

FILED

SEP 24 2009

CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS



UNITED STATES DISTRICT COURT

for the

Central District of Illinois

United States of America

v.

MICHAEL C. FINTON (a/k/a "Talib Islam")

Defendant

Case No.

09-3048-m

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 of 09/23/2009 in the county of Sangamon in the Central District of Illinois, the defendant violated 18 U. S. C. § 1114(3), an offense described as follows:

Count 1: Attempt to murder a federal officer or employee, in that the defendant unlawfully attempted to kill, with malice aforethought, at least one federal officer and employee of the United States government while such person was engaged in and on account of that person's performance of official duties, by means of committing the offense charged in count 2; and

Count 2: Attempt to use a weapon of mass destruction against property owned by the United States, in that the defendant, without lawful authority, knowingly attempted to use a weapon of mass destruction, namely an explosive bomb, against property owned and used by the United States, namely the Paul Findley Federal Building and Courthouse located at 600 East Monroe Street, Springfield, Illinois, in violation of Title 18, United States Code, Section 2332a(a).

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

s/ Trevor S. Stalets

Complainant's signature

Trevor S. Stalets, Special Federal Officer, FBI

Printed name and title

Sworn to before me and signed in my presence.

s/ Byron G. Cudmore

Date: 09/24/2009

11:45 AM

Judge's signature

City and state: Springfield, Illinois

Byron G. Cudmore, U.S. Magistrate Judge

Printed name and title



STATE OF ILLINOIS)
) ss
COUNTY OF SANGAMON)

AFFIDAVIT

I, Trevor S. Stalets, being first duly sworn state:

1. I am a Detective of the Decatur, Illinois Police Department assigned as a Special Federal Officer to the Federal Bureau of Investigation Joint Terrorism Task Force headquartered in Springfield, Illinois.

2. This affidavit is made in support of a complaint charging Michael C. Finton (also known as "Talib Islam") with attempted murder of federal officers and employees, in violation of Title 18, United States Code, Section 1114(3), and attempted use of a weapon of mass destruction against property owned and used by the United States, in violation of Title 18, United States Code, Section 2332a(a). A warrant for Finton's arrest on those charges is requested.

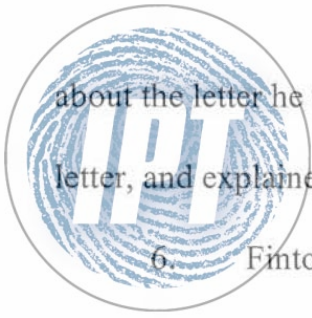
3. I am familiar with the following facts based upon my own personal observation and upon information officially supplied to me by other law enforcement agents and witnesses. Due to the limited purpose of this affidavit, I have included only that evidence necessary to establish probable cause for the issuance of the requested arrest warrant, and not every detail known to me regarding the related investigation.

4. This investigation was initiated following the receipt of information that led to a threat analysis of Finton that included contact with his parole officer. Among other things, the parole officer provided the information that Finton claimed he had



converted to Islam while in prison and had moved to Decatur, Illinois in order to attend the local mosque. After it was discovered that Finton had changed residences in Decatur without proper notification to his parole officer, Finton was arrested for parole violation on August 15, 2007. During an ensuing parole search of Finton's vehicle, parole officers took custody of a box of books and documents. Among the seized documents was a spiral notebook containing several writings by Finton. Among those writings was an undated letter written by Finton that contained the statement, "Death is a blessing for the Mu'min [Arabic for 'believer']. Insha Allah [Arabic for 'God willing'], we all dream of being the Shahid [Arabic term for 'martyr']. Live like we will die tomorrow, work like we will never die." Another letter written by Finton contained the statement, "I am awaiting a return letter from John Walker Lindh." (Lindh is the so-called "American Taliban," captured as an enemy combatant during the 2001 invasion of Afghanistan, and subsequently incarcerated in a federal correctional facility.) Finton wrote in another letter, "What I want to do is drop everything and go to the Middle East to learn Arabic, and go to school." The letter was signed, "Talib Islam" (Arabic for student of Islam), which is the nickname Finton uses in Muslim circles.

5. On January 16, 2008, after Finton was released from prison following his parole revocation, he was interviewed by an FBI Special Agent and me when he came to the Decatur Police Department to pick up the documents that the parole agents had seized from his car at the time of his arrest. During that interview, Finton was asked



about the letter he wrote to John Walker Lindh. Finton confirmed that he wrote such a letter, and explained that he idolized Lindh.

6. Finton's bank records showed an incoming wire transfer of funds on March 25, 2008 from "Asala Hussain Abiba," of Madinah (in Saudi Arabia), in the amount of \$1,375.14, followed that same day by an outgoing wire transfer in the amount of \$1,375.00 to a travel agency. Travel records show that on April 8, 2008, Finton departed the United States for Saudi Arabia, and returned on May 8, 2008.

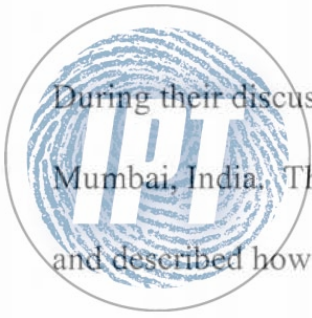
7. As part of the investigation, information about Finton has been received from a person who will be referred to in this affidavit as the Confidential Human Source ("CHS"), referred to here as a male regardless of his/her actual gender. The CHS has a prior felony drug conviction. To my knowledge, the motive of the CHS to assist in this investigation is solely the hope for monetary payment. To my knowledge, the CHS is not currently facing any pending criminal charge and is not hoping for any consideration in any anticipated criminal case. (Unconfirmed information has been received that the CHS may have distributed drugs on a relatively small scale on one or more occasions during the course of this investigation, which, if true, would constitute unauthorized and unreported illegal activity, and which has resulted in suspension of all monetary payments to the CHS until the facts are more fully investigated and known.) Most of the information provided by the CHS about Finton has been corroborated and found to be true by means of covertly recorded conversations with Finton and by independent investigation. To my knowledge, no information provided about Finton by the CHS has



been false. He is, therefore, regarded as being a highly reliable source of information about Finton and his activities. The CHS was directed by his supervising agents to make contact with Finton, get acquainted on a casual basis (the CHS is also a Muslim), and report back. The initial contacts between the CHS and Finton were unrecorded, but their later conversations were recorded.

8. On November 11, 2008, the CHS reported that he had been called by Finton the previous day (namely, November 10, 2008) and invited to stop by Finton's place of employment in Decatur to talk. The CHS did so, and the two met in an area of the business not open to the public. Another employee whom the CHS identified was also present. According to the CHS, Finton and the CHS discussed how they had both converted to Islam while in prison. Finton complained that the Muslims who attended the Decatur mosque were more passive than the more militant Muslims in prison. Finton spoke of his trip to Saudi Arabia, which he said was paid for by a "shaykh" whom Finton had met over the Internet, and who wanted Finton to marry his daughter. Finton said he is now engaged to the Shakh's daughter. The CHS reported that Finton also discussed how he had previously owned a copy of *The Anarchist Cookbook* (a book containing instructions on how to make explosives and other destructive devices). Finton said he had learned things contained in *The Anarchist Cookbook* that would allow him to protect his family and his religion.

9. On December 5, 2008, the CHS reported that he had visited Finton that afternoon at Finton's residence in Decatur. Finton was the only other person present.



During their discussion, Finton and the CHS spoke about the recent terrorist attacks in Mumbai, India. The CHS said Finton seemed very excited as he spoke of the attacks, and described how they had been conducted. Finton stated that all of the “brothers” need that type of training. Finton indicated he thought the attacks were great, and praised the terrorists who conducted them.

10. On December 23, 2008, the CHS reported that he had met with Finton the previous afternoon (December 22, 2008). The CHS said that, during their conversation, Finton discussed the recent convictions in the Fort Dix terrorism case in New Jersey.

Finton observed that the defendants in that case must have talked too much, and the wrong people found out about their plans. He said that if you plan to do something like that you need to keep your mouth shut and not talk about it at the masjid (mosque). He said those discussions should be limited to only those people involved in the attack.

11. On December 29, 2008, The CHS reported that, in a telephone conversation with Finton while Finton was at work, Finton had been very upset about the military attack being conducted at that time by Israel on Hamas in the Gaza strip, which Finton had been watching on the Al-Jarzeera news network with translation provided by his boss. Finton said he would like some sort of military training, and would like to travel to Gaza to fight on behalf of the Palestinians.

12. On December 30, 2008, The CHS reported that he had talked to Finton earlier that day over the telephone. According to the CHS, Finton was still upset over Israel’s ongoing attacks in Gaza. Finton expressed his interest in receiving some type of



training so he could go to Gaza and help fight the Israelis. Finton spoke of wanting to secure his place in Paradise (using the Arabic word “Jannah”) by becoming a mujahid (Arabic for one who wages jihad).

13. On January 2, 2009, The CHS reported that he had met with Finton at his place of employment. According to the CHS, Finton indicated he was interested in finding his way to Gaza to assist in the fight against the Israelis. Finton said he was planning on contacting an unidentified person in Egypt in an attempt to find a way into Gaza.

14. At that point, it appeared that Finton was on the verge of taking action, so it was decided to proactively provide him with an opportunity for action that we controlled, rather than merely hoping to be able to find out about and stop him if he embarked on a course of action through contacts in Egypt or Saudi Arabia. So, the CHS was directed to suggest to Finton that the CHS knew some people from prison who might be able to help Finton get in contact with someone who could help him. The CHS subsequently reported that he had done so, and said Finton wanted the CHS to make that contact. From that time forward, all of the conversations reported below were recorded, and the descriptions of those conversations are taken from the recordings.

15. On January 8, 2009, the CHS met with Finton under agent surveillance at Finton’s place of employment. During their recorded conversation, the CHS asked Finton if he remembered what they had talked about. Finton indicated that he did. The CHS asked Finton how serious he was. Finton replied that he was as serious as a heart

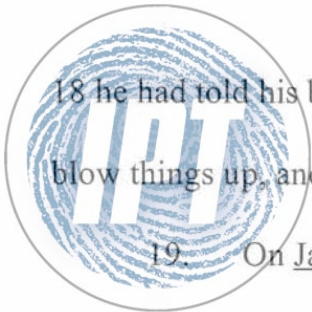


attack, and said he was not playing games. The CHS told Finton that he wanted Finton to think about it. Finton replied that he did not need to think about it. The CHS said he wanted Finton to think about it, anyway. Finton said he would think about it, but did not need to.

16. Later that night, shortly after midnight on the morning of January 9, 2009, under agent surveillance, the CHS met again with Finton after Finton got off work. During their recorded conversation, the CHS said there were a lot of different groups, and asked what group Finton was leaning towards, which group he wanted to fight for. Finton replied that if he were to go to Israel, it would be Hamas, Islamic Jihad, or something like that, but if it were anywhere else it would most likely be al Qaeda. Finton indicated that he had reservations about al Qaeda because al Qaeda targeted civilians, which Finton thought was wrong. On the other hand, as he said he had told a fellow inmate in prison, if the targets were soldiers, politicians, or generals, he was the man.

17. On January 12, 2009, the CHS met with Finton at Finton's place of employment in Decatur. During their recorded conversation, Finton asked the CHS what he thought the CHS's guy had in mind about training, which Finton said he wanted as soon as possible. The CHS said he wanted Finton to think about it and make sure that training is what he wanted. Finton said, "Most definitely." The CHS asked what Finton wanted him to do, and Finton told him to do whatever he could do.

18. On January 22, 2009, the CHS met with Finton. During their recorded conversation, Finton said he had never liked the government. He said that when he was



18 he had told his buddies in high school that he was going to join the Army so he could blow things up, and when he got out he would start a militia.

19. On January 27, 2009, the CHS met with Finton. During their recorded conversation, Finton said he had done as the CHS had asked, and had been thinking about what he wanted to do. He said he had pretty much decided, and had come to the same conclusion that he wanted to go. He said he had been on the Internet thinking about different avenues. He said some people had been going to schools in western Pakistan, and said he had been trying to find an Islamic school in Pakistan, but had not really had much time to do so.

20. On February 4, 2009, the CHS met with Finton. During their recorded conversation, the CHS again told Finton that he wanted Finton to think about it. Finton said he had the same answer as last time. During the meeting, the CHS provided Finton with an email address to use to make the contact they had discussed. During the ensuing conversation, Finton said he would rather die as a shaheed (Arabic for martyr) than try to live his life here. He said his goal was to do something that was going to be the catalyst for establishing a Muslim Caliphate. He said he wanted to be a historical event.

21. Later on February 4, Finton sent an introductory email message from *talib_islam@hotmail.com* to the email address provided to him by the CHS. That email address was actually established for the purpose of this investigation for use by an FBI undercover employee ("UCE") (actually, an FBI Special Federal Officer).



22. On February 6, 2009, the UCE responded to Finton's email and asked Finton to establish another email account.

23. On February 10, 2009, Finton sent an email message to the UCE from a new email account. In that message, Finton indicated he wished to live the life of an 'alim [Muslim religious scholar] and die the death of a shaheed [martyr]. That evening, the CHS met with Finton. During their recorded conversation, Finton told the CHS about making email contact with the UCE, whom Finton referred to as "the brother." The CHS asked if Finton was still sure this is what he wanted to do, to which Finton replied yes.

24. On February 18, 2009, Finton sent the UCE an email in which Finton provided the UCE with Finton's new TRAC phone number.

25. On February 19, 2009, the CHS met with Finton. During their recorded conversation, Finton spoke about also exploring the option of joining the Army to get military training. He also spoke of how a Senator could be kidnapped by persons posing as FBI agents, then shooting him in the back of the head and putting it on the Internet. He said those are the people we need to go after.

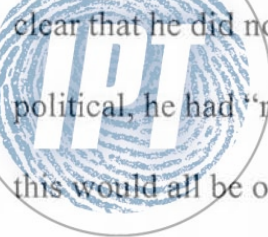
26. On February 24, 2009, the UCE called Finton. In their recorded conversation, the UCE said he was looking forward to meeting Finton (whom he referred to as "Talib"), and asked if Finton would be available to meet in a couple of weeks. Finton replied, insha'allah (Arabic for "if God wills it"), and il-Hamdu li-llah (Arabic for "praise God").



27. Following an exchange of emails and telephone calls, the UCE met with Finton for the first time at a hotel in Collinsville, Illinois. For the most part, their recorded conversation was casual get-acquainted talk. The UCE made no mention of representing any particular organization, and was generally vague about where the relationship would go from there, mostly allowing Finton to guide the direction. Picking up on a reference Finton made to receiving training, the UCE said he would never want to put Finton somewhere where Finton was not one hundred percent comfortable. The UCE said their meeting was a little bit like a job interview, and that he was there to assess Finton. The UCE said that the UCE was one of the lowest (in rank), one of many. At the end of the meeting, the UCE told Finton that he would be back in touch.

28. On April 7, 2009, the CHS met with Finton. During their recorded conversation Finton spoke to the CHS of having met with the UCE, whom Finton referred to as “the brother”. Finton said the UCE told him to think about it. Finton said that he told the UCE that he would tell him the same thing he had told the CHS, he had already thought about it.

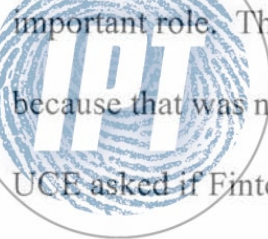
29. On May 6, 2009, the UCE met with Finton in a room at a hotel in Springfield. In their audio and video recorded conversation, the UCE probed Finton to determine what his intentions were. Finton indicated that his immediate hope was to receive military-type training at a training camp. Finton said he was not interested in being a suicide bomber, and that he would rather carry a gun on the front lines wherever it was needed, whether in Pakistan, Afghanistan, Somalia, or anywhere. Finton made it



clear that he did not want to attack civilians, but said that if the target were military or political, he had “no problem at all” with that. Several times the UCE told Finton that this would all be one hundred percent up to Finton, and that Finton could walk away any time he wanted and never speak to the UCE again. Finton said he had had a long time to think about it. The UCE told Finton that Finton would become operational, and asked if Finton was okay with that. Finton replied, Allahu akbar (Arabic for “God is the greatest”). The UCE told Finton that the UCE would start asking Finton to do some things, starting with some small things.

30. The UCE then asked Finton if he knew who the UCE and those above him were. Finton said that all he knew was that they were mujahideen (people engaged in jihad), and that was all that mattered to him. The UCE asked Finton what he thought of the policemen there. (A large number of police officers were staying at the hotel due to a police memorial.) Finton described them with an expletive. The UCE said that was not a bad place to be targeted. Finton said you could drive a big truck right there, and said that he had seen a video depicting how vehicles could be used to carry bombs to attack truck convoys. After speaking more about the potential for Finton to attend a training camp, the UCE asked Finton how he felt, and Finton said he was excited, and that he had no second thoughts.

31. The UCE told Finton that he was part of al Qaeda, and wanted Finton to understand that. Finton told the UCE that Finton had a video put out by al Qaeda. The UCE asked him how he felt about al Qaeda. Finton said that he thought they played an



important role. They would not run the government after everything was said and done, because that was not their role; that would be left to other people like the Taliban. The UCE asked if Finton still wanted to be part of it, and Finton said yes. Finton and the UCE then talked about targeting. They agreed that civilians should not be targeted, as such. Finton said that the easy target would be a shopping mall, but that would not be the correct one. Finton said that some targets are more worthwhile, and they are a lot harder to get at.

32. The UCE asked Finton if he could open a Post Office box to which letters from overseas could be sent that would contain another envelope that Finton would forward, so it did not look like the forwarded letter originated from overseas. Finton agreed to do that.

33. The next day, on May 7, 2009, the CHS met with Finton. During their recorded conversation, Finton told the CHS about his meeting with “the brother” (the UCE) the day before. Finton said the UCE had told him that Finton was operational, and that the first thing would be to get some basic training. Finton said that the UCE told him that anytime he felt uncomfortable, he could walk out the door and still be a brother, but that Finton had replied that if he felt uncomfortable he would not be sitting there. Finton said the UCE told him they were associated with al Qaeda. Finton said John Walker Lindh went through that training, and that after that you could either join al Qaeda or the Taliban. He said Lindh chose the Taliban, and that he probably would, too. He described his conversation with the UCE about the respective roles of al Qaeda and




the Taliban. Finton said that the Taliban make the rules (apparently referring to a governmental function), while al Qaeda is like the special forces, taking on the enemies of the Muslims wherever they may be found and wherever “we” can strike them first, not being limited by borders.

34. On June 8, 2009, Finton sent the UCE an email in which he said he had opened a Post Office box, and giving the UCE the box number.

35. On July 2, 2009, the CHS provided transportation for Finton to Springfield to meet with the UCE. During their recorded conversation, Finton told the CHS that he hated this country and wanted to see the American government totally fallen. He said he wanted to see Western democracy fail because it does not work.

36. Finton then met with the UCE in a room in a Springfield hotel. During their recorded conversation, Finton asked what the UCE had in mind when he said inside America. The UCE said that he was told that Finton needed to look and see what the best targets were here in this area, and asked if Finton had anything in mind right now. Finton replied that he had already been thinking about that himself. Finton said that the Mumbai (terrorist attack in India) had really impressed him, and that it had been conducted in a very intelligent manner. Finton said that, if something like that happened here, there is a possibility that this government could fall. The UCE asked what Finton was looking at. Finton said government buildings, banks, and police stations. The UCE asked Finton to pick out two or three places where we can hurt them the most. Finton said he thought Chicago would be great. The UCE asked about Springfield. Finton



suggested the FBI office as a possibility, and noted that Springfield is the state capital.

The UCE asked if Finton would be comfortable with something like that, and Finton

replied yeah. Finton observed that a police station would be easier, such as the State

Police headquarters or something like that. The UCE asked Finton to suggest some

targets that would really shock people. Finton said that what is beautiful about that is

they did not have to sneak in behind enemy lines, they were already here, and that

conducting such an attack right now might cause the United States to pull our troops out

of other countries. The UCE asked if doing something here with some shock value made


sense, and Finton said yeah. Finton mentioned the Illinois Secretary of State's Office.

The UCE said federal would be better. Finton said attacking the FBI office would be

great, because he had no love for the police, so that would not bother him a bit.

37. The UCE asked if Finton had received a package yet at his Post Office box, and said people were waiting for that. Finton said no. The UCE asked him to check the Post Office box every other day, and to forward the inner package as soon as he received it because it would contain instructions and stuff.

38. The UCE then showed Finton pictures of various electronic components and asked if he knew what those items do. Finton replied that it makes a loud noise, and laughed. The UCE said he guessed that Finton knew what it was for. Finton said yes. The UCE said they were going to send those components to "our brothers" in both fronts to kill American soldiers. Finton replied, il-Hamdu li-llah (Arabic for praise be to God). The UCE repeated that they would be used to kill American soldiers, dead, right now.




The UCE said that al Qaeda brothers in Afghanistan were being killed, and they needed this stuff. The UCE asked if Finton would buy such electronic components, and Finton agreed to do so. The UCE said that to do so would be like making the bomb himself, and that they needed it bad. The UCE said he would reimburse Finton for the cost.

39. At another point in the conversation, Finton said he had been pretty much anti-authority his whole life, and that even before Islam he had hated the American government. He said that his plan in high school was to join the American military, get as much training as he could, and then start his own militia and fight the government.

The UCE said that Finton was with al Qaeda now, so he could forget about militias and such. Finton said that he hoped for victory, but even if they give him the death penalty, il-Hamdu li-Allah (praise God). He also observed that if they came into his house and found these things (the electronic components), he would point out that he could go to the library and use the Internet to look up all he needed to know to conduct such an attack, and that he would point out that he did not need anyone else's help to do it.


40. Finton told the UCE that when they first met, Finton was unsure whether it was a set-up, and the UCE said he thought the same about Finton. A little later in the conversation, Finton said that it had been his intention, his niyyah [Arabic for intention], for a while to do exactly what they were talking about. He said he wanted to see the American government fall, and said he saw himself as fighting for freedom for the Muslim people. The UCE asked if Finton would have any hesitation placing a backpack (containing explosives) somewhere. Finton said he would walk in and put it somewhere



where it would not be seen. A little later in the conversation, Finton repeated that he had been thinking over the past couple of weeks about something like this already, and spoke of the potential impact on the government. He envisioned the government needing to pull resources back from overseas to protect the homeland here.

41. The CHS drove Finton back to Decatur after the July 2 meeting with the UCE. During their recorded conversation, Finton said that he made it clear to “the brother” that he did not want to be involved in any attack on a shopping mall or anything like that, and said that he had pointed out to the UCE that there were other targets that would have greater impact. The CHS asked what had happened about Finton’s idea of joining the military. Finton said that after giving the idea more thought he did not think it was such a good idea, because he thought the attention he had received from the FBI would keep him out, so he preferred the training offered by the UCE. The CHS said it was not too late to pull out. Finton said he did not want to. Finton said that even if the whole thing was a set-up, he would be rewarded for his intentions the same as if he completed his mission even if he received the death penalty.

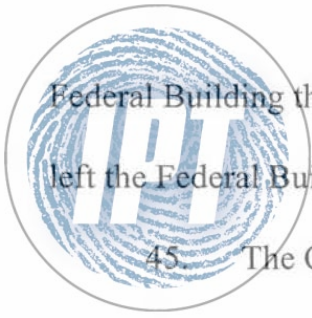
42. On July 29, 2009, Finton met with the UCE in a hotel room in Springfield. During their audio and video recorded meeting, the UCE commented that the last time they had met, Finton had been talking about targeting a police station, which the UCE said he thought would have tremendous impact. Finton said it would be hard to get into a police station with a bomb in a backpack. Instead, he proposed the target be the Federal Building in Springfield (the Paul Findley Federal Building and Courthouse,



located at 600 East Monroe Street, Springfield, Illinois). Finton also proposed that they use a bomb in a vehicle parked in front of the building instead of a smaller backpack bomb. Because the room in which they were located happened to overlook the Federal Building, Finton took the UCE to the window to point it out to him, and then used a laptop computer to show the UCE the view of the building available on the Internet on Google Earth. Finton proposed that two bombs be used, the first to do the initial damage and draw in responders, and the second to attack the responders. At one point, Finton told the UCE that this (the target) is the U.S. government building.

43. Finton and the UCE then left the hotel room and were observed by surveillance agents walking by the Federal Building, turning around, and walking back to the hotel room. The conversation between Finton and the UCE was recorded during that walk. During the walk-by surveillance, Finton pointed out to the UCE that an office of United States Congressman Aaron Schock was located diagonally across the street from the Federal Building. As they were returning to the hotel room, the UCE asked Finton what he would do if he met “the Emir” (Usama bin Laden). Finton said he would kiss his hand.

44. Back in the hotel room, Finton said that the Federal Building should be the primary target, but that the Congressman’s office would almost be a secondary target. Finton told the UCE that they needed to do a dry run. It was then decided that Finton would go out again, this time alone, to enter into the Federal Building and look around. Finton then left the hotel room, and surveillance agents observed him enter alone into the

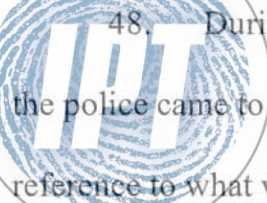


Federal Building through the public entrance, then exit a brief time later. After Finton left the Federal Building, he was observed returning to the Hilton hotel.

45. The Court Security Officer (“CSO”) to whom Finton spoke inside the Federal Building has been interviewed. She reported that a man who fit Finton’s description entered the Federal Building while she was on duty at the security screening area at the public entrance during the relevant time period in the afternoon of July 29. The man claimed that he had noticed the name “Paul Findley” on the name of the building as he walked by, recalled reading about Paul Findley in the past, and decided to come inside to check it out. After being told that the building was not open to the public to just walk around, the man left.

46. After Finton returned to the hotel room, he reported what he had done and observed about security arrangements to the UCE. Finton said that he did not think it was feasible to smuggle a backpack bomb past building security. He said that if you want a big bang you could park a car (with a bomb) right in front of the Federal Building by the corner near the Congressman’s office, and, if the bomb was big enough, potentially take out part of the Federal Building and all of the Congressman’s office. Finton said the car bomb could be detonated by remote control after he walked away.

47. During their meeting, Finton also delivered a number of electronic components to the UCE, as discussed in their previous meeting. The UCE said American soldiers are going to die. On the video, Finton can be seen smiling as he pulls more and more electronic components from his bag.

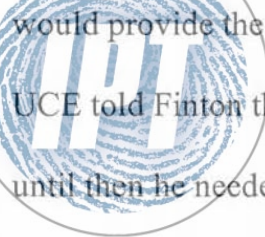


48. During the course of his conversation with the UCE, Finton also said that if the police came to search his house, he was going straight to prison. (He made no reference to what would be found in his residence.)

49. Later on July 29, after Finton left the hotel and returned to Decatur, he met with the CHS. During their recorded conversation, Finton reported on his meeting with the UCE. He said that he had recommended that they use a vehicle bomb to attack the Federal Building and, potentially, the Congressman's office across the street. He said that he had told the UCE that a backpack would not work against that target, and that he had done a dry run by walking past the building and walking inside. He said he had recommended a two vehicle attack, with the second bomb being detonated after people flocked to the scene of the first explosion. He also spoke of the potential economic impact of such an attack and how that could reduce the amount of money available to fight Islam.

50. On August 3, 2009, the CHS met with Finton at Finton's residence. During that meeting, Finton told the CHS that he was planning on going to Saudia Arabia to marry the Shaykh's daughter, as well as follow through with the planned attack. The CHS said that it was not too late to walk away (from the attack plan). Finton said he knew that, but he did not want to, he wanted to do both.

51. On August 14, 2009, Finton met with the UCE in a hotel room in Springfield. During that audio and video recorded meeting, the UCE told Finton that "they" (the UCE's purported leaders) loved Finton's idea, and told Finton that they



would provide the vehicle and bomb to be parked in front of the Federal Building. The UCE told Finton that he could travel to Saudi Arabia to get married after the attack, but until then he needed to be ready to go on short notice when he received the call, which would be soon. Finton said he thought the attack would be the first domino (to fall). He said he thought it would cause the government to bring soldiers currently deployed overseas to return home to protect the United States. The UCE asked if Finton was ready to go (with the plan). Finton replied, il-Hamdu li-llah (praise be to God). They then left the hotel and did a drive-by surveillance of the Federal Building.

52. After returning to the hotel room, the UCE told Finton that “the brothers” wanted Finton to record a short video in which Finton could address himself to them, and perhaps even the Emir (Usama bin Laden). The UCE told Finton that it was entirely up to him what he said. The UCE set up a camera that Finton used to make a video recording, which consisted primarily of a political justification, with religious overtones, for attacking the United States.


53. Later on August 14, after Finton left the UCE and returned to Decatur, Finton met with the CHS. He told the CHS that he was not satisfied with the video recording that he made, and that he wanted the CHS to help him make another one. He said the attack would be an historic occasion, so the video would be seen by a lot of people and he wanted to do it right. Finton said it was his biggest dream to be the first domino to fall, to be the one who brought the whole thing crashing down. He said that if his deeds were accepted (by God), then his sins would be forgiven because of his



intention. He spoke again of his hope that the attack would cause American troops to be pulled back out of Afghanistan and Iraq. He thanked the CHS for being the one who put a brother in contact with the brother (who contacted Finton).

54. On August 17, 2009, the CHS acted as the cameraman as Finton made two more videos to replace the one he made on August 14. In both, he spoke of his belief that America is at war with Islam. He said that Muslims would fight back to stop America at any cost, while avoiding civilian casualties.

55. On September 1, 2009, Finton met with the UCE in a hotel room in Springfield. During that audio and video recorded meeting, Finton provided the UCE with the two video recordings that Finton made on August 17. The UCE told Finton that the planned attack would take place right after the end of Ramadan (which began on August 22 and was to end on September 20). Because the room overlooked the Federal Building, they walked over to the window and discussed where the vehicle carrying the bomb would be parked in front of the building. Finton said that the economic impact of conducting such an attack would be huge. The UCE told Finton that the vehicle would be carrying close to a ton of explosive. Finton said he thought the explosion might destroy half the building. The UCE said the whole building would be gone. The UCE intimated that two or three other such attacks might happen on the same day. Finton said that even one would be enough, and spoke of his belief that the economic impact would be enough to force the United States to curtail its financial support for Israel and to pull military forces out of Iraq and Afghanistan. Finton said that he was not doing what he




was doing because of any hope of monetary gain (no prospect for monetary gain was apparent), but rather in the hope that the big bully behind Israel (the United States) would not be there anymore.

56. Finton told the UCE that he had talked to a lot of people who felt the same way he did, but were afraid to do anything because they were afraid they would get caught and go to jail before the plan (apparently, to conduct an attack) could be executed. He said there are a lot of angry people in America who do not like the government. Finton said the attack he and the UCE were going to conduct would be the answer to President Obama's speech in Egypt. Finton said he did not know if their attack would be as big as those on 9/11, but it would be up there with 9/11. Finton indicated an awareness that the use of a vehicle bomb would result in collateral civilian casualties, but expressed his view that such casualties were justified.

57. Finton said he had wondered at first whether this was all a set-up, but he knew it was not because they (law enforcement authorities) were not that smart.

58. The UCE told Finton that he thought someone was building the bomb even as they spoke. He told Finton that it would be armed by a timer and a switch, after which they would drive away in the UCE's vehicle and detonate the bomb remotely by means of a cell phone call.


59. After Finton and the UCE left the hotel and looked at the Federal Building on foot again, they returned to the hotel room and reviewed the plan for what Finton would do on the day of the attack, namely parking the vehicle with the bomb in front of



the Federal Building, arming the bomb by setting a timer and flipping a switch, getting out, locking the door, driving away in the UCE's vehicle, and then using a cell phone call to remotely detonate the bomb. The UCE said that, hopefully, that would be the last day for all of those federal employees and the Congressman. Finton replied, insha'allah (God willing). They spoke about how long it would take to sort through the rubble and figure out what happened. Finton said all they were going to know is that it was al Qaeda.

60. After Finton drove away from the hotel following that meeting, he was stopped for speeding by a Deputy Sheriff as he was approaching the edge of Springfield. Finton was ticketed for driving with a suspended license, and his vehicle was towed. Afterwards, Finton called the CHS for a ride back to Decatur. In their recorded conversation during the drive home, Finton reported to the CHS about his meeting with "the brother".

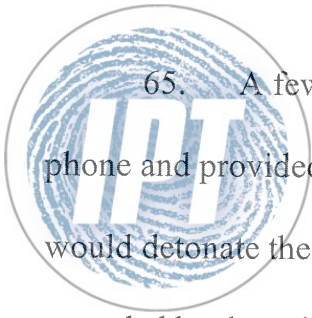
61. Finton told the CHS that the UCE had said there would be a ton of explosive, and that it would take out the whole building. He said they were hoping that the Congressman would be in his office that day, since there would be enough explosive that the blast could also take out his office at the same time. Later in the conversation, Finton said that everyone working in the Federal Building is a federal employee. He said that, while they were doing everything they could to avoid collateral civilian casualties, such casualties would be inevitable and justified. He said that everyone in the Federal Building would be killed.



62. Finton said this plan was way better than the original plan. He said that, originally, “their” idea (that of the UCE and his associates) was just a backpack. But, Finton did not think that would work, so Finton had suggested a car, maybe two. So, Finton said, the attack plan was pretty much all his idea, including picking the target.

63. On September 22, 2009, the UCE called Finton and told him that tomorrow (September 23) would be the day of the attack. The UCE told Finton to call the UCE when Finton arrived in Springfield that day, at which time the UCE would tell him where they would meet.

64. On September 23, 2009, at Finton’s request, the CHS drove Finton to Springfield. Shortly before noon, Finton called the UCE and told the UCE that he was in town. The UCE called Finton and told him where to meet the UCE. After they met and spoke briefly, Finton and the UCE entered the UCE’s vehicle and drove to another location in Springfield where a van containing the purported bomb was located. The UCE instructed Finton on how to arm the bomb, which Finton did in the UCE’s presence. Then, Finton drove the van behind the UCE’s vehicle north on Sixth Street. As they drove, the UCE told Finton that they had information that the Congressman was in his office today. Finton indicated that he was glad to hear that. At the intersection with Monroe Street, Finton turned the corner and parked the van in the yellow no parking area directly in front of the northwest corner of the Federal Building. Finton got out of the van, locked the door, and got into the UCE’s vehicle. The UCE then drove away from the area.



65. A few blocks from the Federal Building, the UCE handed Finton a cell phone and provided him with the number to call, which the UCE led Finton to believe would detonate the purported bomb. Finton made that call, which was received and recorded by the cellular telephone in the van with the bomb. When no explosion was heard, the UCE instructed Finton to try again. Finton did so, and that second telephone call was also received and recorded by the cellular telephone in the van. Finton was then placed under arrest by agents of the FBI, Joint Terrorism Task Force, and other assisting law enforcement officers.

s/ Trevor S. Stalets

Trevor S. Stalets
 Special Federal Officer, Federal Bureau of
 Investigation

Subscribed and sworn to before me
 September 24, 2009. 11:45 AM

s/ Byron G. Cudmore

BYRON G. CUDMORE
 UNITED STATES MAGISTRATE JUDGE