

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on November 9, 2023

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	MAGISTRATE NO. 24-MJ-95
	:	
JOHN BANUELOS,	:	VIOLATIONS:
Defendant.	:	18 U.S.C. § 231(a)(3)
	:	(Civil Disorder)
	:	18 U.S.C. § 1752(a)(1) and (b)(1)(A)
	:	(Entering and Remaining in a Restricted
	:	Building or Grounds with a Deadly or
	:	Dangerous Weapon)
	:	18 U.S.C. § 1752(a)(2) and (b)(1)(A)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building or Grounds with a
	:	Deadly or Dangerous Weapon)
	:	40 U.S.C. § 5104(e)(1)(A)(i)
	:	(Unlawful Possession of a Firearm on
	:	Capitol Grounds or Buildings)
	:	40 U.S.C. § 5104(e)(1)(A)(ii)
	:	(Unlawful Discharge of a Firearm on
	:	Capitol Grounds or Buildings)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in
	:	a Capitol Building or Grounds)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia, **JOHN BANUELOS**, committed and attempted to commit an act to obstruct, impede, and interfere with law enforcement officers from the United States Capitol Police and Metropolitan Police Department lawfully engaged in the lawful performance of their 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, **JOHN BANUELOS**, 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, and, during and in relation to the offense, did use and carry a deadly or dangerous weapon or firearm.

(Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon or Firearm, in violation of Title 18, United States Code, Section 1752(a)(1) and (b)(1)(A))

COUNT THREE

On or about January 6, 2021, in the District of Columbia, **JOHN BANUELOS**, 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 and, during and in relation to the offense, did use and carry a deadly or dangerous weapon or firearm.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon or Firearm, in violation of Title 18, United States Code, Section 1752(a)(2)) and (b)(1)(A))

COUNT FOUR

On or about January 6, 2021, within the District of Columbia, **JOHN BANUELOS**, did carry and have readily accessible a firearm, a dangerous weapon, explosives, and an incendiary device on the United States Capitol Grounds and in any of the Capitol Buildings, that is, **BANUELOS** did carry and have readily accessible a firearm.

(Unlawful Possession of a Firearm on Capitol Grounds or Buildings, in violation of Title 40, United States Code, Section 5104(e)(1)(A)(i))

COUNT FIVE

On or about January 6, 2021, within the District of Columbia, **JOHN BANUELOS**, did discharge a firearm or explosives, use a dangerous weapon, and ignite an incendiary device on the United States Capitol Grounds and in any of the Capitol Buildings, that is, **BANUELOS** did discharge a firearm.

(Unlawful Discharge of a Firearm on Capitol Grounds or Buildings, in violation of Title 40, United States Code, Section 5104(e)(1)(A)(ii))

COUNT SIX

On or about January 6, 2021, in the District of Columbia, **JOHN BANUELOS**, 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))

A TRUE BILL:

FOREPERSON.

*Matthew M. Gonzales by
GJB*

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