

IN THE MAGISTRATE COURT OF Wood COUNTY, WEST VIRGINIA

State of West Virginia

Case No. 15-M54E-00463

v.

Misdemeanor/ Felony

Deegan, Thomas David
Defendant (Full Name)

XXX-XX-4889 Social Security Number
07 / 27 / 76 Date of Birth

85 Locust Drive,
Address

WV - E792540
Driver's License / Identification Number

Mineral Wells, WV 26150
City, State & Zip Code

() - ()
Phone Number(s)

CRIMINAL COMPLAINT

Mag. Ct. Criminal Procedure Rule 3, 4; 18 U.S.C § 921(a)(33)

I, the undersigned complainant, upon lily oath or affirmation, state the following is true and Correct to the best of my knowledge and belief. On or about 09 / 14 / 15, in Wood County, West Virginia, in violation of West Virginia Code § (rite specific section, subsection, and/or subdivision if applicable)

the defendant did (state statutory language of the offense)
1) Feloniously, knowingly and willfully threatens to commit a terrorist act, with or without the intent to commit the act, in violation of West Virginia Code §61-6-24(b)

I further state that this complaint is based upon the following facts: See attached narrative

Continued on all attached sheet? Yes No

(If this complaint involves misdemeanor assault/battery [West Virginia Code § 61-2-9] or misdemeanor domestic assault/battery, [West Virginia Code, § 61-2-28], check all that apply.)

The defendant

- is/w as the victim's spouse.
- is/was living with the victim as a spouse, parent, or guardian.
- is/was a parent or guardian of the victim.
- is a person who is like a spouse, parent, or guardian of the victim.
- has a child in common with the victim.
- has none of the above connections to the victim.

Complainant (who appears before Magistrate):

[Redacted]
Complainant Name (Full Name)
West Virginia State Police - BCI
Address

115 Academy Drive, Dunbar, WV 25064
City, State & Zip Code
(304) 766 - 5560
Phone Number(s)

[Redacted] Class
Office or Title, if any

09 / 23 / 15
Date
[Redacted]
Complainant Signature

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

Finding	Issuance
<input type="checkbox"/> No probable cause found	<input type="checkbox"/> Summons issued
<input checked="" type="checkbox"/> Probable cause found	<input checked="" type="checkbox"/> Warrant issued
	<input type="checkbox"/> Warrantless arrest

09 / 23 / 15 Date
[Signature] Magistrate Signature

CASE NO. 15-M54F-00463

(Criminal Complaint-Continued)

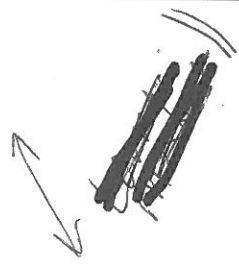
On Tuesday, September 22, 2015, 9917-7795 here in referred to as this officer was contacted in reference to a multiple conference calls that were made on 9/7, 9/14, 9/17, & 9/22 that were involving/lead by Thomas Deegan, a self-proclaimed Sovereign Citizen. Deegan made these calls from his address in Wood County, WV.

During the 9/14 conference call Deegan made multiple statements to solicit assistance in removing multiple West Virginia Government Leader from there office in Charleston, WV. Following the removal of these officials control of West Virginia Government would be assumed by members of the Sovereign Citizen movement. Deegan stated that the officials would be then be charged with crimes such as Treason and court hearings would be held regarding these charges against Government officials. At this time Deegan did not reference what the punishment would be if convicted, in a later statement Deegan advised that the punishment for another referenced person for treason would be death.

During this conversation Deegan provided details regarding how Sovereign Citizens in other States should proceed in the overtaking of their State Capitol after West Virginia Government was secured. Deegan advised that West Virginia would be the foot-hold for the Sovereign movement to take back the United States. Deegan advised persons wishing to participate in this event scheduled for September 24, 2015 to learn the location of the West Virginia State Capitol, West Virginia State Police Office, Kanawha County Sheriffs Office and West Virginia National Guard Facilities in Kanawha County. It was further stated that in order to accommodate lodging for all person coming for this movement local hotels would be overtaken and compensated after the Sovereign movement had secured West Virginia. This form of compensation would be according to the laws of Sovereign nation.

During directions given by Deegan on how to control areas surrounding the WV Capital. Deegan states that any resistance to combat Law Enforcement or Military personell should be met with Gunfire if necessary. Deegan stated the following: "We are 'at war' and 'the more bodies that come to Charleston the less likely for bloodshed". Deegan stated that he does not want to have shots fired but will fire upon opposition forces if necessary. If there is a moderate amount of people the more likely shots will be fired. If there are more bodies on the ground then less bloodshed. Later in the conference call Deegan is asked if the police would support them and Deegan responded "If you see the police coming and pulling up in a vehicle, I suggest you shoot them,"

[REDACTED]
[REDACTED]
[REDACTED]



White - return
Green - defendant
Yellow - file
Pink - complainant
Goldendrod - prosecutor

CASE NO. 15-M54F-00463

(Criminal Complaint Continued)

§61-6-24. Threats of terrorist acts, conveying false information concerning terrorist acts and committing terrorist hoaxes prohibited; penalties.

(a) As used in this section:

(1) "Economic harm" means all direct, incidental and consequential pecuniary harm suffered by a victim as a result of criminal conduct.

Economic harm includes, but is not limited to, the following:

(A) All wages, salaries or other compensation lost as a result of the criminal conduct;

(B) The cost of all wages, salaries or other compensation paid to employees for time those employees are prevented from working as a result of the criminal conduct;

(C) The cost of all wages, salaries or other compensation paid to employees for time those employees spent in reacting to the results of the criminal conduct; or

(D) The overhead costs incurred for the time that a business is shut down as a result of the criminal conduct.

(2) "Hoax substance or device" means any substance or device that is shaped, sized, colored, marked, imprinted, numbered, labeled, packaged, distributed, priced or delivered so as to cause a reasonable person to believe that the substance or device is of a nature which is capable of causing serious bodily injury or damage to property or the environment.

(3) "Terrorist act" means an act that is:

(A) Likely to result in serious bodily injury or damage to property or the environment; and

(B) Intended to:

(i) Intimidate or coerce the civilian population;

(ii) Influence the policy of a branch or level of government by intimidation or coercion;

(iii) Affect the conduct of a branch or level of government by intimidation or coercion; or

(iv) Retaliate against a branch or level of government for a policy or conduct of the government.

(b) Any person who knowingly and willfully threatens to commit a terrorist act, with or without the intent to commit the act, is guilty of a felony and, upon conviction thereof, shall be fined not less than \$5,000 nor more than \$25,000 or confined in a state correctional facility for not less than one year nor more than three years, or both.

(c) Any person who knowingly and willfully conveys false information knowing the information to be false concerning an attempt or alleged attempt being made or to be made of a terrorist act is guilty of a felony and, upon conviction thereof, shall be fined not less than \$5,000 nor more than \$25,000 or confined in a state correctional facility for not less than one year nor more than three years, or both.

(d) Any person who uses a hoax substance or device with the specific intent to commit a terrorist act is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$50,000 or confined in a state correctional facility for not less than one year nor more than five years, or both.

(e) The court shall order any person convicted of an offense under this section to pay the victim restitution in an amount not to exceed the total amount of any economic harm suffered.

(f) The court shall order any person convicted of an offense under this section to reimburse the state or any subdivision of the state for any expenses incurred by the state or the subdivision incident to its response to a violation of this section.

(g) The conviction of any person under the provisions of this section does not preclude or otherwise limit any civil proceedings arising from the same act.

