

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO.
v.	:	CASE NO. 22-MJ-00104
	:	
BRIAN KORTE,	:	
LYNNWOOD NESTER,	:	VIOLATIONS:
MICHAEL POMEROY,	:	18 U.S.C. § 1752(a)(1)
	:	(Entering and Remaining in a Restricted
Defendants.	:	Building or Grounds)
	:	18 U.S.C. § 1752(a)(2)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building or Grounds)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in a Capitol Building
	:	or Grounds)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	a Capitol Building)

INFORMATION

The United States Attorney charges that at all relevant times:

COUNT ONE

On or about January 6, 2021, in the District of Columbia, **Brian Korte, Lynnwood Nester, and Michael Pomeroy** did 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 was and would be temporarily visiting, without lawful authority to do so.

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

**COUNT TWO**

On or about January 6, 2021, in the District of Columbia, **Brian Korte, Lynnwood Nester, and Michael Pomeroy** 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 was and would be 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**, in violation of Title 18, United States Code, Section 1752(a)(2))

**COUNT THREE**

On or about January 6, 2021, in the District of Columbia, **Brian Korte, Lynnwood Nester, and Michael Pomeroy** willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

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

**COUNT FOUR**

On or about January 6, 2021, in the District of Columbia, **Brian Korte, Lynnwood Nester, and Michael Pomeroy** willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

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

Respectfully submitted,

MATTHEW M. GRAVES  
UNITED STATES ATTORNEY

By: /s/ Benjamin E. Kringer  
Benjamin E. Kringer  
Detailed to the U.S. Attorney's Office  
for the District of Columbia  
D.C. Bar No. 482852  
601 D Street, N.W.  
Washington, DC 20530  
benjamin.kringer2@usdoj.gov  
(202) 598-0687