

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Grayson Sherrill

)
) Case: 1:21-mj-00255
) Assigned to: Judge Faruqui, Zia M
) Assign Date: 2/23/2021
) Description: COMPLAINT W/ARREST WARRANT
)

Defendant

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) Grayson Sherrill,
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 Engaging in Disorderly or Disruptive Conduct in any Restricted Buildings or Grounds;
- 40 U.S.C. § 5104(e)(2) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 02/23/2021

 2021.02.23
12:34:26
-05'00'

Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 2-23-21, and the person was arrested on (date) 3-1-21
at (city and state) Cherryville, NC.

Date: 3-1-21


Arresting officer's signature

Catherine Bowles
Printed name and title

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Grayson Sherrill

DOB: XXXXXX

)
)
)
)
)
)
)

Case: 1:21-mj-00255

Assigned to: Judge Faruqui, Zia M

Assign Date: 2/23/2021

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

18 U.S.C. § 1752(a)(2) - Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Buildings or Grounds,

40 U.S.C. § 5104(e)(2) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Jamie Vera

Complainant's signature

Jamie Vera, 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: 02/23/2021

Zia M. Faruqui

2021.02.23

12:33:08 -05'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Jamie Vera, is a Special Agent assigned to the Federal Bureau of Investigation's (FBI) Washington Field Office. Currently, I am a 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.

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 by breaking windows and by 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.

Subsequent to the incident at the U.S. Capitol, the FBI began publishing wanted posters on their website: <https://www.fbi.gov/wanted/capitol-violence>, which showed individuals inside of the U.S. Capitol. The posters were numbered and given the title “Photograph” followed by a number starting with number 1 (*i.e.* Photograph 1). One of the wanted posters—Photograph 19—which is illustrated below as *Figure One* depicted three individuals. The individual on the left side of the photograph is not wearing a face mask and most of his face is visible. He appears to be a white male with dark hair in a ponytail and facial hair. This individual was wearing a red hooded sweatshirt that stated, “Keep America Great” across the chest, jeans, and dark-colored combat-style boots; he was also carrying a long, cylindrical-shaped object, approximately two to three feet long in his left hand.



Figure One

Two witnesses (“Witness One” and “Witness Two”) submitted tips to the FBI with attached photographs identifying GRAYSON SHERRILL (“SHERRILL”) as an individual seen in the U.S. Capitol on January 6, 2021. More specifically, the photographs submitted by the witnesses depict SHERRILL as the same individual described above, pictured in Photograph 19. Law enforcement has contacted and interviewed both witnesses.

Witness One identified SHERRILL as a family member. Witness One told law enforcement that SHERRILL’s father texted another family member a picture of SHERRILL inside of the U.S. Capitol and said that it was SHERRILL. Witness One said they typically see

SHERRILL about once a year. Witness One included a picture with their tip to the FBI, which is illustrated below as *Figure Two*.

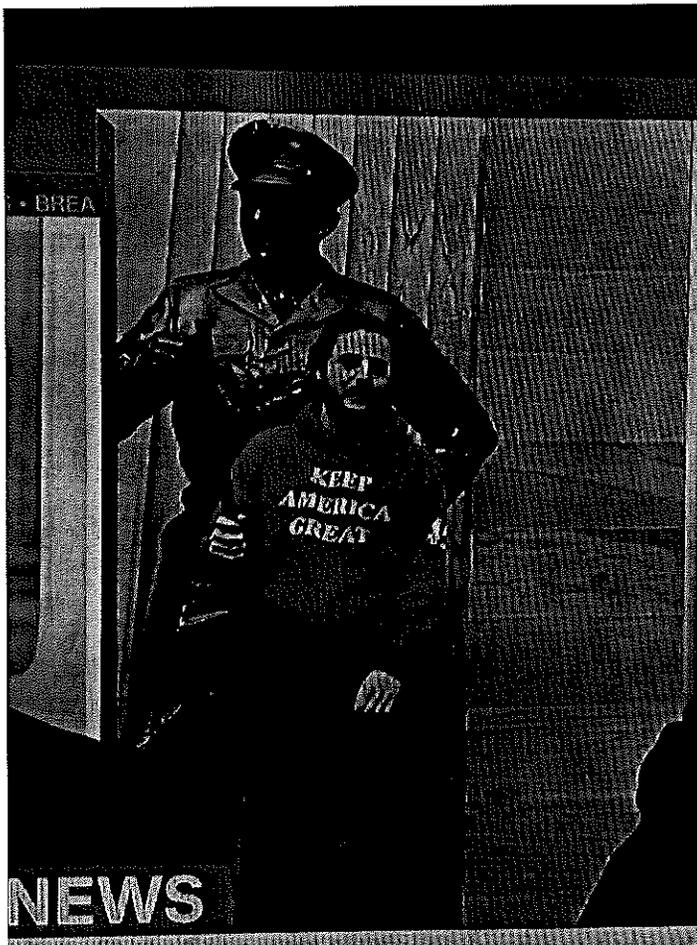


Figure Two

Witness Two also identified SHERRILL as a family member. Just like Witness One, Witness Two told law enforcement that SHERRILL's father sent a "screen grab" of a picture of SHERRILL inside the U.S. Capitol to other family members and said that SHERRILL had traveled to Washington D.C. Witness Two attached two pictures to their tip submitted to the FBI. One of the attachments was the same picture illustrated above as *Figure Two*. The other picture is illustrated below as *Figure Three*, which appears to be a cropped version of Photograph 19.



