

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

CASE NUMBER: 24-113-CFA

vs.

ALAN WINSTON FILION
Defendant.

STATE'S MOTION TO ORDER PRETRIAL DETENTION

COMES NOW the State of Florida., by and through the undersigned Assistant State Attorney, and respectfully moves this Honorable Court to detain the Defendant pursuant to 907.041(5)(c)5 Fla. Stat. and as grounds for this motion states as follows:

1. On January 12, 2024 the Honorable Judge Carsandra Buie signed an arrest warrant for Alan Filion for **False Report Concerning Planting of Bomb, Explosive or Use of a Weapon of Mass Destruction or Concerning the Use of Firearms in a Violent Manner While Facilitating or Furthering an Act of Terrorism or While Evidencing Prejudice Based on the Race, Color, Ancestry, Ethnicity, Religion, Sexual Orientation, National Origin, Homeless Status or Advanced Age of the Victim- Florida Statutes: 790.163, 775.31, 775.085, (Felony of the First Degree Punishable by up to 30 years in prison), Unlawful Use of a Two-Way Communication Device While Facilitating or Furthering an Act of Terrorism or While Evidencing Prejudice Based on the Race, Color, Ancestry, Ethnicity, Religion, Sexual Orientation, National Origin, Homeless Status or Advanced Age of the Victim - Florida Statutes: 934.215, 775.31, 775.085, (Felony of the Second Degree Punishable by up to 15 years in prison), False Report to Law Enforcement Concerning Commission of a Capital Felony While Facilitating or Furthering an Act of Terrorism or While Evidencing Prejudice Based on the Race, Color, Ancestry, Ethnicity, Religion, Sexual Orientation, National Origin, Homeless Status or Advanced Age of the Victim - Florida Statutes: 837.05(2), 775.31, 775.085, (Felony of the Second Degree Punishable by up to 15 years in prison), False Report to Law Enforcement Causing Public Safety Agency Response (Swatting) While Facilitating or Furthering an Act of Terrorism or While Evidencing Prejudice Based on the Race, Color, Ancestry, Ethnicity, Religion, Sexual Orientation, National Origin, Homeless Status or Advanced Age of the Victim - Florida Statutes: 817.49, 775.31, 775.085, (Felony of the Third Degree Punishable by up to 5 years in prison).**
2. At the time of the signing of the Arrest Warrant the Honorable Judge Carsandra

Buie set the bonds for Counts 1-3 at “No Bond” and set the bond for Count 4 at “\$10,000.00.”

3. On January 18, 2024, Alan Filion was taken into custody on the Arrest Warrant in Orange County, California.
4. Florida Statutes 907.041(5) authorizes the Court to order pretrial detention if the Defendant poses a threat of harm to the community. The Court may so conclude if it finds that the Defendant is charged with a dangerous crime, that there is a substantial probability that the defendant committed such crime, that the factual circumstances of the crime indicate a disregard for the safety of the community, and there are no conditions of release reasonable sufficient to protect the community from risk of physical harm to persons.
5. The Defendant is charged with facilitating or furthering terrorism as defined in Florida Statutes 775.30. Facilitating or furthering terrorism is a dangerous crime as contemplated by Florida Statutes 907.041(5)(a)20.
6. There is a substantial probability that the defendant committed the crimes for which he was arrested. See the Affidavit for Arrest Warrant of Detective H. Corchado and Agent M. Stults, which is sealed (and therefore not attached), and is contained in the court file. The Affidavit for Arrest Warrant of Detective H. Corchado and Agent M. Stults is incorporated and made part of this Motion by reference.
7. The factual circumstances of the crime indicate a disregard for the safety of the community. Swatting is a criminal harassment tactic that involves deceiving emergency services into sending a police or emergency service response team to a victim address where there is no actual emergency. Because the Defendant’s swatting calls involve tricking first responders into believing there is a critical, life-or-death situation unfolding at a particular location, these incidents divert significant law enforcement and emergency services resources. As a result, these same resources are no longer available to respond to real emergencies that are occurring elsewhere in the area. The Defendant’s swatting conduct is also dangerous for both the responding officers as well as the victims. For example, in 2017, a man from Wichita, Kansas, was killed when officers showed up at his address after receiving a hoax call that the resident had killed his father and was holding his family members hostage and at gunpoint. Officers mistakenly thought the man was reaching for a weapon when he answered his door, and he was shot and killed. The defendant in that case was a serial swatter like Alan Filion, who was sentenced to 20 years in prison after being charged with making swatting and hoax calls.
8. There are no conditions of release reasonable sufficient to protect the community from risk of harm. The Defendant Alan Filion is responsible for hundreds of swatting and bomb threat incidents throughout the United States. These incidents

include high schools, historical black colleges, mosques, the FBI's Criminal Justice Information Services (CJIS) Division buildings in West Virginia, the FBI CJIS Section Chief, the FBI Pittsburgh Special Agent in Charge, the FBI Oklahoma City Special Agent in Charge, and the FBI San Antonio Special Agent in Charge. Additionally, the Defendant has made threats to "Bomb threat military bases" and the "Pentagon," "Swat the BlackRock Board of Directors," "Swat 25 Senators and the Supreme Court," and to "Hire a hitman for Jackie Singh." See the Affidavit for Arrest Warrant of Detective H. Corchado and Agent M. Stults, which is sealed (and therefore not attached), and is contained in the court file.

9. The State contends that these circumstances pose a threat to the Community. The State has no reason to believe that the Defendant would abide by conditions of bond.

WHEREFORE, the State respectfully moves this Honorable Court to order pretrial detention.

I CERTIFY that I have received testimony under oath supporting the grounds and the essential facts set forth in this motion.



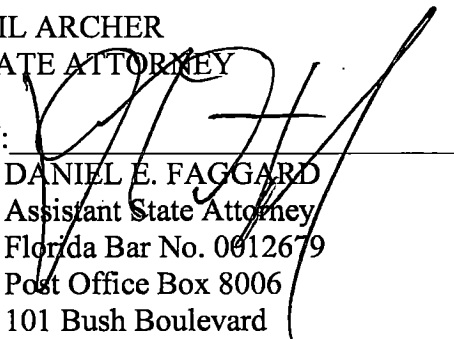
DANIEL E. FAGGARD
Assistant State Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email delivery to Attorney Bryce Fetter, 450 North Wymore Rd, Winter Park, Florida 32789 at bryce@brycefetter.com, on this 25th day of Jan., 2024.

PHIL ARCHER
STATE ATTORNEY

BY:



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