

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Gary Wilson

Defendant

) Case: 1:21-mj-00596
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 9/9/2021
) 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) Gary Wilson,

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 USC § 1512(c)(2) and 2 Obstruction of an Official Proceeding and Aiding & Abetting;
 18 USC § 1752(a)(1) Entering and Remaining in a Restricted Building or Grounds;
 18 USC § 1752(a)(2) Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
 40 USC § 5104(e)(2)(D) Disorderly Conduct in a Capitol Building;
 40 USC § 5104(e)(2)(G) Parading, Demonstrating, or Picketing in a Capitol Building;
 40 USC § 5104(e)(2)(B) Entering and Remaining in the Gallery of Congress;

Date: 09/09/2021

*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) 9/9/21, and the person was arrested on (date) 9/13/21
at (city and state) SALT LAKE CITY, UTDate: 9/13/21

Arresting officer's signature
Matt Foulger FBI SA
Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Gary Wilson ()

Case: 1:21-mj-00596

Assigned to: Judge Meriweather, Robin M.

Assign Date: 9/9/2021

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:

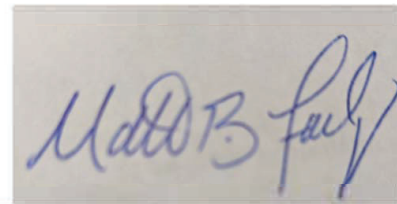
Code Section

Offense Description

18 U S C § 1512(c)(2) and 2 Obstruction of an Official Proceeding and Aiding & Abetting;
 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 a Capitol Building;
 40 U S C § 5104(e)(2)(B) Entering and Remaining in the Gallery of Congress;

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.


Complainant's signature

Matthew Foulger, 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: 09/09/2021


Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Gary Wilson (03/20/1969)

) Case: 1:21-mj-00596
) Assigned to: Judge Meriweather, Robin M.
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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. § 1512(c)(2) and 2 Obstruction of an Official Proceeding and Aiding & Abetting;
 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 a Capitol Building;
 40 U.S.C. § 5104(e)(2)(B) Entering and Remaining in the Gallery of Congress;

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

Complainant's signature

Matthew Foulger, 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: 09/09/2021

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Matthew Foulger, is a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (FBI) and has been employed in that capacity for nine years. I am currently assigned to the Salt Lake City Division of the FBI and have primary investigative responsibility for federal crimes related to national security and domestic terrorism. I have gained experience in the conduct of such investigations through previous case investigations, formal training, and in consultation with law enforcement partners in local, state, and federal law enforcement agencies. Currently, I am 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, detection, investigation, or prosecution of a violation of Federal criminal laws.

The United States Capitol (“the Capitol”) is secured 24 hours a day by U.S. Capitol Police (“USCP”). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification were allowed access inside the Capitol on January 6, 2021. Further, the exterior plaza of the Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the 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 Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election. 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 Michael 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 Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. At such time, the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the Capitol, including by breaking windows and by assaulting members of law enforcement, 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 Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed at approximately 8:00 p.m.

On January 6, 2021, Gary Wilson of Salt Lake City, Utah was captured on Metropolitan Police Department body-worn camera video outside the Capitol at approximately 2:00 p.m. with co-defendants Patrick Montgomery and Brady Knowlton in a large crowd of rioters. Wilson was wearing a blue hooded sweatshirt and a black puffy jacket with a white Infowars tee-shirt over it

with the slogan, “Give me Liberty” and a Revolutionary War soldier depicted holding an automatic weapon. Wilson was also wearing a black backpack and gray baseball hat with a red, white, and blue emblem, as shown in the screenshot below from USCP CCTV footage.



While Wilson was outside the Capitol, a platoon of MPD officers tried to move through the crowd on its way to assist USCP officers who were attempting to keep rioters out of the Capitol. The crowd surrounded the platoon and assaulted several officers. Officer Daniel Hodges’ body-worn camera footage from 2:01:38 p.m. captures Wilson standing with the crowd.



At around 2:00 p.m. co-defendant Brady Knowlton confronted MPD officers who were making their way through the crowd and yelled at them saying, “You took an oath! You took an oath!” and “Are you our brothers?” Co-defendant Patrick Montgomery came up from behind Knowlton and said something to the officers, but it was hard to tell what he said. Officer Hodges then moved forward a few steps through the crowd. Wilson can be seen on Hodges’ video standing in the crowd (see screenshot above)—not far from where Montgomery and Knowlton were standing. In fact, Officer Hodges and Wilson collided as Officer Hodges tried to make his way through the crowd.

At approximately 2:02 p.m., Montgomery assaulted MPD Officer Hodges. An FBI special agent interviewed Officer Hodges on February 24, 2021. Officer Hodges told the FBI agent that at about 2:00 p.m. on January 6, 2021, he was making his way toward the west side of the Capitol to assist other officers. He was part of a platoon of about 35-40 officers. Officer Hodges said that right before 2:02 p.m., a very agitated crowd cut-off the platoon’s progress and split the group of 35-40 officers into smaller groups. Officer Hodges and a small group of officers ended up encircled by the crowd and the crowd was yelling at them “remember your oaths.”

Officer Hodges said that he was at the front of the group and attempted to make a hole through the crowd for himself and the other officers to continue their movement toward the Capitol. He yelled “make way” to the crowd. While trying to get through the crowd, he looked back to see other officers being assaulted by members of the crowd, which was yelling “push” while making contact with the officers. Hodges immediately turned back and started pulling assaulting members of the crowd off the other officers by grabbing their jackets or backpacks. After pulling a few people away from the officers, a man—later identified as Patrick Montgomery—came at Officer Hodges from his side and grabbed Officers Hodges’ baton and

tried to pull it away from him. Officer Hodges immediately started to fight back and the two of them went to the ground, at which time Montgomery kicked Officer Hodges in the chest.

As Officer Hodges went down to the ground, his medical mask covered his eyes, which temporarily blinded him. He was laying on the ground, could not see, and was fighting to retain his weapon while surrounded by a violent and angry crowd. In that moment, he was afraid because he was in a defenseless position because of the assault. He was able to break Montgomery's grip on the baton and get free.

Right after Montgomery assaulted Officer Hodges, Wilson can be seen on Officer Hodges' BWC talking to Montgomery who had moved back into the crowd as shown below



Tear gas was then deployed, while Wilson stood with the crowd and shouted at the officers, "USA! USA! USA!"



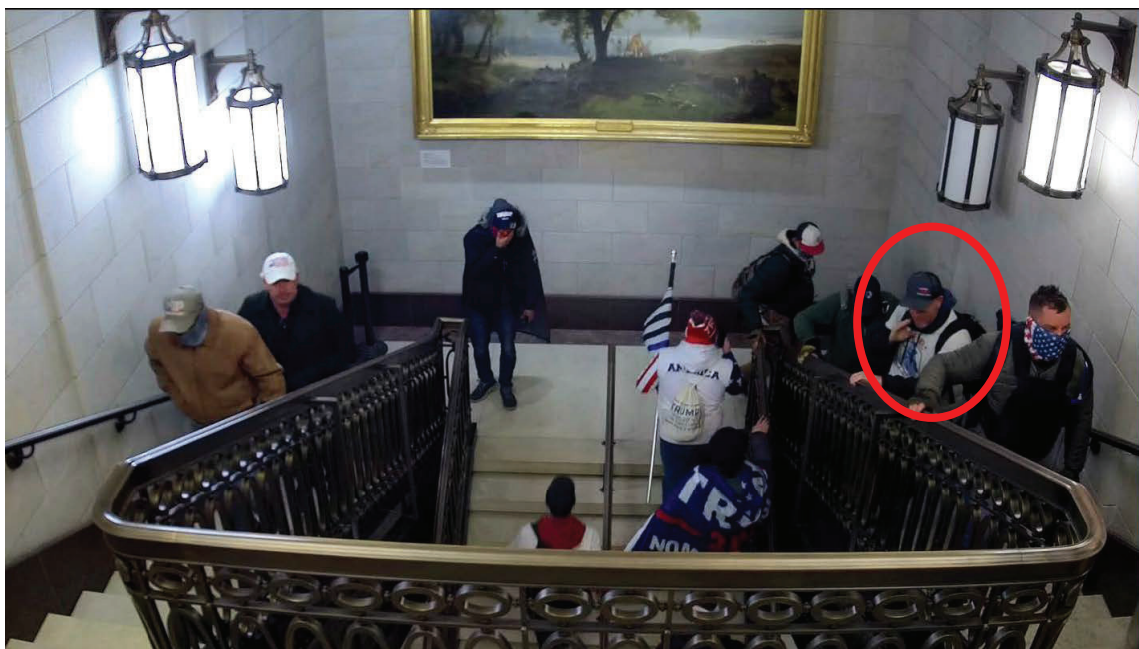
As seen on video footage from ProPublica, Wilson watched as a member of the crowd sprayed what appeared to be pepper spray in the face of one of the MPD officers:



