

UNITED STATES DISTRICT COURT
for the
Eastern District of Kentucky

United States of America
v.

[Redacted]

Defendant(s)

Case No.
5:22-MJ-5402

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 September 26 - October 11, 2022, in the county of Fayette in the Eastern District of Kentucky, the defendant(s) violated:

Code Section: 18 USC 875(c)
Offense Description: 18 USC 875(c) -- Threatening communications in interstate commerce

This criminal complaint is based on these facts:
See attached affidavit, incorporated herein by reference

[X] Continued on the attached sheet.

/s/ Chelsea Holliday

Complainant's signature

Chelsea Holliday, SA, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Criminal. P. 4.1 transmitted by reliable electronic means (e-mail).

Date: 10/28/2022

[Signature of Matthew A. Stinnett]

Judge's signature

City and state: Lexington, KY

Matthew A. Stinnett, United States Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON**

UNITED STATES OF AMERICA

V.

CASE NO. 5:22-MJ-5402

██████████ ██████████ ██████████

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Chelsea Holliday, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been employed in this capacity since 2018. I am currently assigned to the Louisville Division of the FBI and have primary investigative responsibility for white collar crimes and public corruption violations; I am trained and authorized to investigate the offenses alleged herein. My duties include the investigation of federal crimes that include violations of 18 U.S.C. § 875(c). Moreover, I am a federal law enforcement officer who is engaged in enforcing criminal laws, and I am authorized by the Attorney General to request an arrest warrant. I have successfully investigated federal cases and provided witness testimony during federal trials. Before becoming a Special Agent, I was employed by the Brevard County Sheriff's Office in Florida where I worked as a deputy sheriff, field training officer, and investigative agent.

2. I am a federal law enforcement officer as defined in Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure, and I am authorized by law to execute an arrest warrant pursuant to Rule 4(c)(1).

3. This affidavit is being submitted in support of a criminal complaint. For the reasons set forth below, I respectfully submit that this affidavit contains probable cause to believe that [REDACTED] [REDACTED] [REDACTED] has committed violations of 18 U.S.C. § 875(c) (threatening communications). I make this affidavit based upon personal knowledge derived from my participation in this investigation and upon information communicated or reported to me during the investigation by other participants in the investigation. This affidavit is intended to show only that there is sufficient probable cause to support the complaint for the requested arrest warrant. This affidavit does not set forth all of my knowledge about this matter.

BACKGROUND CONCERNING YOUTUBE

5. YouTube is an American online video sharing and social media platform headquartered in San Bruno, California. YouTube is owned by Google LLC.

6. When a new user signs up for a YouTube account, YouTube asks users to provide basic contact and personally identifying information, including name, date of birth, email address, and phone number. When a user creates an account, he or she makes a unique YouTube username. This is the name visible to other YouTube users.

7. One of the way YouTube users can participate in the social media aspect of YouTube is to post comments to certain videos, which are associated with their YouTube username and visible to other users.

PROBABLE CAUSE

8. On October 26, 2022, the FBI received a report from Google LLC (hereafter “Google”), advising the following: Based on threatening comments they located that were uploaded by a YouTube user identified by the username “████████████████████,” Google believed “there presently exists emergency involving imminent death or serious bodily injury to a person or persons.” Google provided the FBI with records supporting this claim.

9. According to Google records, the individual posting comments under YouTube username “████████████████████,” posted the following comments on YouTube (it should be noted, this list does not depict all comments posted by the subject that were reported by Google):

- a) October 11, 2022 - Comment Text: Yeah let one of u white demon people touch my 12 year old black son....there want be no talking no questions I'm just throwing hands. And if things get to spicy ## for me u will find out about the 9mm
- b) October 6, 2022 - Comment Text: Yeah my 12 year old son was giving an ok to practice his jumper on private college basketball court...I was watching across the street I seen an police officer walk up to him. I broke and ran straight up on him. I ask him why u talking to my kid. U could tell he was a jerk. But I did tell him he was giving an ok by the people at the front office he could play. I told him clear ass day I will defend my child and don't ask me for my ID. He looked at me and got back in his car and left. I had my 9mm on me. Yeah over my kid that cop will get shot in the face...imma empty the whole clip

- c) October 4, 2022 - Comment Text: Man we going to have to start shooting and executing cops
- d) October 2, 2022 - Comment Text: We don't have these problems in Lexington Kentucky...I wish sum cops would shoot and kill sum black people here. Especially our kids. Were not pulling up to just to protest we are coming to kill
- e) September 29, 2022 - Comment Text: Let one of those faggots pull a gun on my ten year old...imma shoot and kill that bastard...boy I swear I'm at the point where I seriously hate white people. I wanna be a serial killer of cops
- f) September 26, 2022 - Comment Text: White people are killing us so we need to start fearing for our lives and killing them

10. Google provided the FBI with the following subscriber information associated with the YouTube account posting the threatening comments:

Display Name: [REDACTED] [REDACTED]

e-Mail: [REDACTED]@gmail.com

YouTube Channel:

https://www.youtube.com/channel/UCgfA8GTbBQhPPcWrPZit_eg

Terms of Service IP: 2607:fb90:1771:b6e9:0:5f:5b23:4f01, on 2022/01/27-07:49:49-UTC

SMS: +1859 [REDACTED] [US]

Last Logins: 2022/09/22-21:59:58-UTC, 2022/09/18-21:47:16-UTC, 2022/09/14-21:10:08-UTC

11. Google further advised that the e-mail account [REDACTED]@gmail.com appeared on the same Android Device as the account [REDACTED]@gmail.com. Subscriber information received from Google for [REDACTED]@gmail.com is provided below:

Display Name: [REDACTED] [REDACTED]

e-Mail: [REDACTED]@gmail.com

Terms of Service IP: 74.143.208.239, on 2017/03/27-18:35:50-UTC

SMS: +1859 [REDACTED] [US]

Last Logins: 2022/10/25-18:26:43-UTC, 2022/10/24-15:37:00-UTC, 2022/10/24-00:33:56-UTC

16. The FBI conducted records checks through law enforcement databases and located an individual with an address in Lexington, Kentucky, named [REDACTED] [REDACTED] [REDACTED] (hereafter “[REDACTED]”

17. The FBI located an active Twitter account under the name “[REDACTED] [REDACTED]”. This account was opened April 2020 and has photos of [REDACTED] children posted on it. The mother of one of [REDACTED] children was identified by the FBI as [REDACTED] [REDACTED] (hereafter “[REDACTED]”). A photo of [REDACTED] was posted on the “[REDACTED] [REDACTED]” Twitter account. Furthermore, the following posts were posted by the user of this Twitter account:

March 13, 2021 – Police shoot and kill us and continue to do it cuz they think we ain’t gonna do anything and they think we can’t do nothing about it. Something needs to be done about them. We need to start returning the favor

March 10, 2021 – Pretty soon

With the following image:



July 30, 2020 – I'm happy that man shot them pigs. I Hope we here more of stories like this. Cops don't serve and protect they are terrorist. So the people just need to start attacking them pigs

18. [REDACTED] (hereafter "[REDACTED]" was identified by the FBI as [REDACTED] [REDACTED] minor son in common with [REDACTED]. On October 27, 2022, the FBI conducted physical surveillance of [REDACTED] and observed her dropping [REDACTED] off to a middle school in Lexington, Kentucky. A review of [REDACTED]'s suspected Facebook account, revealed a photo of [REDACTED] holding what appears to be a handgun, pointed at the camera. This photo was posted to Facebook on October 29, 2021.

19. The FBI conducted records checks through law enforcement databases on the two phone numbers associated with [REDACTED] suspected YouTube/Google accounts. No

reliable subscriber information was available; the phones appeared to be prepaid and came back to Powertel, which is owned by T-Mobile.

20. The FBI conducted open-source research on some of the Internet Protocol (IP) addresses provided by Google, associated with [REDACTED] suspected accounts. One IP address provided, 74.143.208.239, resolved back to a Lexington Public Library. [REDACTED] listed home address of [REDACTED], Lexington, Kentucky, is located approximately 1.1 miles away from a Lexington Public Library located at 140 E Main St, Lexington, Kentucky.

21. Google provided the FBI with the location history file for the Google account [REDACTED]@gmail.com. The file contained hundreds of latitude/longitude coordinates for the Google user from October 19, 2022, through October 25, 2022. The FBI mapped a significant portion of these coordinates and they all resolved back to Lexington, Kentucky. Many of the coordinates mapped within approximately three or less miles of [REDACTED] home address.

22. A check of [REDACTED] criminal history showed numerous arrests, starting as early as 2001 continuing until as recent as 2018. [REDACTED] had several arrests for fleeing the police, resisting arrest, probation violations, and drug possession. In 2007, [REDACTED] was charged as a “persistent felony offender” in Kentucky. In 2005, [REDACTED] was arrested by the Lexington Police Department for the felony offense of assault 3rd degree LEO; in 2007, [REDACTED] was sentenced to a year in prison for this offense.

23. In my training and experience, many individuals who commit violent offenses, escalate their threatening behavior in the way [REDACTED] has. His comments on Twitter in 2020 and 2021 showed a clear disdain for law enforcement and were threatening. Furthermore, [REDACTED] more recent comments in September and October 2022, escalated to another level where

██████████ is explicitly calling for violence against, or death to, “white people” and law enforcement officers, and stating he himself will “shoot” or “kill” them. Based on ██████████’s comments, it is reasonably believed that his intention was to threaten those individuals, “white people” and law enforcement officers, including the unidentified police officer he mentioned in his YouTube comment on October 6, 2022.

24. Each time that ██████████ posted a threatening comment to YouTube, he necessarily transmitted that communication over the internet and in interstate commerce.

25. Based upon all of the information set forth herein, I respectfully submit that this affidavit contains probable cause to believe that ██████████, ██████████, ██████████ has committed violations of 18 U.S.C. § 875(c).

WHEREFORE, your Affiant respectfully requests that the Court issue a warrant for the arrest of ██████████, ██████████.

Respectfully submitted,

/s/ Chelsea Holliday

Chelsea Holliday
Special Agent
Federal Bureau of Investigation

Transmitted via email and attested to by telephone in accordance with Fed. R. Crim. P. 4.1 on this 28th day of October, 2022.



UNITED STATES MAGISTRATE JUDGE