

FID:

UNITED STATES DISTRICT COURT

for the

District of Columbia

FILED CHARLOTTE, NC

MAR 22 2021

US DISTRICT COURT WESTERN DISTRICT OF NC

United States of America

v.

Johnny Harris

3:21-mj-70

Case: 1:21-mj-00318

Assigned To : Meriweather, Robin M.

Assign. Date : 3/17/2021

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)

Johnny Harris

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, With Intent to Impede Government Business or Official Functions, Engaging in Disorderly Conduct on Capitol Grounds;

40 U.S.C. § 5104(e)(2)(D) - Engaging in Disorderly or Disruptive Conduct on the Capitol Buildings or Grounds;

40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in the Capitol Buildings.

Date: 03/17/2021

Signature of Issuing Officer

2021.03.17

18:42:49 -04'00'

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) 3/17/2021, and the person was arrested on (date) 3/18/2021 at (city and state) Shelby, NC

Date: 3/18/2021

Signature of Arresting Officer

Arresting officer's signature

Christopher McMaster, Special Agent, FBI

Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Johnny Harris

DOB: XXXXXX

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Case: 1:21-mj-00318

Assigned To : Meriweather, Robin M.

Assign. Date : 3/17/2021

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, With Intent to Impede Government Business or Official Functions, Engaging in Disorderly Conduct on Capitol Grounds,

40 U.S.C. § 5104(e)(2)(D) - Engaging in Disorderly or Disruptive Conduct on the Capitol Buildings or Grounds,

40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in the Capitol Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Christopher McMaster, 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: 03/17/2021

Judge's signature

2021.03.17

18:41:09 -04'00'

Robin M. Meriweather, U.S. Magistrate Judge

City and state: Washington, D.C.

Printed name and title

## STATEMENT OF FACTS

Your affiant, Christopher McMaster, is a Special Agent assigned to Federal Bureau of Investigation's (FBI) Charlotte Field Office. 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, detention, investigation, or prosecution of violations 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.

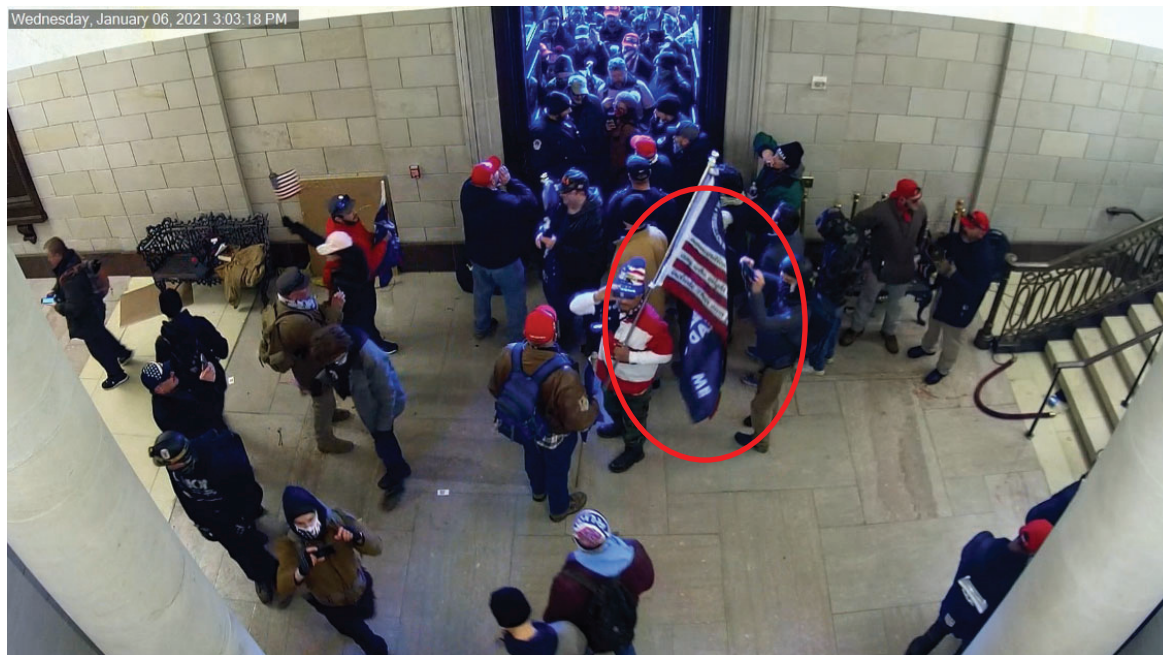
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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 soliciting information and tips concerning violence at the Capitol on the FBI's website. An anonymous tipster submitted a report that identified JOHNNY HARRIS as someone who was posting pictures of himself inside of the U.S. Capitol building on his Facebook page. HARRIS was interviewed by FBI agents on January 19, 2021. During that interview, he admitted to entering the U.S. Capitol building on January 6, 2021, with a megaphone and flag. He also stated that he recorded videos inside the U.S. Capitol with his GoPro device. During a subsequent discussion, HARRIS also stated that he recorded some footage on a cell phone.

