

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Federal Bureau of Investigation (“FBI”) Special Agent assigned to [REDACTED]. In my duties as a Special Agent, I investigate, among other things, criminal cases relating to domestic and international terrorism. Currently, I am tasked with investigating criminal activity in and around the U.S. 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 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.

Predrag Jovanovic's Participation in the Riot at the U.S. Capitol on January 6, 2021

On February 5, 2021, the FBI received a tip from an individual who stated that Predrag "Peter" Jovanovic ("JOVANOVIC") was at the Capitol on January 6, 2021. According to the tipster, JOVANOVIC told others that he tried to enter the Capitol, was pepper sprayed, and lost his work phone.

According to records obtained through a search warrant served on January 6, 2021, in and around the time of the incident, the cell phones assigned to the calling numbers XXX-XXX-2643 (the "2643 Number") and XXX-XXX-0158 (the "0158 Number") were identified as having used a cell site consistent with providing service to a geographic area that includes the interior of the U.S. Capitol building. Subscriber information for the 2643 Number revealed JOVANOVIC as the subscriber. Subscriber information for the 0158 Number revealed JOVANOVIC's employer at the time as the subscriber and JOVANOVIC was listed as the point of contact.

Based on the above, the FBI opened an investigation of JOVANOVIC. According to records from JOVANOVIC's former employer, JOVANOVIC requested the day off on January 6, 2021. EZ-Pass statements also confirmed that JOVANOVIC traveled to Washington, D.C. by car on January 6, 2021.

Moreover, legal process revealed that JOVANOVIC has a Facebook account under the name "Peter Jovanovich." JOVANOVIC used the 2643 Number to verify this account, meaning that JOVANOVIC likely responded to a text message or phone call when prompted by Facebook to verify his identity. The credit card billing address for the account also matches JOVANOVIC's address in New Jersey.

On May 28, 2021, U.S. Magistrate Judge Robin M. Meriweather of the U.S. District Court for the District of Columbia issued a search warrant for JOVANOVIC's Facebook account. According to the returns, JOVANOVIC believed that the 2020 presidential election was fraudulent. On November 5, 2020, JOVANOVIC posted "#Verify mail in ballots" and "#StopTheSteal." On December 7, 2020, around the time state legislatures certified the election results, JOVANOVIC posted, "STOP THE CCP STEAL. STATE LEGISLATURES REJECT FAKE RESULTS."

On January 4, 2021, JOVANOVIĆ posted a link about President’s Trump’s “March to Save America” planned on January 6. He commented, “Time to fight for fairness and freedom.”



Image 1

On January 6, 2021, at approximately 9:36 a.m., JOVANOVIĆ posted several photographs from the “Stop the Steal” rally with the comment, “Millions in Washington.”

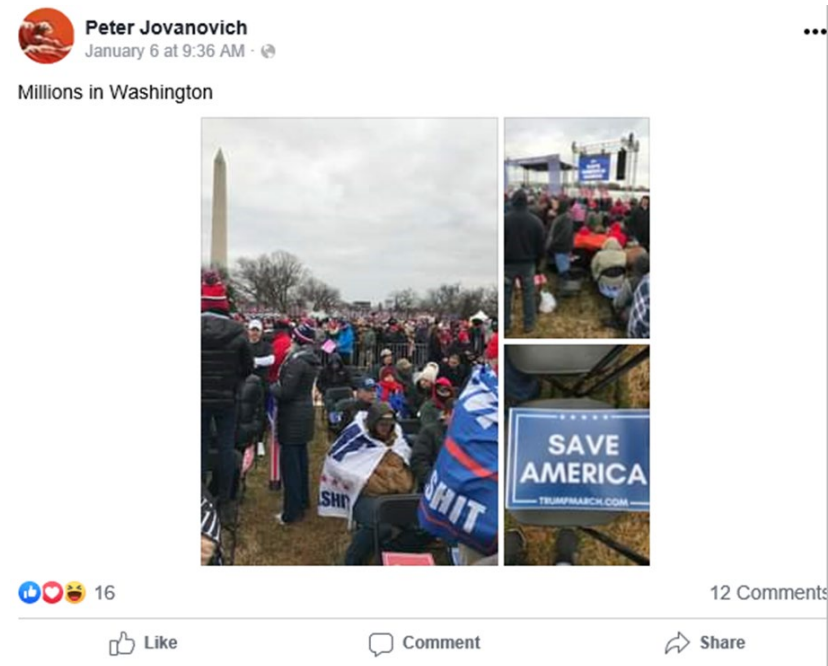


Image 2

Video identified from U.S. Capitol Police CCTV surveillance footage, body-worn camera footage, and open-source video placed an individual matching JOVANOVIĆ's appearance near the Lower West Terrace Tunnel (the "Tunnel") at the U.S. Capitol on January 6, 2021.¹ In photographs and videos below, JOVANOVIĆ is wearing a black winter cap, blue jeans, and a light-colored sweater underneath a brown jacket with a hood. Image 3 below is a screenshot from an open-source video. Early in the morning on January 6, 2021, JOVANOVIĆ, circled in yellow, waited in line to attend President Trump's "Stop the Steal" rally near the Ellipse.



Image 3

¹ The Tunnel was a temporary corridor entryway that led into the U.S. Capitol as part of the construction of the inaugural platform. After the police perimeter was breached on the West Plaza of the U.S. Capitol, many police officers retreated into the Tunnel to regroup. However, rioters streamed into the Tunnel in large numbers where they began to fight police in an attempt to gain entry into the U.S. Capitol. A group of officers constituted the only barrier between the rioters in the Tunnel and entry into the U.S. Capitol building. Some of the most vicious assaults on law enforcement on January 6, 2021 occurred in the area around the Tunnel.

Later in the afternoon, open-source video captured JOVANOVIC ascending the scaffolding on the northwest side of the U.S. Capitol, as shown in Image 4 below.



Image 4

After ascending the scaffolding, JOVANOVIC reached the inauguration platform outside the Tunnel. At approximately 2:41 p.m., U.S. Capitol Police CCTV surveillance footage depicted JOVANOVIC entering the Tunnel, as shown in Image 5 below.



Image 5

About one minute later, JOVANOVIC approached the inner doorway leading directly into the U.S. Capitol building. At approximately 2:43 p.m., in Image 6 below, CCTV surveillance footage showed JOVANOVIC rushing a line of police officers on the other side of the doorway. One of the officers used his baton against one of the rioters directly in front of JOVANOVIC.

