

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

United States of America
v.

MOHAMAD HAMAD
TALYA A. LUBIT

Defendant(s)

Case No.

24-mj-1794

[UNDER SEAL]

CRIMINAL COMPLAINT
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 (see Offense Description below) in the county of Allegheny in the
Western District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 371

Conspiracy to Commit an Offense Against the United States,
from in and around July 2024, through on or about July 29, 2024

18 U.S.C. §§ 247(c), 247(d)(5),
and 2

Defacing and Damaging Religious Real Property,
on or about July 29, 2024

This criminal complaint is based on these facts:

Please see attached Affidavit in Support of Criminal Complaint.

Continued on the attached sheet.

/s/ Brian Collins

Complainant's signature

Brian Collins, Special Agent, FBI

Printed name and title

Sworn and subscribed before me, by telephone pursuant to Fed. R. Crim. P. 4.1(b)(2)(A).

Date: 10/25/2024

Judge's signature

City and state: Pittsburgh, Pennsylvania

Hon. Maureen P. Kelly, United States Magistrate Judge

Printed name and title

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

UNITED STATES OF AMERICA

v.

MOHAMAD HAMAD
TALYA A. LUBIT

Magistrate No. 24-1794
[UNDER SEAL]

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Brian Collins, a Special Agent with the Federal Bureau of Investigation, being duly sworn, hereby depose and state the following:

I. INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is made in support of a criminal complaint charging MOHAMAD HAMAD and TALYA A. LUBIT with one count of Defacing and Damaging Religious Real Property, in violation of Title 18, United States Code, Sections 247(c), 247(d)(5), and 2, and one count of Conspiracy to commit said violation of Title 18, United States Code, Section 247(c), in violation of Title 18, United States Code, Section 371.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since August 2016. I am an “investigator or law enforcement officer” of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations, execute warrants issued under the authority of the United States, and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

3. I have extensive training concerning investigative techniques and case-development. I am assigned to the FBI's Pittsburgh Division and currently investigate civil rights and public corruption violations. Prior to that, I was a police officer for 10 years in Euclid, Ohio, trained as a computer and cell phone examiner. As an FBI Special Agent, I am primarily

responsible for investigating possible violations of federal criminal law, including federal civil rights laws and violations of Title 18, United States Code, Section 247. During my career as an FBI Special Agent, I have been involved in the execution of numerous search and seizure warrants, arrests for violations of state and federal law, and have authored affidavits in support thereof.

4. The facts and statements set forth in this affidavit are based on my personal knowledge and experience, as well as information gathered during my investigation of this case, to include information from other law enforcement personnel and legal counsel, review of documents and electronic records, and discussions with others who have personal knowledge of the events and circumstances described herein. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of the instant criminal complaint, this affidavit does not set forth each and every fact that I have learned during the course of this investigation.

II. STATUTORY VIOLATIONS

5. Title 18, United States Code, Section 247(c) criminalizes the intentional defacement, damage, or destruction of any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property or attempts to do so. The elements of a § 247(c) offense are: (1) that an individual(s) defaced, damaged, or destroyed religious real property, or attempted to do so; (2) that the individual(s) acted intentionally; and (3) that the individual(s) acted because of the race, color, or ethnic characteristics of any individual associated with that religious property. In accordance with Title 18, United States Code, Section 2, persons who aid, abet, counsel, command, induce, or procure the commission of an offense against the United States, or who willfully cause an act to be done, which if directly performed by them would be an offense against the United States, are punishable as principals.

6. Title 18, United States Code, Section 371, addresses conspiracies to commit offenses against the United States, and states, in relevant part, “If two or more persons conspire

. . . to commit any offense against the United States . . . , and one or more of such persons do any act to effect the object of the conspiracy, each shall be” punished in accordance with the statute and the provisions of Title 18.

7. Based on my training and experience and the facts as set forth in this affidavit, your affiant respectfully submits that there is probable cause to believe that MOHAMAD HAMAD (HAMAD) and TALYA A. LUBIT (LUBIT) committed violations of the above-described criminal statutes and submits this affidavit and the information set forth below in support of the issuance of a Criminal Complaint.

