

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Middle District of Florida

United States of America

v.

Martin Alan Schnitzler

Case No. 8:15-MJ-

8:15 MJ 1759 TBM

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 11/13/2015 in the county of Pinellas in the Middle District of Florida, the defendant violated 18 U. S. C. § 844(e), an offense described as follows:

Using a telephone or other instrument of interstate or foreign commerce to convey actual or false threats.

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

David Wawrzynski, FBI Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 11-17-15



Judge's signature

City and state: Tampa, Florida

THOMAS B. McCOUN III, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, FBI Task Force Officer David Wawrzynski, being first duly sworn, hereby depose and state as follows:

BACKGROUND

1. I am a Task Force Officer with the Federal Bureau of Investigation ("FBI") Joint Terrorism Task Force ("JTTF"), and have been since July 2015. I have been a certified and sworn law enforcement officer since 2003. Separate from my duties with the JTTF, I am also a detective with the St. Petersburg Police Department. I have completed all requirements to perform the duties of a law enforcement officer in Florida. My official duties include, but are not limited to, the investigation of federal offenses.

2. I make this affidavit in support of an application for an arrest warrant for Martin Alan SCHNITZLER, for a violation of Title 18, United States Code, Section 844(e), which makes it unlawful for any person to use a telephone or other instrument of interstate or foreign commerce to convey certain actual or false threats.

3. The facts contained in this affidavit are either personally known or have been told to me by other law enforcement officers and witnesses or are based upon my review of the evidence and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included every detail or every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause to arrest Martin Alan SCHNITZLER for the above-identified violation.

RELEVANT STATUTE

4. Title 18, United States Code, Section 844(e) makes it illegal to use an instrument of interstate or foreign commerce to convey certain actual or false threats. Specifically, § 844(e) provides:

(e) Whoever, through the use of the mail, telephone, telegraph, or other instrument of interstate or foreign commerce, or in or affecting interstate or foreign commerce, willfully makes any threat, or maliciously conveys false information knowing the same to be false, concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of fire or an explosive shall be imprisoned for not more than 10 years or fined under this title, or both.

PROBABLE CAUSE

5. On November 13, 2015, at approximately 6:35 p.m., a caller left a voicemail message (the "Phone Message") at the telephone number for the Islamic Center of Pinellas County (the "Islamic Center"), which is located in Pinellas Park, Florida, and is within the Middle District of Florida. According to the Islamic Center's Caller ID system, the call came from a cellular telephone assigned telephone number (xxx) xxx-5126.

6. During the course of this investigation, law enforcement obtained a copy of the Phone Message from the Islamic Center. The Phone Message included the following:

- a. The caller said he was calling about certain events on the Islamic Center's "calendar," which is publicly available on the Islamic Center's website;

- b. The caller said he was also calling about “what’s going on in France,” in an apparent reference to the November 13, 2015 terrorist attacks in Paris, France;
- c. The caller said that he was “going to personally have a militia that is going to come down to your Islamic Society of Pinellas County, firebomb you, [and] shoot whoever is there,” regardless of whether the victims are “2 years old or [one] hundred”; and
- d. The caller then provided his name as “Martin Schnitzler” and said “you are going to fucking die.”

7. Law enforcement later determined that the cellular telephone number used to leave the Phone Message is assigned to Martin Alan SCHNITZLER and that SCHNITZLER’s cellular telephone service is provided by Verizon Wireless.

8. A check of the Florida driver and vehicle information database revealed that SCHNITZLER lives in Seminole, Florida, which is within the Middle District of Florida.

9. On November 14, 2015, law enforcement placed a telephone call to SCHNITZLER at the same cellular telephone number used to leave the Phone Message. During that call, SCHNITZLER agreed to meet with law enforcement that same day at his place of business in Largo, Florida.

10. During law enforcement’s meeting with SCHNITZLER on November 14, 2015, law enforcement told SCHNITZLER that he was not under arrest and that he did not have to participate in an interview. SCHNITZLER then agreed to participate in a voluntary interview, during which he admitted to leaving the Phone Message on the

Islamic Center's telephone system on November 13, 2015. SCHNITZLER also said that he was "very mad" about the November 13, 2015 terrorist attacks in Paris, France, and that he used the Internet to search for "Islam" and "Pinellas County" before calling the first telephone numbers that came up as search results.

11. I participated in that voluntary interview with SCHNITZLER on November 14, 2015, and I believe that the sound of SCHNITZLER's voice during the voluntary interview matched the voice of the person who left the Phone Message.

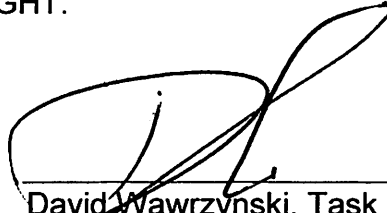
12. After law enforcement's meeting with SCHNITZLER, SCHNITZLER consented to a search of his residence located in Seminole, Florida. Law enforcement searched for, but did not find, obvious means that SCHNITZLER could have used to act on his threats, such as firearms, explosive devices, or ammunition.

CONCLUSION

13. Based on the aforementioned facts and information, there is probable cause to believe that Martin Alan SCHNITZLER has willfully violated Title 18, United States Code, Section 844(e).

WHEREFORE, I respectfully request that the Court issue an arrest warrant authorizing law enforcement to arrest Martin Alan SCHNITZLER.

FURTHER AFFIANT SAYETH NAUGHT.



David Wawrzynski, Task Force Officer
Federal Bureau of Investigation

Sworn and subscribed before me
This 17 day of November, 2015.



THOMAS B. MCCOUN III
United States Magistrate Judge