

21-mj-4099-MCALILEY

FILED BY	<u>KS</u>	D.C.
Oct 26, 2021		
<small>ANGELA E. NOBLE CLERK U.S. DIST. CT. S. D. OF FLA. - Miami</small>		

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on January 8, 2021

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	MAGISTRATE NO.
	:	
GILBERT FONTICوبا,	:	VIOLATIONS:
Defendant.	:	18 U.S.C. §§ 1512(c)(2), 2
	:	(Obstruction of an Official Proceeding)
	:	18 U.S.C. § 231(a)(3), 2
	:	(Civil Disorder)
	:	18 U.S.C. § 1752(a)(1)
	:	(Entering and Remaining in a Restricted
	:	Building or Grounds)
	:	18 U.S.C. § 1752(a)(2)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building or Grounds)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in a Capitol Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	Capitol Building)

INDICTMENT

Case: 1:21-cr-00638
Assigned To : Kelly, Timothy J.
Assign. Date : 10/22/2021
Description: Indictment (B)
Related Case: 21-cr-175 & 21-cr-378 (TJK)

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia and elsewhere, **GILBERT FONTICوبا** attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

(Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

COUNT TWO

On or about January 6, 2021, within the District of Columbia, **GILBERT FONTICوبا** committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, officers from the United States Capitol Police Department, lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder which in any way and degree obstructed, delayed, and adversely affected commerce and the movement of any article and commodity in commerce and the conduct and performance of any federally protected function.

(Civil Disorder, in violation of Title 18, United States Code, Section 231(a)(3) and 2)

COUNT THREE

On or about January 6, 2021, within the District of Columbia, **GILBERT FONTICوبا** did knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so.

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

COUNT FOUR

On or about January 6, 2021, within the District of Columbia, **GILBERT FONTICوبا** did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-

elect were temporarily visiting, 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 or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT FIVE

On or about January 6, 2021, within the District of Columbia, **GILBERT FONTICوبا** willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

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

COUNT SIX

On or about January 6, 2021, within the District of Columbia, **GILBERT FONTICوبا** willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

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

A TRUE BILL:

FOREPERSON.

Attorney of the United States in
and for the District of Columbia.

AO 442 (Rev. 01/09) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
GILBERT FONTICوبا

Defendant

Case: 1:21-cr-00638
Assigned To : Kelly, Timothy J.
Assign. Date : 10/22/2021
Description: Indictment (B)
Related Case: 21-cr-175 & 21-cr-378 (TJK)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) GILBERT FONTICوبا
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
Superseding Indictment
Information
Superseding Information
Complaint
Probation Violation Petition
Supervised Release Violation Petition
Violation Notice
Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. §231(Civil Disorder)
18 U.S.C. §1512(c)(2), 2 (Obstruction of an Official Proceeding)
18 U.S.C. §7152(a)(1) (Entering and Remaining in a Restricted Building or Grounds)
18 U.S.C. §7152(a)(2) (Disorderly and Disruptive Conduct in a Restricted Building or Grounds)
40 U.S.C. § 5104(e)(2)(D) (Disorderly Conduct in a Capitol Building)
40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building)

Date: 10/22/2021

G. Michael Harvey, U.S. Magistrate Judge

City and state: Washington D.C.

G. Michael Harvey
Digitally signed by G. Michael Harvey
Date: 2021.10.22 15:02:12 -04'00'
Printed name and title

Return

This warrant was received on (date) , and the person was arrested on (date)
at (city and state)

Date:
Arresting officer's signature

Printed name and title