Your affiant has collected and reviewed video provided by the Metropolitan Police Department of the District of Columbia and U.S. Capitol Police, which includes body camera and security camera footage from inside of the U.S. Capitol Building. While reviewing this footage, your affiant observed an individual who appears to be HARRIS inside of the U.S. Capitol on January 6, 2021, 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. HARRIS is circled in red.



*Figure One*



Figure Two



Figure Three




*Figure Four*

Your affiant interviewed Witness One and Witness Two, who both travelled to the United States Capitol Region with HARRIS and saw HARRIS on January 6, 2021. Witness One and Witness Two were shown screenshots of an individual matching HARRIS's description inside the U.S. Capitol building, to include *Figure Three* and *Figure Four* above. Witness One and Witness Two identified the individual in the screenshots as HARRIS.

Based on the foregoing, your affiant submits that there is probable cause to believe that JOHNNY HARRIS 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 JOHNNY HARRIS violated 40 U.S.C. § 5104(e)(2), 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.

  
CHRISTOPHER MCMASTER  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by telephone, this 17<sup>th</sup> day of March 2021.

  2021.03.17  
18:38:06 -04'00'  
ROBIN M. MERIWEATHER  
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Johnny Harris

Case: 1:21-mj-00318
Assigned To : Meriweather, Robin M.
Assign. Date : 3/17/2021
Description: Complaint w/ Arrest Warrant

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(name of person to be arrested) Johnny Harris,
who is accused of an offense or violation based on the following document filed with the court:

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Date: 03/17/2021

2021.03.17
18:42:49 -04'00'
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  
Western District of North Carolina

UNITED STATES OF AMERICA

v.

Johnny Leroy Harris  
*Defendant*

)  
) Case No: 3:21-mj-00070-DSC \*SEALED\*  
)  
) Charging District's Case No: 1:21-mj-318  
)  
)

**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 18, 2021

  
 \_\_\_\_\_  
*Defendant's Signature*

  
 \_\_\_\_\_  
*Signature of defendant's attorney (if any)*

Samuel Randall  
*Printed name of defendant's attorney (if any)*

**UNITED STATES DISTRICT COURT**  
Western District of North Carolina

UNITED STATES OF AMERICA

v.

Johnny Leroy Harris  
*Defendant*

)  
)  
) Case No: 3:21-mj-00070-DSC \*SEALED\*  
)  
) Charging District: District of Columbia  
) Charging District's Case No: 1:21-mj-318  
)  
)

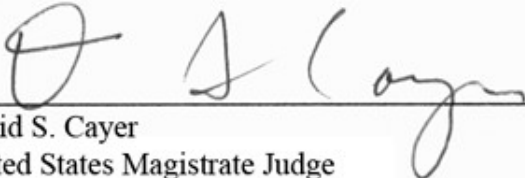
**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: To be noticed	Courtroom No.:
	Date and Time

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: March 18, 2021

  
 \_\_\_\_\_  
 David S. Cayer  
 United States Magistrate Judge

**U.S. District Court**  
**Western District of North Carolina (Charlotte)**  
**CRIMINAL DOCKET FOR CASE #: 3:21-mj-00070-DSC-1**

Case title: USA v. Harris

Date Filed: 03/18/2021

Date Terminated: 03/18/2021

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Assigned to: Magistrate Judge David S.  
Cayer

**Defendant (1)**

**Johnny Leroy Harris**  
*TERMINATED: 03/18/2021*

represented by **Samuel John Randall, IV**  
Randall & Stump, PLLC  
2125 Southend Drive Suite  
Suite 253  
Charlotte, NC 28203  
980 237 4579  
Fax: 980 209-0029  
Email: sam@randallstump.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

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**Plaintiff****USA**

represented by **William Thomas Bozin**  
US Attorney's Office  
227 West Trade Street, Suite 1650

Charlotte, NC 28202  
 704-816-1625  
 Email: william.bozin@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

