

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

Case Number 3:18cr44/MCR

JUSTIN B. LANE
_____ /

FACTUAL BASIS FOR GUILTY PLEA

The defendant admits that if this case were to proceed to trial, the government could prove the following facts.

Justin B. Lane (the defendant) has been serving a sentence in state prison. On August 6, 2017, the defendant mailed a letter from the Santa Rosa Correctional Institution Annex to the "State Attorneys Office" of Polk County. This letter stated, in part: "I really fuckin hate authority cuz all my life y'all just do whatever you feel like . . . so why don't you inhale this powder and die . . . maybe it is anthrax who knows – fuck you die pig." This letter was received and opened by a secretary, and a white powdery substance fell out. Over a dozen people in the vicinity were close to the exposure and thusly had to be sequestered. Polk County Fire Special Operations personnel responded according to weapons of mass destruction protocol, but the results were eventually negative for a biothreat.

On August 17, 2017, the defendant mailed a letter from the Santa Rosa

FILED
2019 JAN 15 PM 4:54
CLERK OF COURT
U.S. DISTRICT COURT
PENSACOLA, FLORIDA

Correctional Institution Annex to “Polk County State Attorneys Office.” This letter stated, in full: “Fuck you die, die, die, ha, ha, ha, anthrax, goodbye.” This letter was received and a suspicious powder was contained therein. Again, biothreat protocol had to be followed. The substance was negative pursuant to testing after protocol had been implemented.

The defendant signed the two letters along with providing his inmate number. A fingerprint of the defendant was lifted from the first letter. DNA was located on the enclosure of the envelope as to the second threat letter and, after obtaining a search warrant for the defendant’s buccal swab, it was determined to be the defendant’s DNA with a result of 1 in 700 billion otherwise. The defendant now concedes that he wrote and mailed the above noted threat letters that contained what was asserted to be anthrax.

Elements of the Offenses

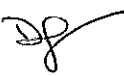
Counts One and Three


1. The defendant knowingly sent a message in interstate commerce or using a facility of interstate commerce such as the mails;
2. Containing a true threat to injure the person of another.

Counts Two and Four

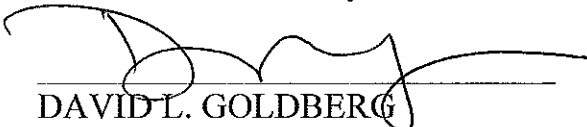
1. The defendant knowingly threatened to use a weapon of mass destruction without lawful authority, herein anthrax; and

2. The defendant knowingly did so against a person or property within the United States and the mail or any facility of interstate commerce was used in furtherance of the offense or such property was used in interstate commerce or in an activity that affected interstate commerce.

LAWRENCE KEEFE
~~CHRISTOPHER P. CANOVA~~ 
United States Attorney

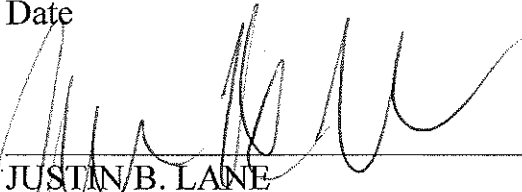


RANDALL S. LOCKHART
Assistant Federal Public Defender
Michigan Bar No. P58597
3 West Garden Street, Suite 200
Pensacola, Florida 32502
(850) 432-1418



DAVID L. GOLDBERG
Assistant U.S. Attorney
Northern District of Florida
Member of the Maryland Bar
21 East Garden Street, Suite 400
Pensacola, Florida 32502
(850) 444-4000

1-15-19

Date


JUSTIN B. LANE
Defendant

1/15/19

Date

1-15-19

Date