

United States District Court
NORTHERN DISTRICT OF GEORGIA

Date: Nov 09 2023

KEVIN P. WEIMER, Clerk

By: s/James Jarvis
Deputy Clerk

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Sean Patrick Cirillo

Case Number: 1:23-mj-962

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about November 8, 2023, in the Northern District of Georgia, defendant did knowingly send a communication in interstate or foreign commerce containing a true threat to kidnap and injure the person of another,

in violation of Title 18, United States Code, Section 875(c).

I further state that I am a Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes

Andrew Thomas

Signature of Complainant
Andrew Thomas

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to me by telephone pursuant to Federal Rule of Criminal Procedure 4.1.

November 9, 2023

Date

at Atlanta, Georgia

City and State

CHRISTOPHER C. BLY

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA Lauren T. Macon /
lauren.macon@usdoj.gov

CCBly

Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Andrew Thomas, hereby depose and say under penalty of perjury:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the FBI. I have been a Special Agent since August 30, 2009, when I entered on duty at the FBI Academy in Quantico, Virginia. While stationed at Quantico, I received extensive training in conducting federal investigations, including training in interviewing witnesses, conducting surveillance, and making arrests. After Quantico, I was assigned to the FBI Miami Field Office where I was responsible for investigating violent crimes including, but not limited to, armed robbery, homicide, aggravated assault, commercial business robberies, gang-related offenses and firearms violations in the Miami metro area. I am currently assigned to the FBI Atlanta Field Office and am responsible for investigating violent crimes including, but not limited to, armed robbery, homicide, aggravated assault, commercial business robberies, gang-related offenses and firearms violations in the Atlanta metro area.

2. I have received training on criminal organizations, bank robberies, criminal case management, financial investigations, money laundering investigations, informant development, and Title III (wiretap) investigations. My investigations have involved the use of confidential sources ("CS"), sources of information ("SOI"), consensual monitoring, electronic and physical surveillance, telephone toll analysis, pole cameras, search warrants of cellular telephones and computers, Global Positioning System ("GPS") tracking, pen register and trap and trace devices, interviews, trash covers, and other investigative techniques. I have conducted interviews on numerous persons involved in violent crimes. I am authorized to conduct investigations and make arrests for offenses contained in Titles 18 and 21 of the United States Code.

3. I make this affidavit in support of criminal complaint, authorizing the arrest of SEAN PATRICK CIRILLO, for violation of 18 U.S.C. § 875(c) (Interstate Communication of Threats).

4. This affidavit is intended to establish probable cause for the requested criminal complaint and does not purport to set forth all my knowledge of, or investigation into, this matter. I make this affidavit based upon personal knowledge derived from my participation in this investigation; information that I have learned from discussions with other law enforcement agents; my review of written reports of investigations; my review of reports of physical surveillance conducted by the state and local officers or other federal agents; and from my review of reports of debriefings of witnesses.

5. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

PROBABLE CAUSE

6. The Federal Bureau of Investigation (the “Agency”) received information from Capitol Police that the District of Columbia Office of Congresswoman Marjorie Taylor Greene received threats over two telephone calls made on November 8, 2023 at approximately 1:33 and 5:36 PM. Investigation revealed that phone number 404-455-3871 made the calls. Based on open-source databases and police reports from other incidents, phone number 404-455-3871 was attributed to a phone used by SEAN PATRICK CIRILLO. Phone number 404-455-3871 is assigned to a T-Mobile cellular phone and is registered to a different person with the initials G.Z. Through an emergency disclosure request to T-Mobile, geo-location data, subscriber information, and call detail records

were obtained for phone number 404-455-3871. The data reflected that at approximately 2:41 PM on November 8, 2023, the device was located in the Inman Park area of Atlanta, in the Northern District of Georgia.

7. The calls were recorded and I have reviewed the recording of the telephone calls. The following are excerpts of the statements made by CIRILLO to staff of Congresswoman Marjorie Taylor Greene during the 1:33 PM call to her District of Columbia office:

“Yeah, I got a bead on her. Like, a sniper rifle. A sniper rifle.

And I’m gonna kill her next week. I’m gonna murder her. I’m gonna shoot her in the fucking head and kill her, okay? Tell the FBI, okay? I’m gonna kill this cunt. Tell her. I’ll kill you too if you want.”

8. When asked where he was calling from, the caller stated “I’m calling from fuck yourself, you fucking cunt.”

9. The caller went on to shout “Fuck your party, your grandchildren are gonna fucking die. Die! Die!”

10. The caller began shouting expletives and “Die!” apparently directed at the staff on the telephone call, shouting “white boy cunt! You little bitch, fucking white boy, taking money! Taking money! You little bitch! You don’t think you’re gonna get payback?!”

You're gonna die! Your family is gonna die! Cunt! You don't think it's gonna happen when you're out of power?!"

11. In the second call, at approximately 5:36 PM, the caller was asked if he had called earlier today. CIRILLO responded, "oh I did. Yeah, I did. I threatened you, right." Later in the call, CIRILLO said, "I'll come kill your family."

12. Based on this information, the FBI approached CIRILLO at his residence in DeKalb County Georgia on November 9, 2023. In response to FBI's questions regarding making a threatening phone call to Congresswoman Greene's office, CIRILLO stated that he did make threats over the phone. CIRILLO stated he did it to get attention and had called multiple other people as well including other members of Congress. CIRILLO denied having a sniper rifle.

CONCLUSION

13. Based on my training and experience, and the facts set forth in this affidavit, there is probable cause to believe that CIRILLO has committed violations of 18 U.S.C. § 875(c) (Interstate Communication of Threats).