

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	Criminal Action
	:	No. 1:23-mj-15
v.	:	
	:	
VINCENT JOSEPH SARIKEY,	:	January 12, 2023
	:	2:23 p.m.
	:	
Defendant.	:	
	:	
.....	:	

TRANSCRIPT OF DETENTION HEARING PROCEEDINGS
BEFORE THE HONORABLE IVAN D. DAVIS,
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

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AFTERNOON SESSION, JANUARY 12, 2023

(2:23 p.m.)

THE COURTROOM CLERK: *United States of America versus Vincent Joseph Sarikey*, Case Number 23-mj-185.

MS. RICHARDSON: Good afternoon, Your Honor. Jessica Richardson with Mr. Sarikey.

MS. WITHERS: Good afternoon. Laura Withers representing the United States.

THE COURT: Good afternoon. This matter was scheduled for a joint preliminary and detention hearing. Are the parties ready to proceed?

MS. WITHERS: Yes, Your Honor.

MS. RICHARDSON: Yes, Your Honor.

THE COURT: Government, you may call your first witness.

MS. WITHERS: United States calls Special Agent Hector Sepulveda.

MS. RICHARDSON: And, Your Honor, just so the Court is aware, Mr. Sarikey is waiving his preliminary hearing, and I do have a form for that to hand up to the Court.

THE COURT: Okay, then.

MS. RICHARDSON: I wasn't sure if we were proceeding with detention or how we were going forward.

MS. WITHERS: The government still intends to still call the special agent for detention purposes.

THE COURT: All right.

1 (HECTOR SEPULVEDA, GOVERNMENT'S WITNESS, SWORN)

2 DIRECT EXAMINATION OF HECTOR SEPULVEDA

3 BY MS. WITHERS:

4 Q. Would you please state and spell your name for the
5 record?

6 A. Hector Sepulveda, H-E-C-T-O-R; last name Sepulveda,
7 S-E-P-U-L-V-E-D-A.

8 Q. You're a special agent with the FBI?

9 A. I am.

10 Q. Are you the primary agent assigned to this matter?

11 A. I am.

12 Q. In the course of your investigation, have you become
13 familiar with a Vincent Sarikey?

14 A. I have.

15 Q. Do you see him in the courtroom today?

16 A. I do.

17 Q. Would you please identify him by what he is wearing and
18 where he is sitting?

19 A. He's sitting right next to counsel, and he's wearing a
20 green Alexandria Jail uniform.

21 MS. WITHERS: If the record could reflect that the
22 witness has identified the defendant.

23 THE COURT: The record will so reflect.

24 BY MS. WITHERS:

25 Q. Did you offer an affidavit in support of a criminal

1 complaint and arrest warrant in this case?

2 **A.** I did.

3 MS. WITHERS: Your Honor, given the defense's
4 stipulation, at this time I would ask to present to the Court
5 what's been marked as Government's Exhibit 1 filed as Pacer
6 Documents 1 and 2?

7 THE COURT: Any objections?

8 MS. RICHARDSON: No objection, Your Honor.

9 MS. WITHERS: I would ask to pass up a copy to the Court
10 and a copy to the witness, if that's okay.

11 THE COURT: So admitted.

12 (Government's Exhibit 1 admitted into the record.)

13 BY MS. WITHERS:

14 **Q.** Is this the affidavit that you prepared?

15 **A.** It is.

16 **Q.** Do you have any corrections that you need to make to it?

17 **A.** I don't.

18 MS. WITHERS: Your Honor, at this time we would move to
19 admit Government's Exhibit 1.

20 MS. RICHARDSON: No objection, Your Honor.

21 THE COURT: So admitted.

22 (Government's Exhibit 1 admitted into the record.)

23 MS. WITHERS: I have nothing further as to probable cause,
24 but I do wish to highlight a few points for detention.

25 THE COURT: All right. You may proceed.

1 BY MS. WITHERS:

2 Q. I would like to start by directing your attention to
3 paragraph 32 of the affidavit. You identified John Lugne as the
4 defendant, correct?

5 A. I did.

6 Q. The tab said -- paragraph 32 described the defendant's
7 intent to groom his at the time unborn child?

8 A. It does.

9 Q. Has that child now been born?

10 A. It has.

11 Q. When you interviewed the defendant, what, if anything,
12 did he tell you about plans to groom his own child?

13 A. When asked during the interview, he claimed that this is
14 the way to infiltrate the groups and to pretend like he was into
15 that type of stuff.

16 Q. To be clear, the defendant distributed child pornography
17 as part of the same set of chats, correct?

18 A. He did.

19 Q. Did you generally ask the defendant about whether he has
20 a sexual interest in children?

21 A. We did.

22 Q. What did he tell you?

23 A. He doesn't.

24 Q. Was that response consistent with what you learned during
25 the course of your investigation?

1 A. It is not.

2 Q. In the course of your investigation, did you identify
3 evidence of inappropriate interest in minor girls within the
4 defendant's orbit?

5 A. Yes.

6 Q. Let's start with photographs and a video that the
7 defendant took of minors in his community. Could you briefly
8 describe some of the evidence that you found?

9 A. Sure. During the review of the cell phone, I found
10 several series of images and videos that looked to have been
11 taken from Mr. Sarikey's residence in Reston -- in Herndon,
12 sorry.

13 Some of those images are taken from inside of the
14 residence from a higher level, and they depict young-looking
15 females from inside the house. So, for example, one of the
16 videos shows a young-looking female walking behind his
17 residence. Several of the series relate to what looks to be the
18 neighbor across the fence line, about 14 pictures of that, and
19 then there's a series of images that are taken of two
20 young-looking females from outside of a window.

21 Q. Did you also find at least one photo of a minor female
22 taken in public?

23 A. I did. There is a --

24 Q. Please describe that.

25 A. Sure. There is a photo taken that is focused in

1 the fence area of a young-looking female, and she was wearing
2 short-shorts, short pants.

3 Q. Let's turn to some photos that you found of what appear
4 to be a minor female in the defendant's family. Could you
5 please describe some of those photographs?

6 A. Sure. During the review, I saw a series of pictures
7 taken at what looks to be a family gathering. I could identify
8 the defendant's wife in that photo.

9 During that photo there's a series of -- during that
10 event, there's a series of photos that are focussed around a
11 young female that was wearing a hoodie that had the words
12 "stumpin" {ph} and "cheer", and several of those images are
13 focused around the backside area of that female.

14 Q. The same day that those photos were taken, did you see
15 searches on the defendant's phone that gave you pause?

16 A. I did. The defendant searched for stumpin, river cheer
17 and cheerleading, and the name of what I believe to be a female.
18 And then also, prior to that, searched for ways to edit pictures
19 to try to highlight the underwear of the person in that image
20 and also how to create x-ray-like photos of persons using a
21 photo.

22 Q. This was all the same day?

23 A. Correct.

24 Q. I would like to direct your attention briefly to
25 paragraphs 59 through 63 of the affidavit. At the end of the

1 affidavit there is a minor victim that's been positively
2 identified, correct?

3 A. Correct.

4 Q. The material in paragraphs 59 through 63 of the
5 affidavit, does that relate to a different victim?

6 A. It does.

7 Q. Has that victim been identified yet?

8 A. She has not.

9 Q. Directing your attention to paragraphs 57 and 58, as
10 explained in the affidavit, you have cyber training and
11 experience, correct?

12 A. I do.

13 Q. Looking at paragraphs 57 and 58, you're talking about
14 these L drive files that you found, and you indicate that you've
15 been unable to locate the L drive?

16 A. Correct.

17 Q. Can you expand on what the importance of that statement
18 is?

19 A. Sure. What that means is that at this point we have not
20 identified where Mr. Sarikey keeps his child pornography
21 collection.

22 Q. The collection that's identified in the L drive?

23 A. Correct.

24 Q. In addition to the items that you did find as identified
25 in the affidavit?

1 A. Correct.

2 Q. Okay. Taking a step back, what is the defendant's
3 profession?

4 A. Mr. Sarikey indicated he's a penetration tester.

5 Q. What does that mean in layperson's terms?

6 A. It's a person that exploits weaknesses and
7 vulnerabilities on computer systems to try to obtain access, and
8 then in typical work he would then build defenses for that.

9 Q. During the course of your investigation, did you learn
10 about various places that Mr. Sarikey has worked?

11 A. I did.

12 Q. And what were some of those places?

13 A. When interviewed, Mr. Sarikey indicated he worked for a
14 contractor that does services for the IRS and that previously he
15 had worked for a contract that also did services for the FBI.

