

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-mj-8397-WM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRACY MARIE FIORENZA,

Defendant.

FILED BY SW D.C.

Aug 9, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Miami Office of the United States Attorney's Office prior to July 20, 2008?

Yes ☐ X No

2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office (West Palm Beach Office) only prior to December 18, 2011?

Yes ☐ X No

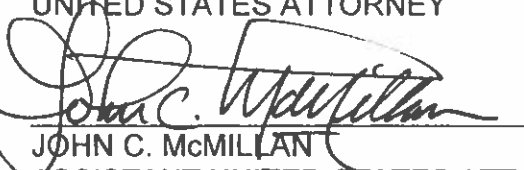
3. Did this matter originate from a matter pending in the Fort Pierce Office of the United States Attorney's Office prior to August 8, 2014?

Yes ☐ X No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

BY:


JOHN C. McMILLAN
ASSISTANT UNITED STATES ATTORNEY

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

FILED BY SW D.C.

Aug 9, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

United States of America

v.

TRACY MARIE FIORENZA,

Case No. 23-mj-8397-WM

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 05/21/2023 and 06/05/2023 in the county of Palm Beach in the
Southern District of Florida, and elsewhere, the defendant(s) violated:

Code Section
18 U.S.C. § 875(c)

Offense Description
Transmitting Threats to Kill or Injure Another Person in Interstate Commerce

This criminal complaint is based on these facts:

Please see attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

John Lear, Special Agent, U.S. Secret Service

Printed name and title

Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (Facetime).

Date: August 9, 2023



Judge's signature

City and state: West Palm Beach, Florida

Hon. William Matthewman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT
Case No. 23-mj-8397-WM

Your affiant, John Lear, first being duly sworn, does hereby depose and state as follows:

1. I am a Special Agent (SA) of the United States Secret Service (USSS), and I have been so employed since July 2021. Prior to this I was an Officer in the USSS Uniformed Division (UD) for 10 years performing law enforcement and protective assignments at the White House and various protective sites around the country. I am currently assigned as a Criminal Investigator to the West Palm Beach Resident Office. As part of my assignment, I investigate both financial and protection-based crimes. I have received extensive training as a USSS UD officer and Special Agent in the investigation of counterfeit currency, identity theft, bank fraud, and access device fraud, as well as in USSS protection-based law enforcement and investigation of threatening statements and/or actions toward USSS protected persons and USSS secured grounds and buildings at both the Federal Law Enforcement Training Center (FLETC) in Georgia and the James J. Rowley Training Center in Maryland. I am an investigative or law enforcement officer of the United States, in that I am empowered by law to conduct investigations and to make arrests for criminal offenses, under the authority of Title 18, United States Code, Section 3056.

2. As a result of my training and experience, I am aware that Title 18, United States Code, Section 875(c) provides that:

Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.

3. This affidavit is submitted in support of a criminal complaint against Tracy Marie FIORENZA (FIORENZA), charging that she did knowingly and willfully make threats to kill or

injure the person of another via commercial email over the internet originating in the State of Illinois and transmitted to Palm Beach County, Southern District of Florida, in violation of Title 18, United States Code, Sections 875(c).

4. The facts articulated in this affidavit are based upon my personal knowledge, as well as knowledge, information, and documentation that I obtained from others, including other officers working in their official capacity. Because this affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint, it does not contain all of the information known to me concerning this investigation. Instead, it contains only those facts necessary to establish probable cause.

5. On May 21, 2023, FIORENZA emailed the headmaster of an educational institution located in Palm Beach County, Southern District of Florida, and included in the body of the email, "... I will state that I will shoot Donald Trump Sr. AND Barron Trump straight in the face at any opportunity that I get!..."

6. On June 5, 2023, FIORENZA again emailed the headmaster of the educational institution in Palm Beach County, Southern District of Florida, and included in the body of the email, "...I am going to slam a bullet in Baron Trump's head with his father IN SELF DEFENSE!'...."

7. In early June, 2023, FIORENZA was contacted via telephone by USSS SA Sandra Trujillo of the USSS Chicago Field Office, who identified herself, and requested to arrange an interview with FIORENZA. SA Trujillo offered several venues for the interview location and suggested a coffee house or other public venue, or FIORENZA's residence for convenience. FIORENZA stated that she would be more comfortable being interviewed in the USSS Chicago Field Office.

8. On June 14, 2023, at approximately 12:29 p.m., FIORENZA consented to a voluntary audio and video interview at the U.S. Secret Service Chicago Field Office, 525 West Van Buren, Suite 900, Congress Center, Chicago, IL 60607. FIORENZA was interviewed by U.S. Secret Service SA Sandra Trujillo and SA Matthew Schwind. During this interview, FIORENZA, was read her *Miranda* warnings and also signed United States Secret Service Form, SSF 1737B, "Miranda Warning-Warning As to Your Rights-"; acknowledging her *Miranda* rights, and electing to continue with the interview. FIORENZA further acknowledged that she understood that she was not under arrest, and was free to conclude the interview, and depart the Chicago Field Office at any time during the interview. During the interview, FIORENZA was shown written copies of her emails referenced above which included the threatening language excerpts included in this document, and FIORENZA confirmed that she intentionally wrote and sent them via email from her residence Plainfield, Illinois.

9. Based upon the foregoing, your affiant submits that there is probable cause to believe that FIORENZA did knowingly and willfully make threats via commercial email to take the life of or to inflict bodily harm upon the persons of the former President of the United States,

and a member of the immediate family of a former President, in violation of Title 18, United States Code, Section 875.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



John Lear
Special Agent
United States Secret Service

SWORN AND ATTESTED TO ME BY
APPLICANT VIA TELEPHONE (FACETIME)
PURSUANT TO FED. R. CRIM. P. 4(d) AND 4.1
THIS 9th DAY OF AUGUST, 2023.


HON. WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Tracy Marie FIORENZA

Case No: 23-mj-8397-WM

Count #: 1

Transmitting Threats to Kill or Injure Another Person in Interstate Commerce

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

*** Max. Term of Imprisonment: 5 years**

*** Mandatory Min. Term of Imprisonment (if applicable): not applicable**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000.00**

*** Special Assessment: \$100.00**

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**