

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	MAGISTRATE NO. 21-MJ-161
	:	
BRIAN GUNDERSEN,	:	VIOLATIONS:
	:	18 U.S.C. § 1752(a)(1)
Defendant.	:	(Entering and Remaining in a Restricted Building)
	:	18 U.S.C. § 1752(a)(2)
	:	(Disorderly and Disruptive Conduct in a Restricted Building)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Violent Entry and Disorderly Conduct in a Capitol Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in a Capitol Building)

**INFORMATION**

The United States Attorney charges that:

**COUNT ONE**

On or about January 6, 2021, in the District of Columbia, **BRIAN GUNDERSEN**, did knowingly enter and remain in the United States Capitol, a restricted building, without lawful authority to do so.

**(Entering and Remaining in a Restricted Building**, in violation of Title 18, United States Code, Section 1752(a)(1))

**COUNT TWO**

On or about January 6, 2021, in the District of Columbia, **BRIAN GUNDERSEN**, knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engaged in disorderly and disruptive conduct in and within such proximity to,

the United States Capitol, a restricted building, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

**(Disorderly and Disruptive Conduct in a Restricted Building**, in violation of Title 18, United States Code, Section 1752(a)(2))

**COUNT THREE**

On or about January 6, 2021, in the District of Columbia, **BRIAN GUNDERSEN**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress or either House of Congress.

**(Violent Entry and Disorderly Conduct in a Capitol Building**, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

**COUNT FOUR**

On or about January 6, 2021, in the District of Columbia, **BRIAN GUNDERSEN**, willfully and knowingly paraded, demonstrated, and picketed in a Capitol Building.

**(Parading, Demonstrating, or Picketing in a Capitol Building**, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

Respectfully submitted,

MICHAEL R. SHERWIN  
Acting United States Attorney  
N.Y. Bar No. 4444188

By: /s/ Kevin Birney  
KEVIN BIRNEY  
D.C. Bar No. 1029424  
Assistant United States Attorney  
555 4<sup>th</sup> Street, N.W.  
Washington, D.C. 20530  
Telephone No. (202) 252-7165  
Kevin.birney@usdoj.gov