



PRESS RELEASE

Florida Man Sentenced to Prison for Felony Obstruction of Law Enforcement During Jan. 6 Capitol Breach

Friday, December 6, 2024

For Immediate Release

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

WASHINGTON – A Florida man was sentenced to prison today after he was previously convicted of a felony charge related to his conduct during the Jan. 6, 2021, breach of the U.S. Capitol. 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 2020 presidential election.

Gabriel Augustin Garcia, 43, of Miami, Florida, was sentenced by U.S. District Judge Amy Berman Jackson to 12 months in prison, 24 months of supervised release, and ordered to pay \$2,000 in restitution.

Garcia was previously convicted of two felony charges of obstruction of law enforcement during a civil disorder and obstruction of an official proceeding. Following the Supreme Court's decision in *Fischer v. United States*, the government moved to dismiss Garcia's conviction on obstruction of an official proceeding.

According to the government's evidence — all of which was agreed to by Garcia — Garcia was a member of the Vice City Chapter of the Proud Boys, which was led at the time by the national chairman of the Proud Boys, Enrique Tarrio. In the leadup to Jan. 6, 2021, Garcia was hand-selected by Enrique Tarrio to join a national rally planning chapter of the Proud Boys

called the “Ministry of Self Defense” or MOSD. Garcia participated in Telegram message groups among the members of the MOSD. Messages exchanged among the members of the MOSD discussed the potential for violence at the Capitol on January 6. On Jan. 3, 2021, Garcia posted a message that read, “1776 flag flying over the White House last night” and then later added, “time to stack those bodies in front of Capitol Hill.”

On the morning of January 6, as instructed in messages exchanged among MOSD members and other Proud Boys in a message group called “Boots on Ground,” a large group of Proud Boys gathered at the Washington Monument at 10 a.m. before marching toward the Capitol building and away from the planned speeches at the Ellipse. Garcia was not initially with the group; however, at approximately 1 p.m., messages were posted in the Boots on Ground group that said, “Storming the capital building right now!!” and “Get there[.]”

In response, Garcia contacted another member of the MOSD, [Gilbert Fonticoba](#), and asked Fonticoba to provide his “current location.” Fonticoba provided precise coordinates for his location on Capitol ground and advised that “we got maze and hit with paint balls.” After receiving this information, Garcia proceeded to the Capitol and joined a mob that unlawfully entered the building.

Garcia commemorated his incursion into the Capitol building in a series of videos that he live-streamed to Facebook. As he was en route to the Capitol building, Garcia recorded a video of himself exclaiming, “Alright, going to the Capitol. You can’t stop all this, look at this. No way.”

Garcia entered the Capitol building through the Senate Wing Door less than five minutes after the initial breach of the building. Garcia filmed himself as he approached a line of officers in the Crypt. In his video, Garcia boasted: “We just went ahead and stormed the Capitol.” Garcia moved to the front of the line of rioters and stood within feet of the officers who were attempting to stop the rioters from moving further into the building. Garcia saw an individual push forward and attempt to breach the line of officers. As officers controlled the individual, Garcia began to yell, “F-you guys, you f-ing traitors.” Garcia continued to yell at the officers, telling them “You ain’t stopping a million. You ain’t gonna hold a million back today” and “How does it feel being a traitor to the country? How does it feel?”

Eventually, the crowd broke through the line of officers. Garcia joined in the breach of the line of officers and advanced further into the Capitol building. Garcia eventually entered the Rotunda of the Capitol, where he recorded himself yelling, “Nancy, come out and play!” and then later chanting menacingly, “Nancy...Nancy...” Almost 45 minutes after entering the Capitol building, Garcia joined a group of rioters who were collectively attempting to push through a line of officers who were guarding a doorway. Garcia and the rioters were unsuccessful, and Garcia was removed from the building approximately one hour after he first entered.

The FBI arrested Garcia on Jan. 19, 2021, in Miami.

This case was prosecuted by the U.S. Attorney's Office for the District of Columbia and the Department of Justice National Security Division's Counterterrorism Section. Valuable assistance was provided by U.S. Attorney's Office for the Southern District of Florida, and the Department of Justice's Criminal Division.

This case was investigated by the FBI's Washington Field Office. Valuable assistance was provided by the FBI's Miami Field Office, the U.S. Capitol Police, and the Metropolitan Police Department.

In the 47 months since Jan. 6, 2021, more than 1,572 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 590 individuals charged with assaulting or impeding law enforcement, a felony. The investigation remains ongoing.

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

Updated December 6, 2024

Topic

VIOLENT CRIME

Components

[Federal Bureau of Investigation \(FBI\)](#) | [USAO - District of Columbia](#) | [USAO - Florida, Southern](#)

Press Release Number: 24-979

Related Content

PRESS RELEASE

Guilty Plea in Theft and Sale of Hundreds of Government-Issued Phones and Computers Slated for Destruction

Nikhil Parekh, 37, of Randallstown, Maryland, pleaded guilty today in U.S. District Court in connection with the theft and sale of hundreds of government-issued smartphones, laptop computers, and other IT...

February 4, 2025

PRESS RELEASE

Alleged Armed Carjacker Charged After Arrest

Parren Hawkins, 33, of Washington, D.C., was charged today in Superior Court with armed carjacking in connection with an incident, yesterday, in Northeast D.C. The charge was announced by U.S...

February 3, 2025

PRESS RELEASE

Murder of Shoe Reseller Results in 32 Year Sentence

Darius Anderson, 23, of Washington, DC, was sentenced today to 32 years of in prison for first-degree murder while armed and related offenses in the June 2022 killing of 30-year...

January 31, 2025



District of Columbia

Main Office:

601 D Street, NW

Washington, DC

Email USAO-DC



Telephone: (202) 252-7566