

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**Holding a Criminal Term**

**Grand Jury Sworn in on March 16, 2023**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b>
	:	
<b>v.</b>	:	<b>MAGISTRATE NO. 22-mj-28 (RMM)</b>
	:	
<b>JERRY MCKANE WAYNICK, and</b>	:	<b>VIOLATIONS:</b>
<b>MARK WAYNICK,</b>	:	<b>18 U.S.C. § 231(a)(3)</b>
	:	<b>(Civil Disorder)</b>
<b>Defendants.</b>	:	<b>18 U.S.C. § 111(a)(1)</b>
	:	<b>(Assaulting, Resisting, or Impeding</b>
	:	<b>Certain Officers)</b>
	:	<b>18 U.S.C. § 1752(a)(1)</b>
	:	<b>(Entering and Remaining in a Restricted</b>
	:	<b>Building or Grounds)</b>
	:	<b>18 U.S.C. § 1752(a)(2)</b>
	:	<b>(Disorderly and Disruptive Conduct in a</b>
	:	<b>Restricted Building or Grounds)</b>
	:	<b>18 U.S.C. § 1752(a)(4)</b>
	:	<b>(Engaging in Physical Violence in a</b>
	:	<b>Restricted Building or Grounds)</b>
	:	<b>40 U.S.C. § 5104(e)(2)(D)</b>
	:	<b>(Disorderly Conduct in</b>
	:	<b>a Capitol Building)</b>
	:	<b>40 U.S.C. § 5104(e)(2)(F)</b>
	:	<b>(Act of Physical Violence in the Capitol</b>
	:	<b>Grounds or Buildings)</b>
	:	<b>40 U.S.C. § 5104(e)(2)(G)</b>
	:	<b>(Parading, Demonstrating, or Picketing in</b>
	:	<b>a Capitol Building)</b>

**INDICTMENT**

The Grand Jury Charges that:

**COUNT ONE**

On or about January 6, 2021, within the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** committed and attempted to commit an act to obstruct,

impede, and interfere with a law enforcement officer lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder which in any way and degree obstructed, delayed, and adversely affected commerce and the movement of any article and commodity in commerce and the conduct and performance of any federally protected function.

**(Civil Disorder, in violation of Title 18, United States Code, Section 231(a)(3))**

**COUNT TWO**

On or about January 6, 2021, within the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), and any person assisting such an officer or employee, while such person was engaged in and on account of the performance of official duties, and where the acts in violation of this section involve physical contact with the victim and the intent to commit another felony.

**(Assaulting, Resisting, or Impeding Certain Officers, in violation of Title 18, United States Code, Section 111(a)(1))**

**COUNT THREE**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** 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 or Grounds, in violation of Title 18, United States Code, Section 1752(a)(1))**

**COUNT FOUR**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** 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 or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))**

**COUNT FIVE**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** did knowingly engage in any act of physical violence against any person and property 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.

**(Engaging in Physical Violence in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(4))**

**COUNT SIX**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** 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.

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

**COUNT SEVEN**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** willfully and knowingly engaged in an act of physical violence within the United States Capitol Grounds and any of the Capitol Buildings.

**(Act of Physical Violence in the Capitol Grounds or Buildings**, in violation of Title 40, United States Code, Section 5104(e)(2)(F))

**COUNT EIGHT**

On or about January 6, 2021, in the District of Columbia, **JERRY MCKANE WAYNICK** and **MARK WAYNICK** 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,

A TRUE BILL:

FOREPERSON.

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