Date Filed	#	Docket Text
03/18/2021		Set Hearings as to Johnny Leroy Harris: Initial Appearance - Rule 5 set for 3/18/2021 10:40 AM in Courtroom 1-1, 401 W Trade St, Charlotte, NC 28202 before Magistrate Judge David S. Cayer. (mek) (Entered: 03/18/2021)
03/18/2021	<a href="#">1</a>	SEALED CRIMINAL COMPLAINT (District of Columbia) by Johnny Leroy Harris (Attachments: # <a href="#">1</a> Affidavit, # <a href="#">2</a> DC Warrant)(mek) (Entered: 03/18/2021)
03/18/2021		ORAL MOTION to Unseal Case by USA as to Johnny Leroy Harris. (mek) (Entered: 03/18/2021)
03/18/2021		<b>ORAL ORDER granting Oral Motion to Unseal Case as to Johnny Leroy Harris (1). Signed by Magistrate Judge David S. Cayer on 3/18/2021. (mek)</b> (Entered: 03/18/2021)
03/18/2021		NOTICE OF GENERAL ATTORNEY APPEARANCE: Samuel John Randall, IV appearing for Johnny Leroy Harris (mek) (Entered: 03/18/2021)
03/18/2021		Minute Entry: INITIAL APPEARANCE in Rule 5(c)(3) Proceedings as to Johnny Leroy Harris held before Magistrate Judge David S. Cayer. Defendant advised of rights & charges. Defendant waived preliminary hearing. Defendant waived identity hearing. Defendant released on conditions. Defendant ordered to appear in charging district. Government attorney: William Thomas Bozin. Defendant attorney: Samuel John Randall, IV. Court Reporter: DCR. (mek) (Entered: 03/18/2021)
03/18/2021	<a href="#">2</a>	WAIVER of Rule 5(c)(3) Hearings by Johnny Leroy Harris (mek) (Main Document 2 replaced on 3/18/2021) (mek). (Entered: 03/18/2021)
03/18/2021	<a href="#">3</a>	<b>Appearance Bond Entered (Restricted) as to Johnny Leroy Harris in amount of \$ 25,000. Signed by Magistrate Judge David S. Cayer on 3/18/2021. (mek)</b> (Entered: 03/18/2021)
03/18/2021	<a href="#">4</a>	<b>ORDER (Restricted) Setting Conditions of Release as to Johnny Leroy Harris (1) 25KU. Signed by Magistrate Judge David S. Cayer on 3/18/2021. (mek)</b> (Entered: 03/18/2021)
03/18/2021	<a href="#">5</a>	<b>ORDER holding defendant to answer and to appear in district of prosecution or district having Probation Jurisdiction as to Johnny Leroy Harris. Signed by Magistrate Judge David S. Cayer on 3/18/2021. (mek)</b> (Entered: 03/18/2021)
03/18/2021		Rule 5(c)(3) Documents Emailed to District of Columbia as to Johnny Leroy Harris (mek) (Entered: 03/18/2021)
03/18/2021		Notice to District of Columbia of a Rule 5 or Rule 32 Initial Appearance as to Johnny Leroy Harris. Your case number is: 1:21-mj-318. Using your PACER account, you may retrieve the docket sheet and documents. (Documents: <a href="#">2</a> Waiver of Rule 5(c)(3) Hearings, <a href="#">1</a> Miscellaneous Filing, <a href="#">3</a> Bond, <a href="#">5</a> Order Rule 5 Bond Release, <a href="#">4</a> Order Setting Conditions of Release ) (If you wish to designate a different email address for future transfers, send a request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (mek) (Entered: 03/18/2021)
03/22/2021	<a href="#">7</a>	Arrest Warrant Returned Executed on 03/18/2021 in case as to Johnny Leroy Harris. (js)

		(Entered: 03/22/2021)
03/23/2021	<a href="#">8</a>	PRETRIAL REPORT ( <i>SEALED - Attorney</i> ) as to Johnny Leroy Harris (available to USA, Johnny Leroy Harris) (Clifton Johnson - rys) (Entered: 03/23/2021)
03/24/2021	<a href="#">9</a>	Original Notice Regarding US Passport ( <i>Sealed - Attorney</i> ) as to Johnny Leroy Harris; (available to: USA, Johnny Leroy Harris) (Jenny Whiteside - bgs) (Entered: 03/24/2021)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
04/01/2021 12:47:53			
<b>PACER Login:</b>	BrittanyBryant:6635828:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:21-mj-00070-DSC
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20
<b>Exempt flag:</b>	Exempt	<b>Exempt reason:</b>	Always

**PACER fee: Exempt**