

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
JOHN MARON NASSIF
DOB: XXXXXX

Case: 1:21-mj-00410
Assigned To : Faruqui, Zia M.
Assign. Date : 4/29/2021
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) - Knowingly Entering or Remaining in any Restricted Building or Grounds
Without Lawful Authority,
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.

Handwritten signature of Milagro Garcia

Complainant's signature

Milagro Garcia, 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: 04/29/2021



Handwritten signature of Zia M. Faruqui

2021.04.29

14:33:31 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

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

UNITED STATES OF AMERICA	:	Case No:
	:	
v.	:	
	:	VIOLATIONS:
	:	
JOHN MARON NASSIF,	:	18 U.S.C. §§ 1752(a),
	:	(Restricted Building or Grounds)
Defendant.	:	
	:	40 U.S.C. § 5104(e)(2)
	:	(Violent Entry or Disorderly Conduct)

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, Milagro Garcia, Special Agent, Federal Bureau of Investigation (“FBI”), being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging JOHN MARON NASSIF (hereinafter “NASSIF”) with violations 18 U.S.C. § 1752(a) and 40 U.S.C. § 5104(e)(2). I respectfully submit that this Affidavit establishes probable cause to believe that NASSIF (1) did knowingly enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct, and (2) did willfully and knowingly 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 any deliberations of either House of Congress. Specifically, on or about January 6, 2021, NASSIF traveled to Washington, D.C., and knowingly and willfully joined and encouraged a crowd of individuals who forcibly entered the U.S. Capitol and impeded, disrupted, and disturbed the orderly conduct of

business by the United States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

1. I have been a Special Agent with the FBI since September 2018. I am currently assigned to the Washington Field Office, Northern Virginia Resident Agency of the FBI. I have participated in investigations involving murder, unlawful narcotics distribution, organized crime, extortion, unlawful firearms and other violent criminal offenses. In these investigations, I have been involved in the application for and execution of arrest and search warrants related to criminal offenses. 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.

2. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as “on or about” dates.

PROBABLE CAUSE

3. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., 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.

4. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

5. 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.

6. 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.

7. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

8. At such time, the certification proceedings 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.

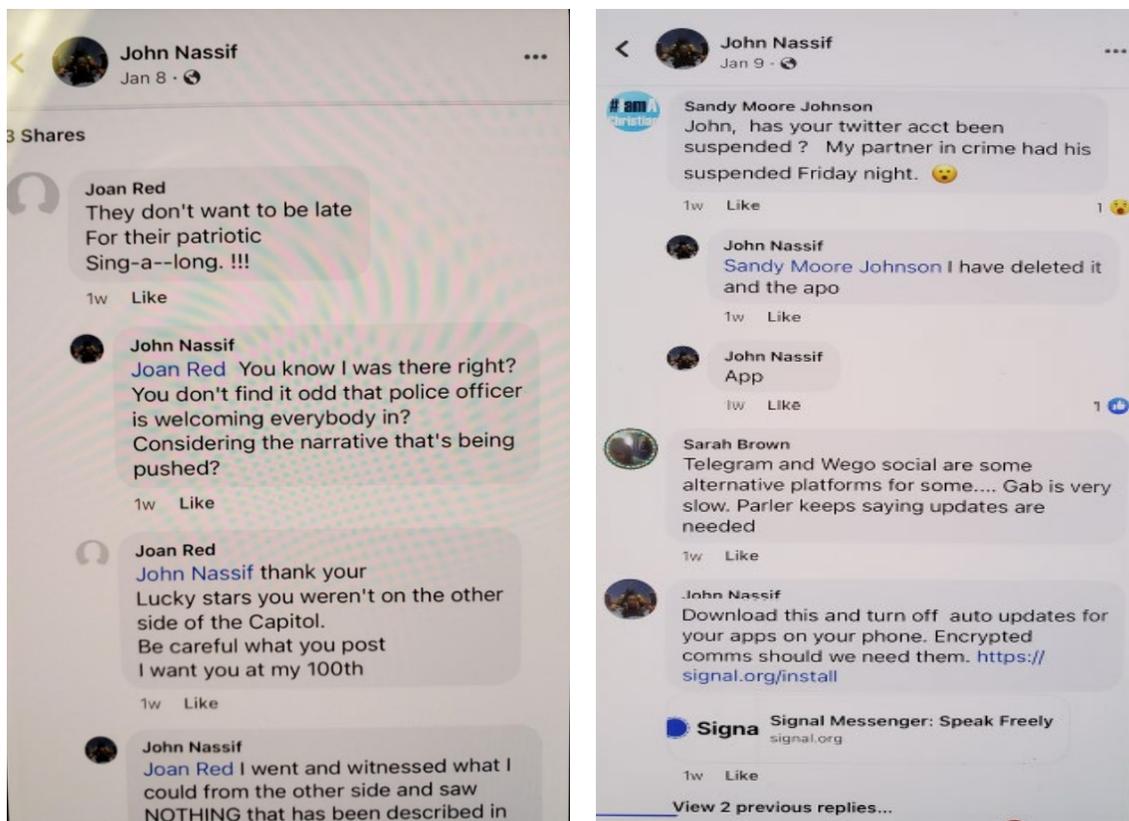
9. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

10. 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.

11. On January 9, 2021, a witness (hereinafter WITNESS 1) called the FBI National Threat Operations Center stating that an individual, identified as JOHN MARON NASSIF (“NASSIF”), was at the Capitol riots on January 6, 2021, in Washington, D.C. WITNESS 1 reported that NASSIF posted pictures on Facebook inside and outside the Capitol building during the rioting discussed above. In addition, WITNESS 1 identified NASSIF’s employment and stated that NASSIF lives in Florida.

12. On January 11, 2021, WITNESS 1 was interviewed by Agents. WITNESS 1 stated that he was friends on Facebook with NASSIF and provided NASSIF's Facebook account name, John Nassif. WITNESS 1 also stated that on January 6, 2021, he observed two or three videos that were posted on NASSIF's Facebook page. WITNESS 1 described that one video showed people entering the Capitol building and NASSIF's voice is heard indicating that they were inside the building.

13. Through further investigation, Agents identified and reviewed NASSIF's Facebook profile link. NASSIF's public Facebook page revealed a conversation on January 8, 2021, in which NASSIF states, "You know I was there right?" In addition, on January 9, 2021, NASSIF has a conversation on Facebook in which he writes that he deleted his Twitter account and the application. NASSIF also writes, "Download this and turn off auto updates for your apps on your phones. Encrypted comms should we need them, <https://signal.org/install>." See below.



14. On January 20, 2021, a witness (hereinafter WITNES 2) contacted the FBI to report that NASSIF expressed on Facebook that he attended the Capitol riots on January 6, 2021 and described that he was inside the Capitol building. WITNESS 2 provided the FBI with photographs NASSIF posted on Facebook on January 6, 2021. In the below provided posts, there is a selfie of NASSIF wearing a red hat and a statement where NASSIF states, “I found myself inside the building.” See below.



15. On January 28, 2021, your Affiant compared NASSIF’s driver’s license photo to images taken from January 6, 2021 U.S. Capitol riot footage. Based upon this comparison, your Affiant submits the following two images taken from Capitol Police holdings, show NASSIFF was inside the U.S. Capitol during the January 6, 2021 riot. One image is a closeup of NASSIF’s face, while in the other image, NASSIF’s face is circled in red.



16. Additionally, the below image (without the yellow circle) was obtained from footage inside the U.S. Capitol on January 6, 2021 reported on Freedomnews.tv. Based on a comparison with Nassif’s driver’s license photo, your Affiant submits that this image also shows NASSIF, the person wearing a red hat and circled in yellow, was inside the U.S. Capitol during January 6, 2021 riot.



17. On or about February 9, 2021, WITNESS 1 was interviewed by Agents once more. During the interview, WITNESS 1 was shown the photograph above, obtained from footage inside the U.S. Capitol during the January 6, 2021 siege. After looking at this photograph, WITNESS 1 identified the individual wearing a red hat (and circled in yellow) as NASSIF.

18. On or about February 22, 2021, WITNESS 2 was interviewed by Agents. During the interview, WITNESS 2 was shown the photograph above, obtained from footage inside the U.S. Capitol during the January 6, 2021 siege. After looking at this photograph, WITNESS 2 identified the individual wearing a red hat (and circled in yellow) as NASSIF.

CONCLUSIONS OF AFFIANT

19. Based on the foregoing, your affiant submits that there is probable cause to believe that NASSIF violated:

- a. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (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; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; 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 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; and

b. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

20. As such, I respectfully request that the court issue an arrest warrant for John Mason Nassif.

The statements above are true and accurate to the best of my knowledge and belief.



Milagro Garcia
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 29th day of April 2021.



2021.04.29

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ZIA M. FARUQUI
MAGISTRATE JUDGE
FOR THE DISTRICT OF COLUMBIA