

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.

WILLIAM MCCALL CALHOUN JR.
Defendant

Case: 1:21-mj-00040
Assigned to: Judge Zia M. Faruqui
Assigned Date: 1/12/2021
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) William M. Calhoun Jr.
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:

Violations of 18 U.S.C. 1752(a), 40 U.S.C. 5104(e)(2), and 18 U.S.C. 1512(c)(2)

Date: 01/12/2021

Zia M. Faruqui
2021.01.12 18:09:55 -05'00'

Issuing officer's signature

City and state: Washington D.C.

Hon. Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 1/12/2021, and the person was arrested on (date) 1/15/2021
at (city and state) Georgia.

Date: 1/15/2021

Ryan Genry
Arresting officer's signature

Ryan Genry, Special Agent FBI

Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.

WILLIAM MCCALL CALHOUN JR.



Defendant(s)

)
) Case: 1:21-mj-00040
) Assigned to: Judge Zia M. Faruqui
) Assigned Date: 1/12/2021
) 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
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1752(a), 40 U.S.C. 5104(e)(2), 18 U.S.C. 1512(c)(2) and their corresponding offense descriptions.

This criminal complaint is based on these facts:

Continued on the attached sheet.

Handwritten signature of Ryan E. Genry

Ryan E. Genry, Special Agent FBI
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1. by telephone.

Date: 01/12/2021

Judge's signature

City and state: Washington, D.C.

Hon. Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	File No. 5:21-mj-8 (CHW)
	:	
WILLIAM McCALL CALHOUN, JR.,	:	Charging District’s Case No:
	:	1:21-mj-40 (D.D.C.)
Defendant.	:	
	:	
<hr style="width: 100%;"/>	:	

ORDER OF DETENTION

On January 21, 2021, arrestee William McCall Calhoun, Jr., appeared before the Court for a preliminary hearing pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure and a hearing on the Government’s motion for detention. Defendant is charged in a complaint with unlawful entry in a restricted building, in violation of 18 U.S.C. § 1752(a); violent entry and disorderly conduct in the Capitol building, in violation of 40 U.S.C. § 5104(e)(2); and obstruction of an official proceeding, in violation of 18 U.S.C. § 1512(c)(2). Following the preliminary hearing, the Court found probable cause to support each of the allegations in the complaint.

Based on the testimony presented by the Government at the preliminary and detention hearing, the Court further found by clear and convincing evidence that no condition or combination of conditions of release would reasonably assure the safety of the community and by a preponderance of the evidence that no condition or combination of conditions of release would reasonably assure the Defendant’s appearance as required.

Most significant in the Court's consideration under 18 U.S.C. § 3142(g) is the nature of the offenses alleged, as the offenses involve credible threats of violence against political opponents and intentional participation in violent civil insurrection. The Government showed that the weight of the evidence is likely to be strong and indicates an ongoing and escalating pattern of threats and threatening behavior culminating in the violent entry of a mob on the United States Capitol.

Evidence presented by the Government showed that Defendant made a series of violent and threatening statements on social media, including threats to "storm" Washington, D.C., and wage a civil war against political opponents whom he described as Democrats, communists, the Deep State, and BLM-Antifa. Defendant took action on those threats by participating, intentionally and with premeditation, in the violent riot that led to the takeover of the United States Capitol Building on January 6, 2021.

The Government produced evidence of numerous social media posts between October 2020 and January 2021, indicating Defendant's intent to wage a "civil war" and "slaughter" Democrats and other political opponents. Among Defendant's threats were statements such as: "I have tons of ammo. Gonna use it, too - at the range and on racist democrat communists" (Govt. Ex. 12); "we're loading AR15 magazines and getting range time in. My AR15 set up will do head shots at 200 meters no problem. You have no clue what's coming" (Govt. Ex. 13); "For my part, I'll be slinging enough hot lead to stack you commies up like cordwood" (Govt. Ex. 14); "War is coming. It's the only way to deal with our domestic Communist problem. Ruthlessness is in order" (Govt. Ex. 15); "The only

remedy for BLM-Antifa communism is violent retribution against the media and the democrats." (Govt. Ex. 18). These statements also included direct threats to other social media users, including the statement to one user, "You won't be laughing when Patriots go door to door executing you commies" (Govt. Ex. 27), and to another user, "I won't struggle pulling a head shot at 200 meters day or night. Smoke that over commie bitch." (Govt. Ex. 23).

Prior to the Capitol riot on January 6, 2021, Defendant made clear his desire and intent to invade the Capitol building. On October 20, 2020, Defendant posted the statement, "Patriots be ready to storm Washington! If you're willing to go to Washington in November to 'peacefully protest' with AR15 in hand, upvote this." (Govt. Ex. 19). On January 5, 2021, Defendant posted that he was "Headed to D.C. to give the GOP some back bone," and noted that "DC announced it is 'banning guns' when we storm the Capitol tomorrow. LoL - guns are already banned in DC. Very illegal. Whether the police can enforce their gun laws depends on how many armed Patriots show up." (Govt. Ex. 3). Shortly before the mob entered the Capitol, Defendant posted a picture from outside the Capitol with the statement, "We're going to get inside the Capitol before this ends." (Govt. Ex. 4).

After entering the Capitol with the mob, Defendant continued to make a number of social media posts describing the "hostile takeover" of the Capitol. He also explained his intent and the intent of the mob to do harm to members of Congress:

After we had overrun that last police barricade, the momentum caused a bad crush at one point, but carried the Vanguard through several smaller doors and down halls as we swarmed Congress yelling the names of various members.

Then we stormed upstairs through the rotunda admiring the amazing art work but at the same time looking for members of Congress, as by this time we physically owned the Capitol - all law enforcement had retreated to the perimeter and even more thousands were trying to push in!

And get this - the first of us who got upstairs kicked in Nancy Pelosi's office door and pushed down the hall towards her inner sanctum, the mob howling with rage – Crazy Nancy probably would have been torn into little pieces, but she was nowhere to be seen – then a swat team showed, and we retreated back to the rotunda and continued our hostile take over of the Capitol Building.

(Govt. Ex. 5)

In another post from inside the Capitol, Defendant boasted:

Today the American People proved that we have the power.

We physically took control of the Capital [*sic*] building in a hand to hand hostile takeover.

We occupied the Capitol and shut down the Government – we shut down their stolen election shenanigans.

I was there and saw it all. My buddy Andy Nalley and I were in the first two

hundred to rush up the steps and inside after the Vanguard had clashed hard with the police and had made them retreat.

The military isn't going to save the Democrat Communists. They are done.

Today we brought the Government to its knees with no weapons.

Now we're all going back armed for war and the Deep State is about to get run out of DC.

(Govt. Ex. 6)

Following the Capitol riot, Defendant returned to his home in Americus, Georgia, where he continued to engage in the practice of law and represent clients at court hearings. Defendant also gave an interview to the Atlanta Journal-Constitution, in which he admitted to being one of the first to enter the Capitol. Federal agents sought to arrest Defendant at a scheduled court hearing in Americus, but Defendant failed to appear. Defendant was able to evade surveillance and relocate to Macon, Georgia, where he was eventually located at his sister's house. At the time of his arrest, Defendant possessed several weapons, including at least two AR15 rifles, four shotguns, a pistol, a set of brass knuckles, and hundreds of rounds of ammunition.

The evidence presented by the Government is sufficient to show by clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person or the community. The evidence further shows by a preponderance of the evidence that no condition or combination of conditions

of release will reasonably assure the Defendant's appearance as required. Defendant made numerous statements indicating his intent to engage in a violent insurrection and "slaughter" people he considered his political opponents. Defendant showed that his intentions were more than mere fantasies when he participated in the violent invasion of the United States Capitol during a joint session of Congress to certify the results of a national election, an invasion that resulted in the deaths of five people, including one law enforcement officer. Defendant indicated that he intended to participate in further, armed acts of violence. At the time of his arrest, Defendant was evading law enforcement and was heavily armed.

Accordingly, the Defendant shall be committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this the 25th day of January, 2021.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA	:	
	:	
v.	:	File No. 5:21-mj-8 (CHW)
	:	
WILLIAM McCALL CALHOUN, JR.,	:	Charging District’s Case No:
	:	1:21-mj-40 (D.D.C.)
Defendant.	:	

ORDER OF REMOVAL TO ANOTHER DISTRICT

The above-named defendant is charged in a criminal complaint with a violation of provisions of federal criminal law, alleged to have been committed in the District of Columbia.

