

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

UNITED STATES OF AMERICA

v.

DANIEL ALAN BAKER

4:21cr 10 - AW

INDICTMENT

read in open court pursuant to Rule 6(f)

2/10/2021

Joseph Cannon
United States Magistrate Judge

THE GRAND JURY CHARGES:

1. At all times material to this Indictment:

a. The defendant, **DANIEL ALAN BAKER**, maintained a Facebook account in his own name, and used the account to post messages and photographs, and create events that could be viewed on the internet by all Facebook users.

b. The defendant, **DANIEL ALAN BAKER**, possessed a Florida Concealed Weapon License, a Florida Class "D" Security Officer License, and two firearms: a shotgun and a semi-automatic handgun. On or about November 11, 2020, the defendant, **DANIEL ALAN BAKER**, posted a video to his YouTube channel wherein those two firearms were openly displayed behind him. On January 10, 2021, the defendant purchased an AK-47 Mauser .22 caliber LR rifle and .22 caliber hollow point ammunition.

c. On or about January 12, 2021, the defendant, **DANIEL ALAN BAKER**, posted the following to the "Defend Tallahassee" Facebook profile,

which was created by the defendant, **DANIEL ALAN BAKER**:

Armed racist mobs have planted the Confederate flag in the nations Capitol while announcing their plans to storm every American state Capitol on or around inauguration day. We will fight back. We will circle the state Capitol and let them fight the cops and take the building. Then we will encircle them and trap them inside. We will drive them out of Tallahassee with every caliber available. They are staging an armed takeover so only an armed community can stop them! We can win! We have a duty to and a duty to win. We have already recruited an army armed combat veterans and volunteers. As we grow we must remember security. DO NOT RSVP TO THIS EVENT! JUST SHOW UP. WE ARE CHAOTIC MALESTROM OF WILLING HANDS. The plan is for the peaceful friends to March from Railroad square and MLK to the Capitol but DO NOT ENTER! DO NOT HELP COPS OR THE ENEMY! We must encircle them so they cannot escape down Apalachee Parkway. Militant friends will ride ahead in all sorts of wheeled vehicles, bikes, scooters, atv, motorcycle, car, truck and SUV. They will push down Tennessee St and around Cascades Park with vehicles and coral the trump terrorists into the Capitol building. The enemy will have high power rifles and explosives. The enemy is coming from every racist community in the area, including Alabama and Georgia. REMEMBER THAT THE COPS WONT PROTECT US BECAUSE THE COPS AND KLAN GO HAND IN HAND! If you are afraid to die fighting the enemy, then stay in bed and live. Call all of your friends and Rise Up!

d. Prior to posting the message described in paragraph 1(c), the defendant, **DANIEL ALAN BAKER**, purchased a Blue Line Solutions Mauser AK47-style .22 caliber semi-automatic long rifle and .22 caliber ammunition on January 10, 2021.

e. On or about January 14, 2021, the defendant, **DANIEL ALAN BAKER**, in response to a news article about the Tallahassee Police Department

being “fully staffed and prepared ahead of any potential Inauguration Day protests,” posted the following on the WTXL Tallahassee Facebook profile:

CALL TO ARMS JANUARY 20th!

Armed racists have planted the confederate flag in America’s Capitol as they openly declared that they WILL CONTINUE to wage an ARMED COUP at every American Capitol, including Tallahassee, on Inauguration Day.

We need ALL FLORIDA RESIDENTS to RISE UP! Here in Florida we must encircle terrorists who attack the Capitol! Let them take the capitol and fight with cops, SURROUND THEM AND TRAP THEM INSIDE!

Tally residents have answered the call to arms, including combat veterans. Join us! Help protect your community from terrorists. We WILL protect capitol RESIDENTS and CIVILIANS from armed racist mobs WITH EVERY CALIBER AVAILABLE.

This is an armed COUP and can only be stopped by an armed community!

If you’re afraid to die fighting the enemy, stay in bed and live.

COUNT ONE

2. The allegations contained in paragraph 1 are incorporated by reference as if fully set forth herein.
3. On or about January 12, 2021, in the Northern District of Florida, and elsewhere, the defendant,

DANIEL ALAN BAKER,

did knowingly transmit in interstate commerce a communication containing a true

threat to kidnap and injure the person of another, namely, the communication referenced in paragraph 1(c) of this Indictment, with the intent that his communication be perceived as a true threat.

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

COUNT TWO

4. The allegations contained in paragraph 1 are incorporated by reference as if fully set forth herein.

5. On or about January 14, 2021, in the Northern District of Florida, and elsewhere, the defendant,

DANIEL ALAN BAKER,

did knowingly transmit in interstate commerce a communication containing a true threat to kidnap and injure the person of another, namely, the communication referenced in paragraph 1(e) of this Indictment, with the intent that his communication be perceived as a true threat.

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

FORFEITURE

6. The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

7. Upon conviction of the offenses in violation of Title 18, United States Code, Section 875 set forth in Counts One and Two of this Indictment, the defendant, **DANIEL ALAN BAKER**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

8. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property

pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

A TRUE BILL:

[REDACTED]

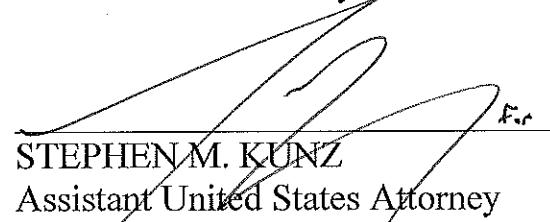
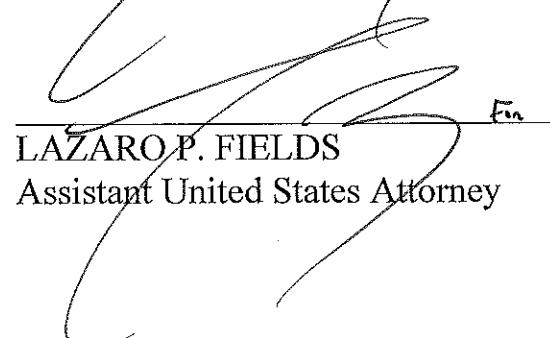
FOREPERSON

~~2/18/2021~~ 2/18/2021

DATE



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