About thirty minutes later, at 2:35 p.m., Wilson was captured on USCP CCTV entering the Capitol through the Upper West Terrace door along with co-defendants Knowlton and Montgomery, as shown in the screenshot below:



After first going into the Rotunda for about two minutes, at around 2:40 pm., Wilson, along with Knowlton and Montgomery, entered the Gallery Stairs and walked to the Third Floor as shown on USCP CCTV captured below:



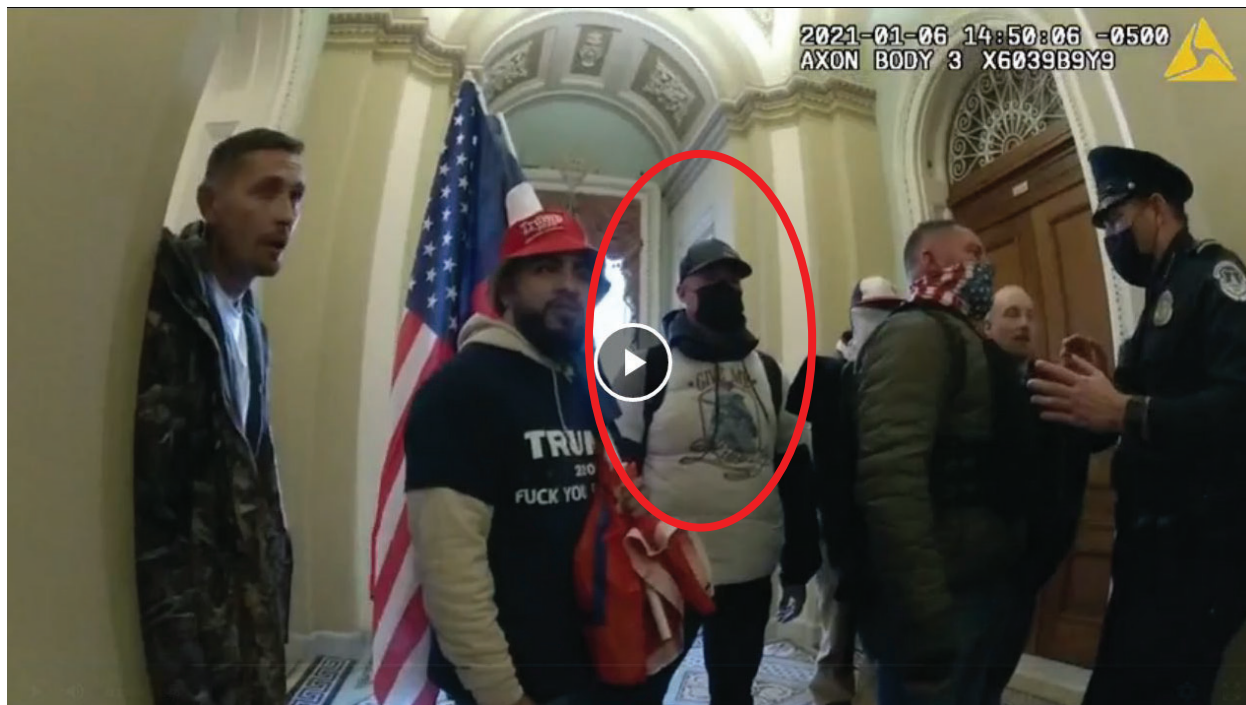
About one minute later, they entered the Senate Gallery hallway where they joined a group of rioters. Several rioters assaulted a USCP officer who was trying to prevent them from entering the Senate Gallery. Wilson was within inches of the assault, as captured below from another rioter's GoPro camera video:

Rioters assaulting this USCP officer



After the assault, the USCP officers fled the hallway and Wilson, Knowlton, and Montgomery entered the Senate Gallery at about 2:44 p.m. Once inside the Senate Gallery, Wilson appears to walk around and look down at the Senate Chamber below. He then left with Knowlton and Montgomery at about 2:48 p.m.

About two minutes later, Wilson, along with Knowlton and Montgomery, entered a second floor hallway, where they confronted MPD officers, who prevented them—and other rioters—from walking further down the hallway, as captured below:



A shortened summary of their statements to law enforcement is provided below:

Knowlton: “All you gotta do is step aside. You’re not getting in trouble. Stand down. For the love of your country.”

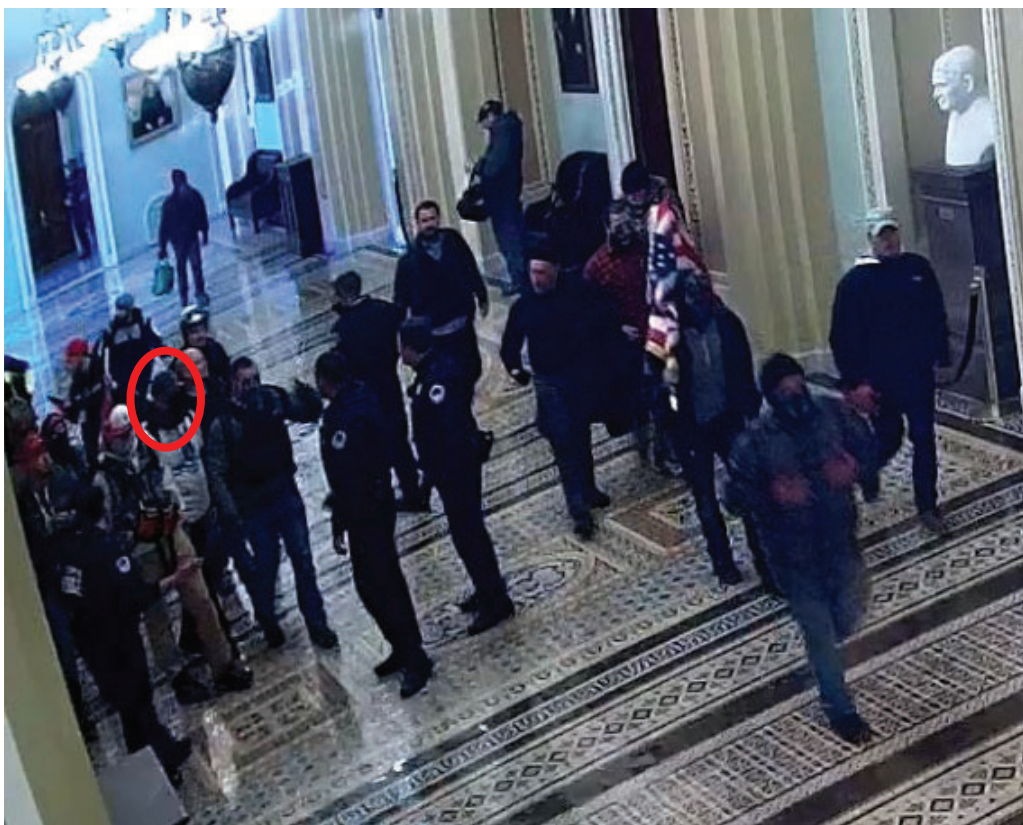
Unidentified rioter: “What happens if we push? Do you back up? We’re not gonna push hard.”

Knowlton: “This is happening. Our vote doesn’t matter, so we came here for change.”

Unidentified rioter: “We want our country back. You guys should be out arresting the Vice President right now.”

Wilson: “We came all the way from our jobs to do your job and the freaking senators’ job.”

Eventually Wilson, Montgomery, and Knowlton turned around and walked toward an exit before stopping and again confronting police officers as shown on USCP CCTV, captured below.



At about 2:54 p.m., Wilson, Montgomery, and Knowlton left the building.

On August 6, 2021, your affiant interviewed a witness, W-1, who is a family member of Wilson and has known Wilson for many years. W-1 identified Gary Wilson in screenshots inside the Capitol on January 6, 2021. W-1 also told your affiant that Wilson said he was in Washington, D.C. on January 6, 2021.

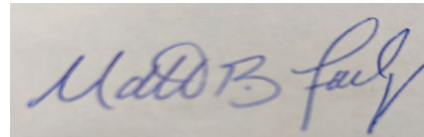
Pursuant to legal process, American Airlines confirmed that Wilson traveled from Salt Lake City to Washington, D.C. on January 4, 2021. He then took a return flight home on January 7, 2021. Further, call records provided by Verizon pursuant to legal process show one call made between a number registered to Knowlton and a number registered to Wilson on January 6, 2021, and four calls between them on January 7, 2021.

Based on the foregoing, your affiant submits that there is probable cause to believe that Gary Wilson 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; 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. 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.

Your affiant submits there is also probable cause to believe that Gary Wilson violated 40 U.S.C. § 5104(e)(2)(B), (D), and (G), which makes it a crime to willfully and knowingly (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (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; (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Finally, your affiant submits there is probable cause to believe that Gary Wilson violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.



Special Agent Matthew Foulger
FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 9 day of September 2021.



ROBIN M. MERIWEATHER,
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Gary Wilson

Defendant

) Case: 1:21-mj-00596
) Assigned to: Judge Meriweather, Robin M.
) Assign Date: 9/9/2021
) 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) Gary Wilson,
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 USC § 1512(c)(2) and 2 Obstruction of an Official Proceeding and Aiding & Abetting;
18 USC § 1752(a)(1) Entering and Remaining in a Restricted Building or Grounds;
18 USC § 1752(a)(2) Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
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40 USC § 5104(e)(2)(G) Parading, Demonstrating, or Picketing in a Capitol Building;
40 USC § 5104(e)(2)(B) Entering and Remaining in the Gallery of Congress;

Date: 09/09/2021

*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*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*

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

UNITED STATES OF AMERICA	:	CASE NO.
	:	
v.	:	VIOLATIONS:
	:	
GARY WILSON,	:	18 USC § 1512(c)(2) and 2 Obstruction of an
	:	Official Proceeding and Aiding & Abetting;
Defendant.	:	18 USC § 1752(a)(1) Entering and
	:	Remaining in a Restricted Building or
	:	Grounds;
	:	18 USC § 1752(a)(2) Disorderly and
	:	Disruptive Conduct in a Restricted Building
	:	or Grounds;
	:	40 USC § 5104(e)(2)(D) Disorderly Conduct
	:	in a Capitol Building;
	:	40 USC § 5104(e)(2)(G) Parading,
	:	Demonstrating, or Picketing in a Capitol
	:	Building;
	:	40 USC § 5104(e)(2)(B) Entering and
	:	Remaining in the Gallery of Congress;

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, 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: September 9, 2021



HON. ROBIN M. MERIWEATHER,
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

Central

DISTRICT OF

Utah

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS

(Complaint/Indictment)

V.

CASE NUMBER: 2:21mj714 CMR

Gary Wilson

CHARGING DISTRICTS

Defendant

CASE NUMBER: 1:21mj596 RMM

I understand that charges are pending in the District of Columbia

alleging violation of 18:1512(c)(2); 18:1752(a)(1) and (a)(2);
40:5104(e)(2)(D), (e)(2)(G), (e)(2)(B) and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and 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) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- (☒) identity hearing
- (☒) preliminary hearing
- (☒) identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

*Rich Sorenson, signing on behalf of
+ w/ permission from Gary Wilson*
Defendant

Sept 13, 2021
Date

Rich Sorenson
Defense Counsel

United States District Court

DISTRICT OF UTAH

UNITED STATES OF AMERICA

V.

Gary Wilson

ORDER SETTING CONDITIONS OF RELEASE

Case Number: **2:21mj714 -CMR**

IT IS SO ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant must not commit any offense in violation of federal, state or local or tribal law while on release in this case.
- (2) The defendant must immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant must appear in court as required and must surrender for service of any sentence imposed.

The defendant must next appear at (if blank, to be notified)

U.S. District Court- District of
Columbia

PLACE

via zoom

on

9/16/2021 at 1:00 pm EST

DATE AND TIME

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (4) The defendant promises to appear in court as required and to surrender for service of any sentence imposed.
- (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of

Enter text.

dollars (\$ Enter text.

in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(6) The defendant must:

- ☒ (a) maintain or actively seek verifiable employment and/or maintain or commence an educational program as approved by the pretrial officer.
- ☒ (b) abide by the following restrictions on his/her personal associations, place of abode, or travel:
 - ☒ (i) maintain residence and do not change without prior permission from the pretrial officer.
 - ☒ (ii) not travel outside the state of Utah without prior permission from the pretrial officer.
 - ☒ (iii) not travel outside the United States without prior permission from the Court.
- ☒ (c) avoid all contact, directly or indirectly, with any person who is or may be an alleged victim, potential witness and/or codefendant in the investigation or prosecution. List of persons to be provided to the defendant by the Government by the end of the week.
- ☒ (d) report on a regular basis to the pretrial officer as directed. Immediately report to the pretrial officer any contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☒ (e) not possess a firearm, ammunition, destructive device, or other dangerous weapon.
- ☐ (f) ☐ not use alcohol, ☐ not use alcohol to excess, ☐ not frequent establishments where alcohol is the main item of order.
- ☐ (g) not use or unlawfully possess a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner. Prescriptions should be reported to the pretrial officer. You shall not use, possess, ingest, or market products containing THC in any form or CBD products which are not obtained from a pharmacy by prescription.
- ☐ (h) submit to drug/alcohol testing as directed by the pretrial officer; defendant shall pay all or part of the cost of the drug testing:
 - ☐ (1) if testing reveals illegal drug use, the defendant must participate in drug and/or alcohol abuse treatment, if deemed advisable by the pretrial officer; defendant shall pay all or part of the cost of the program, based upon your ability to pay as the pretrial officer determines.
 - ☐ (2) if testing reveals illegal drug use, the court will be notified immediately, with further action to be determined.
- ☐ (i) you must submit to Remote Alcohol Testing and abide by all of the program requirements for a period of * days. You must pay all or part of the costs of participation in the program as directed by the pretrial officer.
- ☐ (j) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial officer; defendant shall pay all or part of the cost of the program, based upon your ability to pay as the pretrial officer determines.
- ☐ (k) undergo mental health evaluation and complete any recommended treatment, as directed by the pretrial officer, and take any mental health medications as prescribed; defendant shall pay all or part of the cost of the program, based upon your ability to pay as the pretrial officer determines.
- ☐ (l) surrender any passport to the United States Clerk of the Court, District of Utah.
- ☐ (m) not obtain or apply for passport.
- ☐ (n) not incur new credit charges or open additional lines of credit without prior permission from the pretrial officer.
- ☐ (o) not be employed in any fiduciary capacity or any position allowing access to credit or personal information of others.
- ☐ (p) not view, access or possess any sexually explicit materials.
- ☐ (q) not have contact with individuals under 18 years of age without the supervision of an adult who is previously approved by the Court or pretrial officer.
- ☐ (r) participate in one of the following location restriction program components and abide by its requirements as the pretrial officer instructs. Pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial officer. No overnight travel without Court approval.
 - ☐ (i) Curfew. You are restricted to your residence every day (Enter) from Enter to Enter or ☐ as directed by the pretrial officer; or
 - ☐ (ii) Home Detention. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities preapproved by the pretrial officer; or

- ☐ (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the Court.
- ☐ (iv) Stand Alone Monitoring. You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
- ☐ (s) submit to the following location monitoring technology and comply with its requirements as directed:
- ☐ (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - ☐ (ii) Radio Frequency (RF);
 - ☐ (iii) Global Positioning Satellite (GPS);
 - ☐ (iv) Voice Recognition Monitoring (requires analog phone service at approved residence at participant's expense);
 - ☐ (v) Virtual Monitoring Application (requires smartphone with location services and push notification features enabled at participant's expense).
- ☒ (t) submit person, residence, office, or vehicle to a search, conducted by the pretrial officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant will warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ (u) participate in the United States Probation and Pretrial Services Office Computer and Internet Monitoring Program under a ☐ co-payment plan or ☐ non-co-payment plan, and will comply with the provisions outlined in:
- ☐ (i) Appendix A - Limited Internet Access (Computer and internet use, as approved);
 - ☐ (ii) Appendix B - Restricted Internet Access (Computer access only, as approved);
 - ☐ (iii) Appendix C - Restricted Computer Access (No computer or internet access except for approved employment).

All computers, internet accessible devices, media storage devices, and digital media accessible to the defendant are subject to manual inspection/search, configuration, and the installation of monitoring software and/or hardware.

The defendant must submit person, residence, office, or vehicle to a search, conducted by the pretrial officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant will warn any other residents that all computers, internet accessible devices, media storage devices, and digital media may be subject to searches pursuant to this condition.

- ☐ (v) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property.
- ☐ (w) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
- ☐ (x) execute a bail bond with solvent sureties in the amount of \$ Enter text.
- ☐ (y) be placed in the custody of a third party, who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Name of person or organization _____
 Address _____
 City and state _____ (Tel no.) _____

Signed: _____
 Custodian or Proxy

- ☐ (7) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- ☐ (8) Attend Pretrial Pathways Program as directed by Pretrial Services.
- ☒ (9) Additional conditions: Defendant is not to travel to and stay away from Washington, D.C. unless it is specifically for a court proceeding.

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence will be in addition to any other sentence.

Federal law makes it a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender must be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

City and State

Directions to the United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant must be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 9/13/2021

Cecilia M. Romero
Signature of Judicial Officer

Cecilia M. Romero, United States Magistrate Judge
Name and Title of Judicial Officer

SEALED,CLOSED,DT_ROMERO,FPD

Email All Attys

Email All Attys and Secondary Emails

US District Court Electronic Case Filing System
District of Utah (Central)
CRIMINAL DOCKET FOR CASE #: 2:21-mj-00714-CMR-1 *SEALED*

Case title: USA v. SEALED

Date Filed: 09/10/2021

Date Terminated: 09/13/2021

Assigned to: Magistrate Judge

Cecilia M. Romero

Defendant (1)

Gary Wilson

TERMINATED: 09/13/2021

represented by

Richard G. Sorenson

FEDERAL PUBLIC DEFENDER

DISTRICT OF UTAH

46 W BROADWAY STE 110

SALT LAKE CITY, UT 84101

(801)524-4010

Email: richard_sorenson@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or Community

Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level

(Terminated)

None

Complaints

18:1512(c)(2) and 2 Obstruction of
an Official Proceeding and Aiding
and Abetting; 18:1752(a)(1)
Entering and Remaining in a

Disposition

Restricted Building or Grounds;
 18:1752(a)(2) Disorderly and
 Disruptive Conduct in a Restricted
 Building or Grounds;
 40:5104(e)(2)(D) Disorderly
 Conduct in a Capitol Building;
 40:5104(e)(2)(G) Parading,
 Demonstrating, or Picketing in a
 Capitol Building;
 40:5104(e)(2)(B) Entering and
 Remaining in the Gallery of
 Congress

Plaintiff

USA

represented by **Jacob J. Strain**

US ATTORNEY'S OFFICE
 111 S MAIN ST STE 1800
 SALT LAKE CITY, UT 84111-2176
 (801)325-3285
 Email: jacob.strain@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Page	Docket Text
09/10/2021	<u>1</u>		Arrest (Rule 5) of Gary Wilson Warrant out of the USDC District of Columbia. Assigned to Magistrate Judge Cecilia M. Romero. (Attachments: # <u>1</u> Complaint, # <u>2</u> Statement of Facts, # <u>3</u> Warrant, # <u>4</u> Order)(mas) (Entered: 09/10/2021)
09/13/2021	<u>2</u>		**SEALED DOCUMENT** PRETRIAL SERVICES REPORT as to Gary Wilson (mec) (Entered: 09/13/2021)
09/13/2021	3		Minute Entry for proceedings held before Magistrate Judge Cecilia M. Romero: Initial Appearance in Rule 5/5.1 Proceedings as to Gary Wilson held on 9/13/2021. All parties appear via zoom. Defendant present via zoom not in custody. Court appoints FPD counsel. Appearance entered by Richard G. Sorenson for Gary Wilson on behalf of defendant. Added attorney Richard G. Sorenson for Gary Wilson. Waiver of Rule 5 Hearings reviewed and accepted in court and will be submitted. Government does not seek detention. Court hears from both parties. For the reasons stated on the record, Court orders Defendant to remain released on standard and special conditions. SEE ORDER SETTING CONDITIONS OF RELEASE. Court sets initial appearance via zoom in USDC-DC before Magistrate Judge Zia M. Faruqui on Thursday, 9/16/21 at 1:00 pm Eastern Standard Time. Attorney for Plaintiff: Jacob Strain, Attorney for Defendant: Richard Sorenson, FPD. Interpreter: Not Needed. Probation Officer: Jennifer Wollitz. Court Reporter: Electronic/Zoom.(Time Start: 1:05 PM, Time End: 1:43 PM, Room Zoom 8.400.) (mas) (Entered: 09/13/2021)

09/13/2021	4		DOCKET TEXT ORDER as to Gary Wilson. Under the Due Process Protections Act, the Court confirms the prosecution's obligation under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny to timely produce to the defendant all exculpatory evidence in the government's possession. Failure to timely do so may result in exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court. Signed by Magistrate Judge Cecilia M. Romero on 9/13/2021.(mas) (Entered: 09/13/2021)
09/13/2021	5		DOCKET TEXT ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Gary Wilson No attached document. Representation shall continue for any post-sentencing activities initiated by the US Probation Office. Signed by Magistrate Judge Cecilia M. Romero on 9/13/2021.(mas) (Entered: 09/13/2021)
09/13/2021	<u>6</u>		WAIVER of Rule 5(c)(3) Hearing by Gary Wilson. (mas) (Entered: 09/13/2021)
09/13/2021	<u>7</u>		ORDER Setting Conditions of Release as to Gary Wilson NOTE: Any future review of detention will remain with the magistrate judge who entered the first detention order, even if an order of referral to a different magistrate judge is entered on this defendant's case. Signed by Magistrate Judge Cecilia M. Romero on 9/13/2021.(mas) (Entered: 09/13/2021)