

## STATEMENT OF FACTS

1. Your affiant, [REDACTED] is a special agent (SA) assigned to the Joint Terrorism Task Force. In my duties as a special agent, I investigate counter terrorism and national security investigations. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. On or about January 31, 2021, Tipster 1 submitted an online tip to the Federal Bureau of Investigation (FBI) National Threat Operations Center (NTOC) via tips.fbi.gov, to report Jonas Buxton, for alleged involvement in the United States Capitol riot on January 6, 2021. Tipster 1's friend, Person 1, told Tipster 1 that Jonas Buxton participated in the United States Capitol riot and that Jonas might have been carrying an AR-15. Person 1's husband, Person 2, is one of Jonas Buxton's family members. Person 1 overheard a telephone call between Person 2 and his brother, Person 3, about the possible involvement of Jonas Buxton in the United States Capitol riot. Person 3 is also one of Jonas Buxton's family members.

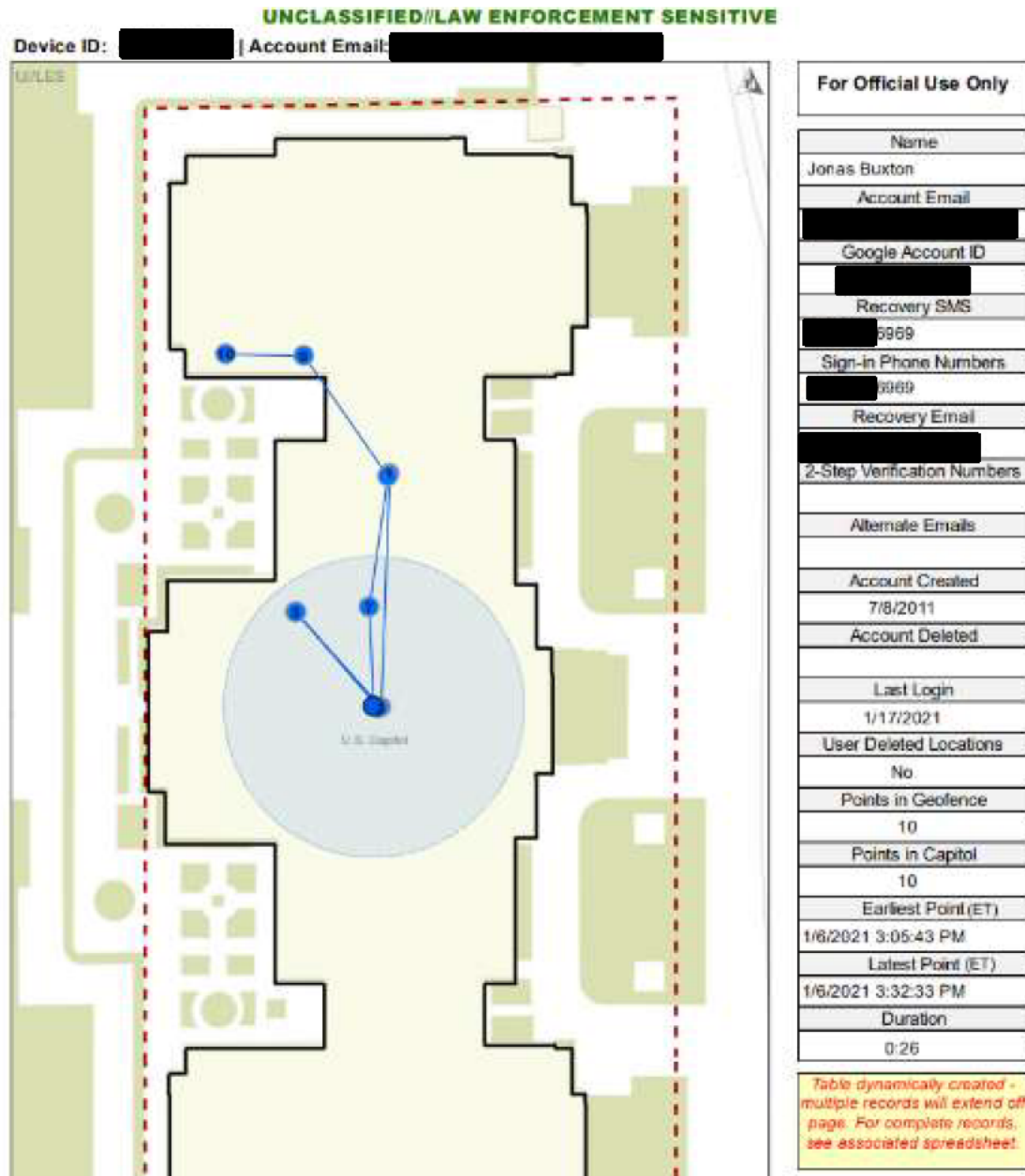
9. On or about February 16, 2021, Tipster 2 submitted an online tip to the FBI NTOC via tips.fbi.gov, to report that Jonas Buxton participated in the United States Capitol riot on January 6, 2021. Tipster 2 also reported that Buxton worked at a store in St. Charles, Missouri (MO), but after the FBI announced arrests associated with the Capitol riot, Buxton quit his job, disappeared, and went into hiding.

10. On or about March 4, 2021, the FBI conducted research on public source databases and identified a telephone number ending in 6969 as being associated with Jonas Buxton.

11. On or about March 4, 2021, pursuant to a search warrant authorized in the District of Columbia, law enforcement obtained records from Google related to service provided at the U.S. Capitol. Buxton's cellular device was identified as having utilized a cellular site consistent with the geographic area that included the interior of the U.S. Capitol building in and around the time of the incident on January 6, 2021. Records further indicate Buxton's telephone number ending in 6969 was active on Google cellular towers at approximately 3:05 PM EST on January 6, 2021. The map below was associated with the results, identifying Buxton's movements in the Capitol building during the riot, as seen in *IMAGE 1*.

12. Pursuant to a search warrant authorized in the District of Columbia, law enforcement obtained subscriber information for Google accounts believed to belong to Buxton. The subscriber information for the account belonging to Buxton had a verified phone number that matches the phone number from records obtained from Google.

IMAGE 1



13. On or about April 7, 2021, Buxton landed at the Miami International Airport from Panama City, Panama. Buxton was referred for additional scrutiny, known as a secondary inspection, by U.S. Customs and Border Protection (CBP) officers. CBP Officer Waddy Renta interviewed Buxton. During the secondary inspection, Officer Renta conducted a border search

of Buxton's cell phone.<sup>1</sup> The CBP Officers took photographs of some of the screens they observed during their inspection of the device, but CBP Officers did not connect external equipment to the electronic device. The border search identified Buxton's cell phone number ending in 6969, as seen in *IMAGE 2*. Officer Renta discovered photos in Buxton's phone which identified him wearing a brown tactical vest with a Trump patch, as seen in *IMAGES 3 & 4*. Officer Renta also discovered a letter for a general call to action regarding the January 6, 2021 rally from The Three Percenters, as seen in *IMAGES 5.1-5.2*.

*IMAGE 2*



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<sup>1</sup> CBP border searches of electronic devices are governed, as a matter of policy, by CBP Directive No. 3340-049A, *Border Search of Electronic Devices* (Jan. 4, 2018), available at <https://www.cbp.gov/sites/default/files/assets/documents/2018-Jan/CBP-Directive-3340-049A-Border-Search-of-Electronic-Media-Compliant.pdf> (the "CBP Directive").



IMAGE 3



*IMAGE 4*



IMAGE 5.1

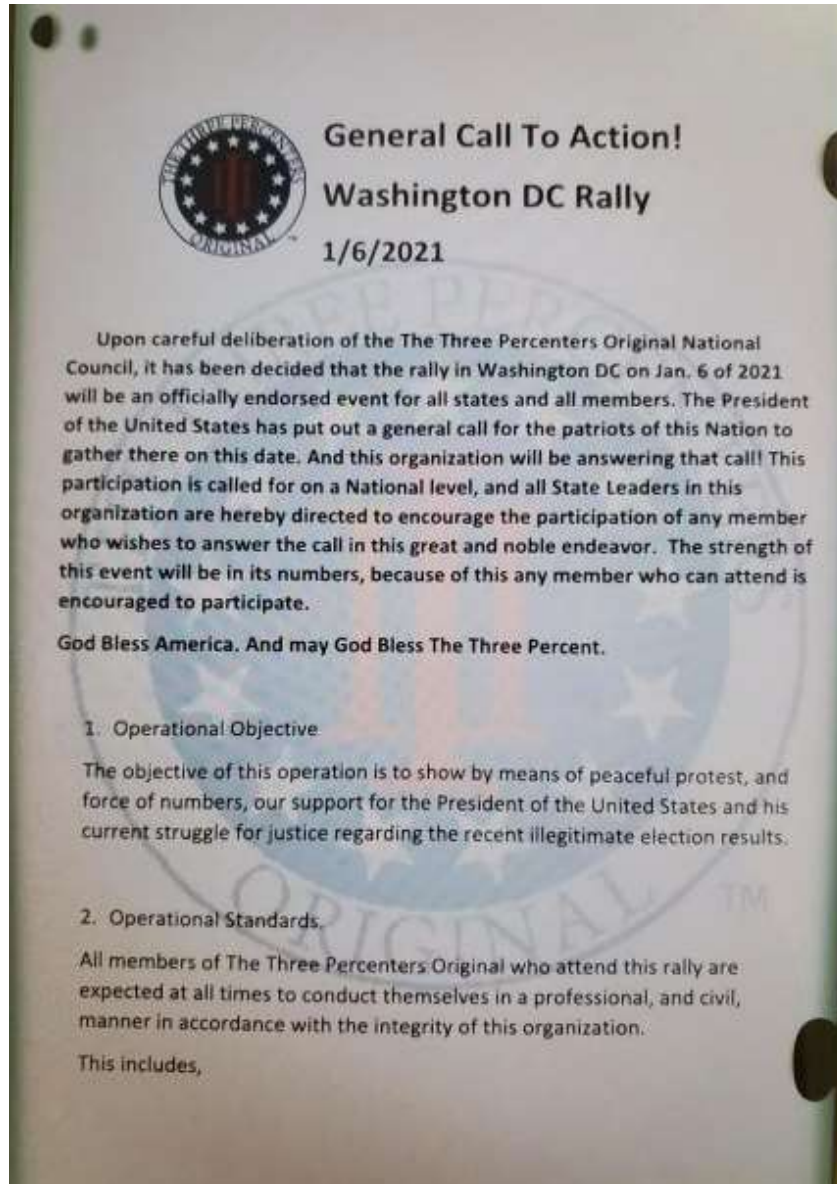
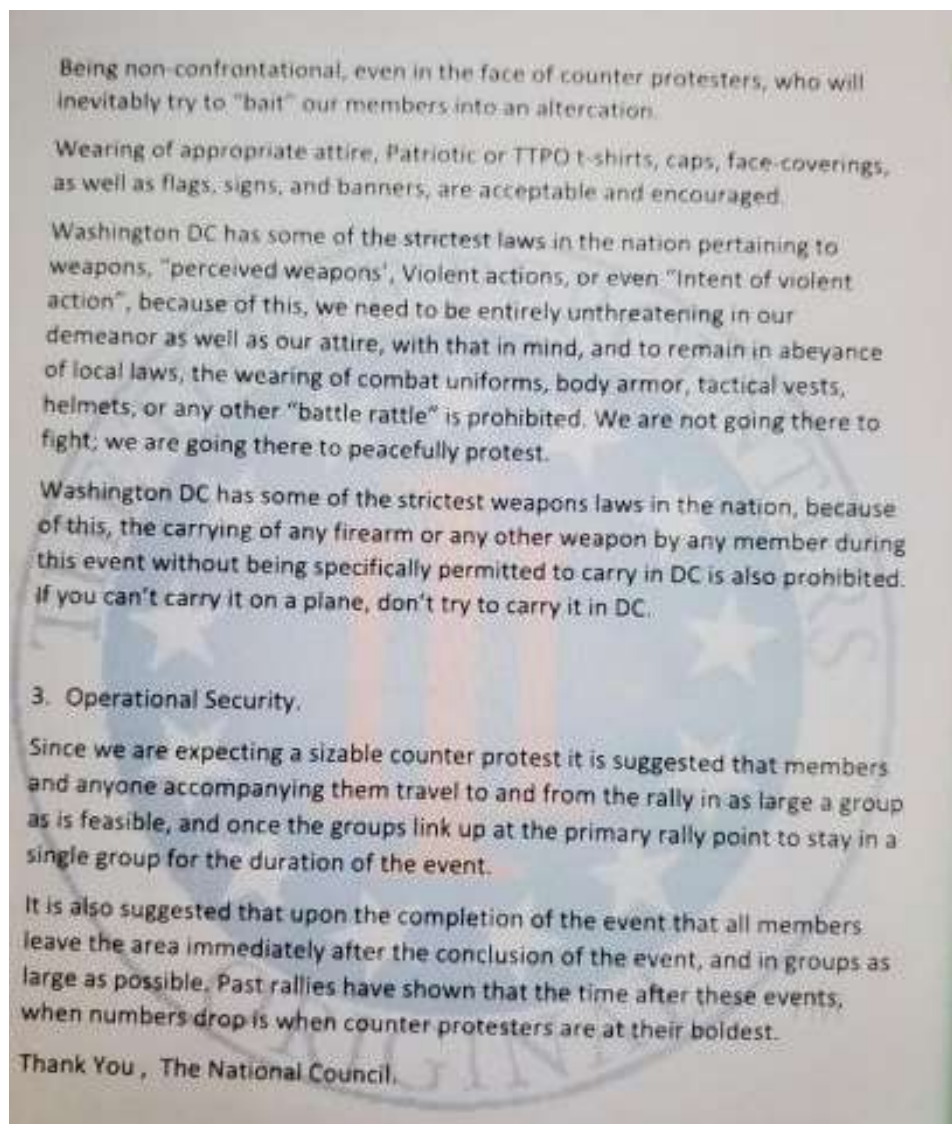


IMAGE 5.2



14. Continuing on or about April 7, 2021, during Buxton's secondary inspection, Buxton presented a second cell phone, Huawei Y9A model FRL-L23, IMEI 862011050682479 and IMEI 862011050697550, which also was identified as having telephone number ending in 6969 which was originally identified by the telephone records from Google related to service provided at the U.S. Capitol. Buxton's cellular device was identified as having utilized a cellular site consistent with the geographic area that included the interior of the U.S. Capitol building in and around the time of the incident on January 6, 2021. Records further indicate Buxton's telephone number ending in 6969 was active on Google cellular towers at approximately 3:05 PM EST on January 6, 2021.

15. On or about August 13, 2021, your affiant accessed the United States Capitol closed circuit television (CCTV) footage from inside the Capitol on January 6, 2021. Using the information available, your affiant queried a Missouri law enforcement database that returned a driver's license with a photograph of Jonas Buxton. The results of the query verified that the individual in the CCTV footage appears to be Buxton based upon government records. The query identified the subject as Jonas Buxton. Buxton was identified on multiple cameras throughout the Capitol, as seen in *IMAGES 6-15*.

16. Your affiant used the map from *IMAGE 1* to identify the time Buxton entered the Capitol. *IMAGE 1* showed the earliest point of entry at approximately 3:05:43 (EST). *IMAGE 6* (below) was from camera Senate Wing Door near S139 at 20:05:39. During that time of the year, the difference between UTC and EST was five hours. The images below are from the United States Capitol CCTV footage and are in chronological order of Buxton entering and exiting the Capitol. At the time of entry, Buxton was initially seen wearing a black in color gas mask, black in color jacket with hood, brown tactical vest with a patch in the center of the chest, and brown pants with tan boots. As Buxton continued to move through the interior of the Capitol building, surveillance images later showed Buxton without the gas mask which revealed the presence of a red neck gaiter. Buxton was also seen carrying a yellow flag which helped identify him as he moved throughout the Capitol. Your affiant was able to positively identify Buxton from the following articles of clothing:

- Brown Tactical Vest with patch (surveillance *IMAGES 6, 7, 13 & 14*; consistent with known *IMAGES 3 & 4*)
- Brown Pants (surveillance *Image 8*; consistent with known *IMAGE 3*)
- Tan Boots (surveillance *Image 8*; consistent with known *IMAGE 3*)
- Red Neck Gaiter (surveillance *IMAGES 13 & 14*; consistent with known *IMAGE 4*)



IMAGE 6

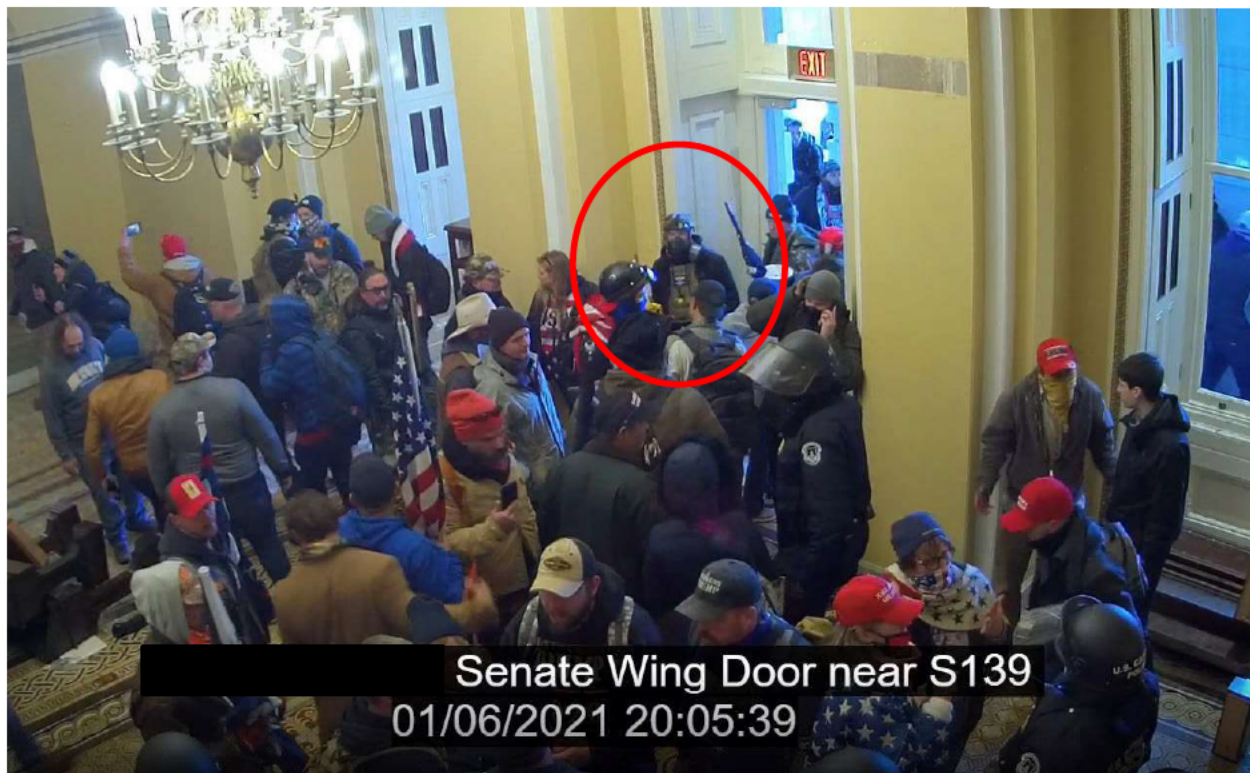


IMAGE 7 (Zoom in from image above)

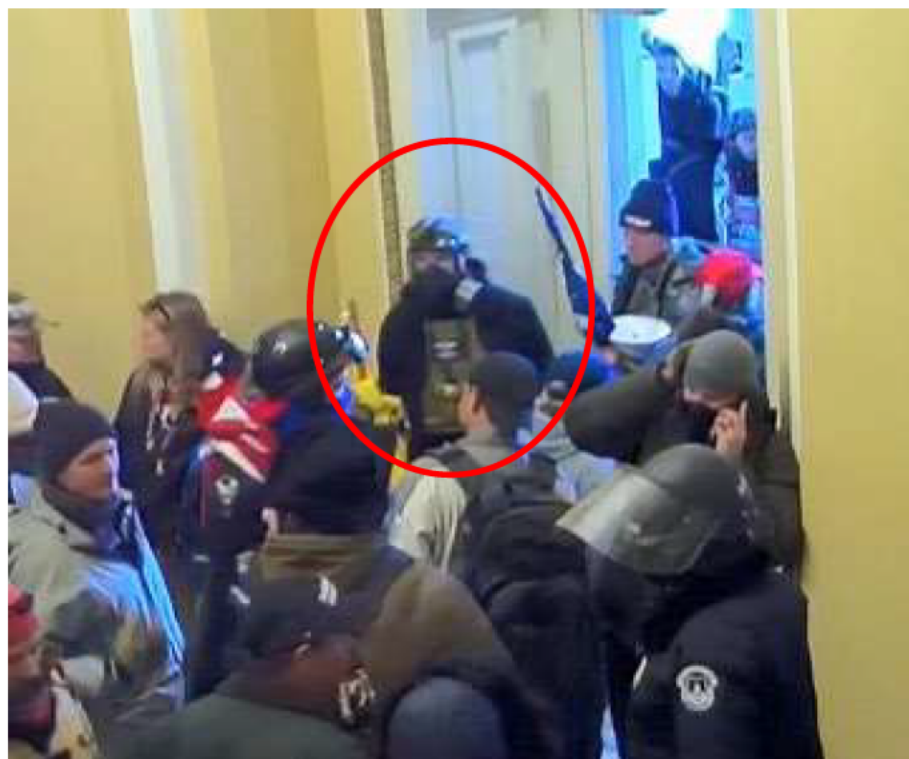




IMAGE 8



IMAGE 9



*IMAGE 10*



*IMAGE 11*

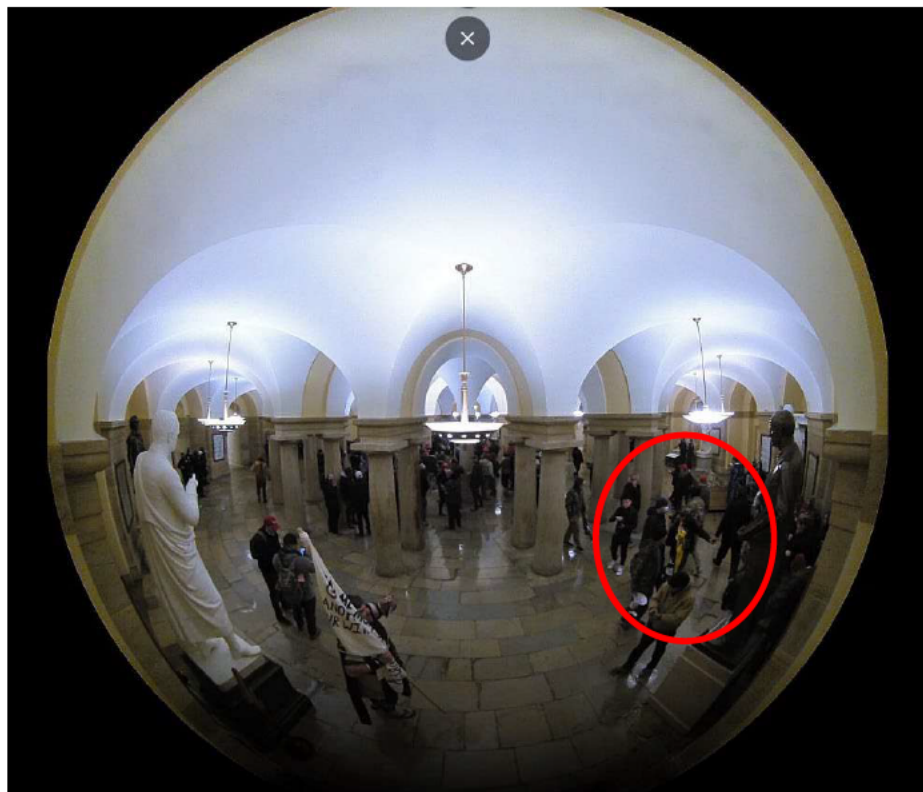




IMAGE 12



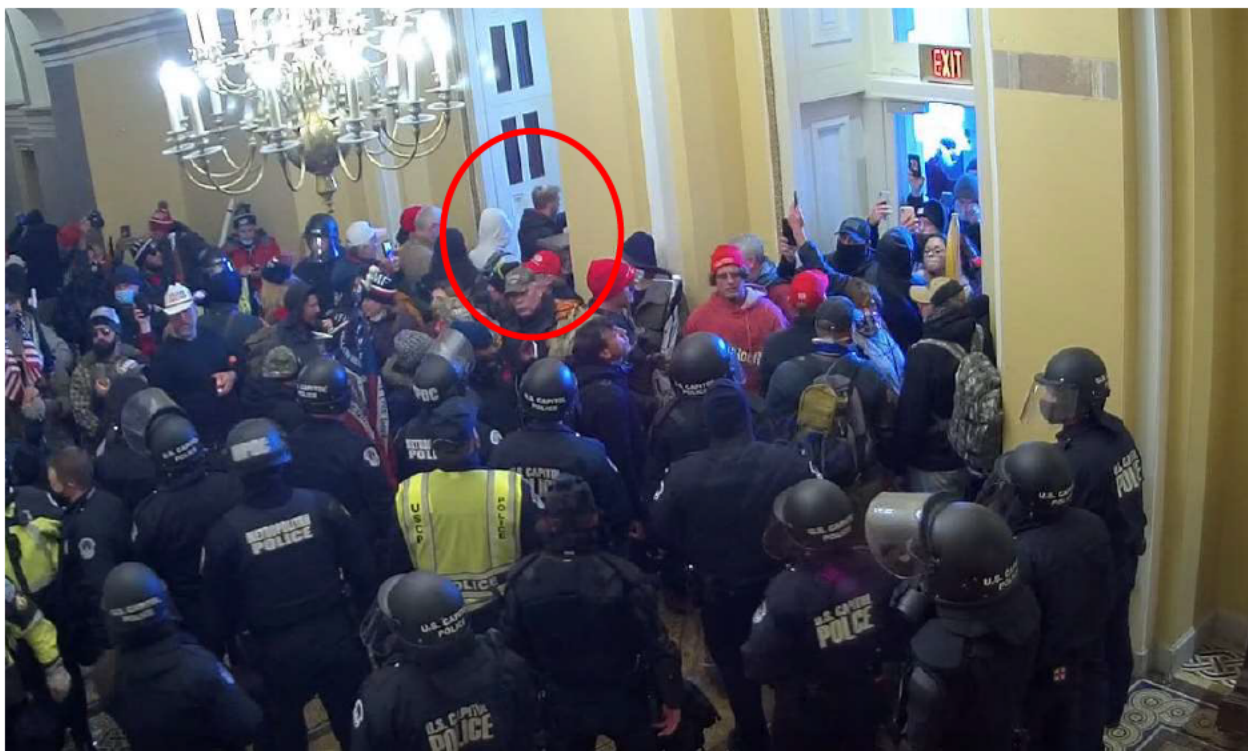
IMAGE 13



IMAGE 14



IMAGE 15



17. On or about August 31, 2021, your affiant provided CBP Officer Renta *IMAGE 16* below asking if he could identify Buxton.



*IMAGE 16*



18. On or about September 29, 2021, CBP Officer Renta identified a male on the left side of the picture, wearing a red scarf as someone who appeared to be Buxton. CBP Officer Renta circled Buxton and drew an arrow pointing at Buxton with a blue marker, as seen in *IMAGE 17* below. On October 4, 2021, CBP Officer Renta reviewed CCTV video of the scene captured in *IMAGEs 16* and *17* and confirmed his initial identification of Buxton.

IMAGE 17



19. Based on the foregoing, your affiant submits that there is probable cause to believe that Jonas Buxton 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.

20. Your affiant submits there is also probable cause to believe that Buxton violated 40 U.S.C. § 5104(e)(2)(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.

[REDACTED]  
SA [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 8<sup>th</sup> day of December, 2021.



*Robin M. Meriweather*

2021.12.08  
14:56:38 -05'00'

HONORABLE ROBIN M. MERIWEATHER  
UNITED STATES MAGISTRATE JUDGE