

Case: 1:22-mj-00068
Assigned To: Judge Zia M. Faruqi
Assign. Date : 3/22/2022
Description: Complaint with Arrest Warrant

STATEMENT OF FACTS

Your affiant, [REDACTED] is a special agent assigned to the Federal Bureau of Investigation, Joint Terrorism Task Force (“JTTF”). In my duties as a special agent, I am assigned to a National Security Squad to investigate acts of domestic terrorism under state and federal law. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a special agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, 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. Only authorized people with appropriate identification 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. As noted above, 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, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by 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—and did—evacuate the chambers. 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.

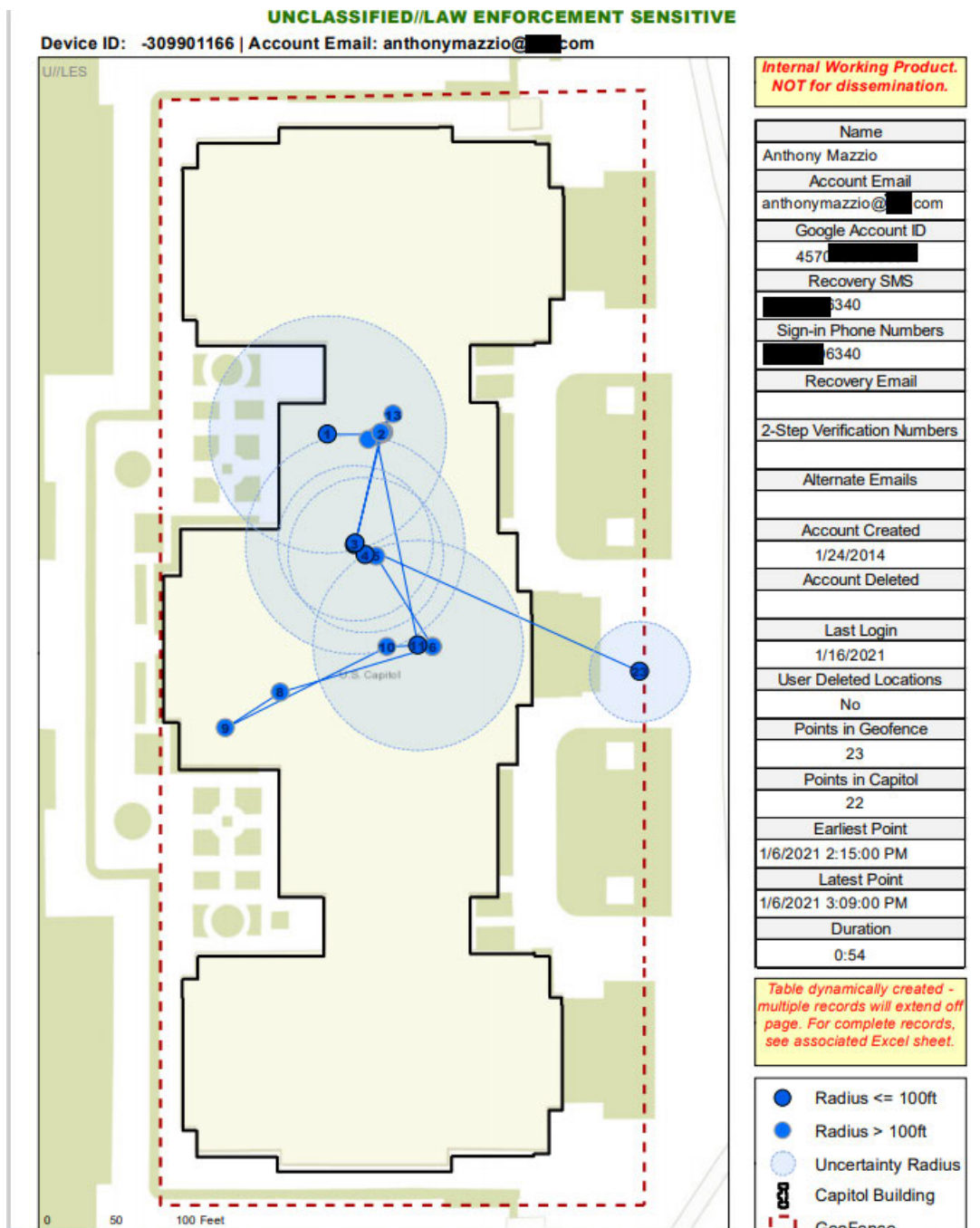
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be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

Anthony Michael MAZZIO Jr. (MAZZIO), was identified as an individual who entered the Capitol Building for approximately one hour. During that time, he moved extensively throughout the building.

According to records obtained through legal process, a cellular phone with a phone number of ***-***200-6340 (“subject telephone number”) with an SMS number *****6340 was identified as being within the restricted area of the United States Capitol on January 6, 2021. The subject telephone number was associated with a Samsung Galaxy Note 8 and Google account ID number 457018*****. A Google account, #*****4540 with an email address of “anthonymazzio@***.com” was also associated with this device. The earliest point of entry on January 6, 2021 was at 2:15:00 PM EST. The latest point that the subject telephone number was identified inside the Capitol building on January 6, 2021 was at 3:09:00 PM EST.

As illustrated in the map below (**Image 1**), the listed locations encompasses areas that are almost entirely within the U.S. Capitol Building during the time period set forth above. Specifically, Google location data shows a device associated with anthonymazzio@***.com was within the U.S. Capitol at the times and locations shown in **Image 1** (at the locations reflected by each darker blue circle), below, with the “maps display radius” reflected in **Image 1** (as reflected in a lighter blue ring around each darker blue circle). As illustrated in **Image 1**, the listed locations encompass areas that are at least partially within the U.S. Capitol Building between approximately 2:30 p.m. and 5:30 p.m. on January 6, 2021. In addition, as illustrated in **Image 1**, the listed locations (data points 1-23) were entirely within areas of the U.S. Capitol Grounds which were restricted on January 6, 2021.

Data point 1 on **Image 1** shows a device associated with anthonymazzio@***.com entered the U.S. Capitol at 2:15:00 PM EST at the Senate Wing door (which is within two minutes of the first breach of the building). This is corroborated by the depictions of MAZZIO in **Images 2** and **3**. Data point 23 on **Image 1** shows a device associated with anthonymazzio@***.com outside the U.S. Capitol Building, but on the Grounds, at 3:09:00 PM EST. **Image 9** shows MAZZIO just outside the U.S. Capitol on the Grounds of the east side of the building.



The subject telephone number is a Verizon wireless phone number. The owner of the subject telephone number is C.P., a female who resides at the same address as MAZZIO. During an encounter with FBI agents, MAZZIO admitted his cellular telephone number is ***-***-6340, and that he is the only person who uses that phone number.

MAZZIO was captured on U.S. Capitol CCTV inside the U.S. Capitol on January 6, 2021. As seen in **Images 2** and **3**, MAZZIO entered the U.S. Capitol through the Senate Wing Door. MAZZIO wore a M81 camouflage jacket, dark colored hooded sweatshirt underneath, black tactical vest, gas mask, gas mask carrier secured to his belt, camouflage pants, tan boots, a “Real Tree” type baseball hat, and he was holding a Trump flag. The gloves MAZZIO wore are a tactical type glove with hard coating around the knuckles of the glove.

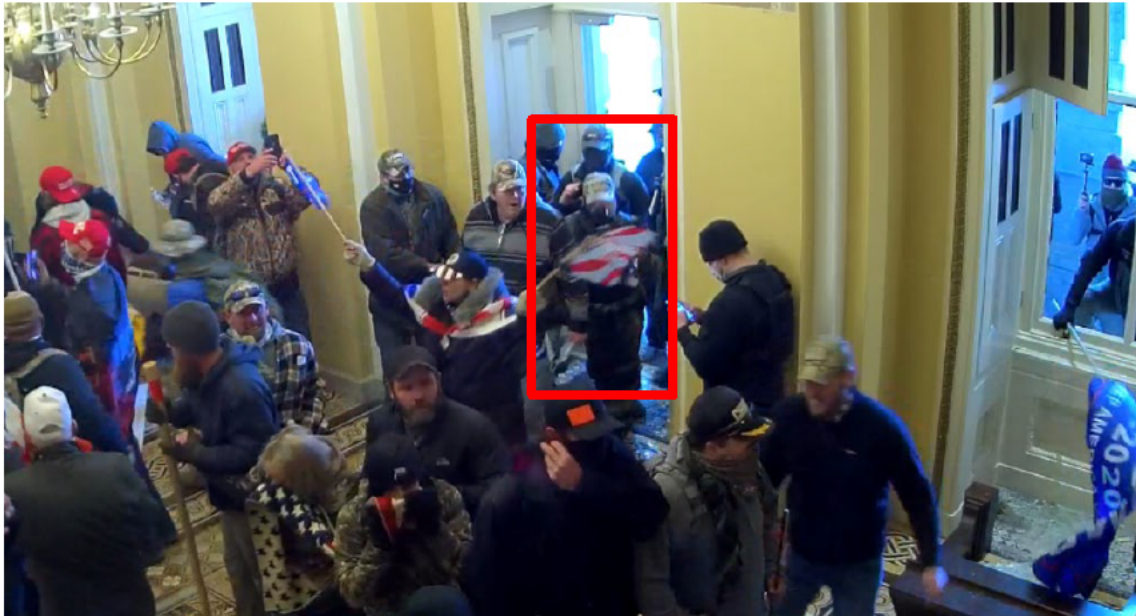


Image 2



Image 3

In **Image 4**, MAZZIO can be seen holding a cellular telephone.

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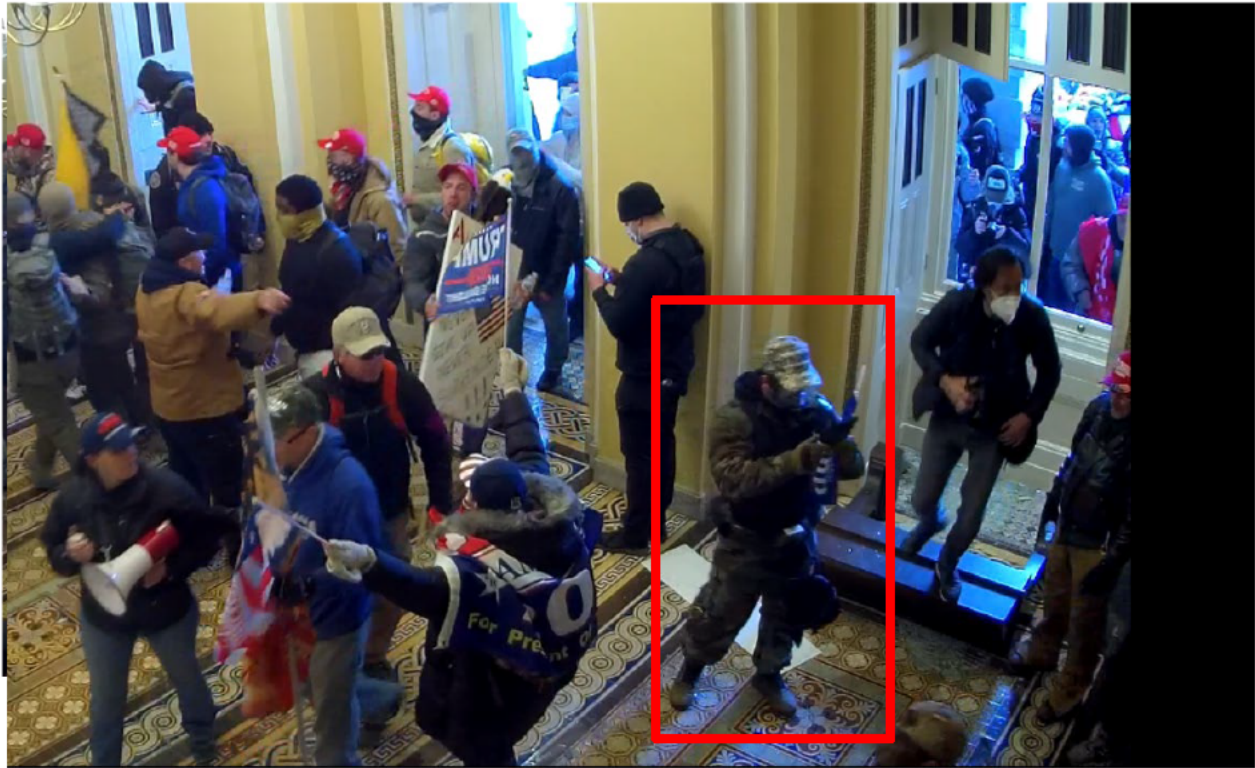


Image 4

Video from itv NEWS, a British television network,¹ depicts reporter Robert Moore, inside the Capitol and interviewing MAZZIO. **Image 5** is a still shot from the video, wherein MAZZIO addressed a camera crew and stated,

We all know they changed the rules mid-game and they are not being held accountable and that's a shame. We are tired of waiting for people that have been prominent, honestly Hillary Clinton is going to go to jail. For over four years now, we know that she did criminal activity by destroying evidence that was subpoenaed. She has not been held accountable and we don't expect anyone to be held accountable either. It's time to take a stand, we are still here right now brother, we didn't expect to get this far. We went through gas grenades, we aren't trying to hurt nobody. We want these people to be held accountable to the laws that we have seen them violate. That's all there is to it.

