

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation – Indianapolis field office. In my duties as a Special Agent, I am responsible for investigating criminal violations. As a Special Agent, I am authorized by law or by government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws. I am also responsible for apprehending wanted fugitives where appropriate.

On July 21, 2021, the Federal Bureau of Investigation arrested Antony Vo (“Vo”) in Bloomington, Indiana on charges related to his actions at the United States Capitol on January 6, 2021. On September 22, 2023, a jury of his peers found Vo guilty of violating 18 U.S.C. 1752(a)(1) (Entering or remaining in a restricted building or grounds), 18 U.S.C. 1752(a)(2) (Disorderly or disruptive conduct in a restricted building or grounds), 40 U.S.C. § 5104(e)(2)(D) (Disorderly and disruptive conduct in a Capitol building or grounds), and 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building). On April 10, 2024, Judge Tanya S. Chutkan of the United States District Court for the District of Columbia sentenced Vo to 9 months of imprisonment followed by 12 months of supervised release. Judge Chutkan permitted Vo to self-surrender for his sentence at the behest of the District of Columbia Probation Office.¹

The Probation Office initially ordered Vo to report to the Bureau of Prisons Federal Medical Center (FMC) – Lexington. The Probation Office set Vo’s report date for June 4, 2024, and successfully communicated with Vo over the phone to apprise him of his surrender date and location. During this call with Probation, Vo confirmed his contact information, including his email, and Probation subsequently emailed Vo a “*Notice of Designation and Date to Report*” letter dated May 22, 2024, advising him of his surrender date.

Thereafter, on May 29, 2024, Vo filed a motion to delay his self-surrender to June 14, 2024, based on a prescheduled surgical procedure. On May 31, 2024, Judge Chutkan granted Vo’s request for an extension of time and required Vo to report to the Bureau of Prisons by June 14, 2024.² Vo’s attorney contacted probation on June 13, 2024, via email, seeking to confirm Vo’s June 14, 2024, surrender date. Probation confirmed the June 14, 2024, surrender date during this correspondence and advised Vo’s attorney that Vo was to surrender as ordered by the Court the next day.

Vo did not self-surrender to the Bureau of Prisons as ordered.³ Instead, Vo fled to Canada.⁴ Based on his failure to self-surrender, the United States Probation Office for the District of

¹ At his sentencing hearing on April 10, 2024, Vo signed an acknowledgement of the Voluntary Surrender Instructions in the presence of United States Probation Officer Haley Spicer.

² On June 12, 2024, days before his scheduled report date, Vo filed a motion for release pending appeal and for another extension of his reporting date. On June 13, 2024, Judge Chutkan denied this request and required Vo to report to the Bureau of Prisons the following day on June 14, 2024.

³ In an interview with the New York Times podcast “The Daily” that aired on January 6, 2025, Vo acknowledged not reporting to prison, as ordered, and in response to the interviewer’s question about this decision stated, “[A] couple of my heroes were like Edward Snowden, Julian Assange, like all these people who had to flee to find safety or whatever.”

⁴ Authorities are unaware of the date and location of Vo’s entry in Canada after his failure to surrender. U.S. Customs and Border Protection and the Canada Border Service Agency do not have any record of Vo crossing the border into Canada prior to his arrest in Canada on January 6, 2025.

Columbia petitioned the Court for a warrant on July 2, 2024. Thereafter, the United States District Court for the District of Columbia issued an arrest warrant for Vo on July 2, 2024.

Following the issuance of the arrest warrant, the United States Marshal Service and the Federal Bureau of Investigation undertook efforts to track and locate Vo. On September 5, 2024, the FBI confirmed Vo's presence in Edmonton, Canada.⁵

On November 20, 2024, wishtv.com, a television station in Indianapolis, Indiana, published an interview with Vo conducted over Zoom.⁶ During the interview, Vo acknowledged taking part in the Capitol riot and advised that he has applied for "refugee status" in another country. Vo declined to advise where he was located.

On November 30, 2024, the FBI engaged Canadian authorities for verification of Vo's entry into the country. During these communications, the FBI apprised Canadian authorities of Vo's unlawful presence in Canada and the existence of an active warrant.

On December 27, 2024, wishtv.com published another interview with Vo. In this interview, Vo stated that he was attempting to escape prosecution by undergoing the asylum process in Canada. He intended to remain in Canada anticipating a change in policy in the incoming administration.⁷

On January 6, 2025, the Canadian Border Services Agency (CBSA) took Vo into custody for an alleged illegal entry into the country. His removal proceedings remain ongoing.

Based on the foregoing, your affiant submits that there is probable cause to believe that Antony Vo violated 18 U.S.C. § 3146(a)(2), which makes it a crime to fail to surrender for service of a sentence pursuant to a court order.

[REDACTED]
[REDACTED]
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of January 2025.

HONORABLE G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE

⁵ On November 15, 2024, the FBI identified an active "X" account associated with Vo: @antonyvo4prez with listed moniker "Antony Vo." The FBI subsequently observed the following language posted to the publicly available biographical portion of this profile: "J6 wrongful convict, fugitive/Convention Refugee."

⁶ See <https://www.wishtv.com/news/i-team-8/jan-6-fugitive-from-indiana-expects-pardon-from-trump/>

⁷ See <https://www.wishtv.com/news/i-team-8/jan-6-riot-defendant-canada-asylum/>