

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

United States of America )
v. )
TERRENCE JOSEPH MCNEIL )

Case No. 5:25MJ1176

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 September 24, 2015 in the county of Summit in the Northern District of Ohio, the defendant(s) violated:

Code Section Title 18, United States Code, Section 373(a)

Offense Description Solicitation to Commit a Crime of Violence

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

Complainant's signature

Shawn S. Hare, Special Agent Printed name and title

Sworn to before me and signed in my presence.

Date: 11/11/15 @ 11:50 am

Judge's signature

City and state: Akron, Ohio

Kathleen B. Burke, U.S. Magistrate Judge Printed name and title

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT AND AN APPLICATION FOR A SEARCH WARRANT**

I, Shawn S. Hare, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND BACKGROUND**

1. I make this affidavit in support of a criminal complaint and an application for a search warrant for the residence at 86 Eastgay Drive, Apartment C, Akron, Ohio 44313, and further described in Attachment A, to seize the items listed in Attachment B.

2. I am a Special Agent of the Federal Bureau of Investigation, and, as such, am an investigative or law enforcement officer of the United States within the meaning of Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure. I am engaged in the enforcement of criminal laws and am within a category of officers authorized by the Attorney General to request and execute search warrants pursuant to Title 18, United States Code, Section 3052 and 3107; and DOJ regulations set forth at Title 28, Code of Federal Regulations, Sections 0.85 and 60.2(a).

3. I have investigated national security cases involving individuals seeking to travel overseas to commit violent jihad and who participated in terrorist fundraising. Additionally, I have completed FBI administered counterterrorism classroom and online training, at the FBI Academy, and at other FBI facilities.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on my training and experience as a Special Agent with the FBI, as well as the facts as set forth in this affidavit, there is probable cause to believe that a violation of Title

18, United States Code, Section 373, Solicitation to Commit a Crime of Violence, has been committed by Terrence Joseph McNeil (hereafter referred to as "McNeil"). There is also probable cause to search the location described in Attachment A for evidence of these crimes, as described in Attachment B.

6. This Court is advised that there are items within the Probable Cause section of this affidavit that have been translated from Arabic into English. In each instance, said translations were completed by an Arabic-speaking member of the Cleveland Joint Terrorism Task Force (JTTF) and an FBI linguist for the purpose of accurately representing the statements made by McNeil. Moreover, for ease of review, the translated material will be limited to that which is enclosed within brackets at the end of each numbered paragraph. Where there are multiple instances of a particular term or phrase, I will only include a translation for the initial occurrence.

#### **JURISDICTION**

7. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 United States Code § 2711 and 18 United States Code §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States ...that – has jurisdiction over the offense being investigated." 18 United States Code § 2711(3)(A)(i).

#### **BACKGROUND AND PROBABLE CAUSE**

8. Title 18, United States Code, Section 373(a) makes it a crime for: "Whoever, with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against property or against the person of another in violation of the laws of the United States, and under circumstances strongly

corroborative of that intent, solicits, commands, induces, or otherwise endeavors to persuade such other person to engage in such conduct.” The felonies solicited consisted of the following:

a. Title 18, United States Code, Section 1114 makes it a crime for:

“Whoever kills or attempts to kill any officer or employee of the United States or of any agency in any branch of the United States Government (including any member of the uniformed services) while such officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer or employee in the performance of such duties or on account of that assistance.”

b. Title 18, United States Code, Section 1389 makes it a crime for:

“Whoever knowingly assaults or batters a United States serviceman or an immediate family member of a United States serviceman, or who knowingly destroys or injures the property of such serviceman or immediate family member, on account of the military service of that serviceman or status of that individual as a United States serviceman, or who attempts or conspires to do so.”

9. On October 15, 2004, the United States Secretary of State designated al-Qaeda in Iraq (AQI), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224.

10. On May 15, 2014, the Secretary of State amended the designation of al-Qaeda in Iraq as a Foreign Terrorist Organization under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias “Islamic State of Iraq and the Levant” (ISIL) as its primary name. The Secretary also added the following aliases for ISIL: the Islamic State of Iraq and al-Sham, the

Islamic State of Iraq and Syria (ISIS), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. ISIL has remained continuously designated since the first designation of AQI in 2004. In an audio recording publicly released on or about June 29, 2014, ISIL announced a formal change of its name to the Islamic State.

11. In January 2015, ISIL released a video via social networking websites advocating lone offender attacks in Western countries. The video contained material from a September 2014 message attributable to Abu Muhammad al-Adnani (spokesperson for ISIL), wherein he advocated for lone offenders in the West to attack law enforcement and military personnel. Additionally, the video contained material from the September 2014 message wherein al-Adnani specifically referenced the targeting of American “disbelievers.”

12. Terrence Joseph McNeil is a United States citizen currently living in Akron, Ohio. McNeil has no criminal history. On June 12, 2015, McNeil declared his support of ISIS, also referred to as ISIL, in a Tumblr posting on the internet. McNeil posted a response to an anonymous user’s question “If U [sic] support ISIS just admit it coward.” McNeil responded, “Imao I don’t support Egyptian idols if you mean the Islamic State I have stated many times that I do support them.”

13. On or about August 3, 2015, law enforcement requested Twitter to provide information for Twitter profile “11LoneWolfe” (Twitter account #1). The request was made based on two tweets made by Twitter account #1 on July 25, 2015 and July 27, 2015 that read “@jundhullah10 @MusaGharieb19 @Backup\_10\_2 @AbuZaeem\_4 I support Dawlah and I live in the US” and “Just thinking about getting martyred puts a smile on my face. One day soon inshallah,” respectively.

14. Twitter's response noted the creation IP address for Twitter account #1 was 184.56.113.43 (IP address #1). The service provider for IP address #1 was identified as Time Warner Cable. Additional IP addresses associated with Twitter account #1 (IP addresses #2 through #9) were provided by Twitter. The service provider for IP addresses #2 through #9 were identified as Verizon Wireless.

15. On or about August 4, 2015, Time Warner Cable provided basic subscriber information for IP address #1. The subscriber for IP address #1 at the time and date used by Twitter account #1 was Jodi Broadway, 86 Eastgay Drive Apartment C, Akron, Ohio. Commercial database and open source searches identified McNeil as a resident of 86 Eastgay Drive Apartment C, Akron, Ohio.

16. On or about August 5, 2015, Verizon Wireless provided telephone numbers accessed by IP addresses #2 through #9 at the specific dates and times accessed by Twitter account #1. The common telephone number that accessed IP addresses #2 through #9 was 330-807-0107.

17. On or about August 5, 2015, Verizon Wireless provided basic subscriber information for 330-807-0107. The subscriber listed was Terrence McNeil, 86 Eastgay Drive Apartment C, Akron, Ohio.

18. A review of publicly accessible banner information for Twitter account #1 showed a thumbnail image, also known as an avatar, of several masked individuals wearing ballistic vests and carrying assault rifles, as well as the phrase "And the disbelievers planned, but Allah planned. And Allah is the best of planners (3:54)".

19. On or about August 11, 2015, Twitter account #1 was suspended. On or about August 11, 2015, Twitter profile "12LoneWolfe" (Twitter account #2) was created. A review of

publicly accessible banner information for Twitter account #2 showed the same thumbnail image and quote as Twitter account #1, along with a screenshot of Twitter account #1 with the phrase "Another another one." Based on my review of the posted screenshot, it appears the screenshot was taken on a desktop computer.

20. On or about August 21, 2015, Twitter account #2 was suspended. On or about August 22, 2015, Twitter profile "Lone\_Wolfe13" (Twitter account #3) was created. A review of publicly accessible banner information for Twitter account #3 showed the same thumbnail image and quote as Twitter accounts #1 and #2, along with a screenshot of Twitter account #2 with the phrase "Back again.." Based on my review of the posted screenshot, it appears the screenshot was taken on a desktop computer.

21. On or about September 1, 2015, Twitter account #3 was suspended. On or about September 1, 2015, Twitter profile "Lone14Wolfe" (Twitter account #4) was created. A review of publicly accessible banner information for Twitter account #4 showed the same thumbnail image and quote as Twitter accounts #1, #2, and #3, along with a screenshot of Twitter account #3 with the phrase "Back like I never left.." Based on my review of the posted screenshot, it appears the screenshot was taken on a desktop computer.

22. On or about September 2, 2015, Twitter account #4 was suspended. On or about September 2, 2015, Twitter profile "LoneWolfe\_15" (Twitter account #5) was created. A review of publicly accessible banner information for Twitter account #5 showed the same thumbnail image and quote as Twitter accounts #1, #2, #3, and #4, along with a screenshot of Twitter account #4 with the phrase "Back at it."

23. On or about September 16, 2015, Twitter account #5 was suspended. On or about September 16, 2015, Twitter profile "LoneWolfe\_16" (Twitter account #6) was created. A

review of publicly accessible banner information for Twitter account #6 showed the same thumbnail image and quote as Twitter accounts #1, #2, #3, #4, and #5, along with a screenshot of Twitter account #5. The account also wrote "Egg = block" in reference to the default avatar image of an egg which Twitter assigns to new accounts. I believe this statement from McNeil indicates he is suspicious of newly created accounts that do not customize their display.

24. On or about September 17, 2015, Twitter account #6 was suspended. On or about September 17, 2015, Twitter profile "Lone\_Wolfe17" (Twitter account #7) was created. A review of publicly accessible banner information for Twitter account #7 showed the same thumbnail image and quote as Twitter accounts #1, #2, #3, #4, #5, and #6, along with a screenshot of Twitter account #6 with the phrase "Not going to stop me." Based on my review of the posted screenshot, it appears the screenshot was taken on a mobile phone.

25. On or about October 7, 2015, Twitter account #7 was suspended. On or about October 7, 2015, Twitter profile "LoneWolfe\_18" (Twitter account #8) was created. A review of publicly accessible banner information for Twitter account #8 showed the same quote as Twitter accounts #1, #2, #3, #4, #5, #6, and #7, a screenshot of Twitter account #7, along with the phrase "New avi same lone wolfe." I believe the term "avi" refers to avatar, which is the thumbnail image that appears on an individual user's Twitter account page. The avatar for Twitter account #8 is a picture of a bearded white male with a green hat, which is different than the previous avatar images used for the aforementioned Twitter accounts. Through open source searches I determined the picture is of Tarkan Tayumurazovich Batirashvili, also known as Abu Omar al-Shishani, a field commander for ISIL in Syria and a former sergeant in the Georgian Army. Based on my review of the posted screenshot, it appears the screenshot was taken on a mobile phone.



26. On or about August 26, 2015, and on or about September 1 and 2, 2015, I reviewed the Facebook account "Terrence Joseph Broadway" with the URL of <http://www.facebook.com/terrence.j.mcneil>. On May 21, 2013, the user posted "Happy birthday to my mother Jodi Van Broadway..." As noted in paragraph 16, the subscriber for the Time Warner Cable account for IP address #1 was Jodi Broadway.

27. On or about September 1, 2, and 3, 2015 and on or about October 6, 2015, I reviewed the Tumblr account "Abu-fil" with the URL of <https://abu-fil.tumblr.com>. The account's featured quote on the home page is "And the disbelievers planned, but Allah planned." This quote is similar to the quotes noted in paragraphs 19 through 26.

28. On or about June 12, 2015, Tumblr account "Abu-fil" posted, "B. Birthday? – September 21." Based on a review of information from the Ohio Law Enforcement Gateway (OHLEG), a system that provides Ohio Bureau of Motor Vehicles data to law enforcement, I am aware McNeil's birthday is September 21<sup>st</sup>.

29. On or about July 22, 2015, Tumblr account "Abu-fil" posted "So I need a letter from an Islamic center or Masjid telling my job why I can't cut my bread. The problem is I don't live near one and I can't afford to lose my job." On July 22, 2015, Twitter account #1 tweeted, "I need a letter from an Islamic center or Masjid telling my job why I can't cut my bread. The problem is I don't live near one and I can't afford to lose my job."

30. On or about August 26, 2015, the Tumblr account "Abu-fil" posted "Does the seriousness of dayn apply when the dayn is owed to a kafir." On or about August 26, 2015, Twitter account #3 tweeted "Does the seriousness of dayn apply to dayn owed to a kafir?" [The term "dayn" translates to "debt" and the term "kafir" translates to "non-believer."]

31. On or about September 4, 2015, Tumblr account "Abu-fil" posted a picture to the account of a black male in hospital scrubs with the face partial obstructed. Based on a review of the picture and a known picture of McNeil viewed on OHLEG, I believe the person in the Tumblr account picture is McNeil.

32. On or about September 20, 2015, target account #7, Twitter profile "Lone\_Wolfe17" tweeted, "@bint\_crackeriya abu-fil.tumblr.com my tumblr".. In this tweet, "Lone\_Wolfe17" is providing the URL for the Tumblr page "abu-fil" to a Twitter user named @bint\_crackeriya.

33. On or about October 15, 2015, Twitter provided information pertaining to Twitter account #7 and other accounts. Twitter's response identified the IP address used to create Twitter account #7 as IP address #1, which is the same IP address used to create Twitter account #1.

34. Based on these facts and circumstances, I believe McNeil is the user of Twitter profiles "11LoneWolfe," "12LoneWolfe," "Lone\_Wolfe13," "Lone14Wolfe," "LoneWolfe\_15," "LoneWolfe\_16," "Lone\_Wolfe17," and "LoneWolfe\_18," Tumblr account "Abu-fil," and Facebook account "Terrence Joseph Broadway."

35. On or about August 7, 11, and 26, 2015, and on or about September 1 and 2, 2015 and on or about October 5, 2015, I conducted a review of Facebook account "Terrence Joseph Broadway." The information and posts on this account are available to any and all registered Facebook users. I reviewed available content from the period of February 2013 through September 2, 2015. Relevant observations in support of referenced statutory violations are as follows:

36. On or about May 11, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted, "I can't wait for another 9/11, Boston bombing, or Sandy Hook!!!" On or about May 12, 2014, following another user's reply to this comment, McNeil posted, "I'm American by birth not choice. Easily I'm african american and native american so this country has made my people suffer years. Casualty of war. I would gladly take part in an attack on this murderous regime and the poeple [sic]." On or about May 12, 2014, following another user's reply to this comment, McNeil posted, "I'll be proud when I sled [sic] american blood."

37. On or about May 14, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted, "Somebody should park a car bomb in front of a church, school, or mall."

38. On or about June 12, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted, "Death to Israel. Death to America. Free Syria. Free Palestine."

39. On or about July 17, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted, "Death to Israel!!!"

40. On or about July 20, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted, "13 Israeli soldiers killed today, if that's not cause for celebration I don't know what is."

41. On or about August 20, 2014, using Facebook account "Terrence Joseph Broadway," McNeil posted a link to a LiveLeak.com video of the execution of James Foley, an American journalist who went missing in Syria and was beheaded by ISIL fighters.

42. On or about February 3, 2015, using Facebook account "Terrence Joseph Broadway," McNeil posted, "This is what happens when you bomb women and children and get caught. Alhumdullilah I was worried for a while they might let that murderer go." Attached with

this post were three pictures of Jordanian pilot Muath Safi Yousef al-Kasasbeh, who was burned to death by ISIL fighters. The pictures were of al-Kasasbeh before, during, and after his death, showing al-Kasasbeh engulfed in flames.