16 Q. Did Mr. Sarikey have a clearance of any kind?

17 A. He did.

18 Q. What did he have?

19 A. A Top Secret.

20 Q. During your review of the electronic evidence in this
21 case, and given your own history, did you conclude anything
22 about the defendant's technical expertise with respect to
23 covering his tracks in this case?

24 A. I did. I believe Mr. Sarikey to be competent and capable
25 of covering his tracks. He uses several programs that are used

1 to read digital evidence and also uses encryption software to
2 store data.

3 Q. Would you describe him as having a sophisticated level of
4 knowledge about computers?

5 A. Yes.

6 Q. In the course of your investigation, did you learn
7 anything about the defendant's mental health and suicidal
8 ideation?

9 A. I did. We received a phone call from a third party that
10 told us that this person had communicated with a mutual friend,
11 and that mutual friend was stating that Mr. Sarikey had told
12 that person that there were -- there were -- that he was
13 thinking of committing suicide prior to the trial.

14 Q. And this was after the search warrant?

15 A. Correct.

16 Q. As a result of that conversation, was it your intention
17 to arrest the defendant and not allow him to self-surrender?

18 A. Correct.

19 Q. When you do an arrest, you start surveillance, correct?

20 A. We do.

21 Q. Approximately when did you start your pre-arrest
22 surveillance in this case?

23 A. Approximately the second day of this year.

24 Q. And when you went to do that surveillance, what was the
25 result?

1 A. We went to his residence, the residence of the search
2 warrant, and there was a new person moving into that residence
3 at the time.

4 Q. Were you able at that point to determine where the
5 defendant was living?

6 A. We suspected that he might have been {indiscernible}, and
7 so we initiated surveillance there and we never actually saw
8 him.

9 Q. So that's why he self-surrendered, because you could
10 never find him?

11 A. Correct.

12 Q. Did you take any steps with respect to the defendant's
13 wife to try to locate him?

14 A. We did. We tried calling her several teams.

15 Q. And what was the result?

16 A. That we never were able to communicate with her.

17 Q. Did you indicate to her at any time that you wanted to
18 interview her?

19 A. We did during the same day as the search warrant.

20 Q. And what was her response?

21 A. That she will get back to us, and we didn't actually get
22 a chance to talk to her.

23 MS. WITHERS: No further questions at this time.

24 THE COURT: Counsel.

25

CROSS-EXAMINATION OF HECTOR SEPULVEDA

BY MS. RICHARDSON:

Q. Just briefly. And maybe I missed this when you said it, but when was the first time that you attempted to find Mr. Sarikey to arrest him?

A. The -- it would have been during the first week after New Year's, so that Tuesday.

Q. Okay. And then just one final question: Was he cooperative with you during the search warrant?

A. He was.

Q. Thank you. No further questions.

THE WITNESS: Thank you.

THE COURT: Clarification. Where was the last place you went to search for Mr. Sarikey for purposes of arresting him?

THE WITNESS: We went first to his residence -- the previous residence -- the Herndon residence, and then we went to an address we obtained in Stockton, Virginia.

THE COURT: Was that on Woodley Road?

THE WITNESS: Correct.

THE COURT: And was that the residence that you believe you saw someone moving into?

THE WITNESS: No, the first residence.

THE COURT: The first residence. So what happened at the Woodley Road residence?

THE WITNESS: We did not see him there. We saw his wife

1 but not him.

2 THE COURT: Do the Court's questions elicit any further
3 questions from counsel?

4 MS. WITHERS: No, Your Honor. Thank you.

5 MS. RICHARDSON: No, Your Honor.

6 THE COURT: You may step down. Does the government have
7 any further evidence or witnesses concerning detention?

8 MS. WITHERS: No, Your Honor, only argument.

9 THE COURT: All right. You may proceed.

10 MS. WITHERS: Thank you, Your Honor. The government would
11 respectfully disagree with Pretrial Service's recommendation in
12 this case.

13 As the Court noted at the last hearing, this is a
14 presumption case. The defendant is facing significant penalties,
15 a mandatory minimum 15 years, and the evidence here is strong. I
16 would direct the Court to paragraphs 49 and 50 of the affidavit
17 where the defendant essentially confesses the conduct in this
18 case.

19 As noted in the Pretrial Services report, the defendant is
20 a flight risk. The nature of the charges and the penalties
21 create incidences to flee, as does the defendant's mental health
22 history.

23 The statements by the agent and the statements in the
24 Pretrial Service report both indicate mental health concerns in
25 this case, and none of the proposed conditions address the

1 day-to-day concerns about the defendant's personal safety.

2 He would essentially be home alone all day with no
3 in-person supervision. More importantly, though, the danger to
4 the community here is incredibly high.

5 Looking at the nature of the charges, we have one
6 confirmed minor victim the defendant was abusing over the
7 Internet, was enticing to send him material, was retrieving
8 material from, and then was distributing that material on to
9 others. We're still trying to locate at least one additional
10 victim. There could very well be more. This kind of conduct is
11 conduct that is often repeated, and certainly we don't want the
12 defendant reaching that victim before we reach that victim.

13 Also, I note the danger to the defendant's own child. He
14 claims that he was not intending to carry out the grooming
15 behavior that he was already contemplating three months before
16 her birth, but he also claimed to have no sexual interest in
17 minors, which is clearly not the case given that he was
18 soliciting sexually explicit material from minors, had a
19 significant collection, and was passing it on. And as the agent
20 noted, we still believe that we have not found his full
21 collection of child material.

22 The conditions in this case don't address that danger.
23 You know, we're talking about someone who is, for lack of a
24 better word, creeping on neighbor's children, children in public,
25 members of his own family. That's something that he could

1 continue to do. Although the proposed third-party custodian in
2 this case has agreed to removal of common area devices and to
3 lock up her own devices, I note she has a roommate who is in no
4 way -- apparently has not been interviewed. There's nothing in
5 the report about this person. Does that person have a firearm?
6 Is that person willing to go without common area devices? Is
7 that person willing to secure their devices? Does that person
8 have a minor child that comes to visit on the weekend? We know
9 nothing about that roommate.

10 Also, this is a defendant who had a lot of devices at the
11 time of the arrest. It's very easy to go get another device that
12 Pretrial Services doesn't know about and that they're not
13 monitoring. Monitoring only works if you're aware of the device
14 in the defendant's possession, and certainly, given the
15 defendant's significant computer skills, those checks can be
16 circumvented. It's really not that hard, and we're talking about
17 someone with a sophisticated level of technological knowledge who
18 is going to be staying home alone all day with nothing better to
19 do than figure out how to get around Pretrial Services'
20 monitoring software or get a device that they don't even know
21 about.

22 Turning to Ms. Simmons specifically, 22 is awfully young
23 to be a third-party custodian. We know nothing about the nature
24 of the relationship between Ms. Simmons and the defendant. He's
25 only been married to her cousin for two years. How well do they

1 know each other? What is the nature of this relationship? This
2 is someone who is expected to monitor the defendant's behavior.
3 We know nothing about that.

4 And, as noted above, there's nothing about the roommate
5 that's in the home.

6 I also note that Ms. Simmons indicated she could assist
7 with a financial bond, but there's no bond proposed. It seems to
8 me that that at least is an appropriate additional condition
9 because we're -- you know, if she truly feels that she is an
10 appropriate third-party custodian and she's willing to take on
11 this responsibility, then she should have some skin in the game.

12 But at the end of the day, the defendant is a significant
13 danger to the community. These conditions do not address that
14 danger, and he should remain detained.

15 THE COURT: Thank you.

16 MS. RICHARDSON: Good afternoon again, Your Honor.

17 Your Honor, I would argue that Mr. Sarikey is not a flight
18 risk, nor is he a danger to the community. Mr. Sarikey is 34
19 years old. He's from Buffalo, New York. He's been married for
20 two years to his wife, , who is here in the courtroom today
21 in support of him.

22 Your Honor, they have been together for 12 years total, so
23 they've been together a long time. They've just only been
24 married for two years.

25 They have a five-month-old daughter. They do reside in

1 Staunton, Virginia. Mr. Sarikey attended college in Indiana. He
2 has resided in Virginia for the past 12 years, and he does have
3 strong ties to the community.

4 Mr. Sarikey did surrender himself to the U.S. Marshals
5 earlier this week. What I will tell the Court, I do know that
6 Ms. Withers had been in contact with my boss, Mr. Anderson, a
7 little bit before I became involved, but what I do know is when
8 Ms. Withers and Mr. Anderson spoke, I then called Mr. Sarikey,
9 let him know what was going on. He put a little bit of money
10 together, he retained -- I think that was maybe on Friday -- and
11 we arranged with the U.S. Marshals to have him turned in.

12 I will tell the Court that he had moved from the address
13 in which the search warrant was executed to a new address, and
14 that when I spoke to him, he informed me that he had no idea he
15 had a warrant, he had no idea people were looking for him, and he
16 was at home with his wife. So I'm not sure kind of where that
17 went, but what I will tell the Court is that as soon as we
18 figured out what was going on, we worked with Mr. Sarikey to get
19 us retained and to get him turned in earlier this week.

20 Your Honor, since he does have a child at home, given the
21 nature of these charges, we understand that he will most likely
22 not be permitted to live in his home if he is released. Given
23 that understanding, I have been speaking with Ms. Simmons,
24 Mr. Sarikey's wife's cousin. She is an adult. I understand 22
25 is young, but she is an adult, Your Honor, a responsible adult.

1 She has no criminal history. She is a U.S. citizen, and she
2 resides in Staunton, Virginia, and she has indicated to me that
3 she has no minor children and that no minor children are ever
4 present in her home.

5 Your Honor, she is willing to allow Mr. Sarikey to live
6 with her during the pendency of this case. She's also indicated
7 that she's willing to serve as a third-party custodian, willing
8 to contribute to bond, and willing to allow installation of
9 electronic monitoring in her home if the Court orders that
10 condition.

11 Pretrial Services has also approved her as a suitable
12 custodian. The only hiccup with this, Your Honor, is that
13 Ms. Simmons has a work trip to Florida for training that was
14 previously scheduled that she was unable to cancel. That is the
15 only reason she is not here today, because she is leaving today
16 to travel there, and she will return on Sunday.

17 So, January 15th, I believe, is Sunday, Your Honor. So,
18 if the Court was willing to release Mr. Sarikey, we would simply
19 ask that the order granting release not be entered until she
20 returns.

21 Due to the nature of these charges and the specific
22 allegations of conversations occurring over the Internet, it's
23 important to note that Ms. Simmons has stated to both myself and
24 Pretrial that she is willing to remove the devices in the common
25 living spaces that have access to the Internet and to secure her

1 personal devices.

2 Your Honor, before this situation arose, Mr. Sarikey was
3 gainfully employed with a security clearance. Obviously, that
4 security clearance is currently on hold because of this. I will
5 tell Your Honor that it was literally, I believe the day of or
6 the day after the search warrant, that Mr. Sarikey disclosed the
7 situation to his employment and was placed on hold. So he has
8 been without a job for just a few months because he was up front
9 and honest about his security clearance.

10 If released, he would be seeking work, if permitted, to
11 help financially support his family and to pay his legal fees.
12 And you also heard the agent testify, Your Honor, that he has
13 been cooperative.

14 Regarding dangerousness, he has no criminal history.
15 While we do understand the serious nature of these charges, these
16 allegations are primarily based on Internet communications
17 between Mr. Sarikey and minors through social media apps such as
18 Twitter, Telegram, and Discord.

19 If this Court were to order a condition of his release
20 that he have no access, limited access, or no access at all to
21 electronic devices with Internet access, that would alleviate
22 potential danger concerning that.

23 Mr. Sarikey is not charged with a contact offense, and
24 there is no allegation that he has ever inappropriately touched a
25 minor, but I would assume Your Honor would enter a condition

1 limiting or prohibiting his ability to be around juveniles at
2 all, which would alleviate any potential concerns.

3 I also would like to inform the Court that Mr. Sarikey is
4 engaged in sex offender treatment with Mr. Andrew Goldfarb, a
5 licensed, certified sex offender treatment provider.

6 He's been actively engaged in this intensive treatment
7 since November 13th of 2022. Those group sessions will
8 ultimately become a part of treatment. Right now he's
9 participating in individual sessions that are being done
10 remotely. If the Court does not wish for Mr. Sarikey to have
11 Internet access, we do have plenty of clients that also use
12 Mr. Goldfarb that are prohibited from accessing the Internet, and
13 Mr. Goldfarb is able to conduct treatment sessions simply over a
14 telephone, Your Honor; whether it's a flip phone or something
15 without Internet access.

16 I believe Mr. Sarikey getting treatment not only benefits
17 himself, but it benefits the community.

18 Pretrial recommends that he be released on a personal
19 recognizance bond; that he be on Pretrial supervision; that he
20 reside with the approved third-party custodian; that he stay
21 within the D.C./Metro area.

22 I will tell Your Honor that he does live in Staunton, so
23 he would be requesting to still be able to live in Staunton,
24 which I believe is about two to two-and-a-half hours away.

25 Your Honor, he is willing to abide by substance abuse

1 testing, mental health testing, as directed by Pretrial, as well
2 as following any recommended treatment from an evaluation; have
3 no contact with minors unless another adult is present or just a
4 complete prohibition on conduct with minors; Your Honor, no
5 Internet access; that he continue to participate in sex offender
6 treatment; that he have no access to dangerous weapons; that he
7 be on home detention with GPS monitoring restricting his
8 movements. Your Honor, any other activities would obviously need
9 to be approved by Pretrial Services. He's willing to abide by
10 all these conditions, and I believe that any concerns that the
11 Court may have regarding flight risk or danger to the community
12 can be alleviated by them.

13 Your Honor, also, in regard to this potential suicidal
14 ideation, he did report to Pretrial that he had feelings of
15 suicidal ideation, but he reported to Pretrial and myself that
16 they were over 20 years ago.

17 When the agent testified that he was suicidal, it sounded
18 like he had heard this through a chain of people. Your Honor, I
19 don't know how reliable it is when someone says something to
20 someone else who says something to someone else, but I will tell
21 the Court that I have spoken in depth with him, and he has
22 indicated to me that he is not suicidal.

23 I also think a mental health evaluation and any
24 recommended treatment by Pretrial would help alleviate any
25 concerns, if the Court does have them.

1 And lastly, Your Honor, I'm going to point this out
2 because I'm sure Your Honor has seen it in the Pretrial report,
3 and I do not want to skate around it. I do believe that Pretrial
4 Services mentioned that Ms. Simmons, our potential third-party
5 custodian, has a small pistol that she owns in her nightstand.
6 She indicated to Pretrial that she's willing to remove that
7 firearm from the home. I am happy to file something with the
8 Court once that is done, if necessary.

9 And so, Your Honor, I would ask that you release
10 Mr. Sarikey upon the return of his proposed third-party custodian
11 next week, as I do not believe there's a flight risk or danger to
12 the community.

13 THE COURT: The Court cannot conclude under all
14 circumstances there may not be a combination of conditions of
15 release that would reasonably assure Mr. Sarikey's appearance at
16 future court proceedings or the safety of the community.

17 However, the Court does conclude that, under the current
18 circumstances, that is the case. Based on the representations
19 concerning his possible suicidal ideation, his sophistication
20 with the computers and computer systems, as well as the fact
21 that, even though it may not be a contact case, it does involve
22 an observation and photographing of minors, and this Court
23 believes that a level of supervision of Mr. Sarikey that can be
24 provided by Ms. Simmons, a 22-year old who works from 8 to
25 4:30 -- 8:30 in the morning to 4:30 in the afternoon, is

1 insufficient under the circumstances.

2 He will need much more supervision than she can provide.

3 Also, the Court does not have any information, as
4 government counsel has pointed out, concerning the roommate, and
5 without any additional information concerning that at this
6 juncture the Court believes that a necessary component would be a
7 third-party custodian that will provide Mr. Sarikey the
8 supervision that this Court believes is necessary under the
9 totality of the circumstances of this case.

10 So at this juncture the Court finds there is no
11 combination of conditions of release that would reasonably assure
12 Mr. Sarikey's appearance at future court proceedings or the
13 safety of the community. Therefore, he will be detained prior to
14 said proceedings. Defense reserves the right to request
15 reconsideration of this determination based upon a change of
16 circumstances. He's remanded to the custody of the United States
17 Marshals.

18 MS. WITHERS: And, Your Honor, I do have a waiver of the
19 preliminary hearing.

20 THE COURT: Thank you.

21 MS. WITHERS: Thank you.

22 (Proceedings adjourned at 2:49 p.m.)
23
24
25

C E R T I F I C A T E

I, Scott L. Wallace, RDR-CRR, certify that the foregoing transcript of proceedings was prepared from an FTR Gold audio recording of proceedings in the above-entitled matter and was produced to the best of my ability. Indiscernible indications in the transcript indicate that the audio captured was not clear enough to attest to its accuracy.

/s/ Scott L. Wallace

2/16/23

Scott L. Wallace, RDR, CRR
Official Court Reporter

Date