

STATEMENT OF FACTS

On August 19, 2025, at approximately 1:20 a.m., members of the Metropolitan Police Department (“MPD”), Officer Weber and Officer Hargrove, were patrolling in the vicinity of 42nd Street NE and Grant Street NE, Washington, DC. Several Federal Law Enforcement Officers from the Federal Bureau of Investigation (FBI), Drug Enforcement Agency (DEA) Homeland Security Investigations (HSI), and Diplomatic Security Service (DSS) were patrolling with MPD Officers Weber and Hargrove.

MPD officers observed a dark colored van parked on the side of the road in front of 4081 Grant Street NE. The van was occupied by three males and the passenger door was ajar. MPD Officers exited their patrol vehicle and made contact with the occupants of the vehicle. The male sitting in the front passenger side of the vehicle exited the vehicle and spoke with officers. He was determined to have a legal amount of marijuana in his possession.

Around this same time, Officer Hargrove observed in plain view a cup in the center console of the vehicle. Officer Hargrove saw that the cup contained green liquid and smelled a scent within the vehicle consistent with alcohol. Officer Hargrove then retrieved the cup and confirmed the scent emanating from the cup was consistent with that of an alcoholic beverage.

The other two individuals in the vehicle were then asked to step out of the vehicle. The two individuals complied, and officers then conducted a probable cause search for additional evidence.

The individual sitting in the middle row seat of the van initially gave the name “Mark McQueen” to the police. This individual was later identified as MARK THOMAS BIGELOW (██████████).

Upon exiting the van, BIGELOW attempted to walk away from law enforcement officers on scene. BIGELOW was then detained and placed in handcuffs at the scene.

Officer Hargrove conducted a search of the vehicle and located a second cup containing an alcoholic beverage in the middle row seat of the van. This is the same row in which BIGELOW was sitting. BIGELOW was then placed under arrest for possession of an open container of alcohol in violation of District of Columbia Criminal Code § 25–1001.

Law enforcement officers then began to assist the process of placing BIGELOW into the transporting vehicle. BIGELOW began to forcibly resist law enforcement officers’ attempts to place him into the transport vehicle by straightening his legs and pushing back on the officers. BIGELOW also began to pull away from officers, twisting and turning his body, while proclaiming loudly that “Get off me! Y’all too little, bro!”. As HSI Special Agent Joel Nethercott attempted to place BIGELOW into the transport vehicle, BIGELOW made physical contact with SA Nethercott by kicking him in the hand. Likewise, while DSS Special Agent

Adam Kapettanis attempted to place BIGELOW into the transport vehicle, BIGELOW made physical contact with SA Kapettanis by kicking him in the leg.

Based on the foregoing, I submit that there is probable cause to believe that BIGELOW violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any officer or employee of the United States Government while such officer or employee is engaged in or on account of the performance of official duties, shall, where the acts in violation of this section involve physical contact with the officer or employee.



Special Agent Jordan Jernigan
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 August 2025.

Subscribed and sworn to before me on the 20th day of August, 2025.

MOXILA A. UPADHYAYA
UNITED STATES MAGISTRATE JUDGE