

AFFIDAVIT

I, David E Carter, being duly sworn, deposes and states the following:

1. I am employed as a Special Agent of the Federal Bureau of Investigation (“FBI”) in Philadelphia, Pennsylvania, where I have been employed as a special agent since January of 2005. Prior to that, I was employed as a Maryland State Trooper from July 2000 until January 2005. I am presently assigned to the FBI’s Philadelphia Division’s Violent Crimes Task Force, which investigates kidnappings, Hobbs Act violations, such as armed robberies of commercial businesses and armored carriers, bank robberies, assaults of federal officers, convicted felons in possession of firearms, and fugitives.

2. I submit this affidavit in support of an application for a complaint and warrant to arrest NORMAN LEBOON (date of birth January 22, 1972) for the following violations:

(a) threatening to kill United States Congressman Eric Cantor and his family, in violation of Title 18, United States Code, Section 875(c), which states:

“Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both”; and

(b) threatening to kill Congressman Eric Cantor, who is an official of the United States, in violation of Title 18, United States Code Section 115(a)(1)(B), which reads in pertinent part:

(a)(1) Whoever—

(B) threatens to assault, kidnap, or murder, a United States official¹, .

¹ Congressman Cantor is an official of the United States within the Legislative Branch of the federal government, as set forth in Title 18, United States Code, Section 1114, which states:

. . . , or an official whose killing would be a crime under such section, with intent to impede, intimidate, or interfere with such official, . . . while engaged in the performance of official duties, or with intent to retaliate against such official, . . . on account of the performance of official duties, shall be punished as provided in subsection (b).

3. This affidavit is based evidence obtained in the course of joint federal and state investigation into the activities of NORMAN LEBOON during the week of March 22, 2010, including, but not limited to, my personal knowledge, my review of documents, knowledge obtained from other law enforcement officials, and communications with others who have personal knowledge of the events and circumstances described below. This affidavit does not set forth each and every fact learned by me or other agents during the course of this investigation.

4. On March 26, 2010, the FBI, San Francisco Division, received a copy of a video that had been removed from the internet website YouTube. The video included images of a white male, later identified as NORMAN LEBOON, making threats against United States Congressman Eric Cantor, 7th Congressional District - Virginia. The video appeared to be homemade and was of good quality. The face of the white male can clearly be seen.

5. During the video NORMAN LEBOON made the following statements:

"My Congressman Eric Cantor, and you and your cupcake evil wife..." "Remember Eric...our judgment time, the final Yom Kippur has been given. You are a liar, you're a Lucifer, you're a pig, a greedy fucking pig, you're an abomination, you receive my bullets in

Whoever kills or attempts to kill any officer or employee of the United States or of any agency in any branch of the United States Government . . . while such officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer or employee in the performance of such duties or on account of that assistance, shall be punished [as set forth in that statute.]

your office, remember they will be placed in your heads. You and your children are Lucifer's abominations."

6. On March 27, 2010, an Emergency Disclosure Request was completed and faxed to Google Inc, the owner of YouTube. The request was for Google to provide the IP address(es) used by the user who posted the YouTube video described in paragraph 5, above. Google provided the IP address – 74.109.58.150 – that was used at various times by the user between March 24, 2010 4:48 p.m. PT and March 26, 2010 04:58 a.m. PT.

7. Subsequently, the IP address 74.109.58.150 was subsequently provided to Verizon Internet Services. Upon being served with an “Emergency Situation Disclosure Request By Law Enforcement” form, Verizon provided the subscriber information for the user assigned IP address 74.109.58.150 between March 24, 2010, 4:48 p.m. PT, and March 26, 2010, 04:58 a.m. PT. According to Verizon’s records, the subscriber to the IP address, at the specified time was: John Hopkins, 1653 Benner Street, Philadelphia, PA 19149.

8. Using a law enforcement database, an address check was conducted on 1653 Brenner Street, Philadelphia, PA, which revealed that there was a local active bench warrant for a NORMAN LEBOON (DOB 01/22/1972.) The warrant had been issued by the Commonwealth of Pennsylvania, Court of Common Pleas charging LEBOON with Terroristic Threats with intent to terrorize another, simple assault, and recklessly endangering another person. A recent arrest photograph of LEBOON (taken on 07/14/2009) was obtained. The arrest photo of LEBOON was compared to the male in the YouTube video described in paragraph 5, above, who made the threat against Congressman Cantor. After comparing the faces, I immediately recognized and concluded that LEBOON was the male speaking and making the threats in the YouTube video.

9. On March 27, 2010:

(a) Law enforcement officials went to 1653 Benner Street in Philadelphia, where LEBOON was arrested. LEBOON was transported to the FBI office, located at 600 Arch Street in Philadelphia, where he was read his Miranda warnings.

LEBOON waived his rights and agreed to make a statement.

(b) LEBOON stated that he had created the above-described video approximately three days before and submitted it to YouTube via the internet for posting. LEBOON created the video at his residence using the video camera on his cellular telephone. LEBOON then used his home computer to upload the video to YouTube. LEBOON stated he had made over 2,000 videos in which he made threats.

(c) LEBOON further stated that he is the “son of the god of Enoch” and that his father speaks through him. LEBOON stated that Eric Cantor is “pure evil”; will be dead; and that Cantor’s family is suffering because of his father’s wrath.

10. Based on the foregoing, including NORMAN LEBOON’s admissions that he created the YouTube videotape threatening Congressman Cantor, his actions uploading the threatening videotape to his computer, then his decision to transmit that videotape through the internet to Google in an effort to post and publish the videotape, the threat was transmitted in interstate commerce.

WHEREFORE, based upon these facts, there is probable cause to support the issuance a complaint and warrant charging NORMAN LEBOON with threatening to kill Congressman Eric Cantor on or about March 26, 2010, in violation of Title 18, United States Code, Sections 1115(a)(1)(B) and 875(c).

DAVID E. CARTER
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me
this ____ day of March, 2010.

HONORABLE TIMOTHY R. RICE
United States Magistrate Judge