

**FILED**

AUG 21 2009

*D. Collins, Deputy Clerk*

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*United States District Court*

DISTRICT OF KANSAS

UNITED STATES OF AMERICA

V.

CASE NUMBER: 09-5082M-01-KGS

JOHN PHILIP BARKER

**CRIMINAL COMPLAINT**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

**COUNT 1**

On or about August 19, 2009, in the District of Kansas, the defendant,

**JOHN PHILIP BARKER,**

unlawfully, knowingly, and intentionally engaged in conduct, to wit: Barker mailed a letter postmarked 8-18-2009 to David C. Smith, 500 State Avenue, Room 260, Kansas City, Kansas, 66101, with the envelope containing a white substance and a scrap of notebook paper bearing the handwritten words,

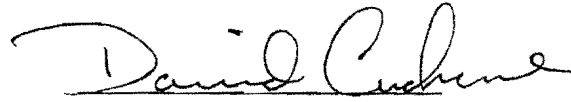
**YOU HAVE BEEN EXPOSED  
TO ANTRAX  
DIE**

with the intent to convey false and misleading information under circumstances

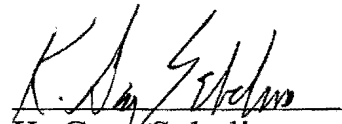
DIE

4. The white substance was tested but determined to be harmless, despite the unfortunate expenditure of time and money by the F.B.I. HazMat team that had to respond to the courthouse.
5. The spelling of ANTRAX in the letter was consistent with the spelling of "antrax" that was employed by defendant Barker in the last case where he mailed threats to the I.R.S.

Wherefore Affiant requests that a warrant issue for the arrest of John Philip Barker for a violation of 18 U.S.C. 1038.

  
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DAVID CUDMORE  
S.A., F.B.I.

Subscribed and sworn to under oath before me this 21 day of August, 2009.

  
\_\_\_\_\_  
K. Gary Sebelius  
United States Magistrate Judge