

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

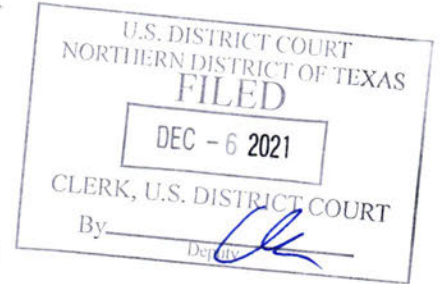
for the Northern District of Texas

United States of America v.

Christopher Stephen Brown

Defendant(s)

Case No. 2:21-MJ-198



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 December 5, 2021 in the county of Potter in the Northern District of Texas, the defendant(s) violated:

Code Section Title 18, United States Code, Section 875(c) Offense Description Interstate Threatening Communications

This criminal complaint is based on these facts: see attached affidavit in support of complaint.

[X] Continued on the attached sheet.

/s/ Scott Hendricks

Complainant's signature

Scott Hendricks, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/6/21

[Signature of Lee Ann Reno]

Judge's signature

City and state: Amarillo, Texas

Lee Ann Reno, U.S. Magistrate Judge

Printed name and title

Case No. 2:21-MJ-198

**AFFIDAVIT IN SUPPORT OF COMPLAINT**

I, Special Agent, T. Scott Hendricks, being duly sworn under oath, do hereby depose and state:

1. I am a Special Agent with the FBI, and I have been so employed since 2002. I am currently assigned to the Amarillo Resident office of the FBI in Amarillo, Texas. As part of my official duties, I have conducted and participated in investigations relating to bank robbery investigations and crimes of violence. As part of my duties and responsibilities as an FBI Special Agent, I am authorized to investigate crimes involving sending Threats via Interstate Communications, a violation of Title 18 U.S.C. 875(c).

**Title 18, United States Code, Section 875(c)**

2. Title 18, United States Code, Section 875(c), makes it a crime for anyone to send or transmit a threat to injure the person of another in interstate or foreign commerce.

There are three elements of this offense:

*First:* That the defendant knowingly sent or transmitted a communication containing a threat to injure the person of another, as charged;

*Second:* the defendant transmitted the communication either with the purpose of issuing a true threat or with knowledge that the communication would be understood as a true threat, as defined in these instructions; and

*Third:* That the communication was sent in interstate or foreign commerce.

A “threat” is a serious statement expressing an intent to injure any person, which under the circumstances would cause apprehension in a reasonable person, as distinguished

from mere idle or careless talk, exaggeration, or something said in a joking manner.

The United States Court of Appeals for the Fifth Circuit has held that this crime does not require that the threat be made directly to the victim. *See United States v. Morales*, 272 F.3d 284, 288 (5th Cir. 2001). Federal jurisdiction under this statute requires only that the threat be *transmitted* in interstate commerce; even a communication that originates and ends in the same state will support federal jurisdiction if the communicated threat makes its way to the recipient by means of interstate electronic transmissions. *See United States v. Nissen*, 432 F. Supp.3d 1298, 1313-14 (D. N.M. 2020).

### **Facts Establishing Probable Cause**

3. Chabad Lubavitch is a major movement within mainstream Jewish tradition. In Czarist and Communist Russia, the leaders of Chabad led the struggle for the survival of Torah Judaism, often facing imprisonment and relentless persecution for their activities. After the Holocaust, Chabad became a worldwide movement, caring for the spiritual and material needs of all Jews, wherever they could be found. Today, over 3,500 Chabad institutions are located in more than 85 countries, with its headquarters located in New York City. Chabad has become the most dynamic and dominant force within the Jewish community

4. On or about December 2, 2021, Chabad Lubavitch Headquarters in New York City received an electronic message from the Contact Us page. The message was from an unknown sender using IP address 107.178.28.33. The message stated that the sender would kill the Beth-Din and stated Death to all the Jews and destruction to their

facilities. Beth-Din is a rabbinical court within the Jewish faith. The message included a link to a video on YouTube channel Dr M Obidiah. The video channel contained multiple videos depicting Christopher Brown, aka Madrikh Obidiah, Dr. M Obidiah. In the videos and associated posts, Brown posted [REDACTED] must die.

5. IP address 107.178.28.33 is an Amarillo Wireless IP address. Public database checks showed the IP address is an IP address located in the Amarillo area.

6. [REDACTED] is a Jewish Rabbi and the chairman of Chabad Lubavitch. [REDACTED] is also a Rabbi and the vice chairman of Chabad Lubavitch. [REDACTED] is a Jewish Rabbi in Washington DC. His father, [REDACTED] was one of the original Rabbis that founded Chabad Lubavitch.

7. On or about December 4, 2021, Chabad Lubavitch Headquarters, telephone number 718-774-4000, received two voicemail messages from telephone number 830-443-4840. The voicemail messages stated that the caller was Madrikh Obidiah and he had a message for [REDACTED]. He stated that he would tear out their eyes and tongues and would kill every Rabbi he could find.

8. On or about December 5, 2021, Chabad Lubavitch Headquarters received multiple telephone calls from 830-443-4840. Two of the calls were video recorded with the call placed on speaker phone. During the call, Brown stated he would was going to blow [REDACTED] heads off. He also stated that executions would be conducted.

9. On or about October 31, 2021, your affiant contacted Brown at his residence for interview. Brown refused to speak to the FBI and ordered me off of his

property. I am familiar with Brown's face and voice which are identical to the face and voice depicted in the videos and telephone calls received by Chabad Lubavitch.

10. Brown has made multiple phone calls to Chabad Lubavitch Headquarters on December 6, 2021, but were not answered. Brown has not made any communication to Chabad Lubavitch to indicate his intentions were peaceful.

11. Based on the information set forth in the preceding paragraphs, I have probable cause to believe Christopher Stephen Brown, aka Madrikh Obidiah, Dr. M Obidiah intended statements made via telephone and social media posts to be taken as a true threat of violence toward Jewish Rabbis [REDACTED] in violation of Title 18 U.S.C. 875(c).

          /s/ Scott Hendricks            
Scott Hendricks  
FBI, Special Agent

Sworn to before me, and subscribed in my presence

12/6/21 at Amarillo, Texas  
Date City and State

Lee Ann Reno, U.S. Magistrate Judge  
Name and Title of Judicial Officer

Lee Ann Reno  
Signature of Judicial Officer

          /s/ Joshua Frausto            
Joshua Frausto  
Assistant United States Attorney