

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

No. 1:24-CR- 294

v.

(Judge Conner)

GREGORY MITZEL,

Defendant.

INDICTMENT

THE GRAND JURY CHARGES:

FILED
SCRANTON
NOV 05 2024
PER AW
DEPUTY CLERK

COUNTS 1-5

18 U.S.C. § 871(a)

(Threat Against the President)

I. General Allegations

At times material to this Indictment:

1. The defendant, GREGORY MITZEL, was a resident of York County, in the Middle District of Pennsylvania.
2. Joseph R. Biden, Jr., is the 46th President of the United States of America, and he has served in that office since January 2021.
3. On July 13, 2024, at approximately 6:11 p.m., former President Donald J. Trump survived an assassination attempt.
4. Beginning on September 9, 2023, MITZEL posted a series of statements on the Internet platform Facebook (Meta Platforms, Inc.)

threatening to take the life of and to inflict bodily harm upon President Biden.

5. On or about July 19, 2024, investigators from the United States Secret Service and the Federal Bureau of Investigation attempted to interview MITZEL at his home address, at which point MITZEL told the investigators to “get the fuck off my property.”

6. K. Wesley Mishoe served as a federal law enforcement officer, in that he was an Assistant U.S. Attorney and federal employee in the Middle District of Pennsylvania, authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of federal criminal law.

II. MITZEL's Facebook Posts

7. Beginning in September 2023, MITZEL made multiple public posts on the Internet platform Facebook (Meta Platforms, Inc.) regarding President Biden, former Secretary of State Hillary Clinton, and members of the Democratic Party.

8. On September 9, 2023, at approximately 11:26 a.m., utilizing the Facebook username “Greg Mitzel,” MITZEL posted a statement on the public area of Facebook stating, “Shoot to kill Joe Biden.”

9. On May 31, 2024, at approximately 3:15 a.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Civil war. You start with killing the judges and politicians and end with the demarats."

10. On July 13, 2024, at 7:34 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Hey Hillary, you missed the next one's coming for you and Joe."

11. On July 14, 2024, at 6:37 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Joe you are going down you and Hillary are going down. You will be in a crosshairs. Thank you."

12. On July 14, 2024, at 6:39 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "The next step in this process has to be somebody put a bullet in Joe Biden's head."

13. On July 14, 2024, at 6:40 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Joe Biden must die at all cause he hast to be

killed. He is the Democratic patriotic piece of shit that we all hate let's killing."

14. On July 14, 2024, at 6:41 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "If I lived to be 80 years old, I was shit on your fucking grave Joe Biden and I was shit on your wife's grave and I hope I could shove them both down your throats you pieces of shit."

15. On July 14, 2024, at 6:42 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Come on Democrats come get me... come on and come get it. I'm ready to shoot the fuck world up."

16. On July 14, 2024, at 6:45 p.m., utilizing the Facebook username "Greg Mitzel," MITZEL posted a statement on the public area of Facebook stating, "Come on you faggots ass little Democrat protesters bring all your shit my way. I'm sitting on the front porch right now waiting for all of you to come come on. Bring it my way I gotcha."

17. Assistant U.S. Attorney K. Wesley Mishoe was tasked with the investigation and prosecution of MITZEL's conduct as described here.

III. MITZEL'S Communications to AUSA K. Wesley Mishoe

18. On October 16, 2024, Assistant U.S. Attorney K. Wesley Mishoe, the federal prosecutor handling the investigation into MITZEL's threats against the President, sent a letter to MITZEL's attention at his home address, notifying MITZEL that the Grand Jury in the Middle District of Pennsylvania was investigating him for possible violations of federal criminal law with respect to his threats against President Biden.

19. On October 21, 2024, MITZEL called Assistant U.S. Attorney K. Wesley Mishoe and left a voicemail on Assistant U.S. Attorney Mishoe's phone, wherein MITZEL stated: "Hey K. Wesley Mishoe, whatever the fuck your name is. My name is Greg Mitzel. Phone number is.... Come get me, bitch. Call me anytime you want. I will meet you anywhere you want and I will slap the fuck right out of your mouth. You fucking faggot."

20. On October 21, 2024, MITZEL called Assistant U.S. Attorney Mishoe and left a voicemail on Assistant U.S. Attorney Mishoe's phone, wherein MITZEL stated: "You little mother fucking faggot, if you ever send another note to my house for some dumbass

bullshit that you're talking about I swear to God I will rip your fucking throat out and shit down your face, you little fucking faggot.”

21. On October 21, 2024, MITZEL called Assistant U.S. Attorney Mishoe and left a voicemail on Assistant U.S. Attorney Mishoe's phone, wherein MITZEL stated: “Hey you little fucking faggot, come get me. You know who I am, you know where I live. Come get some of this. I will stick my dick down your mom's throat and rape your fucking daughter you little faggot mother fucker.”

IV. Statutory Allegations

22. From on or about September 9, 2023, continuing through on or about July 14, 2024, within the Middle District of Pennsylvania and elsewhere, the defendant,

GREGORY MITZEL,

did knowingly and willfully make a threat to take the life of and to inflict bodily harm upon the President of the United States, specifically, the defendant posted public statements on the Internet platform Facebook (Meta Platforms, Inc.), with each communication being a separate count:

Count	Date	Means	Threat
1	September 9, 2023	Facebook	MITZEL stated, "Shoot to kill Joe Biden."
2	July 13, 2024	Facebook	MITZEL stated, "Hey Hillary, you missed the next one's coming for you and Joe."
3	July 14, 2024	Facebook	MITZEL stated, "Joe you are going down you and Hillary are going down. You will be in a crosshairs. Thank you."
4	July 14, 2024	Facebook	MITZEL stated, "The next step in this 8process has to be somebody put a bullet in Joe Biden's head."
5	July 14, 2024	Facebook	MITZEL stated, "Joe Biden must die at all cause he hast to be killed. He is the Democratic patriotic piece of shit that we all hate let's killing."

In violation of Title 18, United States Code, Section 871(a).

THE GRAND JURY FURTHER CHARGES:

COUNTS 6-7

18 U.S.C. § 115(a)(1)(B)

(Influencing, Impeding, Retaliating Against Federal Official by Threat)

23. Paragraphs 1 through 22 are incorporated here.

24. On or about October 21, 2024, within the Middle District of Pennsylvania and elsewhere, the defendant,

GREGORY MITZEL,

did knowingly and willfully threaten to assault a federal law

enforcement officer, that is, Assistant U.S. Attorney K. Wesley Mishoe,

with intent to impede, intimidate, and interfere with such federal law enforcement officer while he was engaged in the performance of his official duties, and to retaliate against such federal law enforcement officer on account of the performance of his official duties, by speaking the following words over the telephone, with each communication being a separate count:

Count	Date	Means	Threats
6	October 21, 2024	Telephone	MITZEL stated, "Hey K. Wesley Mishoe, whatever the fuck your name is. My name is Greg Mitzel. Phone number is.... Come get me, bitch. Call me anytime you want. I will meet you anywhere you want and I will slap the fuck right out of your mouth. You fucking faggot."
7	October 21, 2024	Telephone	MITZEL stated, "You little mother fucking faggot, if you ever send another note to my house for some dumbass bullshit that you're talking about I swear to God I will rip your fucking throat out and shit down your face, you little fucking faggot."

THE GRAND JURY FURTHER CHARGES:

COUNT 8

18 U.S.C. § 115(a)(1)(A)

(Influencing, Impeding, Retaliating Against Federal Official by Threat of a Family Member)

25. Paragraphs 1 through 24 are incorporated here.

26. On or about October 21, 2024, within the Middle District of Pennsylvania and elsewhere, the defendant,

GREGORY MITZEL,

did knowingly and willfully threaten to assault a member of the immediate family of a federal law enforcement officer, that is, Assistant U.S. Attorney K. Wesley Mishoe, with intent to impede, intimidate, and interfere with such federal law enforcement officer while he was engaged in the performance of his official duties, and to retaliate against such federal law enforcement officer on account of the performance of his official duties, by speaking the following words over the telephone:

Count	Date	Means	Threats
8	October 21, 2024	Telephone	MITZEL stated, "Hey you little fucking faggot, come get me. You know who I am, you know where I live. Come get some of this. I will stick my dick down your mom's throat and rape your fucking daughter you little faggot mother fucker."

In violation of Title 18, United States Code, Sections 115(a)(1)(A) and (b)(4).

A TRUE BILL

GERARD M. KARAM
United States Attorney


FOREPERSON


GERARD T. DONAHUE
Assistant United States Attorney

11-5-2024
Date