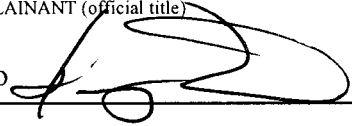
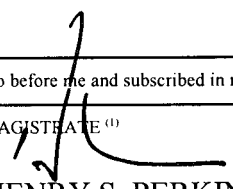


United States District Court		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. GEORGE DONNELLY		DOCKET NO. MAGISTRATE'S CASE NO. 10- 837 -M	
Complaint for violation of Title 18 United States Code §§ 113 (a)(5) and 41 C.F.R. 102-74.385 and 41 C.F.R. 102-74.390.			
NAME OF JUDGE OR MAGISTRATE Honorable HENRY S. PERKIN		OFFICIAL TITLE U.S. Magistrate Judge	LOCATION Allentown, PA
DATE OF OFFENSE May 11, 2010	PLACE OF OFFENSE Allentown, PA	ADDRESS OF ACCUSED (if known) Saw Mill Court Norristown, PA	
<p>COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:</p> <p>On or about May 11, 2010, defendant GEORGE DONNELLY, while on territorial jurisdiction of the United States, that is, federal property outside the Edward N. Cahn Federal Building and Courthouse, located at 504 W. Hamilton St., Allentown, Pennsylvania, did commit a simple assault upon a female United States Court Security Officer, and impeded government law enforcement officers in the performance of their lawful duties and failed to comply with lawful directions of federal law enforcement on federal property.</p> <p style="text-align: center;">In violation of 18 U.S.C. § 113 (a) (5) and 41 C.F.R. 102-74.385 and 41 C.F.R. 102-74.390.</p>			
<p>BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:</p> <p style="text-align: center;">SEE AFFIDAVIT ATTACHED AND INCORPORATED.</p>			
<p>MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:</p>			
<p>Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.</p>		<p>SIGNATURE OF COMPLAINANT (official title)</p> <p>Enrique Trevino </p> <p>OFFICIAL TITLE</p> <p>Deputy, U.S. Marshals Service</p>	
<p>Sworn to before me and subscribed in my presence.</p>			
<p>SIGNATURE OF MAGISTRATE ⁽¹⁾</p> <p></p> <p>Honorable HENRY S. PERKIN, United States Magistrate Judge</p>		<p>DATE</p> <p>5/28/2010</p>	

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

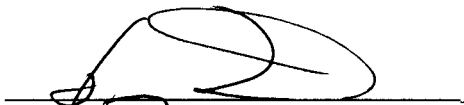
AFFIDAVIT

I, Enrique Trevino, being duly sworn, depose and state the following:

1. I am a Deputy United States Marshal for the United States Marshals Service. I have been employed in this capacity for about 22 years. I am graduate of the Criminal Investigator Training Program sponsored by the Federal Law Enforcement Training Center in Glynco, Georgia and a graduate of the United States Marshal Service Training Academy. I am currently assigned to the Eastern District of Pennsylvania, Allentown Sub-Office. My duties, among other things, include investigating violations of Title 18, United States Code, Section 113(a)(5).
2. This affidavit is made in support of an Application for Arrest Warrant for George S. Donnelly, age 39, who resides on Saw Mill Court, Norristown, Pennsylvania.
3. On or about May 11, 2010, at approximately 12:00 p.m., Court Security Officers (CSO) assigned to the front lobby of the Edward N. Cahn Federal Courthouse and Federal Building, located at 504 W. Hamilton Street in Allentown, Pennsylvania, requested assistance from Deputy U.S. Marshals in reference to protestors outside the front of the building. The duties of the CSOs, among other things, include the protection of the federal building, both interior and exterior, and the occupants inside the federal Court House, including federal judges.
4. I learned from CSO Claire Burns that she went outside after observing George Donnelly taking pictures and/or video of the Federal Court House building, and not merely photographing the activities of other protestors. CSO Burns went outside to ask George Donnelly why he was taking pictures of the federal building. Donnelly just smiled and refused to answer the question. At this time, Julian Heicklen approached CSO Burns and began a verbal and physical confrontation, acting in a threatening manner toward CSO Burns. At this time, CSO Burns asked another CSO who was present to get the Marshals outside.
5. As I approached the front lobby door, I could see CSO Claire Burns engaged in a physical and verbal confrontation with an elderly gentleman later identified as Julian Heicklen, who was one of the protestors. I proceeded outside and attempted to calm down Mr. Heicklen and requested him to step away from CSO Burns, but Mr. Heicklen was non-compliant. Mr. Heicklen continued to be loud and verbally abusive to CSO Burns, and further physically violated CSO Burns' personal space, by actually touching her person in the area where her gun was holstered. This physical and verbal confrontation involving CSO Burns occurred just outside the federal courthouse on federal property.

6. While engaged in the performance of my official duties, in an effort to resolve the physical and verbal confrontation involving a potential threat to the safety of CSO Burns, another male involved in the protest, later identified as George S. Donnelly, interfered with me performing my duties by physically grabbing my shoulder from behind. This occurred on federal property. I immediately turned and grabbed Mr. Donnelly by his arm, and observed him hiding an unknown object between his legs. I asked Mr. Donnelly to show his hands and he refused. Since it was unknown to me what the object was, and could have been a weapon which could cause harm to myself or other CSOs or bystanders that were present, Mr. Donnelly was taken to the ground with assistance from Supervisor Deputy U.S. Marshal Bryant Semenza, for security reasons. Donnelly refused continued orders to show his hands, and kept them tightly clenched between his legs. At this time, with assistance from CSO Burns, I was able to pull Mr. Donnelly's hand from between his legs, which revealed the unknown object to be a camera. During this struggle, which occurred on federal property, Donnelly struck CSO Burns in the jaw with a closed fist. At this time, Donnelly was placed under arrest for the simple assault on CSO Burns. The camera was subsequently removed from Mr. Donnelly. After Donnelly was safely on the ground and the camera was removed, I assisted him in standing up. At this time Donnelly backed away and then produced another camera which he aimed at me (Deputy U.S. Marshal Enrique Trevino). I took that camera from him until we could calm down Donnelly and the two other protesters present.

7. Based on the foregoing facts, I have probable cause to believe George S. Donnelly, violated Title 18, United States Code, Section 113(a)(5), by committing a simple assault against CSO Claire Burns while on federal property.


Enrique Trevino
Deputy United States Marshal
United States Marshals Service

Sworn to and subscribed
before me this 28th
day of May, 2010.


HONORABLE HENRY S. PERKIN
United States Magistrate Judge