Figure Three

Law enforcement located a photograph (*Figure Four*) on the website of Getty Images, which appears to be a similar shot of *Figure Two*, taken from further away.¹

¹ <https://www.gettyimages.com/detail/news-photo/supporters-of-us-president-donald-trump-enter-the-us-news-photo/1230453071?adppopup=true>



Figure Four

The statue in *Figure Four* has been identified by U.S. Capitol Police as a statue of Dwight D. Eisenhower, which is located inside of the Rotunda of the U.S. Capitol Building. This information was also confirmed on the U.S. Capitol's website, which lists all of the statues inside of the U.S. Capitol with a photograph of the statue and the statue's location within the U.S. Capitol.²

Law enforcement obtained a driver's license photograph for SHERILL from North Carolina. Your affiant reviewed the photograph and SHERRILL's features in the driver's license photograph appear to match the individual pictured in *Figures One, Two, Three and Four* above.

Your affiant has reviewed and collected video provided by the U.S. Capitol Police, which includes security camera footage inside and outside of the U.S. Capitol Building. While reviewing this footage, your affiant observed an individual who appears to be SHERRILL outside and inside of the U.S. Capitol, specifically inside of the Rotunda and in a hallway just outside of the Rotunda. The following images are a sampling of screenshots obtained from that footage. SHERRILL is circled in red.

² <https://www.aoc.gov/explore-capitol-campus/art/dwight-d-eisenhower>



Figure Five

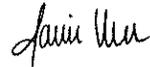


Figure Six

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

Your affiant submits there is also probable cause to believe that SHERRILL 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.



JAMIE VERA
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 23rd day of February 2021.



2021.02.23
12:28:58 -05'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

GRAYSON SHERRILL,

Defendant.

Case: 1:21-mj-00255
Assigned to: Judge Faruqui, Zia M
Assign Date: 2/23/2021
Description: COMPLAINT W/ARREST WARRANT

VIOLATIONS:

18 U.S.C. § 1752(a),
(Restricted Building or Grounds)

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.



2021.02.23
12:30:27 -05'00'

Date: February 23, 2021

ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE

cc: RACHEL A. FLETCHER
Assistant United States Attorney

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Grayson Sherrill

)
) Case: 1:21-mj-00255
) Assigned to: Judge Faruqi, Zia M
) Assign Date: 2/23/2021
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Defendant

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To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

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who is accused of an offense or violation based on the following document filed with the court:

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 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

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- 40 U.S.C. § 5104(e)(2) - Violent Entry and Disorderly Conduct on Capitol Grounds.

Date: 02/23/2021

 2021.02.23
12:34:26
-05'00'

Issuing officer's signature

City and state: Washington, D.C.

Zia M. Faruqi, 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
Western District of North Carolina

UNITED STATES OF AMERICA

v.

Grayson Sherrill
Defendant

)
)
)
)
)
)

Case No: 3:21-mj-00058-DCK

Charging District's Case No: 1:21-mj-00255

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**

I understand that I have been charged in another district, the 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 within 14 days of my first appearance if I am in custody and 21 days otherwise – unless I am indicted – to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request 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 warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings 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: March 1, 2021



Defendant's Signature

Signature of defendant's attorney (if any)

Cecilia Oseguera

Printed name of defendant's attorney (if any)

U.S. District Court
Western District of North Carolina (Charlotte)
CRIMINAL DOCKET FOR CASE #: 3:21-mj-00058-DCK-1

Case title: USA v. Sherrill

Date Filed: 03/01/2021

Date Terminated: 03/01/2021

Assigned to: Magistrate Judge David
Keesler

Defendant (1)

Grayson Sherrill
TERMINATED: 03/01/2021

represented by **Cecilia Oseguera**
Federal Defenders of Western NC
129 W. Trade St., Suite 300
Charlotte, NC 28202
704/374-0720
Email: cecilia_oseguera@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

18:1752(a)(1) - KNOWINGLY ENTERING
OR REMAINING IN ANY RESTRICTED
BUILDING OR GROUNDS WITHOUT
LAWFUL AUTHORITY; 18:1752(a)(2) -
KNOWINGLY ENGAGING IN
DISORDERLY OR DISRUPTIVE
CONDUCT IN ANY RESTRICTED
BUILDINGS OR GROUNDS, 40:5104(e)

Disposition

(2) - VIOLENT AND DISORDERLY
CONDUCT ON CAPITOL GROUNDS**Plaintiff**

USA

represented by **Maria Kathleen Vento**
 US Attorney's Office
 227 West Trade Street
 Suite 1650
 Charlotte, NC 28202
 704-344-6222
 Fax: 704-344-6629
 Email: Maria.Vento@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
03/01/2021		Arrest (Rule 5 - DC) of Grayson Sherrill (mga) (Entered: 03/01/2021)
03/01/2021		Set/Reset Deadlines/Hearings as to Grayson Sherrill: Initial Appearance - Rule 5 set for 3/1/2021 10:45 AM in Courtroom 1-1, 401 W Trade St, Charlotte, NC 28202 before Magistrate Judge David Keesler. (mga) Modified text on 3/1/2021 (mga). (Entered: 03/01/2021)
03/01/2021	1	DISTRICT OF COLUMBIA CRIMINAL COMPLAINT as to Grayson Sherrill (Attachments: # 1 Sealing/Unsealing case, # 2 Warrant)(mga) (Entered: 03/01/2021)
03/01/2021		Minute Entry: INITIAL APPEARANCE in Rule 5(c)(3) Proceedings as to Grayson Sherrill held before Magistrate Judge David Keesler. Defendant advised of rights & charges. Defendant moved for appointment of counsel. Defendant filed a financial affidavit. Court approved appointment of counsel. Defendant waived identity hearing. Defendant ordered to appear in charging district. Government attorney: Maria Vento. Defendant attorney: Cecilia Oseguera. Court Reporter: DCR. (mga) (Entered: 03/01/2021)
03/01/2021		ORAL MOTION to Seal CJA 23 Affidavit by Grayson Sherrill. (mga) (Entered: 03/01/2021)
03/01/2021		ORAL ORDER granting Oral Motion to Seal CJA 23 Affidavit as to Grayson Sherrill (1). Entered by Magistrate Judge David Keesler on 3/1/21. (mga) (Entered: 03/01/2021)
03/01/2021	2	CJA 23 (Ex Parte) Financial Affidavit by Grayson Sherrill (mga) (Entered: 03/01/2021)
03/01/2021		ORAL ORDER APPOINTING FEDERAL DEFENDER Cecilia Oseguera as to Grayson Sherrill. Entered by Magistrate Judge David Keesler on 3/1/21. (mga) (Entered: 03/01/2021)
03/01/2021	3	WAIVER of Rule 5(c)(3) Hearings by Grayson Sherrill (mga) (Entered: 03/01/2021)
03/01/2021		ORAL MOTION to Seal Appearance Bond and Bond Conditions by Grayson Sherrill. (mga) (Entered: 03/01/2021)
03/01/2021		ORAL ORDER granting Oral Motion to Seal Appearance Bond and Order Setting Conditions of Release as to Grayson Sherrill (1). Entered by Magistrate Judge David Keesler on 3/1/21. (mga) (Entered: 03/01/2021)

03/01/2021	4	SEALED (<i>Sealed - Attorney</i>): Appearance Bond (available to: USA, Grayson Sherrill) (mga) (Entered: 03/01/2021)
03/01/2021	5	SEALED (<i>Sealed - Attorney</i>): ORDER SETTING CONDITIONS OF RELEASE (available to: USA, Grayson Sherrill) (mga) (Entered: 03/01/2021)
03/01/2021	6	ORDER holding defendant to answer and to appear in district of prosecution or district having Probation Jurisdiction as to Grayson Sherrill. Signed by Magistrate Judge David Keesler on 3/1/21. (mga) (Entered: 03/01/2021)
03/01/2021		Rule 5(c)(3) Documents Emailed to District of Columbia as to Grayson Sherrill (mga) (Entered: 03/01/2021)
03/01/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Grayson Sherrill. Your case number is: 1:21-mj-00255. Using your PACER account, you may retrieve the docket sheet and documents. (Documents: 1 Miscellaneous Filing, 5 Sealed Document, 2 Financial Affidavit - CJA23, 6 Order Rule 5 Bond Release, 4 Sealed Document) (If you wish to designate a different email address for future transfers, send a request to InterDistrictTransfer_TXND@txnd.uscourts.gov .) (mga) (Entered: 03/01/2021)
03/05/2021	8	PRETRIAL REPORT (<i>SEALED - Attorney</i>) as to Grayson Sherrill (available to USA, Grayson Sherrill) (Bonney Price - me) (Entered: 03/05/2021)

PACER Service Center			
Transaction Receipt			
03/22/2021 11:25:13			
PACER Login:	BrittanyBryant:6635828:0	Client Code:	
Description:	Docket Report	Search Criteria:	3:21-mj-00058-DCK
Billable Pages:	2	Cost:	0.20
Exempt flag:	Exempt	Exempt reason:	Always

PACER fee: Exempt