¹ https://en.wikipedia.org/wiki/ITV_News

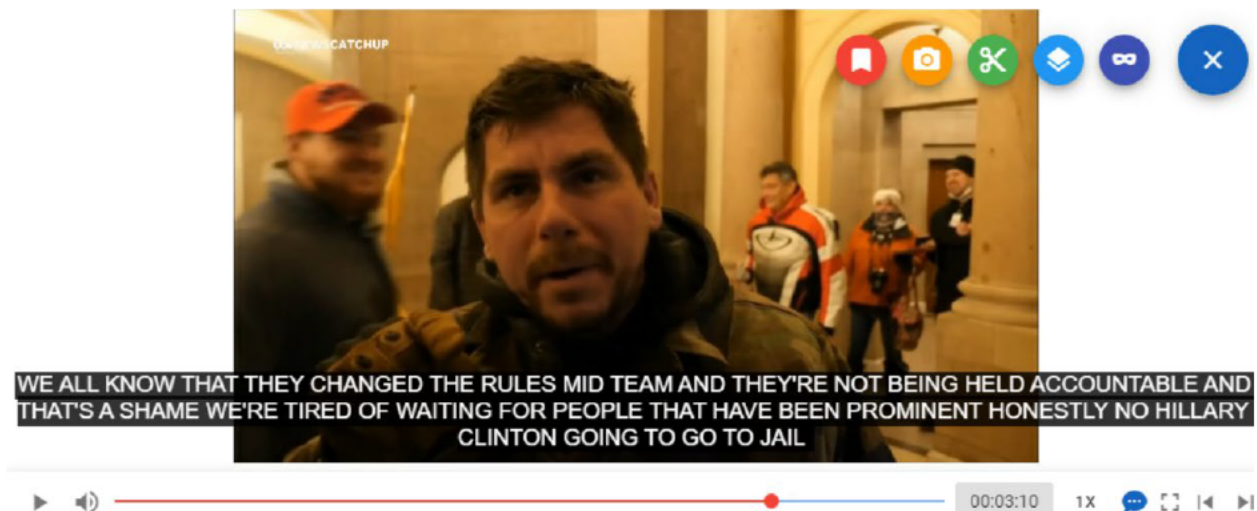


Image 5

According to United States Capitol Police officers, the location seen in **Image 5** is in the vicinity of the United States Speaker of the House Nancy Pelosi's office.

MAZZIO can be seen in **Images 6** and 7 inside the U.S. Capitol on January 6, 2021.²

