

UNITED STATES DISTRICT COURT

for the
District of Nebraska

FILED
US DISTRICT COURT
DISTRICT OF NEBRASKA
APR 14 2014
OFFICE OF THE CLERK

United States of America
v.

Case No. 8:14MJ88

JOSHUA CARL LEE SUGGS

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 4/13/2014 in the county of Douglas in the
District of Nebraska, the defendant(s) violated:

Table with 2 columns: Code Section (49:46504) and Offense Description (in the special aircraft jurisdiction of the United States, by assaulting and intimidating a flight crew member and flight attendant, interfere with the performance of the duties of the member and attendant and lessened the ability of the member and attendant to perform those duties)

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

Complainant's signature

FBI SA Chris Meztista
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/14/2014



Judge's signature

City and state: Omaha, Nebraska

Thomas D. Thalken, Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

UNITED STATES OF AMERICA

DISTRICT OF NEBRASKA, ss.

Before me personally appeared this date, Chris Meztista, Special Agent, Federal Bureau of Investigation (FBI), who being duly sworn, deposes and says that:

A. Introduction

1. Your affiant has been a Special Agent of the FBI for five and one half (5 1/2) years. Your affiant has been assigned to investigate alleged violations of Federal statutes including numerous violations of Title 49, United States Code Section 46504. Your affiant has received specialized training in the investigation and prosecution of criminal cases through FBI training. Your affiant has received additional training in the area of international and domestic terrorism, including the investigation of crimes directed against aircraft and transportation facilities.

2. Based upon the investigation, set forth herein, and the experience and training of your affiant, your affiant believes there is probable cause to believe that violations of 49 U.S.C. Section 46504, has been committed by Joshua Carl Lee Suggs.

3. This affidavit is made in support of a criminal complaint for Joshua Carl Lee Suggs, of Sacramento, California. This affidavit is based upon personal observation and knowledge of your affiant, as well as information provided to me by other law enforcement officers and agents during the course of their investigation into the interference of a flight crew in the performance of their duties. Since this is an affidavit to demonstrate probable cause to believe that crimes have been committed, and evidence of said crimes will be discovered during the investigation; not all facts uncovered by the investigation are recited herein, but no facts uncovered by the investigation

which would tend to negate a finding of probable cause have been omitted.

B. Factual Background

4. Your affiant and other law enforcement agents were notified of the diversion of Southwest Airlines flight 722 on April 13, 2014. Your affiant is familiar with the facts and circumstances surrounding the diversion of the flight as caused by the interference with flight crew members and attendants by Joshua Carl Lee Suggs.

5. The interference with flight crew members and attendants by Joshua Carl Lee Suggs is in direct violation of Title 49 U.S.C. 46504. During the course of the interference with the flight crew, Joshua Carl Lee Suggs interfered with and prevented the members of the flight crew of Southwest Airlines flight 722 from performing their duties, which resulted in Southwest Airlines flight 722 being diverted to Omaha, Nebraska's Eppley Airfield.

C. Chronology – Interference with Flight Crew Members and Attendants

6. At approximately 10:48AM Central Standard Time on April 13, 2014, Southwest Airlines flight 722 departed Chicago Midway International Airport enroute to Sacramento International Airport. Approximately one hour after departure, the flight crew finished the initial beverage service on the aircraft. At that time, Joshua Carl Lee Suggs approached flight attendant one. Flight attendant one informed Joshua Carl Lee Suggs that the captain had turned on the "fasten seat belts" sign, and that the passengers and crew needed to take their seats. Joshua Carl Lee Suggs stated that he wanted to look out the window and flight attendant one restated that Joshua Carl Lee Suggs needed to take his seat.

7. After being asked to take his seat a second time, Joshua Carl Lee Suggs pushed past flight attendant one and attempted to open the exterior door of the aircraft, located in the aft galley. As Joshua Carl Lee Suggs attempted to open the door, flight attendant two stepped between Joshua

Carl Lee Suggs and the door and called for help.

8. A number of passengers exited their seats and subdued Joshua Carl Lee Suggs. Flight attendant two retrieved a pair of restraints from a compartment on the aircraft. Joshua Carl Lee Suggs continued to be combative and as the passengers held Joshua Carl Lee Suggs on the ground. Flight attendant one supplied the restraints to the passengers, who applied them to Joshua Carl Lee Suggs.

9. Passenger two, a medical doctor, who was involved in the efforts to subdue Joshua Carl Lee Suggs, noted in their statement that Joshua Carl Lee Suggs' pupils appeared to be dilated and that he appeared to be altered mentally. Passenger one, indicated in their statement that Joshua Carl Lee Suggs' pupils were extremely dilated and his speech was incoherent but clear.

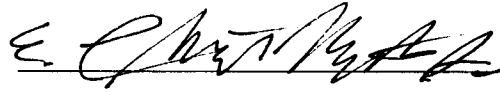
10. As a result of Joshua Carl Lee Suggs' attempt to open the aft galley door, the flight's Captain contacted the Federal Aviation Administration and declared an emergency, subsequently requesting to divert the flight to Omaha, Nebraska's Eppley Airfield.

11. Once Joshua Carl Lee Suggs was restrained, passenger one, a law enforcement officer, cleared a passenger row on the aircraft and seated Joshua Carl Lee Suggs next to the window. Passenger one then sat with Joshua Carl Lee Suggs and maintained control of him until the flight landed at Omaha, Nebraska's Eppley Airfield. After being diverted, Southwest Airlines flight 722 landed at Omaha, Nebraska's Eppley Airfield, where Joshua Carl Lee Suggs was taken into custody by the Omaha Airport Authority Police Department.

E. Conclusion


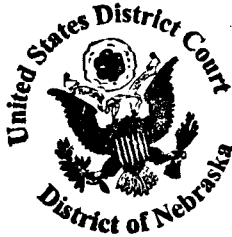
12. Based upon the above-stated facts and circumstances, your affiant believes that there is probable cause to arrest Joshua Carl Lee Suggs and charge him with violation of Title 49 U.S. C.

Section 46504, Interference with Flight Crew Members and Attendants. Your affiant respectfully requests a warrant to arrest Joshua Carl Lee Suggs to be issued.



E. Christopher Meztista, Jr.
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 14th day of April, 2014.



THOMAS D. THALKEN
United States Magistrate Judge