

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

HAL TURNER

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief:

On or about June 2, 2009, and June 3, 2009, in the Northern District of Illinois, Eastern Division, and elsewhere, HAL TURNER, defendant herein:

threatened to assault and murder three United States judges with intent to retaliate against such judges on account of the performance of official duties;

in violation of Title 18, United States Code, Section 115(a)(1)(B). I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant
John Marsh
Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

June 24, 2009 at Chicago, Illinois
Date City and State

MARTIN C. ASHMAN, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

3. As part of this investigation, I have learned that after the Supreme Court concluded in *District of Columbia v. Heller*, 128 S. Ct. 2783 (2008), that the Second Amendment entitles handguns at home for self-protection, several suits were filed challenging similar handgun bans in Chicago and Oak Park, Illinois. On June 2, 2009, the United States Court of Appeals for the Seventh Circuit issued an opinion in *National Rifle Association v. Chicago*, Nos. 08-4241, 08-4243 & 08-4244, affirming a district court's decision to dismiss the cases challenging handgun bans in Chicago and Oak Park. The Seventh Circuit Court's decision was written by Chief Judge Frank Easterbrook and was joined by Judge Richard Posner and Judge William Bauer.

Turnerradionetwork.blogspot.com

4. On or about June 8, 2009, law enforcement was directed to an entry for an Internet posting on the website turnerradionetwork.blogspot.com. FBI agents visited the website with the domain turnerradionetwork.blogspot.com. At the top of the website was the heading, "Turner Radio Network," below which an address was listed. The address, which was identified as a "Postal Mailing Address," was "1906 Paterson Plank Road, North Bergen, NJ 07047-1900, USA."

5. The front page of the site contained an entry dated June 2, 2009, that was titled, "OUTRAGE: Chicago Gun Ban UPHELD; Court says 'Heller' ruling by Supreme Court not applicable to states or municipalities!" After describing the Seventh Circuit's June 2, 2009, decision in *National Rifle Association v. Chicago*, the entry read:

The federal Judges at both the District Court and now at the Federal Circuit Court of Appeals have intentionally ignored the common language of the Second Amendment and have now intentionally ignored a clear ruling by the US Supreme Court on the matter.

All the years of peaceful legal challenges; all the years of peaceful appeals; all the years of peacefully and lawfully lobbying federal and state legislators, to achieve the penultimate goal of finally interpreting the meaning of the Second Amendment, only to have it all thrown in the trash by three Appellate Judges in a manner so sleazy and cunning as to deserve the ultimate response.

This is what happens folks, when YOU play by the rules. Government does not.

This is what happens when YOU have faith in the system. The government laughs at your blissful ignorance.

This is what happens when YOU believe the government is honorable. Our present government is not.

The government - and especially these three Judges - are cunning, ruthless, untrustworthy, disloyal, unpatriotic, deceitful scum. Their entire reason for existing is to accrue unto themselves, power over everything.

The only thing that has ever stood in the way of their achieving ultimate power is the fact that We The People have guns. Now, that is very much in jeopardy.

Government lies, cheats, manipulates, twists and outright disobeys the supreme law and founding documents of this land because they have not, in our lifetime, faced REAL free men willing to walk up to them and kill them for their defiance and disobedience.

Thomas Jefferson, one of our Founding Fathers, told us "The tree of liberty must be replenished from time to time with the blood of tyrants and patriots." It is time to replenish the tree!

Let me be the first to say this plainly: These Judges deserve to be killed. Their blood will replenish the tree of liberty. A small price to pay to assure freedom for millions.

This is not the first politically-motivated trash to come out of the Seventh U.S. Circuit Court of Appeals. In fact, it was the Seventh U.S. Circuit Court of Appeals that decided in the Matt Hale Case, that a group which fraudulently trademarked the name

"World Church of the Creator" despite the fact they knew that name had been used by a Church for 30 years, could KEEP the name because the church who had used it for 30 years didn't challenge the Trademark filing!

By not challenging the Trademark registration, the people who had used the name for years LOST IT.

That decision lead to an order by a lower court for the Church to "surrender its Bibles for destruction because they infringed on the trademark" given to the fraudsters.

Shortly thereafter, a gunman entered the home of that lower court Judge and slaughtered the Judge's mother and husband.^[1] Apparently, the 7th U.S. Circuit court didn't get the hint after those killings. It appears another lesson is needed.

These Judges are traitors to the United States of America. They have intentionally violated the Constitution. They have now also intentionally ignored a major ruling by the US Supreme Court.

If they are allowed to get away with this by surviving, other Judges will act the same way.

These Judges deserve to made such an example of as to send a message to the entire judiciary: Obey the Constitution or die.

6. On June 3, 2009, at 8:57 a.m., the entry described above was updated.

Below the above text, it read: "Judges official public work addresses and a map of the area are below. Their home addresses and maps will follow soon. Behold these devils." Below this headline, the entry listed a name, photograph, phone number, and the work address and room number of the three Seventh Circuit judges involved in the decision. Following this information about the judges, the entry displayed a picture of the Dirksen Federal Building in Chicago, Illinois, the location of the United States Court of Appeals for the Seventh

¹ On February 28, 2005, the mother and husband of a judge on the United States District Court for the Northern District of Illinois were murdered.

Circuit, along with a map depicting the location of the Dirksen Federal Building. The picture of the Dirksen Federal Building contained the label, "Anti-truck bomb barriers," from which arrows pointed to three different parts of the building.

7. I have confirmed that the photographs, phone numbers, work addresses, and room numbers of the three Seventh Circuit judges are accurate.

8. Also posted on turnerradionetwork.blogspot.com was an entry dated June 3, 2009, and titled, "Another Abortion Target Volunteers." Below this heading was the following text:

After the killing of abortionist George Tiller, another "doctor" has publicly announced he wishes to take Tiller's place to continue partial birth abortions!

Physician [Name] of Omaha, NE wants to continue providing third-term abortions after the brazen slaying of his friend and colleague George Tiller.

Gee, this is becoming a "target-rich environment!"

I suspect someone has a bullet for this guy too. I guess we'll just have to wait and see.

9. FBI Agents searched the archived history of the website Turnerradionetwork.blogspot.com. Within the archived history of Turnerradionetwork.blogspot.com was an entry dated February 20, 2009, titled, "Fucking Federal Judges Never Learn - but I hereby WARN one of them." The entry addressed a Judge of the United States District Court for the District of New Jersey concerning a temporary restraining order issued against a company in a lawsuit for discriminatory hiring practices:

Well, I've got news for the latest federal Judge, [Name] and the NAACP concerning this latest hiring freeze spawned by the latest lawsuit: if your actions kill more people, don't expect to walk away unscathed this time.

I don't give a shit about sovereign immunity or the US Marshal Service that protects federal judges. I don't give a shit about laws preventing retaliation against parties to a judicial proceeding. I don't give a shit about US Attorneys bringing Indictments against me or securing court orders against me, because they won't be worth the paper they're written on.

Know now: the days of politically-correct Judges and race-hustling, poverty pimps in the NAACP causing people's deaths without consequence, are over.

The course of action taken by the Judge and the NAACP will, at some point, endanger my life, the lives of my family and the lives of tens-of-thousands of other Hudson County residents. We have an absolute right to defend ourselves -- and this time, we will.

This time, if people die, the people responsible will either be brought to justice or justice will be brought to them.

10. Also within the archived history of Turnerradionetowrk.blogspot.com was a post dated January 4, 2009, titled, "Add 2 More Judges to the 'Rope List.'" In reference to a January 4, 2009, decision by the Indiana Court of Appeals that attempted sexual misconduct with a minor requires that the victim actually be a minor, the entry states, "You folks in Indiana who have been planning with me for our national cleansing of government filth - scheduled for the not-to-distant future - had better go out and buy more rope. It appears we have to add two more Judges to a list of filth that needs to 'swing.'"

11. FBI Agents also searched the archived history of the website halturnershow.blogspot.com. At the top of the website is the heading, "Hal Turner Show," below which an address is listed. The address, which is identified as a "Postal Mailing Address," is "1906 Paterson Plank Road, North Bergen, NJ 07047-1900, USA."

12. Posted on halturnershow.blogspot.com was an entry dated January 25, 2009, and titled, "A Tyrant in Garrison, NY." Below this heading was a post about a judge on the United States District Court for the Southern District of New York. The entry included the following statements:

If Judge [Name] fails to start obeying the Constitution, she would do well to remember what happened to another federal Judge that I chose to heap scorn upon: US District Court Judge [Name] in Chicago. After I heaped scorn upon her, someone went to her house and gunned down her family.

...Oh and if you dare try to do anything at all about MY freedom of speech in undertaking these activities, be warned: I will enforce my First Amendment freedom by making swift and effective use of my Second Amendment freedom. The only thing you have to ask yourselves is whether or not you're willing to be on the wrong end of the Second Amendment when my finger is on the trigger. Be assured that I will not hesitate for even a fraction of a second to defend my freedom.

13. Based on statements contained in the entries on June 2, 2009, and June 3, 2009, about Chief Judge Frank Easterbrook, Judge Richard Posner, and Judge William Bauer of the United States Court of Appeals for the Seventh Circuit, I submit to the Court that the entries constitutes a threat to assault or murder a United States judge with intent to retaliate against such judge on account of the performance of official duties. I base that conclusion in part on:

a. the statements contained in the entry about the judges, including:

Let me be the first to say this plainly: These Judges deserve to be killed. Their blood will replenish the tree of liberty. A small price to pay to assure freedom for millions.

...[A] gunman entered the home of that lower court Judge and slaughtered the Judge's mother and husband. Apparently, the 7th U.S. Circuit court didn't get the hint after those killings. It appears another lesson is needed.

If they are allowed to get away with this by surviving, other Judges will act the same way.

These Judges deserve to made such an example of as to send a message to the entire judiciary: Obey the Constitution or die.

b. the inclusion of the judges' photographs, phone numbers, work addresses and room numbers, along with photograph of the building in which they work and a map of the building's location; and

c. the reference to the murder of the mother and husband of a United States District Court Judge in the Northern District of Illinois, along with the statement that "it appears another lesson is needed."

Tracing the IP Address

14. Using the web site www.domaintools.com, law enforcement agents performed a "whois" search for the domain name turnerradionetwork.blogspot.com. A "whois" search provides publicly available information as to which entity is responsible for a particular domain name. The search results indicated that the domain name turnerradionetwork.blogspot.com is registered with Google Inc., 1600 Amphitheatre Parkway, Mountain View, California 94043.

15. Records obtained from Google Inc. disclose that the blog associated with the domain name turnerradionetwork.blogspot.com was registered on January 6, 2006. The email address for the registration was secret12@optonline.net, which was an email address provided by Optimum Online, 111 Stewart Avenue, Bethpage, NY 11714. The records also reflect that between January 2, 2009, and January 3, 2009, of the logins to the

blog account associated with the domain name turnerradionetwork.blogspot.com, thirty-five came from the IP address 68.192.126.181.

16. Law enforcement agents then performed a "whois" search on www.domaintools.com for the IP address 68.192.126.181. The search result indicated that the IP address 68.192.126.181 was allocated to Optimum Online, 111 Stewart Avenue, Bethpage, NY 11714, an ISP. Records obtained from Optimum Online disclose that between June 2, 2003 and June 3, 2009, the IP address 68.192.126.181 was assigned to Phyllis Turner, 1906 Paterson Plank, Apt. 1A, North Bergen, NJ 07047-1900. The subscriber used the same address for billing.

17. On or about June 22, 2009, an FBI agent searched Accurint, a database of public records, for information relating 1906 Paterson Plank, Apt. 1A, North Bergen, New Jersey, which reported that HAL TURNER and Phyllis Turner currently reside at that address.

Interview of Turner

18. On June 24, 2009, FBI Special Agent Mark Wallschlaeger interviewed TURNER at 1906 Paterson Plank, Apt. 1A, North Bergen, New Jersey. TURNER said that he drafted and posted all of the entries on turnernetwork.blogspot.com, including the entries of June 2, 2009, and June 3, 2009, about Chief Judge Frank Easterbrook, Judge Richard Posner, and Judge William Bauer of the United States Court of

Appeals for the Seventh Circuit. TURNER told Special Agent Wallschlaeger that he did not intend to injure the judges but believed he would be criminally responsible if someone reading his website acted on what he posted to his website.

CONCLUSION

19. Based on the above information, I submit there is probable cause that on or about June 2, 2009, and June 3, 2009, TURNER threatened to assault and murder three United States judges with intent to retaliate against such judges on account of the performance of official duties, in violation of Title 18, United States Code, Section 115(a)(1)(B).

FURTHER AFFIANT SAYETH NOT.

John Marsh
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on June 24, 2009.

MARTIN C. ASHMAN
United States Magistrate Judge