

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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|---------------------------------|---|--|
| UNITED STATES OF AMERICA | : | MAGISTRATE NO. 21-MJ-235 |
| | : | |
| v. | : | |
| | : | VIOLATIONS: |
| ERIC GENE BARBER, | : | 18 U.S.C. § 1752(a)(1) |
| | : | (Entering and Remaining in a Restricted |
| Defendant. | : | Building or Grounds) |
| | : | 18 U.S.C. § 1752(a)(2) |
| | : | (Disorderly and Disruptive Conduct in a |
| | : | Restricted Building or Grounds) |
| | : | 40 U.S.C. § 5104(e)(2)(D) |
| | : | (Disorderly Conduct in a Capitol Building |
| | : | or Grounds) |
| | : | 40 U.S.C. § 5104(e)(2)(G) |
| | : | (Parading, Demonstrating, or Picketing in |
| | : | a Capitol Building) |
| | : | 22 D.C. Code § 3212 |
| | : | (Theft II) |

INFORMATION

The United States Attorney charges that at all relevant times:

COUNT ONE

On or about January 6, 2021, in the District of Columbia, **ERIC GENE BARBER**, did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, or otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President–elect were temporarily visiting, without lawful authority to do so.

(Entering and Remaining in a Restricted Building or Grounds , in violation of Title 18,
United States Code, Section 1752(a)(1))

COUNT TWO

On or about January 6, 2021, in the District of Columbia, **ERIC GENE BARBER**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, or otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2))

COUNT THREE

On or about January 6, 2021, in the District of Columbia, **ERIC GENE BARBER**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Buildings or Grounds with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

(Disorderly Conduct in a Capitol Building or Grounds, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

COUNT FOUR

On or about January 6, 2021, in the District of Columbia, **ERIC GENE BARBER**, willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

(Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

COUNT FIVE

On or about January 6, 2021, in the District of Columbia, **ERIC GENE BARBER**, wrongfully obtained and used property of value, belonging to DH, consisting of a model ZAGG Powerstation located at the C-SPAN media station in Statuary Hall of the Capitol, without authorization and with the intent to appropriate the property for his own use and to deprive DH of a right to and benefit of the property.

(**Theft II**, in violation of Title 22, District of Columbia Code, Section 3212)

Respectfully submitted,

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By: /s/ Brenda J. Johnson
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