

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

ERIC LIN

Case No.

19 mj 03305-Louis

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* Eric Lin

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Interstate Transmission of Threatening Communications, in violation of Title 18, United States Code, Section 875(c).

Date:

August 15, 2019

Issuing officer's signature

City and state: Miami, Florida

Lauren Fleischer Louis, United States Magistrate Judge

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
at *(city and state)* _____.

Date: _____

*Arresting officer's signature**Printed name and title*

Printed name and title
 Certified to be a true and
 correct copy of the document on file

Angela E. Noble, Clerk,
 U.S. District Court

Southern District of Florida

By _____

Deputy Clerk

Date 8/15/2019

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

ERIC LIN,

Case No.

19mj 03305 - LOUIS

Defendant(s)

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(s) of 5/30/2019 through 8/13/2019 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 875(c)

Interstate Transmission of Threatening Communications

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Matthew Jones, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

August 15 2019

Certified to be a true and
correct copy of the document on file
Angela E. Noble, Clerk,
U.S. District Court
Southern District of Florida

By

A.E.

Deputy Clerk

Date

8/15/2019

Judge's signature

City and state:

Miami, Florida

Lauren Fleischer Louis, U.S. Magistrate Judge

Printed name and title

SEALED AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Matthew Jones, being duly sworn, do hereby depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code. That is, I am an officer of the United States who is empowered by law to conduct investigations of, and make arrests for, violations of Title 18 of the United States Code.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), United States Department of Justice, currently assigned to the Joint Terrorism Task Force (JTTF) of the FBI Miami Division. My duties involve the investigation of a variety of violations of federal offenses including threats to life, acts of domestic terrorism, and other violations of federal law. I have been a Special Agent since January of 2018 and have been assigned to the FBI Miami Division since June 2018. I have completed approximately five months of basic and specialized training at the FBI Academy, Quantico, Virginia. During that time, I received formal training and have gained experience in interviewing and interrogation techniques, arrest procedures, search applications, the execution of search and seizures, and various other criminal laws and procedures.

3. The information set forth in this Affidavit is provided in support of the attached criminal complaint, charging Eric LIN (the "Defendant" or "LIN") with Interstate Transmission of Threatening Communications, in violation of Title 18, United States Code, Section 875(c).

4. The information contained in this Affidavit is based on my personal knowledge, as well as information relayed to me by other law enforcement agents and officers

involved in this investigation. I have not included in this Affidavit each and every fact known to me or to other law enforcement officers surrounding this investigation. Rather, I have included only those facts that I believe are necessary to establish probable cause to arrest the defendant for the violation above.

STATUTORY AUTHORITY

5. Title 18, United States Code, Section 875(c) makes it a federal crime to transmit in interstate and foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

PROBABLE CAUSE

A. Threatening Communications via Facebook

6. On or about July 24, 2019, the FBI received information from the City of Miami Police Department that an individual, hereinafter referred to by his/her initials as "C.I." received threatening messages on his/her Facebook account from the following two (2) Facebook, Inc. ("Facebook") accounts:

- a. Username: "Eric.a.lin. [REDACTED]"¹; screen name: "E [REDACTED] S [REDACTED]"; and identification (ID) number: "[REDACTED]4291" (hereinafter "E.S. Account"), and
- b. Username: "J [REDACTED].h [REDACTED]. [REDACTED]"; screen name: "J [REDACTED] H [REDACTED]"; ID Number: "[REDACTED]6670" (hereinafter "J.H. Account"),

7. Subsequently, the FBI interviewed C.I. who resides and works in Miami-Dade County, in the Southern District of Florida. During the interview, C.I. provided printed hard copies of the messages she received from the Facebook accounts. The printed messages,

¹ Portions of the Facebook information have been redacted to protect the identity of the Facebook accounts discussed herein.

which your Affiant reviewed, totaled over 150 pages, and contained threats to injure and/or kill C.I., his/her family members, and all Hispanics, as well as pro-Hitler and anti-Hispanic statements. In the messages from the Facebook accounts the sender calls for the “extermination” of all Hispanics as well as other racial and ethnic groups. Notably, C.I. is from Spain. The messages that C.I. printed were sent between the period of May 30, 2019 and July 20, 2019.

