

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Jacob Lewis

Defendant

) Case: 1:21-mj-00155
) Assigned to: Judge Zia M. Faruqui
) Assign Date: 1/22/2021
) 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) Jacob Lewis,

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

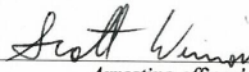
This offense is briefly described as follows:

18 U.S.C. 1752 (a)(1), (2)- Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 40 U.S.C. 5104(e)(2)(D) & (G)- Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/22/20212021.01.22
17:19:02 -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) 1/22/21, and the person was arrested on (date) 1/27/21
 at (city and state) Victorville, CA.

Date: 1/27/21*Arresting officer's signature*SA Scott Winrow*Printed name and title*

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Jacob Lewis

Date of Birth:

Defendant(s)

5:21-mj-00030

Case: 1:21-mj-00155

Assigned to: Judge Zia M. Faruqui

Assign Date: 1/22/2021

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

40 U.S.C. 5104(e)(2)(D) & (G)- 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.


Complainant's signature

Stephen R. Hart, 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: 01/22/2021


2021.01.22

17:21:40 -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

On January 6, 2021, your affiant, Stephen R. Hart, was on duty and performing my official duties as a Special Agent for the Federal Bureau of Investigation. In addition to my regular duties, I am currently tasked with investigating criminal activity that occurred 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 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.

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 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.

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.

On January 8, 2021, the Federal Bureau of Investigation, Riverside California Residential Agency (RVRA) received a tip relayed from the National Threat Operations Center (NTOC) advising that Defendant Jacob Lewis (LEWIS) “flew from Victorville, CA to Washington, D.C. to attack the Capitol along with many Trump supporters to stop the certification of the electoral college.” The tip stated LEWIS posted videos from the US Capitol on January 6, 2021 on his personal Instagram account: @jdl_333. The tip also stated that LEWIS was the owner of The Gym, a fitness business in Victorville, CA.

On January 11, 2021, RVRA received a telephone tip from another individual, who stated they were a friend of LEWIS. This person stated that during a conversation in December, 2020, LEWIS told them to “watch what happens to the Capitol on the 6th.” This person said that LEWIS had shown them pictures of firearms and previously asked them if they could get LEWIS ammunition, but this person had never seen LEWIS with any guns in person and did not hear LEWIS make any threats of violence regarding January 6, 2021. This person observed photos or videos of the US Capitol from January 6, 2021 on Lewis’ Instagram account, which they also identified as @jdl_333.

On January 15, 2021, LEWIS agreed to take part in an interview with RVRA Agents at his residence in Victorville, California regarding his involvement in the aforementioned events of January 6, 2021. LEWIS stated that he traveled from California to Washington D.C. from January 4-7, 2021 to attend President Trump’s rally on January 6, 2021. He stated that he attended the rally on January 6, 2021 dressed in a black jacket, red beanie hat, and blue jeans.

LEWIS admitted that following the rally, he walked toward the Capitol, and that he then entered the capitol building with a number of people after it had been breached by others. He stated that he was never told that he could not enter, and that he was “escorted” by the Police in the building. He stated that he did not partake in any violence while he was in the building and that he believed that some individuals involved in agitating were Antifa members in disguise.

LEWIS acknowledged that his Instagram account is @jdl_333 and that he had posted videos of the capitol grounds on January 6, 2021. He provided RVRA with temporary access to view his account.

RVRA Agents and your affiant reviewed the video posted by LEWIS on Instagram on January 6, 2021. The video depicts a large crowd gathered on the steps and terrace of the US Capitol.

Your affiant also reviewed multiple other videos depicting the Capitol building and grounds on January 6, 2021. Among these videos, your affiant observed a video that had been posted online by another individual, and subsequently submitted to the FBI via an online tip. Based on the nature of the video, knowledge of LEWIS, a comparison to known photographs of LEWIS provided to your affiant, clothing consistent with the clothing that LEWIS acknowledged wearing on that day, and other evidence discussed herein, your affiant believes that this video depicts LEWIS walking up the US Capitol steps. A still from that video is included below:



Among these videos, your affiant also observed United States Capitol Police video from various locations in the Capitol Building. Based on the nature of the videos, knowledge of LEWIS, a comparison to known photographs of LEWIS provided to your affiant, clothing consistent with the clothing that LEWIS acknowledged wearing on that day, and other evidence discussed herein, your affiant believes that several of these videos depict LEWIS. Specifically, your affiant believes that LEWIS is depicted in a United States Capitol Police video breaching the Senate Wing Door to the Capitol Building at approximately 2:56:06pm on January 6, 2021. Additional US Capitol Police videos then show LEWIS walking by the House Wing doors, through the Hall of Columns, through the Crypt and then exiting out of the South Door at approximately 3:03pm. At no point does it appear that he has a police escort. A still from the video of LEWIS breaching the Senate Wing Door and a still from the video of LEWIS walking through the Hall of Columns wearing the same clothing is included below.



On January 19, 2021, LEWIS provided RVRA Agents additional videos that he took on January 6, 2021, including videos that appear to depict portions of the inside of the United States Capitol building. A screenshot from one of those videos is below.



Based on the foregoing, your affiant submits that there is probable cause to believe that Jacob Lewis 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 Jacob Lewis 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.

SPECIAL AGENT STEPHEN R. HART
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 January 2021.



2021.01.22
17:21:08 -05'00'

ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

CASE NUMBER

PLAINTIFF(S)

1:21-mj-00155 5:21-mj-00030

v.

Jacob Lewis

DEFENDANT(S).

**DECLARATION RE
OUT-OF-DISTRICT WARRANT**

The above-named defendant was charged by: complaint

in the _____ District of Columbia on 01/22/21

at 5:19 ☐ a.m. / ☒ p.m. The offense was allegedly committed on or about 01/06/2021in violation of Title 18 U.S.C., Section(s) 18 USC 1752(a)(1), (2), *Knowingly Entering or Remaining*to wit: 40 USC 5104(e)(2)(D)&(G) *in any Restricted Building or Grounds Without Lawful Authority*

A warrant for defendant's arrest was issued by: Judge Zia. M. Faruqi

Bond of \$ ~~10,000~~ 100,000 was ☐ set / ☒ recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1/27/21
Date

Signature of Agent

Scott Winrow
Print Name of Agent

FBI
Agency

Special Agent
Title

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.
Jacob Lewis

5:21-mj-00030

) Case: 1:21-mj-00155
) Assigned to: Judge Zia M. Faruqui
) Assign Date: 1/22/2021
) 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) Jacob Lewis,
 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), (2)- Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 40 U.S.C. 5104(e)(2)(D) & (G)- Violent Entry and Disorderly Conduct on Capitol Grounds

Date: 01/22/2021

 2021.01.22
 17:19:02 -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) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES – GENERAL

Case No. 5:21-MJ-00030

Date: 01/27/2021

Present: The Honorable Sheri Pym, United States Magistrate Judge

Interpreter: N/A

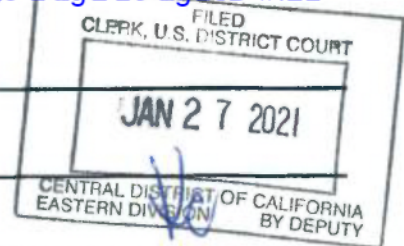
Kimberly Carter	N/A	N/A
Deputy Clerk	Court Reporter / Recorder	Assistant U.S. Attorney

<u>U.S.A. v. Defendant(s)</u>	<u>Present</u>	<u>Cust</u>	<u>Bond</u>	<u>Attorney(s) for Defendant(s):</u>	<u>Present</u>	<u>App</u>	<u>Ret</u>
JACOB DANIEL LEWIS				N/A			

Proceedings: (IN CHAMBERS) MANDATORY RULE 5(f) ORDER

In accordance with the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the United States is ordered to produce all exculpatory evidence to the defendant under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny. Failing to do so in a timely manner may result in exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA,

PLAINTIFF

v.

CASE NUMBER:

21-MJ-30

Jacob Daniel Lewis

DEFENDANT.

WAIVER OF RIGHTS
(OUT OF DISTRICT CASES)

I understand that charges are pending in the _____ District of Columbia
alleging violation of 18 USC 1752 and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an 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.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

- ☒ have an identity hearing
- ☒ arrival of process
- ☐ have a preliminary hearing
- ☐ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- ☒ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

151 [Signature] on behalf of Def.
Defendant

[Signature]
Defense Counsel

[Signature]
United States Magistrate Judge

Date:

1/27/21

I have translated this Waiver to the defendant in the _____ language.

Date:

Interpreter(if required)

CLOSED

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00030-DUTY All Defendants**

Case title: USA v. Lewis

Date Filed: 01/27/2021

Date Terminated: 01/28/2021

Assigned to: Duty Magistrate Judge

Defendant (1)**Jacob Lewis***TERMINATED: 01/28/2021*represented by **Young J. Kim**

Federal Public Defenders Office
Riverside Division
3801 University Avenue Suite 700
Riverside, CA 92501
951-276-6346
Fax: 951-276-6368
Email: Young_Kim@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

None

Disposition**Plaintiff**

USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Division - US Courthouse

312 North Spring Street 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Docket Text
01/27/2021	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Jacob Lewis, originating in the District of Columbia. Defendant charged in violation of: 18:1752(a)(1), (2); 40:5104(e)(2)(D)and (G) . Signed by agent Scott Winrow, FBI Special Agent. filed by plaintiff USA. (mat) (Entered: 01/28/2021)
01/27/2021	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Jacob Lewis; defendants Year of Birth: 1983; date of arrest: 1/27/2021. (mat) (Entered: 01/28/2021)
01/27/2021	3	Defendant Jacob Lewis arrested on warrant issued by the USDC District of Columbia at Washington, DC. (Attachments: # 1 Criminal Complaint)(mat) (Entered: 01/28/2021)
01/27/2021	4	MINUTES OF IN CHAMBERS MANDATORY RULE 5(f) ORDER by Magistrate Judge Sheri Pym: as to Defendant Jacob Lewis. (mat) (Entered: 01/28/2021)
01/27/2021	5	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Sheri Pym as to Defendant Jacob Lewis Defendant arraigned and states true name is as charged. Attorney: Young J Kim for Jacob Lewis, Deputy Federal Public Defender, present. Court orders bail set as: Jacob Lewis (1) \$50,000, see bond for conditions. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to District of Columbia. Bond to Transfer. Defendant ordered to report on 2/10/21 at 1:00 p.m.. Court Reporter: Lisa Gonzalez. (mat) (Entered: 01/28/2021)
01/27/2021	6	FINANCIAL AFFIDAVIT filed as to Defendant Jacob Lewis. (Not for Public View pursuant to the E-Government Act of 2002) (mat) (Entered: 01/29/2021)
01/27/2021	7	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Jacob Lewis. (mat) (Entered: 01/29/2021)
01/27/2021	8	CONSENT to Video Conference/Telephonic Conference filed by Defendant Jacob Lewis. (mat) (Entered: 01/29/2021)
01/27/2021	9	WAIVER OF RIGHTS approved by Magistrate Judge Sheri Pym as to Defendant Jacob Lewis. (mat) (Entered: 01/29/2021)
01/27/2021	10	DECLARATION RE: PASSPORT filed by Defendant Jacob Lewis, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. RE: Financial Affidavit (CJA 23) - NFPV 6 . (mat) (Entered: 01/29/2021)
01/28/2021	11	BOND AND CONDITIONS OF RELEASE filed as to Defendant Jacob Lewis conditions of release: \$50,000 approved by Magistrate Judge Sheri Pym. Original bond routed to District of Columbia. (mat) (Entered: 01/29/2021)

01/28/2021	12	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$25,000 by surety: Curtis Gunnari for Bond and Conditions (CR-1) 11 . Filed by Defendant Jacob Lewis (mat) (Entered: 01/29/2021)
01/28/2021	13	SEALED UNREDACTED Affidavit of Surety (No Justification) filed by Defendant Jacob Lewis re: Affidavit of Surety (No Justification)(CR-4) 12 . (mat) (Entered: 01/29/2021)
01/28/2021	14	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$25,000 by surety: Kathy Zarate for Bond and Conditions (CR-1) 11 . Filed by Defendant Jacob Lewis. (mat) (Entered: 01/29/2021)
01/28/2021	15	SEALED UNREDACTED Affidavit of Surety (No Justification) filed by Defendant Jacob Lewis re: Affidavit of Surety (No Justification)(CR-4) 14 . (mat) (Entered: 01/29/2021)
01/29/2021		Notice to USDC District of Columbia at Washington, DC of a Rule 5 or Rule 32 Initial Appearance as to Defendant Jacob Lewis. Your case number is: 1:21MJ155. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: 5 Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40). If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov. (mat) (Entered: 01/29/2021)