

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Rachel Myers and Michael Gianos
DOB: XXXXXX, XXXXXX

Case: 1:21-mj-00665
Assigned To : Faruqui, Zia M.
Assign. Date : 11/22/2021
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) and (2)
40 U.S.C. § 5104(e)(2)(D) and (G)

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



Complainant's signature

Officer
Printed name and title

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

Date: 11/22/2021

Zia M. Faruqui

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

**RACHEL MYERS, and
MICHAEL GIANOS,**

Defendants.

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Case: 1:21-mj-00665
Assigned To : Faruqui, Zia M.
Assign. Date : 11/22/2021
Description: Complaint w/ Arrest Warrant

VIOLATIONS:

**18 U.S.C. § 1752(a)(1) and (2)
(Restricted building or grounds)**

**40 U.S.C. § 5104(e)(2)(D) and (G)
(Violent entry or disorderly conduct)**

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT**

I, [REDACTED] being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I make this affidavit in support of an application for an arrest warrant for RACHEL MYERS and MICHAEL GIANOS.

2. On January 6, 2021, your affiant, Neil Larson Jr. was on duty and performing my official duties as a Task Force Officer. Specifically, I am assigned to the Philadelphia Field Office, Joint Terrorism Task Force, tasked with investigating criminal activity including criminal activity occurring on and around the United States Capitol grounds. As a Task Force Officer, 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. Currently, I am a tasked with investigating criminal activity in and around the U.S. Capitol grounds on January 6, 2021.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This

affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. 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 are 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.

5. 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.

6. 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.

7. 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 by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

8. 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.

9. 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.

PROBABLE CAUSE

10. MICHAEL GIANOS (hereinafter GIANOS) is a 33-year-old American citizen. As discussed in detail below, GIANOS appears to have traveled to Washington, D.C., from Pennsylvania on or about January 5, 2021, and participated in the riot at the U.S. Capitol. According to records associated with his Pennsylvania driver's license, GIANOS is 5'10." As a part of this investigation, I have reviewed the image of GIANOS associated with his July 2019 Pennsylvania driver's license which depicts GIANOS, who has dark brown hair and a dark beard.

11. RACHEL MYERS (hereinafter MYERS) is a 30-year-old American citizen. As discussed in detail below, MYERS appears to have traveled to Washington, D.C., from Pennsylvania on or about January 6, 2021, and participated in the riot at the U.S. Capitol.

According to records associated with her Pennsylvania driver's license, MYERS is 5'6." As a part of this investigation, I have reviewed the image of MYERS associated with her 2018 Pennsylvania driver's license photo which depicts MYERS, who has what appears to be long platinum blond hair with dark streaks.

12. On March 4, 2021, Lawrence Stackhouse was arrested after being charged by complaint (Case No. 21-CR-240 BAH (D.D.C.)), with violations of 18 U.S.C. § 1752(a)(1) and (2) and 40 U.S.C. § 5104(e)(2)(D) and (G).

13. Stackhouse's cellular telephone was searched pursuant to both Stackhouse's consent and a judicially authorized search warrant. A review of the contents of Stackhouse's cellular telephone revealed numerous text messages between Stackhouse and a telephone number ending in "3208," (the "3208 Number"), which was saved in Stackhouse's telephone as "Michael."¹ The 3208 Number is believed to be used by GIANOS because, among other reasons, (1) a review of T-Mobile records received pursuant to a judicially authorized search warrant reveals that while it does not have a subscriber, the MSISDN Name for the device associated with the 3208 Number is "Michael Gianos," and (2) on December 28, 2020, the 3208 Number texted Stackhouse "Yo bro it's Michael this is my new number" and "Gianos."

14. A review of Facebook records received pursuant to a judicially authorized search warrant reveals that the Facebook account with vanity name "Michael.Gianos" is subscribed to "Michael Gianos" with the email address mikeyflawless@aim.com. AOL records received pursuant to a subpoena indicate that mikeyflawless@aim.com is subscribed to "Michael Gianos." Certain public-facing pictures posted by the "Michael.Gianos" Facebook page in June 2020 and

¹ The text messages and Facebook messages included herein contain shorthand language and grammatical errors, but have been unaltered for integrity; information in brackets have been added for contextual reference.

March 2020, show an individual who appears to be GIANOS, who has dark brown hair and a dark-colored beard.

15. On January 12, 2021, the Federal Bureau of Investigation (“FBI”) received a tip from a confidential witness (“CW-1”) who provided two screenshots (Images 1 and 2) of a Facebook post from Facebook user “Rachel Myers” (depicted in Image 1 to the left of the name “Rachel Myers”). CW-1 stated “This is a coworker of my friend who claimed she was ok with a civil war 3 weeks before storming the capitol building with fellow terrorists.”

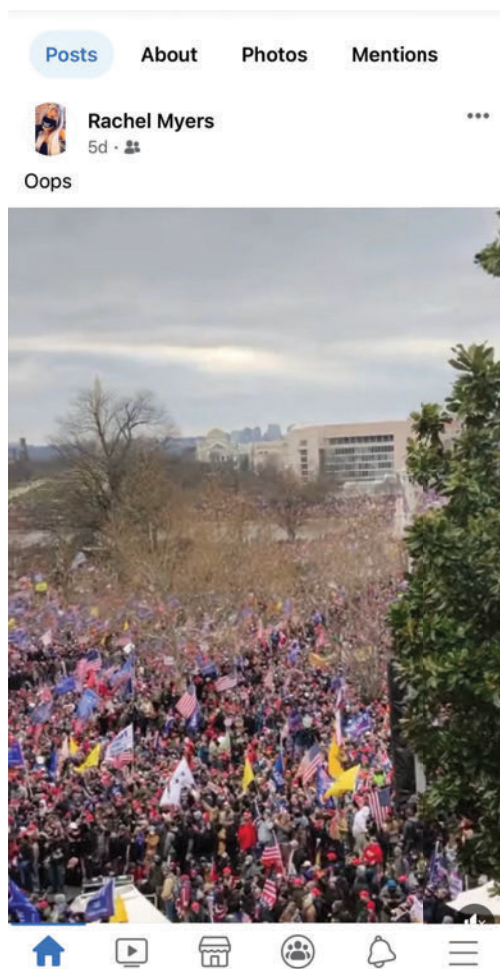


Image 1



Image 2

16. On January 17, 2021, the FBI received a tip from a second confidential witness (“CW-2”). CW-2 provided a hyperlink to a Facebook page associated with the username name “rachel.myers.129” and stated that, “This person posted a photo of the protesters/rioters at the Capitol Building from outside, on her Facebook page and called it, a beautiful sight. The following day, the photo had been removed. She has since changed the settings of her page so that it cannot be viewed by the public, so its possible she may have posted more photos or information about any involvement in the violent activity. I dont know that she broke any laws or entered the building, but based on the photo she posted, I do believe she at least went to the Capitol Building during the day of the riot. I do know that she is a very fanatical Trump supporter.”

17. During an interview with FBI agents following his arrest, Lawrence Stackhouse stated that he traveled to Washington, D.C. and stayed in a hotel with MYERS. Stackhouse further stated that MYERS entered the Capitol building during the riot on January 6, 2021.

18. The search of Stackhouse's cellular telephone referenced above revealed numerous text messages with a telephone number ending in "8309" (the "8309 Number"), which was saved in Stackhouse's telephone as "Rachel M," related to the November 3, 2020 election and traveling to Washington, D.C. for January 6, 2021. Facebook records received pursuant to a subpoena indicate that the Facebook account with vanity name "Rachel.Myers.129" is subscribed to "Rachel Myers" with the 8309 Number as a verified phone number. Certain public-facing pictures posted by the "Rachel.Myers.129" Facebook page in March 2021 and April 2020, show an individual who appears to be MYERS, who has long platinum blond hair. AT&T records received pursuant to a subpoena indicate that the 8309 Number is subscribed to RACHEL MYERS. Location data received pursuant to a search warrant indicates that the cellular devices associated with the 8309 Number and the 3208 Number were in the vicinity of the U.S. Capitol Building on January 6, 2021.

19. A review of Stackhouse's cellular telephone and GIANOS' and MYERS' Facebook records indicates that in the period between the November 3, 2020 U.S. Presidential Election and January 6, 2021, GIANOS and MYERS exchanged a number of messages reflecting their belief that the Presidential Election had been "stolen," their knowledge about the Certification process and their desire to stop that process.

20. On November 16, 2020, using Facebook, GIANOS sent a Tweet (Image 3) from Rudy Giuliani to MYERS, in which Giuliani claimed to have evidence of fraud.

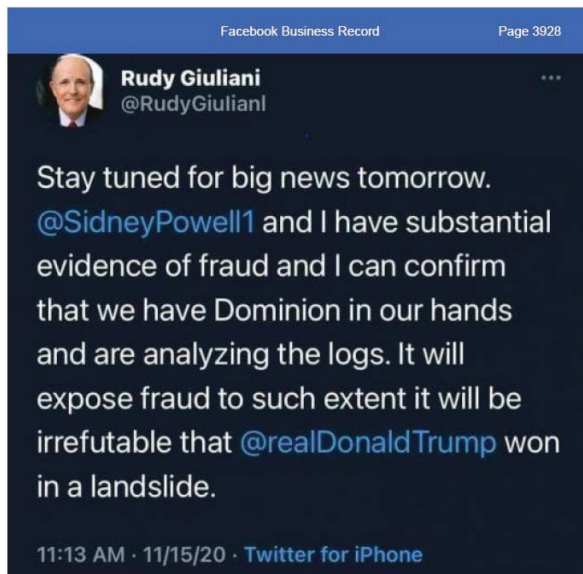


Image 3

21. On December 19, 2020, MYERS sent GIANOS, by Facebook, a tweet from then President Trump (Image 4) claiming that it was “[s]tatistically impossible to have lost the 2020 Election.”

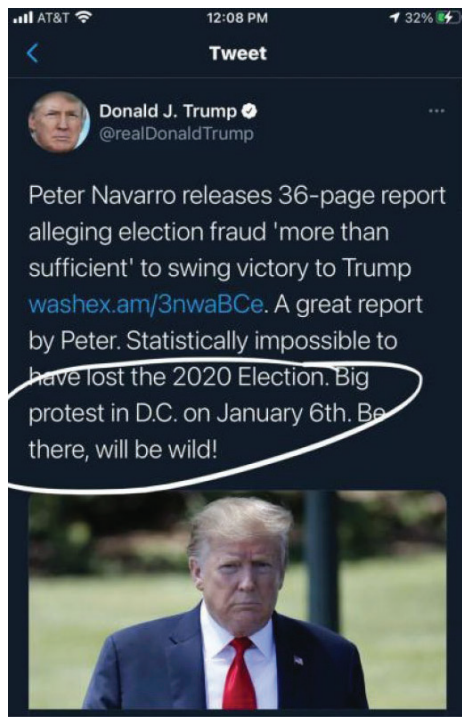


Image 4

22. That same day MYERS also messaged GIANOS on Facebook “January 6th the house starts and there’s already a ton of them objecting the Biden votes.” GIANOS responded “Read into that a lot,” and “But we need both the house and senate to vote on it.. or the ‘fairhless electors’ as their called.” MYERS also messaged GIANOS “The 6th is when they meet for the electoral part” as well as a series of screenshots of Tweets regarding the certification process, two of which are included as Images 5A and 5B:

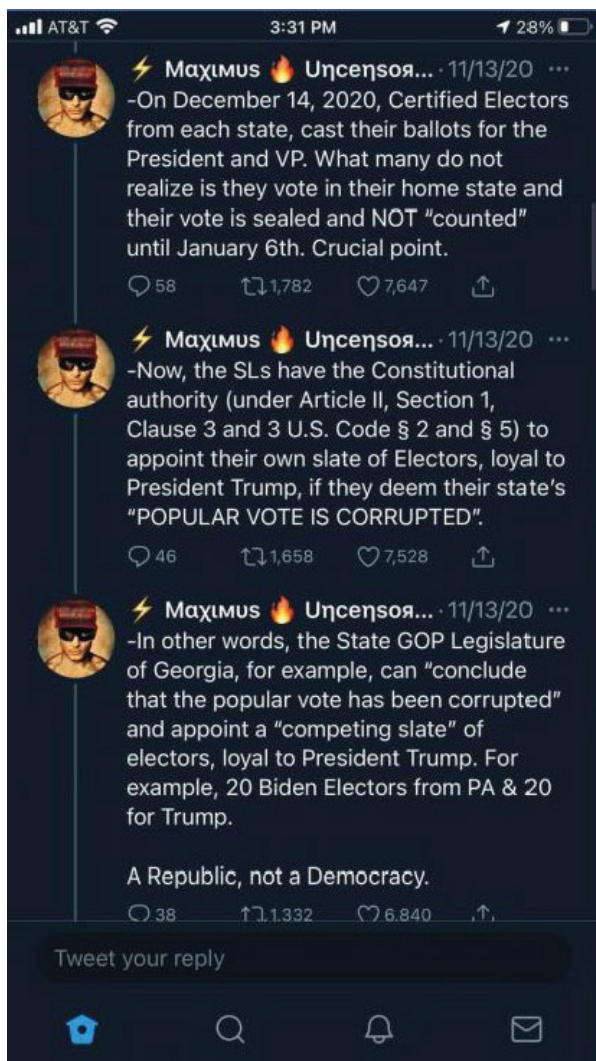


Image 5A



Image 5B

23. On December 23, 2020 MYERS sent GIANOS the following screenshots on Facebook, which discuss the Vice President Pence's role in the January 6, 2021 certification process:



Image 6A



Image 6B



Image 6C

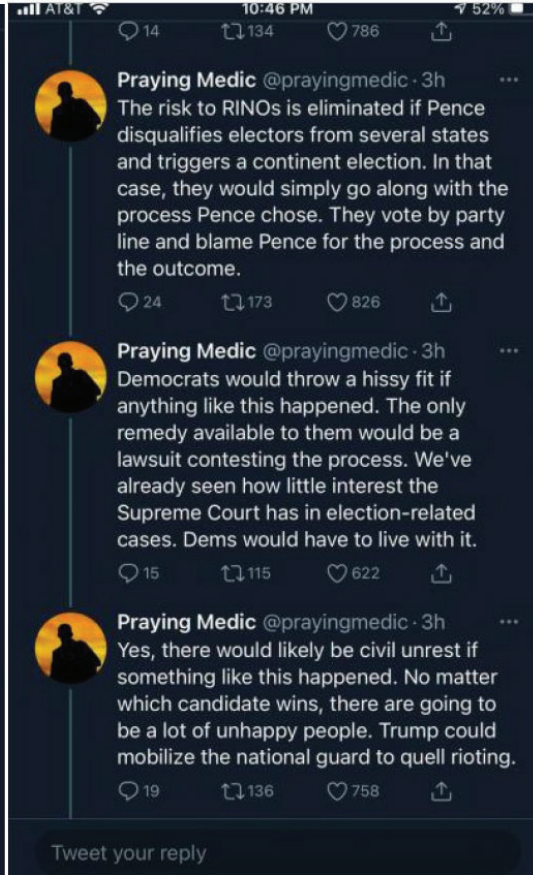
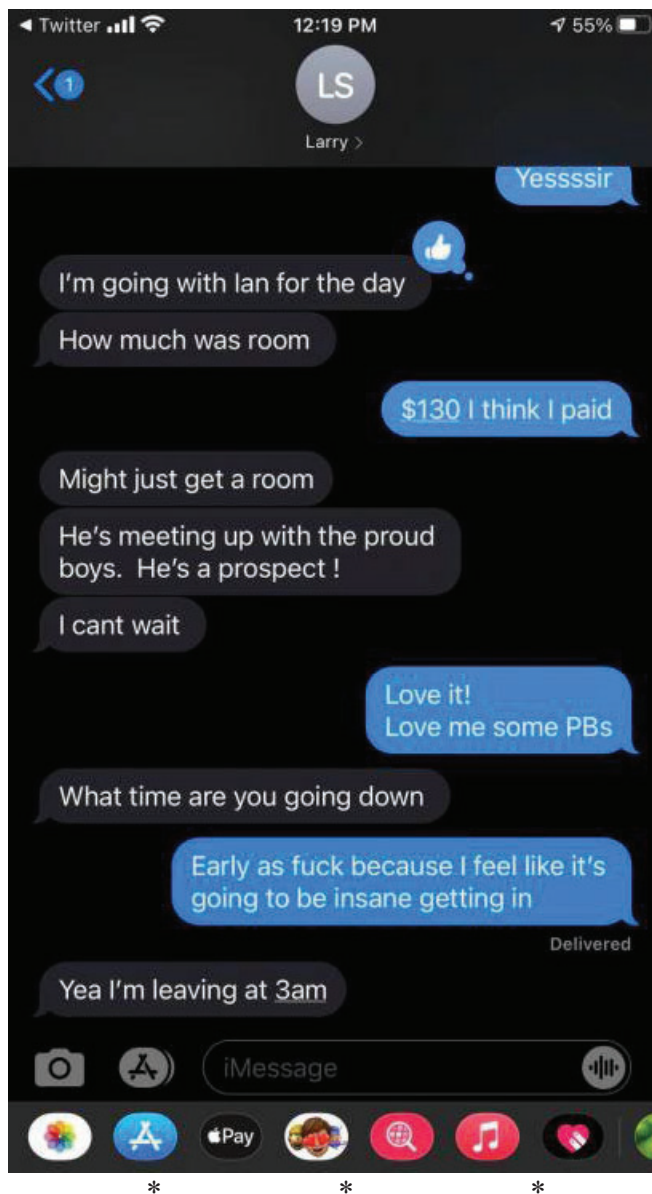


Image 6D

24. On December 28, 2020 GIANOS and MYERS exchanged the following messages, including a screenshot of a text conversation, on Facebook:

MYERS:



GIANOS: Wait Larry ?

GIANOS: Stack house ?

MYERS: Yeah

GIANOS: Hahahah

GIANOS: Yeah he good people me and him were at the atilis protest ..
I'm gonna text his ass

GIANOS: Fuk do me favor I lost my personal phone in nyc. So Larry
has my 4518 number Have Larry text me. [the 3208
Number]

GIANOS: This is gonna be an event to remember

25. On December 28, 2020, GIANOS and Stackhouse exchanged the following text messages about traveling to Washington, D.C. for the January 6, 2021 "Stop the Steal" rally and subsequent march to the United States Capitol:

GIANOS: I heard from Rachel ur going to dc ?.

STACKHOUSE: My man. Yessir thats the plan !

STACKHOUSE: u down ?

GIANOS: Bro I got a hotel

STACKHOUSE: U wanna fight so bad

GIANOS: Night before too

* * *

STACKHOUSE: Your going the day before ?

GIANOS: Yeah Tuesday

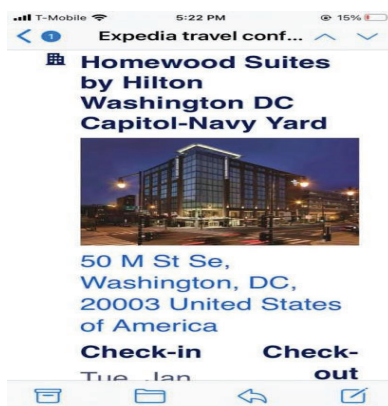
GIANOS: U can come with me if u want

STACKHOUSE: Fuck that's my girls bday

GIANOS: I'm going that night

GIANOS: Tuesday night

* * *



GIANOS: Hotel confirmed

STACKHOUSE: That's where Rachel is staying too

GIANOS: I don't think so

STACKHOUSE: Oh lol

GIANOS: She told me somewhere else I think

GIANOS: But same area

GIANOS: Capital hill is where it's all at

STACKHOUSE: Might crash on ur floor on the 6th

Based on the messages between MYERS and GIANOS on December 28, 2020, I believe that the "Rachel" that GIANOS and Stackhouse discussed in paragraph 25 is MYERS.

26. That same day, GIANOS sent MYERS a photograph of his hotel confirmation from Expedia (Image 7), followed later by a screenshot of his hotel confirmation (Image 8), which had been sent to GIANOS via automated text.

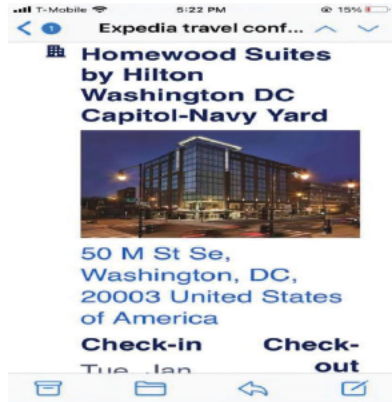


Image 7

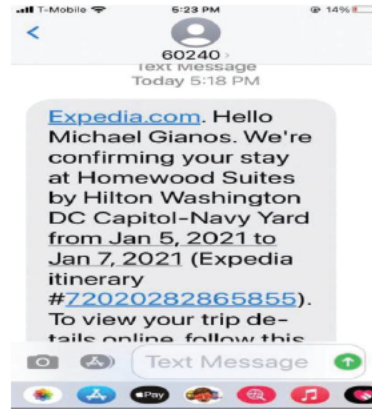


Image 8

27. Records from Homewood by Hilton obtained pursuant to subpoena indicate that GIANOS stayed at the Homewood Suites by Hilton Washington DC Capitol-Navy Yard location from January 5, 2021 until January 7, 2021.

28. On December 26, 2020, in response to GIANOS' question "What hotel U staying at ?" MYERS sent GIANOS a screenshot of the Orbitz.com webpage for the Residence Inn Washington Capitol Hill/Navy Yard.

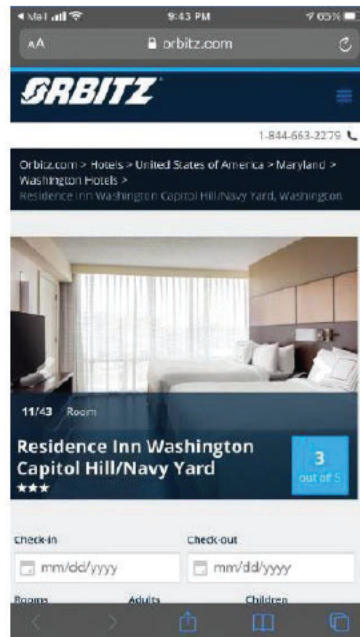


Image 9

29. On December 30, 2020, MYERS and Stackhouse discussed their apparent hopes to get into an altercation with counter-protestors on January 6, 2021:

MYERS: 1. I'm not scared of those little faggots
And if I died it would be something I was so passionate for
so whatever lol

STACKHOUSE: You're not dying rach

* * *

MYERS: Those twerps love weapons

MYERS: Cuz they can't fight

STACKHOUSE: I'll give u a knife

STACKHOUSE: [name redacted] mentioned lot of bear mace

MYERS: Yeah I heard that too

* * *

MYERS: I'll be marching with the PBs so they stay away from me

Based on my training and experience, the investigation, and the context of the conversation, I believe that "PB" refers to the Proud Boys. The Proud Boys is a nationalist organization with multiple U.S. chapters and potential activity in other Western countries. The group describes itself as a "pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western Chauvinists." Proud Boys members routinely attend rallies, protests, and other First Amendment protected events, where they sometimes engage in violence against individuals.

30. On January 2, 2021, GIANOS exchanged messages with a Facebook user about January 6, 2021. These messages included a discussion of the clothing that GIANOS intended to

wear on January 6, 2021: “Idk what maga hat to wear blue or Res,” “Red,” “I’m wearing my Trump shirt but I’ll have sweatshirt y won’t see my t shirt unless it gets hot.”

31. On January 4, 2021, GIANOS messaged the same Facebook user referenced in paragraph 30. GIANOS indicated that he was “getting worked up” and “Doin Wash and picking up.” GIANOS also sent a photograph of the sweatshirt that “just came out of wags” “wash.” The sweatshirt, captured in Image 10 below, is of a black sweatshirt with a bright yellow hood lining that depicts a snake and reads “DON’T TREAD ON ME.” The Facebook user with whom GIANOS was messaging responded “Nice!!” and “I’ll wear a cobra Kai shirt.” I believe, based on my training, experience and participation in this investigation, that in this conversation GIANOS was indicating that he was packing for his trip to Washington D.C. and that he would be wearing the pictured sweatshirt.



Image 10

32. On January 4, 2021, GIANOS sent Stackhouse the following text messages indicating his intention to attend the “Stop the Steal” rally and then march to the U.S. Capitol:

GIANOS: Main event is starting at 7 am

GIANOS: Then March to capital

33. Between January 2 through January 5, 2021, MYERS and Stackhouse exchanged text messages regarding their upcoming trip to Washington, D.C. on January 6, 2021, including messages about their hotel reservations and logistics for their drive to D.C. Also on or about January 5, 2021, MYERS messaged another Facebook user that “I’m leaving for dc at 3 am” and “There’s a huge Trump rally , over a million people flying and driving in. This is when the electoral college votes. Tomorrow will be big . I’ll post”.

34. On the morning of January 6, 2021 GIANOS and Stackhouse texted attempting to meet up in person. At 5:48 a.m. GIANOS texted Stackhouse a PDF attachment entitled, “Guest-Instructions_March_to_Save_America_Rally_updated.pdf.” At 8:45 a.m. GIANOS shared his location via Google with Stackhouse, latitude 38.899333 and longitude -77.041098. Your affiant looked up this location via Google Maps, and it resolved to a location near the World Bank (J Building) on the 1700 block of Pennsylvania Avenue between 18th Street NW and 17th Street NW; approximately 2.7 miles away from the U.S. Capitol.

