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UNITED STATES DISTRICT COURT

JUN - 8 2022

for the

District of Maryland

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

MD
DEPUTY

United States of America)

v.)

Nicholas John Roske)

Case No. 22-mj-1848-TJS

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 June 8, 2022 in the county of Montgomery in the
 District of Maryland, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|--------------------------|---|
| 18 U.S.C. § 115(a)(1)(A) | Attempts to kidnap or murder, or threatens to assault, kidnap or murder a United States Judge, to wit: a current Justice of the United States Supreme Court |

This criminal complaint is based on these facts:

See affidavit.

Continued on the attached sheet.

Ian Montijo
Complainant's signature

Ian Montijo, Special Agent, FBI
Printed name and title

Sworn to before me over the telephone and signed by me pursuant to Fed. R. Crim. P. 4.1 and 4(d).

Date: June 8, 2022

[Signature]
Judge's signature

City and state: Greenbelt, Maryland

Hon. Timothy J. Sullivan, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Ian Montijo, of the Federal Bureau of Investigation (“FBI”), being duly sworn, deposes and states as follows:

1. This affidavit is being submitted in support of a Criminal Complaint charging with NICHOLAS JOHN ROSKE with attempt to murder a United States Supreme Court Justice in violation of 18 U.S.C. § 115(a)(1)(A).

PROBABLE CAUSE

2. 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, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18.

3. I have been employed by the FBI since January 2020, and am currently assigned to the Federal Bureau of Investigation (FBI)’s Baltimore Division with the Joint Terrorism Task Force (“JTTF”). Previously, I spent four years in the United States Marine Corps serving as an Intelligence Officer. During my tenure with the FBI, I have gained knowledge in the use of various investigative techniques including the utilization of location data, physical surveillance, investigative interviews, the service of Grand Jury Subpoenas, and the execution of search and arrest warrants primarily in domestic terrorism investigations. From these experiences, I have become familiar with the ways in which persons plan and conduct criminal activities, to include but not limited to, the efforts persons involved in such activity take to disguise operations and avoid detection by law enforcement.

4. On June 8, 2022, at approximately 1:05 a.m., two United States Deputy Marshals saw an individual dressed in black clothing and carrying a backpack and a suitcase, get out of a

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taxicab that had stopped in front of the Montgomery County, Maryland residence of a current Justice of the United States Supreme Court. The individual looked at the two Deputy U.S. Marshals, who were standing next to their parked vehicle, and then turned to walk down the street.

5. Shortly thereafter, Montgomery County Emergency Communications Center fielded a call from an individual who identified himself as NICHOLAS JOHN ROSKE. ROSKE informed the call taker that he was having suicidal thoughts and had a firearm in his suitcase. ROSKE also told the call taker he came from California to kill a specific United States Supreme Court Justice. The Montgomery County Police Department officers were dispatched to the location near the Supreme Court Justice's residence where they encountered ROSKE, who was still on the telephone with the Montgomery County Emergency Communications Center. ROSKE was taken into custody without incident and law enforcement officers seized both the backpack and the suitcase that were still in his possession.

6. An inventory search of the seized suitcase and backpack revealed a black tactical chest rig and tactical knife, a Glock 17 pistol with two magazines and ammunition, pepper spray, zip ties, a hammer, screwdriver, nail punch, crow bar, pistol light, duct tape, hiking boots with padding on the outside of the soles, and other items.

7. After being transported to the Montgomery County Police Department Second District Precinct, a detective advised ROSKE of his constitutional rights. ROSKE indicated that he understood his rights, agreed to speak with the agents, and signed a written waiver to that effect. ROSKE then told the detective that he was upset about the leak of a recent Supreme Court draft decision regarding the right to abortion as well as the recent school shooting in Uvalde, Texas. ROSKE indicated that he believed the Justice that he intended to kill would side

with Second Amendment decisions that would loosen gun control laws. ROSKE stated that he began thinking about how to give his life a purpose and decided that he would kill the Supreme Court Justice after finding the Justice's Montgomery County address on the Internet. ROSKE further indicated that he had purchased the Glock pistol and other items for the purpose of breaking into the Justice's residence and killing the Justice as well as himself.

8. I conducted a second interview of ROSKE at approximately 9:54 a.m. on June 8, 2022, after I advised ROSKE of his constitutional rights and he waived those rights in writing. Among other things, ROSKE admitted again that he had traveled to the Montgomery County residence with the intent to break into the Justice's house and to kill the Justice and then himself.

CONCLUSION

9. Based on the above information, I believe probable cause exists to support the issuance of a Criminal Complaint charging NICHOLAS JOHN ROSKE with attempt to murder a United States Supreme Court Justice in violation of 18 U.S.C. § 115(a)(1)(A).

Ian Montijo

Ian Montijo
Special Agent
Federal Bureau of Investigation

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 41(d)(3) this 8th day of June, 2022.

Timothy J. Sullivan

The Honorable Timothy J. Sullivan
United States Magistrate Judge
District of Maryland