

# Department of Justice

United States Attorney William J. Hochul, Jr.  
Western District of New York

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**CATTARAUGUS COUNTY RESIDENT SENTENCED FOR**  
**MAKING FALSE STATEMENT IN CONNECTION WITH**  
**ATTEMPTED AMTRAK DERAILMENT**

BUFFALO, N.Y.- U.S. Attorney William J. Hochul, Jr. announced today that James Phillips, 48, of Irving, New York, was sentenced today by U.S. District Court Judge Richard J. Arcara to two years probation for making a false statement to the FBI.

Assistant U.S. Attorney Robert C. Moscati, who handled the case, stated that the defendant lied to FBI agents conducting an investigation into the attempted derailment of an Amtrak passenger train near Irving, New York on July 5, 2010. Phillips was questioned concerning the whereabouts of possible suspects on July 4 and 5, 2010; specifically, whether he and others had attended a party on July 4 and 5 in Silver Creek, New York, near the scene of the attempted derailment. The defendant denied being present at the party; however, subsequent investigation determined he and others were in fact at the party. His false statement caused additional investigation which would not have otherwise been necessary.

The case was investigated by the Federal Bureau of Investigation under the direction of Special Agent in Charge Christopher M. Piehota, the New York State Police under the direction of Major Christopher Cummings, Amtrak Police and CSX Police.

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