

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Philip James Weisbecker
DOB: XXXXXX

)
) Case: 1:21-mj-00628
) Assigned To : Faruqui, Zia M.
) Assign. Date : 10/13/2021
) Description: Complaint w/ Arrest Warrant
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,

18 U.S.C. § 1752(a)(2)-Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Buildings or Grounds,

40 U.S.C. § 5104(e)(2)(D), (G) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 10/14/2021

City and state: Washington, D.C.



Zia M. Faruqui
2021.10.14 21:48:37
-04'00'

Judge's signature

Zia M. Faruqui, United States Magistrate Judge

Printed name and title

STATEMENT OF FACTS

On January 6, 2021, your affiant, [REDACTED], was on duty and performing my official duties as a duly deputized Task Force Officer (“TFO”). Specifically, I am assigned to the Federal Bureau of Investigation (“FBI”) Joint Terrorism Task Force (“JTTF”) and have been tasked with investigating criminal activity that occurred at the U.S. Capitol grounds. As a TFO, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. On January 6, 2021, the U.S. Capitol was closed to the public and only authorized people with appropriate identifications were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway, and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol. However, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to evacuate the chambers, which they subsequently did. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Following the events on January 6, 2021, the FBI received tips from two different concerned citizens (“C-1” and “C-2”) who each reported Philip Weisbecker (“WEISBECKER”) was involved in the events at the Capitol on January 6, 2021.

In a January 15, 2021, email to the City of San Diego, and later the San Diego Police Department, C-1 advised that WEISBECKER, a resident of Ocean Beach (i.e., a beachfront neighborhood of San Diego) entered the Capitol building on January 6, 2021, and “participated in the terrorist attack.” C-1 provided WEISBECKER’s name, telephone number and residence address in Ocean Beach. C-1 also stated that while in the Capitol, WEISBECKER entered the Speakers Office and posed for selfies under the statue of Abraham Lincoln in “the middle of the mob.” C-1 also included two photos which he/she stated depicted WEISBECKER in the Capitol on January 6, 2021. These photos include a photograph depicting an individual in the Capitol posing in front of the statute of Abraham Lincoln and a photograph of CNN’s television coverage of the Capitol riot showing the same individual in front of the Speakers Office. On January 28, 2021, I contacted C-1, via telephone, who indicated that he/she wished to remain anonymous. C-1 stated that the two photos depicting WEISBECKER inside the Capitol were provided to him/her by a friend who had attended a wedding with WEISBECKER.

On January 29, 2021, the FBI received additional reporting from C-2, via the FBI public tip portal. C-2 also identified WEISBECKER as being present in the Capitol on January 6, 2021 and provided what appears to be the same two photographs submitted by C-1. C-2 stated that his/her child had sent the pictures of WEISBECKER to C-2. C-2 further stated that WEISBECKER attended a wedding of a friend of C-2’s child years ago. Set forth below are the photographs provided by C-1 and C-2:



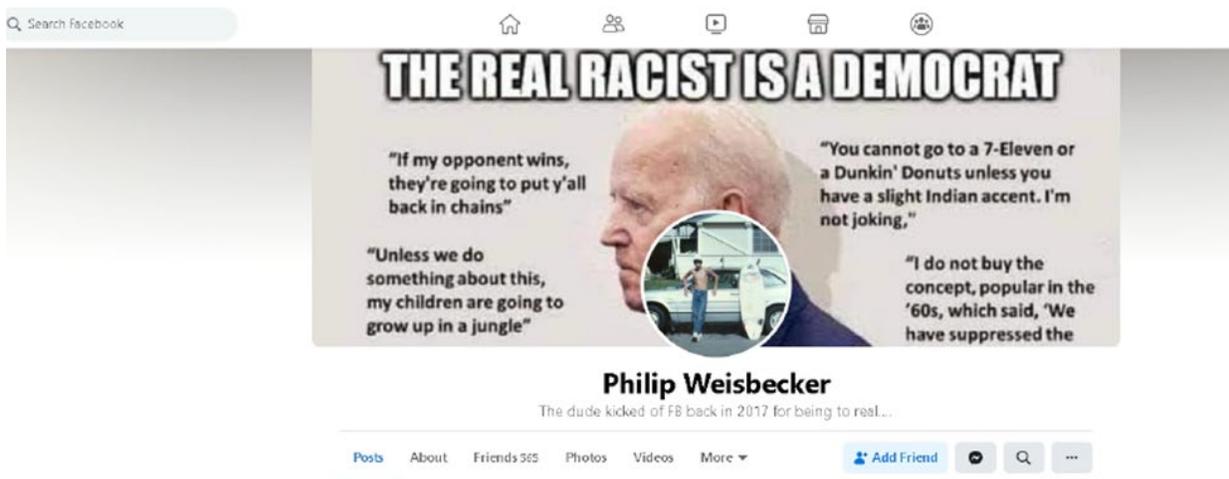
As set forth below, investigation by FBI San Diego JTTF agents/officers corroborate WEISBECKER’s presence in the U.S. Capitol on January 6, 2021.

Records obtained from the California Department of Motor Vehicles (“CA DMV”) and law enforcement data bases revealed a Philip James Weisbecker (WEISBECKER), with the same phone number and address as provided by C-1.¹ Additionally, I have compared the CA DMV Driver’s License photo of WEISBECKER with images provided by C-1 and C-2, and his license photo appears to depict the same individual inside the Capitol on January 6, 2021, as depicted in the two photographs provided by C-1 and C-2.

Additionally, a San Diego JTTF Officer’s review of government/law enforcement database records revealed that on January 4, 2021, WEISBECKER traveled on Frontier Airlines to Arlington, VA. The database records also revealed that the phone number provided by C-1 for WEISBECKER was utilized by WEISBECKER. The JTTF Officer subsequently obtained subscriber records from the telephone service provider which confirmed that WEISBECKER is the actual subscriber of said phone number (***-**-1590)(the full number is known to law enforcement). Additionally, the JTTF Officer obtained records from Frontier Airlines indicating a high probability that WEISBECKER was in Washington, D.C. on January 6, 2021 – the day of the Capitol riot. Specifically, the records reveal that on January 4, 2021, WEISBECKER (with the same name and phone number provided by C-1) flew from San Diego, California to Arlington, VA (Ronald Regan Washington National Airport). The records further revealed on January 7, 2021, WEISBECKER took a return flight from Arlington, VA, to San Diego, CA.

On January 26, 2021, a San Diego FBI Staff Operation Specialist located a Facebook account with the Display Name “Philip Weisbecker” believed to be utilized by WEISBECKER. A review of the publicly available posts on the Facebook account revealed a post-dated January 18, 2021, with an apparent screenshot from Fox News’ television program “Tucker Carlson Tonight,” which depicts WEISBECKER inside the U.S. Capitol -- presumably on January 6, 2021. The post states: "if you would like to know the truth....just ask." The Fox News’ screenshot appears similar to the CNN screenshot provided by C-1, and the individual depicted in the screenshot appears to match the DMV photo of WEISBECKER. *See below.* Another publicly viewable post located on WEISBECKER's Facebook display page is a photo of Joseph Biden with a caption that states: "THE REAL RACIST IS A DEMOCRAT." At the bottom of the display page is WEISBECKER's name and a caption that reads, "The dude kicked of [sic] FB back in 2017 for being to [sic] real." Portions of the relevant screenshots from WEISBECKER’s Facebook account are set forth below.

¹WEISBECKER’s actual residence address was on the same Ocean Beach Street provided by C-1, though the actual address number differed from that provided by C-1 by one digit.



On Sunday, February 7, 2021, at 6:00 a.m., WEISBECKER, applied for entry into the U.S. States from Mexico via the Tecate Port of Entry. WEISBECKER was a passenger in a car containing two other individuals. At primary inspection, a U.S. Customs and Border Protection Officer (“CBPO”) referred WEISBECKER to secondary inspection for further inspection and interview. At secondary inspection, a CBPO interviewed WEISBERCKER, who provided the following relevant statements:

- WEISBECKER stated he had traveled to Mexico on Friday, February 5, 2021, to visit a friend. He added that he and his fellow passengers were returning to their homes in San Diego and Redondo Beach to watch the Super Bowl. WEISBECKER provided his U.S. passport booklet (with a date of birth and photograph matching the CA DMV records) and stated that he did not have his California Driver’s License in his possession. WEISBECKER explained that his wallet containing his Driver’s License and passport card had been seized by police officers in Kauai, Hawaii following his July 15, 2020, arrest for suspicion of driving under the influence. WEISBECKER stated he had a court date set for January 5, 2021 in Hawaii. However, due to the Covid-19 pandemic, he was allowed to contact the court via a Zoom call on January 5, 2021 from Washington, D.C.

