

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

JAMES TIMOTHY KELLY,

Case No. 23-6315-VALLE

Defendant(s)

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 July 7, 2023, in the county of Broward in the
Southern District of Florida, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 2113(a)

Attempted Bank Robbery

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.*Complainant's signature*

Carolina Rivas Bonnelly, FBI Special Agent

*Printed name and title*Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by FaceTimeDate: July 8, 2023*Judge's signature*City and state: Fort Lauderdale, Florida

Alicia O. Valle, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your Affiant, Carolina Rivas Bonnelly, being duly sworn, deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent for the Federal Bureau of Investigation ("FBI") currently assigned to the Violent Crimes/Fugitive Task Force in the Miami Division and have served in this capacity since April 2023. I have received training at the FBI Academy in Quantico, Virginia. As an FBI Special Agent, I am tasked with investigating a variety of violations of federal offenses, including but not limited to bank robberies, Hobbs Act robberies, and extortion. Prior to my employment as an FBI Special Agent, I served as a Customs and Border Protection (CBP) Officer from January 2017 to December 2022, where I worked on the Tactical Terrorism Response Team.

2. This affidavit is submitted in support of a criminal complaint charging James Timothy Kelly ("KELLY") with attempted bank robbery, in violation of Title 18, United States Code, Section 2113(a).

3. The statements contained in this affidavit are based on my personal knowledge, as well as information relayed to me by other law enforcement officials and bank security personnel involved in this investigation. I have not included in this affidavit each and every fact known to me. Rather, I have included only the facts that are sufficient to establish probable cause for the issuance of a criminal complaint against KELLY, for the above-described criminal violation.

PROBABLE CAUSE

4. On or about July 7, 2023, at approximately 11:16 a.m., a white male, later identified as KELLY, entered the PNC Bank, located at 1837 Tyler Street, Hollywood, Florida. PNC Bank's deposits were then insured by the Federal Deposit Insurance Corporation. While wearing a white polo shirt, grey shorts, white hat, and carrying a white mesh bag, KELLY approached the victim

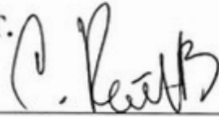
bank teller and handed a handwritten note that stated, "Give me the money". In fear, the victim bank teller pretended not see the note and handed a bank withdrawal slip to KELLY. KELLY then stated, "I am not here for that. I am here to rob you." In fear of her safety and the safety of others around her, the victim bank teller pretended to have computer issues and asked KELLY to take a seat. The attempted bank robbery was recorded on PNC Bank's video security cameras.

5. Responding law enforcement officers entered PNC bank through the back entrance and found KELLY sitting in the lobby. KELLY was subsequently detained. Law enforcement transported KELLY to the FBI Miami Field Office to be interviewed. After being advised of his Miranda rights, KELLY waived his rights and agreed to speak with agents. During his interview, KELLY admitted to entering the PNC Bank, demanding money by means of intimidation, and failing in his attempt to rob the bank.

CONCLUSION

6. Based on my training and experience, and as further supported by the facts in this affidavit, I respectfully submit that probable cause exists to charge KELLY with violating Title 18, United States Code, Section 2113(a) (attempted bank robbery).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Carolina Rivas Bonnelly, Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by FaceTime on this 8th day of July 2023.



ALICIA O. VALLE
UNITED STATES MAGISTRATE JUDGE