

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 21-CR-601 (JDB)
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
DAVID ANTONIO TICAS,	:	
	:	
Defendant.	:	
	:	

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, DAVID ANTONIO TICAS (“TICAS” or “defendant”), with the concurrence of his attorney, agree and stipulate to the below factual basis for the defendant’s guilty plea—that is, if this case were to proceed to trial, the parties stipulate that the United States could prove the below facts beyond a reasonable doubt:

The Attack at the U.S. Capitol on January 6, 2021

1. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured twenty-four hours a day by U.S. Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol.

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

3. On January 6, 2021, a joint session of the United States Congress convened at the 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 Capitol to certify the vote count of the Electoral College of the 2020

Presidential Election, which had taken place on Tuesday, November 3, 2020. The joint session began at approximately 1:00 PM. Shortly thereafter, by approximately 1:30 PM, 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.

4. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside the Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the Capitol, and USCP officers were present and attempting to keep the crowd away from the Capitol and the proceedings underway inside.

5. At approximately 2:00 PM, certain individuals in the crowd forced their way through, up, and over the barricades. Officers of the USCP were forced to retreat 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 as required by USCP officers or other authorized security officials.

6. At such time, the certification proceedings were still underway, and the exterior doors and windows of the Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 PM, individuals in the crowd forced entry into the Capitol, including by breaking windows and by assaulting members of law enforcement, as others in the crowd encouraged and assisted those acts. The riot resulted in substantial damage to the Capitol, requiring the expenditure of more than \$1.4 million dollars for repairs.

7. Shortly thereafter, at approximately 2:20 PM, members of the House of Representatives and of the Senate, including the President of the Senate, Vice President 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 PM on January 6, 2021. In light of the dangerous circumstances caused by the unlawful entry to the Capitol—including the danger posed by individuals who had entered the Capitol without any security screening or weapons check—Congressional proceedings could not resume until after every unauthorized occupant had been removed from or left the Capitol, and USCP confirmed that the building was secured. The proceedings resumed at approximately 8:00 PM after the building had been secured. Vice President Pence remained in the Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

TICAS's Participation in the January 6, 2021, Capitol Riot

8. The defendant, David Antonio Ticas, lives in Buford, Georgia. On December 27, 2020, the defendant traveled by plane from Los Angeles, California, to Atlanta, Georgia, with his family. The defendant then drove with his family from Georgia to Washington D.C., and arrived in Washington D.C. the morning of January 6, 2021. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. On January 6, the defendant attended the "Stop the Steal" rally with his family and then marched with his family and other protestors to the Capitol.

10. At about 1:41 p.m., the defendant was on restricted grounds, as part of the mob that had gathered near the northwest staircase next to the Lower West Terrace at the U.S. Capitol Building. While there, the defendant recorded several videos, which were recovered by law enforcement from the defendant's cell phone. In one of the videos, the defendant can be heard

shouting, “Look at these f***ing pussies. Motherf***ers,” as he records a line of officers blocking rioters from ascending the northwest staircase. In another video, the defendant points his camera toward the Lower West Terrace and shouts, “That s*** don’t scare us, motherf***ers,” as loud flashbangs erupt in the background. In a third video, the defendant zooms in on officers who are pepper spraying rioters on the northwest staircase, and says “Oh they’re bringing that pepper spray. Okay Ironman. Let’s go! Booooo!” In a fourth video, the defendant turns the camera around on himself and his family members and shouts, “1776!”

11. Next, the defendant and his then-sixteen-year-old daughter scaled a metal bike rack barricade that was positioned against the retaining wall of the northwest staircase in order to climb up on the staircase. The defendant and his daughter then ascended the northwest staircase and began walking toward the Senate Wing Door. While walking to the Senate Wing Door, the defendant witnessed several U.S. Capitol Police Officers dressed in black riot gear blocking entry to the Senate Parliamentarian’s Door. The defendant recorded a video of these officers, and in the video, can be heard repeatedly shouting, “Where’s Chuck Schumer?” at the officers. Later in the video, as the defendant begins to ascend the ramp toward the Senate Wing Door, the defendant says to his daughter, “Let’s go in for a tour and come out.”

12. The defendant and his daughter entered the U.S. Capitol Building through the Senate Wing Door at approximately 2:23 p.m. The defendant recorded several videos on his cell phone to document his entry and passage through the U.S. Capitol Building. Upon entering the U.S. Capitol Building, the defendant walked north through a hallway, where he encountered several law enforcement officers. In a video recording of this incident, the defendant can be heard asking a male officer, “Where’s Nancy Pelosi? You have no idea?” as the officer shakes his head. The defendant then asked the officer, “Are they using the tunnels?” to which the officer replied,

“They’re not here.” The defendant then said, “Not here? Y’all snuck away through the tunnels.” The defendant then turned around and walked back past the Senate Wing Door lobby, where he witnessed other rioters climbing through a broken window. In a recording of this incident, the defendant can be heard saying, “Damn. Vandalizing s***.”

13. The defendant and his daughter entered the Crypt at approximately 2:25 p.m. Inside the Crypt, the defendant recorded a video of himself chanting “Our House” with a mob of rioters. The defendant was later offered a cigarette by another rioter in the Crypt, which he proceeded to smoke inside the Crypt. The defendant also took a photograph next to a statute inside the Crypt, which he posted to his Instagram profile. The defendant eventually deleted that post from his Instagram profile.

14. The defendant and his daughter exited the Crypt at approximately 2:42 p.m., and continued walking south toward the Hall of Columns. As the defendant approached the doors to exit, he shouted, “You guys are on the wrong f***ing side. You wouldn’t be doing this. F***ing crooks.” The defendant and his daughter ultimately exited the U.S. Capitol building at 2:44 p.m. through the South Doors. Upon exiting the U.S. Capitol Building, the defendant yelled “Don’t f***ing touch me” at a Metropolitan Police Department officer. After exiting the building, the defendant walked toward the East Front of the U.S. Capitol, where he recorded himself saying, “S*** was wild.” The defendant and his daughter spent a total of approximately 19 minutes inside the U.S. Capitol Building.

15. In the evening following the riot, the defendant texted two friends, “We stormed the f[*****] Capital building!” and attached pictures from both inside and outside the U.S. Capitol Building. That night, the defendant also texted the same two friends, “Someone gave me a cig so I smoke one inside capital building.” On January 7, 2021, the defendant texted a friend,

“If I disrupted the vote, good. As far as looting and vandalizing, we did not do that. F[***] these corrupt politicians,” and “We’ll see what happens. I could care less if the capital building went up in flames, serves only the interest of globalist and anti-american clowns.” On January 7, 2021, the defendant texted another friend, “The door to the capital building was opened, cops were only blocking one entrance. Inside the cops were walking around only blocking certain entrances.” On April 29, 2021, the defendant texted a contact in his phone, “I’m a f[*****] domestic terrorist aka Patriot. I don’t give a f[***].”

Elements of the Offense

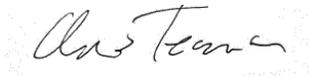
16. The defendant knowingly and voluntarily admits to all the elements of Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 18 U.S.C. § 5104(e)(2)(G). Specifically, the defendant admits that

- The defendant willfully and knowingly entered the U.S. Capitol Building knowing that he did not have permission to do so. The defendant further admits that while inside the Capitol, the defendant willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By:



Andrew J. Tessman
Assistant United States Attorney
WV Bar No. 13734

DEFENDANT'S ACKNOWLEDGMENT

I, David Antonio Ticas, have read this Statement of the Offense and have discussed it with my attorney. I fully understand this Statement of the Offense. I agree and acknowledge by my signature that this Statement of the Offense is true and accurate. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Statement of the Offense fully.
I would like to apologize to the American people for walking through the open doors of the United States Capitol building on January 6, 2021. This was a tactical error and will not happen again.

Date: 4-21-2022



David Antonio Ticas
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read this Statement of the Offense and have reviewed it with my client fully. I concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 4/21/22



Lisa LaBarre
Attorney for Defendant