III. PROBABLE CAUSE

Overview

8. Beginning in October 2023 and continuing through at least the summer of 2024, numerous residents and business entities in the City of Pittsburgh, including Jewish homeowners and Jewish-owned or -affiliated business entities, have fallen victim to a range of vandalism incidents targeting them because of their actual or perceived support for Israel following the wave of violence orchestrated and carried out by Hamas primarily against civilians in southern Israel on October 7, 2023. The vandalism has ranged from destruction and defacement of pro-Israel signs, to smashed windows, to graffiti on real property with anti-Israel/pro-Palestine messaging. As outlined in greater detail below, the investigation has established that a series of vandalism incidents occurring in the early morning hours of July 29, 2024, were carried out by the defendants, HAMAD and LUBIT, who specifically targeted Jewish religious real property. The investigation has further established HAMAD’s self-identified affiliation with Hamas.

The Defendants

9. HAMAD is a citizen of the United States and resides in Coraopolis, Pennsylvania. HAMAD is also a citizen of Lebanon.

10. HAMAD was a member of the Pennsylvania Air National Guard, assigned to the 171st Maintenance Squadron stationed in Moon Township, Pennsylvania, near the Pittsburgh International Airport, until on or about September 13, 2024, when he was barred from the facility.

11. LUBIT is a citizen of the United States and resides in the Oakland neighborhood within the City of Pittsburgh.

Hamas's October 7, 2023 Attack on Israel

12. According to the Office of the Director of National Intelligence, Harakat al-Muqawama al-Islamiya (Hamas) is the largest and most capable militant group in the Palestinian territories and one of the territories' two major political parties. Hamas emerged in 1987 during the first Palestinian uprising, or intifada, as an outgrowth of the Muslim Brotherhood's Palestinian branch. The group is committed to armed resistance against Israel and the creation of an Islamic Palestinian state in Israel's place. On October 8, 1997, the United States Secretary of State designated Hamas as a foreign terrorist organization under Section 219 of the Immigration and Nationality Act. On October 31, 2001, the Secretary of State also designated Hamas as a Specially Designated Global Terrorist under Executive Order 13224. Though Hamas primarily operates in the Gaza Strip, it also maintains a presence in the West Bank.

13. On Saturday, October 7, 2023, at approximately 6:30 a.m. local time in Israel, Hamas committed its most violent, large-scale terrorist attack to date (the "October 7 Hamas Attack"), sending more than 2,000 armed fighters across the border between the Gaza Strip and southern Israel. The fighters entered Israeli farms and towns and launched a wave of violence focused primarily on civilians. Hundreds of civilians, including Americans, were killed. Others, including Americans, were kidnapped, taken hostage, and brought into the Gaza Strip by the Hamas attackers.

July 29, 2024 Vandalism Incidents Targeting Jewish Organizations in Pittsburgh

14. Following the October 7 Hamas Attack, numerous residents and businesses in Pittsburgh, including Jewish residents and Jewish-owned and -affiliated business entities, demonstrated their support for Israel through, among other things, displaying pro-Israel signs. Since October 7, 2023, there have been a number of vandalism incidents targeting residents and businesses for their actual or perceived support of Israel, including, as relevant here, on July 29, 2024, at Chabad of Squirrel Hill (Chabad) and the Jewish Federation of Greater Pittsburgh (the Jewish Federation).

15. Chabad is a center for Jewish educational programming with a synagogue for Shabbat and other Jewish religious services, and it is housed in religious real property located at 1700 Beechwood Boulevard, Pittsburgh, Pennsylvania 15217, at the corner of Forbes Avenue.

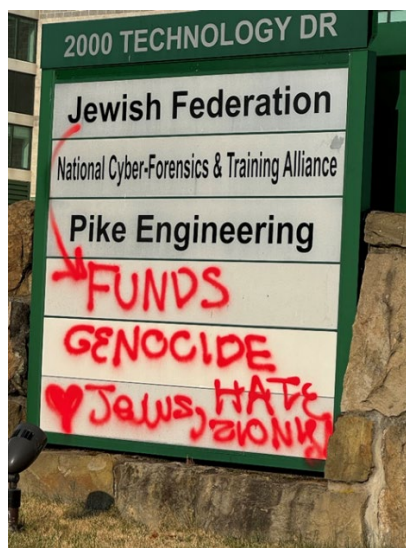
16. The Jewish Federation is a non-profit organization with the charitable purposes of serving as the central fundraising, community relations, budgeting, and community planning arm of the Jewish community of Greater Pittsburgh. The Jewish Federation is located at 2000 Technology Drive, Pittsburgh, Pennsylvania 15219.

17. On the morning of July 29, 2024, Chabad reported to the Pittsburgh Bureau of Police (PBP) that an exterior wall of its religious real property had been defaced with graffiti. Specifically, the words “Jews 4 Palestine” with an inverted triangle were spray-painted onto the exterior of the building with red spray paint (depicted below). The graffiti was painted directly below a sign reading “Chabad of Squirrel Hill” and a few feet away from a large menorah, a Jewish religious symbol, which was implanted in the nearby grass.



18. Your affiant knows through publicly available research sources that the inverted red triangle symbol is a pro-Hamas symbol and has become widely used in pro-Palestinian protests. The inverted triangle first appeared in Hamas videos of the current fighting in Gaza, where it was used to mark an Israeli target about to be attacked by Hamas.

19. Also on July 29, 2024, the Jewish Federation reported to PBP that an exterior entrance sign, affixed to the Federation's religious real property, had been defaced with graffiti. On the Federation's exterior sign, a red arrow was spray-painted pointing from the words "Jewish Federation" to a message, also in red spray paint, with the words, "Funds Genocide Jews, Hate Zionists" and a red heart (depicted below).



Results of the Investigation

20. Following reports of the graffiti incidents on July 29, 2024, FBI and PBP initiated a joint investigation, which has revealed the following, among other things:

21. On July 28, 2024, HAMAD purchased one can of Rust-Oleum “Strawberry Fields” red, high-gloss spray paint at Walmart, Store Number 2300, located at 250 Summit Park Drive, Pittsburgh, Pennsylvania 15275. According to records obtained from Walmart, the paint was purchased with a debit card in the name of MOHAMAD HAMAD. Your affiant obtained a copy of the purchase receipt reflecting the purchase of one can of Rust-Oleum. Your affiant also viewed video surveillance and still images from the Walmart documenting the transaction and HAMAD’s entry and departure from the store. Your affiant has personally spoken with HAMAD and can confirm that the individual depicted in the Walmart still images is, in fact, HAMAD. Additionally, your affiant interviewed a relative of HAMAD who identified HAMAD as the individual depicted in the still images. Additional video surveillance footage obtained from Walmart revealed that HAMAD arrived at and departed from the Walmart store in a convertible sedan, dark in color, with the top open.

22. On or about July 30, 2024, your affiant viewed video surveillance obtained from Chabad, which revealed that on July 29, 2024, at approximately 1:46 a.m., a vehicle pulled up to Chabad’s real property. An unidentified person then appeared in the surveillance video running through Chabad’s lawn in the direction of the exterior wall where the Chabad sign was hanging and where the graffiti was later found. In the unidentified person’s hand, a white can was visible. The unidentified person appeared to be wearing a black head covering, with only eyes visible, a black short-sleeved shirt, with a long-sleeved undershirt, black pants, black shoes, and white socks. The unidentified person then ran back through Chabad’s lawn, passing by the menorah, which is visible in the surveillance footage.

23. After the unidentified person ran back toward the car, the car immediately pulled away. The Chabad video surveillance footage revealed that the car was a dark-colored convertible with the top up. The vehicle depicted in the surveillance footage is consistent with the vehicle depicted in Walmart's surveillance footage that your affiant has reviewed from the day prior. Based upon information gathered as the investigation proceeded, as set forth in more detail below, your affiant has probable cause to believe that the unknown person depicted in the surveillance video and who spray-painted the wall of Chabad is LUBIT.

24. PBP investigators obtained traffic surveillance footage depicting the intersection of Forbes Avenue and Braddock Avenue, Pittsburgh, Pennsylvania, on July 29, 2024. At approximately 1:49 a.m., a vehicle, which is consistent with the vehicle depicted in Chabad's surveillance footage, can be seen. The intersection of Forbes Avenue and Braddock Avenue is located approximately one mile from Chabad and in the direction that the car appeared to be travelling as it departed from Chabad. The traffic surveillance footage revealed that the vehicle's driver's-side rear and front wheels appeared to be different from one another.

25. Your affiant also has reviewed video surveillance footage obtained from the Jewish Federation. The surveillance footage revealed that at approximately 2:23 a.m., on July 29, 2024—less than thirty minutes after the Chabad vandalism—a dark-colored sedan arrived in the parking lot of the Jewish Federation and parked in the vicinity of the entrance sign. The vehicle departed approximately one minute after it arrived. The dark colored sedan is consistent with the vehicle observed at Chabad that same morning.

26. The Carnegie Mellon University (CMU) Police Department maintains video surveillance cameras in the areas of the intersection of Forbes and Margaret Morrison Streets and the intersection of Fifth and Morewood Avenues, Pittsburgh, Pennsylvania. Through a review of the video surveillance footage and a later review of license plate reader (LPR) data, the CMU

police department identified a vehicle consistent with the vehicle observed in the video surveillance footage from Chabad and the Jewish Federation, and the traffic camera footage obtained by PBP. The LPR data revealed that the vehicle identified had been frequently captured on LPRs in the Oakland neighborhood, which is located nearby the Squirrel Hill neighborhood of Pittsburgh, Pennsylvania. The vehicle identified by the CMU Police Department bore Ohio license plate JLL9045. The images obtained through the LPR revealed that the vehicle's driver's-side rear and front wheels appear to be different, consistent with the PBP traffic surveillance footage.

27. Your affiant's review of records available through Accurint and NCIC databases revealed that the subject vehicle is registered to a third party at 1416 Robinhood Dr., Dayton, Ohio 45449. Records from Accurint, which your affiant knows to be a reliable database, associated that Ohio address with an address in the Western District of Pennsylvania at 145 Hunter's Run Dr., Coraopolis, Pennsylvania 15108. Investigators obtained a historical Google Earth image of that address, which revealed a dark-colored BMW convertible sedan parked in the driveway of that residence at the time the Google Earth image was taken. The BMW convertible sedan was consistent with the dark-colored vehicle observed through video surveillance footage from Walmart, Chabad, the Jewish Federation, PBP traffic cameras, and CMU.

28. Real estate records revealed the owner of the residence at 145 Hunter's Run Dr., Coraopolis, Pennsylvania 15108. Your affiant has since personally spoken with the owner who confirmed that he is the owner and a resident of 145 Hunter's Run Dr, Coraopolis, Pennsylvania 15108. The owner also confirmed for your affiant that HAMAD lives at the residence with him and resided at the residence in July 2024. The legal owner further confirmed that HAMAD drives a dark-colored BMW convertible.

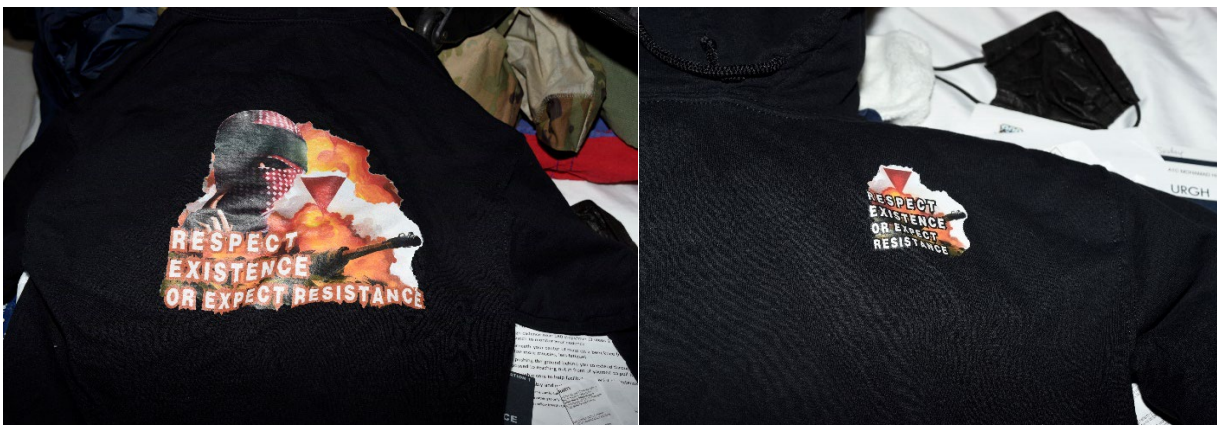
29. On August 6, 2024, a United States Magistrate Judge in the Western District of Pennsylvania issued three warrants authorizing the search of HAMAD's residence and two

vehicles (Magistrate Nos. 24-1322, 24-1323, and 24-1328). The target offense listed in that warrant application was Title 18, United States Code, Section 247 (damage to religious property). The warrants permitted the search of all records related to Title 18, United States Code, Section 247, including the content of any cell phones seized from the residence, HAMAD, or the vehicles.

30. On August 6, 2024, your affiant and other agents and officers executed the above-referenced search warrants on the residence located at 145 Hunter's Run Drive, Coraopolis, Pennsylvania 15108, and two vehicles, one of which was a 1996 BMW328 convertible vehicle with Ohio registration JJL9045, VIN WBABK8326TET93442, parked in the garage of the target residence.

31. The BMW was found to have unique characteristics, including, most importantly, different wheels on the front and rear on the driver's side that were consistent with the aforementioned surveillance video reviewed during the investigation.

32. The execution of the search warrants led to the seizure of evidence, including one can of Rust-Oleum high-gloss paint in the color, "Strawberry Fields," a cell phone used by HAMAD, and a sweatshirt from HAMAD's bedroom bearing the inverted triangle symbol, the words "RESPECT EXISTENCE OR EXPECT RESISTANCE," the image of a masked individual carrying a firearm on the back, and a cropped version of the same image on the front, as depicted below:



33. The UPC number on the seized spray paint can matched the UPC number on the Walmart receipt associated with HAMAD's purchase of the can of spray paint on July 28, 2024.

34. A subsequent search of digital content obtained from HAMAD's cell phone revealed additional evidence, including the following:

a. HAMAD's Google Maps search history, which included the terms "Chabad," "Chabad of Squirrel Hill," "Chabad Young Professionals Pittsburgh," "Chabad Young," "Chabad Lubavitch of Western Pennsylvania," and "245 Melwood Avenue" (i.e., LUBIT's then-address).

b. Contact information for a "TALYA LUBIT," including phone number (xxx) xxx-4548 and Signal username "Warsaw."

c. A Signal¹ message string on June 1, 2024, in which HAMAD discussed his desire to travel overseas to engage in violent acts. Communicating with LUBIT, HAMAD stated, "My ultimate goal in life is Shaheed,² everything else doesn't matter nearly as much, for me you are Jewish so that is more than allowed for me"; "My goal sets are very different from the average person"; "I don't see myself living long"; and "For me it's really hard to think long term." LUBIT referenced previous conversations with HAMAD regarding marriage and having children before HAMAD stated, "It was a feeling of I could really see myself doing that life," "But my heart yearns for being with my brothers overseas." At the conclusion of the conversation, LUBIT stated, "It's fine you're doing an honorable thing."

¹ The Signal messaging application bills itself as a secure method of communication involving "[s]tate-of-the-art end-to-end encryption (powered by the open-source Signal Protocol) [that] keeps your conversations secure." According to the Signal website, "We can't read your messages or listen to your calls, and no one else can either. Privacy isn't an optional mode – it's just the way that Signal works. Every message, every call, every time."

² Based upon your affiant's training and experience, your affiant understands the term "Shaheed" to mean a martyr in the Islamic faith. A martyr may be one who dies for his faith.

d. Email records of two online purchases made on June 10, 2024, of explosive materials—two pounds of Indian Black aluminum powder from Pyro Chem Source and two pounds of potassium perchlorate KC104 from PyroCreations. The online purchases were made under the name “Chris Petrenko,” which your affiant believes to be an alias for HAMAD. According to the purchase records, the explosive materials were to be delivered to HAMAD’s residence in Coraopolis. Your affiant has reviewed PubChem, a database maintained by the National Institute of Health’s National Center for Biotechnology Information, which indicates that potassium perchlorate will form an explosive mixture when combined with certain combustible materials, such as Indian Black aluminum powder.

e. Signal message strings between HAMAD and a known associate, Individual 1, occurring between on or about June 29, 2024, and July 7, 2024, revealing that HAMAD and Individual 1 made plans to practice lighting “a big shell” on or about July 6, 2024, as a practice run for a future explosion. On June 29, 2024, HAMAD stated, “I kinda just wanna test it with you as I’ve never done something that big lol and then another day very soon we can do bros ankles³ with Talya.” On July 7, 2024, the known individual sent HAMAD a message exclaiming, “i keep watchin the video!” and then sent HAMAD a video clip via Signal of what appears to be the detonation of an explosive device and corresponding fireball. HAMAD responded on the application with the message, “Hell Yeah 🤩❤️.” Still shots of the video sent by the known individual to HAMAD are shown below.

³ Your affiant has yet to identify the meaning of “bros ankles.”




f. A Signal message sent by HAMAD on July 12, 2024, to another known associate, Individual 2, containing an image (depicted below) of a male wearing a green headband with the Hamas logo, dark jeans, and a black hooded sweatshirt bearing the statement, “RESPECT EXISTENCE OR EXPECT RESISTANCE.” The male in the photograph appears to be HAMAD holding a combination United States and Israeli flag, possibly bearing the logo “We Stand with Israel.” In the photograph, the male’s right index finger is pointed upward. While this symbol frequently is used to signify the Tawhid, a central tenet of Islam asserting the “oneness” of Allah, it has also been featured in propaganda adopted by a number of foreign terrorist organizations. Your affiant submits that the hooded sweatshirt in the photograph appears to be the same sweatshirt


seized from HAMAD’s bedroom during the execution of the search warrant (depicted above in ¶ 32).



In a simultaneous chat string on July 12, 2024, HAMAD claimed he “yoinked that shit,” adding “we don’t play.” When the associate responded, “pull up lookin like that,” HAMAD replied, “I really did lmao. Imagine the terror they saw if they had cams. Hamas operative ripping off their flags in white suburbia.” The background in the picture is consistent with one of the bathrooms in HAMAD’s Coraopolis residence, which your affiant observed during the aforementioned search on August 6, 2024.

g. Signal messaging from LUBIT on July 28, 2024—the day before the vandalism incidents at Chabad and the Jewish Federation—to a group chat that included HAMAD:

Username	Message Content	Date and Time
Warsaw	Invite everyone lol	7/28/2024 11:14:00 PM ET
Warsaw	Or should this be the photo 	7/28/2024 11:15:10 PM ET

Username	Message Content	Date and Time
Warsaw	Fuck Zionists	7/28/2024 11:24:31 PM ET
Warsaw	Facts. 	7/28/2024 11:37:52 PM ET

h. Phone notifications that captured incoming Signal messaging from LUBIT to HAMAD,⁴ including the following communications beginning on July 27, 2024, demonstrating LUBIT's planning for the July 29 vandalism incidents:

Message Content	Date and Time
If I join you in doing graffiti on this building it matters to me that it is done in good taste. But any bank or anything else that's not a religious institution I'm happy to trash.	7/27/2024 9:25:54 PM ET
I wish I knew how to 🗑️ paint damn.	7/27/2024 9:27:08 PM ET
We only have one shot cuz after that they will have much higher surveillance. I think it's wise for them to see other buildings like PNC & stuff getting tr*shed first. So they're not like "you're targeting the Jews"	7/27/2024 9:58:45 PM ET
If we target Jewish institutions before Zionist non Jewish ones I think they'll see it as a Jew v other thing	7/27/2024 10:00:07 PM ET
But I think I'm bad at art. What if I enlist [initials]	7/27/2024 10:05:49 PM ET
Actually there's a lot of places I could do this. There's a lot of Jewish institutions around	7/27/2024 10:09:13 PM ET
Oh fuck it	7/27/2024 10:21:08 PM ET
I'll do it	7/27/2024 10:21:16 PM ET
The thing	7/27/2024 10:22:07 PM ET
Decorating Chabad	7/27/2024 10:22:12 PM ET
trying to make it ugly and abnoxious feels like borderline desecration of religious place	7/27/2024 10:26:11 PM ET
Like right before the line	7/27/2024 10:26:17 PM ET
They usually use buildings for synagogues. Idk [I don't know] why they use their own spaces. Idk if it's a funding thing or a lack of people thing	7/27/2024 10:28:08 PM ET
They probs use that space as their prayer space even though it's not fancy at all	7/27/2024 10:28:26 PM ET

⁴ Analysis of the contents of HAMAD's seized cell phone revealed that any messages HAMAD may have sent to LUBIT in response to her incoming messages were no longer present on his device. As a result, the notifications reflect only LUBIT's side of the conversation.

Message Content	Date and Time
Hence why I said the art needs to not look like it's an attempt to vandalize	7/27/2024 10:28:54 PM ET
Why can't it be blue spray paint	7/27/2024 10:39:57 PM ET
I'll do it	7/27/2024 10:43:55 PM ET
Spray paint it is	7/27/2024 10:44:03 PM ET
How far you from Walmart	7/27/2024 10:45:53 PM ET
I can literally feel myself starting to see Jews as my enemies.	7/27/2024 11:08:26 PM ET
Well the vandalism part is the part I'm most fearful of. I mean, I guess I can just watch a documentary about Gaza & read some stuff and wait I want to feel supported in this stuff. And not like, I'm gonna let everyone down if I do it wrong	7/27/2024 11:20:43 PM ET
Scares me that I want revenge. I can feel it Like, I'm ANGRY. I'm so tired of feeling like being Jewish means I have to second guess being anti oppression I will not survive being Jewish if I don't learn to get past that. I'll just end up abandoning it	7/28/2024 11:40:55 PM ET
I'd ask Nat for paint but then someone would know I was up to something	7/28/2024 1:21:19 AM ET
I'm in the danger zone of doing that	7/28/2024 11:41:05 PM ET
I'm tired of the voice in my head, telling me that a Jew would not go with the oppressed	7/28/2024 11:41:35 PM ET
Every day I think "I don't want to be Jewish anymore"	7/28/2024 11:43:22 PM ET
This feels kinda like a last ditch attempt at staying Jewish	7/28/2024 11:45:43 PM ET
Actually, you've given me hope	7/28/2024 11:45:58 PM ET
So you might need to keep me in check today	7/28/2024 11:46:20 PM ET
Or don't	7/28/2024 11:46:24 PM ET

It should be noted that during the time in which the vandalism incidents occurred in the early hours of July 29, 2024, communication via cell phone ceased between LUBIT and HAMAD and only resumed after the criminal acts were completed, supporting the inference that LUBIT and HAMAD were together during this time.

i. Phone notifications that captured messaging from LUBIT to HAMAD after the vandalism occurred included:

Message Content	Date and Time
Sorry i was struggling to find the thing	7/29/2024 2:38:26 AM ET
Was really nice hanging out! Thanks for helping me with my packing and for the food	7/29/2024 3:02:42 AM ET

35. Your affiant was advised by Sterling Land Company personnel that LUBIT had a residential lease for an apartment at Wellington Apartments, 245 Melwood Avenue, Pittsburgh, Pennsylvania 15213, from August 1, 2023, through July 29, 2024. As noted, “245 Melwood” was one of the search terms recovered from HAMAD’s seized cell phone. Additionally, LUBIT used phone number (xxx) xxx-4548 on her rental records and moved to another Sterling Land Company property on August 1, 2024. Sterling Land Company advised your affiant that LUBIT’s new address was an apartment at 4609 Bayard Street, Pittsburgh, PA 15213.

36. On September 12, 2024, a United States Magistrate Judge in the Western District of Pennsylvania issued three warrants authorizing the search of LUBIT’s residence and person and the seizure of her DNA and fingerprints/palmprints (Magistrate Nos. 24-1509, 24-1510, and 24-1511). The target offense listed in that warrant application was Title 18, United States Code, Section 247 (damage to religious property). The warrants permitted the search of all records related to Title 18, United States Code, Section 247, including the content of any cell phones, computers, and other electronic devices seized from the residence or LUBIT.

37. On September 13, 2024, your affiant and other agents and officers executed the above-referenced search warrants on LUBIT’s residence located at 4609 Bayard Street, Pittsburgh, PA 15213, and on LUBIT’s person. Your affiant seized a cellular telephone and a laptop computer, both belonging to LUBIT, among other things.

38. Ongoing forensic analysis of the contents of the cell phone has thus far revealed the following:

a. On August 7, 2024, one day after the execution of the search at HAMAD’s residence and the seizure of his cell phone, LUBIT conducted a factory reset of her cell phone, as reflected below, the effect of which was to delete the phone’s contents.

#	Type	Direction	Attachments	Locations	Timestamp	Party	Description	Deleted
1	Device Events				8/7/2024 11:03:15 PM(UTC-4) [Start time]		Factory Reset Source: iOS Wipe	

b. LUBIT sent Signal messages to multiple contacts approximately one month after resetting her cell phone, citing purported “legal stuff” and “legal issues” as the reasons she had not been around or responsive for some time, including the following messages:

Message Content	Date and Time
I had to disappear for a bit cuz of legal stuff. But I’m back	9/11/2024 9:30:59 PM
I had to kind of go for a while cuz I was dealing with legal stuff	9/11/2024 8:44:08 PM
I just got this. I’m sorry I was dealing with legal issues so I had my phone reset and almost nobody could text me on signal l	9/10/2024 11:42:14 AM
Then I had legal issues to deal with so that sucked but it’s much better now.	9/10/2024 1:27:03 PM
And I want to make a pro resistance group. I was starting to but then I had to dip cuz I was dealing with serious legal issues	9/11/2024 8:57:40 PM
Is the resistance chat still around? If so can you readd me? I had to leave cuz legal issues	9/11/2024 8:31:07 PM

IV. REQUEST TO SUBMIT CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

39. I respectfully request, pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, permission to communicate information to the Court by telephone in connection with this application for a Criminal Complaint.

V. REQUEST FOR SEALING

40. It is further respectfully requested that this Court issue an Order sealing, until further order of Court, all papers submitted in support of this application for a criminal complaint,

to include this Affidavit, the Criminal Complaint, and the Arrest Warrants issued therefrom. Sealing is necessary to properly effect the arrests of the defendants and for the safety of the arresting agents and officers.

VI. CONCLUSION

41. Based upon the aforementioned information, your affiant respectfully submits there is probable cause to believe that: 1) from in and around July 2024, through on or about July 29, 2024, in the Western District of Pennsylvania, MOHAMAD HAMAD and TALYA A. LUBIT knowingly and intentionally conspired, confederated, and agreed together to commit an offense against the United States, that is to deface, damage, and destroy religious real property, in violation of Title 18, United States Code, Section 247(c), contrary to the provisions of Title 18, United States Code, Section 371; and 2) on or about July 29, 2024, at approximately 1:46 a.m. ET, in the Western District of Pennsylvania, MOHAMAD HAMAD and TALYA A. LUBIT knowingly and intentionally defaced, damaged, and destroyed religious real property, that is the real property owned and occupied by the Chabad of Squirrel Hill, because of the racial and ethnic characteristics of the individuals associated with said property, that is Jewish persons, in violation of Title 18, United States Code, Sections 247(c), 247(d)(5), and 2.

The above information is true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

/s/ Brian Collins
BRIAN COLLINS
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me by telephone,
pursuant to Fed. R. Crim. P. 4.1,
this 25th day of October 2024.

THE HONORABLE MAUREEN P. KELLY
UNITED STATES MAGISTRATE JUDGE