

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Annie Vo
DOB: XXXXXX

) Case: 1:24-mj-00089
) Assigned To : Judge Robin M. Meriweather
) Assign. Date : 3/6/2024
) Description: COMPLAINT W/ARREST WARRANT
)
)

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

- 18 U.S.C. § 1752(a)(1) - (Entering and Remaining in a Restricted 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);
40 U.S.C. § 5104(e)(2)(G) - (Parading, Demonstrating, or Picketing in a Capitol Building).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



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

Date: 03/6/2024

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent assigned to the Federal Bureau of Investigation (“FBI”), Indianapolis, Indiana. In my duties as a Special Agent, I have been assigned to the Joint Terrorism Task Force since 2022. 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.

Background – the U.S. Capitol on January 6, 2021

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 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 This Application

ANNIE VO, also known as Anh Thi Nguyen, is the mother of Antony Vo. Antony Vo was arrested on July 21, 2021, in Bloomington, Indiana on a federal arrest warrant issued for his activities at the U.S. Capitol on January 6, 2021.

According to multiple independent tips received by the FBI, Antony Vo posted several images and videos to his personal Facebook and Instagram accounts that depicted Antony Vo and ANNIE VO's presence inside the U.S. Capitol building on January 6, 2021.

A witness ("Witness 1") informed the FBI of a screenshot of a photograph that was provided to Witness 1 by their significant other. See Figure 1. Witness 1 stated their significant other is familiar with Antony Vo because they attended the same college and fraternity at Indiana University. Witness 1's significant other reported that the photograph was circulated on a group chat among fellow alumni fraternity members. Figure 1 depicts a male who Witness 1 identified as Antony Vo with a female wearing a black coat and red scarf, who Witness 1 believed to be Antony Vo's mother.



Figure 1

Based on my comparison to U.S. Capitol closed circuit video (CCV) footage, Figure 1 appears to have been taken inside the U.S. Capitol Rotunda on January 6, 2021. The female highlighted in the yellow square pictured with Antony Vo inside the U.S. Capitol is wearing a long dark coat, has a red scarf with white accents, and has long brown hair and dark eyeglasses.

Records obtained from Facebook, Inc. revealed Antony Vo had multiple conversations using his personal Facebook and Instagram accounts in which he acknowledged being present in the U.S. Capitol building with his mother on January 6, 2021. Antony Vo sent images of himself and ANNIE VO inside and near the U.S. Capitol building, including what appears to be the same photograph provided by Witness 1 inside the U.S. Capitol rotunda.

Records from Facebook and Instagram showed that several of these conversations included mention of Antony Vo’s mother, ANNIE VO.

- On January 7, 2021, in a conversation using Facebook Messenger, Antony Vo acknowledged that “My mom and I helped stop the vote count for a bit.” Antony Vo then sent an image of Antony Vo and the female inside of the U.S. Capitol. A copy of the image that was sent by Antony Vo is included above as Figure 1. The friend asked Antony Vo: “Are you inside of the Capitol building?” Antony Vo replied “We were.”
- On January 6, 2021, a friend of Antony Vo’s initiated a conversation on Facebook Messenger with him by saying, "You went!" Antony Vo responded to this individual on January 7, 2021, with the following conversation, stating “(o)f course I did . . . Brought my mom too[.]” Antony Vo attached an image of him standing outside of the U.S. Capitol Building with a female. A copy of that image is included below as Figure 2. Antony Vo responded to another message from this individual with a second image, specifically the image identified as Figure 1, above, and stated “My mom and I in the Capitol”.



Figure 2

- On January 7, 2021, in a Facebook Messenger conversation, Antony Vo sent an image of himself and the female in the U.S. Capitol. A copy of that image is identified as Figure 1.
- In two different exchanges on Instagram, Antony Vo claimed that he and his mother “stormed” the U.S. Capitol.

During the investigation of Antony Vo, FBI Indianapolis seized Antony Vo's cellular telephone and conducted a forensic analysis. During the analysis of the telephone, a phone number was found under the "contacts" section of Antony Vo's cellular telephone entitled "Mom." The cellular telephone listed for "Mom" was xxx-xxx-9729¹.

Your affiant obtained service provider information for cellular accounts associated with ANNIE VO and telephone number xxx-xxx-9729. The service provider for ANNIE VO's cellular telephone number was Sprint/T-Mobile from June 10, 2019, through January 5, 2021. The service provider information also revealed the cellular telephone number was identified with Verizon from January 5, 2021, through at least April 1, 2021. Verizon records identified ANNIE VO as the subscriber with an address listed in Fishers, Indiana. In addition, according to records from Verizon, the current and only cellular device associated with Annie Vo's account has the IMEI number 357332093306120.

According to records obtained from Verizon, on January 6, 2021, during and around the time of the breach of the Capitol, the cellular telephone believed to be associated with ANNIE VO (x9729) was identified as having utilized a cell site consistent with providing service to a geographical area that included the grounds and the interior of the U.S. Capitol Building. However, the tower records cannot positively identify that this cellular telephone was present *inside* the U.S. Capitol Building. The cellular telephone is believed to be used by ANNIE VO because Verizon records state that the account was subscribed in the name of ANNIE VO at her known address.

In an open-source video, an individual believed to be ANNIE VO is shown within the restricted area around the U.S. Capitol on January 6, 2021. See Figure 3. ANNIE VO is identified in this photograph with a yellow box. In the screenshot below, ANNIE VO and Antony Vo are walking towards a scaffolding located on the North side of the Lower West Terrace.

¹ The full phone number is known to the affiant but omitted here due to the public nature of this filing.



Figure 3

Shortly thereafter, in another open-source video, ANNIE VO and Antony Vo ascended the steps under the scaffolding located on the north side of the Lower West Terrace. That scaffolding was in place on January 6, 2021, in preparation for the Presidential Inauguration, and the scaffolding was not open to the public. Other rioters are observed climbing up the side of the scaffolding. See Figure 4. ANNIE VO is identified in this image with a yellow circle.



Figure 4

ANNIE VO was photographed by Antony Vo on the West side of the U.S. Capitol's Upper West Terrace. See Figure 5. This photograph was obtained from Antony Vo's cellular telephone.



Figure 5

CCV footage from inside the U.S. Capitol Building on January 6, 2021 captured ANNIE VO entering the U.S. Capitol Building. This footage shows that, at approximately 2:38 p.m., ANNIE VO and Antony Vo approached the Upper West Terrace door. They appeared to have a conversation on the landing outside the Upper West Terrace door. Antony Vo entered the U.S. Capitol Building through the Upper West Terrace door, but ANNIE VO remained outside the Upper West Terrace door.

CCV footage shows that at approximately 2:45:02 p.m., ANNIE VO returned to the Upper West Terrace door while on her cellular telephone and she entered the U.S. Capitol Building. See Figure 6.

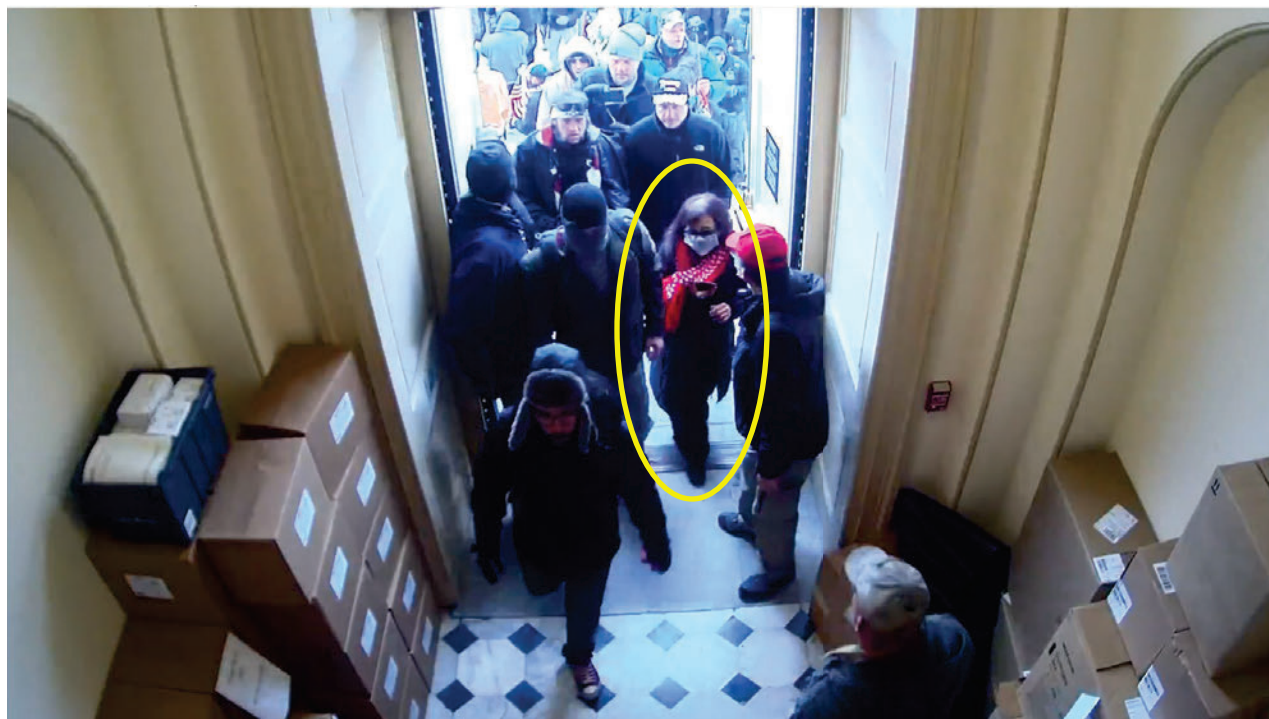


Figure 6

Additional CCV footage from inside the U.S. Capitol Building on January 6, 2021, shows ANNIE VO proceeding through the U.S. Capitol, arriving in the Rotunda, and waiting there until she meets Antony Vo. See Figure 7, below. ANNIE VO and Antony Vo then posed with a rioter's flag in the Rotunda. Another rioter appeared to take their photograph using Antony Vo's phone, which resulted in what I believe is the photograph shown above at Figure 1 and which Antony Vo later sent using his personal Facebook account and shared with others on January 7, 2021.



Figure 7

CCV footage shows at approximately 3:05 p.m., ANNIE VO and Antony Vo exited from the U.S. Capitol Building through the Rotunda door together. See Figure 8.

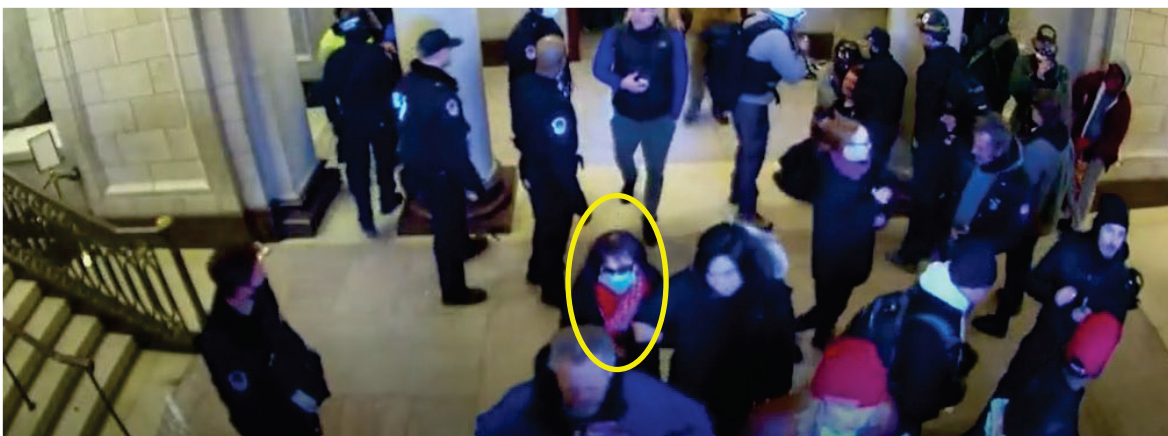


Figure 8

I conducted physical surveillance on June 15, 2023, in Fishers, Indiana of ANNIE VO's residence. I know this premises is ANNIE VO's residence because, according to a check of Indiana Bureau of Motor Vehicles records, in November 2018, ANNIE VO updated the address on her driver's license to this address. Records obtained from Verizon also listed the address as being associated with ANNIE VO. In addition, a white Porsche Cayenne with an Indiana license plate was located inside the garage. A law enforcement database check for the Indiana license plate revealed the registered owner is Antony Vo. While I was conducting surveillance at the residence, at approximately 9:10 a.m., I observed ANNIE VO exit the residence and do some gardening. See Figure 9.



Figure 9

Additional surveillance was conducted by the FBI on several dates of the PREMISES. On February 8, 2024, the FBI observed ANNIE VO to be residing at the PREMISES. See Figure 10.



Figure 10

Based on my review of the videos, photographs, and records described above, and the surveillance I conducted on June 15, 2023, I can assess that ANNIE VO is the person pictured in and around the U.S. Capitol and U.S. Capitol Grounds on January 6, 2021.

Based on the foregoing, your affiant submits that there is probable cause to believe that ANNIE VO 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 so; 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 ANNIE VO 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.



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 6 th day of March, 2024.

Judge Robin M. Meriweather
U.S. MAGISTRATE JUDGE