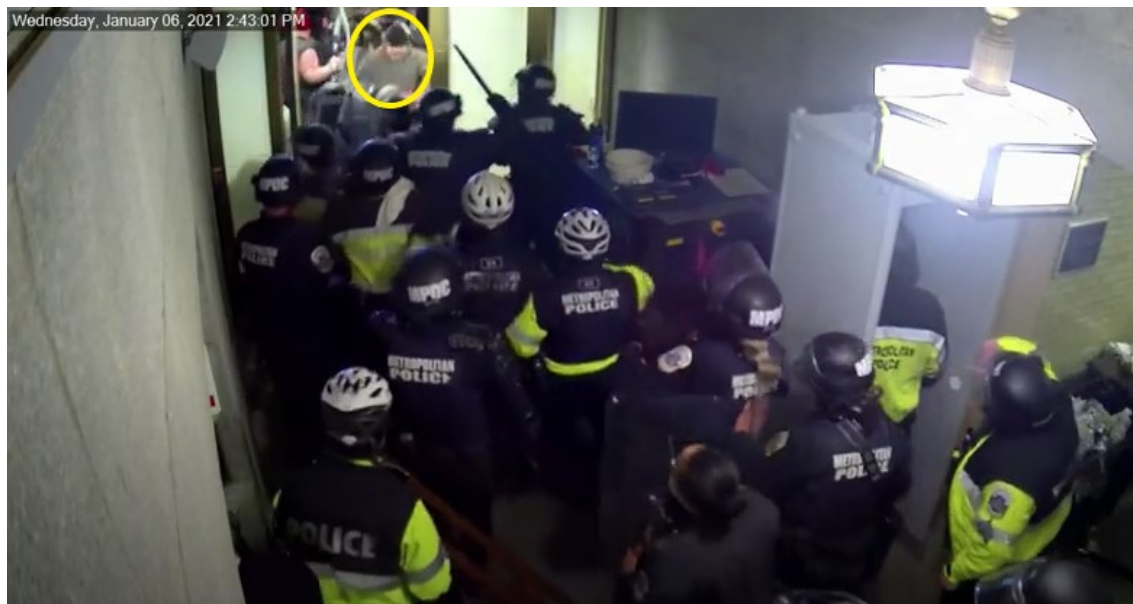


Image 6

In the ensuing scuffle, JOVANOVIC was forced back behind one of the glass doors. About 20 seconds later, he forced open one of the doors, as depicted in Image 7 below, allowing rioters to surge forward and attack the police line.

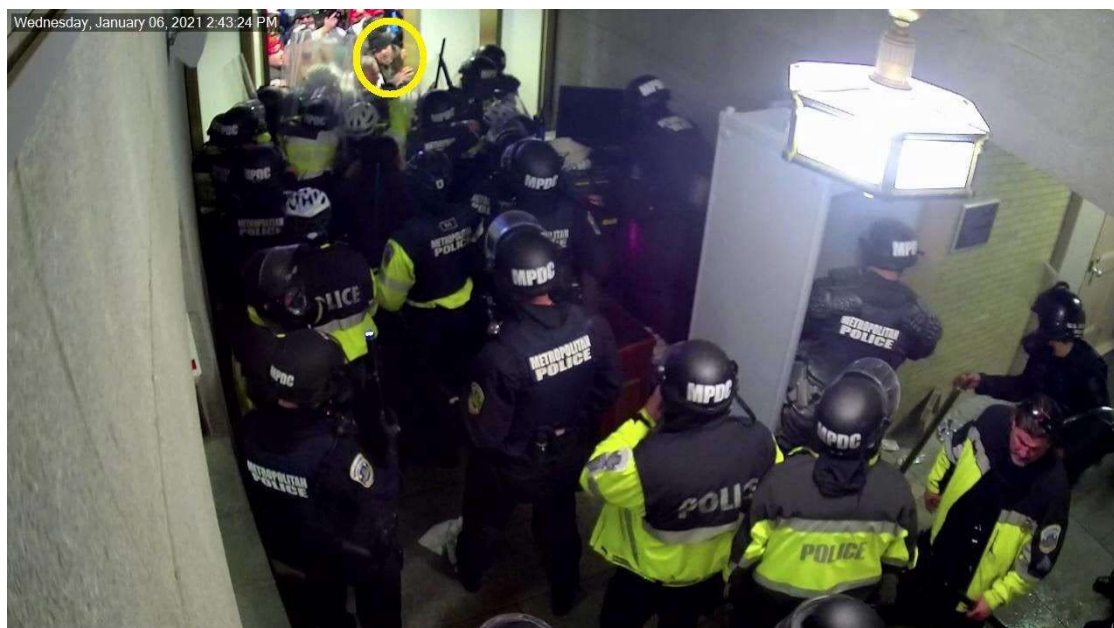


Image 7

Seconds later, JOVANOVIC advanced further into the Tunnel and pushed directly against a police officer's riot shield, as shown in Image 8 below.



Image 8

Meanwhile, police officers commanded rioters to move back and used their batons and riot shields to defend themselves against the surging mob. At one point in the scuffle, JOVANOVIC reached out with his right hand and grabbed an officer's baton, circled in red in Image 9 below. JOVANOVIC then pulled on the baton, dragging the officer towards the mob, as shown in Image 10 below.

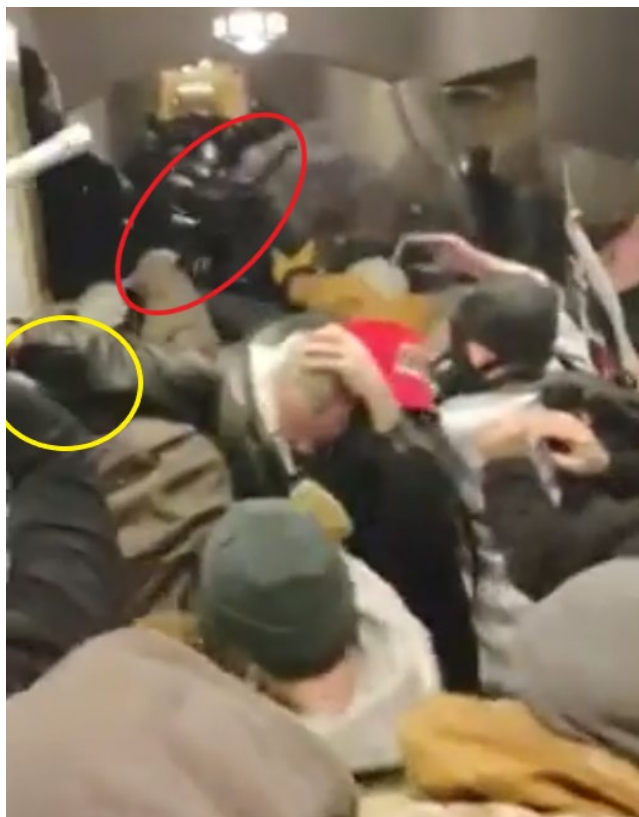


Image 9



Image 10

JOVANOVIC remained in the Tunnel for approximately the next 15 minutes, continuing to push against the police line at various points. Shortly before 3:00 p.m., as police attempted to close the interior doors, an officer deployed chemical spray against the rioters, including JOVANOVIC, as depicted in Image 11 below. Affected by the spray, JOVANOVIC backed away from the police line and exited the Tunnel at approximately 3:01 p.m., as shown in Image 12 below.



Image 11 (chemical spray circled in red)



Image 12

Despite being pepper sprayed and expelled from the Tunnel by police officers, JOVANOVIC did not leave the restricted area around the U.S. Capitol. He remained unlawfully within the restricted area on the west side of the U.S. Capitol for approximately another two hours. Around 4:30 p.m., JOVANOVIC returned to the area by the Tunnel, as shown in Image 13 below.

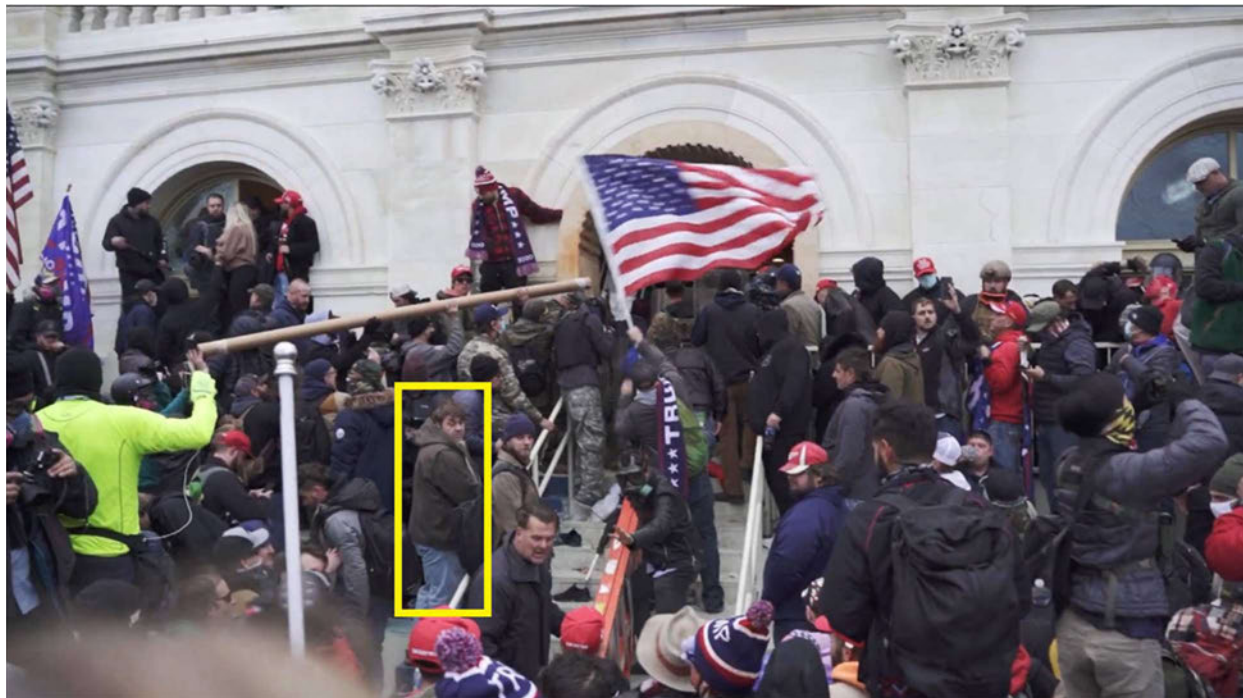


Image 13

Shortly thereafter, police officers began deploying tear gas to clear the Lower West Terrace of rioters, including the area around the Tunnel. Image 14 below is a screenshot from open-source video. It captured JOVANOVIC on the Lower West Terrace as tear gas filled the air and canisters exploded around him.

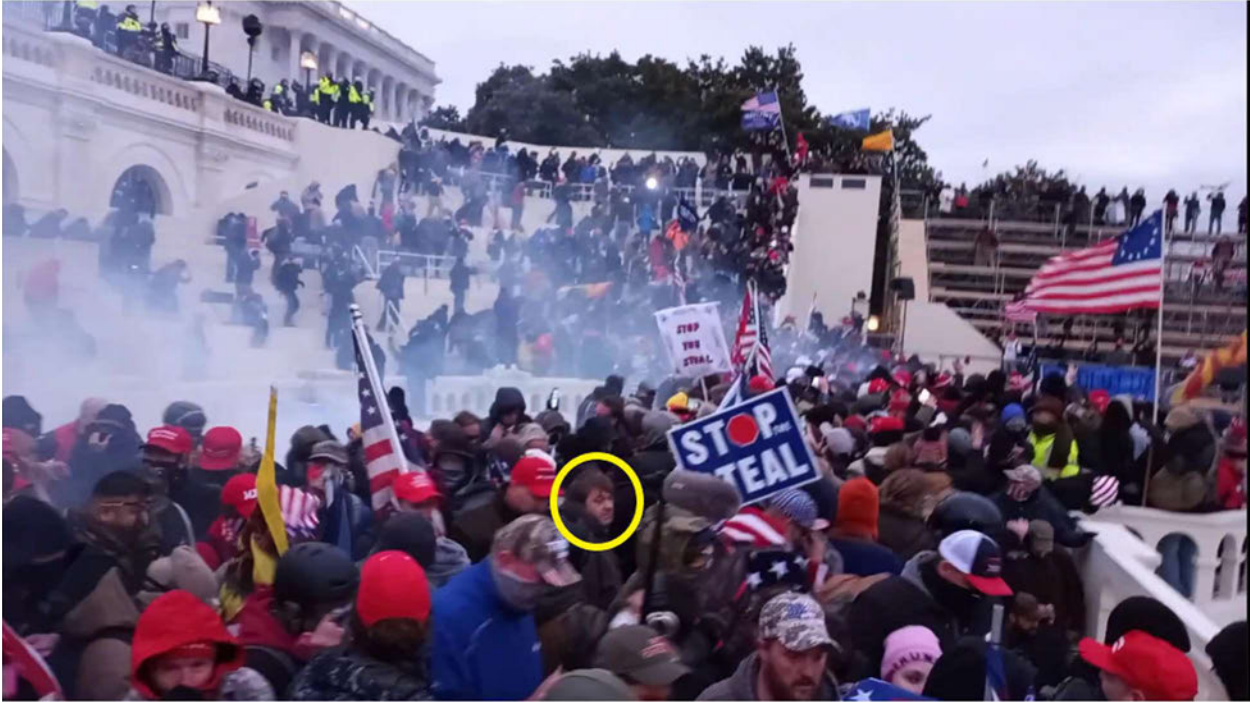


Image 14

Around 5:00 p.m., law enforcement officers deployed tear gas to clear the West Plaza of remaining rioters. Open-source footage showed JOVANOVIC on the West Plaza affected by the tear gas, as depicted in Image 15 below. He departed from U.S. Capitol Grounds shortly thereafter.

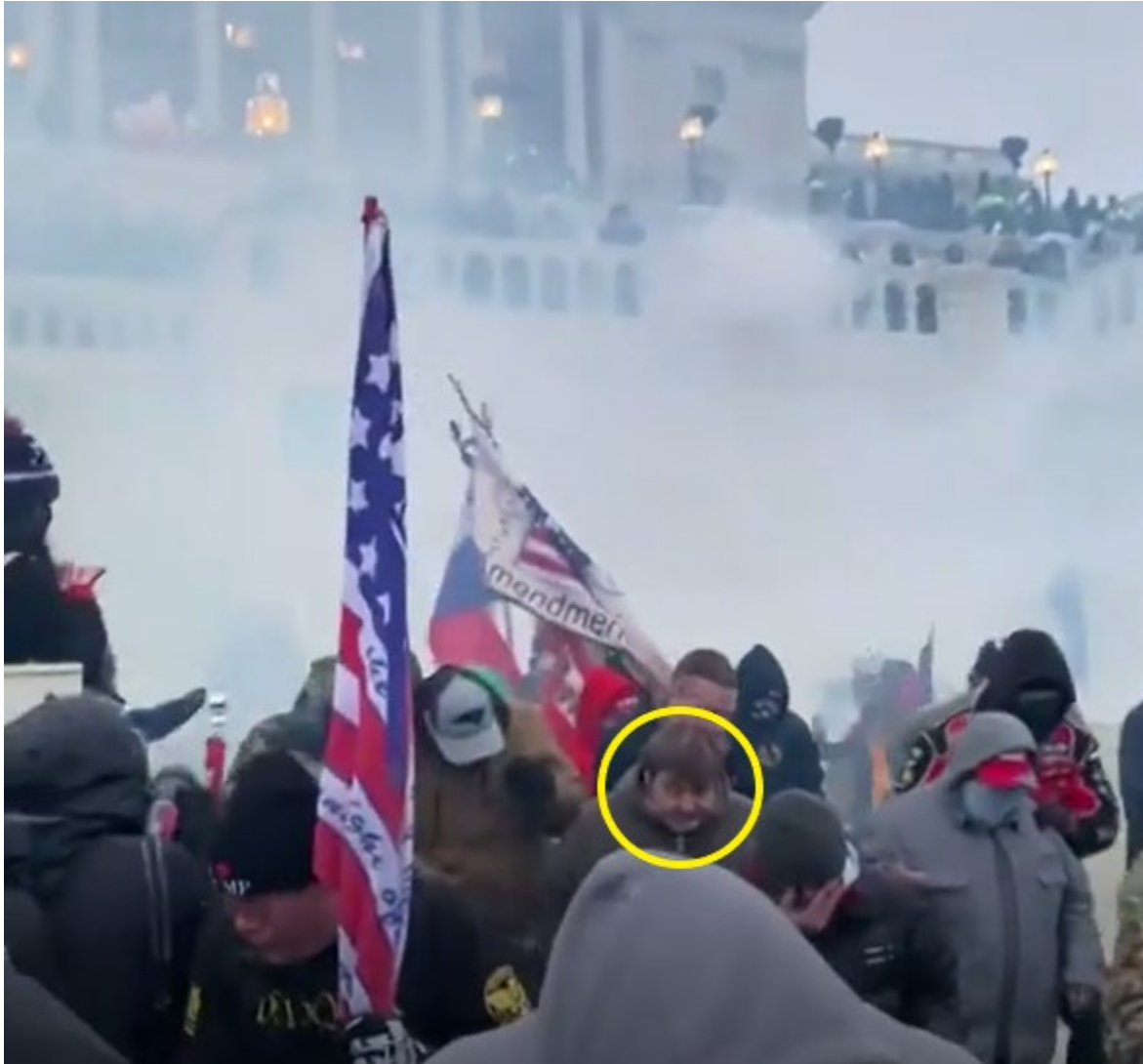


Image 15

On January 7, 2021, JOVANOVIC sent the following photo of the Tunnel to an acquaintance on Facebook messenger with the comment, “You know me . . . 60 or not I stand for freedom.”



Image 16

On February 12, 2021, an individual, who regularly saw JOVANOVIC at the time, was shown two photographs of JOVANOVIC, one from New Jersey Department of Motor Vehicle records and another from the U.S. Capitol on January 6, 2021. This individual positively identified JOVANOVIC in both photographs.

On June 7, 2022, the FBI interviewed JOVANOVIC upon his arrival at John F. Kennedy International Airport in New York. After being advised of the identity of the interviewing agents and the nature of the interview, JOVANOVIC was advised of his rights and consented to be interviewed. JOVANOVIC stated that he drove by himself from his residence in New Jersey to Washington, D.C. early in the morning on January 6, 2021. He intended to participate in the “Stop the Steal” rally, arriving around 6:00 a.m. and waiting in line near the Washington Monument to enter the rally. After entering the rally, JOVANOVIC watched the entirety of President Trump’s

speech and walking with the masses to the U.S. Capitol. At some point, JOVANOVIĆ found himself at the bottom of a staircase occupied by a large number of rioters attempting to push forward into the U.S. Capitol building. JOVANOVIĆ acknowledged pushing on the backs of protestors in front of him. He denied, however, physically interacting with police officers, touching police riot shields, or touching any barricades.

JOVANOVIĆ stated that, after the rioters on the staircase moved forward toward the U.S. Capitol building, JOVANOVIĆ followed the group into an archway that led to a glass door into the U.S. Capitol building. The group pushed against police officers with riot shields that had set up in front of the glass door, but JOVANOVIĆ claimed that he did not participate in the pushing. Once in the archway, JOVANOVIĆ moved to the left side where he claimed to see a teenage boy, approximately 14 to 15 years old. JOVANOVIĆ stated that he feared for this teenage boy's safety, so he tried to shield him from the rioters and the police officers. JOVANOVIĆ also stated that he did not interact with any police officers other than having a cordial conversation with an officer. Police officers in the archway sprayed the rioters with mace or pepper spray. At some point, JOVANOVIĆ was affected by aerosolized agent, and followed several rioters as they exited the archway. After being sprayed by the agent, JOVANOVIĆ claimed to leave Capitol grounds and walked to the parking garage where he had parked his vehicle before departing Washington, D.C.

Based on the foregoing, your affiant submits there is probable cause to believe that there is probable cause to believe that JOVANOVIĆ violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Secret Service's protection of the Vice President and his family and the Capitol Police's protection of the U.S. Capitol.

Your affiant submits there is also probable cause to believe that JOVANOVIĆ violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of Title 18 while engaged in or on account of the performance of official duties, where such acts involve physical contact with the victim or the intent to commit another felony. Persons designated within section 1114 of Title 18 include federal officers such as USCP officers and include any person assisting an officer or employee of the United States in the performance of their official duties.

Your affiant further submits that there is probable cause to believe that JOVANOVIĆ 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. 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 probable cause to believe that JOVANOVIC violated 40 U.S.C. § 5104(e)(2), 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 (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings.

A large black rectangular redaction box covers the signature of the Special Agent. A horizontal line extends from the right side of the redaction box to the right margin of the page.

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 20TH day of September 2024.

HON. G. MICHAEL HARVEY
UNITED STATES MAGISTRATE JUDGE