (Entered: 01/19/2021)
01/15/2021			Proceedings held before Magistrate Judge H. Brent Brennenstuhl: Initial Appearance in Rule 5(c)(3) Proceedings as to Robert L. Bauer held on 1/15/2021 (Court Reporter − digitally recorded.) (CDF) (Entered: 01/21/2021)
01/21/2021	5	3	ORDER by Magistrate Judge H. Brent Brennenstuhl on 1/20/2021 as to Robert L. Bauer. Defendant's initial appearance held after execution of an arrest warrant issued by the District of Columbia, Case Number: 1:21mj−00059−ZMF. Proceedings digitally recorded. Defendant advised the Court he will retain counsel in this matter. Defendant WAIVES his right to Court−appointed counsel. Defendant advised the Court he waives his right to an identity hearing. Defendant released on a $25,000.00 unsecured Appearance Bond along with Order Setting Conditions of Release pending all further proceedings in this matter. IT IS ORDERED the Defendant shall appear before United States Magistrate Judge Zia M. Faruqui at the United States District Court for the District of Columbia on Thursday, January 21, 2021, at 1:00 pm, EST, via videoconference (Zoom). cc: Counsel; Robert L. Bauer; USP; USDC, DC (CDF) (Entered: 01/21/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY
BOWLING GREEN DIVISION

UNITED STATES OF AMERICA	)	
PLAINTIFF	)	**Criminal Action No. 1:21mj-00014-HBB**
v.	)	H. BRENT BRENNENSTUHL,
	)	Magistrate Judge
ROBERT L. BAUER	)	
DEFENDANT	)	

ORDER

On the 15TH day of January 2021, this action came before the undersigned, via videoconference, upon Defendant's initial appearance after execution of an arrest warrant issued by the District of District of Columbia, Case Number: 1:21mj-00059-ZMF. There appeared the Defendant, Robert L. Bauer, in custody, via video, from the Office of the Federal Bureau of Investigations. Assistant United States Attorney Madison T. Sewell was present, via video, for the United States of America. The Defendant consented to have this hearing conducted via videoconference. The proceedings were digitally recorded.

The Defendant acknowledged receipt of the Complaint and acknowledged an understanding of the charges contained therein. The Defendant was advised of his Constitutional rights including his right to be represented by counsel. The Defendant advised the Court he will retain counsel in this matter. The Defendant thereby WAIVES his right to Court-appointed counsel.

The Defendant was advised of his rights with respect to Rule 5 proceedings as well as his right to request transfer of the proceedings to this District pursuant to Rule 20 of the Federal Rules of Criminal Procedure to plead guilty as to the charges. The Defendant advised the Court he waives his right to an identity hearing.

As to the matter of detention, counsel for the United States advised the Court the United States is not seeking detention in this action. The Court having heard statements from the United States, having conferred with the United States Probation Officer and being otherwise sufficiently advised;

IT IS ORDERED the Defendant shall be released on a $25,000.00 unsecured Appearance Bond along with Order Setting Conditions of Release pending all further proceedings in this matter.

IT IS ORDERED the Defendant shall appear before United States Magistrate Judge Zia M. Faruqui at the United States District Court for the District of Columbia on **Thursday, January 21, 2021, at 1:00 pm, EST,** via videoconference (Zoom).

ENTERED this January 20, 2021

H. Brent Brennenstuhl
H. Brent Brennenstuhl
United States Magistrate Judge

Copies to: AUSA Madison T. Sewell
United States Probation
US District Court, District of Columbia

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FILED
JAMES J. VILT, CLERK
JAN 15 2021
U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY

AO 98 (Rev. 12/11) Appearance Bond

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

United States of America)
v.)
ROBERT L. BAUER) Case No. 1:21MJ-14-HBB
Defendant)

APPEARANCE BOND

Defendant's Agreement

I, Robert L. Bauer *(defendant)*, agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

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

Type of Bond

( ) (1) This is a personal recognizance bond.

(X) (2) This is an unsecured bond of $ 25,000.00 .

( ) (3) This is a secured bond of $ _____ , secured by:

( ) (a) $ _____ , in cash deposited with the court.

( ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property *(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value)*:

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

( ) (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety)*:

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

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: 1/15/2021

Robert Baum
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: 1-15-21

Kelly Powell
Signature of Clerk or Deputy Clerk

Approved.

Date: 1/19/21

Judge's signature

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

United States of America
v.
ROBERT L. BAUER
Defendant

Case No. 1:21MJ-14-HBB

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 42 U.S.C. § 14135a.

(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: U.S. District Court, District of Columbia
Place

DIAL IN TO ZOOM LINK FOR APPEARANCE BEFORE MAGISTRATE JUDGE FARUQUI

on 1/21/2021 1:00 pm
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

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

(☐) (6) The defendant is placed in the custody of:
Person or organization _____
Address *(only if above is an organization)* _____
City and state _____ Tel. No. _____
who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____ _____
Custodian *Date*

(☑) (7) The defendant must:
(☐) (a) submit to supervision by and report for supervision to the _____,
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: _____
_____
(☐) (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) This form of location monitoring shall be utilized to monitor the following restriction on the defendant's movement in the community as well as other court-imposed conditions of release.
(☐) (i) **Curfew.** You are restricted to your residence every day from to or as directed by the supervising officer.
(☐) (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 as pre-approved by the supervising officer.
(☐) (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical necessities and court appearances or other activities specifically approved by the Court.
(☐) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
(☐) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
(☐) You must comply with the technology requirements and the form of Location Monitoring as indicated below.
(☐) Location Monitoring Equipment To Be Used:
(☐) Location monitoring technology at the discretion of the officer
(☐) Radio Frequency (RF) Monitoring
(☐) Active GPS Monitoring
(☐) Voice Recognition
(☐) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
(☐) (s) The defendant shall contribute to the United States Probation Office's cost of services rendered based upon his/her ability to pay as reflected in his/her monthly cash flow as it relates to the court-approved sliding scale fee.

(X) (t) Shall not enter any State or Federal Capitol grounds.

(X) (u) Shall not attend or participate in any public protest or rally

( ) (v) _____

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.

Robert Bauer
Defendant's Signature

Bowling Green KY
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: 1/19/21

Judicial Officer's Signature

H. BRENT BRENNENSTUHL, Magistrate Judge
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL