



**COUNT TWO**

On or about January 6, 2021, in the District of Columbia, **TIMOTHY EARL O'MALLEY**, 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 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 18 U.S.C. § 1752(a)(2))

**COUNT THREE**

On or about January 6, 2021, in the District of Columbia, **TIMOTHY EARL O'MALLEY**, 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 40 U.S.C. § 5104(e)(2)(D))

**COUNT FOUR**

On or about January 6, 2021, in the District of Columbia, **TIMOTHY EARL O'MALLEY**, willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

**(Parading, Demonstrating, or Picketing in a Capitol Building**, in violation of 40 U.S.C. § 5104(e)(2)(G))

Respectfully submitted,

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

By:



Sean P. Murphy  
Assistant United States Attorney  
D.C. Bar No. 1187821  
Torre Chardon, Ste 1201  
350 Carlos Chardon Avenue  
San Juan, PR 00918  
787-766-5656  
sean.murphy@usdoj.gov