

JJD:LTG

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

DANIEL PATRICK SHEEHAN,

Defendant.

C O M P L A I N T

(T. 18, U.S.C., §§ 1951  
and 924(c)(1)(B)(ii))

- - - - -X

**MJ 12-985**

EASTERN DISTRICT OF NEW YORK, SS:

JOHN M. TRIOLO, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between May 1, 2012 and November 7, 2012, within the Eastern District of New York, the defendant DANIEL PATRICK SHEEHAN did knowingly and intentionally attempt to obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by extortion, to wit: the extortion of the Home Depot store in Huntington Station, New York via threatening letters and telephone calls to the store manager.<sup>1</sup>

(Title 18, United States Code, Section 1951).

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<sup>1</sup> Home Depot is a commercial establishment that buys and sells goods which travel in interstate commerce. The Home Depot, which is headquartered in Atlanta, Georgia, has more than 2,200 retail stores in the United States (including Puerto Rico and the U.S. Virgin Islands), Canada, Mexico and China. The Home Depot's stock is traded on the New York Stock Exchange and is included in the Dow Jones industrial average and Standard & Poor's 500 index.

Upon information and belief, on or about October 15, 2012, within the Eastern District of New York, the defendant DANIEL PATRICK SHEEHAN did knowingly and intentionally use and carry a destructive device, to wit: a bomb, during and in relation to a crime of violence, to wit: the attempted extortion of Home Depot, and did knowingly and intentionally possess said destructive device in furtherance of such crime of violence.

(Title 18, United State Code, Section 924(c) (1) (B) (ii)).

The source of your deponent's information and the grounds for his belief are as follows:<sup>2</sup>

1. I have been a Special Agent with the FBI for approximately twenty-one years. I am familiar with the facts contained in this affidavit as a result of my participation in the investigation of the herein described extortion plot, which includes, but is not limited to, my review of ransom demand letters, audio recordings, police reports, telephone records, interviews with civilian witnesses and conversations with other law enforcement personnel assisting with the investigation.

2. On October 15, 2012, at approximately 4:00 p.m., the Home Depot store located at 839 New York Avenue, Huntington

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<sup>2</sup> Because this Affidavit is being submitted for the limited purpose of establishing probable cause to arrest the defendant, I have not included details of every aspect of this investigation.

Station, New York (the "Home Depot") received an anonymous letter (letter #1) claiming that there was a bomb in a box in the lighting department. Letter #1 claimed that the bomb could not go off, but was being used to prove that the sender was capable of making a bomb. Letter #1 also demanded that Home Depot pay \$2,000,000 or the sender would "SHUT DOWN ALL [HOME DEPOT'S] LI STORES ON BLACK FRIDAY." Letter #1 also claimed that the sender was prepared to "DETONATE 3 DEVICES IN 3 DIFFERENT STORES REMOTELY VIA TRAC FONE" and that the "OTHER DEVICES ARE 2½" BY 6" PIPE WITH 1 POUND OF ROOFING NAILS SILICONED TO THEM EACH."

3. On October 15, 2012, the Home Depot notified law enforcement authorities of the bomb threat and officers responded. During a subsequent search of the Home Depot lighting department, law enforcement officers located the explosive device, which was moved to a safe area and then detonated. FBI bomb technicians agree that this explosive device was a functioning "pipe bomb." This pipe bomb consisted of the following parts: (1) a one inch by six inch pipe filled with black powder (explosive) and bird shot (projectile); (2) two end caps; (3) an initiator (for the purpose of detonating the device); (4) a 9 volt battery (power source); (5) wires; and (6) a pull chain switch. FBI bomb technicians agree that the individual that constructed this pipe bomb had some expertise in constructing destructive devices.

4. Letter #1 also stated that "I WILL CALL YOUR STORE AT NOON ON OCT. 17<sup>TH</sup> EXTENSION 300 TO SEE WHAT YOUR DESIDE." [SIC] Law enforcement officers responded to the Home Depot on October 17, 2012 and waited for the telephone call. At approximately 12:16 p.m., the Home Depot received a telephone call from an anonymous number (the "anonymous call"). The anonymous, male caller, later determined to be the defendant DANIEL PATRICK SHEEHAN, demanded in sum and substance, that the Home Depot pay \$2,000,000 by Friday, October 26, 2012.

5. Thereafter, law enforcement authorities subpoenaed telephone records for Home Depot. Those records revealed that the anonymous call had been made by telephone number (631) 827-1781 (the "TracFone"). This pre-paid TracFone was purchased in May 2012 at a 7-11 convenience store for cash. Based upon my training and experience, individuals involved in criminal activity often use pre-paid, unregistered cell phones to avoid detection by law enforcement.

6. On or about October 22, 2012, a second anonymous letter (letter #2) arrived at the Home Depot, lowering the ransom demand to \$1 million and setting the "money drop" for Friday, October 26. Letter #2 also advised that at the ransom pick-up, the defendant DANIEL PATRICK SHEEHAN intended to be "wired up like a Christmas tree" with "2 devices strapped to a belt and 1 to a neck chain that I will be wearing, wired together

and attached to a 'deadman' switch in my hand." Moreover, letter #2 advised that "to keep from being shot from a distance" defendant SHEEHAN intended to place a new device in the Home Depot, describing it as "a 2" x 6" pipe w/ 1 lb. of roofing nails glued to [the] outside, wired to a 6 volt battery w/2 igniters [sic] to one of your digital thermostats set for 68 degrees."

7. Subsequently, on October 26, 2012 at approximately 11:11 a.m., the defendant DANIEL PATRICK SHEEHAN, using the TracFone called the Home Depot. Defendant SHEEHAN said "... this is the guy with the letters...you have a lot of show of force there today, dozens of cops everywhere...I'm very angry right now, I'll send you a letter, we'll do this again."

8. During the course of this investigation, it has been determined that the defendant DANIEL PATRICK SHEEHAN is a current employee of the Home Depot, who works at the company's Deer Park, New York store.

9. On October 17, 2012, at the time of the first ransom call, cellular tower records place the TracFone in the vicinity of 475 Commack Road, Deer Park, New York, in the immediate vicinity of the defendant DANIEL PATRICK SHEEHAN's place of business.


10. On October 26, 2012, the day of the second ransom call, GPS technology was used to determine that at 11:59 a.m., the TracFone was located in the vicinity of Pulaski Road and Chimay Court in Huntington Station, New York. Law enforcement

also determined that a green van registered to the defendant DANIEL PATRICK SHEEHAN was in the immediate vicinity of that location at almost exactly the same time.

11. On November 7, 2012, the defendant DANIEL PATRICK SHEEHAN was observed by law enforcement officers in the vicinity of the Commack, New York Home Depot store in the above-described van. The defendant was later stopped by law enforcement officers and the TracFone, from which both calls to the Home Depot (including the ransom call) were made, was found inside the defendant's van.

12. After being advised of his Miranda rights and waiving those rights, the defendant DANIEL PATRICK SHEEHAN admitted that he had attempted to extort money from the Home Depot. The defendant further admitted to building and placing the pipe bomb in the Home Depot (after building and detonating a test device at another location), sending ransom letter #1 and ransom letter #2, and making the ransom demand call to the Home Depot. Finally, the defendant admitted that during the extortion scheme he took steps to avoid detection by law enforcement including purchasing the pre-paid unregistered TracFone.


WHEREFORE, your deponent respectfully requests that the defendant DANIEL PATRICK SHEEHAN be dealt with according to law.



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John M. Triolo  
Special Agent, FBI

Sworn to before me this  
8<sup>th</sup> day of November 2012



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THE HONORABLE GARY R. BROWN  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK