

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. 21-MJ-036-01, 02
	:	
THOMAS ROBERTSON, and	:	VIOLATIONS:
JACOB FRACKER,	:	18 U.S.C. §§ 1512(c)
	:	(Obstruction of an Official Proceeding)
Defendants.	:	18 U.S.C. § 2
	:	(Aiding and Abetting)
	:	18 U.S.C. § 1752(a)(1)
	:	(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 or Grounds)

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

On or about the January 6, 2021, within the District of Columbia and elsewhere, **THOMAS ROBERTSON** and **JACOB FRACKER**, attempted to and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, by entering and remaining in the United States Capitol without authority and participating in disruptive behavior.

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

**COUNT TWO**

On or about January 6, 2021, within the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, did unlawfully and 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 THREE**

On or about January 6, 2021, within the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, 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 FOUR**

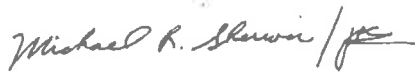
On or about January 6, 2021, in the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct in

that building of a hearing before and any deliberation of a committee of Congress and either House of Congress.

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

A TRUE BILL:

FOREPERSON.



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