

# UNITED STATES DISTRICT COURT

for the  
District of Minnesota

In the Matter of the Search of the residence of Michael Kelly, located )  
at 1823 Riverside Avenue, Apartment 2, Minneapolis, Minnesota )  
55454, which is an apartment located on the second floor above the )  
"Hard Times Café" restaurant. )  
)  
)

CASE NO. 10-mj-389 SKN

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the State and District of Minnesota:

1823 Riverside Avenue, Apartment 2, Minneapolis, Minnesota 55454, which is an apartment located on the second floor above the "Hard Times Café" restaurant.

The person or property to be searched, described above, is believed to conceal: See attached list of items to be seized.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before October 7, 2010.

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge SUSAN RICHARD NELSON.

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

for      days (*not to exceed 30*).  
 until, the facts justifying, the later specific date of     .

September 23, 2010 3:30pm at

Minneapolis, MN  
City and State

Susan Richard Nelson  
SUSAN RICHARD NELSON, U.S. Magistrate Judge

**ATTACHMENT A**

**DESCRIPTION OF PREMISES TO BE SEARCHED**

**Residence of Michael Kelly:** 1823 Riverside Avenue, Apartment 2, Minneapolis, Minnesota 55454, which is an apartment located on the second floor above the "Hard Times Café" restaurant.

## ATTACHMENT B

### LIST OF ITEMS TO BE SEIZED

#### RESIDENCE OF MICHAEL KELLY

Evidence concerning the violation of: (1) 18 U.S.C. § 2339B: Providing, attempting and conspiring to provide material support to designated foreign terrorist organizations, as follows:

- (1) Documents, files, books, photographs, videos, souvenirs, war relics, notebooks address books, diaries, journals, maps or other evidence, including evidence in electronic form, related to:
  - a) Kelly's travel to and from and presence and activities in Minnesota, and other foreign countries to which Kelly has traveled as part of his work in FRSO; Kelly's ability to pay for his own travel from the United States to Palestine, Colombia and travel within the United States from 2000 until present, including all materials related to Kelly's personal finances and finances of the Freedom Road Socialist Organization ("FRSO");
  - c) Kelly's potential co-conspirators, including any address books, lists, notes, photographs, videos, or letters of Kelly's personal contacts in the United States and abroad;
  - d) the recruitment, indoctrination, and facilitation of other individuals in the United States to join FRSO, including materials related to the identity and location of recruiters, facilitators, and recruits, the means by which the recruits were recruited to join FRSO, the means by which the recruitment was financed and arranged;
  - e) the recruitment, indoctrination, and facilitation of other individuals in the United States to travel to Colombia, Palestine and any other foreign location in support of FTOs including, but not limited to FARC, PFLP and Hezbollah, including materials related to the identity and location of recruiters, facilitators, and recruits of these FTOs, the means by which individuals were recruited to travel to Colombia, Palestine and other foreign locations in support of FTOs, and the means by which the recruitment was financed and arranged;
  - f) FARC, PFLP, Hezbollah and other FTOs which the FRSO and Kelly have supported, attempted to support or conspired to support;
  - g) Kelly's use of the email addresses [mickelly.fightback@gmail.com](mailto:mickelly.fightback@gmail.com) and [mickelly@fightbacknews.org](mailto:mickelly@fightbacknews.org) and telephone numbers (612) 370-0167 and (612) 715-3280, or any other telephone numbers, and Facebook, MySpace, or other social networking websites.

- (2) Computer equipment, electronic storage devices, and cellular telephones belonging to Kelly and their contents, including files, telephone numbers, photographs and videos, related to the evidentiary items listed in paragraph 1 above, pursuant to the procedures set forth in the accompanying affidavit.