

TO: Clerk's Office
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

-v.-

_____ Docket Number

SUBMITTED BY: Plaintiff ___ Defendant ___ DOJ ___

Name: _____

Firm Name: _____

Address: _____

Phone Number: _____

E-Mail Address: _____

INDICATE UPON THE PUBLIC DOCKET SHEET: YES ___ NO ___

If yes, state description of document to be entered on docket sheet:

MANDATORY CERTIFICATION OF SERVICE:

A.) ___ A copy of this application either has been or will be promptly served upon all parties to this action, B.) ___ Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) ___ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

_____ DATE

SIGNATURE

A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____

Judge/Magistrate Judge: _____

Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE, AND MAY NOT BE UNSEALED UNLESS ORDERED BY THE COURT.

DATED: _____, NEW YORK

Lois Bloom

8/24/23

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE _____

DATE

AB:AMR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

To Be Filed Under Seal

UNITED STATES OF AMERICA

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
ARREST WARRANT

- against -

EMILIA MATHIAS,

(18 U.S.C. § 111(a)(1))

Defendant.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW COUGHLIN, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about August 22, 2023, within the Eastern District of New York and elsewhere, the defendant EMILIA MATHIAS did knowingly and intentionally forcibly assault, resist, oppose, impede, intimidate, and interfere with a person designated in Section 1114 of Title 18 of the United States Code, to wit: a United States Customs and Border Protection Officer, while such employee was engaged in and on account of the performance of official duties, and such acts involved physical contact with the victim.

(Title 18, United States Code, Section 111(a)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been involved in the investigation of numerous cases, including cases involving violent crime against employees of the United States. I am familiar with the facts and circumstances set forth below from my participation in the investigation; discussions with witnesses; my review of the investigative file; and from reports of other law enforcement officers involved in the investigation.

2. As discussed further below, on August 22, 2023, a United States Customs and Border Protection (“CBP”) Officer was forcibly assaulted at John F. Kennedy International Airport (“JFK Airport”) in Queens, New York while performing her official duties.

3. On August 22, 2023, the defendant EMILIA MATHIAS attempted to enter a secure CBP-controlled area within JFK Airport. Uniformed CBP Officers working at JFK Airport spoke with MATHIAS, told her she could not enter the secure area, and tried to get MATHIAS to turn back. MATHIAS refused, and the CBP officers tried to physically escort her away from the secure area. As is captured on video, MATHIAS then physically struck one of the officers.

4. I have reviewed surveillance video showing a person subsequently identified as the defendant EMILIA MATHIAS wheeling luggage and interacting with CBP officers wearing uniforms inside of Terminal 4 at JFK Airport. The video shows other passengers with luggage walking toward and through a door and CBP officers gesturing in that direction while speaking with MATHIAS. The video shows MATHIAS gesturing in the opposite direction, away from the door and toward the direction that the other passengers are walking from. The video then shows a CBP officer touching MATHIAS and directing her toward the door that the other passengers are walking through, at which point MATHIAS is

shown making a chopping motion with her hand and striking the CBP officer in the neck. Two still images from the above-described surveillance video appear below as Figures 1 and 2.

MATHIAS is shown wearing orange near the center of the frame, as indicated by a red oval.

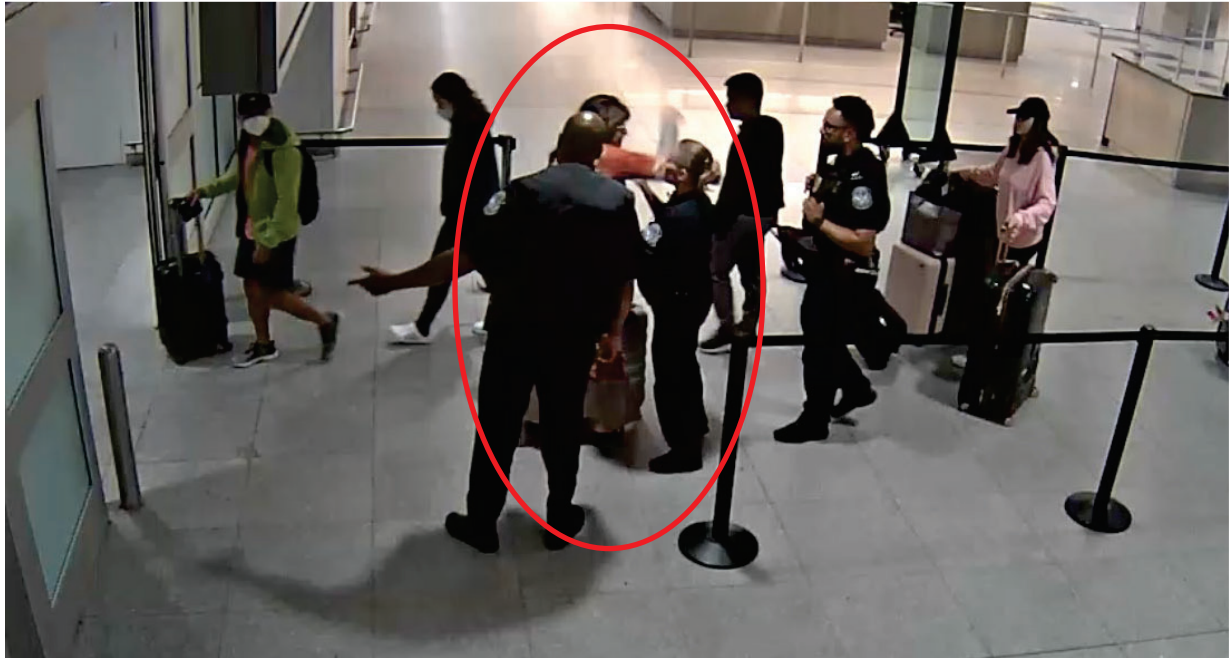


Figure 1

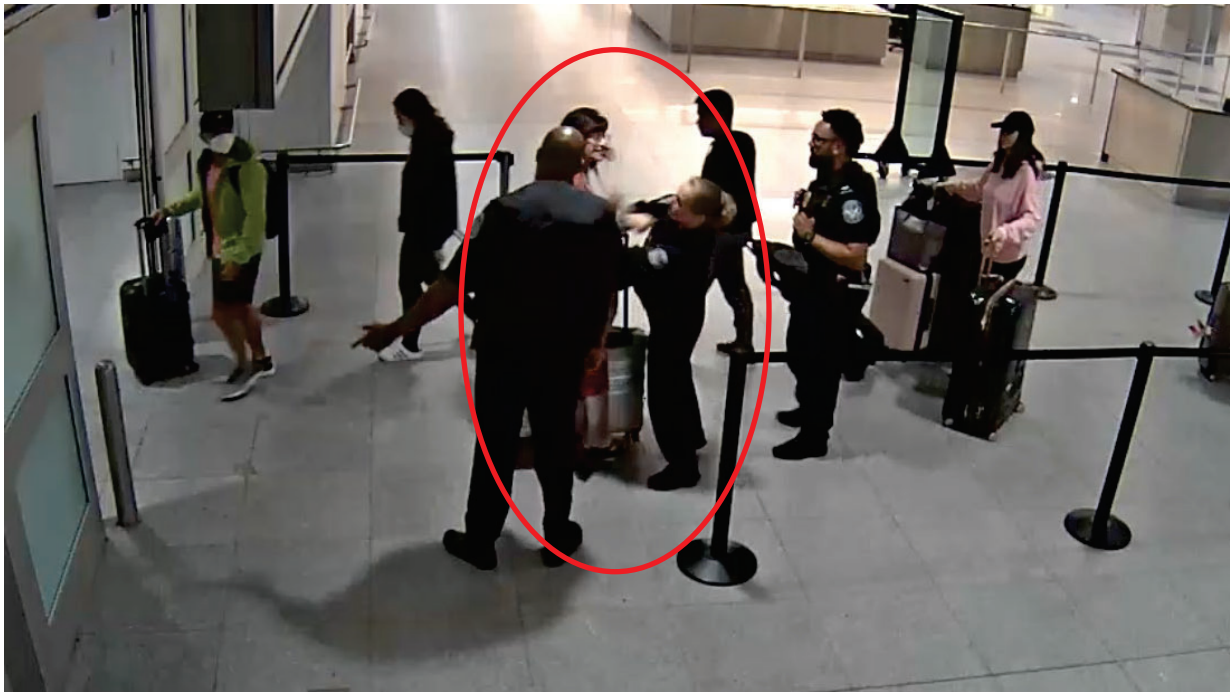


Figure 2

5. The defendant EMILIA MATHIAS was subsequently advised of her Miranda rights, which she agreed to waive. She stated in sum, in substance and in part that she had been tired after a long flight and was looking for her luggage, when someone directed her toward the secure CBP-controlled area. MATHIAS further stated that she had wanted to defend herself and knew she had done a bad thing.

6. I respectfully request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. This matter relates to an ongoing criminal investigation that is not yet public, and premature disclosure of the contents of this affidavit and related documents would seriously jeopardize the investigation, including by giving the defendant an opportunity to flee from prosecution, change patterns of behavior or destroy or tamper with evidence.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant EMILIA MATHIAS so that she may be dealt with according to law.

Matthew Coughlin Digitally signed by Matthew
Coughlin
Date: 2023.08.24 12:51:58 -04'00'

MATTHEW COUGHLIN
Special Agent
Federal Bureau of Investigation

Sworn to before me by telephone
this 24 day of August, 2023

Lois Bloom

THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

Emilia Mathias

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Case No. 23-MJ-757

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Emilia Mathias,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Assaulting, resisting or impeding certain officers or employees, 18 U.S.C. § 111(a)(1)

Date: 08/24/2023

Lois Bloom

Issuing officer's signature

City and state: Brooklyn, New York

Hon. Lois Bloom, United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: MATHIAS, Emilia

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 12/06/1964

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: Federal Bureau of Investigation, JFK Airport RA

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____