Department of Justice

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Northern District of Texas

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INDIVIDUALS NAMED IN SWATTING CONSPIRACY CHARGED WITH OBSTRUCTION OF JUSTICE

DALLAS — An un-indicted co-conspirator in a swatting conspiracy case that was recently prosecuted in the Northern District of Texas, who was a minor when the case was filed, has now been charged by a federal grand jury with obstruction of justice and conspiring to obstruct justice for threatening a witness in that case, announced U.S. Attorney Richard B. Roper of the Northern District of Texas. The grand jury also charged two other defendants in the same indictment with related offenses.

Matthew Douglas Weigman, 18, of Revere, Massachusetts, appeared before U.S. Magistrate Judge Irma C. Ramirez in Dallas yesterday for an initial appearance and arraignment. He had earlier appeared in U.S. District Court in Massachusetts for his detention hearing shortly after his arrest near Boston last month. According to the affidavit filed with the criminal complaint in the case, Matthew Weigman is blind.

Co-defendant Carlton Nalley, who lives in Alexandria, Virginia, was charged in the indictment with one count of obstruction of justice. Yesterday, he also appeared before Judge Ramirez in Dallas, who released him on standard conditions, plus additional conditions which include prohibiting any contact with any actual or potential victims, witnesses, or informants in the case. Co-defendant Sean Paul Benton, 22, of Malden, Massachusetts, was arrested last month and is charged with the same offenses as Weigman. Benton has also appeared before a magistrate judge in U.S. District Court in Boston and had been detained until today, when he was released from custody and ordered to surrender to the U.S. Marshals Service in Dallas on Tuesday, July 8, 2008, for a court appearance in the Northern District of Texas later that day. A trial date has not yet been set for any of the defendants.

The indictment alleges that from the beginning of April 2008 until May 28, 2008, Weigman, Benton, and others, used intimidation, threats, and corrupt persuasion, and knowingly engaged in misleading conduct toward a witness, a Verizon fraud investigator, in an ongoing federal investigation into his, Nalley's and other's conduct in relation to the ongoing conspiracy alleged in the swatting conspiracy case, *U.S. v. Stuart Rosoff, et al, 3:07 CR-196-B.*

For instance, Weigman and Benton, with the unauthorized use of access devices, modified the witness's personal telecommunications instruments, verbally harassed him, physically appeared at his residence without permission or invitation, with the intent to hinder, delay, and prevent him from speaking to a federal law enforcement officer about their involvement, or other's involvement, in the commission of possible federal offenses. According to the criminal complaint, the "visit" occurred on a Sunday and Weigman lives approximately 66 miles from the witness.

The indictment alleges that Carlton Nalley intended to retaliate against the witness for providing a federal law enforcement officer truthful information regarding the commission of federal offenses by Nalley by attempting to interfere with his lawful employment or livelihood by making phone calls to the witness's supervisor and providing false and misleading information in an attempt to have the witness fired.

According to the affidavit filed with the criminal complaint in the case, in December 2006, FBI agents executed a search warrant at Weigman's home and because he was a minor, interviewed him in his mother's presence. He agreed to cooperate with the FBI, however, instead, he continued his criminal activities, including attempting to gain access to the Dallas U.S. Attorney's Office voice mail system. Weigman continued his criminal activity despite the warnings and the FBI severed its relationship with Weigman in early 2007. At that time, the government notified him in writing that he was a target of a federal investigation.

U.S. Attorney Roper praised the investigative efforts of the FBI. The case is being prosecuted by Assistant U.S. Attorney Candy Heath.

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