2010R00845/JMM

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No.
	:	
v.	:	18 U.S.C. §§ 1038(a)(1) & 2
	:	
JOSÉ L. QUESADA, JR.	:	I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

a. Defendant JOSÉ L. QUESADA, JR. was a resident of Elizabeth, New Jersey.

b. NBA Properties, Inc. ("NBA Properties") was an affiliate of the National Basketball Association ("NBA"). NBA Properties and the NBA were engaged in interstate and foreign commerce.

c. The NBA Properties office building was located in Secaucus, New Jersey.

d. Defendant JOSÉ L. QUESADA, JR. was employed as a security guard by a private security company with which NBA Properties contracted to provide office security.

e. The NBA Properties building was involved and used in interstate and foreign commerce.

2. On or about July 26, 2010, at approximately 9:20 a.m., defendant JOSÉ L. QUESADA, JR. stated on the telephone voicemail system at the NBA Properties office ("NBA Properties

voicemail"), in substance and in part, "[T]here is a bomb in the building." Defendant JOSÉ L. QUESADA, JR. then repeated approximately four times that there was a bomb in the building.

3. In response to the bomb threat, all employees of the building were evacuated 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.

4. On or about July 27, 2010, at approximately 10:04 p.m., defendant JOSÉ L. QUESADA, JR. stated on the NBA Properties voicemail, 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 . . . ."

5. On or about July 27, 2010, at approximately 10:05 p.m., defendant JOSÉ L. QUESADA, JR. stated on the NBA Properties voicemail, 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!'" Moments later, defendant JOSÉ L. QUESADA, JR. left three additional messages on the NBA Properties voicemail 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.

6. Defendant JOSÉ L. QUESADA, JR. knew that his reports of bombs described above in paragraphs 2 through 5 at the location described above in paragraph 1 were false when he made them.

7. From on or about July 26, 2010 to on or about July 27, 2010, in the District of New Jersey, and elsewhere, defendant

JOSÉ L. QUESADA, JR.

knowingly engaged 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, that is, the malicious damage by means of an explosive of any building used in interstate commerce, contrary to Title 18, United States Code, Section 844(f)(1).

In violation of Title 18, United States Code, Section 1038(a)(1) and Section 2.

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

JOSÉ L. QUESADA, JR.

INFORMATION FOR

18 U.S.C. §§ 1038(a) & 2

PAUL J. FISHMAN
UNITED STATES ATTORNEY, NEWARK, NEW JERSEY

JOYCE M. MALLIET
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 645-2876