43. On or about June 28, 2015, using Facebook account "Terrence Joseph Broadway," McNeil posted, "232 killed in #Kobane 27 killed in #Kuwait 1 killed in #France 39 killed in #Tunisia Dawlatul Islamiya Baqiya!!! Allahu Akbar!!!!!" [The phrase "Dawlatul Islamiya Baqiya" translates to "Nation of Islam remains strong," and the term "allahu akbar" translates to "God is great."]

44. On or about September 1, 2, and 3, 2015 and on or about October 5 and 26, 2015, I conducted a review of publicly available information on Tumblr account "Abu-fil." I reviewed available content from March 2015 through October 26, 2015. Relevant observations in support of referenced statutory violations are as follows:

45. On or about March 30, 2015, using Tumblr account "Abu-fil," McNeil posted, "Hijrah from dar al kufr to dar al islam or jihad in dar al kufr." [The term "hijrah" translates to "voyage"; the term "dar al kufr" translates to "land of disbelief"; the term "dar al islam" translates to "land of islam."]

46. On or about April 20, 2015, using Tumblr account "Abu-fil," McNeil posted, "I hate living in Dar-ul [sic] Kufr, I want to make hijrah to be with the true believers. I'm sick of being surrounded by the ignorance, the propaganda, and the fitnah. I want to help my suffering brothers and sisters but I can't do [sic] anything to help here. My only options are to stay in the US and endure, trying to go to Iraq or Syria (probably get arrested before I step foot on the plane), live in a Muslim country ruled by a taghut US puppet regime, or live in a small house in the middle of nature." [The term "fitnah" translates to "trial" or "test."]

47. Based on McNeil's use of "dar al kufr" in paragraph 45 and "Dar-ul Kufr" in paragraph 46, I interpret his use of this statement to mean the United States.

48. On or about April 21, 2015, using Tumblr account "Abu-fil," McNeil posted, "No American citizen is safe, fisabilillah they are all valid target. Until our brothers and sisters are free from imprisonment, harassment, torture, bombs, and bullets American will bleed inshallah." [The term "fisabilillah" translates to "eyes of Allah" and the term "inshallah" translates to "God willing."]

49. On or about May 10, 2015, using Tumblr account "Abu-fil," McNeil posted, "One day soon I will be with my brothers on the frontline inshallah."

50. On or about June 29, 2015, using Tumblr account "Abu-fil," McNeil posted, "There is a gay imam in the US, it's time for me to leave..."

51. On or about July 6, 2015, using Tumblr account "Abu-fil," McNeil posted, "I support all the Mujahideen groups. I don't pick and choose which groups I support. Unlike some Muslims who label them misguided or khwarij. It's not my role to criticize them, I'll support them and let Allah (SWT) guide them. I won't support a groups [sic] if there [sic] actions are clearly not Islamic or there [sic] actions are kufr." [The term "mujahideen" is plural for "mujahid" and translates to "one engaged in jihad."]

52. On or about July 7, 2015, using Tumblr account "Abu-fil," McNeil posted, "Too many homicidal thoughts."

53. On or about July 7, 2015, using Tumblr account "Abu-fil," McNeil responded to an anonymous user's question. The anonymous user's question read "Wallami shame on you for calling these people Uleema. BTW you're biggest problem is that you put jihad over tawhed. Having correct aqeeda is 100x times better than fighting kuffar, while you're maybe a kafir

yourself.” [The term “Wallami” is likely intended to read “Wallahi” and translates to “I swear by God”; the term “Uleema” refers to “people recognized as scholars”; the term “tawhed” translates to “belief in one God”; the term “aqeed” refers to “doctrine”; the term “kuffar” is a plural form of “kafir” and translates to “unbeliever.”] McNeil posted a response that read, “If that was true I would have made hijrah a long time ago or I would have fought the kuffar here and in the west. I support the mujahideen mostly because they are fighting to protect our brothers and sisters and Islam.”

54. On or about July 11, 2015, using Tumblr account “Abu-fil,” McNeil posted, “The doctors who have made hijra to Dawlah I have the most respect for. They left the really good pay behind in the west, risking death and prison to help our brothers and sisters in Syria.” [The term “dawlah” translates to “state.”] Based on the context through which McNeil uses the word “Dawlah” here, along with the alias for ISIL as noted in paragraph 10, I believe McNeil’s use of “Dawlah” is meant to mean the Islamic State in Iraq and Syria.

55. On or about July 15, 2015, using Tumblr account “Abu-fil,” McNeil responded to a post that read “Would you say your Tumblr is a fair representation of the “real you?” McNeil responded, “somewhat about 60%, if it was 100% I would be in jail.”

56. On or about July 16, 2015, using Tumblr account “Abu-fil,” McNeil posted, “I just heard the news Allahu Akbar!!!! May Allah (SWT) accept our brother Muhammad Youssef Abdulazeez.” I am aware that on July 16, 2015, Muhammad Youssef Abdulazeez opened fire on two military installations located in Chattanooga, Tennessee. Four Marines and one Navy sailor were killed, and Abdulazeez was killed by authorities.

57. On or about July 16, 2015, using Tumblr account "Abu-fil," McNeil posted a response to a questionnaire that asked "What is your favorite act of worship?" McNeil posted, "jihad fisabilillah."

58. On or about July 20, 2015, using Tumblr account "Abu-fil," McNeil posted, "I had a dream that I was martyred fighting Russians...interesting..."

59. On or about July 26, 2015, using Tumblr account "Abu-fil," McNeil posted, "I don't understand how sisters are arrested for trying to make hijrah. They were going to the Islamic state to live not fight. Make Dua for our sisters and brothers who were arrested while trying to make hijrah." [The term "dua" translates to "support."]

60. On or about July 26, 2015, using Tumblr account "Abu-fil," McNeil reblogged a photograph entitled "heads of spies," which featured three bodiless heads in a large pool of blood.

61. On or about August 3, 2015, using Tumblr account "Abu-fil," McNeil posted, "I will be with my brothers on the front lines or in jail inshallah."

62. On or about August 7, 2015, using Tumblr account "Abu-fil," McNeil posted, "I'm native American, German, and black the US has been killing my ancestors for awhile."

63. On or about August 13, 2015, using Tumblr account "Abu-fil," McNeil posted a response to an anonymous user's question of "Things I want in the next 5 years." McNeil responded, "- a shaheed, jihad fisabilillah, or a doctor/nurse in the land of the khilafa." [The term "shaheed" translates to "martyr" and the term "khilafa" translates to "land of holy one."]

64. On or about August 14, 2015, using Tumblr account "Abu-fil," McNeil posted a photograph of a black handgun with the caption "YODO YOU ONLY DIE ONCE WHY NOT MAKE IT MARTYRDOM."

65. On or about August 15, 2015, using Tumblr account "Abu-fil," McNeil posted, "The Islamic State is still making gains against Assad while the whole world is at war with them. May Allah protect the mujahideen of Dawlah and grant them many more victories."

66. On or about August 15, 2015, using Tumblr account "Abu-fil," McNeil made a post entitled "I would have been reported to the feds" that read "Coworker 1#: I hope Donald trump doesn't win. Coworker 2#: I hope he wins. Me: I hope he wins too. Me: So he can go to war in Syria and I can fight... Me: let me shut up."

67. On or about August 31, 2015, using Tumblr account "Abu-fil," McNeil posted, "Before I embraced Islam, I supported the Mujahideen for my hatred of the US. Now I support the Mujahideen for my love of the Muslim ummah." [The term "ummah" translates to "nation."]

68. On or about September 6, 2015, using Tumblr account "Abu-fil," McNeil posted, "A lot of brothers and sisters posting about refugees and civilians being by [sic] Assad. Are the same people who slander the Mujahideen and say now is not the time for jihad. They want the kuffar and taghout governments to help. No the Khilafah has been reestablished. Help it expand worldwide so no Muslim will suffer never again [sic] inshallah. The Khilafah isn't perfect yet it, it needs your help [sic]. Instead of trying fix [sic] a democracy from the inside. Why not help create a true Islamic state." [The term "taghout" translates to "big" or "powerful."]

69. On or about September 24, 2015, using Tumblr account "Abu-fil," McNeil reblogged a file with the banner "Islamic State Hacking Division," followed by "Target: United States Military" and "Leak: Addresses of 100 US Military Personnel." The file type is a .gif file, which allows multiple still images to be looped in one file, with a timed delay between each photograph being displayed. The text of the first photograph reads "O Brothers in America, know that the jihad against the crusaders is not limited to the lands of the Khilafah, it is a world-



wide jihad and their war is not just a war against the Islamic State, it is a war against Islam...Know that it is wajib for you to kill these kuffar! and now we have made it easy for you by giving you addresses, all you need to do is take the final step, so what are you waiting for? Kill them in their own lands, behead them in their own homes, stab them to death as they walk their streets thinking that they are safe..." The file then loops several dozen photographs that purport to be of United States military personnel, along with their respective name, address, and military branch. The final photograph loop contains a picture of a handgun and a knife with text that reads "...and kill them wherever you find them..." [The term "wajib" translates to "necessary."].

70. On or about September 28, 2015, using Tumblr account "Abu-fil," McNeil posted, "I don't think I'm going to experience true brotherhood until I leave the US..." One Tumblr user responded to McNeil's post, and McNeil responded "One day akhi inshallah." [The term "akhi" translates to "brother" and is a statement made in support of an individual.]

71. On or about August 7, 10, and 11, 2015, I conducted a review of publicly available information on Twitter account #1. I reviewed available content from the period of July 22, 2015, through August 11, 2015. Relevant observations in support of referenced statutory violations are as follows:

72. On or about July 22, 2015, using Twitter account #1, McNeil uploaded an image depicting soldiers wearing ballistic vests holding automatic weapons.

73. On or about July 25, 2015, using Twitter account #1, McNeil tweeted, "I support Dawlah and I live in the US."

74. On or about July 27, 2015, using Twitter account #1, McNeil tweeted, "Just thinking about getting martyred puts a smile on my face. One day soon inshallah."

75. On or about July 30, 2015, using Twitter account #1, McNeil retweeted a post that read “Sunni tribal sheikhs in Iraq’s Anbar province have Renew [sic] there [sic] Baya to the Islamic State.” The post was accompanied by four photographs, including one photograph of individuals standing in front of the ISIS flag. [The term “baya” translates to “allegiance.”]

76. On or about August 4, 2015, using Twitter account #1, McNeil retweeted a post that read “The implementation of Hadd upon those cursing Allah ‘Azza wa Jalla in Wilayat #Raqqah.” The post was accompanied by a photograph of a masked man with a sword beheading a person in an orange jumpsuit. [The term “hadd” translates to “restriction” and in the context of the statement can be read to mean the punishment based on the Quran.]

77. On or about August 5, 2015, using Twitter account #1, McNeil tweeted, “The kuffar fear anyone who invites Muslims to the Haqq #FreeAnjemChoudary #FreeAbuBaraa.” [The term “haqq” translates to “truth.”]

78. On or about August 7, 2015, using Twitter account #1, McNeil tweeted, “Being Muslim, black, and native american in the US, I feel like it’s my duty to burn America.”

79. On or about October 5 and 6, 2015, I conducted a review of publicly available information on Twitter account #7. I reviewed available content from the period of September 17, 2015, through October 7, 2015. Relevant observations in support of referenced statutory violations are as follows:

80. On or about September 21, 2015, using target account #7, McNeil responded to a tweet that read “@Lone\_Wolfe17 @Bint\_Crackeriya what I don’t get you. I don’t advise any muslim to stay in the USA or any kufar country.” In response, McNeil tweeted, “I agree 100%. The only Muslims that should come to the US are ones that carry black banners looking to conquer.”

81. On or about October 13, 2015, physical surveillance was conducted in the vicinity of 86 Eastgay Drive, Akron, Ohio (the residence.) At approximately 9:10PM, McNeil was observed exiting the residence. McNeil was then observed boarding an Akron Metro bus, which he stayed on until arriving at the Akron Transit Center. McNeil was observed changing buses and boarded another Akron Metro bus, which departed the Akron Transit Center. At approximately 9:56PM, McNeil was observed exiting the Akron Metro bus at approximately Adolph Avenue and East Market Street in Akron, Ohio. At approximately 9:59PM, McNeil was observed entering Akron City Hospital through employee entrance #6.

82. On or about September 17, 2015, PNC Bank provided documents related to three bank accounts in the name of Terrence McNeil ending in x9967, x9975, and x9983, including one signature card and bank statements for each of the aforementioned accounts. I reviewed the signature card, which listed an address for McNeil of 86 Eastgay Drive, Apartment C, Akron, Ohio. A review of the bank statements listed two direct deposits from Summa Health Systems and five transactions for "ACH Café and Starbucks." Based on the physical surveillance noted in paragraph 83 and the direct deposits noted above, I believe the five transactions are for Akron City Hospital Café.

83. As previously noted in paragraph 32, McNeil posted a picture of himself in hospital scrubs to his Tumblr page "Abu-fil." When combined with the information in paragraphs 83 and 84, I conclude McNeil took this picture on his cellular phone at Akron City Hospital.

84. Based on information in paragraphs 18, 20 through 22, 25, 26, and 85, I believe McNeil uses both his cellular phone and desktop computer to access a variety of social media accounts through his cellular phone service provider and home internet service provider.

**COMPUTERS AND OTHER DIGITAL STORAGE  
MEDIA (INCLUDING CELLULAR TELEPHONES)**

85. As described in Attachment B, this application seeks permission to search for records and other evidence that might be found on the premises described in Attachment A, in whatever form they are found. One form in which the records or other evidence may be found is data stored on a computer's hard drive or other storage media, including cellular telephones. Indeed, due to McNeil's use of social media and the Internet to communicate with others regarding ISIL, his use of a computer in his possession as described above, and Affiant's training and experience investigating national security matters, Affiant anticipates that evidence will be found in digital form on computers or other digital storage media, including cellular telephones. Thus, the warrant applied for would authorize the seizure of electronic storage media, or, potentially, the copying of electronically stored information, all under Rule 41(e)(2)(B).

86. Affiant submits that if a computer or storage medium is found on the premises, there is probable cause to believe records or other evidence will be stored on that computer or storage medium, for the following reasons:

87. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when the files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person deletes a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data.

88. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active

file-for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file.

89. Wholly apart from user-generated files, computer storage media-in particular, computers' internal hard drives-contain electronic evidence of how a computer has been used; what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory "swap" or paging files. Computer users typically do not erase or delete this evidence, because special software is normally required for that task. However, it is technically possible to delete this information.

90. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or "cache."

91. Forensic Evidence. As further described in Attachment B, this application seeks permission to locate not only computer files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how computers were used, the purpose of their use, who used them, and when. There is probable cause to believe that this electronic evidence will be on any storage medium in the premises because:

92. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and

passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created, although this information can later be falsified.

93. As explained herein, information stored within a computer and other electronic storage media may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, information stored within a computer or storage media (i.e., registry information, communications, images and movies, transactional information, records of session times and durations, internet history, and anti-virus, spyware, and malware detection programs) can indicate who has used or controlled the computer or storage media. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence.

94. Necessity of seizing or copying entire computers or storage media. In most cases, a thorough search of a premises for information that might be stored on storage media often requires the seizure of the physical storage media and later off-site review consistent with the warrant. In lieu of removing storage media from the premises, it is sometimes possible to make an image copy of storage media. Generally speaking, imaging is the taking of a complete electronic picture of the computer's data, including all hidden sectors and deleted files. Either seizure or imaging is often necessary to ensure the accuracy and completeness of data recorded

on the storage media, and to prevent the loss of the data either from accidental or intentional destruction. This is true because of the following:

95. The time required for an examination. As noted above, not all evidence takes the form of documents and files that can be easily viewed on site. Analyzing evidence of how a computer has been used, what it has been used for, and who has used it requires considerable time, and taking that much time on premises could be unreasonable. As explained above, because the warrant calls for forensic electronic evidence, it is exceedingly likely that it will be necessary to thoroughly examine the storage media to obtain evidence. Storage media can store a large volume of information. Reviewing that information for things described in the warrant can take weeks or months, depending on the volume of data stored, and would be impractical and invasive to attempt on-site.

96. Technical requirements. Computers can be configured in several different ways, featuring a variety of different operating systems, application software, and configurations. Therefore, searching them sometimes requires tools or knowledge that might not be present on the search site. The vast array of computer hardware and software available makes it difficult to know before a search what tools or knowledge will be required to analyze the system and its data on the premises. However, taking the storage media off-site and reviewing it in a controlled environment will allow its examination with the proper tools and knowledge.

97. Variety of forms of electronic media. Records and evidence sought under this warrant could be stored in a variety of storage media formats that may require off-site reviewing with specialized forensic tools.

98. Nature of examination. Based on the foregoing, and consistent with Rule 41 (e)(2)(B), the warrant sought would permit seizing, imaging, or otherwise copying storage media

that reasonably appear to contain some or all of the evidence described in the warrant, and would authorize a later review of the media or information consistent with the warrant. The later review may require techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of a hard drive to human inspection in order to determine whether it is evidence described by the warrant.

### CONCLUSION

99. Based upon the above statements of fact, your Affiant believes there is probable cause to show McNeil has made solicitations to commit a crime of violence, to wit, Title 18, United States Code, Section 1114, and/or Title 18, United States Code, Section 1389, in violation of Title 18, United States Code, Sections 373.

100. Based on the foregoing facts and circumstances, there is probable cause to believe that on the premises described above and in Attachment A, there is now concealed property, as set forth in Attachment B, that constitutes the fruits, instrumentalities, and evidence of the violation of Title 18, United States Code, Section 373, Solicitation to Commit a Crime of Violence. Therefore, I respectfully request a search warrant be issued for the location identified in Attachment A, and to seize the items identified in Attachment B.

101. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).

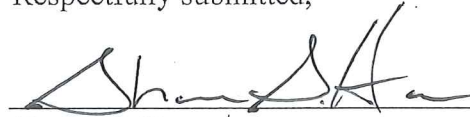
### REQUEST FOR SEALING

102. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These



documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Shawn S. Hare  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me on 11/11, 2015

  
UNITED STATES MAGISTRATE JUDGE

**ATTACHMENT A**

**Property to Be Searched**

86 Eastgay Drive, Apartment C, Akron, Ohio 44313

The apartment located at 86 Eastgay Drive, Apartment C, Akron, Ohio 44313 and further described as within a two-story, red brick building, with attic space, and with an entrance facing north and an entrance facing south.

## ATTACHMENT B

### Particular Things to be Seized

Evidence of violation of Title 18, United States Code, Section 373, Solicitation to Commit a Crime of Violence, including the following:

1. All records relating to who created, used, or communicated with the social media accounts known to be utilized by McNeil, including records about their identities and whereabouts;
2. Communications, and other information/papers/writings/documents/records/data, from/to/in the possession of McNeil (to include, but not limited to, those between McNeil and other individuals) regarding the conduct or incitement of violent jihad in or outside the United States, against its citizens, its military personnel, and/or its interests;
3. Communications, and other information/papers/writings/documents/records/data, from/to/in possession of McNeil (to include, but not limited to, those between McNeil and other individuals) regarding recruitment/pledge of allegiance to/membership in/provision of support for Islamic State in Iraq and Syria (ISIS), Islamic State in the Levant (ISIL), or the Islamic State (IS);
4. All flags, banners, tapestries, wall coverings, plaques, photos, videos, literature, songs, movies, websites visited, and/or other artwork, as these pertain to any of the matters described in the foregoing;
5. Any communications or attempts to communicate with members of ISIL in the United States or other countries;
6. Any descriptions, plans, sketches, maps, drawings, photos, audio recordings, videos, websites visited, and/or writings related to attacks to be committed in the United States

or elsewhere;

7. Firearms and ammunition, including but not limited to handguns, pistols, revolvers, shotguns, machine-guns, assault rifles, and other weapons, or parts/accessories associated therewith, and any records, receipts, or communications pertaining to firearms and ammunition;

8. Tactical knives and other bladed combat weapons to include, but not limited to, "machete" or "sword" style weapons, or parts/accessories associated therewith, and any records, receipts, or communications pertaining to these items;

9. Holsters, sheathes, cases, boxes, bags, concealment shirts, and any other garments/items used to conceal, hold, transport firearms or knives or parts/accessories associated therewith, and any records, receipts, or communications pertaining to said items;

10. Tactical head coverings, including but not limited to ski-masks, shemaghs, and scarves and any records, receipts, or communications pertaining to said items;

11. United States Currency in excess of \$500.00, precious metals and gems, gold coins, jewelry and financial instruments, including stocks and bonds, deeds of trust, sales contracts, vehicle instruments and artwork;

12. Books, records, receipts, bank statements and records, cancelled checks, money drafts, letters of credit, money orders and check receipts, passbooks and all other items evidencing the obtaining, secreting [i.e. safety deposit keys and records], transfer and/or concealment of money;

13. Paper tickets, notices, vehicle rental receipts, hotel records, travel agency invoices and tickets, credit card receipts and invoices, travel schedules, records of long distance telephone calls, passports or passport applications, and/or records and other items relating to domestic and

foreign travel. Airline tickets, airline ticket stubs, travel agency invoices and frequent flyer account documents;

14. Photographs, and/or photographic albums, negatives, video tapes, films, undeveloped film and the contents therein, slides, in particular of co-conspirators, assets, currency;

15. Address and/or telephone books and papers reflecting names, addresses and/or telephone numbers including but not limited to, names of, addresses for, and/or telephone numbers of coconspirators, including the contents of memory of cellular telephones;

16. Paper(s) and documents that tend to establish the identities of persons in control of the premises;

17. Identification cards, Passports, Driver's licenses, and other identification documents;

18. All cellular telephones maintained, controlled, utilized, or possessed by McNeil, and/or located at the property to be searched, to the extent that this is not addressed below;

19. Any and all electronic storage media. This includes information stored on computer hard drives (to include desktop, laptop, and tablet computers), diskettes, tapes, USB drives, cellular telephones, video game consoles, or any other media capable of storing information in a form readable by a computer. This also includes all copies of the information described above that may be stored on such media as archive or backup copies. The agents searching for such information are authorized to search:

a. Computer system hardware, including: word processing equipment, modems, personal digital assistants, printers, plotters, encryption circuit boards, optical scanners, and other computer related devices, and software including floppy disks and

any other medium which is capable of storing magnetic tape or optical coding, software programs, and any other programs, or software used to communicate with computer hardware peripherals either directly or indirectly via telephone lines, radio, or other means of transmission, computer manuals relating to the operation of a computer system, computer software; and/or any related device.

b. The computer system hard drive and associated electronic storage media to include, but not limited to the following: floppy diskettes, CD-ROMs, optical disks, and other removable storage media, including the memory of cellular telephones capable of storing electronic information or accessing the Internet.

c. If necessary, the agents are authorized to seize such computers and electronic storage media and remove them from the premises for a sufficient period of time to obtain access to, search for, and recover the files and review its contents off-site. In addition, if the files and records cannot be read and understood without the software or programs that created those files or records, the agents are authorized to seize such software and any documentation and manuals that describe the software and give instructions on its installation and use. The agents searching for such information are authorized to search: Any desktop or other "personal computer" or other electronic storage media (including cellular telephones) in the premises, to copy all of the above referenced information stored on such computer(s) or accessible through such computers, if connected to other computers through a network of computers, and diskettes or tapes found in the premises.

d. The search of such computers or storage areas of such computers shall be limited to permit seizure of information that meets the description of items "a" through

"m," above. The agents are authorized to seize computers and other electronic storage media (including cellular telephones) and remove them to a laboratory setting for a sufficient period of time to obtain access to, search for, and recover the files and records described herein. In addition, if the files and records cannot be read and understood without the software or programs that created those files or records, the agents are authorized to seize such software and any documentation and manuals that describe the software and give instructions on its installation and use.

e. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "Computer"):

i. Evidence of who used, owned, or controlled the Computer at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence.

ii. Evidence of software that would allow others to control the Computer, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software.

iii. Evidence of the lack of such malicious software.

iv. Evidence of the attachment to the Computer of other storage devices or similar containers for electronic evidence.

v. Evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the Computer.

vi. Evidence of the times the Computer was used.

vii. Passwords, encryption keys, and other access devices that may be necessary to access the Computer.

viii. Documentation and manuals that may be necessary to access the Computer or to conduct a forensic examination of the Computer.

ix. Records of or information about Internet Protocol addresses used by the Computer.

x. Records of or information about the Computer's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses; contextual information necessary to understand the evidence described in this attachment.

20. Telephone call histories, telephone contact lists/address books, photographs, videos, text messages, e-mail communications, voicemail communications, search/browsing histories, IP logs, activity logs, written/printed communications, and/or any other records as these pertain to any of the matters referenced above.

21. Records of financial transactions, including signature cards, bank statements, credit card statements, and wire transfer receipts.

22. Records related to internet service providers, including account statements and billing information.



23. Records related to telephone service providers, including account statements and billing information.