- WEISBECKER stated that on or about January 5, 2021, he traveled from San Diego to Washington D.C. to participate in the "Stop the Steal Protest" as a citizen journalist.² WEISBECKER stated he wanted to document what really happened and show the world the truth about what he witnessed while he participated in the protest in D.C. He stated that while in D.C., he stayed at an Airbnb,
- WEISBECKER stated that on the day of the protest, he attended President Trump's speech. He stated that as President Trump's speech was close to the end, he moved closer to 14th Street and walked toward the Capitol with other protestors. WEISBECKER claimed that as he progressed to the Capitol building, he witnessed the D.C. police remove barricades allowing the protestors to pass, adding "They were let in the U.S. Capitol building by DC Police." WEISBECKER admitted to entering the Capitol and stated that he was inside "Senator Nancy Pelosi's office." However, WEISBECKER claimed he did not remove anything from Pelosi's Office, and did not witness the female protestor who took a laptop from Pelosi's Office. WEISBECKER stated that he departed Washington, D.C. on January 7, 2021. WEISBECKER stated he was informed by his family that he was on CNN and Fox news (Tucker Carlson) in a video that showed the D.C. Capitol protest/riot. WEISBECKER stated once he returned to San Diego, his friends started calling him Philip Revere. WEISBECKER stated his Facebook account had been shut down for a while, but he recently rejoined Facebook on or about January 5, 2021.
- WEISBECKER stated that he worked as a freelance construction building estimator and provided a residence address and telephone number that matched the information obtained from the information uncovered by the above-referenced JTTF investigation.

On Wednesday, February 10, 2021, WEISBECKER, applied for entry into the U.S. from Mexico via the Tecate Port of Entry, while traveling presumably by himself in his mother's 1997 dark blue Chevrolet sport utility vehicle bearing a California license plate(the full registration information is known to law enforcement and appears to resolve to WEISBECKER's mother).. At primary inspection, a CBPO referred WEISBECKER to secondary inspection for further inspection and interview. At secondary inspection, a CBPO interviewed WEISBECKER, who provided the following relevant statements:

- WEISBECKER was verbally abusive and uncooperative with CBPOs displaying anger towards them. Specifically, WEISBECKER yelled profanities at CBPOs, asking if they were "communists," "gay," and enjoyed "patting him down." Moreover, WEISBECKER called Tecate Port of Entry Officer in Charge ("OIC"), Jose Haro derogatory terms such as "stupid," "cock sucker," and a "communist pig."
- WEISBECKER referenced his trip to Washington, District of Columbia ("D.C.") on or about January 6, 2021. He does not believe President Biden is the legitimate president and that he traveled to Washington, D.C. to witness events firsthand. WEISBECKER stated he is a "conservative," and feels that he is freer in Mexico than in the U.S.

² The government has followed Department of Justice procedures and a determination has been made that WEISBECKER is not a member of the news media.

WEISBECKER mentioned not being able to be a conservative in the U.S. WEISBECKER said he is representing himself in court over his legal troubles in Hawaii.

Pursuant to a court authorized search warrant, law enforcement obtained records from AT&T for cell towers providing service to the U.S. Capitol building. A review of those records yielded that in and around the time of the U.S. Capitol riot, a cellular telephone confirmed to be WEISBECKER's (***-**-1590) was identified as having utilized a cell site consistent with providing service to the geographic area that includes the interior of the U.S. Capitol building.

On February 19, 2021, two (2) color photographs provided by C-1 of an individual believed to be WEISBECKER inside the U.S. Capitol building, along with WEISBECKER's California Driver's License photo were submitted for facial recognition. The purpose for submitting photos for facial recognition was to corroborate WEISBECKER's alleged presence inside the U.S. Capitol building on January 6, 2021. The photos provided by C-1 are set forth below.



On February 24, 2021, results of the facial recognition request containing photo(s) and video(s), along with tips submitted to the FBI of individual(s) that reasonably appear to resemble WEISBECKER, to include a name search document report were obtained. The data was reviewed to determine if evidence existed related to criminal conduct committed by WEISBECKER at or near the U.S. Capitol building on January 6, 2021.

A review of the results indicated a high probability that WEISBECKER was present inside the U.S. Capitol building on January 6, 2021. Specifically, an individual believed to be WEISBECKER can be seen on at least two (2) video clips and numerous still image photos inside the U.S. Capitol building.

In one (1) video clip, an individual believed to be WEISBECKER can be seen amongst a group of people in the chamber hallway of the interior of the U.S. Capitol building dressed in a red Hawaiian shirt with white colored floral style accents, a dark colored undershirt, a dark blue or black sport coat over the Hawaiian shirt, with a dark colored satchel strap strung across his

shoulder. In this particular video clip, a voice can be heard shouting "drag him out." The voice heard on the video clip does not appear to be WEISBECKER's.

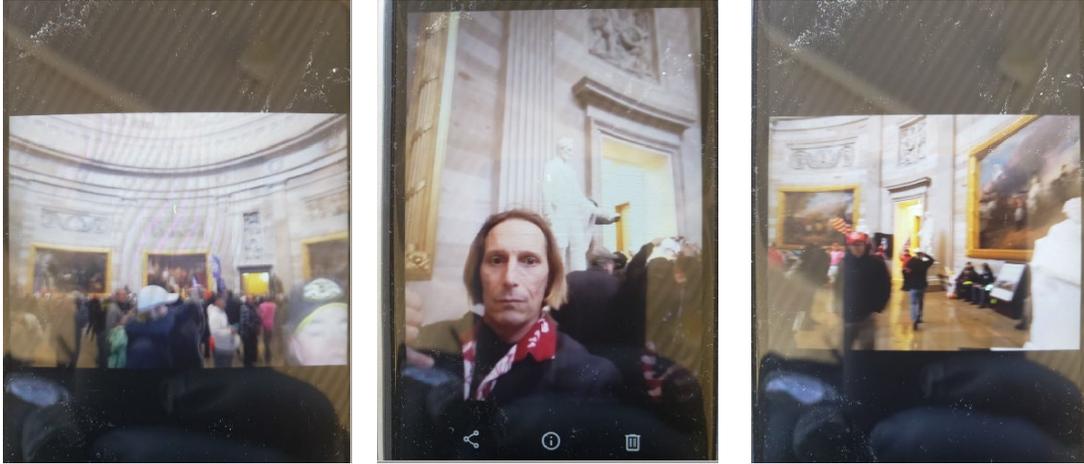
In another video clip, an individual believed to be WEISBECKER, dressed in the same attire referenced above, can be seen amongst a group of people near the Speaker of the House Suite of offices of the interior of the U.S. Capitol building. The video depicted what appears to be WEISBECKER exiting the Speaker of the House Suite.

On Tuesday, February 23, 2021, WEISBECKER, applied for entry into the U.S. from Mexico via the Tecate Port of Entry, while traveling presumably by himself in his mother's 1997 dark blue Chevrolet sport utility vehicle, identified earlier herein. During the screening process, WEISBECKER told a CBPO he was traveling to Ocean Beach, California to meet with an architect. WEISBECKER stated he went to Mexico to visit his friend Juan on his (Juan's) ranch. WEISBECKER was helping with the design of the ranch which was previously a motorcycle ranch and is being transformed into a horse ranch.

CBP subsequently conducted a search of the vehicle WEISBECKER was traveling in and located a Nokia C2 TA-1218 cellular telephone IMEI: 355783100293655, with a listed number of ***-***-1590 inside the vehicle, powered on and with no unlock code enabled.

CBP conducted a border search of WEISBECKER's phone. According to CBP, during the exam of WEISBECKER's phone, only messages, photos, and the system/device info screen were observed. The exam resulted in the discovery of several photos of WEISBECKER at the protest and inside the U.S. Capitol building on January 6, 2021. The following photographs set forth below were provided by CBP and are a portion of the screenshots obtained from WEISBECKER's phone:





On Wednesday, March 3, 2021, WEISBECKER applied for entry into the U.S. from Tecate, Baja California, Mexico while traveling presumably by himself in a white 1997 BMW Convertible with no front or rear license plates. During a secondary inspection of WEISBECKER's vehicle conducted by CBP, paperwork was located inside the vehicle from the CA DMV indicating the vehicle was sold to WEISBECKER on January 26, 2021, with a temporary issued CA license plate (the plate number is known to law enforcement).

During a secondary inspection conducted by CBP, WEISBECKER provided the following relevant statements:

- WEISBECKER stated he was tired of being sent to secondary and harassed by the communist officers. Specifically, WEISBECKER stated OIC Jose Haro was a fascist and a communist. WEISBECKER talked about his time in the U.S. Capitol during the protests. WEISBECKER believes the reason he is being referred to secondary was for having been in Washington, D.C. during the protests.
- WEISBECKER traveled to the U.S. Capitol because he knew everything was a false flag and wanted to be there during the protests. WEISBECKER stated the current president, [President Joe Biden] was not the real president, and that many states had committed election fraud. WEISBECKER wanted to be in the U.S. Capitol to make sure people's voices were heard.
- WEISBECKER feels being on television is the cause of all his problems. WEISBECKER stated during the protests at the U.S. Capitol, he had entered the building through the rear exit. WEISBECKER said while going through the building he ended up near [Speaker of the U.S. House of Representatives] Nancy Pelosi's office. WEISBECKER was walking with someone by the name of Sam, who worked for Info Wars. Sam was videotaping the event and when they were near Nancy Pelosi's office, WEISBECKER read the sign, which can be heard on Sam's video footage. They decided to go into her [Nancy Pelosi's] office and had only walked in the first portion of the wing.
- The protesters were three (3) deep and because it was so tight, he went into one of the administrative cubicles/desks. It was not until someone yelled SWAT that he

(WEISBECKER) vacated the office. WEISBECKER described leaving her [Nancy Pelosi's] office and sitting on a couch that was directly outside her [Nancy Pelosi's] office. WEISBECKER described the arches, marble, and the artwork in the area.

- WEISBECKER mentioned it had been a peaceful protest. WEISBECKER advised not one thing had been damaged by the peaceful protestors. He stated any damage to the building had been caused by “ANTIFA.” When asked if he realized that it was illegal to enter the building, WEISBECKER stated that he was following everyone else. WEISBECKER said he had not flown all the way to Washington D.C., to watch from afar. He had been researching and knew that about two hundred and fifty (250) people had been arrested in connection with the protests, and he was not sure if that was why he was being stopped.
- WEISBECKER again mentioned that none of the protestors were attacking the police, and that it was legitimately a peaceful protest. WEISBECKER did not know why the police were shooting rubber bullets or throwing tear gas. WEISBECKER said nobody was doing anything wrong, or had weapons or guns. WEISBECKER said nobody was killed at the protests. He stated the officer who the media reported as dying, had not been killed by a fire extinguisher, but in fact had died by his own tear gas. WEISBECKER stated, we did not know for a fact that he was dead.
- WEISBECKER talked about Ashli Babbitt, who was supposedly shot in the U.S. Capitol and was from O.B. (Ocean Beach). WEISBECKER said she did not exist as he knew everyone from that area, and that he has asked his friends, and no one knew her. WEISBECKER asked where her [Ashli Babbitt's] funeral was. He stated it had not been here [San Diego] so she [Ashli Babbitt] was not from here [San Diego]. WEISBECKER said Babbitt was not actually her last name.
- WEISBECKER talked about how he was at [President] Trump's speech, and was in the middle of it. He said during [President] Trump's two-hour speech, where [President] Trump laid out all the facts pertaining to the voter fraud, there were thousands of people already surrounding the Capitol. WEISBECKER said none of that was on television. He stated [President] Trump is still the president and that all the statistics showed it and that he (WEISBECKER) had researched the data.
- WEISBECKER admitted he made a bad mistake walking into that [U.S. Capitol] building, but the only way he would know what was happening was to see it. WEISBECKER said it was “ANTIFA” that made the events into a false flag, and that he was and the American Patriot(s) were there to tell the Senators to do the right thing and they were standing up for their rights.

CBP conducted a search of WEISBECKER's vehicle, 1997 BMW 3 series convertible, which revealed in part a pellet gun without a safety orange tip, which closely resembled a real firearm, along with binoculars. WEISBECKER stated he purchased the gun from someone in Hawaii and used it to shoot roosters.



On March 4, 2021, a search warrant and non-disclosure order Case No. 21-SC-741 was obtained for WEISBECKER's Facebook account:

Username: philip.weisbecker.33

User ID: 100049438831235

The search warrant and non-disclosure order were signed by the Honorable United States Magistrate Judge, Zia M. Faruqi of the United States District Court for the District of Columbia, Washington, D.C. On March 5, 2021, the search warrant and non-disclosure order were served to Facebook.

A review of the records provided by Facebook pursuant to the search warrant indicated that WEISBECKER's Facebook account was created on March 26, 2020 and confirmed that he is the account owner.

Numerous posts and/or video(s) were located on WEISBECKER's Facebook account indicating he was in D.C. on January 6, 2021, and went inside the U.S. Capitol building. WEISBECKER posted numerous posts ranging from topics of conspiracy theories, COVID-19, and politics and frequently utilized the video hosting service BitChute.³ Portions of posts and videos captions are set forth below:

- Time 2021-02-03 04:19:07 UTC
WEISBECKER replied to a comment on a post from February 1. *'As I said, I was there, you were not. Please stop spreading disinformation on social media about events that you have no real idea about what occurred. I spoke with dozens of Americans in DC, NONE were racist. NONE. Some day you will realize.... When 1,000,000 or so people show up in a city and literally do no damage at all and I have to come home to this complete harrassment. It simple is not true. Where are the 100,000 jews in attendance that day or the 10 milion that voted for Trump.... Hiding like all my jewish friends wondering how*

³ According to BitChute's website, under the "Community Guidelines" section: BitChute is "a peer-to-peer content sharing platform and associated services. BitChute aims to put creators first and provide them with a service that they can use to flourish and express their ideas freely."

this will all really play out. Racism has nothing to do with the Bill or Rights. Nothing at all. You should spend some time watching real videos from real people that day if you can find them. You will be hard pressed to find any evidence of racism anywhere. Such a sorry debate with you tonight really. Total propaganda no reality at all. Find some facts please. And by the way who has a low IQ? `

- Time 2021-02-02 23:44:34 UTC
WEISBECKER replied to a comment on a post from February 1. *`First of all the number of racist that stormed the capitol is zero. That is a fact. Since ANTIFA, BLM and the Capitol police, worked together to allow ME to enter the building. No one on this earth that has known me for one minute would ever consider me a racist, and over the three days I spent in DC I never met or witnessed one ever. FYI, I am still here, but all the Antifa, BLM false flag aggitators are facing criminal charges from the FBI. . I was there to tell the american people the truth. The truth is racism had absolutely nothing to do with a stolen election. Have a great day. Turn off your television and listen to the truth. `*
- Time 2021-01-25 23:17:28 UTC
WEISBECKER replied to a comment on a post from January 25. *`I am not denying anything. I am simply stating the truth of what I witnessed while in DC on the 5th, 6th, and 7th. `*
- Time 2021-01-25 22:54:03 UTC
WEISBECKER replied to a comment on a post from January 25. *`I apologize for causing offense. If my observation of how liberalism is being used by communism is offensive. I am merely here to tell all of you what happened in DC on Jan 6th. Freedom is not free, There is a reason why OSHA has dozens of laws prohibiting employers from making employees wear masks. `*
- Time 2021-01-25 16:13:19 UTC
WEISBECKER posted on January 25. *Aloha, I have been a god loving Independent voter my entire life. My father was Politically Conservative and Socially Liberal his entire life like so many other Americans. He always voted Conservative. Because there is a little thing called COMMUNISM. He never had any of the traits those on the left say conservative folks have today. It is sad that so many folks on the left have lost the ability to debate and think clearly. When did those on the left start believing their Tell u a visions....when the politicians legalized propaganda back in 1996? When we were kids growing up in San Diego we questioned what was on TV. Why do most folks blindly follow it now? I was in DC as a citizen Journalist on 1-6, for the sole purpose of being able to tell those in this group the truth. Over 500,000 folks I could see with my own eyes listened to an almost 2 hour speech that day. How many minutes of facts made it on television? None.....Interesting how the Tell u a vision is so afraid of one mans words....the truth. God bless America.*
- Author Philip Weisbecker (Facebook: 100049438831235)
Sent 2021-01-12 00:24:29 UTC
Body Aloha Alicia, Yes my account was disconnected a few years ago by FB, now since I

was in the Capitol they let me back in to talk to everyone and see what all my friends reaction is. F

