

Approved:


TIMOTHY LY
Assistant United States Attorney

Before: THE HONORABLE ANDREW E. KRAUSE
United States Magistrate Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JAYLEEN MOTA,

Defendant.

COMPLAINT

23 Mag. 3028

Violations of 18 U.S.C. § 875(c).

COUNTIES OF OFFENSE:
WESTCHESTER and BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

PHILIPPE GOULET, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Threatening Interstate Communications)

1. On or about April 15, 2023, in the Southern District of New York and elsewhere, JAYLEEN J. MOTA, the defendant, knowingly and intentionally transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, MOTA sent five text messages *via* a Voice Over Internet Protocol ("VOIP") application to five individuals and threatened to commit a mass shooting at a popular nationwide chain restaurant and sports bar located in New Rochelle, New York.

(Title 18, United States Code, Sections 875(c).)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the FBI, assigned to the FBI's Violent Crimes/Safe Streets Task Force of the New York Office. I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or

conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of a New Rochelle Police Department (“NRPD”) incident report and records (including a screenshot of a text message conversation), and my conversations with NRPD detectives, I have learned the following, in substance and in part:

- a. On or about April 15, 2023, at or about 11:17 a.m., NRPD headquarters received a phone call from an individual who was living in or near Albany, New York (“Caller-1”).
- b. Caller-1 stated in words or substance that he/she had received a text message from a particular phone number ending in 9048 (the “9048 Number”) threatening to “shoot[] up” a popular nationwide chain restaurant and sports bar (“Victim Restaurant”) located on LeCount Place in New Rochelle and commit a “massacre” in which “lots of people are going down.”
- c. The text message further stated that “Todays a busy night because of the game DON’T TAKE ME AS A JOKE lots of people will die DONT CALL THE STORE AND RUIN MY PLANS I’m gonna make the news.”
- d. Caller-1 stated that he/she did not have any ties to the New Rochelle area, nor did Caller-1 know who was texting him.

4. Based on my review of an NRPD incident report and records (including a screenshot of a text message conversation), and my conversations with NRPD detectives, I have learned the following, in substance and in part:

- a. On or about April 15, 2023, at or about 11:56 a.m., NRPD headquarters received a phone call from an individual who was living in or near Dallas, Texas (“Caller-2”).
- b. Caller-2 stated that he/she had received a text message from the 9048 Number threatening to “shoot[] up” the Victim Restaurant and commit a “massacre” in which “lots of people are going down.”
- c. Caller-2 stated that he/she last lived in or near the New Rochelle area approximately 15 years ago, but did not know who was texting him/her.

5. Based on my conversation with an NRPD detective who reviewed records provided by Bandwidth, Inc., I have learned that the 9048 Number was a Google Voice phone number.

6. Based on my review of records provided by Google, I have learned the following:

- a. Someone using the Google Voice phone number, *i.e.*, the 9048 Number, sent at least one outbound text message at or about 11:28 a.m. on or about April 15, 2023.
- b. The Google Voice account appears to have been accessed last on or about April 15, 2023, at or about 11:33 a.m., *via* a Safari browser.
- c. The Google Voice account appears to have had activity occurring on or about April 15, 2023, between at or about 10:59 a.m. and at or about 11:21 a.m. *via* the Google Voice App.
- d. The subscriber of the Google Voice account also has a Google account associated with the Google Voice phone number, and the Google account was accessed on or about April 15, 2023, at or about 10:49 a.m.
- e. The Google Voice account and the Google account both had the same IP address of 24.45.161.178 for the dates on which the accounts were created (on or about March 16, 2023 and on or about January 25, 2023, respectively).

7. Based on my conversation with an NRPD detective who received information from Optimum Online and CSC Holdings, LLC, I have learned that the IP address 24.45.161.178 is subscribed to JAYLEEN J. MOTA, the defendant, and to a particular apartment located on Boynton Avenue in the Bronx, New York (the “Boynton Avenue Apartment”).

8. Based on my discussions with NRPD detectives, I have learned that JAYLEEN J. MOTA, the defendant, was recently hired by the Victim Restaurant, that MOTA gave the Boynton Avenue Apartment as her place of residence when applying for a position at the Victim Restaurant, and that MOTA called out sick on April 15, 2023.

9. On or about April 15, 2023, I along with other law enforcement officers executed a search and seizure warrant issued by the Honorable Andrew E. Krause, United States Magistrate Judge for the Southern District of New York, at the “Boynton Avenue Apartment” and seized a cellphone found on the person of JAYLEEN J. MOTA, the defendant.

10. After waiving her *Miranda* rights, JAYLEEN J. MOTA, the defendant, consented to an interview. MOTA admitted, in substance and in part, that she sent identical text messages threatening to shoot up the Victim Restaurant to five different individuals using the cellphone found on her person. MOTA was thereafter placed under arrest.

WHEREFORE, the deponent respectfully requests that JAYLEEN MOTA, the defendant, be imprisoned or bailed, as the case may be.



PHILIPPE GOULET
Special Agent
Federal Bureau of Investigation

Sworn to me this
17th day of April, 2023.



THE HONORABLE ANDREW E. KRAUSE
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK