

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Case No.: 1:22-cr-00251-ABJ (2)

v.

40 U.S.C. § 5104(e)(2)(G)

LINWOOD ALAN ROBINSON II,

Defendant.

**FILED**

**APR 13 2023**

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

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, **LINWOOD ALAN ROBINSON II**, 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

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in 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 \$2.8 million dollars for repairs.

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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.

***Linwood Alan Robinson II's Participation in the January 6, 2021, Capitol Riot***

8. The Defendant, Linwood Alan Robinson II, lives in Indian Land, South Carolina. Defendant, Linwood Alan Robinson, Sr. (Linwood Sr.), Brittany Nicole Robinson (Brittany), Benjamin Scott Robinson (Benjamin), and D.Y., who was a minor on January 6, 2021 and Robinson Sr.'s grandson, traveled to Washington, D.C. on January 6, 2021.

9. Defendant, Linwood Sr., Brittany, Benjamin, and D.Y. attended the “Stop the Steal” rally at the Ellipse on January 6<sup>th</sup>.

10. D.K., and all the Robinsons, including Defendant, left the rally and went to the West Front of the Capitol.

11. Defendant, Brittany, and D.Y. breached the Capitol building through the northwest courtyard side fire door at 2:16 p.m. while Benjamin stood at the doorway. Less than a minute

later. Defendant, Brittany, and D.Y. ran out of the Capitol building as Benjamin urgently waved at the group to withdraw as the police approached.

12. Defendant. Linwood Sr., Brittany, Benjamin, and D.Y. then breached the U.S. Capitol building through the Senate Wing door at approximately 2:17 p.m.

13. All five family members, including Defendant, then joined with a crowd who proceeded to the Crypt while chanting "Whose House? Our House!". All five family members, including Defendant, were part of the group that breached the police line in the Crypt to gain access to the rest of the building.

14. All five family members, including Defendant, then went to Speaker of the House Nancy Pelosi's office. They walked into the Speaker's office suite for a few moments and exited from across the suite through a different door.

15. All five family members, including Defendant, then walked through Statuary Hall and joined a crowd which had amassed outside of the House chamber. From there, they walked down the House corridors toward the southeast doors. In that hallway, all five family members, including Defendant, and a small group of other rioters were met by a Capitol employee. Shortly after that, the Defendant, Brittany, and Benjamin waved to the crowd to follow them. The crowd followed down the hall where the Defendant, Brittany, Benjamin, and D.K. waved, and Defendant and all five family members walked toward the Speaker's lobby door. Another rioter moved in to break open the glass window with a wooden pole. Benjamin then used his body and foot to pound the door. At the same time, a rioter, later identified as Ashli Babbitt, was climbing up and through the broken window, and a shot was fired moments later. After the shot was fired, all five family members, including Defendant, left the area and exited the Capitol building through the southeast doors at approximately 2:46 p.m.

*Elements of the Offense*


16. Linwood Alan Robinson II knowingly and voluntarily admits to all the elements of Title 40, United States Code, Section 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building. Specifically, Defendant admits that he willfully and knowingly entered the U.S. Capitol Building knowing that he did not have permission to do so. Defendant further admits that while inside the Capitol, Defendant willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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**DEFENDANT'S ACKNOWLEDGMENT**

I, **LINWOOD ALAN ROBINSON II**, 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.


Date: 3/15/23

  
**LINWOOD ALAN ROBINSON II**  
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: \_\_\_\_\_

  
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William L. Shipley, Jr.  
Attorney for Defendant

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