

STATEMENT OF FACTS

Your Affiant, [REDACTED], is a Special Agent assigned to the Oklahoma City Division of the Federal Bureau of Investigation. In my duties as a Special Agent, I have investigated numerous criminal and national security violations falling within the FBI's jurisdiction. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a 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 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.

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 MATTHEW TITUS ALLEN

I have studied video footage and still photographs of the January 6, 2021, incursion of the U.S. Capitol, and I have identified an individual there as Matthew Titus Allen (**ALLEN**), of Castle, Oklahoma, for the reasons described herein. As also described herein, the images and video footage that I have reviewed, as well as the other facts gathered in this investigation, establish that **ALLEN** did unlawfully enter the U.S. Capitol on January 6, 2021.

On or about March 11, 2022, a confidential human source provided the FBI with images and links to videos appearing to show **ALLEN** illegally inside the U.S. Capitol on January 6, 2021. On or about May 13, 2022, FBI Oklahoma City initiated a full investigation into **ALLEN**'s participation at the U.S. Capitol Riot, based on the photographic evidence and video evidence appearing to show **ALLEN** illegally inside the U.S. Capitol on January 6, 2021.

Open source research identified a possible phone number for **ALLEN** as ending in 1999¹. On November 15, 2022, this affiant interviewed **ALLEN** via phone when **ALLEN** called this affiant from a phone number ending in 8928². During the interview, **ALLEN** admitted he was at the U.S. Capitol in Washington, D.C. (D.C.), on January 6, 2021. He also admitted to carrying his company provided cell phone with him that day. **ALLEN** stated the company provided cell phone number was the phone number ending in 1999.

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, the cell phone with the phone number ending in 1999 was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the United States Capitol building.

During the interview, **ALLEN** confirmed that he and his wife, Shawla Allen, traveled to D.C., in January of 2021. According to **ALLEN**, on or about January 5, 2021, he and his wife traveled to D.C. under their own direction to support former president Donald Trump at his rally to be held on January 6, 2021.

On January 6, 2021, **ALLEN** and **SHAWLA** attended Trump's rally and listened to Trump's speech. After Trump finished his speech, the crowd surrounding **ALLEN** began to move towards the U.S. Capitol., and both he and his wife moved with the crowd eventually arriving at the U.S. Capitol.

¹ The complete phone number is known to the affiant.

² The complete phone number is known to the affiant.



Image 1

Image 1 was taken from an open-source video which shows two individuals appearing to be **ALLEN** and his wife amongst the crowd of demonstrators at or around the U.S. Capitol on January 6, 2021. The video showcases an individual believed to be **ALLEN** wearing blue jeans, red shoes, dark colored jacket, what appears to be a red and blue Trump winter hat with a circular type insignia on its front, a dark colored backpack, and carrying what is believed to be a GoPro camera in his left hand. His wife is walking next to him in the blue long jacket, red shirt/sweatshirt, dark jeans, glasses, and white sneakers.

During the November of 2022 interview of **ALLEN** conducted by this affiant, **ALLEN** admitted to possessing his son's GoPro Camera on January 6, 2021, and claimed to be carrying a backpack with an American flag on it. **ALLEN** also told this affiant he believes he owns a red and blue Trump winter hat. During surveillance by the FBI, pictures were taken of **ALLEN**. This affiant reviewed those pictures, saw **ALLEN** in his car exiting his vehicle, and later confirmed **ALLEN** was the same individual depicted in Images 1-10.

Images 2 and 3 are still images taken from U.S. Capitol Police certified CCTV footage. The footage shows that on January 6, 2021, at approximately 2:46 P.M. (EST), an individual believed to be **ALLEN** illegally entered the U.S. Capitol through the Upper West Terrace Door. Image 3 depicts **ALLEN** sporting a dark colored backpack with an American flag on it consistent with the description provided by **ALLEN** during his November of 2022 interview with this affiant.

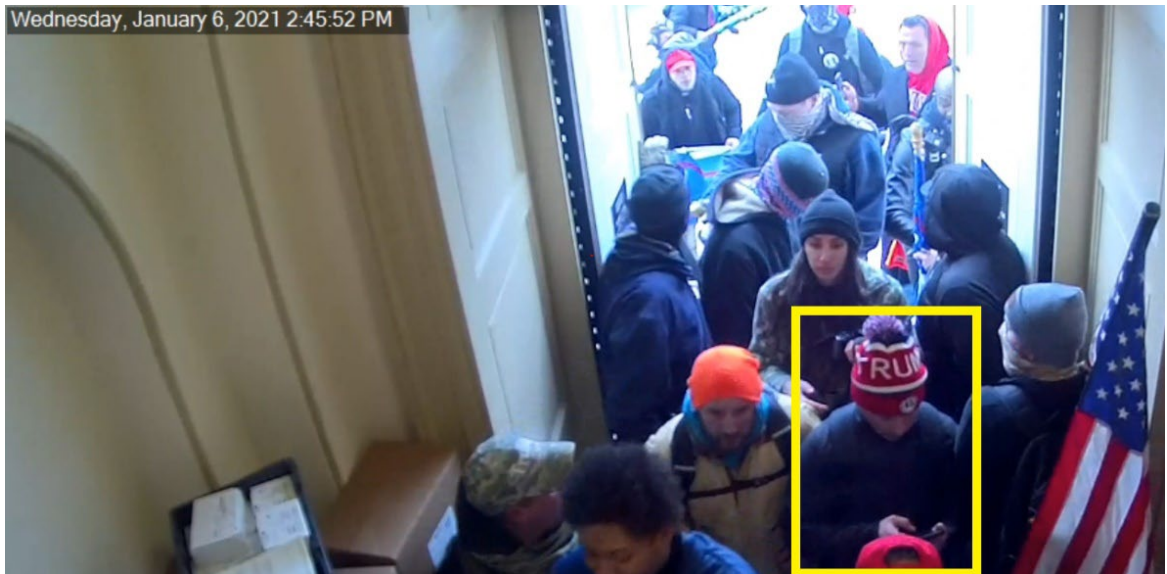


Image 2



Image 3

ALLEN admitted to walking into the Capitol and walking towards his left where he reached a stairwell and was encountered by Capitol Police telling him and the crowd they could not proceed further. **ALLEN** admitted that he turned around and entered a round room he believed to be the Rotunda. Further open-source video evidence appears to show **ALLEN** in and around the Rotunda of the U.S. Capitol as displayed in Images 4 through 7.



Image 4



Image 5



Image 6

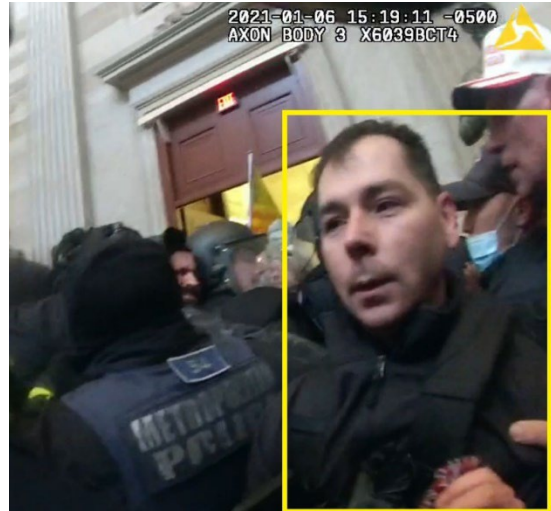


Image 7

U.S. Capitol Police certified CCTV footage and open source video shows ALLEN exiting the U.S. Capitol via the Memorial Door at approximately 3:30 PM (EST) on January 6, 2021, as is shown in Images 8 through 10.

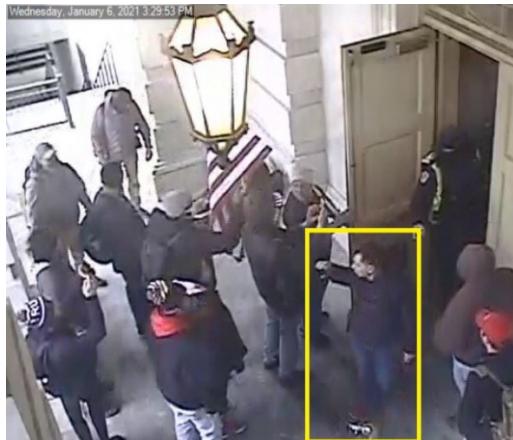


Image 8

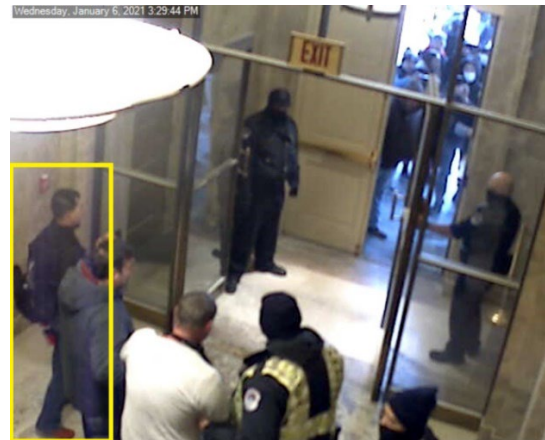


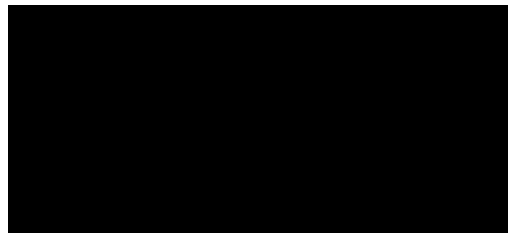
Image 9



Image 10

Based on the foregoing, I submit that there is probable cause to believe that **ALLEN** 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; 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. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

I submit there is also probable cause to believe that **ALLEN** violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully (D) 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 (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 13th day of May 2024.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE