

**CRIMINAL COMPLAINT**

C&amp;W No.99-119

<b>United States District Court</b>		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. PAUL W. MUNSON		DOCKET NO.	
		MAGISTRATE'S CASE NO.	
Complaint for violation of Title 18, United States Code § 18 U.S.C. 876			
NAME OF JUDGE OR MAGISTRATE  Honorable CAROL SANDRA MOORE WELLS		OFFICIAL TITLE  US Magistrate Judge	LOCATION  Philadelphia, PA
DATE OF OFFENSE  October 18, 2001	PLACE OF OFFENSE Philadelphia, PA and elsewhere	ADDRESS OF ACCUSED (if known) SCI Rockview Bellefonte, PA	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:  On or about October 18, 2001, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant PAUL W. MUNSON knowingly deposited in any post office or authorized depository for mail matter, to be sent or delivered by the Postal Service, and knowingly caused to be delivered by the Postal Service according to the direction thereon, a communication addressed to another person, that is, Carmen Munson, containing a threat to the person of the addressee or another person, in violation of Title 18, United States Code, Section 876.			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:  SEE AFFIDAVIT ATTACHED			
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED: See Attached Affidavit			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		SIGNATURE OF COMPLAINANT (official title)  ANTHONY FENU, JR.	
		OFFICIAL TITLE Postal Inspector U.S. Postal Inspection Service	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE <sup>(1)</sup>  HONORABLE CAROL SANDRA MOORE WELLS , US Magistrate Judge		DATE  October 24, 2001	

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1) See Federal Fules of Criminal Procedure rules 3 and 54.

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

PAUL W. MUNSON

**WARRANT FOR ARREST**

CASE NUMBER:

To: The United States Marshal and any Authorized  
United States Officer

YOU ARE HEREBY COMMANDED to arrest PAUL W. MUNSON

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment  Information  Complaint  Order of court  Violation notice  Probation violation petition  
charging him or her with (brief description of offense) See Affidavit of Postal Inspector Anthony, Fenu, Jr.

On or about October 18, 2001, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant PAUL W. MUNSON knowingly deposited in any post office or authorized depository for mail matter, to be sent or delivered by the Postal Service, and knowingly caused to be delivered by the Postal Service according to the direction thereon, a communication addressed to another person, that is, Carmen Munson, containing a threat to the person of the addressee or another person, in violation of Title 18, United States Code, Section 876.

In violation of Title 18, United States Code, Section(s) 876

HON. CAROL SANDRA MOORE WELLS

\_\_\_\_\_  
Name of Issuing Officer

\_\_\_\_\_  
Signature of Issuing Officer

United States Magistrate Judge

\_\_\_\_\_  
Title of Issuing Officer

October 24, 2001 Philadelphia, PA

\_\_\_\_\_  
Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
Name of Judicial Officer

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER Anthony, Fenu, Jr. Postal Inspector, U.S. Postal Inspection Service	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
v. : MAGISTRATE NO.  
CERTAIN PERSON :

**MOTION TO IMPOUND SEARCH WARRANT AND  
AFFIDAVIT FOR SEARCH WARRANT**

The United States of America, by and through its attorneys, Patrick L. Meehan, United States Attorney in and for the Eastern District of Pennsylvania, and Robert K. Reed, Assistant United States Attorney for the District, and in support of its Motion states as follows:

1. The within Arrest Warrant, Complaint, Affidavit for the Complaint and Warrant, and accompanying docket papers, are documents which, if made public would jeopardize the government's interest in protecting an ongoing investigation.

2. Although the public has a common law right of access to judicial proceedings and papers, matters regarding ongoing criminal investigations are traditionally conducted ex parte and in camera, with deference to the government's determination that investigative matters should be sealed.

3. Accordingly, balancing the public's right of access to pre-indictment judicial documents with the government's interest in protecting ongoing criminal investigations, the government respectfully requests that the government's Motion be GRANTED. It is further requested that the Search Warrant be unimpounded upon the execution of the warrant.

