

FILED

JAN 20 2022

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :

v. :

ANTHONY VUKSANAJ, :

Defendant. :

Case No. 21-CR-620 (BAH)

SUBMISSION BY THE UNITED STATES IN SUPPORT OF GUILTY PLEA

Pursuant to a written plea agreement, dated November 30, 2021 and signed by the defendant, Anthony Vuksanaj (the “Defendant”) on January 7, 2022, the Defendant agrees to plead guilty to Count Four of the Information, which charges him with Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G).

I. Charged Offenses

The Defendant is charged in the Information with four offenses:

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

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

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

Count Four: Parading, Demonstrating or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G).

II. Elements of the Offense

To prove that the Defendant is guilty of Parading, Demonstrating, or Picketing in a Capitol Building, the government must prove the following beyond a reasonable doubt:

- a. That the Defendant paraded, demonstrated, or picketed;
- b. That the Defendant did so in any of the Capitol Buildings; and
- c. That the Defendant did so willfully and knowingly.

III. Maximum Penalties

The maximum penalties for Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G), are:

- a. a term of imprisonment not more than six (6) months;
- b. a term of probation of not more than five (5) years;
- c. a fine not to exceed \$5,000; and
- d. a special assessment of \$10.

IV. Sentencing Guidelines

A violation of Title 40, United States Code, Section 5104(e)(2)(G) is a class B misdemeanor, as defined by Title 18, United States Code, Section 3559(a)(7). Accordingly, pursuant to § 1B1.9 of the United States Sentencing Commission, *Guidelines Manual* (2018), the Sentencing Guidelines do not apply to this violation.

V. Proffer of Evidence

The government's proffer of evidence in support of the Defendant's guilt is contained in the Statement of Offense signed by the Defendant on January 7, 2022 and submitted herewith.

Respectfully Submitted,

/s/ Alison B. Prout
Alison B. Prout
Assistant United States Attorney