

County Court, City and County of Denver, Colorado Lindsey-Flanigan Courthouse, Room 160 520 W. Colfax Ave. Denver, CO 80204	▲ COURT USE ONLY ▲ Case Number: _____ Div.: Criminal Ctrm: _____
Plaintiff: The People of the State of Colorado Defendant: ERIC PATRICK BRANDT	
DARRYL F. SHOCKLEY, Reg. No. 34651 Chief Deputy District Attorney For: Mitchell R. Morrissey, Reg. No. 13784 District Attorney 201 West Colfax Ave., Dept. 801 Denver, CO 80202 Phone Number: 720-913-9000 Fax Number: 720-913-9035	
COMPLAINT AND INFORMATION	

SEVEN CHARGES:

- COUNT 1: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 2: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 3: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 4: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 5: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 6: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**
- COUNT 7: JURY TAMPERING, C.R.S 18-8-609 (F5) {26052}**

**ECONOMIC CRIMES
AT LARGE**

**CO-DEFENDANT: MARK IANNICELLI
(DOB: 05/05/1959)**

Warrant Requested

Bond set at: \$ _____ Judge: _____ Date _____
Signature

Mitchell R. Morrissey, District Attorney for the Second Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed, or triable, in the county of Denver:

COUNT 1: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 2: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 3: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 4: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 5: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 6: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

COUNT 7: JURY TAMPERING (F5)

On or about July 27, 2015, ERIC PATRICK BRANDT, with intent to influence a juror's vote, opinion, decision, and other action in a case, namely: JURY POOL MEMBER, unlawfully and feloniously attempted directly and indirectly to communicate with [REDACTED], a juror, other than as a part of the proceedings in the trials of the case; in violation of section 18-8-609, C.R.S.

All offenses against the peace and dignity of the People of the State of Colorado.

County Court, City and County of Denver, Colorado Lindsey-Flanigan Courthouse, Room 160 520 W. Colfax Ave. Denver, CO 80204	Filed in the County Court City & County of Denver, Colorado
Plaintiff: The People of the State of Colorado Defendant: ERIC PATRICK BRANDT (DOB: 11/19/1971) Race: <u>White</u> Gender: <u>Male</u> Height: <u>6'00"</u> Weight: <u>220 lbs.</u> Hair: <u>Brown</u> Eye: <u>Brown</u>	AUG 07 2015 CLERK OF COURT ▲ COURT USE ONLY ▲ Case Number: <u>15CR04212</u>
Div.: Criminal Ctrm: <u>2100/5D</u>	
SUPPORTING AFFIDAVIT FOR ARREST WARRANT	

I, DAVID A DAWSON, of lawful age do swear upon my oath to the facts set forth below and on 3 continuation pages:

Your affiant, DAVID A DAWSON, an investigator for the Denver District Attorney's Office, Economic Crime Unit, was assigned to investigate allegations of Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S. and Jury Tampering in violation of 18-8-609, C.R.S. by **ERIC PATRICK BRANDT** against [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

On July 27, 2015, Denver Police Officer Brian D. Mudloff and Denver Police Sergeant Larry N. Valencia were dispatched to the Lindsey-Flanigan Courthouse located at 520 West Colfax Avenue in the City and County of Denver to assist Denver Police Sergeant Lenderink with an arrest of two individuals who were contacting jurors.

Officer Mudloff was advised by Denver Police Sergeant Bradly Lenderink that at least two jurors had been contacted and presented with fliers by the individuals later identified as Kathleen Cole and Mark Iannicelli.

Denver Police Captain S. Carter came out of the courthouse and advised Sergeant Valencia and Officer Mudloff that the black female sitting near the front doors of the courthouse and the white male on the sidewalk who was holding a sign that said "Fuck Cops", were the two people who had been handing out the literature.

Sergeant Valencia and Officer Mudloff contacted and advised the black female who identified herself as Kathleen Cole, date of birth May 15, 1986, that they had received a report that she had been handing out literature to potential and sitting jurors. Cole was sitting near the vehicle barriers in front of the main doors to the courthouse. Next to Cole was a cardboard stand which read "Juror Information" on which was a stack of fliers. Cole advised Officer Mudloff and Denver Police Sergeant Larry N. Valencia that she was watching the property (cardboard stand and fliers) for a friend who she said was inside the courthouse.

Sergeant Valencia then contacted the white male and advised him that the Denver Police Department was conducting an investigation into possible jury tampering and requested identification from the white male. The white male told Sergeant Valencia that he did not have to give him (Sergeant Valencia) any identification and that he was exercising his constitutional rights. Sergeant Valencia advised the white male that he was not being contacted for the sign he was holding, but for the fliers on the cardboard stand that said Juror Information. Sergeant Valencia pointed out the cardboard stand and the fliers to the white male who said that they (cardboard stand and fliers) were his. Sergeant Valencia again asked the white male for his identification and again the white male refused to produce any identification or provided his name. At that point Sergeant Valencia placed the white male under arrest. The white male was subsequently identified as Mark Iannicelli, date of birth May 5, 1959.

The fliers on the cardboard stand that said "Jury Information" were titled "All You Need to Know About Jury Nullification."

While still in the area in front of the courthouse, Sergeant Valencia was contacted by another white male wearing a green t-shirt who subsequently identified himself as Eric Brandt, November 19, 1971, with the words "Fuck Cops" on the front of it approached Sergeant Valencia and said that's mine, I will take it", referring to the cardboard stand. Sergeant Valencia directed the white male to go over to the car (Police car) because the unidentified white male had just informed him (Sergeant Valencia) that he was involved in the situation and the white male attempted to walk away and was restrained by Sergeant Valencia. Sergeant Valencia walked the white male to the police car and when he released the white male, the white male attempted to grab the sign. The sign with the words "Fuck Cops" was released to Eric Brandt who claimed ownership of the sign.

Denver Police Captain Steven W. Carter responded to the Lindsey-Flanigan Courthouse with Sergeant Lenderink to assist in the arrest of individuals who were handing out fliers to prospective jurors outside of the courthouse. Captain Carter had been advised that the fliers being handed out by the individuals had been reviewed by members of the Denver District Attorney's Office and determined the language contained in the fliers would be in violation of the Colorado Revised Statute regarding tampering with a juror .

Captain Carter went into the courthouse and contacted the Jury Commissioner who confirmed

that the individuals present in front of the courthouse today were the same individuals who had been at the courthouse on Friday, July 24, 2015 handing out the same fliers.

Captain Carter then went into the juror waiting room and asked if anyone present had been contacted by the individuals outside this morning. Eighteen people said that as they approached the building (courthouse) they were asked by one or more of the suspects if they were reporting for jury duty and when they responded in the affirmative, they were given one of three fliers. One of the jurors provided Captain Carter with the flier which was titled, "Your Jury Rights: True or False? What rights do you have as a juror that THE JUDGE WON'T TELL YOU" "All You Need To Know About Jury Nullification (but were prevented from hearing)" and "Distributing FIJA Literature in Front of Courthouses."

On July 27, 2015, I met with Denver Police Detective William Csikos at the Denver Police Department in reference to a complaint of jury tampering that had occurred at the Denver Lindsey-Flanigan Courthouse today, between approximately 8:30 a.m. and 11:00 a.m. Denver Police Department case report number 2015-424309.

Detective Csikos provided me with 14 Denver Police Department statement forms completed by 14 potential jurors each of whom had been contacted by at least one of the suspects in this case who were identified as Mark Iannicelli and Eric Brandt. A third suspect identified as Kathleen Cole was not described by any of the potential jurors as having handed information to any of the jurors.

Detective Csikos also provided me with a Denver Police Department statement form completed by Denver Jury Commissioner LeAnna L. Mosher who had witnessed two of the three protesters present on July 27, 2015 as having been at the courthouse on July 24, 2015.

On July 27, 2015, between 8:30 a.m. and 11:00 a.m. Eric Patrick Brandt while outside of the Lindsey-Flanigan Courthouse located at 520 West Colfax Avenue in Denver, Colorado. Brandt contacted [REDACTED] as they each approached the main doors of the Lindsey-Flanigan Courthouse. Brand asked each of these individuals if they were coming to the court for jury duty. When each of these individuals answered in the affirmative, Brandt handed each of them a paper titled All You Need To Know About Jury Nullification.

During the time the suspects were present in front of the Lindsey-Flanigan Courthouse, both potential jurors and jurors seated for the criminal case involving Dexter Lewis, case number 12CR4743 a death penalty case was in progress and juror members for that case would be expected to be arriving.

Based on the foregoing, your affiant respectfully requests that an At Large Warrant be issued for the arrest of **ERIC PATRICK BRANDT**, DOB: 11/19/1971 for Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S., Jury Tampering in violation of 18-8-609, C.R.S. and Jury Tampering in violation of 18-8-609, C.R.S..

I affirm this information to be true and correct.

Dale P. Ruston
AFFIANT

Subscribed and Sworn to before me this 7th day of August, 2015, at the City and County of Denver, State of Colorado.

My commission expires: 4-10-18

LISA DURBANO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144015593
MY COMMISSION EXPIRES 4-10-2018

Lisa Durbano
NOTARY PUBLIC
201 West Colfax Ave., Dept. 801
Denver, CO 80202