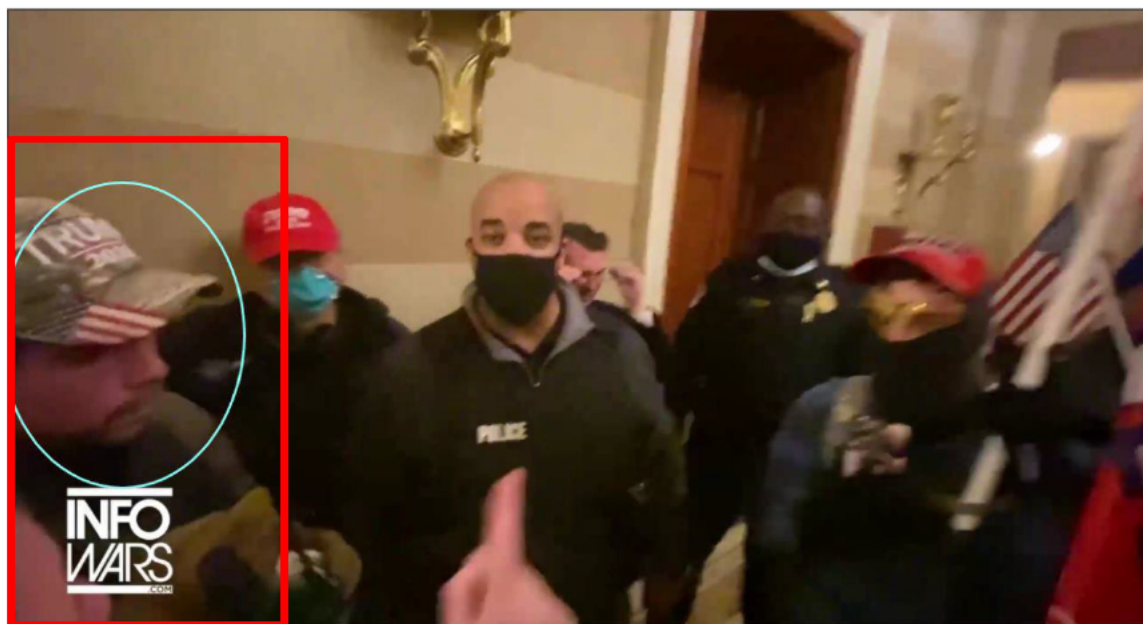


Image 6

² InfoWars (TheResistance.video, Banned.video, Just Another Channel /2021-01-06/RAW FOOTAGE Wild Protest in Washington D-C- on January 6th, 2021; Getty Images Timestamp 2:22 <https://www.gettyimages.com/detail/video/pro-trump-protesters-storm-us-capitol-building-usa-news-footage/1295077075>

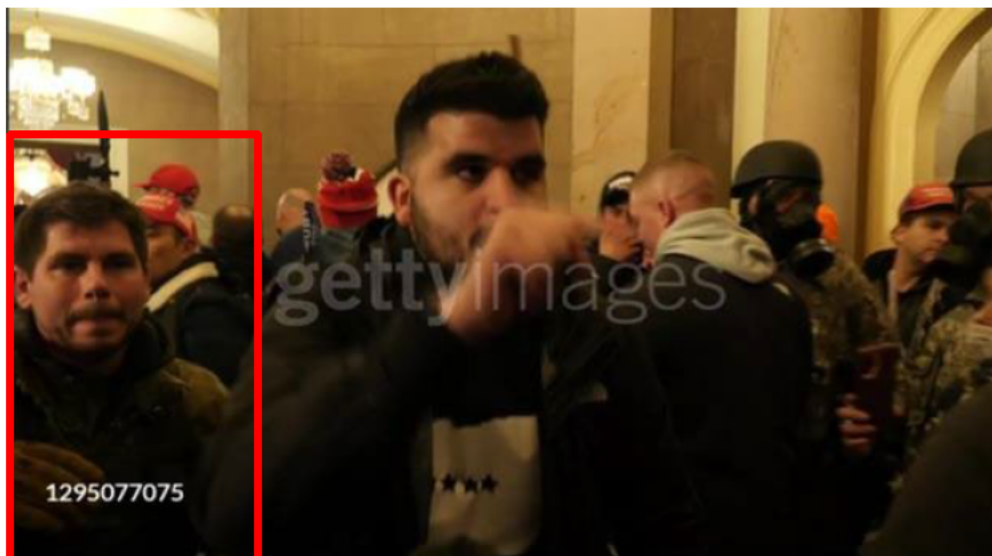


Image 7

MAZZIO can be seen exiting the U.S. Capitol in **Image 8**³



Image 8

³ <https://www.dropbox.com/s/lu62o2wbtqrkm9j/5636b4a9-6fd6-428f-b582-ab447c47c36b.mkv?dl=0>

MAZZIO is depicted on the East side of the U.S. Capitol in **Image 9**.



Image 9⁴

FBI Special Agents interviewed Witness 1, a neighbor of MAZZIO, who was well-acquainted with him, and Witness 1 confirmed the person in **Image 5** is MAZZIO. FBI Special Agents went to MAZZIO's home on August 4, 2021, and the person depicted in these photos was the person they spoke with that day.

Based on the foregoing, your affiant submits that there is probable cause to believe that Anthony Michael MAZZIO Jr., 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; 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.

Your affiant submits there is also probable cause to believe that Anthony Michael MAZZIO Jr. violated 40 U.S.C. § 5104(e)(2) 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

⁴ <https://www.facebook.com/photo.php?fbid=10223665969494411&set=pb.1147153209.-2207520000..&type=3>

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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 22nd day of March 2022.

A handwritten signature in blue ink, appearing to be 'Zia M. Faruqui'.



Zia M. Faruqui

2022.03.22

21:20:31 -04'00'

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE