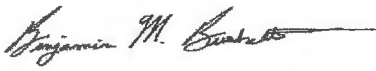


Approved: 
BENJAMIN M. BURKETT
Assistant United States Attorney

Before: HONORABLE BARBARA MOSES
United States Magistrate Judge
Southern District of New York

23 MAG 5026

UNITED STATES OF AMERICA

v.

RECEP AKBIYIK,

Defendant.

SEALED COMPLAINT

Violation of 18 U.S.C. §§ 970(a) and 2

COUNTY OF OFFENSE:
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss: . . .

PAUL HOUSEKNECHT, being duly sworn, deposes and says that he is a Special Agent with the United States Department of State ("DOS"), and charges as follows:

COUNT ONE
(Damaging Property Occupied by Foreign Government)

1. On or about May 22, 2023, in the Southern District of New York and elsewhere, RECEP AKBIYIK, the defendant, knowingly and willfully injured, damaged, and destroyed, and attempted to injure, damage, and destroy, property, real and personal, located within the United States and belonging to and utilized and occupied by a foreign government and international organization, by a foreign official and official guest, to wit, AKBIYIK approached the building housing the Turkish Consulate General in New York, New York, and used a metal bar to shatter approximately ten of the building's windows and the glass of approximately two of the building's doors.

(Title 18, United States Code, Sections 970(a) and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

2. I am a Special Agent with DOS and have been personally involved in the investigation of this matter. I base this affidavit on my participation in that investigation, as well as on my conversations with other law enforcement agents and other individuals, my examination of various reports, recordings, photographs, and records, and my training and experience. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my participation in this investigation and my review of reports, recordings, photographs, and records, including my review of surveillance video, I have learned, among other things, the following:

a. As captured by surveillance video, on or about May 22, 2023, at approximately 3:15 a.m., an individual later identified as RECEP AKBIYIK, the defendant, approached the building housing the Turkish Consulate General located in New York, New York (the "Turkish Consulate"). AKBIYIK was wearing a black sweatshirt, black pants, and a black cap, and was carrying a blue bag and a blue metal bar.

b. Also as captured by surveillance video, upon arriving at the Turkish Consulate, AKBIYIK approached a vehicle parked in front of the Turkish Consulate (the "Vehicle"), examined the Vehicle, and laid the blue bag on the ground next to the Vehicle. AKBIYIK then approached the exterior of the Turkish Consulate and, using the blue metal bar, repeatedly struck the windows of the Turkish Consulate, breaking approximately ten of the Turkish Consulate's windows. Photographs reflecting some of the damage done to the Turkish Consulate's windows are below:





c. Surveillance video shows that, as AKBIYIK was repeatedly striking the Turkish Consulate's windows, two security officers (the "Security Officers") who had been in the lobby of the Turkish Consulate opened two of the Turkish Consulate's doors and stepped outside of the building. AKBIYIK then ran toward the Security Officers with the blue metal bar raised as if to strike them. Still images of AKBIYIK running toward the Security Officers with the blue metal bar, as captured by surveillance video, are below:



d. Surveillance video shows that, as the Security Officers retreated into the Turkish Consulate, pulling its doors closed, AKBIYIK repeatedly struck the Turkish Consulate's doors with the blue metal bar, breaking the doors' glass panes. A photograph

reflecting some of the damage done to the Turkish Consulate's doors is below:

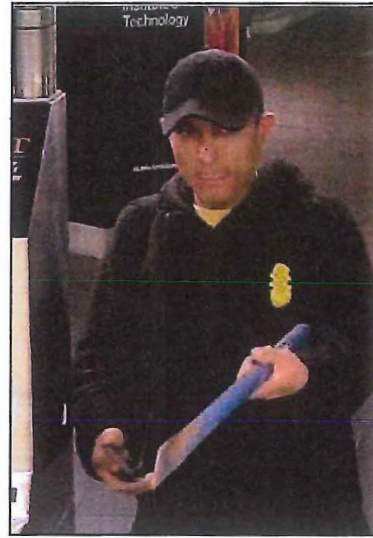
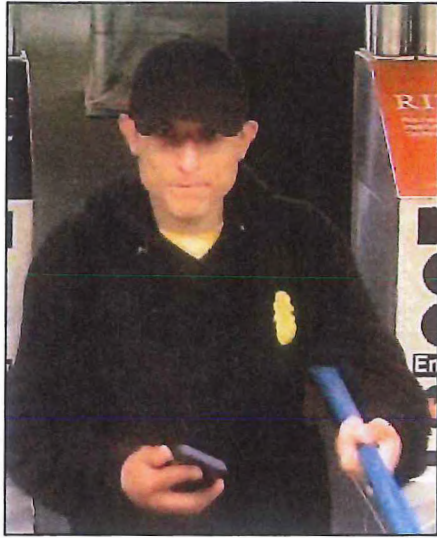


e. AKBIYIK then fled the scene, leaving behind the blue bag and the blue metal bar. The blue bag contained, among other things, approximately eight bricks. Images of the blue bag and the blue metal bar are below:



4. Based on my review of reports, recordings, photographs, and records, and my conversations with other law enforcement officers, including my conversations with a Detective of the New York City Police Department (“NYPD”) (“NYPD Detective-1”), I have learned, among other things, the following:

a. NYPD officers obtained images, as captured on or about May 22, 2023, by surveillance video from Grand Central Station, depicting an individual later identified as RECEP AKBIYIK, the defendant, wearing a black cap and a black sweatshirt and carrying what appears to be a blue metal bar (the “Grand Central Images”). Certain of the Grand Central Images are below:



b. On or about May 26, 2023, RECEP AKBIYIK, the defendant, was placed under arrest and transported to the NYPD's 17th Precinct. There, NYPD Detective-1 read AKBIYIK his *Miranda* rights, which AKBIYIK waived.¹ AKBIYIK's conversation with NYPD Detective-1 was audio- and video-recorded.

c. NYPD Detective-1 showed AKBIYIK the Grand Central Images, and AKBIYIK admitted, in substance and in part, that the individual depicted in the Grand Central Images was him.

d. NYPD-Detective-1 showed AKBIYIK certain of the surveillance video showing the individual wearing a black sweatshirt, black pants, and a black cap at the Turkish Consulate at approximately 3:15 a.m. on or about May 22, 2023, including the surveillance video showing that individual using the blue metal bar to repeatedly strike the windows of the Turkish Consulate; running toward the Security Officers with the blue metal bar raised as if to strike them; and repeatedly striking the Turkish Consulate's doors with the blue metal bar. AKBIYIK admitted, in substance and in part, that he was the individual wearing the black sweatshirt, black pants, and black cap shown in the surveillance video.

e. AKBIYIK also stated, in substance and in part, that, if the Vehicle parked outside the Turkish Consulate had belonged to the "Turkish Embassy," he had intended to set the Vehicle on fire using a lighter that he had brought with him to the Turkish Consulate on or about May 22, 2023. AKBIYIK further stated, in substance and in part, that he had thought of the idea to attack the Turkish Consulate approximately twenty days or a couple of weeks before his conversation with NYPD Detective-1 on or about May 26, 2023.

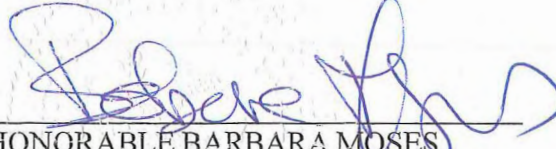
¹ A Turkish translator was used to facilitate NYPD Detective-1's conversation with AKBIYIK.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of RECEP AKBIYIK, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



PAUL HOUSEKNECHT
Special Agent
United States Department of State

Sworn to before me this
23rd day of June, 2023.



HONORABLE BARBARA MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK