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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAN 18 2024

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA :
 : Hon. Tonianne J. Bongiovanni
 :
 v. : Mag. No. 24-MJ-3006
 :
 JEREMY GILBERTI : CRIMINAL COMPLAINT
 :
 : **FILED UNDER SEAL**

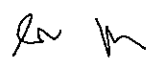
I, Special Agent Shoshannah Heskeyahu, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and that this complaint is based on the following facts:

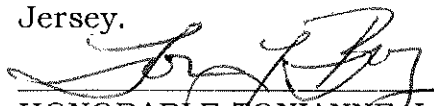
SEE ATTACHMENT B

continued on the attached pages and made a part hereof.



Shoshannah Heskeyahu
Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Attested to by telephone pursuant to
F.R.C.P. 4.1(b)(2)(A) on this 18 day of
January, 2024, in the District of New
Jersey.



HONORABLE TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A
COUNT ONE

(Unlawful Possession of Destructive Devices)

On or about July 26, 2023, in Mercer County, in the District of New Jersey and elsewhere, the defendant,

JEREMY GILIBERTI,

knowingly possessed destructive devices, as that term is defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(1), including

- a destructive device more particularly described as an approximately 5 inch long, 1 ¼ inch diameter black steel pipe with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots and a quantity of a perchlorate explosive mixture (herein, Object #1);
- a destructive device more particularly described as an approximately 5 inch long, 1 ½ inch diameter black steel pipe with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots, numerous silver-colored metal hollow-point air gun .22 caliber pellets, and a quantity of a perchlorate explosive mixture (herein, Object #2);
- a destructive device more particularly described as multiple layers of dark gray duct tape wrapped around a cardboard tube with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots, and a quantity of a perchlorate explosive mixture with chunks of a nitrate explosive mixture (herein, Object #3); and
- a destructive device more particularly described as multiple layers of dark gray and light gray duct tape wrapped around a cardboard tube with a functional, red pyrotechnic fuse containing numerous copper-colored metal size B shots, and a quantity of a perchlorate explosive mixture (herein, Object #4),

which destructive devices were not registered to him in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code 5841.

In violation of Title 26, United States Code, Sections 5861(d) and 5871.

ATTACHMENT B

I, Shoshannah Heskeyahu, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, photographs, and recordings of the evidence. Where statements of others are related herein, they are related in substance and part. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

1. On July 26, 2023, at approximately 10:57 a.m., two officers with the Hamilton Township Police Division ("Hamilton PD") observed a green Honda Accord (the "Honda") on South Broad Street in Hamilton Township being operated without a front license plate make an unsafe lane change. In response, the Hamilton PD officers conducted a motor vehicle stop of the Honda.

2. Upon approach, the Hamilton PD officers identified Jeremy Giliberti ("Giliberti") as the driver and sole occupant of the Honda and asked Giliberti for his license, proof of the Honda's motor vehicle registration, and insurance. Giliberti was unable to produce proof of the Honda's insurance. Giliberti told the Hamilton PD officers that he would try to retrieve his insurance information from his email on his cell phone.

3. While he was trying to locate his insurance information on his phone, Giliberti engaged in conversation with the Hamilton PD officers. The Hamilton PD officers observed that Giliberti made odd statements, and exhibited a suspicious demeanor, including mumbling his speech, rambling, avoiding eye contact with the officers, nervousness, smiling a lot, and making quick, twitch-like movements. Giliberti told the officers that he had just had a dental procedure in Bristol, Pennsylvania, showing the officers bloody gauze in his mouth and producing the dental receipt. However, while Giliberti told the officers he was in Hamilton on his way to get a pizza before he went home, Hamilton PD officers noticed that there already was a pizza box on the front passenger seat of the Honda. Hamilton PD officers further were troubled by Giliberti's proffered reasons for being in Hamilton given that Hamilton is a significant detour from the path of travel between Bristol, Pennsylvania and Giliberti's residence in Burlington County, New Jersey. During the conversation, one of the Hamilton PD officers stated to Giliberti that he (Giliberti) "seem[ed] real nervous." When Giliberti replied, "You seem very inquisitive," the officer identified as suspicious Giliberti's "mannerisms and the way you are acting, [and further asked Giliberti] are there any narcotics in the vehicle?" While Giliberti denied having any narcotics, based upon their interaction with Giliberti and their training and experience, the officers reasonably suspected that Giliberti had narcotics in the Honda.

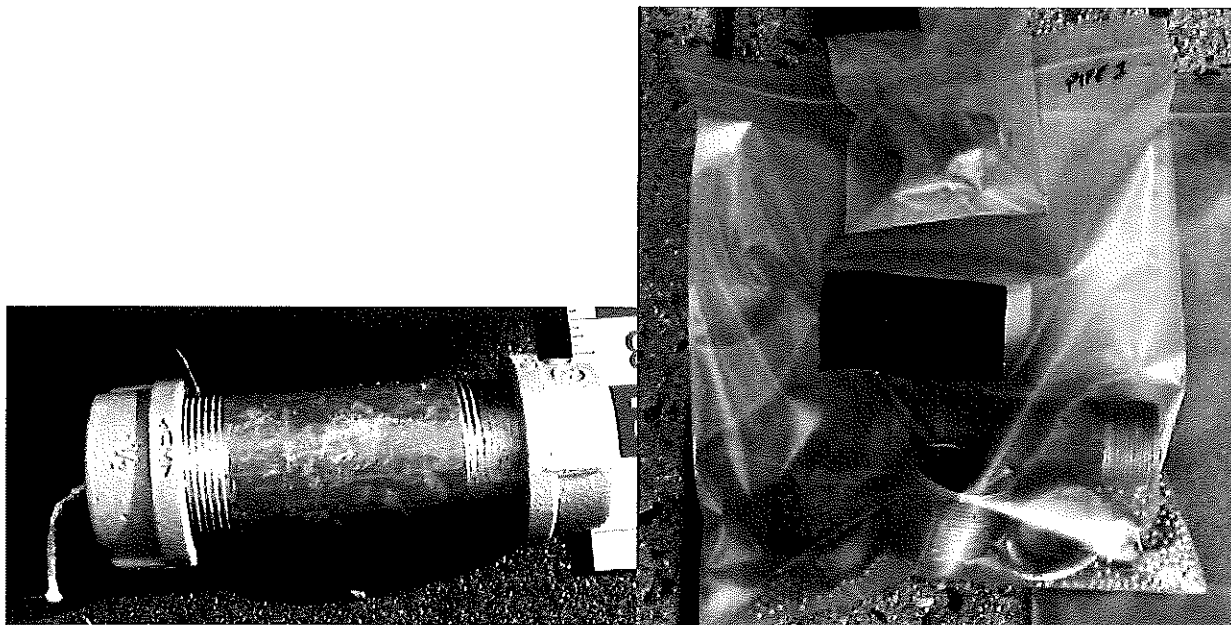
4. At this point, the Hamilton PD officers asked Giliberti to exit the Honda, whereupon one of the Hamilton PD officers patted Giliberti down for officer safety. The officer then asked Giliberti, "There's nothing in the vehicle that's not supposed to be?" to which Giliberti responded "no" and shook his head further indicating a negative response. The officer then inquired, "Do you mind if I check?" Giliberti consented verbally, stating "I don't care," and held his hands up, thereby signaling assent to the officer's request to search the Honda. During an ensuing search, one of the Hamilton PD officers observed a small duffle bag on the front, passenger-side floorboard. The officer looked into the bag and immediately noticed four (4) items which the officer believed were pipe bombs (herein, "Object #1," "Object #2," "Object #3," and "Object #4").

5. The Hamilton PD officers placed Giliberti under arrest and advised him of his *Miranda* rights. Upon realizing that the Hamilton PD officers discovered the contents of the duffle bag, Giliberti volunteered that he had built the items in the duffle bag but attempted to mischaracterize them by calling them "quarter sticks" and fireworks.

6. The entire interaction with Giliberti from the initial motor vehicle stop to Giliberti's post-arrest transport to the Hamilton PD was captured on the officers' body worn cameras and/or motor vehicle recorder.

7. The destructive devices were thereafter deconstructed and rendered safe by the New Jersey State Police Bomb Unit. Law enforcement subsequently photographed Objects #1 through #4:

Object #1



Object #2



Object #3:



Object #4:



8. Objects #1, #2, #3, and #4 were evaluated by an ATF Forensic Chemist. Objects #1, #2, #3, and #4 are more particularly described as follows:

- Object #1 is an approximately 5 inch long, 1 ¼ inch diameter black steel pipe with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots and a quantity of a perchlorate explosive mixture;
- Object #2 is an approximately 5 inch long, 1 ½ inch diameter black steel pipe with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots, numerous silver-colored metal hollow-point air gun .22 caliber pellets, and a quantity of a perchlorate explosive mixture;
- Object #3 is a cardboard tube wrapped in multiple layers of dark gray duct tape with a functional, green pyrotechnic fuse containing numerous copper-colored metal size B shots, and a quantity of a perchlorate explosive mixture with chunks of a nitrate explosive mixture; and
- Object #4 is a cardboard tube wrapped in multiple layers of dark gray and light gray duct tape with a functional, red pyrotechnic fuse containing numerous copper-colored metal size B shots, and a quantity of a perchlorate explosive mixture.

9. Based on my training, experience, knowledge of the investigation, and consultation with other explosives experts, I believe Objects #1, #2, #3, and #4 are destructive devices, as that term is defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(1).

10. A records query shows that Objects #1, #2, #3, and #4 were never registered to Giliberti in the National Firearms Registration and Transfer Record.