

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Carey Jon Walden

Defendant

) Case: 1:21-mj-00441
) Assigned to: Judge Harvey, G. Michael
) Assign Date: 5/21/2021
) Description: COMPLAINT W/ ARREST WARRANT
)

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) Carey Jon Walden,
 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. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;

40 U.S.C. § 5104(e)(2)(D) disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings ;

40 U.S.C. §§ 5104(e)(2)(G) parade, demonstrate, or picket in any of the Capitol Buildings;

Date: 05/21/2021


Digitally signed by G.
 Michael Harvey
 Date: 2021.05.21 16:13:14
 -04'00'

*Issuing officer's signature*City and state: Washington, D.C.G. Michael Harvey, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) 5/21/2021, and the person was arrested on (date) 5/28/2021
 at (city and state) Kansas City, MO.

Date: 5/28/2021

Arresting officer's signature

Aaron Scigal, TFO FBI
Printed name and title



**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

WESTERN AND ST. JOSEPH DIVISIONS

Charles Evans Whittaker Courthouse
400 E. 9th Street, Room 1510
Kansas City, Missouri, 64106
(816) 512-5000

Transfer of ☐ Criminal Case or ☒ Magistrate Case
WDMO Case No.: 4:21-mj-00059-JAM-1 Case Title: USA v Walden

Dear Sir/Madam:

Pursuant to ☒ F.R.Cr.P. 5 ☐ F.R.Cr.P. 32

- ☒ Attached are all public documents and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Pursuant to F.R.Cr.P. 20

- ☐ Attached are all public documents and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Pursuant to 18 U.S.C. § 3605 Transfer of Jurisdiction ☐ Supervised Release ☐ Probation

- ☐ Attached are the last charging document, the judgment and commitment, revocation orders (if any), and the docket sheet.
- ☐ Certified copy of documents filed prior to November 1, 2004 and docket sheet.
- ☐ Not for public view document(s).
- ☐ Other

Sincerely,

Paige Wymore-Wynn, Clerk of Court

By s/ Greg Melvin
Deputy Clerk

TO BE COMPLETED BY RECEIVING DISTRICT

Please acknowledge receipt via e-mail to

Clerk, U.S. District Court

Date: _____

By: _____
Deputy Clerk

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.Carey Jon Walden
DOB: 10/12/1973

Defendant(s)

Case: 1:21-mj-00441

Assigned to: Judge Harvey, G. Michael

Assign Date: 5/21/2021

Description: COMPLAINT W/ ARREST WARRANT

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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,

18 U.S.C. § 1752(a)(2) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,

40 U.S.C. § 5104(e)(2)(D) disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings ,

40 U.S.C. §§ 5104(e)(2)(G) parade, demonstrate, or picket in any of the Capitol Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

Complainant's signature

Megan Kline, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.Date: 05/21/2021

Digitally signed by

G. Michael Harvey

Date: 2021.05.21

16:11:41 -04'00'

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Megan Kline, is a Special Agent with the Federal Bureau of Investigation (FBI). I am assigned to the Kansas City Field Office. In my duties as a Special Agent, I am currently 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, detention, investigation, or prosecution of a violation of Federal criminal laws.

Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as "on or about" dates.

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, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including breaking windows and 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.

As detailed below, during the course of the investigation into the events of January 6, 2021, law enforcement learned that **CAREY JON WALDEN (WALDEN)** of Kansas City, Missouri traveled to the District of Columbia to participate in a rally and protest at the U.S. Capitol and gained entry inside the U.S. Capitol on January 6, 2021.

On or about January 17, 2021, the FBI received a public tip through the U.S. Capitol online portal that identified **WALDEN** as having been inside the U.S. Capitol Building on January 6, 2021. In addition, **WALDEN** posted on his Facebook page a photograph that he took from the front of the US Capitol.

Based upon the tip and the Facebook post by **WALDEN**, as well as public source information, FBI agents were able to identify and locate **WALDEN**.

On February 3, 2021, the FBI interviewed **WALDEN** at his residence in Kansas City, Missouri. **WALDEN** admitted to the FBI that he was present at the U.S. Capitol on January 6, 2021, and that he went inside the Capitol Building that day through a broken window.

WALDEN was shown a photocopy of the U.S. Capitol and asked to show where he went inside. **WALDEN** circled on the photocopy where he thinks he went into the US Capitol. He wrote on the back of the photocopy “That’s where I think I was during protest.” **WALDEN** signed, dated, and placed his date of birth on the photocopy. See Figure One.



Figure One

WALDEN also forwarded three videos along with four still photographs from his phone to the FBI. **WALDEN** stated the videos and photos were from his activities outside the US Capitol. See Figure Two, Three, Four, and Five.



Figure Two

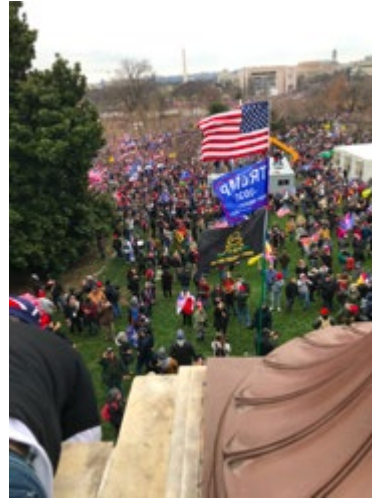


Figure Three



Figure Four



Figure Five

WALDEN was then shown two printed photos from Facebook titled Carey Jon Walden. **WALDEN** stated that the first picture was one he took and posted on Facebook prior to entering the U.S. Capitol thru a broken window. Walden confirmed also posting the second photo and then wrote on the front of the photocopy "This is from my Facebook, picture that I took." See Figure Six.

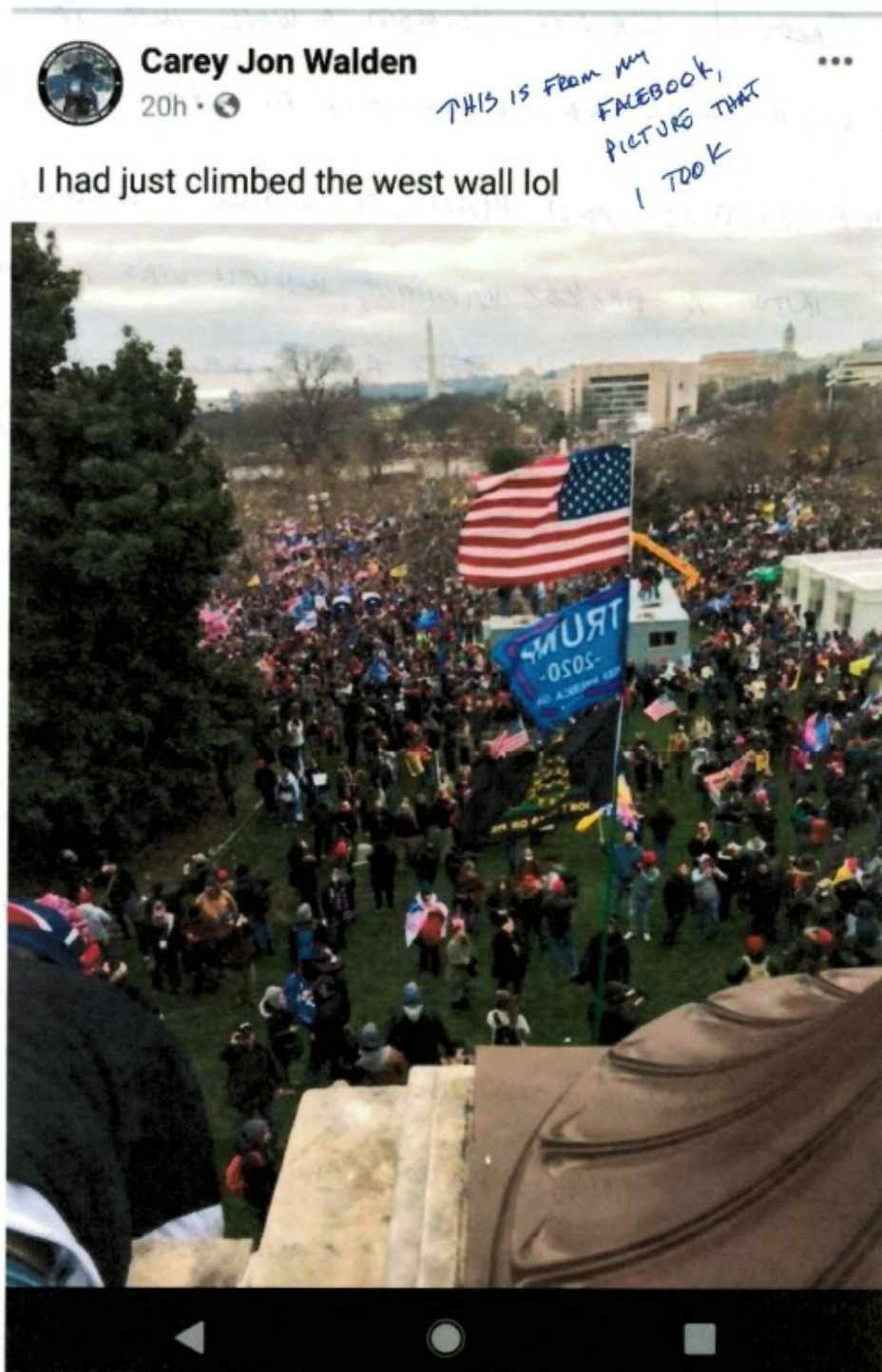


Figure Six

WALDEN was then asked to write in his own words his activities inside the U.S. Capitol on January 6, 2021, which he did. “I, Carey J. Walden, climbed a wall into the Capitol building on 6 Jan 21, at approx 1:00pm to 1:30pm. I took pictures and videos of where I entered. I went into a broken window, which was already broken. I walked in a 15 SQ FT, area, witch there were police in a line guarding a passage way. I took pictures and video. I did not break anything. The police were present and I was not asked to leave. I fist bumped and ‘Devil horned’ the swat line. I left after about 5 minutes. I walked out after I heard that someone was shot. I was wearing blue jeans gray sweatshirt, blue respirator, red chiefs beanie. Had a backpack, with all of the belongings I have. I was not armed, nor had body armor. I am not a part of any hate groups. I went with a bus of Trump supports. I am a U.S Marine (inactive) veteran. These are my recollections of that day.”

A review of **WALDEN**’s video shows the following screen capture just before he entered the U.S. Capitol Building through the broken window. See Figure Seven and Eight.

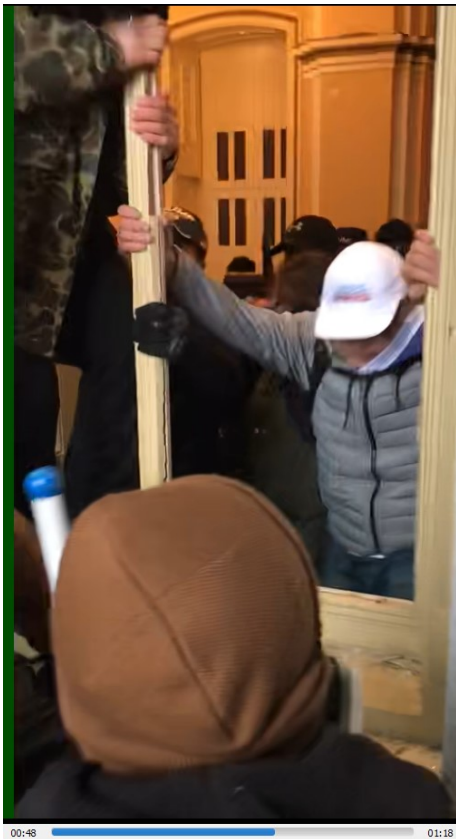


Figure Seven



Figure Eight

WALDEN is also identified in a “selfie” photograph he took of himself earlier in the day before he went into the Capitol Building wearing the clothing he was wearing at and in the Capitol. See Figure Four. In addition, a screen capture of **WALDEN**’s self-identified video shows the breathing apparatus he was wearing prior to making entry into the Capitol building. See Figure Nine.



Figure Nine

The FBI also interviewed persons who know **WALDEN** and identified him from his video or photos outside and inside the U.S. Capitol. The FBI interviewed an identified witness who served with **WALDEN** in the United States Marine Corps. **WALDEN** was his direct supervisor. The witness saw **WALDEN** post several “live videos” on Facebook on January 6, 2021. The videos showed **WALDEN** climbing the walls and entering the Capitol. The witness took several screen shots of the posts and sent them to the FBI. He stated since then, the videos and photos have been deleted from **WALDEN**’s Facebook page.

I have fully identified **WALDEN** as the man shown in the video clip immediately outside U.S. Capitol building as **WALDEN** of Kansas City, Missouri. Your affiant was able to view the video from the Capitol as well as the screen shots from **WALDEN**’s Facebook posts. I have compared the against publicly available information showing that the man who admitted to going inside the U.S. Capitol Building through a broken window is **CAREY JON WALDEN**.

Based on the foregoing, your affiant submits that there is probable cause to believe that **CAREY JON WALDEN** violated 18 U.S.C. §§ 1752(a)(1) and (2), which make 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, 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.

Your affiant submits there is also probable cause to believe that **CAREY JON WALDEN** violated 40 U.S.C. §§ 5104(e)(2)(D) and (G), which make it a crime to willfully and knowingly (D) 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.

Finally, your affiant submits that there is also probable cause to believe that **CAREY JON WALDEN** aided and abetted the above-referenced offenses in violation of 18 U.S.C. § 2.



MEGAN KLINE
SPECIAL AGENT, FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21st day of May 2021.



Digitally signed by G. Michael
Harvey
Date: 2021.05.21 16:11:02
-04'00'

U.S. MAGISTRATE JUDGE

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

UNITED STATES OF AMERICA

v.

CAREY JON WALDEN,

Defendant.

:
:
:
:
:
:
:
:
:
:

Case: 1:21-mj-00441
Assigned to: Judge Harvey, G. Michael
Assign Date: 5/21/2021
Description: COMPLAINT W/ ARREST WARRANT

VIOLATIONS:

**18 U.S.C. § 1752(a),
(Entering and Remaining in a Building)**

**40 U.S.C. § 5104(e)(2)
(Violent Entry or Disorderly Conduct)**

ORDER

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date:



Digitally signed by G.
Michael Harvey
Date: 2021.05.21 16:10:20
-04'00'

UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Case No 21mj59-01-JAM

CAREY J. WALDEN,

Defendant.

ORDER APPOINTING
FEDERAL PUBLIC DEFENDER

The above-named defendant, having appeared before the Court on May 28, 2021 and defendant not having waived counsel, it is

ORDERED that Laine Cardarella, Federal Public Defender, and Steve Moss, William M. Ermine, Anita Burns, Travis Poindexter, Robert Kuchar, Ronna Holloman-Hughes, William Raymond, Carie Allen, Todd M. Schultz, Lesley Smith and Angela Williams, Assistant Federal Public Defenders, Federal Public Defender's Office - KCMO Walnut Street, 1000 Walnut, Ste. 600 Kansas City, MO 64106, telephone number (816) 471-8282; David R. Mercer, Ann Koszuth, Michelle Nahon, Ian A. Lewis and Michelle Law, Assistant Federal Public Defenders, 901 St. Louis Street, Suite 801, Springfield, Missouri 65806, telephone number (417) 873-9022 and Troy Stabenow, Assistant Federal Public Defender, 221 Bolivar Street, Suite 104, Jefferson City, MO 65101, telephone number (573) 636-8747, be, and they are hereby, appointed to represent the defendant before the Court and in all proceedings thereafter unless and until relieved by order of the United States District Court for the Western District of Missouri.

/s/ Lajuana M. Counts
LAJUANA M. COUNTS
UNITED STATES MAGISTRATE JUDGE

Kansas City, Missouri
May 28, 2021

UNITED STATES DISTRICT COURT

for the
Western District of Missouri

United States of America

v.

Carey J. Walden

Defendant

Case No. 21mj59-01-JAM

Charging District's Case No. 1:21-mj-00441

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* _____
District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

5/28/2021

Defendant's signature

Signature of defendant's attorney

Ronna Holloman-Hugh

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Western District of Missouri
)	Case No. 21mj59-01-JAM
v.)	
)	District of Columbia
CAREY J. WALDEN,)	Case No. 1:21-mj-00441-GMH
)	
Defendant.)	

ORDER

On May 28, 2021 defendant appeared with Federal Public Defender, Ronna Holloman-Hughes, on a warrant issued for a Complaint out of the United States District Court for the District of Columbia. Defendant freely and voluntarily waived the identity hearing and preliminary hearing and agreed to return to court in District of Columbia to answer the charges there. The government did not seek pretrial detention thus defendant was released on a personal recognizance bond and conditions of release were set and reviewed. Therefore, it is

ORDERED that the defendant, is directed to next appear on June 4, 2021 at 1:00pm via Zoom video conference. Video conference instructions will need to be provided to defendant.

/s/ Lajuana M. Counts
LAJUANA M. COUNTS
UNITED STATES MAGISTRATE JUDGE

Kansas City, Missouri
May 28, 2021

CLOSED

**U.S. District Court
Western District of Missouri (Kansas City)
CRIMINAL DOCKET FOR CASE #: 4:21-mj-00059-JAM-1**

Case title: USA v. Walden

Date Filed: 05/28/2021

Other court case number: 1:21mj00441 GMH District of
Columbia

Date Terminated: 05/28/2021

Assigned to: Magistrate Judge Jill
A. Morris

Defendant (1)

Carey Jon Walden

TERMINATED: 05/28/2021

represented by **FPD**

Federal Public Defender

818 Grand Boulevard

Suite 300

Kansas City, MO 64106

(816) 471-8282

Email: belinda_bye@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or Community

Defender Appointment

Bar Status:

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

Rule 5 complaint

Disposition

Plaintiff**USA**represented by **Don Michael Green**

United States Attorney's Office–KCMO
 400 E 9th Street
 Suite 5510
 Kansas City, MO 64106
 (816)426–4131
 Fax: (816)426–7080
 Email: mike.green@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney
Bar Status: Active

Matthew A Blackwood

United States Attorney's Office–KCMO
 400 E 9th Street
 Suite 5510
 Kansas City, MO 64106
 816–426–3122
 Email: matthew.blackwood@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
05/28/2021	<u>1</u>		RULE 5 as to Carey Jon Walden (1). (Attachments: # <u>1</u> statement of facts, # <u>2</u> auto unseal arrest) (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021			ARREST of Carey Jon Walden (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	2		<p>Minute Entry for proceedings held before Magistrate Judge Lajuana M. Counts: INITIAL APPEARANCE in Rule 5(c)(3) Proceedings as to Carey Jon Walden held on 5/28/2021: Defendant advised of the charges, penalties and rights. The government did not seek pretrial detention. Personal Recognizance bond set. Conditions of release reviewed. Defendant requests the Court to appoint counsel for him/her. The Federal Public Defender was appointed and will assist the defendant with filling out the Financial Affidavit (CJA 23 form) which will then be filed in ECF.</p> <p>REMOVAL/IDENTITY HEARING as to Carey Jon Walden held on 5/28/2021. The defendant waived his right to his identity hearing. The defendant also requested that his preliminary hearing be held in the District of Columbia. Defendant shall next appear on Friday, June 4, 2021 at 1:00 EDT by Zoom Video Conference. An order of removal to be filed.</p>

		Counsel appearing for USA: Matthew Blackwood. Pretrial/Probation Officer: Tara Westerhof. Time in court: 2:46pm to 2:57pm. To order a transcript of this hearing please contact Traci Chorny, 816-512-5789. This is a TEXT ONLY ENTRY. No document is attached. (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	<u>3</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Carey Jon Walden. Signed on May 28, 2021 by Magistrate Judge Lajuana M. Counts. (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	<u>4</u>	AFFIDAVIT of Financial Status of Carey Jon Walden. (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	<u>5</u>	WAIVER of Rule 5(c)(3) Hearings by Carey Jon Walden. (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	<u>6</u>	ORDER setting conditions of release as to Carey Jon Walden. Defendant released on a personal recognizance bond. Signed on May 28, 2021 by Magistrate Judge Lajuana M. Counts. (Chorny, Traci) (Entered: 05/28/2021)
05/28/2021	<u>7</u>	ORDER OF REMOVAL to the District of Columbia- 1:21-mj-00441-GMH as to Carey Jon Walden. Signed on May 28, 2021 by Magistrate Judge Lajuana M. Counts. (Chorny, Traci) (Entered: 05/28/2021)