

Case: 1:23-mj-00267  
Assigned To : Upadhyaya, Moxila A.  
Assign. Date : 10/5/2023  
Description: Complaint W/ Arrest Warrant

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the FBI assigned to the Dallas Field Office. In my duties as a Special Agent, I investigate domestic terrorism. 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.

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.

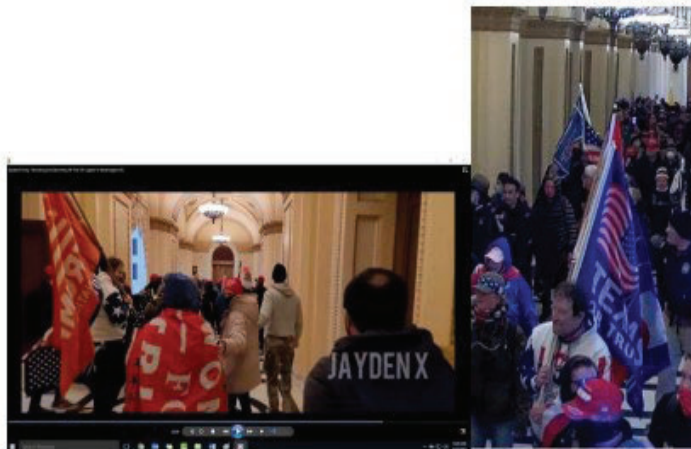
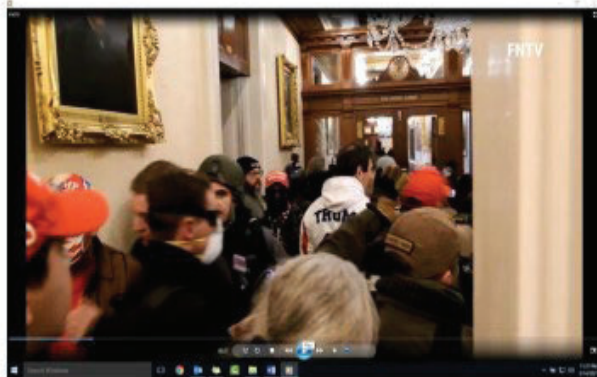
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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.

*Facts Specific to Paul Thomas Brinson*

On or about March 17, 2021, the FBI reviewed photographs (below) that depicted an individual wearing a white “TRUMP 45” hoodie with stars on the sleeves and holding a “Texas for Trump” flag.



On or about March 17, 2021, using open-source photographs from sources such as Jayden X and FNTV, the FBI identified and labelled images of a white male near the Speaker's Lobby on January 6 as BOLO #316. This individual wore jeans, a red and blue hoodie with the Statue of Liberty and Trump 45 on it, and a camouflage Trump hat at times. The photographs below were depicted on the FBI public tip line.

## Photograph #316A

The FBI is seeking to identify individuals involved in the riots at the U.S. Capitol on January 6, 2021. This suspect was described as a White male, mid 50s to 60s, with brown hair, and a goatee. He was wearing a white hoodie sweatshirt with "TRUMP 45" on the back and was carrying a red "TRUMP" flag. He was seen in the Speaker's Lobby. Call 1-800-CALL-FBI or visit [tips.fbi.gov](https://tips.fbi.gov) to submit information. Reference the photo number when calling or submitting information online. More at [fbi.gov/capitolviolence](https://fbi.gov/capitolviolence)



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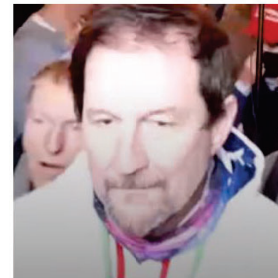
Photograph #316D



Photograph #316C



Photograph #316B



Photograph #316A



**Photograph #316F**

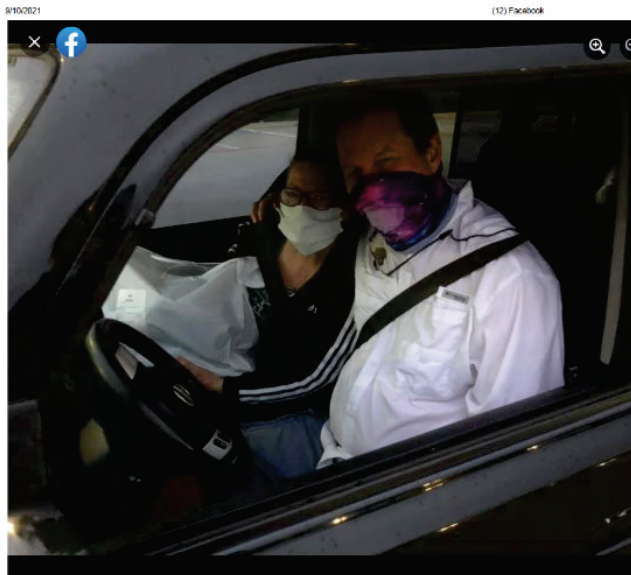


**Photograph #316E**

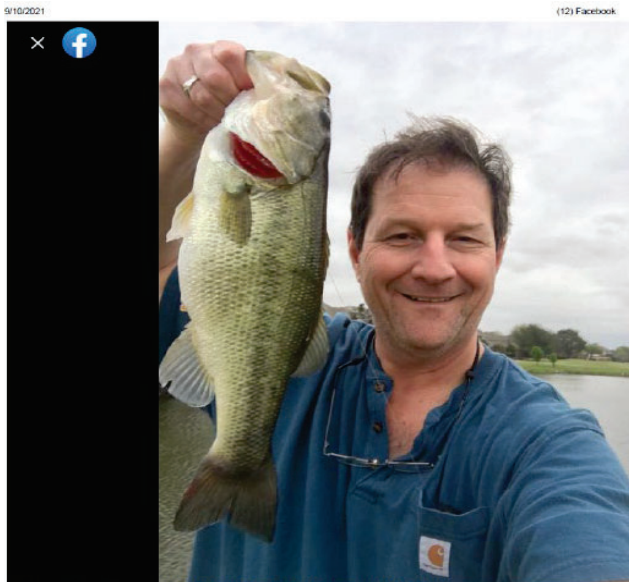
On or about May 20, 2021, a tip was received through the FBI National Threat Operations Center (NTOC) reporting BOLO 316 was possibly Paul Brinson. The tipster (“PERSON 1”)—a friend or family member—admitted they were not positive about Paul Brinson as the identity of BOLO 316, but the images resembled enough for them to submit the tip. Additional footage of BOLO 316 was discovered in July 2021 through another rioter’s cell phone footage and RMG News videos. In the cell phone footage, BOLO 316 is observed in the vicinity of the Speakers Lobby. In the RMG footage, BOLO 316 is observed walking up the stairs outside the Capitol Building.

On or about September 10, 2021, a review of Paul Brinson’s Facebook account, “paul.brinson.10” was conducted. These photographs were captured from Brinson’s Facebook:





[https://www.facebook.com/photo.php?fbclid=1021100238130798&set=pb.1549097525\\_-2207520000\\_&type=2](https://www.facebook.com/photo.php?fbclid=1021100238130798&set=pb.1549097525_-2207520000_&type=2)



[https://www.facebook.com/photo.php?fbclid=10211052126049656&set=pb.1549097525\\_-2207520000\\_&type=3](https://www.facebook.com/photo.php?fbclid=10211052126049656&set=pb.1549097525_-2207520000_&type=3)

On September 24, 2021, Agents interviewed PERSON 1 who identified FBI BOLO #316 as Paul Brinson and provided Facebook screen shots on January 6, 2021, which depict Brinson in Washington D.C. wearing a similar camouflage hat, sweatshirt, and mask and green eyeglass holder around his neck as FBI BOLO #316.

**Images obtained from PERSON 1, captured from Facebook**

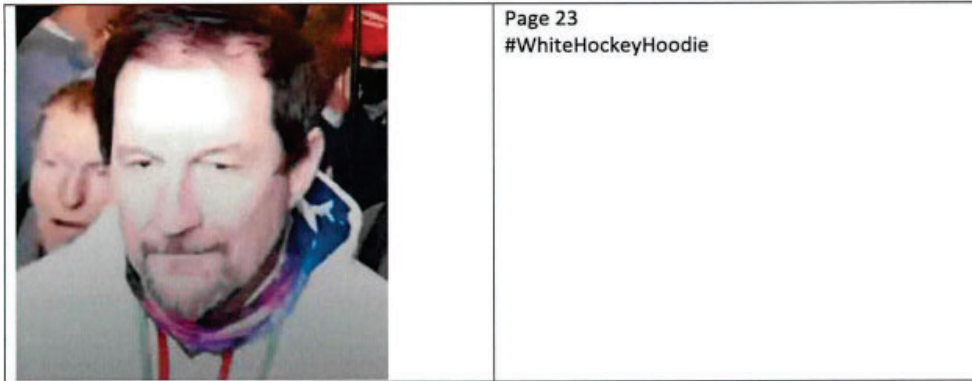


BOLO #316



On October 19, 2021, FBI Dallas Agents interviewed Paul Brinson. Brinson admitted he flew to Maryland by himself on January 5, 2021, to attend the rally on January 6, 2021, to show his support for Trump being the elected winner of the presidential election. Brinson initially claimed he did not enter the Capitol but after being reminded that it is against the law to lie to law enforcement, Brinson admitted to entering the Capitol Building around 2:00 pm and exiting about 45 minutes later. Brinson described his movement in the Capitol which is consistent with video evidence that he was outside by the scaffolding and entered through a side door, identified as the Senate Wing door at 2:16 pm. He admitted to seeing barriers and officers using pepper spray on rioters trying to access the Capitol. Brinson admitted, like others, he used barricades/bike racks as ladders to access the Capitol. He saw rioters break windows to gain entry. He admitted to walking

by Nancy Pelosi's office but did not enter it. Brinson saw persons attempting to break down doors and pushing against police who attempted to restrict access to certain areas inside the Capitol. Brinson admitted to being nearby when Ashli Babbitt was shot, and that he left the Capitol shortly after the shooting. Brinson confirmed he was the person in the below image. The undersigned Agent participated in this in-person interview and confirms that Brinson is the individual in these images.



Brinson did not confirm the below image was of himself.



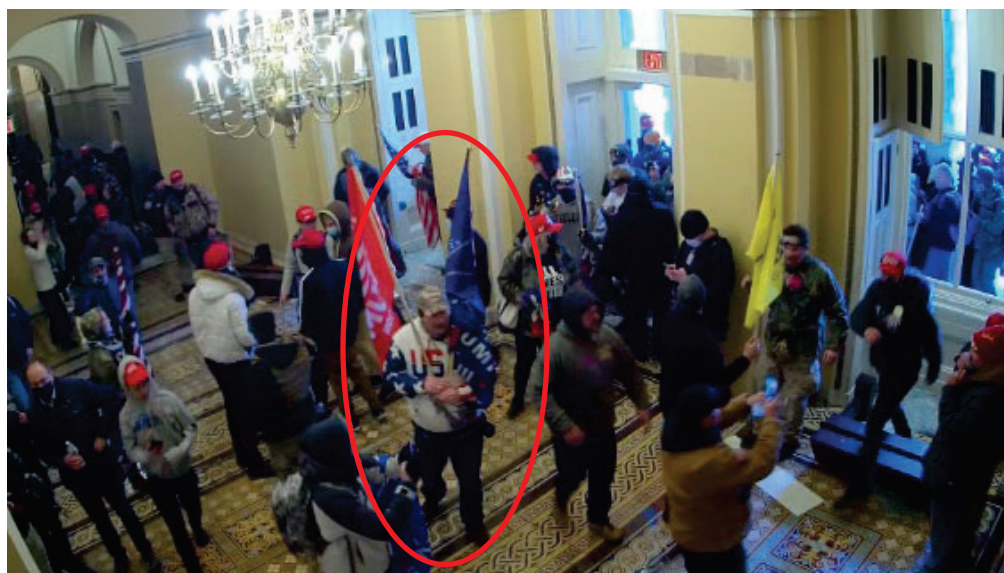
Brinson is observed inside the Capitol Building on January 6, 2021, between approximately 2:16 p.m. and 2:54 p.m. He is observed outside walking toward the Capitol on video footage from a New York Documentary Crew, [Photograph 1] then entering the Capitol Building near the Senate Wing Door at approximately 2:16 p.m. as seen from CCTV footage from the Capitol. [Photograph 2].



[Photograph 1-NY Documentary Crew Footage- Walking Toward Capitol]



[Photograph 2-Capitol CCTV Footage- Entering the Capitol]



BRINSON is then observed in the North Crypt on Capitol CCTV footage at approximately 2:24 p.m. [Photograph 3]



**[Photograph 3- Capitol CCTV Footage- North Crypt]**



BRINSON is observed near the Memorial Door at approximately 2:26 p.m. **[Photograph 4]**

**[Photograph 4 – Capitol CCTV Footage-Memorial Door]**



BRINSON is observed near the House Wing Door from approximately 2:28 p.m.-2:30 p.m. **[Photograph 5 and Photograph 6]**

[Photograph 5- Capitol CCTV Footage- House Wing Door]

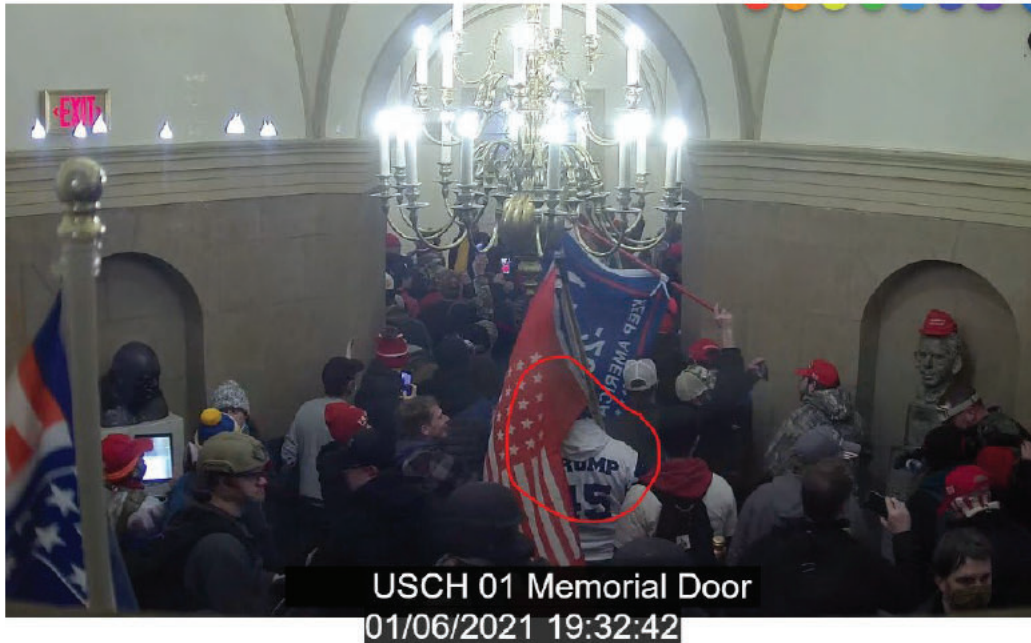


[Photograph 6- Capitol CCTV Footage- House Wing Door]



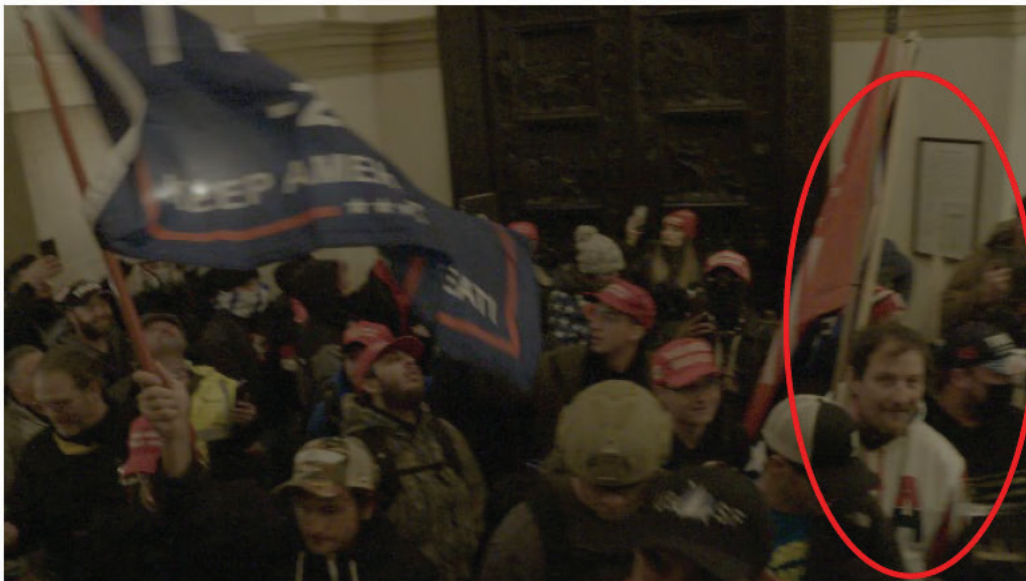


BRINSON is observed walking by Memorial Door at approximately 2:32 p.m. [Photograph 7].  
[Photograph 7-CCTV Capitol Footage-Memorial Door]



BRINSON is then observed walking up the steps in the Capitol to the second floor with the crowd. [Photograph 8].

[Photograph 8-NY Documentary Footage-Walking Up the Steps to Second Floor]



BRINSON is observed upstairs near Statuary Hall at approximately 2:34 p.m. [Photograph 9]



**[Photograph 9- Capitol CCTV Footage- Second Floor near Statuary Hall]**



BRINSON is seen walking through the Rotunda toward the Statuary Hall Connector on the second floor. **[Photograph 10]**

**[Photograph 10- NY Documentary Footage- Walking through the Rotunda]**



BRINSON is seen walking in the Statuary Hall Connector at approximately 2:36 p.m. **[Photograph 11].**

[Photograph 11- CCTV Capitol Footage-Statuary Hall Connector]



BRINSON is observed walking with a crowd inside the Capitol. [Photograph 12 and 13].

[Photograph 12- NY Documentary Footage]





[Photograph 13- NY Documentary Footage]



BRINSON is seen inside Statuary Hall Connector at approximately 2:38 p.m. [Photograph 14].

[Photograph 14-Capitol CCTV Footage-Statuary Hall Connector]



BRINSON is observed outside the Speaker's Lobby near where Ashli Babbitt was shot. [Photograph 15].



**[Photograph 15- NY Documentary Footage-Near Speaker's Lobby]**



BRINSON is observed near the Main Door Hall at approximately 2:41 p.m. **[Photograph 16].**

**[Photograph 16 –CCTV Capitol Footage-Main Door Hall near H208]**



BRINSON is seen by the Upper House Door at approximately 2:42 p.m. **[Photograph 17].**

[Photograph 17 – CCTV Capitol Footage-Upper House Door Interior]



BRINSON is seen walking by the Upper House Door at approximately 2:54 p.m. [Photograph 18].

[Photograph 18- Capitol CCTV Footage-Upper House Door]



BRINSON is seen exiting the Capitol Building through the East Front House Door exit at approximately 2:55 p.m. [Photograph 19].



[Photograph 19- CCTV Capitol Footage- East Front House Door]



BRINSON is seen walking outside the Capitol Building near the House Plaza at approximately 4:08 p.m. [Photograph 20- Capitol CCTV Footage]

[Photograph 20- Capitol CCTV Footage- House Plaza]





Based on the foregoing, your affiant submits that there is probable cause to believe that Paul Thomas Brinson 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 Paul Thomas Brinson violated 40 U.S.C. § 5104(e)(2)(D) 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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

[REDACTED]

Special Agent FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 5<sup>th</sup> day of October 2023.

MOXILA A. UPADHYAYA  
U.S. MAGISTRATE JUDGE