



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Atlanta, Georgia 30359-1828

November 9, 1998

**FOR IMMEDIATE RELEASE
ARREST OF KEVIN M. KELLY**

JACK A. DAULTON, SPECIAL AGENT IN CHARGE OF THE FEDERAL BUREAU OF INVESTIGATION (FBI), ATLANTA, GEORGIA, CAROLYN BLUM, REGIONAL ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION (FAA) AND DENNIS CARLTON, REGIONAL DIRECTOR, FEDERAL COMMUNICATIONS COMMISSION (FCC), ANNOUNCED THE ARREST OF KEVIN M. KELLY.

KELLY WAS ARRESTED WITHOUT INCIDENT BY SPECIAL AGENTS OF THE FBI, ACCOMPANIED BY AGENTS OF THE FEDERAL AVIATION ADMINISTRATION, AND THE FEDERAL COMMUNICATIONS COMMISSION, AT HIS RESIDENCE LOCATED AT 5135 HYDE WAY, CUMMING, GEORGIA.

DURING THE COURSE OF EXECUTING A FEDERAL SEARCH WARRANT ON NOVEMBER 6, 1998, AT KELLY'S RESIDENCE, AGENTS FOUND NUMEROUS ITEMS THAT WERE IDENTIFIED AND SEIZED, INDICATING THAT PROBABLE CAUSE EXISTED TO OBTAIN AN ARREST WARRANT.

LATE FRIDAY EVENING A CRIMINAL COMPLAINT WAS FILED IN THE NORTHERN DISTRICT OF GEORGIA, CHARGING KELLY WITH FOUR COUNTS OF VIOLATION OF TITLE 49, U.S.C. 46308 SEC. (3), WHICH PROHIBITS KNOWINGLY INTERFERING WITH THE OPERATION OF A TRUE LIGHT OR SIGNAL USED AT AN AIR NAVIGATION FACILITY.

THIS CASE WAS INITIATED UPON RECEIPT OF INFORMATION FROM THE FAA THAT THERE WAS A SPORADIC AND MOMENTARY RADIO

FREQUENCY INTERFERENCE PROBLEM IN THE NORTHERN PART OF GEORGIA,
BETWEEN AIRCRAFT AND AIR TRAFFIC CONTROLLER COMMUNICATIONS.

EXTENSIVE INVESTIGATION RESULTED IN IDENTIFYING THE
VICINITY OF THE RADIO FREQUENCY INTERFERENCE AS COMING FROM THE
HYDE PARK SUBDIVISION IN CUMMING, GEORGIA. KEVIN M. KELLY WAS
IDENTIFIED AS AN ELECTRONICS ENGINEER, WHO RESIDED IN THE
IMMEDIATE AREA WHERE THE RADIO FREQUENCY INTERFERENCE WAS
OCCURRING. IT WAS ALSO DETERMINED THAT KELLY WAS A HIGHLY
EXPERIENCED ELECTRONICS ENGINEER, WHOSE PAST EMPLOYMENT INCLUDED
THE DESIGNING OF DIGITAL VIDEO SATELLITE RECEIVERS.

FURTHERMORE, IT WAS LEARNED THAT KELLY WAS EXTREMELY
UPSET WITH THE AMOUNT OF NOISE EMANATING FROM AIR TRAFFIC THAT
FLEW OVER HIS RESIDENCE AT AN ALTITUDE OF APPROXIMATELY 15,000
FEET.

THE SUCCESS OF THIS INVESTIGATION IS DIRECTLY
ATTRIBUTED TO THE COOPERATION OF AND TECHNICAL EXPERTISE PROVIDED
BY THE FAA AND FCC.

KELLY WILL BE AFFORDED AN INITIAL APPEARANCE LATER
TODAY BEFORE A U.S. MAGISTRATE AT THE RICHARD B. RUSSELL FEDERAL
BUILDING, ATLANTA, GEORGIA.

FURTHER INQUIRIES REGARDING THIS MATTER MAY BE DIRECTED
TO SA CELESTINE ARMSTEAD MEDIA COORDINATOR AT TELEPHONE (404)
679-6368.