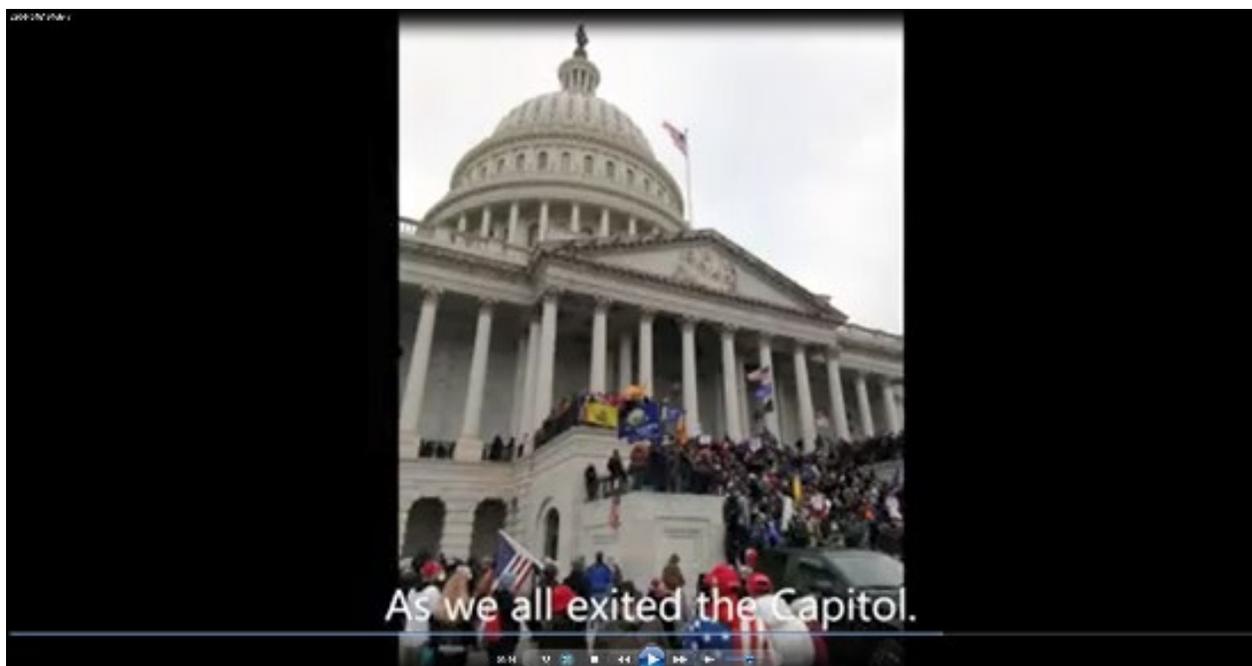
- Time 2021-01-25 23:12:16 UTC
WEISBECKER replied to a comment. ``@[100000498137258:2048:Hala Hamed]` Francis [license plate redacted] picked me up from Reagan, Booubacar [license plate redacted] picked me up from the capitol on the 5th, Mohamed [license plate redacted] drove me down to the Peaceful Protest. Peter [license plate redacted] drove me to Reagan on the 7th. I cannot get there phone numbers from Uber but you probably can if you want to know the truth. Boubacar was the most talkative, but Mohamed was as well. Have a warm day out of the wind. `

Video ID: 230446461946647, located on WEISBECKER's Facebook account authored by WEISBECKER, titled Jan 5th and 6th 2021 uploaded on 2021-01-16 00:21:21 UTC contained mainly still images with scrolling text of the events surrounding the U.S. Capitol on January 6, 2021. Still images of the video are set forth below. WEISBECKER can be seen in a still image inside the U.S. Capitol on this video.

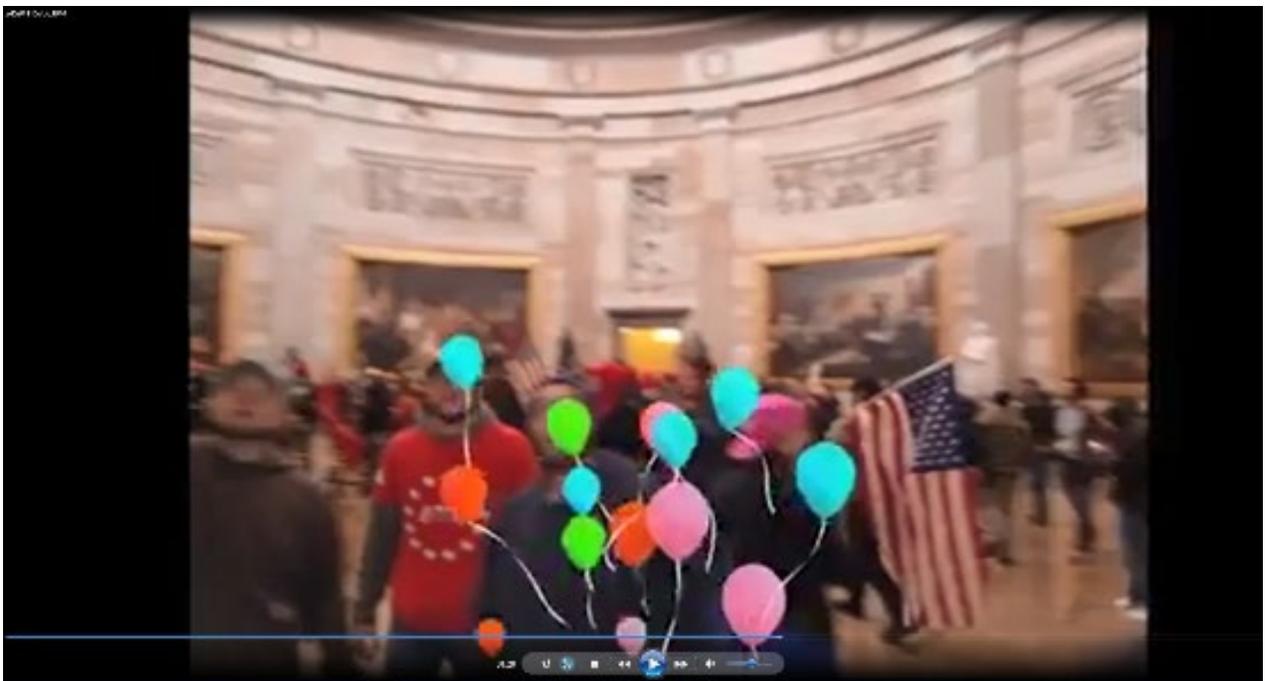








Video ID: 245941157063844, located on WEISBECKER's Facebook account authored by WEISBECKER, titled The Maxine Waters version of my previous slideshow uploaded on 2021-02-10 05:19:50 UTC was a video montage containing mainly still images with layover animation effects of the events surrounding the U.S. Capitol riot on January 6, 2021, as depicted by the photographs set forth below. WEISBECKER can be seen in a still image inside the U.S. Capitol on this video.







Video ID: 224936825830944, located on WEISBECKER's Facebook account authored by WEISBECKER, titled Peaceful Protest at our Capitol Today uploaded 2021-01-06 22:32:22 UTC was a video presumably of WEISBECKER filming from inside of the U.S. Capitol building near the Rotunda during the U.S. Capitol riot on January 6, 2021, as depicted by the photographs set forth below:







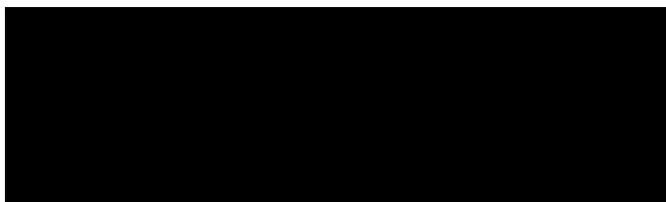
Video ID: 224349969222963, located on WEISBECKER's Facebook, authored by WEISBECKER, titled If you are placing a face mask on your children you are killing them softly and that is a scientific fact my friends uploaded 2021-01-06 00:02:02 UTC was a video event(s) occurring near the U.S. Capitol building on January 6, 2021, as depicted by the photographs set forth below.



In sum, WEISBECKER has discussed his presence at the U.S. Capitol on January 6, 2021, in various forums, including posting about his involvement on his Facebook account and by providing statements to CBP.

Based on the foregoing, your affiant submits that there is probable cause to believe that PHILIP JAMES WEISBECKER violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so; For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Finally, your affiant submits there is also probable cause to believe that PHILIP JAMES WEISBECKER violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 14th day of October 2021.



Zia M. Faruqi
2021.10.14
21:52:53 -04'00'

HONORABLE ZIA M. FARUQI
UNITED STATES MAGISTRATE JUDGE