

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA

ARRAIGNMENT AND PLEA MINUTES

v.

BRYAN S. PETERSON

Case No. **24-CR-57**

HONORABLE JAMES R. SICKEL presiding
Deputy Clerk: Kyle
Hearing Held: March 13, 2024

Hearing Began: 1:36 p.m.
Hearing Ended: 1:54 p.m.
Tape Number: 031324

Appearances:

UNITED STATES OF AMERICA by:
BRYAN S. PETERSON by:

Daniel R. Humble
Krista A. Halla-Valdes
☒ FDS ☐ CJA ☐ RET
Robert S. Herman
None

U.S. PROBATION OFFICE by:
INTERPRETER: ☐ None ☐ Sworn

Defendant appears in person.

☒ Original Indictment ☐ Superseding Indictment ☐ Information ☒ Felony ☐ Misdemeanor

Speedy Trial Date: May 22, 2024
Final Pretrial Conf.: May 6, 2024 at 1:30 p.m.
Jury Trial Date: May 20, 2024 at 8:30 a.m.
Trial Length Estimate: 2 days

District Judge: William C. Griesbach
Magistrate Judge: William E. Duffin
Motions Due: 3/28/2024
Responses Due: 4/8/2024
Replies Due: 4/15/2024

<input checked="" type="checkbox"/> Defendant advised of rights	<input checked="" type="checkbox"/> Government to disclose grand jury materials one day prior to trial
<input checked="" type="checkbox"/> Court orders counsel appointed	<input type="checkbox"/> Oral Motion for Complex Designation
<input checked="" type="checkbox"/> Defendant advised of charges, penalties, and fines	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input checked="" type="checkbox"/> Copy of indictment received by defendant	<input type="checkbox"/> Referred to William E. Duffin
<input checked="" type="checkbox"/> document read <input checked="" type="checkbox"/> further reading waived	<input type="checkbox"/> Case designated complex
<input checked="" type="checkbox"/> Not guilty plea entered by: <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Court	<input checked="" type="checkbox"/> Expanded discovery policy applies

THE COURT ORDERS that pursuant to Federal Criminal Rule of Procedure 5(f) the government must produce all exculpatory information to the defendant(s) as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny. Failure to comply with this order in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings.

Maximum Penalties:

Counts 1 & 2 – SENT: 5-year MM–20 years; SR: 5 years–Life; Fine: \$250K; SA: \$100.00

☒ Detention hearing held.
☒ Defendant released on: ☒ O/R bond; ☐ Cash bond; ☐ Property bond; ☒ with conditions.
SEE Order Setting Conditions of Release.

UNITED STATES DISTRICT COURT
for the
Eastern District of Wisconsin

UNITED STATES OF AMERICA)

v.)

BRYAN S. PETERSON)

Defendant)

Case No. 24-CR-57

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: _____

(Place)

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 Pretrial Services and report for supervision as directed.
 - (☐) (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:
 Travel restricted to the State of Wisconsin. _____
 - (☒) (g) refrain from direct or indirect contact with the victim(s), witness(es), or family of victim(s) or witness(es). _____
 - (☐) (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) participate in a program of testing for drug and alcohol abuse as approved by the Pretrial Services Officer.
 - (☐) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer. 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.
 - (☒) (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) The defendant shall not have any unsupervised contact with children under the age of 18.
- (☒) (u) The defendant shall not possess or use a computer with access to any on-line computer service at any location (including employment) without the prior approval of the pretrial services officer.
- (☐) (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.

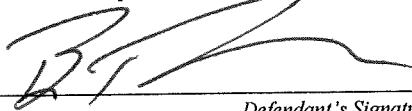
A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

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.

3-13-24

Date of Defendant's Signature



Defendant's Signature

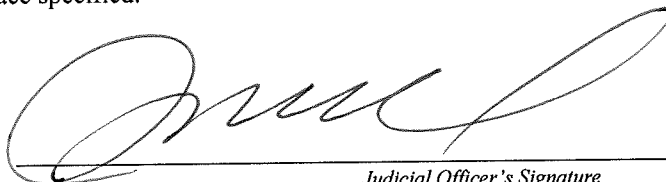
GREEN BAYWISCONSIN

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: March 13, 2024

Judicial Officer's Signature

James R. Sickel, United States Magistrate Judge

Printed name and title