

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on January 8, 2021

| | | |
|--------------------------|---|--|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. |
| | : | |
| v. | : | MAGISTRATE NO. 21-MJ-036-01, 02 |
| | : | |
| THOMAS ROBERTSON, and | : | VIOLATIONS: |
| JACOB FRACKER, | : | 18 U.S.C. §§ 1512(c) |
| | : | (Obstruction of an Official Proceeding) |
| Defendants. | : | 18 U.S.C. § 2 |
| | : | (Aiding and Abetting) |
| | : | 18 U.S.C. § 1752(a)(1) |
| | : | (Entering and Remaining in a Restricted |
| | : | Building) |
| | : | 18 U.S.C. § 1752(a)(2) |
| | : | (Disorderly and Disruptive Conduct in a |
| | : | Restricted Building) |
| | : | 40 U.S.C. § 5104(e)(2)(D) |
| | : | (Violent Entry and Disorderly Conduct in |
| | : | a Capitol Building or Grounds) |

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about the January 6, 2021, within the District of Columbia and elsewhere, **THOMAS ROBERTSON** and **JACOB FRACKER**, attempted to and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, by entering and remaining in the United States Capitol without authority and participating in disruptive behavior.

(Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, Section 1512(c)(2) and 2)

COUNT TWO

On or about January 6, 2021, within the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so.

(Entering and Remaining in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1))

COUNT THREE

On or about January 6, 2021, within the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT FOUR

On or about January 6, 2021, in the District of Columbia, **THOMAS ROBERTSON** and **JACOB FRACKER**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct in

that building of a hearing before and any deliberation of a committee of Congress and either House of Congress.

(Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

A TRUE BILL:

FOREPERSON.



Attorney of the United States in
and for the District of Columbia.