AO 91, Rev. 11/82 (& Goldberg Authorizing)

CRIMINAL COMPLAINT

#13-060

United States District Court	DISTRICT Eastern District of Pennsylvania
UNITED STATES OF AMERICA v. ADAM KOKESH	DOCKET NO.
	MAGISTRATE'S CASE NO 13-6-5M

Complaint for violation of Title 18 United States Code § 111

NAME OF JUDGE OR MAGISTRATE	OFFICIAL TITLE	LOCATION
Honorable THOMAS J. RUETER	U.S. Magistrate Judge	Philadelphia, PA

DATE OF OFFENSE	PLACE OF OFFENSE	ADDRESS OF ACCUSED (if known)
May 18, 2013	Philadelphia, PA	

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION

On or about May 18, 2013, defendant ADAM KOKESH forcibly assaulted, resisted, opposed, impeded and interfered with officers and employees of the United States, that is, uniformed National Park Service Rangers while they were engaged in, and on account of, the performance of official duties, in violation of Title 18, United States Code, Section 111.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED

SEE AFFIDAVIT ATTACHED HERETO.

MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT (official title)

Donald Reed

OFFICIAL TITLE

Law Enforcement Specialist, National Park Service

Sworn to before me and subscribed in my presence

SIGNATURE OF MAGISTRATE [1]

Honorable THOMAS J. RUETER, United States Magistrate Judge

DATE

May 20, 2013

[1] See Federal Rules of Criminal Procedure rules 3 and 54

Affidavit

I, Donald Reed, National Park Service, swear that the following is true to the best of my knowledge and belief:

1. I am a Law Enforcement Specialist for the United States National Park Service. I have been employed in this capacity for 8 years, and have a total of 23 years as a Federal Law Enforcement Agent. I am a graduate of the Criminal Investigator Training Program sponsored by the Federal Law Enforcement Training Center in Glynco, GA. I am currently assigned to Independence National Historical Park ("the Park"). My duties include investigating violations of Title 18, United States Code § 111.

2. I know the following from reports made to me from my own observations and those of other law enforcement officers. As this affidavit is submitted for the limited purpose of a probable cause determination, I have not included all of the information in my possession about the events described. The descriptions of things said are recounted in sum and substance and are not exact quotes.

3. On May 18, 2013, there was an event taking place in the Park in the block bounded by Market, Chestnut, Fifth and Sixth Streets. The organizers of this event had obtained a permit from the Park for the event. The event took place near the Market Street sidewalk, west of Fifth Street.

4. Because the event paperwork claimed to be about the legalization of marijuana, and because at past such events there had been claims that marijuana was possessed openly and illegally in the Park, that area was posted by the Park with signs reminding the public that possession of marijuana in the Park is illegal.

5. During the event, defendant ~~RICHARD~~ Adam KOKESH was addressing the group over a loud speaker system just after RICHARD TAMACCIO, charged elsewhere, urged over the loud speaker those present to smoke marijuana and announced a "countdown" to when participants should light their marijuana. The crowd was also urged over the loud speaker to form a tight circle to hinder law enforcement officers.

6. National Park Service Rangers approached members of the crowd who were seen in possession of what appeared to be marijuana cigarettes. KOKESH was next to and had locked arms with a person who had a marijuana cigarette. As the Ranger approached the person with the cigarette, KOKESH physically blocked and obstructed the Ranger. As the Ranger pushed forward, KOKESH grabbed the Ranger by the arm to hold him back. KOKESH was then taken into custody.

7. The cigarette that the Ranger was attempting to recover was later seized by other Rangers and the contents were later tested and determined to be marijuana.

8. Based on the above, I believe that probable cause exists to charge defendant KOKESH with violation of Title 18, United States Code, Section 111.

DONALD REED
United States National Park Service

Sworn before me the 20th
day of May, 2013.

Honorable THOMAS J. RUETER
United States Magistrate Judge