

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

|                                  |   |   |  |
|----------------------------------|---|---|--|
| <b>UNITED STATES OF AMERICA,</b> | : | <b>CASE NO:</b>                                 | Case: 1:21-mj-00488                      |
|                                  | : |   | Assigned To : Meriweather, Robin M.      |
| <b>v.</b>                        | : |   | Assign. Date : 06/22/2021                |
|                                  | : | <b>VIOLATIONS:</b>                              | Description: Complaint w/ Arrest Warrant |
|                                  | : |   |  |
| <b>MITCHELL TODD GARDNER II</b>  | : | <b>18 U.S.C. § 1361,</b>                        |  |
| <b>Defendant</b>                 | : | <b>(Destruction of Government Property)</b>     |  |
|                                  | : | <b>18 U.S.C. § 1512(c)(2),</b>                  |  |
|                                  | : | <b>(Obstruct, Influence, or Impede any</b>      |  |
|                                  | : | <b>Official Proceeding or Attempt to Do So)</b> |  |
|                                  | : | <b>18 U.S.C. § 1752(a)(1),</b>                  |  |
|                                  | : | <b>(Knowingly Entering or Remaining in</b>      |  |
|                                  | : | <b>any Restricted Building or Grounds</b>       |  |
|                                  | : | <b>Without Lawful Authority)</b>                |  |
|                                  | : | <b>18 U.S.C. § 1752(a)(2),</b>                  |  |
|                                  | : | <b>(Impede or Disrupt the Orderly</b>           |  |
|                                  | : | <b>Conduct of Government Business)</b>          |  |
|                                  | : | <b>40 U.S.C. § 5104(e)(2)(D),</b>               |  |
|                                  | : | <b>(Violent Entry and Disorderly Conduct</b>    |  |
|                                  | : | <b>on Capitol Grounds)</b>                      |  |
|                                  | : | <b>40 U.S.C. § 5104(e)(2)(G),</b>               |  |
|                                  | : | <b>(Parade, Demonstrate, or Picket and of</b>   |  |
|                                  | : | <b>the Capitol Buildings)</b>                   |  |


**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: June 22, 2021

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ROBIN M. MERIWEATHER  
UNITED STATES MAGISTRATE JUDGE