At a hearing under provisions of Rule 5(c)(3) of the Federal Rules of Criminal Procedure, the Government produced the arrest warrant and supporting affidavit, and the Defendant waived the right to an identity hearing, admitting that he was the person named in the complaint.

Defendant was represented by appointed counsel at the initial appearance and will be requesting appointed counsel in the district of prosecution.

The Court conducted a preliminary hearing and determined that there was probable cause to support the allegations in the complaint. The Court also conducted a detention hearing and has entered an order of detention.

ACCORDINGLY, the defendant is ordered REMOVED to the district of prosecution, and the United States Marshal (or such other authorized agency) is COMMANDED to take custody of the Defendant and transport him with a certified copy of this commitment WITHOUT DELAY to the district of prosecution and there deliver the Defendant to the United States Marshal for that district or to some other officer authorized to receive him, all proceedings required by Rule 5 of the Federal Rules of Criminal Procedure having been completed. The Clerk of this Court shall promptly transmit the papers in this case to Clerk of Court for the district of prosecution.

SO ORDERED AND DIRECTED, this 25th day of JANUARY, 2021.

s/ Charles H. Weigle

 Charles H. Weigle
 United States Magistrate Judge

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**U.S. District Court [LIVE AREA]
Middle District of Georgia (Macon)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00008-CHW All Defendants**

Case title: UNITED STATES OF AMERICA v. CALHOUN Date Filed: 01/15/2021
Other court case number: 1:21-mj-00040 District of Columbia Date Terminated: 01/25/2021

Assigned to: US MAGISTRATE
JUDGE CHARLES H WEIGLE

Defendant (1)

**WILLIAM MCCALL CALHOUN,
JR.**

TERMINATED: 01/25/2021

represented by **FEDERAL DEFENDERS MIDDLE**

DISTRICT OF GEORGIA INC
440 MARTIN LUTHER KING JR
BLVD STE 400
MACON, GA 31201
478-743-4747

Fax: 478-207-3419
Email: GAM_MAC_ECF@fd.org
LEAD ATTORNEY

ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

TIMOTHY R SAVIELLO
FEDERAL DEFENDERS OF THE MD
GA

440 MLK JR BLVD STE 400
MACON, GA 31201
478-743-4747

Email: tim_saviello@fd.org
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): Restricted Building or Grounds; 40:5104(e)(2): Violent Entry or Disorderly Conduct; 18:1512(c)(2) Tampering with a Witness, Victim, or an Informant

Disposition**Plaintiff**

UNITED STATES OF AMERICA

represented by **LEAH E MCEWEN**
 US ATTORNEY'S OFFICE
 201 W BROAD AVE 2ND FL
 ALBANY, GA 31701
 229-430-7754
 Fax: 229-430-7766
 Email: leah.e.mcewen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Docket Text
01/15/2021	<u>1</u>	COMPLAINT as to WILLIAM MCCALL CALHOUN, JR (1). (Attachments: # <u>1</u> Order Under Seal) (cma) (Additional attachment(s) added on 1/15/2021: # <u>2</u> Complaint Unredacted, # <u>3</u> Arrest Warrant, # <u>4</u> Affidavit in Support) (cma). (Entered: 01/15/2021)
01/15/2021	<u>2</u>	MOTION for Detention by UNITED STATES OF AMERICA as to WILLIAM MCCALL CALHOUN, JR. (MCEWEN, LEAH) (Entered: 01/15/2021)
01/15/2021	<u>3</u>	ORDER appointing Federal Defenders of the Middle District of Georgia, Inc. to represent WILLIAM MCCALL CALHOUN, JR. Ordered by US MAGISTRATE JUDGE CHARLES H WEIGLE on 01/15/2021. (cma) (Entered: 01/19/2021)
01/15/2021		Arrest of WILLIAM MCCALL CALHOUN, JR (cma) (Entered: 01/19/2021)
01/15/2021	6	TEXT ONLY Minute Entry (content for administrative purposes only) for proceedings held before US MAGISTRATE JUDGE CHARLES H WEIGLE: Initial Appearance in Rule 5 Proceedings as to WILLIAM MCCALL

		CALHOUN, JR held on 1/15/2021, Charges and sentencing range stated, Defendant advised of rights, Court appointed FPD to represent defendant after finding him eligible, Defendant requests appointed counsel in charging district, Identity of Defendant Confirmed, Proper documents confirmed received, the Court explained Rule 20 Transfer to this district, defendant requests a preliminary hearing; Detention Hearing as to WILLIAM MCCALL CALHOUN, JR held on 1/15/2021, defense ask for a continuance of the detention hearing, Preliminary and Detention hearing scheduled for 01/20/2021 at 10:00 a.m.; AUSA: Leah E. McEwen; DEFENSE: Timothy Saviello, FDO; USPO: Matt Santucci and David Simmons; Defendant: In courtroom. Court Reporter: FTR Gold 3:57 p.m..Time in Court: 7 minutes. (cma) (Entered: 01/19/2021)
01/19/2021		Detention Hearing set for 1/21/2021 10:00 AM in Macon before US MAGISTRATE JUDGE CHARLES H WEIGLE. Preliminary Hearing set for 1/21/2021 10:00 AM in Macon before US MAGISTRATE JUDGE CHARLES H WEIGLE. NOTICE OF SETTING HEARING as to WILLIAM MCCALL CALHOUN, JR. Hearing will occur IN-PERSON . Counsel, parties, and members of the public and press should review Amended Standing Order 2020-09, available on the courts website, regarding courthouse entrance procedures due to COVID-19. Interested parties may obtain dial information by emailing macon.ecf@gamd.uscourts.gov. (cma) Modified on 1/20/2021 Public access, media, and other interested parties can listen to the hearing by dialing 1-888-251-2909 and entering 9612694 at the time of the hearing. (cma). (Entered: 01/19/2021)
01/19/2021	<u>4</u>	NOTICE OF ATTORNEY APPEARANCE by by TIMOTHY R SAVIELLO appearing for WILLIAM MCCALL CALHOUN, JR Attorney TIMOTHY R SAVIELLO added to party WILLIAM MCCALL CALHOUN, JR(pty:dft) (SAVIELLO, TIMOTHY) (Entered: 01/19/2021)
01/20/2021	<u>8</u>	CJA 23 Financial Affidavit by WILLIAM MCCALL CALHOUN, JR (cma) (Entered: 01/20/2021)
01/21/2021	<u>9</u>	TEXT ONLY Minute Entry (content for administrative purposes only) for proceedings held before US MAGISTRATE JUDGE CHARLES H WEIGLE in Courtroom A : Preliminary Hearing as to WILLIAM MCCALL CALHOUN, JR held on 1/21/2021, Government call Timothy Armentrout, FBI as witness, witness is sworn in by clerk, Government begins questioning witness, government tenders Government's Exhibits 1-29, 30-32, 34, 35, 35a, no objection from defense, exhibits admitted into court and published for viewing, witness states the exhibits are true and correct copies, identifies exhibits and answer questions regarding exhibits, Defense questions witness Armentrout, witness is dismissed, government argues probable cause, defense argues no probable cause, the court finds there is probable cause to move the case forward, case will be removed to charging district, written order of removal to follow; Detention Hearing as to WILLIAM MCCALL CALHOUN, JR held on 1/21/2021, Defense tenders Defendant's Exhibits 1-10, there are some objections from government, all exhibits are admitted by the Court into the record, Defense calls Mary Calhoun, sister of defendant, witness is sworn in by clerk, witness is questions by both defense and government, witness is dismissed, government

		<p>argues for detention and defense argues for bond with conditions of release, the Court grants government's motion for detention and remands the defendant to the custody of USMS for transporting to charging district, written order to follow;AUSA: Leah E. McEwen; DEFENSE: Timothy Saviello, FDO; USPO: Matt Santucci; DEFENDANT: In Courtroom; WITNESS: Armentrout and Calhoun are both in courtroom. Court Reporter: Darlene Fuller and FTR Gold 10:02 a.m..Time in Court: 2:55. (cma) (cma). (Additional attachment(s) added on 1/22/2021: # 1 Defendant's Exhibit List) (cma). (Additional attachment(s) added on 1/25/2021: # 1 Defendant's Exhibit List (Defense Exhibits 6-10 Audio-Voicemails are located in the GAMD Digital Evidence Vault, # 2 Defense Exhibit 1 Redacted Emails, # 3 Defense Exhibit 2 Redacted Affidavits, # 4 Defense Exhibit 3 Affidavit of Melanie Barnes, Secretary, # 5 Defense Exhibit 4 Affidavit - Lawyer, # 6 Defense Exhibit 5 Affidavit - Lawyer) (cma). (Additional attachment(s) added on 1/25/2021: # 7 Government's Exhibit List, # 8 Government Exhibit 1 Facebook Screenshot, # 9 Government Exhibit 2 Facebook Screenshot, # 10 Government Exhibit 3 Facebook Screenshot, # 11 Government Exhibit 4 Facebook Screenshot, # 12 Government Exhibit 5 Facebook Screenshot, # 13 Government Exhibit 6 Facebook Screenshot, # 14 Government Exhibit 7 Facebook Screenshot, # 15 Government Exhibit 8 Facebook Screenshot, # 16 Government Exhibit 35a Transcript of Video filmed by William McCall Calhoun, Jr., # 17 Government Exhibit 30 Screenshot of (34) Video, # 18 Government Exhibit 9 Twitter Posts, # 19 Government Exhibit 10 Twitter Post, # 20 Government Exhibit 11 Twitter Post, # 21 Government Exhibit 12 Twitter Post, # 22 Government Exhibit 13 Twitter Post, # 23 Government Exhibit 14 Twitter Post, # 24 Government Exhibit 15 Twitter Post, # 25 Government Exhibit 16 Twitter Post, # 26 Government Exhibit 17 Twitter Post, # 27 Government Exhibit 18 Twitter Post, # 28 Government Exhibit 19 Twitter Post, # 29 Government Exhibit 20 Twitter Post, # 30 Government Exhibit 21 Twitter Post, # 31 Government Exhibit 22 Twitter Post, # 32 Government Exhibit 23 Twitter Post, # 33 Government Exhibit 24 Twitter Post, # 34 Government Exhibit 25 Twitter Post, # 35 Government Exhibit 26 Twitter Post, # 36 Government Exhibit 27 Twitter Post, # 37 Government Exhibit 28 Twitter Post, # 38 Government Exhibit 29 Twitter Post, # 39 Government Exhibit 31 Picture-Search Warrant, # 40 Government Exhibit 32 Picture -Search Warrant) (cma). Modified on 2/1/2021 Government's Exhibits 34 and 35 Videos are located in the GAMD Digital Evidence Vault. (cma). (Entered: 01/22/2021)</p>
01/25/2021	10	ORDER OF DETENTION granting 2 Motion for Detention as to WILLIAM MCCALL CALHOUN JR. (1). Ordered by US MAGISTRATE JUDGE CHARLES H WEIGLE on 01/25/2021. (cma) (Entered: 01/25/2021)
01/25/2021	11	ORDER OF TRANSFER/COMMITMENT TO ANOTHER DISTRICT as to WILLIAM MCCALL CALHOUN, JR. Defendant committed to District of District of Columbia. Ordered by US MAGISTRATE JUDGE CHARLES H WEIGLE on 01/25/2021. (cma) (Entered: 01/25/2021)
01/25/2021		Notice to District of Columbia of a Rule 5 Initial Appearance as to WILLIAM MCCALL CALHOUN, JR. Your case number is: 1:21-MJ00040. Using your PACER account, you may retrieve the docket sheet and any text-only entry via the case number link. The following document link(s) is also provided: 5 Ex

		<p>Parte Motion, Motion for Issuance of Subpoenas, 4 Notice of Attorney Appearance - Defendant, Arrest, 10 Order on Motion for Detention, 2 Motion for Detention, 1 Complaint, 9 Preliminary Hearing, Detention Hearing, 7 Sealed Order, 3 Order Appointing Counsel, Notice of Hearing,, 6 Initial Appearance - Rule 5, Detention Hearing, 8 Financial Affidavit - CJA23, 11 Order of Transfer/Commitment to Another District. (If you require certified copies of any documents, please send a request to help@GAMD.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (cma) (Entered: 01/25/2021)</p>
01/27/2021	12	<p>TRANSCRIPT of Preliminary Hearing and Detention Hearing as to WILLIAM MCCALL CALHOUN, JR held on 01/21/2021, before Judge Charles H. Weigle. Court Reporter Darlene D. Fuller. The transcript may be inspected at the court or purchased through the court reporter for a period of 90 days. After 90 days, the transcript may be obtained via PACER. REDACTION OF TRANSCRIPTS: Complete redaction policy available on the courts website. (ddf) (Entered: 01/27/2021)</p>