

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No: 1:21-cr-00243-APM
	:	
	:	
	:	40 U.S.C. § 5104(e)(2)(G)
	:	
v.	:	
	:	
JOHN LOLOS	:	
	:	
Defendant.	:	
	:	

**STATEMENT OF OFFENSE**

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, JOHN LOLOS (LOLOS), 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 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.
2. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.
3. On January 6, 2021, a joint session of the United States Congress convened at the United States 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 United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., 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 U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, 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 by U.S. Capitol Police Officers or other authorized security officials.

6. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. 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 U.S. Capitol, requiring the expenditure of more than \$1.4 million dollars for repairs.

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

*JOHN LOLOS's Participation in the January 6, 2021, Capitol Riot*

8. LOLOS traveled from Seattle, Washington to Washington, D.C. to attend a rally in support of then-President Donald Trump, held the morning of January 6, and to protest alleged voter fraud.

9. LOLOS was aware members of Congress were voting that day to certify the Presidential election. LOLOS was aware the U.S. Vice President was in the Capitol Building.

10. LOLOS attended President Trump's speech. After the speech, LOLOS followed a crowd to the Capitol Building to protest.

11. LOLOS walked to the Capitol Building, and up the West Capitol steps. While on the West Capitol steps, LOLOS observed tear gas in the air toward the top of the steps.

12. While outside of the Capitol Building, LOLOS sent the following text messages to his friend, announcing his intention to illegally enter the Capitol Building:

- i. "Where [sic] storming the Capitol now."
- ii. "I'm there were [sic] storming the Capitol now."
- iii. "We are going in."

13. LOLOS saw a broken window and followed people as they crawled through the broken window into the building.

14. Once inside the Capitol Building, LOLOS saw a law enforcement officer in uniform. LOLOS talked to an officer and told him it was getting crowded. LOLOS also chanted with a crowd shortly after he entered the Capitol.

15. After chanting, LOLOS remained in the Capitol Building and proceeded down a hall to an open circular room, the Crypt. There, LOLOS waved his American flag and a Trump 2020 flag and chanted to protest alleged voter fraud.

16. LOLOS decided to leave the Capitol Building when law enforcement arrived carrying weapons.

17. LOLOS exited through a door and yelled, "They left! We did it!" He also waved his American and Trump 2020 flags.

18. After he exited the Capitol Building, LOLOS sent a text to one of his friends stating, "Me after battle."

19. LOLOS knew at the time he entered the Capitol Building that he did not have permission to enter the building and LOLOS paraded, demonstrated, or picketed.

Respectfully submitted,

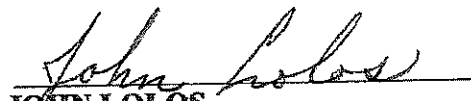
**CHANNING D. PHILLIPS**  
Acting United States Attorney  
D.C. Bar No. 415793

By: /s/ Anthony L. Franks  
**ANTHONY L. FRANKS**  
Missouri Bar No. 50217MO  
Assistant United States Attorney  
Detailee – Federal Major Crimes  
United States Attorney’s Office  
for the District of Columbia  
Telephone No. (314) 539-3995  
[anthony.franks@usdoj.gov](mailto:anthony.franks@usdoj.gov)

DEFENDANT'S ACKNOWLEDGMENT

I, JOHN LOLOS, 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: 7-27-2021

  
JOHN LOLOS  
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: 7-28-2021

  
Edward B. MacMahon, Jr.  
Attorney for Defendant