Respectfully submitted,

PATRICK L. MEEHAN  
United States Attorney

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ROBERT K. REED  
Assistant United States Attorney

## **AFFIDAVIT**

I, ANTHONY FENU, JR. being duly sworn according to law, state the following allegations in support of this affidavit in support of an application to obtain a complaint and warrant to arrest PAUL W. MUNSON:

1. I am a United States Postal Inspector with the United States Postal Inspection Service and have been so employed for more than twelve years. I am currently assigned to the United States Postal Inspection Service in Philadelphia, Pennsylvania.

2. This affidavit is based on my investigation and the evidence provided to me by other federal and state law enforcement officials who have participated in this investigation. Based on the following, I submit that there is probable cause to issue a complaint and warrant to arrest PAUL W. MUNSON for mailing a threatening communication, in violation of 18 U.S.C. § 876.

### **Background**

3. Since in or about September, 2001, there have been a number of persons infected with anthrax, which has caused infection and death to a number of individuals in a number of States in the United States. The anthrax has been delivered or appears to have been delivered through the mails. From in or about September, 2001, to the present, in the Eastern District of Pennsylvania and elsewhere, numerous letters have been mailed through the United States Postal Service that have contained threats that the letter contains anthrax or powder that appears to be

anthrax. In fact, many of these letters have proven not to contain anthrax but are hoaxes intended to frighten or terrorize the recipients of the letters.

#### **The October 16, 2001 Letter**

4. On or about October 18, 2001, a supervisor at the Point Breeze United States Post Office, located at 25th Street and Snyder Avenue in Philadelphia, Pennsylvania (PA), contacted the U.S. Postal Inspection Service concerning a letter postmarked October 16, 2001 which had been mailed from Bellfonte, PA and was leaking white powder. The letter was addressed to Carmen Munson at [REDACTED] Philadelphia, PA 19145 with a return address of Paul Munson, Prison No. [REDCATED], Bellfonte, PA 16823 ("the October 16, 2001 letter").

5. As a result of receiving this information, Philadelphia Haz-Mat specialists were contacted and responded to the Point Breeze Post Office. The Haz-Mat specialists secured the October 16, 2001 letter and the letter was transported to a laboratory for analysis.

6. Postal Inspector Walter Nowelski contacted the Rockview State Correctional Institution at Bellfonte, PA and spoke with Captain D.A. Leathers and informed him of the receipt by the Post Office of the October 16, 2001 letter, which according to the return address on the envelope, was mailed by inmate Paul Munson.

7. On October 18, 2001, Captain Leathers interviewed inmate Paul Munson. During the interview, Munson admitted to mailing the letter to his mother, Carmen Munson, and placing baby powder inside the envelope with a letter as a joke.

8. On or about October 18, 2001, prison officials at the Rockview SCI at Bellefonte recovered inmate Paul Munson's personal effects from his cell inside the prison when they placed him in administrative segregation. Recovered was a bottle of baby powder.

9. On October 23, 2001, Postal Inspector James J. Danz and Inspector Joseph Fringo went to the Rockview SCI at Bellefonte and met with inmate Paul Munson. They advised Munson of his Miranda rights and he waived his rights. During the interview, Munson admitted mailing via the United States Postal Service the October 16, 2001 letter to his mother after placing baby powder inside the envelope.

**Conclusion**

10. Based on the foregoing, I submit there is probable cause to issue a complaint and warrant to arrest PAUL W. MUNSON for mailing a threatening communication, in violation of 18 U.S.C. § 876.

\_\_\_\_\_  
ANTHONY FENU, JR..  
Postal Inspector  
U.S. Postal Inspection Service

Sworn and subscribed before me this

\_\_\_\_\_ day of October, 2001

\_\_\_\_\_  
HONORABLE CAROL SANDRA MOORE WELLS  
United States Magistrate Judge