



Department of Justice

United States Attorney David E. Nahmias
Northern District of Georgia

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CONTACT: Patrick Crosby

(404)581-6016

FAX (404)581-6160

DEFENDANT SENTENCED FOR THREATENING TO KILL PUBLIC OFFICIAL

Atlanta, GA - WAYNE HENRY KAY, 44, of Marietta, Georgia, was sentenced today by United States District Judge Orinda D. Evans to 1 year in prison followed by 3 years of supervised release after his conviction for threatening to kill the Regional Commissioner of the Social Security Administration. KAY was arrested on May 2, 2005, after making threats to kill the Regional Commissioner in retaliation for being denied Social Security disability benefits. On October 24, 2005, KAY entered a non-negotiated plea of guilty to threatening to murder the Regional Commissioner in retaliation for his performance of his official duties.

"Public officials are entitled to perform their duties free from threats and intimidation. We take these threat cases seriously, and this defendant's prison sentence demonstrates that the courts do as well," said U.S. Attorney David E. Nahmias.

According to United States Attorney David E. Nahmias and the documents and information presented in court: On April 18, 2005, KAY met separately with a healthcare representative and a registered nurse at Wellstar Cobb Hospital. KAY showed them a letter from the Social Security Administration stating that his application for disability benefits had been denied. This letter had the Regional Commissioner's signature on it. KAY asked the healthcare representative where the office issuing the letter was located, whether it was a free-standing building, and whether any children would be around the building. When KAY spoke to the nurse, he stated that he would strap explosives to his body, go to the Social Security office, ask for the Regional Commissioner, and kill himself and the Regional Commissioner. The Wellstar Cobb Hospital employees subsequently contacted law enforcement.

Special Agents of the Federal Protective Service and the Federal Bureau of Investigation interviewed KAY at his home regarding the threats that he had made. KAY repeated the threats and even listed the names of several explosives that he claimed to know how to use. KAY also provided a time line of when he would carry out the threats, stating that he would be evicted from his apartment within several weeks and at that point

"it's on." Afterwards, an arrest warrant was taken out against KAY, and he was taken into custody.

This case was investigated by Special Agents of the Federal Protective Service and the Federal Bureau of Investigation.

Special Assistant United States Attorney Paul Jones prosecuted the case.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney or Gentry Shelnett, Chief, Criminal Division, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is <http://www.usdoj.gov/usao/gan/>.