35. At approximately 2:22 p.m., U.S. Capitol CCTV footage depicts an individual that I believe, based on my comparison of MYERS’ known image and description, to be MYERS, who has platinum blond hair and is wearing a black headband/ear muffs, and American flag scarf and dark jacket and pants, and Stackhouse,² who is wearing a blue beanie, red and white striped

² A witness who worked with Stackhouse identified Stackhouse as the individual in a blue Trump beanie, jeans and dark sweatshirt with a “B” on the left breast with a backpack captured on U.S. Capitol Police CCTV from January 6, 2021.

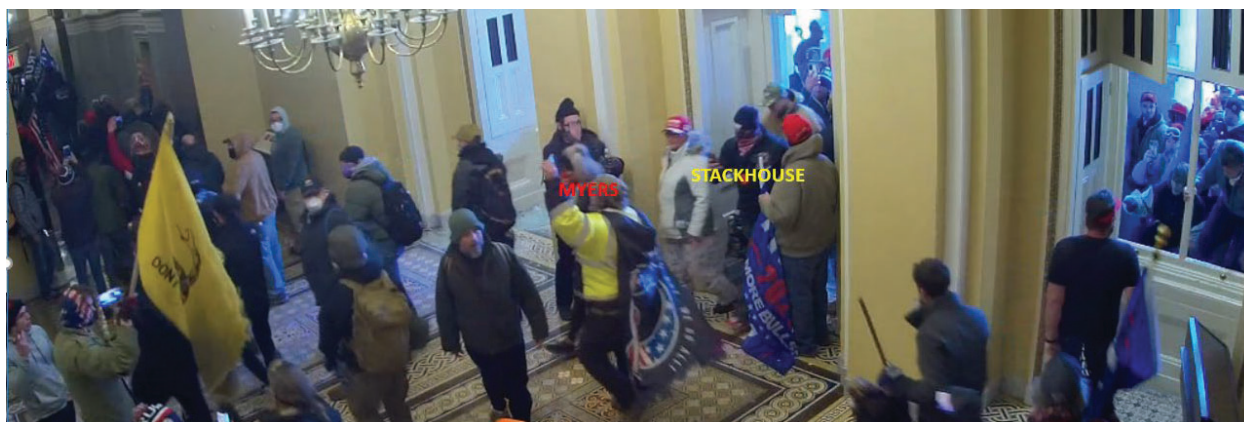


Image 11

36. Seconds later, an individual wearing what appears to be a red “Make American Great Again” hat and a dark sweatshirt with a bright yellow inner hood entering the U.S. Capitol building through the Senate Wing Door. A still of the footage is depicted in Image 12. This clothing is consistent with the clothing that GIANOS indicated he would be wearing on January 6, 2021, as discussed in paragraphs 28 and 29. This individual’s build and height are also consistent with GIANOS, based on information associated with his driver’s license and photographs posted on his Facebook page.

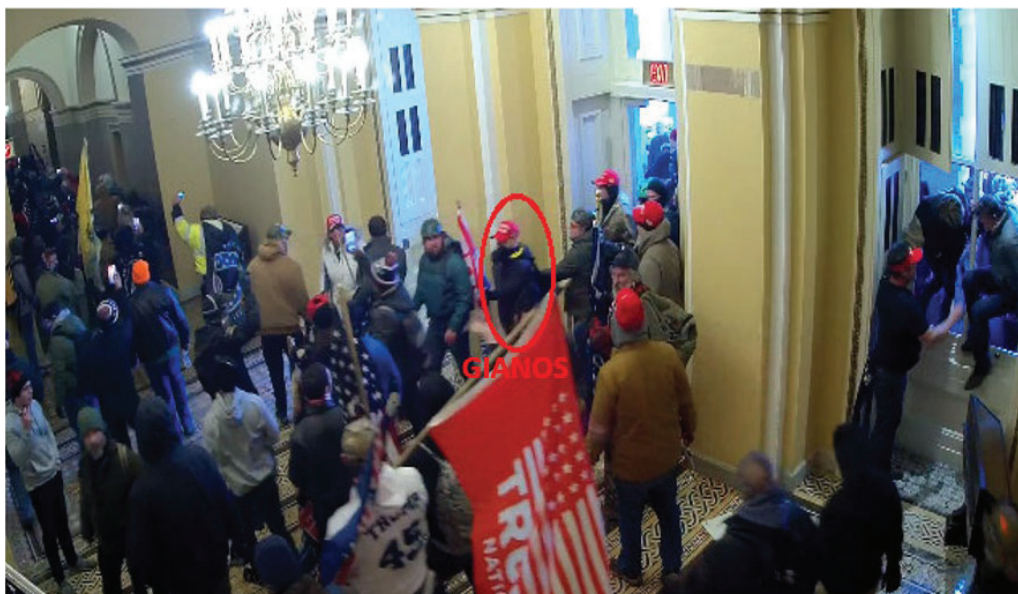


Image 12

37. At approximately 2:31 p.m, GIANOS, MYERS and Stackhouse can be observed entering the Rotunda. *See* Image 13. At this time, GIANOS is holding a flag and holding his cellular telephone, which is illuminated, in a way consistent with him filming or taking photographs. After less than one minute, GIANOS, MYERS and Stackhouse turned around and exited the Rotunda. *See* Image 14. GIANOS' black "Don't Tread on Me" sweatshirt and red "MAGA" hat are visible.

