AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
Anthony Sargent
DOB: XXXXXX

Defendant(s)

Case: 1:21−mj−00600
Assigned To : Meriweather, Robin M.
Assign. Date : 9/12/2021
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 _____ in the District of Columbia, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. §§ 1361, 2-	Destruction of Government Property,
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) -	Disorderly and Disruptive Conduct in any Restricted Building or Grounds Without Lawful Authority,
18 U.S.C. § 1752(a)(4) -	Engaging in Physical Violence in any Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) -	Violent Entry and Disorderly Conduct on Capitol Grounds,
40 U.S.C. § 5104(e)(2)(F) -	Act of Physical Violence in the Capitol Grounds or Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

Sean M. O'Donovan

Complainant's signature

Sean M. O'Donovan, 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: 09/13/2021

2021.09.13 14:22:59 -04'00'

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

Case: 1:21−mj−00600
Assigned To : Meriweather, Robin M.
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STATEMENT OF FACTS

Your affiant, Sean M. O'Donovan, is a Special Agent with the Federal Bureau of Investigation ("FBI"). I am assigned to FBI's Northeast Florida Joint Terrorism Task. I have been a Special Agent since June 2001. In my current duties, I am responsible for conducting a variety of investigations in the area of counterterrorism. In the performance of my duties, I have led and participated in investigations of matters involving violations of federal law related to domestic terrorism, international terrorism, weapons of mass destruction, and bombing matters. 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, detection, investigation, or prosecution of a violation 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 are 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 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.

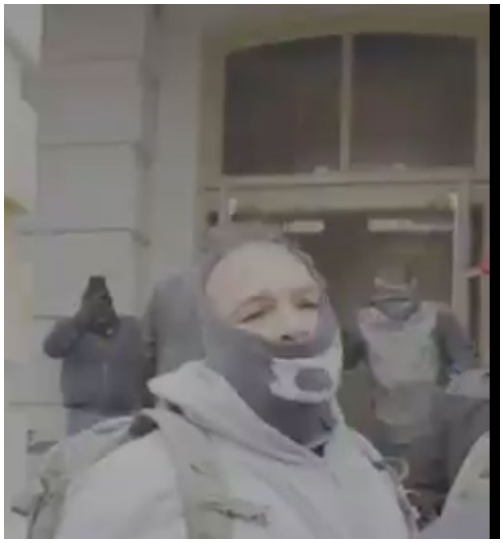
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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.

In January 2021, FBI Special Agents reviewed open source online videos submitted in connection with a complaint received via the National Threat Operations Center regarding the January 6, 2021 Capitol building intrusion. The agents documented numerous unidentified subjects who engaged in destructive or violent conduct near the entrance of the Capitol Building, and submitted them to the FBI's Be On the Look Out ("BOLO") alerts.

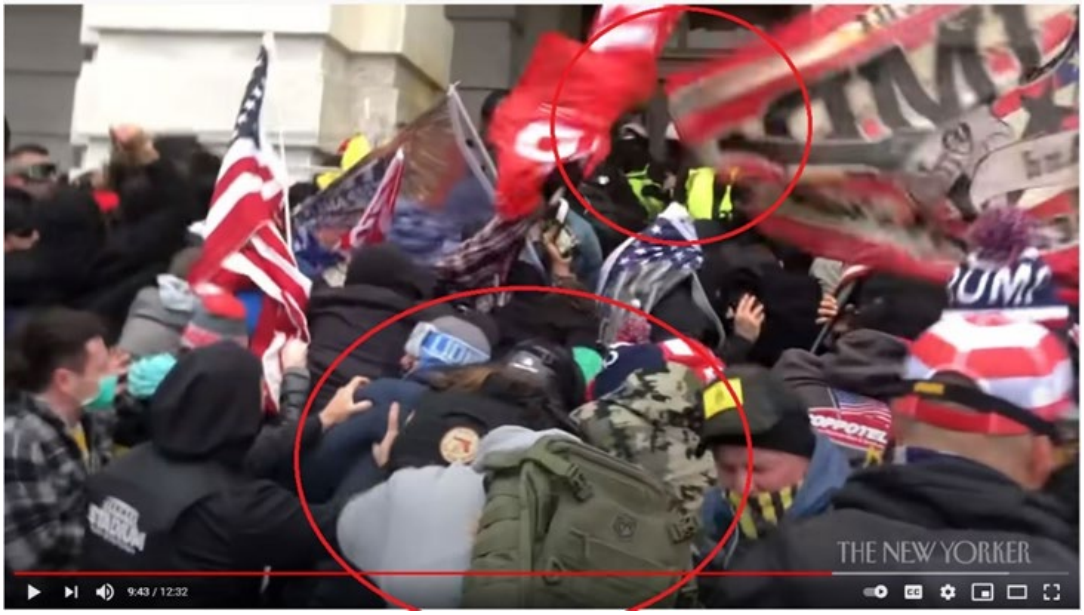
The individual depicted below, later identified as Anthony SARGENT ("SARGENT"), was listed as BOLO 158. SARGENT appears to be wearing a gray hooded sweatshirt and a black face gaiter with a skull jawbone printed on it.

 [1]

Your affiant has reviewed several open source videos that depict SARGENT attempting to breach the north entrance to the Capitol building on January 6, 2021. In one of the videos,[2] SARGENT is seen pushing the crowd in an apparent attempt to breach the outer doors of the north entrance to the Capitol building. In this video, SARGENT appears to be wearing a gray hoodie and a green military-style backpack. At this time, the doors to the north entrance of the Capitol building appear closed.

[1] https://www.fbi.gov/wanted/capitol-violence-images/capitol-158.jpg/view.

[2] The New Yorker, "A Reporter's Footage from Inside the Capitol Siege," YouTube (Jan. 17, 2021), *available at* https://www.youtube.com/watch?v=270F8s5TEKY.



SARGENT is next seen exiting the north entrance of the Capitol building through a cloud of white smoke. As depicted in the photo below, SARGENT appears to have tattoos on the knuckles and back side of his right hand.

After the smoke dissipates, SARGENT can be seen waving the crowd back toward the north entrance of the Capitol.

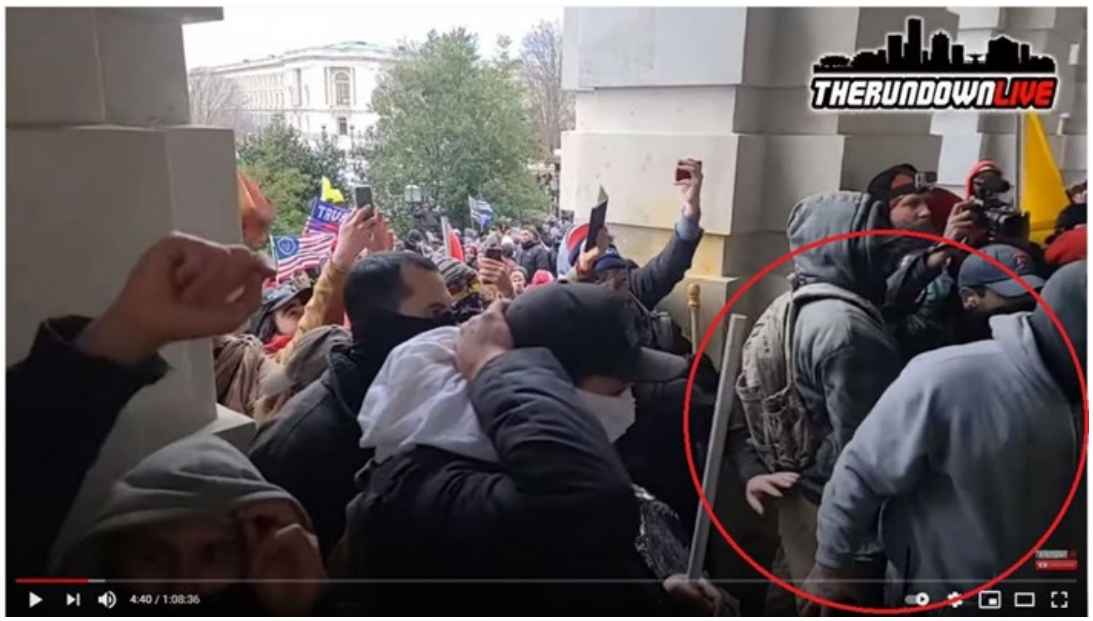
SARGENT is then seen re-exiting the north entrance after a chemical irritant is sprayed.

The next open source video[3] shows rioters attempting to break through the inner doors to the north entrance of the Capitol building. Your affiant believes that this video was taken after

[3] The Rundown Live, "Save America Protestors Attempt Entrance into Washington DC Capitol," YouTube (Jan. 6, 2021), *available at* https://www.youtube.com/watch?v=y-C4F7x6oFY. As of September 10, 2021, this link appears to have been disabled.

the attempted breach depicted in the screenshots above, since the outer doors of the north entrance appear open in this video.

As depicted in the screenshots below, a tattoo on the back side of SARGENT's right hand is visible as SARGENT repeatedly throws an unknown object toward the inner doors of the north entrance. Based on estimates provided by the Office of Architect of the Capitol, your affiant believes that SARGENT, together with other rioters, caused over $1,000 in damage to the north doors of the U.S. Capitol building.



SARGENT also appears to be wearing a radio on his jean pocket, as circled in red in the image below.

Identification of SARGENT

Law enforcement has identified two open source photographs of an individual resembling the individual depicted in the screenshots above. The first photograph (left) is from a June 15, 2017 magazine article titled "BMX Factor: Anthony Sargent of First Coast BMX," published in the St. Augustine Social.[4] The second photograph (right) is from an article published on a news website called One News Page and titled "How Canada Has Handled the Proud Boys."[5] This undated photo appears to show SARGENT at a rally wearing yellow and black apparel. Based on my training and experience, I know these colors to be affiliated with the Proud Boys.

Open source searches for "Anthony Sargent Proud Boys" revealed the following Twitter accounts: @anontreborsux, @anontreborsuxg2, @treborsux. Using the Internet Archive's "Wayback Machine," law enforcement was able to retrieve the profile page for the now-disabled account username @anontreborsuxg2. The user account page contains an image of an individual with a thick black beard resembling SARGENT. The profile information lists the user's name as "Sarge Slaughter" with the following description: "Ancient City Proud Boy Constitutionalist Unapologetic no mask." The background photo for the account is a recruitment poster in the style of an Uncle Sam U.S. Army recruitment poster that displays the text: "WE WANT YOU TO BE A PROUD BOY: We are western chauvinists who refuse to apologize for creating the modern world."

[4] Alexter Albury, "BMX Factor: Anthony Sargent of First Coast BMX," St. Augustine Social (June 15, 2017), available at https://www.staugustinesocial.com/bmx-factor-anthony-sargent-first-coast-bmx/.

[5] https://www.onenewspage.com/video/20210128/13600836/How-Canada-Has-Handled-The-Proud-Boys.htm.

Law enforcement has also reviewed the Twitter page associated with the still-active account @treborsux. The profile information lists the user's name as "Anthony Sargent" with the description: "BMX saved my life."

On May 22, 2018, Twitter user @treborsux posted a captioned mirror selfie-style photograph that resembles SARGENT. In particular, the knuckle tattoos in the mirrored image of the man's right hand resemble the knuckle tattoos on SARGENT's right hand in open source photos from January 6, 2021.

Finally, on March 19, 2021, law enforcement conducting surveillance in St. Augustine, Florida, obtained the following photos of SARGENT. The first photo shows the tattoos on the back of SARGENT's right hand and knuckles.

The second photo shows SARGENT wearing a backwards black cap with the yellow Proud Boys logo on the side. SARGENT is also wearing a red face/neck gaiter with a skull print, similar to the face/neck gaiter that SARGENT can be seen wearing in the January 6, 2021 photos of him hurling an unknown object toward the inner doors of the north entrance to the Capitol building.

According to records obtained through a search warrant served on Google, a mobile device associated with anontreborsux@gmail.com was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with anontreborsux@gmail.com was near the north entrance to the U.S. Capitol from approximately 3:30 p.m. to 4:17 p.m. EST, and near the east entrance to the U.S. Capitol from approximately 4:40 p.m. to 4:49 p.m. EST. Google records show that the "maps display radius" for this location data was less than 100 feet, which encompasses an area that is both within and outside the U.S. Capitol Building.

Based on the foregoing, your affiant submits that there is probable cause to believe that SARGENT violated 18 U.S.C. §§ 1361 and 2, by willfully injuring or committing, or attempting to willingly injure or commit, any depredation against any property of the United States. The inner door to the north entrance of the United States Capitol is property of the United States government.

Your affiant submits that there is also probable cause to believe that SARGENT violated 18 U.S.C. § 1752(a)(1), (2), and (4), 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; and (4) knowingly engages 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, 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.

Finally, your affiant submits that there is probable cause to believe that SARGENT violated 40 U.S.C. § 5104(e)(2)(D) and (F), 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 (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

Sean M. O'Donovan
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 13th day of September, 2021.

2021.09.13
14:24:17 -04'00'

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE