

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) and I am currently assigned to the Philadelphia Division, Capital Area Resident Agency. In my duties as a special agent, I have been assigned to the FBI’s Philadelphia Division Joint Terrorism Task Force (“JTTF”). As a member of the JTTF, I work with agents and officers investigating crimes involving both domestic and international terrorism as well as national security violations. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As an FBI Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol 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 were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

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 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.

As the proceedings continued in both the House and the Senate, and with Vice President Mike 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.

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, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

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 Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

FACTS SPECIFIC TO COLELLO

In late 2021, FBI collected videos and images through electronic evidence analysis methods that indicated the individual depicted in images below, identified as ANTONIO COLELLO (“COLELLO”), may have been involved in the events at the U.S. Capitol on January 6, 2021.

The following images are screenshots from videos, including open-source videos and Closed-Circuit Television (“CCTV”) videos. The images depict COLELLO wearing a tan petticoat, black shirt, black pants, black shoes, dark sunglasses and sometimes a red bandana around his neck.

At approximately 2:35 p.m. on January 6, 2021, COLELLO entered the Capitol building through the Upper West Terrace Door, located on the western side of the building, which had been opened by other rioters. **(Figure 1).**



Figure 1: Still image of COLELLO (circled in yellow) entering the Capitol through the Upper West Terrace Door at approximately 2:35 p.m. on January 6, 2021.

CCTV footage from inside the Capitol building showed COLELLO inside the Rotunda at approximately 2:36 p.m. **(Figure 2).**



Figure 2: Still image of COLELLO (circled in yellow) entering the Rotunda at approximately 2:36 p.m. on January 6, 2021.

An open-source video showed COLELLO leaving the Rotunda heading toward the Senate Hallway inside the Capitol building. COLELLO can be seen filming and chanting with the crowd as they come across police officers in the hall. **(Figure 3)**. COLELLO is shown pushing with the crowd. **(Figure 4)**.

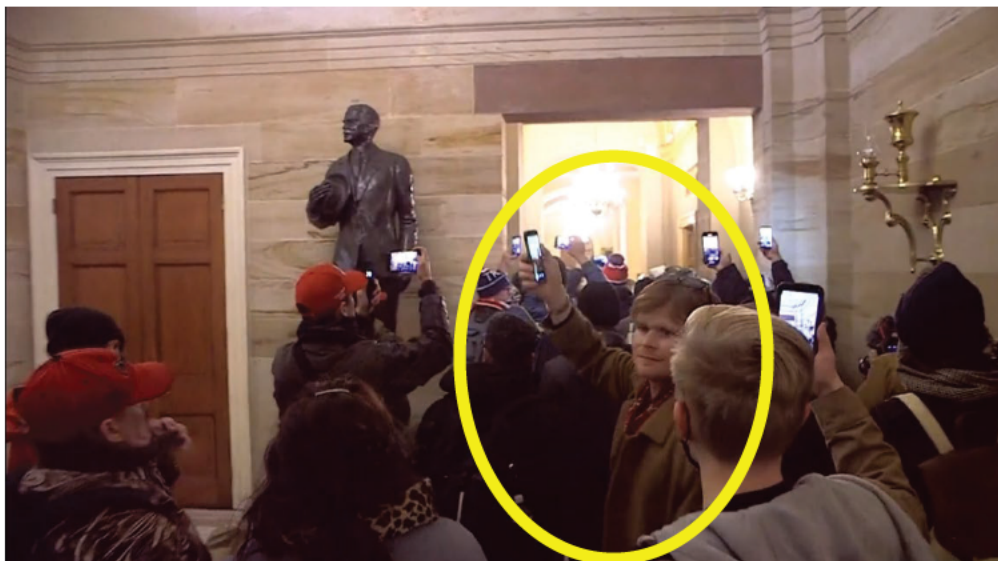


Figure 3: Still image of COLELLO (circled in yellow) near the Senate Hallway of the U.S. Capitol building on January 6, 2021.

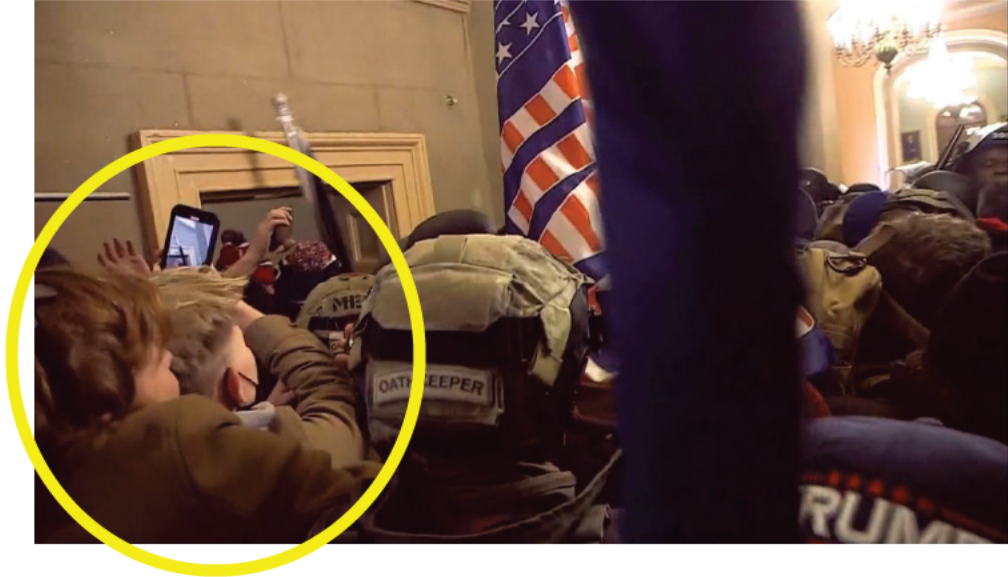


Figure 4: Still image of COLELLO (circled in yellow) near the Senate Hallway of the U.S. Capitol building on January 6, 2021.

Further CCTV footage captured COLELLO departing the Capitol building at approximately 2:51 p.m. through the East Rotunda Door. (Figure 5).

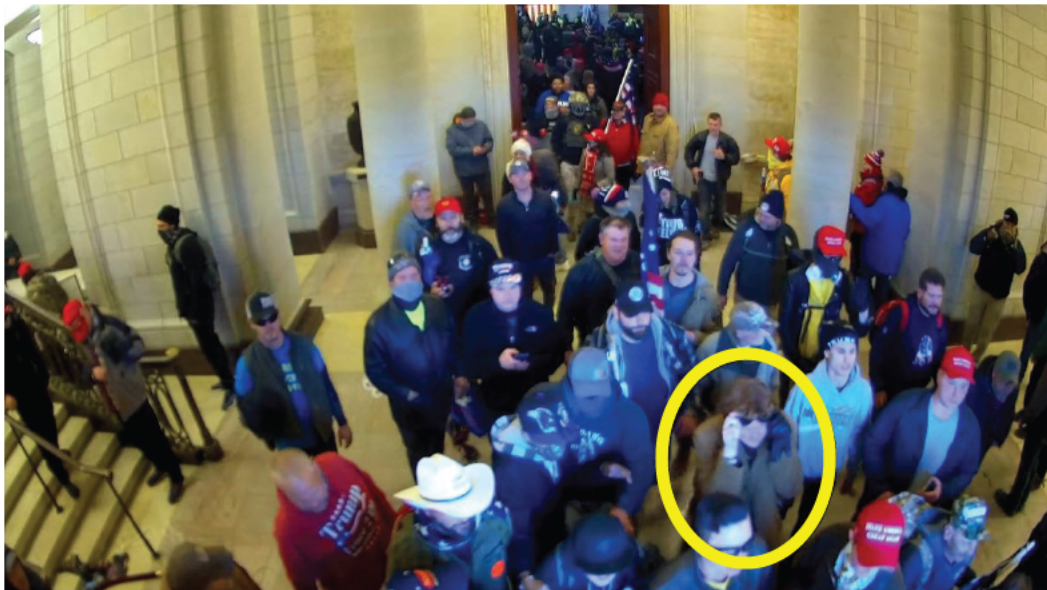


Figure 5: Still image of COLELLO (circled in yellow) exiting through the East Rotunda Door at approximately 2:51 p.m. on January 6, 2021.

On or about June 10, 2022, FBI Special Agents conducted an interview with an individual (“INDIVIDUAL 1”) who knows COLELLO personally and who also unlawfully entered the U.S. Capitol on January 6, 2021. During the interview, Agents showed INDIVIDUAL 1 photographs of individuals believed to be present on January 6, 2021, and asked INDIVIDUAL 1 to identify any individuals he/she recognized. INDIVIDUAL 1 identified COLELLO in the images, including in **Figure 6**, below.



Figure 6: Image of COLELLO in the U.S. Capitol on January 6, 2021, that INDIVIDUAL 1 identified.

On or about August 23, 2022, FBI Special Agents interviewed a second individual (“INDIVIDUAL 2”) who knows COLELLO personally and who acknowledged being present at the U.S. Capitol on January 6, 2021. During the interview, Agents showed INDIVIDUAL 2 photographs of individuals believed to be present on January 6, 2021, including a photograph of COLELLO and asked INDIVIDUAL 2 to identify any individuals he/she recognized. INDIVIDUAL 2 identified COLELLO in the images.

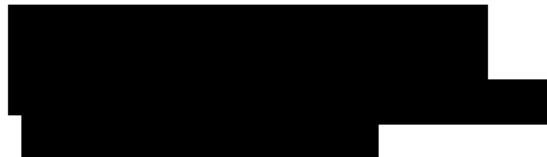
According to records obtained through a search warrant served on AT&T, the cellphone associated with XXX-XXX-2547 was identified as having utilized a cell site consistent with providing service to the geographical area that includes the interior of the Capitol building on January 6, 2021. AT&T records obtained through a Grand Jury Subpoena show this telephone number as being associated with COLELLO.

In the days leading up to January 6, a third individual (“INDIVIDUAL 3”) who was also present at the U.S. Capitol on January 6, 2021, exchanged text messages with COLELLO using COLELLO’s XXX-XXX-2547 phone number. The two engaged in the following text message conversation:

<u>Time</u>	<u>Sender</u>	<u>Message</u>
12/29/2020 2:25 p.m.	INDIVIDUAL 3	I think we getting up early on the 6th
12/29/2020 2:26 p.m.	INDIVIDUAL 3	Probably like 5 6 am
12/29/2020 2:28 p.m.	COLELLO	Bet that's when I usually get up lol
12/29/2020 2:29 p.m.	INDIVIDUAL 3	I think we are going to try to block the session of congress
12/29/2020 2:29 p.m.	COLELLO	That sounds epic
12/29/2020 2:30 p.m.	COLELLO	Who’s saying that?
12/29/2020 2:30 p.m.	INDIVIDUAL 3	Idk the gc but the one guy said that's the plan from MAGA March

Based on the foregoing, your affiant submits that there is probable cause to believe that ANTONIO COLELLO violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions.

Your affiant submits there is also probable cause to believe that ANTONIO COLELLO violated 40 U.S.C. § 5104(e)(2)(D), which makes it a crime to utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress, and 40 U.S.C. § 5104(e)(2)(G) parade, demonstrate, or picket in any of the Capitol Buildings.



SPECIAL AGENT
FEDERAL BUREAU OF
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 9 day of May, 2024.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE