

AO 98 (Rev. 11/85) Appearance Bond

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

V.

APPEARANCE BOND

John Kiriakou

CASE NUMBER: 1:12-MJ-33

Non-surety: I, the undersigned defendant acknowledges that I and my . . .

Surety: We, the undersigned, jointly and severally acknowledge that we and our . . .
personal representatives, jointly and severally, are bound to pay the United States of America the sum of **\$250,000.00 (UNSECURED)**, and there has been deposited in the Registry of the Court the sum of **\$NONE** in cash or (describe other security.)

The conditions of this bond are that the defendant John Kiriakou

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States district court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such a matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of the bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States district court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States district court against each debtor jointly and severally for the amount above stated, together with interests and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 01/23/2012 at 401 Courthouse Square, Alexandria, VA 22314

| | | | |
|------------|--------------------------|----------|------------------------|
| Defendant: | <u>John Kiriakou</u> | Address: | <u>Arlington, VA</u> |
| Surety: | <u>Heather Kiriakou</u> | Address: | <u>Arlington, VA</u> |
| Surety: | <u>Emmanuel Kiriakou</u> | Address: | <u>Studio City, CA</u> |

Signed and acknowledged before me on 1/25/12

Fernando Galindo
Clerk of Court

BY: [Signature]
U.S. Deputy Clerk

Approved: _____
Judicial Officer

UNITED STATES DISTRICT COURT

Eastern

District of

Virginia

United States of America

ORDER SETTING CONDITIONS OF RELEASE

John Kiriakou v.
Defendant

Case Number: 12-33MJ

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) United States District Court

401 Courthouse Sq., Alexandria, VA on AS directed ^{Place}
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- () (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- () (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Two-hundred fifty-thousand dollars dollars (\$ 250,000.) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:
(Name of person or organization) wife (Heather Kiriakou)
(Address) _____
(City and State) Arlington, VA (Tel.No.) 703-587-9277

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: Heather K. Kiriakou
Custodian of Proxy

(X) (7) The defendant shall:

- () (a) maintain or actively seek employment.
- () (b) maintain or commence an educational program.
- (X) (c) abide by the following restriction on his personal associations, place of abode, or travel:
Do not depart the Washington D.C. metropolitan area without prior approval of Pretrial Services or the Court. Prior approval needed from PTS to travel out side of Metro area. Not more from residence w/o prior approval of PTS or the Court.
- (X) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses: any witnesses
- (X) (e) report on a regular basis to the following agency: Pretrial Services.
- () (f) comply with the following curfew: _____
- (X) (g) refrain from possessing a firearm, destructive device, or other dangerous weapons.
- () (h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug or controlled substance defined in 21 U.S.C. 802 unless prescribed by a licensed medical person.
- () (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: _____
- (X) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: Two hundred fifty thousand dollars
- () (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: _____
- () (l) execute a bail bond with the solvent sureties in the amount of \$ _____
- () (m) return to custody each (week) day as of _____ o'clock after being released each (week) day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____
- (X) (n) surrender any passport or other travel documents to: Pretrial Services (Surrendered)
- (X) (o) obtain no passport or travel documents.
- () (p) undergo substance abuse testing and/or treatment as directed at the direction of Pretrial Services.
- () (q) the defendant shall not operate a motor vehicle without a valid license.
- () (r) the defendant is placed on home detention with electronic monitoring as directed.
- (X) (s) bond to be signed by wife and brother. Brother may sign bond with 5 (five days) wife must sign bond with 5 (five days) To be signed by both parties by 5:00 P.M. Friday, 1-27-12

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of 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 shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall 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 shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

Acknowledgement of 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 to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

John Kinkor
Signature of Defendant

Address

Arlington, VA
City and State Telephone

Directions to 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 judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 1/23/2012

[Signature]
Signature of Judicial Officer

Name and Title of Judicial Officer