

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer (TFO) assigned to the North Georgia Major Offenders Gang Task Force of the FBI. In my duties as a TFO, I investigate violations of federal law. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. 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.

JOHN-EVERETT DOLING'S INVOLVEMENT IN THE JANUARY 6, 2021 RIOT AT THE UNITED STATES CAPITOL

I. DOLING's Activities on January 6, 2021

Pursuant to its investigation of individuals present at the Capitol on January 6, 2021, the Federal Bureau of Investigation (FBI) identified JOHN-EVERETT DOLING (DOLING) as an individual who was present inside of the Capitol building on January 6, 2021. The identification of DOLING is described in more detail in Section II, below.

I reviewed open-source and closed-circuit television (CCTV) footage from January 6, 2021. My review of that footage indicates that DOLING stood nearby as another rioter used a metal crowbar to smash through the Parliamentarian Door of the United States Capitol building, off of the Upper Northwest Terrace of the Capitol building. DOLING then entered through that door at approximately 2:42 p.m., shown below, just a few seconds after that door was initially breached. DOLING is circled in red in Figure 1, below, as well as in all other images throughout.

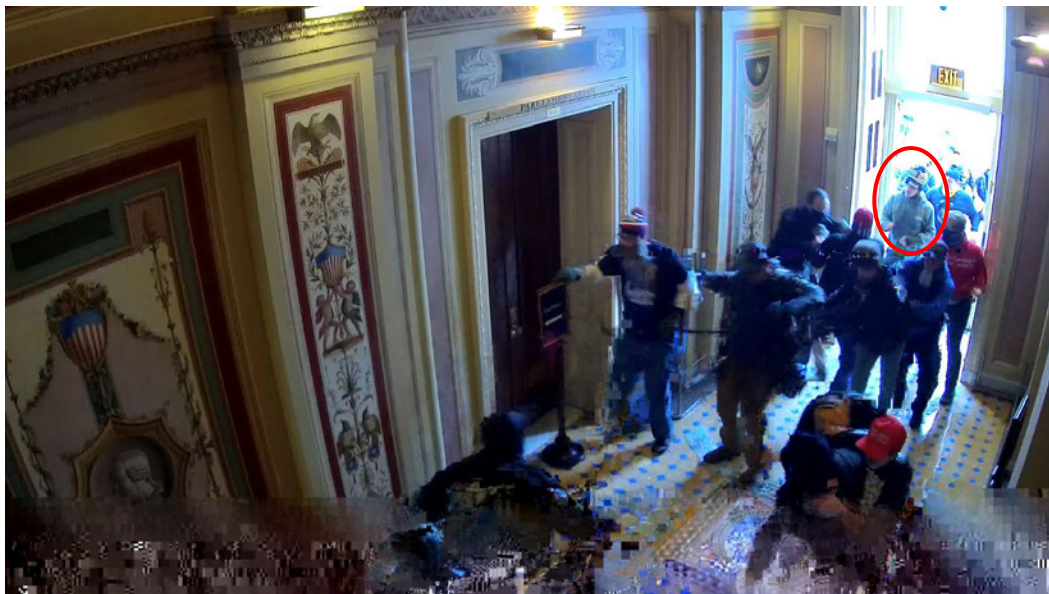


Figure 1

After entering through that door, DOLING engaged in what appears to have been a physical and verbal confrontation with another rioter, as shown below.



Figure 2

DOLING walked straight down the hallway in front of him. He and other rioters approached a line of officers blocking their path. The rioters chanted “USA! USA!” while facing those officers. My investigation indicates that DOLING was sprayed with chemical spray or some other irritant during this encounter with officers.



Figure 3

The image below shows DOLING in the same general area of the Capitol building, with his hat removed:

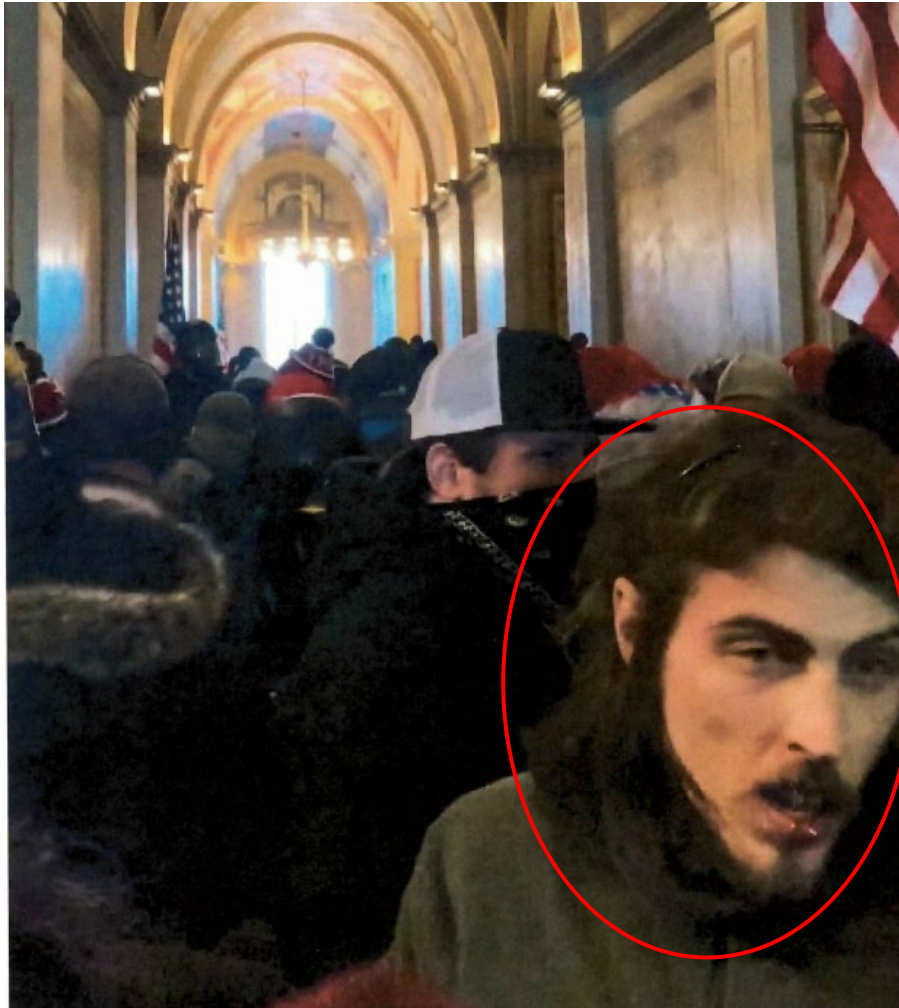


Figure 4

At approximately 2:49 p.m., about seven minutes after entering the building, DOLING exited the building through the same door through which he entered. Video footage that I reviewed shows DOLING rubbing his eyes repeatedly as he walked towards that door, as shown below, consistent with someone who had been sprayed in the eyes with chemical irritant.



Figure 5

II. Identification of DOLING

On January 7, 2021, TIPSTER 1 contacted the FBI and said that “JOHN” from Rabun Gap, Georgia was inside of the Capitol building during the riots on January 6, 2021. TIPSTER 1 said they had a picture of DOLING on the “porch” of the Capitol building, and that DOLING usually carried firearms on his person. On January 17, 2021, the FBI contacted TIPSTER 1 who provided the full name of the Subject as JOHN DOLING. TIPSTER 1 further provided the image below, which includes an image of an individual whom I recognize as DOLING with the commentary, “Were breaking in the capital.”

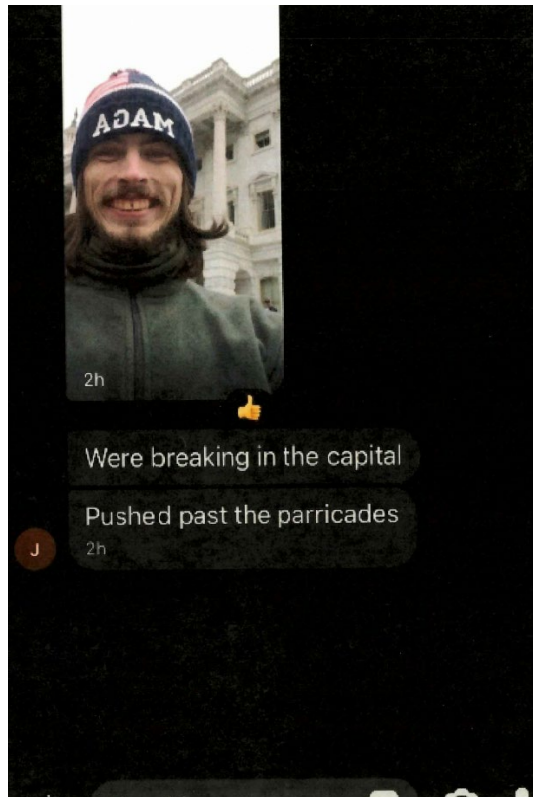


Figure 6

In February 2022, I spoke with a former employer of DOLING. I showed that individual three photographs of DOLING, including two photographs from January 6 which contained other individuals in the images, as well as DOLING's driver's license photograph. DOLING's former employer identified him in his driver's license image, but not the images from January 6.


My investigation revealed that DOLING had been convicted of unrelated crimes in March 2022 and sentenced to eight years' probation. On March 22, 2023, I spoke with the probation officer who has been assigned to supervise DOLING since 2022. DOLING's probation officer has met with DOLING in person on more than one occasion. DOLING's probation officer was shown three images of DOLING from January 6, 2021, including Figures 4 and 6 above, as well as DOLING's driver's license image. She positively identified DOLING in all four images.

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Based on the foregoing, your affiant submits that there is probable cause to believe that DOLING 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; or attempts or conspires to do so. 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.

Your affiant submits there is also probable cause to believe that DOLING violated 40 U.S.C. §§ 5104(e)(2)(D) which makes it a crime to willfully and knowingly 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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 16th day of October 2024.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE