

FILED

DEC 21 2021

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY PS DEP CLK

United States of America)

v.)

Eric Charles Welton)

Case No. 5:21-mj-2237-RN

Defendant(s)

CRIMINAL COMPLAINT

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 29, 2021 in the county of Wake in the Eastern District of North Carolina, the defendant(s) violated:

Code Section
18 U.S.C. § 115(a)(1)(B)

Offense Description

The defendant did threaten to assault and murder United States Senator Thom Tillis, with the intent to retaliate against United States Senator Thom Tillis on account of the performance of his official duties, in violation of Title 18, United States Code, Section 115(a)(1)(B).

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

[Signature]
Complainant's signature

Corey Zachman, Special Agent - FBI
Printed name and title

On this day, Corey Zachman appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this Complaint.

Date: 12/21/21 907am

[Signature]
Judge's signature

City and state: Raleigh, North Carolina

Robert T. Numbers, II, U.S. Magistrate Judge
Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

AFFIDAVIT

1. I, Corey Zachman, having been duly sworn, do hereby depose and state: I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI). I have been so employed since February 2013. I currently conduct national security investigations for the Charlotte, North Carolina, Division of the FBI. Prior to my employment with the FBI, and starting in 2008, I was a Federal Agent with the Air Force Office of Special Investigations, where I conducted national security investigations for the Department of Defense. From 2005 to 2008, I worked as an attorney practicing primarily in the areas of business and construction litigation, and I was licensed to practice in the State of Utah and the United States Court of Appeals for the Tenth Circuit. I have been trained by the FBI in the preparation, presentation, and service of criminal complaints and arrest and search warrants, and have been involved in the investigation of numerous types of offenses against the United States.

2. I submit this Affidavit in support of a Criminal Complaint against Eric Charles Welton (hereinafter "WELTON"). As set forth in this Affidavit, there is probable cause that Welton has violated Title 18, United States Code, Section 115(a)(1)(B) (Threatening a Federal Official).

3. Title 18, United States Code, Section 115(a)(1)(B) provides that "[w]hoever threatens to assault, kidnap, or murder, a United States official ... 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 guilty of a crime].”

4. The facts set forth below are based upon my personal observations, reports and information provided to me by other law enforcement officials, and records obtained by the FBI. This affidavit is intended to show that there is probable cause for the issuance of a Complaint and does not purport to set forth all of my knowledge of or investigation into this matter.

A SERIES OF THREATENING CALLS

5. In or about September 2021, approximately seven calls were made to the offices of Richard Burr, United States Senator (hereinafter “Sen. Burr”), and Thom Tillis, United States Senator (hereinafter “Sen. Tillis”), throughout North Carolina. In some instances, the caller spoke with a staffer who answered the telephone; in others, the caller left a voicemail. The caller ID for each call indicated “unknown number.” Each of the calls was recorded by the senators’ office technology as a matter of course. The language of the calls was similar in tone and rhetoric, with the caller threatening to harm and/or murder Sen. Burr and Sen. Tillis and members of their respective staff, among other things.

6. The caller consistently referred to his receipt of a large number of unsolicited emails from the Republican Party (or “GOP”) and organizations associated with the Republican Party, indicating that these emails motivated his anger and hostility towards Sen. Burr and Sen. Tillis. The caller also referenced the fact that he was an American citizen living abroad. Due to the similarity of the voice, tone, rhetoric,

and nature of the threats, law enforcement has assessed each call to have been placed by the same individual.

7. In several of the calls, in an apparent effort to have Sen. Burr or Sen. Tillis respond or while demanding his email address be removed from distribution lists, the caller identified himself, stating his name (“Eric WELTON”) and providing an email address known to be associated with WELTON. When asked for a telephone number, WELTON stated that he did not have a telephone. The FBI has assessed that WELTON is calling the respective offices via Voice Over Internet Protocol (“VOIP”)¹ or some equivalent means.

**THE THREATENING CALL TO THE OFFICE OF SEN. TILLIS
AT 310 NEW BERN AVENUE, RALEIGH**

8. On or about September 29, 2021, Sen. Tillis’s office, located at 310 New Bern Avenue, Suite 122, Raleigh, North Carolina, in the Eastern District of North Carolina, received a call that was showed on the caller ID as “unknown number.” The call was answered by an office staff member and lasted approximately thirteen minutes. During this call, WELTON identified himself and provided the email address ewelton.gspy@gmail.com.²

9. WELTON began the conversation by stating, “You guys can contact me, but I can’t contact you. Maybe I just gotta [sic] go down there to 310 New Bern Avenue and just kill everybody I see.” WELTON stated he lived overseas and, “What I hear is

¹ In the simplest of terms, this is a phone communication service that works over an internet connection.

² Law enforcement checks disclosed the email address ewelton.gspy@gmail.com is one of five email addresses used by WELTON and was listed on his application for a United States passport.

I should fly back over there, walk into 310 New Bern Avenue and teach you what ‘Stand My Ground’ means, put a bullet through each of your heads.” WELTON said “you are making me wanna [sic] come back there and mow your whole fucking state down. You picked a fucking fight with me, you little shit.” He suggested that he was living in a war zone created by former President Trump and stated, “the last thing you want is me crawling through your fucking back yard.” WELTON told the staff member to tell this to “your little Thom boy.” After further complaining about the state of politics, WELTON asserted, “But it ends, it ends. I’m getting a little bit of the cancers upon me, you know, so I don’t give a shit anymore. The idea of a suicide vest means I don’t have to go through chemotherapy.” He then asked, “How do we get this message through to Thom boy?” Lastly, WELTON said he would find the person that decided to send him emails and “cut their fucking hands off and shove them up their fucking ass.”

INVESTIGATION OF WELTON

10. On or about November 11, 2021, FBI agents interviewed WELTON’s father, Richard Welton (hereinafter “R. Welton”), in Charles City, Iowa. R. Welton stated that WELTON had been living in Thailand for about fourteen to fifteen years, but that WELTON had come back the United States during the COVID pandemic and lived with R. Welton from approximately May 2020 to September 2020. WELTON then returned to Thailand. At the time of the interview, R. Welton indicated that he and WELTON spoke by telephone three to four times a week.

11. During the interview, R. Welton told the agent that he had previously spoken with the Charles City Police (Iowa) regarding WELTON after WELTON had claimed to have received 600 unsolicited political emails. According to R. Welton, WELTON was a Socialist and was set off by ideas he did not agree with. WELTON had told R. Welton that WELTON had “made calls” regarding the political emails and had even called the White House switchboard.


12. Agents advised R. Welton they were there to ask about some calls that were made to North Carolina. R. Welton relayed that a few weeks after the prior incident (when WELTON allegedly received the 600 unsolicited political emails), WELTON began receiving emails from North Carolina. R. Welton stated they were from a “Nation Builder” distribution list. The emails “set [WELTON] off.” WELTON told R. Welton he made several calls to North Carolina but R. Welton could not recall where or whom WELTON had called. R. Welton then listed the Republican Party of North Carolina and the State Police of North Carolina as several places WELTON may have called. R. Welton advised that WELTON gets “lit up” before he makes these calls.

13. As part of the interview with R. Welton, agents played each of the seven recorded calls and messages for R. Welton and asked him if he recognized the caller’s voice. R. Welton wore a hearing aid in each ear and said some of the voices were hard for him to distinguish. In response to hearing the audio from the September 29, 2021, call to Sen. Tillis’s office in Raleigh, R. Welton confirmed, “that could be Eric.”

CONCLUSION


14. Based upon the above information, there is probable cause to believe that WELTON has violated of Title 18, United States Code, Section 115(a)(1)(B).

Further your Affiant sayeth not.



Corey Zachman
Special Agent
Federal Bureau of Investigation

On this 21st day of December, 2021, Special Agent Corey Zachman appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this affidavit.



ROBERT T. NUMBERS, II,
United States Magistrate Judge
Eastern District of North Carolina