8. Based on the substance of the messages (examples of which are provided below), C.I. informed the FBI that he/she believed these communications had been made by an individual that frequented the restaurant where he/she worked. C.I. knows this individual by the name of Eric Lin. C.I. believes that the messages came from Eric Lin because Eric Lin’s statements at the restaurant were similar in content to the Facebook messages sent by the Facebook accounts to C.I. In particular, both his statements in the restaurant and the messages from the Facebook accounts discussed mass shootings and idolization of Adolf Hitler. C.I. further advised law enforcement that the messages from the Facebook accounts caused him/her to fear for his/her life and the lives of his/her family members.

9. The messages sent from the Facebook accounts to C.I. were sent using the direct message or “DM” function. Some examples of the messages sent from the Facebook accounts to C.I. include the following:

- a. On or about May 30, 2019, C.I. received a DM from the J.H. Account containing what is believed to be a photograph of Eric Lin wearing a red shirt with a Hitler photograph “filter” superimposed on Lin’s face, and a follow up message stating: “Composite of My Face with the Führer und Reichskanzler Deutscheland....” Notably, C.I. advised law enforcement

that on a prior occasion at the restaurant Lin showed C.I. what he/she believed to be the same filtered photograph.

b. On or about June 7, 2019, C.I. received the following Facebook DMs from the J.H. Account:

- i. “you are worth less than a Rabid Dog...Rabid Spics like you need to be Put down. With Extreme Ruthlessness!”
- ii. “I will let you live so you can slowly watch me destroy your Entire Race, then your family will be targeted for being ‘Anti-American’ which they are.”
- iii. “This is a RACE WAR and ALL of you will DIE! Good luck Spic Nigger Arab Jew Spainaird [*sic*]....”
- iv. “In 3 short years your entire Race your entire culture will Perish only then after I kill your Spic family will I permit you to Die by Hanging on Metal Wire.”

c. On or about June 8, 2019, C.I. received the following Facebook DMs from the J.H. Account:

- i. “I’m going to enslave Rape And use you like a baby making machine. Once I’m finished with you I might just get rid of you like a piece of trash.”
- ii. “Should I decide to kill you spics no power on earth is going to stop me. I’m cool calm calculating and methodical. I will be carrying a Rifle hand gun and SS my honor is called loyalty dagger. You try to pretend to be a Spic Nazi. You want to see

what a real Nazi can do? I guarantee I can kill you when you least expect it I'm coming to kill you."

d. On or about June 9, 2019, C.I. received a Facebook DM from the J.H. Account stating, "...you and your worthless Spic Race will be Murdered by me one by One and I will laugh and make you watch and save you for last. LOL!"

e. On or about June 11, 2019, C.I. received a Facebook DM from the J.H. Account, stating "I will stop at Nothing until you, your family, your friends,, [sic] your entire WORTHLESS LATIN RACE IS RACIALLY EXTERMINATED!"

f. On or about July 9, 2019, C.I. received the following Facebook DMs from the E.S. Account:

i. "By the Authority of ADOLF HITLER AND GOD I HEREBY DECLARE SPANISH AND ALL SPANISH SPEAKING PEOPLE ILLEGAL."

ii. "that's ALL I NEED AUTHORITY FROM ADOLF HITLER TO ACT. I FOLLOW ONLY ADOLF HITLER AND THEN GOD. THEY ARE ONE AND THE SAME."

g. On or about July 10, 2019, C.I. received the following Facebook DMs from the E.S. Account:

i. "When I come with my Armies I will cut you at your knees so that you know to Bow in Front of a Natural Born King. Then I will

Cut your FUcking [*sic*] Heart out and as it is still beating I will Eat it in front of your very eyes!”

- ii. “Come at me Spanaird [*sic*]. I will give you your Death I promise you, you and all of your “People”. May Spanish NEver [*sic*] be Spoken on the Face of the Earth again!”
- h. On or about July 11, 2019, C.I. received a Facebook DM from the E.S. Account, stating, “The Fact is no where on Earth is Safe from me.”
- i. On or about July 12, 2019, C.I. received the following Facebook DMs from the E.S. Account:
 - i. FUCK /YOU SPANISH SPEAKING FILTHY ANTI AMERICAN ANTI WHITE SPIC FROM NIGGER SPAIN. SPAnish [*sic*] people are the Niggers of Europe and should all be Put to Death!”
 - ii. “I look forward to cutting you at your knees Spaniard and then cutting out your Heart and drinking ever last drop of blood from your Veins then eating your Flesh like eating a Steak.”
- j. On or about July 15, 2019, C.I. received the following Facebook DMs from the J.H Account:
 - i. “Time to Die you White American HAting [*sic*] Spic!”
 - ii. “We will Cut You at Yours Knees Spaniard, Cut out your Heart and Drink your Blood before your very eyes!”
 - iii. “When the Time Comes We Will Kill every FUcking [*sic*] Spic in Miami!”

- iv. “If you Stand in the Way we are going to put so many bullets in your body that your Spanish Spic American Hating Mother is not going to be able to identify you!”
 - v. “Our Great President Donald John Trump is too Nice of Man. But I will say it, All you Spics, Niggers, and Muslim Hating “Americans” will be Killed!”
 - vi. “I will Cut you open and Drink you Blood Until you Die! “YOU PIECE OF AMERICAN HATING SHIT!”
 - vii. “YOU DIRTY FUCKING SPIC!”
 - viii. “YOU DIRTY FUCKING SPIC LOVING WHORE!”
- k. On or about July 19, 2019, C.I. received the following Facebook DMs from the E.S. Account:
- i. “I Thank God everyday President Donald John Trump is President and that he will launch a Racial War and Crusade to keep the Niggers, Spics, and Muslims and any dangerous non-White or Ethnically or Culturally Foreign group “In Line” By In Line” it is meant they will either be sent to “Concentration Camps” or dealt with Ruthlessly and Vigorously by the United States Military.”
 - ii. “We are more than Ready for another Spanish-American War. We are Ready to kill Spanish peoples and Latin peoples by the Millions!”
- l. On or about July 20, 2019, C.I. received a Facebook DM from the E.S. Account, stating “I just know that Providence has willed this White Holy

Racial War in the United States of America for a Reason and that I will make my name in it.”

10. On or about August 12, 2019, the mother of C.I. contacted law enforcement to advise that the E.S. Account and J.H. Account sent more DMs to C.I. beginning on August 8, 2019. Law enforcement obtained hard copy print outs of these messages.

11. Some examples of the messages sent from these Facebook accounts to C.I. include the following:

a. On or about August 8, 2019, C.I. received the following Facebook DMs from the J.H. Account:

- i. ...“I look forward to committing a “Genocide”...
- ii. “The Time will come when Miami will burn to the Ground---and every Latin Man be lined up against a Wall and shot and every Latin Woman Raped or Cut to pieces...”

b. On or about August 9, 2019, C.I. received the following Facebook DMs from the E.S. Account:

- i. “no Where is Safe in this World if you Run to Spain we will attack Spain if you Run to Great Britain we will attack Great Britain if you Run to Germany we will attack Germany if you Run to Russia Putin will give you back to “US”.”
- ii. “But we’ll attack Spic Miami first because that’s where you live... We will Burn your House drag you in the Street and Cut you into Pieces of Bayonets... You will be Cut a thousand Pieces as

slowly and painfully as possible like the “Spanish Dog” you are--
-!!!!”

- iii. “I may have go [sic] gouge your Eyes out and cut your Tongue out
then finally cut your Heart out---That will teach you RESPECT--
-!!!!YOU FUCKING WORTHLESS SPIC WHORE!!! YOU
MENTALLY RETARDED IDIOT---!!!!!!”

12. On August 14, 2019, the mother of C.I. advised that the E.S. Account and J.H. Account sent more DMs to C.I. from August 12, 2019, through August 13, 2019. Law enforcement obtained copies of these messages. Your Affiant reviewed these messages and determined that they are similar in nature to the previously described messages to include hate rhetoric and threatening communications.

B. Facebook Communications Involving Plot to Injure

C.I.’s Co-Worker and/or to Kidnap C.I.

13. As discussed below, your affiant obtained a search warrant from Facebook for the E.S. and the J.H. accounts. Those records revealed that the E.S. Account was engaged in DM communications with an individual with screen name with the initials C.R. (hereinafter the “C.R. Account”) in which Lin offers to pay the user of the C.R. Account, to travel to Miami, Florida, find C.I.’s coworker, and injure him, and/or to kidnap C.I.

14. The messages sent from E.S. Account to C.R. Account were sent using the direct message or “DM” function. Some examples of the messages sent are:

- a. On July 10, 2019, the E.S. Account sent C.R. Account the following message referring to injuring C.I.’s co-worker: “Hey Chris I was wondering if you could do me a favor. I wondering if you could go to Miami and beat up this

Spic who insulted me. I can pay you \$10,000.”

- b. On July 10, 2019, the C.R. Account responds to the E.S. Account: “Sure pay me first PayPal or Zelle[.]”
- c. On July 12, 2019, the E.S. Account sent the following message to the C.R. Account regarding the possible kidnapping of C.I.: “The Plan is you and Mara convince her that you are Rich White Americans people she looks up to. And then get her into a Rented House or Mansion and then chain her up and put her in a Rubber made Plastic Bin. Then you got to Drive her to Seattle[,] Washington upon which I will pay you \$25,000 cash. You don't need to kill her her [*sic*] hurt her so at most you will be charged with Kidnapping. Nothing will happen to you if you get the Right lawyers She's a Spic who Hates White Americans...I doubt the FBI would care much about her.”
- d. Also on July 12, 2019, the E.S. Account sends the following message to the C.R. Account regarding the kidnapping of C.I.: “I don't care if I have to Pay you a Million Dollars or More I want this Done!”

C. Identification of the Facebook Accounts

15. The FBI reviewed the Facebook pages for the two Facebook accounts; however, the above-described direct messages were not visible on the publicly available portions of the Facebook accounts. Based on my training and experience, I know that DMs are not typically viewable or accessible on the public portion of a Facebook page. Rather these are typically private messages sent from one Facebook user to another.

16. From the publicly available information of the E.S. Account and the J.H. Account, law enforcement was able to identify the ID numbers and usernames associated with

the Facebook accounts as follows: the ID number for the E.S. Account is [REDACTED] 4291, with the username of Eric.a.lin.[REDACTED]; and the ID number for the J.H. Account is [REDACTED] 6670, with the username of J [REDACTED] h [REDACTED]. [REDACTED].

17. On August 8, 2019, your affiant obtained a sealed search warrant to Facebook for the E.S. Account and J.H. Account.

18. On August 13, 2019, Facebook provided the results of the search warrant for records dated through August 8, 2019. Your affiant reviewed these records and was able to locate many of the DMs to C.I. from the E.S. Account and the J.H. Account described above.

19. The records from Facebook also indicate that the E.S. Account is registered to username "Eric.a.lin.[REDACTED]," and associated with the telephone number ending in 6072. This number is a cellular telephone number with service provided by AT&T Wireless (hereinafter "the Subject Cell Phone"). The J.H. Account is registered to username J [REDACTED] h [REDACTED]. [REDACTED] and associated with the Subject Phone. Additionally, the records revealed that the Subject Cell Phone was used to verify the J.H. Account. According to Facebook, "verified" means the J.H. Account holder responded to a text sent to the Subject Cell Phone number.

20. Additionally, the Facebook records indicate that at least one of the devices used to access and use the J.H. and E.S. Accounts is an iPhone.

D. Identification of LIN's Telephone as the Subject Cell Phone

21. On or about August 13, 2019, law enforcement received records from AT&T Wireless (AT&T), the service provider for the Subject Cell Phone. According to those records the Subject Cell Phone is an iPhone and is subscribed in the name of an individual believed to be Eric Lin's father.

22. However, the subscriber's address listed on AT&T records matches the address

appearing on Eric Lin's driver's license. Additionally, law enforcement located two records in which Eric Lin called the FBI National Tactical Operations Center to file a complaint. Both calls occurred on June 5, 2019 and were made from the Subject Cell Phone. In both calls the caller identified himself as "Eric Lin," and provided a date of birth that is the same date of birth listed on the driver's license for Eric Lin.


23. Additionally, to verify that Lin is the user of the Subject Cell Phone, on August 13, 2019, your affiant called the Subject Cell Phone number purportedly to follow up on the June 5, 2019, complaint called in by Lin. Your affiant asked if the individual that answered the phone was Eric Lin, and a male voice responded "yes." During that conversation, the individual provided the same date of birth belonging to Eric Lin. The individual stated that he was currently in Los Angeles.

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CONCLUSION

24. Based on the above information, I respectfully submit that there is probable cause to believe that Eric LIN, from on or about May 30, 2019 through on or about August 13, 2019, in Miami-Dade County, in the Southern District of Florida, and elsewhere transmitted in interstate or foreign commerce communications containing threats to injure the person of another, in violation of Title 18, United States Code, Section 875(c).

FURTHER AFFIANT SAYETH NAUGHT.


Matthew Jones, Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me
this 15 day of August, 2019 in Miami, Florida.


LAUREN FLEISCHER LOUIS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF FLORIDA

