

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
STEWART PARKS, (XX/XX/XXXX)
MATTHEW BAGGOTT, (XX/XX/XXXX)
Case No.
Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

STEWART PARKS: 18 U.S.C. § 1752(a)(1) - Entering or Remaining in Restricted Building or Grounds Without Lawful Authority; 18 U.S.C. § 1752(a)(2) - Disorderly or Disruptive Conduct in Restricted Building or Grounds / Impeding Official Business; 40 U.S.C. § 5104(e)(2)(D), (E), and (F) - Violent Entry or Disorderly Conduct on Capitol Grounds and 18 U.S.C. § 641 - Theft of Government Property.

MATTHEW BAGGOTT: 18 U.S.C. § 1752(a)(1) - Entering or Remaining in Restricted Building or Grounds Without Lawful Authority; 18 U.S.C. § 1752(a)(2) - Disorderly or Disruptive Conduct in Restricted Building or Grounds / Impeding Official Business; and 40 U.S.C. § 5104(e)(2)(D), (E), and (F) - Violent Entry or Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 05/24/2021

Judge's signature

2021.05.24
21:04:25 -04'00'

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

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

UNITED STATES OF AMERICA	:	Case No:
	:	
v.	:	
	:	VIOLATIONS:
	:	
STEWART PARKS, and	:	18 U.S.C. § 1752(a)(1) and (2)
MATTHEW BAGGOTT,	:	(Restricted building or grounds)
	:	
Defendants.	:	40 U.S.C. § 5104(e)(2)(D), (E), and (F)
	:	(Violent entry or disorderly conduct)
	:	
	:	18 U.S.C. § 641
	:	(Theft of Government Property)

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT**

I, [REDACTED] being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I make this affidavit in support of an application for arrest warrants for STEWART PARKS and MATTHEW BAGGOTT.

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), assigned to the Memphis Field Office. I am assigned to the Joint Terrorism Task Force that investigates domestic and international terrorism acts. Currently, I am tasked with investigating criminal activity in and around the United States Capitol grounds that occurred 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, detention, investigation, or prosecution of a violation of Federal criminal laws.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This

affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. 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 are 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.

5. 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.

6. 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.

7. 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, shortly after 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.

8. 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.

9. 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.

PROBABLE CAUSE

10. Between January 2021 and March 2021, several witnesses separately contacted the FBI and reported that they had observed posts on an Instagram account belonging to STEWART PARKS (the “Parks Instagram Account”), which indicated that PARKS had entered the U.S Capitol building on January 6, 2021. FBI agents and task force officers interviewed three of those witnesses – Witness-1, Witness-2, and Witness-3. Witness-1 knows PARKS through a family member, and was friends with him on social media, but has only met him in person on approximately two occasions. Witness-2 knows PARKS only through social media and has never met him in person. Witness-3 did not specify how Witness-3 knew PARKS, but had access to the

Parks Instagram Account. Witness-3 provided video and images that were displayed on the Parks Instagram Account on January 6, 2021 to the FBI, including:

- a. A photograph of the interior of a Southwest Airlines plane with the caption “ON THE WAY TO DC TO STOP THE STEAL,” as depicted below:



- b. A video of a group of people approaching what appears to be an entrance to the Capitol building, including a man in a red sweatshirt, black backpack, and dark baseball hat – later identified as MATTHEW BAGGOTT – throwing an object toward a group of Capitol police officers, as depicted in the still image below:



c. Videos that appear to have been filmed inside the Capitol building, as depicted in the still images below:



d. A video that appears to depict the outside of the Capitol building, with the caption “PARTY WAS FUN TIL THE SWAT SHOWED UP,” as depicted in the still image below:



11. I and other FBI agents have reviewed materials obtained through a search warrant on the Parks Instagram Account. As a result of that review, I have learned that that Parks Instagram Account was subscribed to in the name “Stewart Parks,” with a particular phone number (the “Parks Phone”) and email address (the “Parks Email”), and that the Parks Instagram Account was deactivated on or about January 10, 2021. Prior to the account being deactivated, the Parks Instagram Account engaged in the following message exchanges, among others:

Participant	Message	Date / Time
Participant-1:	You guys are famous haha! 😊	Jan. 6, 2021; 15:51:29 EST
Parks Instagram Account:	We aint't giving up	Jan. 6, 2021; 20:39:34 EST
Parks Instagram Account:	No way in hell Biden is getting the presidency	Jan. 6, 2021; 20:39:43 EST

Participant-1:	I'm with you in spirit god [sic] sir! God be with you!	Jan. 6, 2021; 23:21:23 EST
Parks Instagram Account:	Baggot [sic] wants to know why you weren't there 😊😊😊😊😊😊	Jan. 7, 2021; 12:28:20 EST
Participant-1:	Haha I wish I could have been. Too much going on. Baggot [sic] go up there too??	Jan. 6, 2021; 13:32:50 EST

Participant	Message	Date / Time
Participant-2:	Lol nooo why'd you delete the capital shit! That was fucking awesome 😊😊😊	Jan. 6, 2021; 20:57:18 EST
Parks Instagram Account:	😊😊😊😊😊😊😊😊😊	Jan. 6, 2021; 21:01:47 EST
Parks Instagram Account:	Let's go out for lunch sometime	Jan. 6, 2021; 21:01:54 EST
Parks Instagram Account:	I have some things to show you	Jan. 6, 2021; 21:02:01 EST
Participant-2:	Lol just let me know!	Jan. 6, 2021; 21:03:32 EST
Parks Instagram Account:	Let's just say this dc trip was more eventful than the 8th grade trip ezell took us on	Jan. 6, 2021; 21:46:58 EST
Participant-2:	<i>[liked a message]</i>	Jan. 9, 2021; 10:07:56 EST
Participant-2:	It fucking looked like it. I'm glad you took those vids down now because the fbi is hunting yall 😊😊😊😊😊😊	Jan. 9, 2021; 10:08:27 EST

The videos and images depicted in paragraph 10(a)-(d) above were not contained in the materials that the FBI obtained as a result of the search warrant on the Parks Instagram Account. In light of the message exchange above, I believe that PARKS deleted those materials after he posted them, but before deactivating the Parks Instagram Account.

12. According to records obtained from Southwest Airlines, STEWART PARKS and MATTHEW BAGGOTT flew from Nashville International Airport (BNA) to Baltimore/Washington International Airport (BWI) on the morning of January 6, 2021 and flew from BWI to BNA on the morning of January 7, 2021. In connection with that flight, PARKS provided the Parks Phone and the Parks Email as his contact information and BAGGOTT provided

a phone number (the “Baggot Phone”), email address (the “Baggot Email”), and street address in Woodbury, Tennessee (the “Baggott Residence”) as his contact information.

13. The FBI has also reviewed records obtained through a search warrant served on Google. Google estimates mobile device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. Google location data does not show that a mobile device associated with the Baggott Email was within the U.S. Capitol building on January 6, 2021.

14. On April 15, 2021, I showed video surveillance footage from inside the Capitol building to a witness who has a social relationship with PARKS and who has known PARKS for at least two years (“Witness-4”), still images of which are depicted below:

[This space intentionally left blank]



Witness-4 identified the individual whose head is circled in red – wearing a grey jacket and red baseball hat -- as PARKS and the individual whose head is circled in blue – wearing a red sweatshirt and dark baseball hat – as BAGGOTT, whom Witness-4 knew as PARKS’s friend. Witness-4 said that PARKS and BAGGOTT had travelled to Washington, D.C. in order to attend the “Stop the Steal” rally on January 6, 2021.

15. I have reviewed Tennessee drivers license records and determined that an individual named “Matthew Baggott” lives at the Baggott Residence. I have surveilled the Baggott Residence and observed that an individual who lives there appears to be the individual in the red sweatshirt and dark baseball hat depicted in the in the images in paragraph 14, above, and paragraph 16, below. I have also compared the drivers license photograph associated with

“Matthew Baggott” with the individual in the red sweatshirt and dark baseball hat depicted in the images in paragraph 14, above, and paragraph 16, below, and believe that the photographs depict the same individual, MATTHEW BAGGOTT.

16. Video surveillance footage from inside the Capitol building shows PARKS and BAGGOTT entering the Capitol building at approximately 2:13 p.m. on January 6, 2021. PARKS and BAGGOTT move throughout the Capitol building for approximately a half hour, until approximately 2:46 p.m. when they exited the building. During that time, PARKS and BAGGOTT generally remain together, with PARKS carrying yellow Gadsden flag, often with PARKS holding onto BAGGOTT’s backpack, as depicted in the pictures below:





17. At approximately 2:45 p.m., video surveillance footage from inside the Capitol building depicts PARKS and BAGGOTT walking past a standing metal detector. PARKS picks up a hand-held metal detector wand from a table and then puts it back. Approximately 20 seconds later, as more people are exiting the building, PARKS picks the wand up again and exits with it, as depicted below:



CONCLUSIONS OF AFFIANT



18. Based on the foregoing, your affiant submits that there is probable cause to believe that STEWART PARKS and MATTHEW BAGGOT 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.

19. Your affiant also submits there is also probable cause to believe that STEWART PARKS and MATTHEW BAGGOTT violated 40 U.S.C. § 5104(e)(2)(D), (E), and (G), which makes it a crime to willfully and knowingly (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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

[This space intentionally left blank]

20. Finally, your affiant submits there is probable cause to believe that STEWART PARKS violated 18 U.S.C. § 641, which makes it a crime for a person to embezzle, steal, purloin, or knowingly convert to his use or the use of another, or without authority, sell, convey or dispose of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or receive, conceal, or retain the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted.


Special Agent 
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 24th day of May 2021.



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ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE