Twitter Thread by Virgil Abt

Virgil Abt
@abtnatural



Pleased to learn that a federal criminal grand jury's subpoena to Twitter to get my personal info was quashed by the judge, despite my association with sketchy accounts like @Popehat and @associatesmind, whom the court refused to do any favors.

(Thread ...)

IT IS, THEREFORE, ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted. Movant Twitter, Inc.'s Motion to Quash Grand Jury Subpoena and Vacate Gag Order [Dkt. No. 1] is GRANTED IN PART. The Motion to Quash is GRANTED as to Twitter users @dawg8u and @abtnatural and DENIED as to Twitter users @PogoWasRight, @Popehat, and @associatesmind.

The Grand Jury Subpoena issued to Twitter, No. Dal-2017R05013-2, is hereby QUASHED as to @dawg8u and @abtnatural.

SO ORDERED this 11th day of December, 2017.

BARBARA M. GLYNN

This started in 2017 with a Twitter thread about the interesting case of John Rivello, who was indicted for assault with "a deadly weapon, to-wit: a Tweet", where the tweet contained an allegedly seizure-inducing GIF and was sent to a known epileptic, @kurteichenwald.

GRAND JURY REFERRAL



The State of Texas vs. JOHN RAYNE RIVELLO

DOB: 6/5/1987 Sex: Male

Race: White

SID No.

AIS No. <#CID#>

CDC5

GJ Witness: READ IN

C	Offense	LD	Statute	Agency	TRN	TRS	NCIC Code
1	- AGG ASSAULT W/DEADLY WEAPON	F2	PC 22.02(a)(2)	TXDPD0000			13150005

INDICTMENT NO.: F1700215

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

The Grand Jury of Dallas County, State of Texas, duly organized at the January Term, A.D., 2017 of the 204th Judicial District Court for said County, upon its oath do present in and to said Court at said term,

That JOHN RAYNE RIVELLO, hereinafter called Defendant, on or about the 15th day of December, 2016, in the County of Dallas, State of Texas, did then and there intentionally, knowingly and recklessly cause bodily injury to KURT EICHENWALD, a disabled person, hereinafter called complainant, by inducing a seizure with an animated strobe image, knowing that the complainant was susceptible to seizures and that such animations are capable of causing seizures, and said defendant did use and exhibit a deadly weapon, to-wit: a Tweet and a Graphics Interchange Format (GIF) and an Electronic Device and Hands, during the commission of the assault,

Enhancements

And further, Defendant did intentionally select the said KURT EICHENWALD primarily because of the said Defendant's bias or prejudice against a group identified by race, ancestry, or religion, namely: persons of Jewish faith or descent;

Against the peace and dignity of the State.

Foreman of the Grand Jury

Page 1 of 1

Someone replied to the thread with a sarcastic dig at an FBI agent involved in the case (Nathan Hopp), and then someone else replied to that with a smiley-face emoji.

https://t.co/RcOphROvOP

https://t.co/X48C4ORZsI

KochBroHat @Popehat - Mar 20, 2017		Tweet							
released OR into parents' custody. Still no complaint online. 4		KochBroHa	at @Popehat - N	Mar 20, 201	7		000		
Virgil Abt @abtnatural · Mar 20, 2017 .@Popehat Not really OR ("own recognizance"), but DR ("Dad's recognizance"). (i) The definedant must cooperate in the collection of a DNA anaples if the collection is individued by £1.5.€ [11.5]. (ii) The definedant must cooperate in the collection of a DNA anaples if the collection is individued by £1.5.€ [11.5]. (iii) The definedant must cooperate in the collection of a DNA anaples if the collection is individued by £1.5.€ [11.5]. (iv) The definedant must appear in court in required and must surreader to serve any settoric imposed. (iv) The definedant must appear in court in required and must surreader to serve any settoric imposed. (iv) The definedant position is neglected and must surreader to serve any settoric imposed. (iv) The definedant positions to appear and settoric imposed. (iv) The definedant positions to appear an expelled and settoric my to the United States the sum of distance of the court of a failure to appear an expelled and settoric my continued to the court of a failure to appear an expelled and settoric my continued to serve any settoric imposed. (iv) The definedant promises to appear as required or surreader to serve any settoric imposed. (iv) The definedant promises to appear as required or surreader to serve any settoric imposed. (iv) The definedant promises to appear as required or surreader to serve any settoric imposed. (iii) The count of a failure to appear as required or surreader to serve any settoric imposed. (iii) The count of a failure to appear as required or surreader to serve any settoric imposed. (iii) The definedant promises to appear as required to serve any settoric imposed. (iii) The count of a failure to appear as required to serve any settoric imposed. (iii) The count of a failure to appear as required to serve any settoric imposed. (iii) The count of a failure to appear as a set and the settoric and the collection of the count of a failure and the collection of the count of the collection of the count of the co							exas,		
. @Popehat Not really OR ("Own recognizance"), but DR ("Dad's recognizance"). (i) The definates must not violate any fluteral, state or local ten while on referant. (c) The definates must not violate any fluteral, state or local ten while on referant. (d) The definates must be approved by the U.S. Pretial Services Officer (USPTO) supervising the definates' release and the definates must advise the court, defines occased, and the U.S. statevey in writing before any obtains a release and the definates must advise the court, defines occased, and the U.S. statevey in writing before any obtains a release to releption comments. (b) The definatest several appear in (Fluter, in the residue) of the state and the U.S. but the U.S. but the U.S. but the U.S. but the definatest was appear at (Fluter, in the court as required and must surreduce to serve any statemen imposed. (ii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iv) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in the serve any statemen imposed. (iv) The definatest promises to appear to the serve any statement imposed		Q 4	17 4		♡ 8	\triangle			
. @Popehat Not really OR ("Own recognizance"), but DR ("Dad's recognizance"). (i) The definates must not violate any fluteral, state or local ten while on referant. (c) The definates must not violate any fluteral, state or local ten while on referant. (d) The definates must be approved by the U.S. Pretial Services Officer (USPTO) supervising the definates' release and the definates must advise the court, defines occased, and the U.S. statevey in writing before any obtains a release and the definates must advise the court, defines occased, and the U.S. statevey in writing before any obtains a release to releption comments. (b) The definatest several appear in (Fluter, in the residue) of the state and the U.S. but the U.S. but the U.S. but the U.S. but the definatest was appear at (Fluter, in the court as required and must surreduce to serve any statemen imposed. (ii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iv) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iii) The definatest promises to appear in court as required and externed to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iv) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in court as required to the serve any statemen imposed. (iii) The definatest promises to appear in the serve any statemen imposed. (iv) The definatest promises to appear to the serve any statement imposed	-	Virgil Abt	@abtnatural · N	Mar 20, 2017	,		000		
C) The defendant must cooperate in the collection of a ENA sample if the collection is authorized by 42 U.S. 14135. (b) The defendants resistance must be approved by the U.S. Pretrial Services Officer (USPTO) supervising the defendant stream and the defendant must arbive the count, defense counts, and the U.S. answering in writing before any shares in advance or telepoor resistance in advance or telepoor resistance in advance or telepoor resistance in advances or telepoor resistance in a defendant must appear in court as required and must surreader to serve any sentence imposed. The defendant must appear in court as required and surreader to serve any sentence imposed. Release on Personal Recognizance or Unexcerted Bond IT IS PURTHER ORDERED dus the defendant be released on condition that: (c) 1) The defendant promises to appear in court as required and surreader to serve any sentence imposed. (d) 1) The defendant promises to appear in court as required and surreader to serve any sentence imposed. (e) 1) The defendant promises to appear in court as required and surreader to serve any sentence imposed. (f) 1) The defendant promises to appear as required or surreader to serve any sentence imposed. (g) 2) The defendant promises to appear as required or surreader to serve any sentence imposed. (g) 3)	.@Popehat Not really OR ("own recognizance"), but DR ("Dad's							
42 U.S. \$ 14135. (c) The definition is necessary and the definition must arbive the court, definition country. (d) The definition is necessary and the definition must arbive the court, definition country, and the U.S. alterney in writing before may change in address or triplend remarks. (e) The definition are appear at it if thank in its metal to U.S. alterney in writing before may be defined and must appear at its mount a group at a triplend in the metal of the definition of the definition of the metal of the definition of the Northern District of Texas and deservice, definition of the definition of the Northern District of Texas and deservice compared and definition of the Northern District of Texas and deservice of the dash of and activitionally use an interestive computer service and an electronic communication service to engage in a course of conduct that placed a person in an account of the dash of and activition of the Northern District of Texas and electronic communication service to engage in a course of conduct that placed a person in account of the dash of and activition of the animated of the forward and the definition of the dash of and activition of the animated of the way are to be bearing the messa		О Т	he defendant must not viola	te any federal, state o	e local law while on release				
defendant real and the defendant must advise the court, defense counts, and the U.S. stroney in writing before any change in adversor or tipotor mushor. (4) The defendant must appear in court as required and next surreduct to serve any sentime imposed.									
(4) The defendant must appear in court as required and must surreader to serve any sentence imposed The defendant must appear at if Yebok, whe medical Lib Direct Coord Provided Coord Pr		defendant's release and the defendant must advise the court, defense counsel, and the U.S. attorney in writing							
Release on Personal Recognizance or Unsecured Band IT IS FURTHER ORDERED that the defendant be released on condition that: (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed. (6) The defendant promises to appear in court as required and surrender to serve any sentence imposed. (6) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (7) In the event of a faither to appear as required or surrender to serve any sentence imposed. (8) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (9) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (9) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (9) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (9) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (9) The defendant countries of faither to appear as required or surrender to serve any sentence imposed. (1) The defendant countries of faither to appear as required or surrender to faither to appear as required and serve countries. (1) The defendant countries of faither to appear as required and surrender to appear and countries. (2) The defendant countries of faither to appear as required and serve countries. (2) The defendant countries of faither to appear as required and serve to the countries of faither to appear as required and serve to decide the faither server and an electronic communication service to engage in a course of conduct that placed a person in reasonable for of the death of antientically use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable for of the death of antientically use an interactive computer service and an electronic countries of the defendant									
Release on Personal Recognizance or Unoccured Bland IT IS FURTHER ORDERED that the defendant be released on condition that: (***) 17 to defendant executes an unoccured bond binding the defendant to pay to the United States the sum of delibers (5) in the event of a faither to appear as required or surrender to surve any sentence imposed. (**) 18 **) 3						Place			
Trisfurther ORDERED that the defondant be released on condition that: (a) (b) The definedant promises to appear in court as required and surrender to serve any sentence imposed. (a) (b) The definedant executions an unsecured bond binding the definedant to pay to the United States the sum of defining the definedant of the cent of a faithure to appear as required or surrender to serve any sentence imposed. (c) 3		1	Destrict of Texas on COB - Monday 3/20/17 les 5:00 pm						
(c) The definedant promises to appear in court as required and surrender to serve any sentence imposed. (d) The definedant executes an unsecured bond binding the defendant to pay to the United States the roun of dollars (S in the event of a failure to suppear as required or surrender to serve any sentence imposed. (e) The definedant executes an unsecured bond binding the defendant to pay to the United States the roun of in the event of a failure to suppear as required or surrender to serve any sentence imposed. (e) The definedant promises a required or surrender to serve any sentence imposed. (f) The definedant promises an experiment of the serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required and surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender to serve any sentence imposed. (f) The definedant promises are required or surrender and promises. (g) The complainant in this case, state that the following is true to the best of my knowledge and belief. (g) The definedant in this case, state that the following is true to the best of my knowledge and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable for art of the death of and sections bodily injury to that person and caused, attempted to cause, and would be reasonably sepected to cause substantial emot			Release	on Personal Recogn	izance or Unsecured Bone	1			
(6) The defendant executes as unsecured bond binding the defendant to pay to the United States the sum of dollars (S) in the event of a faithure to appear as required or surrender to serve any sentence insposed. 3						v			
Seith Lee @associatesmind · Mar 20, 2017 where'd you pull this from?									
Keith Lee ② @associatesmind · Mar 20, 2017 where'd you pull this from? 1				*******************	de	ollars (\$)			
Keith Lee									
where'd you pull this from? \[\text{ 1 } \text{ 1 } \text{ 2 } \text{		V 3	C+ 3	V 3	·	111			
KochBroHat @Popehat · Mar 20, 2017 dMD 1	100	1			20, 2017		000		
KochBroHat @Popehat · Mar 20, 2017 dMD \(\text{virgil Abt } \text{ @abtnatural } \text{ Mar 20, 2017} \) . \(\text{@Popehat } \text{@associatesmind U.S. v. John Rayne Rivello now unsealed in Texas.} \) drive.google.com/open?id=0B9wNz \(\text{LIMINAL LUMPLAINI} \) I, the complainant in this case, state that the following is true to the best of my knowledge and belief: \(\text{On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communications service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Art Goldstein and used his Twitter account @jew goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epleptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. \text{Mike Honcho}	9	where'd you	u pull this from?	?	100	64.0			
Virgil Abt @abtnatural · Mar 20, 2017 . @Popehat @associatesmind U.S. v. John Rayne Rivello now unsealed in Texas. drive.google.com/open?id=0B9wNz LKIMINAL CUMPLAINI I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @igne goldstein to post an animated complains Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Diving to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		Q 1	t]		Q	\triangle			
Virgil Abt @abtnatural · Mar 20, 2017 . @Popehat @associatesmind U.S. v. John Rayne Rivello now unsealed in Texas. drive.google.com/open?id=0B9wNz It the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew goldstein to post an animated craphics later-thange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Diving to @abtnatural @Popehat and @associatesmind	10	KochBroHa	at @Popehat · N	Mar 20, 201	7		000		
Virgil Abt @abtnatural · Mar 20, 2017 .@Popehat @associatesmind U.S. v. John Rayne Rivello now unsealed in Texas. drive.google.com/open?id=0B9wNz LEMINAL CUMPLAIN I I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bodily injury to that person and caused, attempted to cause, and would be reasonable veneted to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Diving to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.									
.@Popehat @associatesmind U.S. v. John Rayne Rivello now unsealed in Texas. drive.google.com/open?id=0B9wNz CREMINAL COMPLAIN! I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bedily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Art Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		Q 1	tl		O 1	\triangle			
.@Popehat @associatesmind U.S. v. John Rayne Rivello now unsealed in Texas. drive.google.com/open?id=0B9wNz CRIMINAL CUMPLAINI I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bedily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Art Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.	•	Virgil Abt	@abtnatural - M	far 20, 2017			000		
I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial (GIF) on the victim's Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Adam Hopp Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.						o now unsealed i	n		
I, the complainant in this case, state that the following is true to the best of my knowledge and belief: On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Mike Honcho about the least busy FBI agent of all time.			o com/opop?id.	-OPOWNIZ					
On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harsas, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Diving to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		arive.googi	e.com/open/id:		OMPLAINI				
On or about December 15, 2016, in the Dallas Division of the Northern District of Texas and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and serious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Diving to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		I, the cor	mplainant in this case, s			of my knowledge and			
and elsewhere, defendant John Rayne Rivello, with the intent to kill, injure, harass, and intimidate, did knowingly and intentionally use an interactive computer service and an electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Dlying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.			1 . 5 . 1 . 1						
electronic communication service to engage in a course of conduct that placed a person in reasonable fear of the death of and scrious bodily injury to that person and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew_goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		ar	nd elsewhere, defendant	John Rayne Riv	rello, with the intent to	kill, injure, harass, and			
attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his Twitter account @jew goldstein to post an animated Graphics Interchange Format (GIF) on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		el	ectronic communication	n service to engag	e in a course of conduc	that placed a person in			
on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that the animated GIF was a strobe bearing the message "YOU DESERVE A SEIZURE FOR YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u oblying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person; in that Rivello posed as Twitter user Ari Goldstein and used his							
YOUR POSTS." In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3). This criminal complaint is based on the facts set out in the attached affidavit. Mike Honcho @dawg8u Olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		on the victim's Twitter feed, knowing that the victim was an epileptic and knowing that							
This criminal complaint is based on the facts set out in the attached affidavit. Acc Home									
Mike Honcho @dawg8u Mike Honcho Mike Honcho @dawg8u Mike Honcho Mike Honc		In violati	In violation of 18 U.S.C. § 2261A(2)(A) and (B), and 18 U.S.C. § 2261(b)(3).						
Mike Honcho @dawg8u Miying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		This crim	ninal complaint is based	on the facts set of	ut in the attached affid	avit.			
Mike Honcho @dawg8u Mike Honcho					Now Home				
@dawg8u olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.		Q 5	↑ ⊋ 39	♡ 37	, ↑ ,	ılı			
@dawg8u olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.									
olying to @abtnatural @Popehat and @associatesmind athan Hopp is the least busy FBI agent of all time.	2		ho				000		
athan Hopp is the least busy FBI agent of all time.	13	@dawg8u							
	olyir	ng to @abtnat	tural @Popehat	and @asso	ciatesmind				
				. 1		6 11 1:			
7 PM · Mar 20, 2017 · Twitter Web Client	ath	an Honn	is the lead	st busy	FBI agent	of all time			
					FBI agent	of all time.			
	7 PI	И · Mar 20, 20	17 - Twitter We		FBI agent	of all time.			
Quote tweets 3 Likes	7 PI	и · Mar 20, 20			FBI agent	of all time.			

Nathan Hopp is the least busy FBI agent of all time.

- Mike Honcho (@dawg8u) March 20, 2017

Because that last, single-emoji reply was by someone the FBI was investigating (in a matter completely unrelated to Rivello), the feds reacted by demanding Twitter hand over all its information on everyone in the thread (for the suspicious act of being replied to by randos).

AO110 (Rev. 12/89) Subpoena to Testify Before Grand Jury

UNITED STATES DISTRICT COURT

Northern District of Texas

TO:

Twitter, Inc. Attn: Trust and Safety 1355 Market Street, Sulte 900 San Francisco, CA 94103 SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

□ PERSON

□ DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE	COURTROOM Grand Jury Room
1100 Commerce Street Third Floor Dallas, TX 75242	DATE AND TIME June 6, 2017; 9:00 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

PLEASE SEE ATTACHMENT.

Please see additional information on reverse.

This subpoens shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

This subpoena is issued on application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY
Douglas W. Gardner, AUSA
United States Attorney's Office
816 Congress Avenue, Suite 1000
Austin, TX 78701 Office: 512-916-5858

Dal- 2017R05013 - 2

Twitter, through <u>@PerkinsCoieLLP</u> partner John K. Roche, admirably fought this subpoena on behalf of its users, three times: before a USMJ, then a USDJ, then the MJ again. The result was this sealed 35-page opinion (now unsealed): https://t.co/HKIPBXe10E

The court rightly ruled that "Twitter has explained its clear interest in ferociously advocating for its users' First Amendment rights".

[&]quot; If not applicable, enter "none".

The government has shown a substantial relationship between its investigation of Justin Shafer and the information it seeks from Twitter regarding just one user: advertising and data-mining, and has suspended users whose tweets conflict with Twitter's corporate standards. But that argument misses the mark. The closeness requirement focuses on similarity of interests and whether the litigant asserting third-party standing "can reasonably be expected to properly frame the issues and present them with the necessary adversarial zeal." *Munson*, 467 U.S. at 956; *see also In re Deepwater Horizon*, 857 F.3d at 252-53 ("The whole purpose behind this 'close relation' factor is to ensure that the [appellant] will act as an effective advocate for the party whose interests it seeks to represent." (internal quotations and citation omitted)). And here, Twitter has explained its clear interest in ferociously advocating for its users' First Amendment rights—Twitter benefits most when its users have an accessible, unrestrained means of expression.

But the court only protected 2 of 3 anonymous speakers. <u>@PogoWasRight</u> had been in contact with <u>@JShafer817</u> and blogging that his prosecution seemed to be vindictive, and these mere contacts were deemed sufficient to make her anonymity unworthy of 1A protection.

The government has shown a substantial relationship between its investigation of Justin Shafer and the information it seeks from Twitter regarding just one user: @PogoWasRight. At oral argument on Twitter's Motion to Quash Subpoena and Vacate Gag Order, the government presented evidence that @PogoWasRight frequently contacted Justin Shafer via his Twitter account @JShafer817, dating back to January of 2014. See Dkt. No. 20 at 10, lines 8-10. Special Agent testified that, in addition to several tweets where @JShafer817 mentions @PogoWasRight, there are multiple private, direct messages, between the two accounts. See id. at 19, lines 10-11. Special Agent also testified that on multiple occasions, Justin Shafer sought to ask his wife to reach out to @PogoWasRight to provide information regarding Shafer's case. See id. at 15, lines 23-25.

In light of these multiple confirmed and direct contacts, plus Shafer's interest in discussing his own case with @PogoWasRight, the government has made the requisite showing that identifying information for @PogoWasRight is substantially related to its investigation of Justin Shafer and his alleged crimes against Agent . Accordingly, the Motion to Quash should be denied as to @PogoWasRight.

The weird bit is about the attempt to learn the identities of @popehat (unsecret alter ego of Ken White) and @associatesmind (whose screen name is Keith Lee with a blue check verifying that he is Keith Lee).

The feds farcically claimed Ken and Keith were not suspects, and the FBI were merely trying to get their contact information so they could ask for interviews. (They are both licensed attorneys whose up-to-date contact info is, by law, always publicly on file with their states.)

Although at various points of the government's brief and oral argument, the government alluded to its need to investigate Shafer's potential coconspirators, the government has suggested that it does not actually suspect @Popehat or @associatesmind of participating in Shafer's alleged crime. See Dkt. No. 20 at 25, lines 16-20. Of course, even if a user is excluded as a coconspirator, the information that user provides in an interview could nonetheless advance the government's investigation, suggesting new avenues of exploration while closing off others.

That's a pretty ridiculous excuse for demanding Twitter secretly hand over a list of all the IP addresses from which Ken or Keith had ever accessed Twitter, a list that would tend to provide a trail of where they had been at every moment they accessed Twitter from their phones.

Twitter, Inc.

Attn: Trust and Safety 1355 Market Street, Suite 900 San Francisco, CA 94103

Request:

Please provide subscriber and transactional information, from account creation date to present, for the following Twitter account(s):

- @dawg8u
- @abtnatural
- @Popehat
- @associatesmind
- @PogoWasRight

From the account creation date until the present, provide the following records and information associated with the above-described Twitter accounts:

- Names (including subscriber names, user names, and screen names);
- Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- Local and long distance telephone connection records;
- Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;
- Length of service (including start date) and types of service utilized;
- 6. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifier ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Number ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), or International Mobile Equipment Identities ("IMEI"));
- Other subscriber numbers or identities, or associated accounts (including the registration Internet Protocol ("IP") address);
- Means and source of payment for such service (including any credit card or bank account number) and billing records.

But the undersigned doubts what effect enforcing the Subpoena, specifically, will have on the users' First Amendment rights. As Twitter points out, the Twitter profiles for both @Popehat and @associatesmind are linked to blogs with identified creators lawyers Keith Lee and Ken White whose e-mail addresses, phone numbers, and photos are available on the their respective law firms' websites. But the availability of Lee and White's contact information detracts from Twitter's position that the Subpoena itself could chill these users' free speech. The breadth of the information that the government seeks hardly exceeds the information publicly available. Even without the Subpoena, the government can investigate @Popehat and @associatesmind to at least some degree. Whatever potential chilling effect the government's investigation will have is thus only slightly worsened by enforcing the Subpoena and requiring Twitter to provide information to confirm the users' identities.

But Twitter argues that the Subpoena does more than just confirm the user's identities. By gaining access to IP addresses, Twitter maintains, the government can gain access to other confidential or privileged information. Because the undersigned cannot see how an IP address would reveal confidential communications, this argument is unpersuasive and does not advance Twitter's First Amendment arguments.

Twitter's moderation/suspension decisions are often bad, but are not a 1st amendment issue. I appreciate that when the actual 1A shit hit the fan (i.e., actual gov't agents tried to expose our whole asses because a cop was insulted), Twitter threw down.

https://t.co/mEeZNZZRoN