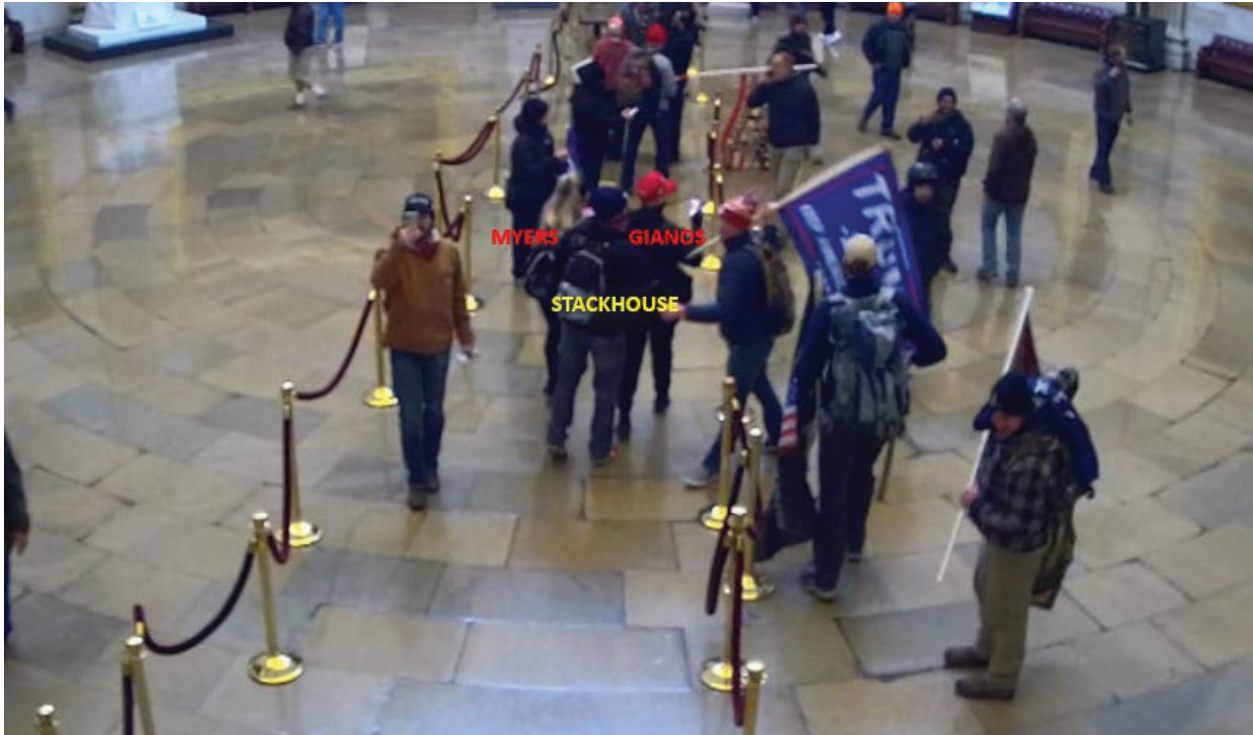


Image 13



Image 14

38. At approximately 2:33 p.m., GIANOS, MYERS and Stackhouse are observed walking in a hallway in Speaker Nancy Pelosi's office suite. *See* Images 15-17. GIANOS, MYERS and Stackhouse then enter an office within the suite where they remain for less than one minute.

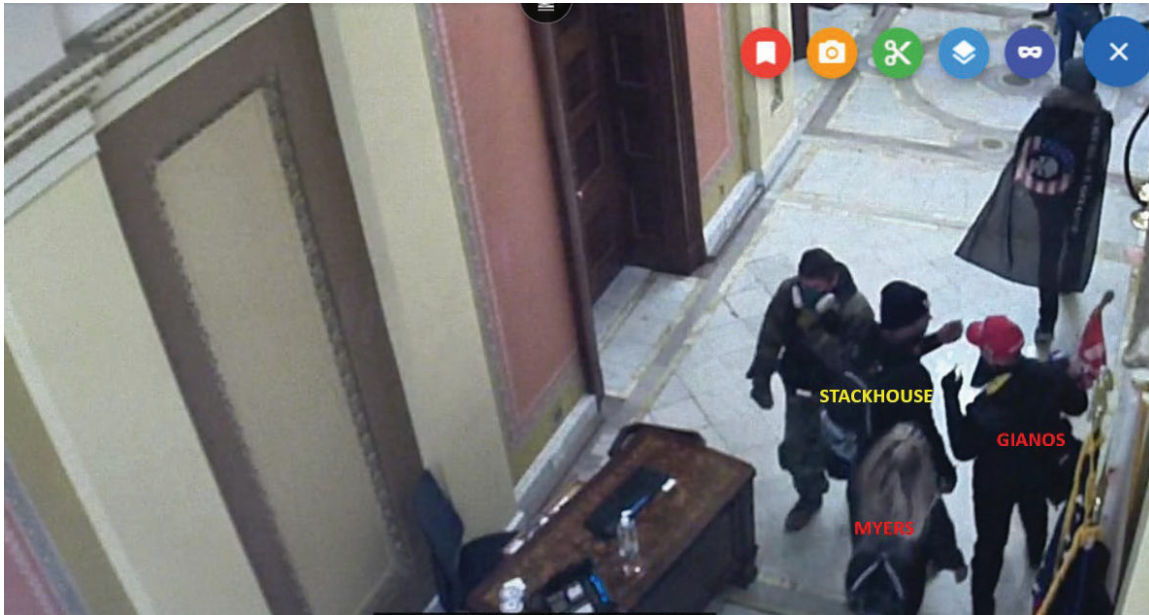


Image 15



Image 16

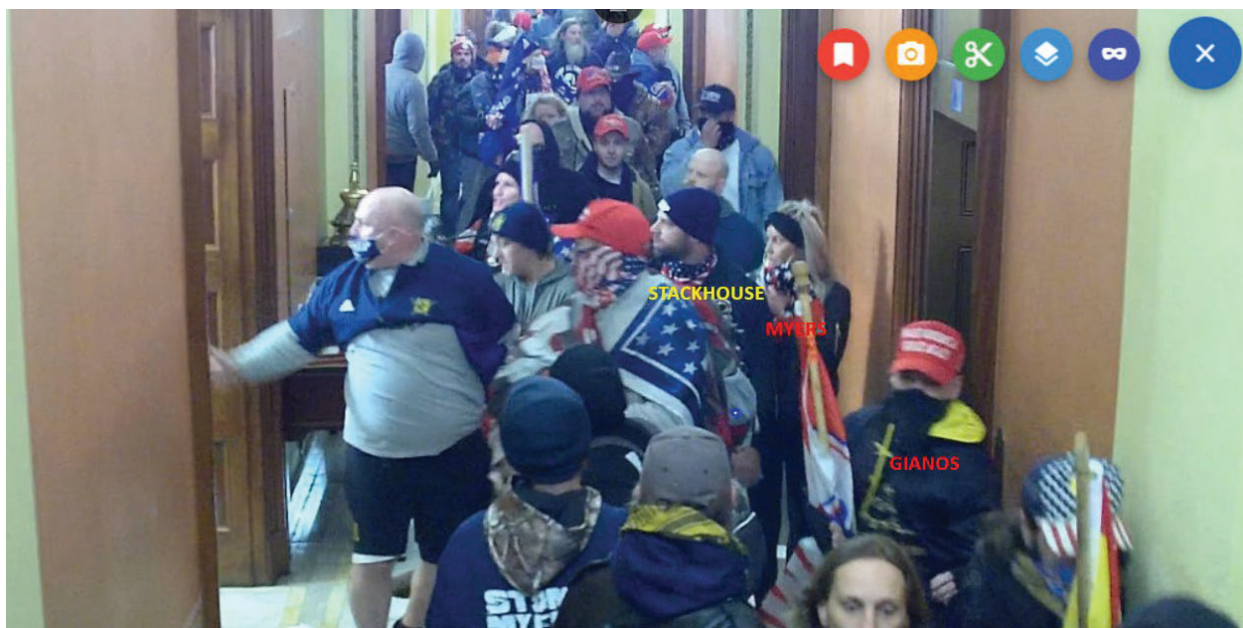


Image 17

39. On January 6, 2021, GIANOS and a Facebook user, referred to herein as Individual 1, exchanged the following messages in which GIANOS admits to being inside of Speaker Nancy Pelosi's office inside of the U.S. Capitol building:

GIANOS: So many people

INDIVIDUAL 1: That's awesome! Any pussy antifa yet

INDIVIDUAL 1: How's it going g my husband said he got in the capital and they started pepper spraying

INDIVIDUAL 1: I can't believe that pence let the country down

GIANOS: Yeah I was in there

GIANOS: Stormed Nancy office

INDIVIDUAL 1: Fuck yeah!!' Did you get a picture

INDIVIDUAL 1: People are saying there was an active shooter

GIANOS: Plenty videos

GIANOS: Yeah

GIANOS: They shot a lady

* * *

INDIVIDUAL 1: I love that we took the capital

GIANOS: I kneo

GIANOS: Know³

40. On January 6, 2021, GIANOS and a Facebook user, referred to herein as Individual 2, exchanged the following messages in which he admits to being inside of Speaker Nancy Pelosi's office inside of the U.S. Capitol building:

GIANOS: Do u know what happen

GIANOS: Their voting on 25th Amendment

INDIVIDUAL 2: Do u know

GIANOS: Yes I was here I kneo I was inside

GIANOS: I know

GIANOS: I watched them take her laptop

INDIVIDUAL 2: Who's laptop

INDIVIDUAL 2: U went inside

GIANOS: Pelosi

* * *

GIANOS: We weren't there breaking shit

³ GIANOS also later messaged Individual 1 that he was "on the grass not inside lmao," which based on the other facts discussed herein, including his messages to Individual 1 that he "stormed Nany office," appears to be a false exculpatory statement.

GIANOS: Yeah

GIANOS: I was there I know

INDIVIDUAL 2: [photograph depicting the U.S. Capitol grounds on January 6, 2021]

GIANOS: That's not in the capital

GIANOS: Video I have are inside

GIANOS: Just don't wanna send them

INDIVIDUAL 2: There's more

INDIVIDUAL 2: Whatever

INDIVIDUAL 2: Why

GIANOS: Cause their gonna arrest people

GIANOS: Not good what happen

INDIVIDUAL 2: They got face recognition of mad people

INDIVIDUAL 2: Then ur going to get arrested too

INDIVIDUAL 2: Stupid

GIANOS: Mask⁴

I believe, based on my training, experience and participation in this investigation, that in this conversation GIANOS explained that he had been inside the U.S. Capitol, where he watched Nancy Pelosi's laptop being stolen. GIANOS also explained that he had videos from inside of the U.S. Capitol, but did not want to send them in an effort to avoid arrest. GIANOS also noted that

⁴ GIANOS later messaged Individual 2 that he "didn't go inside," which based on the other facts discussed herein, including his messages to Individual 2 that he "watched them take [Nancy Pelosi's] laptop," appears to be a false exculpatory statement.

he did not believe that he would be identified because he had worn a mask. As evidenced in the CCTV footage, GIANOS was in fact wearing a mask inside the Capitol that covered most of his face and did enter an office within Speaker Pelosi's suite. I am aware that a laptop that belonged to Speaker Pelosi's staff was in fact stolen on January 6, 2021.

41. On January 6, 2021, GIANOS and a Facebook user, referred to herein as Individual 3, exchanged the following messages in which he admits to being inside of U.S. Capitol building:

INDIVIDUAL 3: How's it going

GIANOS: Stormed capital

42. According to records received from T-Mobile pursuant to a judicially authorized search warrant, GIANOS, using the 3208 Number, sent text messages evidencing his presence at the United States Capitol on January 6, 2021. For instance, on January 6, 2021, in response to a message reading "What's it looking like Mike? You guys safe?" GIANOS responded "Yeah bro shit got wild man" and Took over the capital."

43. On January 7, 2021, GIANOS and Stackhouse exchanged the following text messages:

GIANOS: U get home ok

STACKHOUSE: Just got home bro

STACKHOUSE: Yo u have any good videos from inside

GIANOS: Nah deleted lot of shit

GIANOS: Only the video I'm grabbing from telegram

STACKHOUSE: [Liked "Only the video I'm grabbing from telegram"]

GIANOS: Those people gonna go to jail main

STACKHOUSE: Ehhh

GIANOS: FBI is looking for the Viking Antifa dude

GIANOS: Their asking people if they see videos to report

STACKHOUSE: Supposedly they caught him

GIANOS: Yeah I hope so

GIANOS: Fkn Antifa fuk

STACKHOUSE: His Twitter IS QANON

GIANOS: Oh wow

STACKHOUSE: Idk

GIANOS: Man so much crazy shit happen

STACKHOUSE: Don't regret one thing

STACKHOUSE: Fuck the government

GIANOS: Yeah man I feel the same about that shit

I believe, based on my training, experience and participation in this investigation, that in this conversation GIANOS explained that he had deleted the videos that he took inside the U.S. Capitol building (“Yo u have any good videos from inside” “Nah deleted lot of shit”) and did not regret his participation in the riot on January 6, 2021 (“Don't regret one thing” “Fuck the government” “Yeah man I feel the same about that shit”)

44. On or about January 7, 2021 through on or about January 8, 2021, MYERS and Stackhouse exchanged the following text messages:

STACKHOUSE: Hey. You good ?

STACKHOUSE: We are legit PIC⁵

⁵ This is believed to be an acronym for “partners in crime.”

MYERS: Just not thinking about any of it anymore

MYERS: Don't tell anyone you were there. Just move forward and we will deal with whatever comes our way if it happens !

STACKHOUSE: omg stop buggin

MYERS: I'm not lol

MYERS: I just don't wanna talk about any of it anymore

STACKHOUSE: TMZ already released pictures of who they want. We're good

* * *

MYERS: I know you wouldn't and i doubt it'll ever happen but if [redacted] ever tries to text you for info , tell him nothing. You know he's nose and always wants to know things

STACKHOUSE: Don't even gotta worry about that

MYERS: [sends photograph of rioters breaching the Capitol]

STACKHOUSE: U scared me. Tho i hit we were in it

MYERS: Lamo no but look

MYERS: The doors were literally opened

STACKHOUSE: Let us right in

MYERS: What a set up

STACKHOUSE: Trump will be president

MYERS: Larry!!!! Lol

STACKHOUSE: I'm not giving up

[texts omitted regarding discussion whether the election results would be overturned]

STACKHOUSE: I think this is what he was talking about in his speech

MYERS: Look at us getting our hopes up again. We will be storming the Capitol next week

STACKHOUSE: Delete that text lol.

45. On or about January 8, 2021, MYERS replied to a comment on a Facebook post, stating “yes they let them in because it was a set up and I watched it all happen. This was an absolute inside job.” She also commented on another post “Girl I was there Wednesday, and NO RIOT ever happened. The media are absolute liars. The cops opened those doors for everyone to walk right into the Capitol.” On or about that same day, MYERS messaged another Facebook user that “Pence is a deep state traitor !!!!” and asked “Why would he set us up to come there . Tell us he was holding the lien and only count legal votes then put out a tweet in the middle of Trumps speech that he can’t change anything”.

46. On January 12, 2021 GIANOS and Stackhouse again texted about the U.S. Capitol breach that occurred on January 6, 2021. GIANOS sent Stackhouse two articles, one of which was entitled “FBI: Capitol Pipe Bomb had ‘explosive igniters,’ ‘hundreds’ of arrests expected in capitol attack.” After sending the articles, GIANOS and Stackhouse exchanged the following text messages:

GIANOS: U see this

STACKHOUSE: Yea. Def not us

GIANOS: 100% not ya

GIANOS: Us

STACKHOUSE: It went on for so long n ppl fucked the place up

STACKHOUSE: 1000s were in

GIANOS: yea rheir idiots man

GIANOS: somon planted outside wtf

GIANOS: could have killed us

GIANOS: Idiots

STACKHOUSE: Inside too

STACKHOUSE: Two pipe bomb duds

GIANOS: Yeah

GIANOS: Target said they were live

GIANOS: They just didn't go off for what ever reason

GIANOS: Connected to timer

STACKHOUSE: I Don't believe it one bit

I believe, based on my training, experience and participation in this investigation, that in this conversation GIANOS explained that he and Stackhouse could have been killed by the bombs that had been placed on U.S. Capitol grounds (“somon planted outside” “wtf” “could have killed us”).

47. On or about January 15, 2021 MYERS messaged another Facebook user and stated, “By the time I even made it to the Capitol there were already flash bombs being exploded from people”; “And there were just random guys that would come up to you and be like LETS GO!!!! We're going in!!!! Grab that over there. Push them people over there”; “It was so strange.” MYERS then claimed, “It was him and 226 other antifa members who spread out and planned this (sic) attack,” and “Makes sense when I look back at it all.” MYERS then stated that with respect to January 6, 2021, “It was one of the best days of my life.”

48. On or about January 19, 2021, MYERS texted Stackhouse the photogram in Image 18, writing “[name redacted] just sent me this” “From the dudes in acs story apparently!!” to which Stackhouse replied, “There's a Delilah's in AC tho too sooo that helps” and “lol legit me n u lol.”

In the image, someone has circled the backpack of a woman who appears to be on U.S. Capitol grounds on January 6, 2021. The woman is believed to be MYERS because she has platinum blond hair and is wearing an American flag scarf and backpack consistent with the clothing that MYERS can be observed wearing in CCTV footage on January 6, 2021. It appears that the backpack contains the logo for Delilah's, a gentlemen's club in Philadelphia. Pennsylvania Department of Labor records indicate that MYERS works at Delilah's. MYERS' Facebook records also indicate that MYERS "likes" "Delilah's Gentleman's Club and Steakhouse" and has "checked-in" there on multiple occasions. The clothing and backpack of the individual walking with MYERS in the photograph in Image 18 is consistent with the clothing that Stackhouse can be observed wearing in CCTV footage on January 6, 2021.

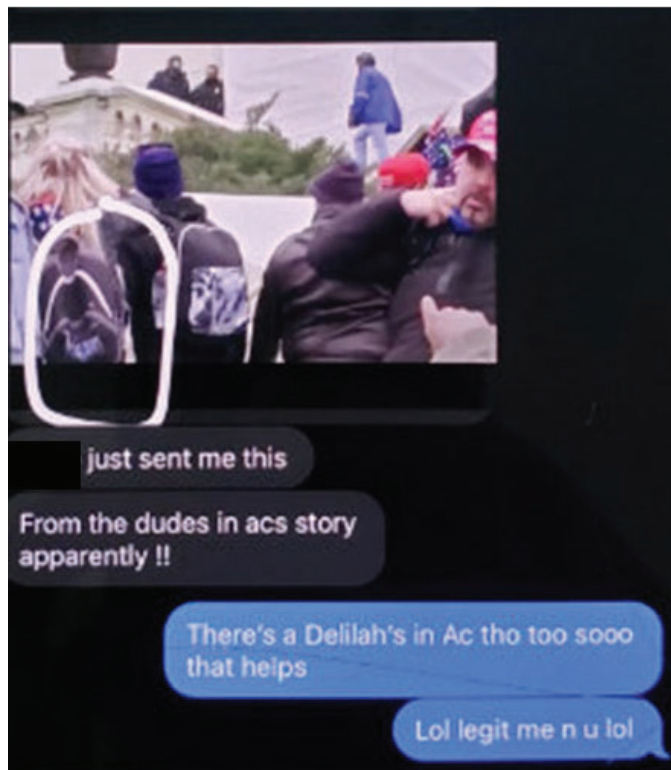


Image 18

CONCLUSIONS OF AFFIANT

49. Based on the foregoing, your affiant submits that there is probable cause to believe that MICHAEL GIANOS and RACHEL MYERS 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.

50. Your affiant also submits there is also probable cause to believe that MICHAEL GIANOS and RACHEL MYERS 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.



Task Force Officer [REDACTED]
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 November 2021.

A handwritten signature in blue ink, appearing to read 'ZMF'.



Zia M. Faruqui

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE