



PRESS RELEASE

Tennessee Man Found Guilty of Eight Felony Charges, Including Assault, Related to Capitol Breach

Wednesday, May 3, 2023

For Immediate Release

U.S. Attorney's Office, District of
Columbia

WASHINGTON – A Tennessee man was found guilty in the District of Columbia today of felony and misdemeanor charges for his actions during the Jan. 6, 2021, Capitol breach. His actions and the actions of others disrupted a joint session of the U.S. Congress convened to ascertain and count the electoral votes related to the presidential election.

Joseph “Jose” Lino Padilla, 42, of Cleveland, Tennessee, was found guilty of 10 charges, including eight felony counts and two misdemeanors, following a bench trial before U.S. District Judge John D. Bates, who scheduled sentencing for September 13, 2023. Padilla was charged with two counts of civil disorder; and one count each of assaulting, impeding, or resisting officers; assaulting, resisting, or impeding certain officers with a dangerous weapon; obstruction of an official proceeding; entering and remaining in a restricted building or grounds with a deadly or dangerous weapon; disorderly and disruptive conduct in a restricted building or grounds with a deadly or dangerous weapon; and engaging in physical violence in a restricted building or grounds with a dangerous weapon. He was also convicted of two misdemeanors: disorderly conduct in the Capitol grounds or buildings and an act of physical violence in the Capitol grounds or buildings.

According to evidence presented in court, Padilla traveled from his Tennessee home to D.C. in response to former President Trump's December 19, 2020, tweet to "Be there [on January 6th], will be wild!" After reaching the Capitol grounds, Padilla repeatedly pushed against the bike racks on the Lower West Terrace, forced his way into the Tunnel, and threw a flag pole into the Tunnel, striking an officer in the helmet. During the riot, Padilla messaged a family member, "I've been beaten. Sprayed and [tased]. Resting before I go in for more," "Were pushing the door. Had to take a break," and "It's not a rally anymore it's a revolution." After the riot, Padilla posted on social media, "[T]he Declaration of Independence, one of our founding documents, specifically gave me the right to do what I did. '... it is the Right of the People to alter or to abolish it, and to institute new Government,'" and "Yeah, I'm proud of what I did yesterday. It's guns next, that's the only way."

The most serious assault charge and the obstruction charge each carry a statutory maximum sentence of up to 20 years in prison. A federal court judge will determine the appropriate sentence after considering all factors and the U.S. Sentencing guidelines.

The case is being prosecuted by the U.S. Attorney's Office for the District of Columbia. Valuable assistance was provided by U.S. Attorney's Office for the Northern District of Texas.

The case is being investigated by the FBI's Knoxville and Washington Field Offices, which listed Padilla as #181 on their seeking information photos. Valuable assistance was provided by the U.S. Capitol Police, and the Metropolitan Police Department.

In the 27 months since Jan. 6, 2021, more than 1,000 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 320 individuals charged with assaulting or impeding law enforcement. The investigation remains ongoing.

Anyone with tips can call 1-800-CALL-FBI (800-225-5324) or visit tips.fbi.gov.

Updated May 3, 2023

Topic

VIOLENT CRIME

Components

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**District of Columbia**

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