

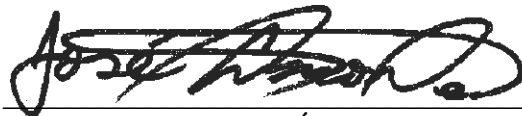
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. José R. Almonte, U.S.M.J.
	:	
v.	:	Mag. No. 24-16262
	:	
JAN DAENINCK	:	<u>SEALING ORDER</u>

THIS MATTER having been brought before the Court upon application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Michelle L. Goldman, Assistant United States Attorney, appearing), for an order sealing the Complaint and Arrest Warrant issued on this date, and for good cause shown,

IT IS on this 9th day of October, 2024,

ORDERED that the Complaint, Arrest Warrant, and this Order, except as necessary to effectuate the arrest of the defendant, be and hereby are sealed (1) until the arrest of the defendant, upon which the Complaint, Arrest Warrant, and this Order shall be unsealed, or (2) until further Order of this Court.

A handwritten signature in black ink, appearing to read "José R. Almonte", is written over a horizontal line.

HONORABLE JOSÉ R. ALMONTE
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. José R. Almonte, U.S.M.J.
	:	
v.	:	Mag. No. 24-16262
	:	
JAN DAENINCK	:	CRIMINAL COMPLAINT

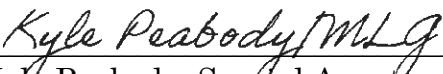
I, Kyle Peabody, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.



Kyle Peabody, Special Agent
Federal Bureau of Investigation

Special Agent Peabody attested to this Complaint
by telephone pursuant to FRCP 4.1(b)(2)(A)
on October 9, 2024 in the District of New Jersey



Honorable José R. Almonte
United States Magistrate Judge

ATTACHMENT A

COUNT ONE

(Interference with Flight Crew Members and Attendants)

On or about March 31, 2024, in the District of New Jersey and elsewhere, the defendant,

JAN DAENINCK,

on an aircraft in the special jurisdiction of the United States, namely Swiss Airlines Flight Number LX 19, traveling from Newark Liberty International Airport to Zurich, Switzerland, did assault and intimidate flight attendants and crew members of an aircraft, thereby interfering with the performance of the duties of the flight attendants and crew members and lessening the ability of the flight attendants and crew members to perform those duties, by assaulting and intimidating a flight attendant (“VICTIM-1”), specifically by punching and striking him numerous times.

In violation of Title 49, United States Code, Section 46504.

COUNT TWO

(Assault by Striking, Wounding, or Beating in the Special Aircraft
Jurisdiction of the United States)

On or about March 31, 2024 through on or about April 1, 2024, in the District
of New Jersey and elsewhere, the defendant,

JAN DAENINCK,

on an aircraft in the special jurisdiction of the United States, namely Swiss Airlines
Flight Number LX 19, traveling from Newark Liberty International Airport to Zurich,
Switzerland, committed an assault by striking, beating and wounding a flight
attendant (“VICTIM-1”).

In violation of Title 18 United States Code, Section 113(a)(4) and Title 49
United States Code, Section 46506.

COUNT THREE
(Abusive Sexual Contact)

On or about March 31, 2024, in the District of New Jersey and elsewhere, the defendant,

JAN DAENINCK,

on an aircraft in the special jurisdiction of the United States, namely Swiss Airlines Flight Number LX 19, traveling from Newark Liberty International Airport to Zurich, Switzerland, knowingly engaged in sexual contact, as defined in Title 18, United States Code, Section 2246(3), with another person (“VICTIM-2”), without VICTIM-2’s permission.

In violation of Title 18, United States Code, Section 2244(b) and Title 49, United States Code, Section 46506.

ATTACHMENT B

I, Kyle Peabody, am a Special Agent with the Federal Bureau of Investigation. 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, and other items of evidence. 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 statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about March 31, 2024, defendant JAN DAENINCK ("DAENINCK") was a passenger aboard Swiss Airlines Flight LX 19 (the "Flight"), departing Newark Liberty International Airport in Newark, New Jersey and traveling to Zurich, Switzerland.

2. Shortly after takeoff, DAENINCK left his assigned seat in business class and walked toward a flight attendant ("VICTIM-2") and grabbed both of VICTIM-2's breasts with his hands, shook her, and began yelling at her.

3. VICTIM-2 was able to wrest herself free of DAENINCK, crouch down, and call for help from other cabin crew members.

4. Shortly thereafter, DAENINCK approached and began to repeatedly strike the cockpit door of the Flight and attempted to gain entry into the cockpit. Specifically, DAENINCK began to punch, kick, and throw his body into the cockpit door while cursing and shouting for the flight crew to open the cockpit door to let him into the cockpit.

5. While DAENINCK was repeatedly striking the cockpit door and attempting to gain entrance to the cockpit, a flight attendant ("VICTIM-1") approached DAENINCK. After repeatedly striking, punching, and kicking the cockpit door, DAENINCK then turned to VICTIM-1 and began assaulting VICTIM-1 by repeatedly punching and kicking VICTIM-1, striking VICTIM-1 in head and upper body, including by striking VICTIM-1 in the jaw and shoulder with a closed fist.

6. During the course of DAENINCK's assault, VICTIM-1 was able to call for assistance using the Flight's public address system while DAENINCK continued his assault on VICTIM-1.

7. Shortly thereafter, additional crew members were able to intervene and assist with restraining DAENINCK on the floor in the vicinity of the cockpit door. DAENINCK was thereafter restrained by VICTIM-1 and several other flight attendants for the remainder of the Flight.

8. These flight attendants had to move from their assigned areas to assist VICTIM-1 in restraining DAENINCK who, while restrained on the floor, continued to attempt to assault crew members, including by thrashing, yelling, cursing, spitting, and threatening the flight attendants—including by, in substance and in part, threatening to kill the flight attendants—and by attempting to bite one or more of the flight attendants restraining DAENINCK.

9. As a result of DAENINCK's actions, the First Officer of the Flight turned the Flight around and landed back at Newark Liberty International Airport.

10. After the Flight landed, VICTIM-1 was transported to a local hospital to receive treatment for his injuries.