

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

1:22-mj-00120-BAM

United States of America
v.
JAMES CATALANO,

Case No. 22-mj-03252 Goodman

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) James Catalano,
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:

Cyber Stalking, in violation of Title 18, United States Code, Section 2261A(2)(B).

Date: 07/21/2022

Issuing officer's signature

Issuing officer's signature

City and state: Miami, Florida

Hon. Jonathan Goodman, U.S. Magistrate Judge

Printed name and title

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

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America)
v.)
JAMES CATALANO,)
_____)
Defendant(s)

Case No. 22-mj-03252 Goodman

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 December 1, 2021 to July 20, 2022 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2261A(2)(B)	Cyber Stalking

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.



Complainant's signature

Michael Scotina, Special Agent, FBI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time

Date: 07/21/2022



Judge's signature

City and state: Miami, Florida

Hon. Jonathan Goodman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Scotina, being duly sworn oath, depose and say as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since April 2021. I have successfully completed a nineteen (19) week FBI New Agent Training Academy at the Federal Bureau of Investigation Academy in Quantico, Virginia. This training included instruction in the investigation of laws of the United States and collection the of evidence. I am currently assigned to the FBI Miami Division, with the Joint Terrorism Task Force (JTTF), where I am responsible for conducting threat to life investigations. As a member of the JTTF, I have investigated a variety of violations of federal offenses to include, but not limited to, Computer Intrusion, Threatening Communications, and Cyber Stalking.

2. Based on the information contained in this Affidavit, I respectfully submit that there is probable cause for the issuance of a criminal complaint charging James CATALANO with Cyber Stalking, in violation of Title 18, United States Code, Section 2261A(2)(B).

3. The facts set forth in this Affidavit are based upon my personal knowledge, as well as knowledge, information, and documentation that I obtained from other law enforcement officers and other individuals. This Affidavit is submitted for the limited purpose of establishing probable cause and thus does not include each and every fact known to law enforcement about this investigation.

PROBABLE CAUSE

4. Victim F.G. was the father of J.G., a teenage girl who was murdered during the mass shooting at Marjorie Stoneman Douglas High School in February 2018. After his daughter's death, F.G. became a public-facing advocate against gun violence and founded the nonprofit organization called Orange Ribbons for Gun Safety. F.G. has an active Twitter presence and over 423,000 followers. F.G. also has a website which lists links to his book, podcast, and upcoming speaking events.

5. F.G.'s website contains a "Contact" page, where a user can input their first and last name, email address, and comments/questions. The information inputted into the contact page

forwards directly to F.G.'s email address. Although a person cannot submit a question or comment through the contact page without providing an email address, the email address does not need to be a verified or valid email address.

6. On or about December 2021, F.G. began receiving a slew of harassing messages submitted to him through the contact page of his website. Many of these messages referred to his daughter, the manner of her death, her pain and suffering as she was murdered, and his advocacy against gun violence. On or about February 2022, the website's manager incorporated reCAPTCHA software into the website, which requires a user submitting a comment or question through the website to complete a certification, which captures the IP address of the user inputting information into the contact page.

7. With the installation of the reCAPTCHA software, the website management team was able to observe and retain a record of the different IP addresses from which the messages were sent. In analyzing the messages and the IP Addresses, law enforcement has been able to identify three common IP addresses associated with the messages sent to F.G. They are 67.172.124.126 ("IP Address 1") and 73.235.64.40 ("IP Address 2"), and 73.235.238.38 ("IP Address 3"). Each of the above-referenced messages was affiliated with at least one of the three IP addresses.¹

8. Law enforcement submitted a subpoena to Comcast for the IP addresses. CATALANO is the subscriber for IP Address 1, and the service address is CATALANO's home. J-C Markets, Inc. is the subscriber for IP Address 2, and the service address is CATALANO's workplace. According to State of California records, CATALANO is the registered owner of J-C Markets, Inc.

9. The subpoena return for IP Address 3 is still pending; however, law enforcement believes that IP Address 3 is also affiliated with J-C Markets, Inc. because the subpoena returns

¹ Each message captured by the ReCAPTCHA tool generates two associated IP addresses. Law enforcement has identified that one of those two IP addresses is always one that is affiliated with CATALANO, either through his home internet or through J-C Markets ("primary IP address"). The source of the other IP addresses affiliated with the messages ("secondary IP address") is believed to be the IP address(es) associated with F.G.'s website because in over ten messages, subpoena returns show that the secondary IP address is registered to F.G.'s website.

for IP Address 2 include IP Address 3 in the sign-in logs, which is a list of the dates and times the IP Addresses were accessed. In the same subpoena returns, the lease for IP Address 2 is listed as terminated on May 24, 2022, and the lease for IP Address 3 begins on the same date. Notably, F.G. stopped receiving messages from IP Address 2 on May 24, 2022 and began receiving messages from IP Address 3 on that same date. The messages contained similar language and content.

10. To date, F.G. has received well over 200 such messages. Examples of these messages, with the IP address they came from, are excerpted below:

- a) February 4, 2022 (IP Address 2): “fat-ass [F.G.], the victim with the dead daughter who is rotting in hell, still cannot commen on whoopi goldberg. why? because she has black skin and a vagina. therefore, [F.G.] is scared. and that's good. we want [F.G.] to be scared and not sleeping at night. fuck off [F.G.]. fuck joe biden.”
- b) March 29, 2022 (IP Address 1): “Just wondering if the kindergarten school teacher informed [J.G.] which gender she had..... before [J.G.] GOT SLAUGHTERED AND BLED TO DEATH.”
- c) March 31, 2022 (IP Address 1): “The faggots, queers, pansexuals, bisexuals and degenerates in the Brandon administration (basically Disney employees) want us to focus on Ukraine. But the real war is taking place at our Mexico border. But, as we heard in the famous line from A Few Good Men, you can't handle the truth, fat fuck [F.G.]. Here's the truth: [J.G.] was SLAUGHTERED; bled from her cunt and head; never came home; you'll never be the same; you'll never be happy; you'll die a useless, angry, ugly fuck. CELEBRATE!!”
- d) April 4, 2022 (IP Address 2): “We are having a party every night of this fantastic Parkland trial. So glad to celebrate blood and death”
- e) April 5, 2022 (IP Address 2): “God Bless Josh Mandel! You got fat fuck [F.G.] to use all capitals! That confirms that fat fuck [F.G.] is totally on edge, as this trial gets under way. fat fuck [F.G.] is dreaming every night of that bloody corpse that never came home from school 4 years ago. orange ribbons up your ass, you molester.”

f) April 20, 2022 (IP Address 2): “Can you imagine. fat ass [F.G.] is playing some junior high school game, "I'm not using his name". Seriously? Well, I am willing to use a name... [J.G.] mudedred. [J.G.] slaughtered. [J.G.] suffered. [J.G.] dead. [J.G.] gone. [J.G.] in hell. [J.G.] cunt. [J.G.] bitch. [J.G.] slut. [J.G.] whore. what's that name again? [J.G.] in the cemetary.”

g) May 12, 2022 (IP Address 2): “Did [J.G.] find a helper after she was slaughtered? What were the results of the rape kit? Was there any vaginal bruising? Any symptoms of sexually-transmitted diseases? Was your DNA found on [J.G.]'s body or in any of her openings? Hello? Hello?”

h) June 21, 2022 (IP Address 3): “did [J.G.]’s “private part” get blown off by bullets along with her head? Asking for fangfang.”

i) June 24, 2022 (IP Address 1): “Just got my concealed carry permit. Wish [J.G.] was alive so I could show it to her. But, damn.....she got slaughtered and is now in hell. CELEBRATE”

j) June 29, 2022 (IP Address 3): “Celebrate [J.G.] being slaughtered. Decapitated. Silenced. Dancing no more. God Bless President Trump. Fuck joe biden.”

11. Several of these messages also referenced F.G.’s public Twitter posts. For example, on June 17, 2022, at 4:04 p.m., F.G. posted the following on his Twitter account: “Just watched coverage of @JohnCornyn getting booed by Texas Republicans for negotiations to pass the gun safety framework. It explains why the negotiations have grown so complicated. Senator, this is [J.G.]. **Do the right thing** for [J.G.] & all future victims of gun violence.” The next day, F.G. received the following message through the contact page: [F.G.], I’d be happy to “**do the right thing** for [J.G.]” right after you share the rape kit results with me and confirm that her vagina did not contain any DNA from a family member on the day her brains were spattered al over the school hallway.”

12. On June 21, 2022, at 8:22 p.m., F.G. posted the following on his Twitter account: “Three weeks after the Parkland shooting, & on the day that gun safety legislation was passed in

Florida, I stood with @marcorubio & asked him to support what was about to happen in Florida. He refused. He was a **waste** then and he is a **waste** now. Florida will elect @valdemings.” Less than two hours later, F.G. received a message through the contact page stating, “actually, your daughter was the **human waste**. An now, she’s buried just like a piece of shit.”

13. On July 20, 2022, law enforcement interviewed CATALANO. After waiving his *Miranda* rights, law enforcement showed CATALANO print outs of some of the messages that F.G. received from IP Addresses 1, 2, and 3. CATALANO reviewed the messages and told law enforcement that he sent them. CATALANO also told law enforcement that he is the only person who can access the computers at his home and workplace. CATALANO also stated that he understood how the messages could be viewed as distressing in nature. CATALANO further stated that he believes F.G. was using his dead daughter to push his political agenda, that CATALANO did not like that F.G. was doing that, and that CATALANO was trying to put F.G. in check by sending him the messages.

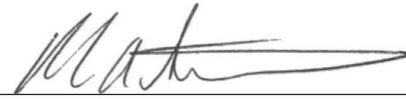
14. On July 20, 2022, law enforcement also executed search warrants on CATALANO’s workplace and home (22-sw-0331-BAM) (E.D.Ca.), and person (22-sw-0330-BAM) (E.D. Ca.). During the execution of the search warrant, law enforcement conducted a preliminary forensic examination of one of the computers located at CATALANO’s workplace. This preliminary examination revealed that, between April 27, 2022, and July 19, 2022, the computer user accessed F.G.’s website and Twitter over 60 times.

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CONCLUSION

15. Based on the foregoing, your affiant respectfully submits that there is probable cause to believe that James CATALANO committed Cyber Stalking, in violation of Title 18, United States Code, Section 2261A(2)(B).

FURTHER YOUR AFFIANT SAYETH NAUGHT



Michael Scotina, Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Federal Rule of Criminal Procedure 4.1 by Face Time this 21st day of July, 2022.



HONORABLE JONATHAN GOODMAN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF FLORIDA