

United States District Court
District of New Jersey

UNITED STATES OF AMERICA : CRIMINAL COMPLAINT

v. :

JOSÉ L. QUESADA, JR. : Magistrate No. 10-6101

ORIGINAL FILED

JUL 29 2010

WILLIAM T. WALSH, CLERK

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From in or about July 26, 2010 to in or about July 28, 2010, in the District of New Jersey, and elsewhere, defendant JOSÉ L. QUESADA, JR. did:

knowingly and willfully engage in conduct with intent to convey false and misleading information under circumstances where such information may reasonably have been believed and where such information indicated that activity would take place that would constitute a violation of Chapter 40 of Title 18, United States Code (malicious damage of any building or vehicle in violation of 18 U.S.C. § 844(i)).

In violation of Title 18, United States Code, Section 1038(a).

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:

SEE ATTACHMENT A

Kevin Long
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed in my presence,

July 29, 2010 at
Date

Newark, New Jersey
City and State

Hon. Michael A. Shipp
United States Magistrate Judge
Name and Title of Judicial Officer

M. Shipp
Signature of Judicial Officer

ATTACHMENT A

I, Kevin Long, a Special Agent of the Federal Bureau of Investigation, am fully familiar with the facts set forth herein based on my investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning the investigation:

1. On or about July 26, 2010, at approximately 9:20 a.m., defendant JOSÉ L. QUESADA, JR. stated, in a telephone mail voicemail directed to the National Basketball Association Properties ("NBA") office located in Secaucus, New Jersey, in substance and in part, "[T]here is a bomb in the building." Defendant JOSÉ L. QUESADA, JR. stated that there was a bomb in the building approximately four times.

2. In response to the bomb threat, all employees of the building were evacuated and escorted across the street while law enforcement and K-9 units searched the area for approximately four hours. The search was negative for any explosive devices, and employees were cleared to return to their offices. Additional security measures, including the addition of four armed guards, were undertaken in response to the bomb threat.

3. On or about July 27, 2010, at approximately 10:04 p.m., defendant JOSÉ L. QUESADA, JR. left another threat in the NBA office telephone voicemail system. In that threat, defendant JOSÉ L. QUESADA, JR. stated, in substance and in part: ". . . I put a bomb outside. . . . Gonna kill all the NBA. . . . There's a bomb outside the complex in the parking lot. I put a bomb outside in the bush. No way out. Gonna blow up at 9:00 o'clock in the morning. Good luck. . . .If you come out, it will blow up"

4. On or about July 27, 2010, at approximately 10:05 p.m., defendant JOSÉ L. QUESADA, JR. left another threat in the NBA office telephone voicemail system. In that threat, defendant JOSÉ L. QUESADA, JR. stated, in substance and in part: ". . . Leave the building. It's gonna blow up. Leave the building. No where to go. It's gonna go up. It's gonna go 'Boom!'" That evening, defendant JOSE L. QUESADA, JR. left three additional three messages on the NBA office telephone voicemail system, in which he stated, in substance and in part: "[B]low up the building," at approximately 10:12 p.m.; "I'm gonna blow up the building," at approximately 10:15 p.m.; and "I'm gonna blow up the building. Blow it up," at approximately 10:20 p.m.

5. On or about July 28, 2010, at approximately 1:07 p.m., defendant JOSÉ L. QUESADA, JR. left another threat on the telephone voicemail system at the NBA office. In that threat, defendant JOSE L. QUESADA, JR. stated, in substance and in part, "I'm gonna kill you."

6. Telephone records obtained from a telephone service provider demonstrate that the above-referenced telephone calls originated from a telephone facility with a cellular telephone number to which defendant JOSÉ L. QUESADA, JR. subscribed at all times relevant to this Complaint.

7. At all times relevant to this Complaint, defendant JOSE L. QUESADA, JR. was employed as a security guard by a private security company with which the NBA contracted to provide office security.

8. On or about July 29, 2010, Special Agents of the Federal Bureau of Investigation ("FBI") interviewed defendant JOSÉ L. QUESADA, JR. During the interview, defendant QUESADA admitted to leaving the above-referenced telephone voicemail messages, and voluntarily provided the language for the unintelligible portions of the recordings. Defendant QUESADA further admitted that he did not have any bombs or any bomb-making materials.

9. During the July 29, 2010, interview of defendant JOSE L. QUESADA, JR. described above, Special Agents of the FBI conducted a consensual search of defendant QUESADA's cellular telephone, and confirmed that it bears the cellular telephone number described above. That consensual search revealed the telephone number of the NBA office from which the voicemails were retrieved preceded by "*67," a known code to block a caller's telephone number from a recipient.