

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA	)	
	)	DOCKET NO: 3:24-CR-25
v.	)	
	)	JUDGE VARLAN
KYLE WILLIAM SPITZE	)	

SENTENCING MEMORANDUM FOR THE UNITED STATES

The defendant has entered into a plea agreement of the kind specified in Federal Rules of Criminal Procedure 11(c)(1)(C). The United States and the defendant have both agreed that the appropriate disposition of this case is a sentencing guideline range of three hundred sixty (360) months to life imprisonment, capped at nine hundred twenty-four (924) months imprisonment by statutory maximums, followed by a term of supervised release as well as any lawful fines, special assessment fees, forfeiture and restitution imposed by the Court. [Doc. 36, ¶ 6]. The United States respectfully asks this Court to accept the specific sentencing guideline range agreed to by the parties.

If a plea agreement includes a specific sentence, pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), the Court may accept the agreement if the Court is satisfied that: (1) the agreed sentence is within the applicable guideline range; or (2)(A) the agreed sentence is outside the guideline range for justifiable reasons; and (B) those reasons are set forth with specificity in the statement of reasons form. *See* U.S.S.G. §6B1.2(c).

In this case the guideline range for the defendant is capped at a total offense level of forty-three (43), and with a criminal history of II, for a guideline range of life imprisonment. [Doc. 50, ¶ 141]. However, because none of the counts to which the defendant pleaded guilty carry a life sentence, his guidelines range is nine hundred twenty-four (924) months

imprisonment. [*Id.*] The parties have agreed to an appropriate guideline range sentence of three hundred-sixty (360) months to life imprisonment, which, because of the statutory maximum, is capped at nine hundred twenty-four (924) months imprisonment. [*Id.* at ¶ 140-147]. The 11(c)(1)(C) agreement between the parties includes the guideline range of nine hundred twenty-four (924) months imprisonment. The United States requests the defendant be given the statutory maximum of nine hundred twenty-four (924) months imprisonment followed by a lifetime of supervised release, and any fines, special assessments, restitution, and forfeiture as the Court deems fit. The United States also requests the defendant be ordered to have no contact, either directly or indirectly (i.e. through a third party such as Michael Spitze), with ANY of his victims whom he terrorized around the world.

ANALYSIS OF THE 3553(a) FACTORS

Analysis of the 18 USC § 3553(a) factors applied to the specific facts surrounding the case at bar warrant a stringent sentence of imprisonment because the facts are serious, violent, extraordinary, heinous and upsetting. In this case, it is important to consider the nature and circumstances of the offense, the seriousness of the offense, providing adequate deterrence, and protecting society's children from further crimes by the defendant. 18 U.S.C. § 3553(a)(1) and (2).

- a. Nature and Circumstances of the Offenses are Unprecedentedly Appalling - a Sentence of 924 Months is the ONLY Appropriate Sentence to Promote Respect for the Law, and Provide Just Punishment for the Defendant.***

New types of crimes are committed every day, but when the crimes combine exploiting minors with racially motivated, violent extremist ideology, society sits up and takes notice. This is one such case.

The defendant is a member of Harm Nation (HN) and 764. [Doc. 36, ¶ 4]. HN and 764 are violent online networks which operate within the United States and around the globe. They have also been recognized by the U.S. Department of Justice as part of the rising threat category of Nihilistic Violent Extremism (NVE), a form of organized violence motivated by a drive to cause the collapse of society by glorifying mass murder, promoting animal abuse, and urging self-harm.¹

These networks methodically target and exploit minors and other vulnerable individuals. These networks use threats, blackmail, and manipulation to coerce or extort victims into producing, sharing, or live-streaming acts of self-harm, animal cruelty, sexually explicit acts - including the production of Child Pornography (CP) -, and/or suicide. These acts are often referred to as “content.” This content is circulated among members of the network to challenge those members to continue extorting and exerting control over their victims, and to increase the quantity and depravity of the content. Members of HN and 764 work in concert with the common purpose of breaking down societal norms and normalizing explicit material to corrupt minors and groom them towards future violence. The group will edit compilation videos of their victims’ CP and self-harm content. Members do this for the purpose of accelerating chaos under the HN and 764 ideologies. Ultimately, these videos are placed on the network servers to gain notoriety and spread fear.

In these cases, it is often difficult to obtain the identity of the defendants participating in these cruelties, often known to their victims and other members only by their online monikers. The crimes these groups commit are a compilation of sexual exploitation, physical and mental harm, cybercrimes, animal crushing, extortion, and terrorism, mostly against vulnerable minor

¹ <https://www.justice.gov/usao-cdil/pr/frightening-reality-online-predators>

females. Members of groups like HN and 764 understand the importance of, and utilize their power over, the Internet for their crimes. Members have mastered the manipulation of society's most vulnerable victims to obtain personal information on them, ensuring the victims do their bidding with only a few keystrokes of their computer. Part of that manipulation is accomplished by members conducting their activities behind anonymous online monikers. This defendant aptly chose to conduct his heinous activity hiding behind his moniker, "Criminal."

In December of 2023, Discord, an end-to-end online encryption communication application, voluntarily provided the Federal Bureau of Investigation (FBI) with a 29-page report on HN as it pertained to the use of Discord by the HN members and its victims. [*Id.* at 32-3]. Discord provided a list of group members involved in "high harm activities," which included, in Discord's words, "sextortion, solicitation of minors to perform online sexual acts, self-harm coercion, swatting² and conspiring to commit real world acts of violence." Discord provided information on five Discord users associated with the HN group, which included the defendant. The defendant's Discord account name was "CRIMINALOLI," a.k.a. "Criminal." Discord provided other information which assisted the FBI in identifying the defendant. [*Id.* at 32-4].

While the FBI was working to identify the user behind the moniker "Criminal," the defendant ultimately, and unknowingly, assisted the FBI in learning his identification through his pursuit of Internet fame. In early 2024, the defendant became infamous when he posted a video he filmed in 2023 while having a violent interaction with his mother's boyfriend. During the interaction, which was filmed from the defendant's point of view, the defendant provoked his mother's boyfriend into shooting him, striking the defendant's ear. His mother's boyfriend later

² Swatting is a harassment tactic that involves deceiving emergency dispatchers into believing that a person or persons are in imminent danger of death or bodily harm, thus causing the dispatchers to send police and emergency services to an unwitting third party's address.

committed suicide after a standoff with police. [*Id.* at 122]. The defendant posted this video on social media, which subsequently went viral. The defendant accepted an invitation from a YouTube channel and spoke about the incident in an effort to paint himself as a victim. Numerous comments on YouTube identified the defendant as a pedophile. Despite the apparent negative publicity on YouTube, this desire for the spotlight continued. Just days before the FBI arrested the defendant, the defendant's mother passed away in a hotel room in Knoxville where she and the defendant were residing. Instead of calling 911 for help after finding his mother unconscious in her own blood, the defendant made two graphic videos of the scene where his mother died and shared them to social media and online messaging applications. [*Id.* at ¶ 39]. Police were eventually called to the scene by the defendant's father and his mother's co-worker. At least one additional person contacted law enforcement after seeing the graphic videos the defendant posted online. The defendant never called 911 to report his mother's death.

Additionally, in the defendant's desire for recognition, he chose to show his face on live calls with his victims and tell them his true name, demonstrating his belief that he was untouchable. The defendant's penchant for fame ultimately assisted in his downfall. Unbeknownst to the defendant, some of his victims sought out the help of law enforcement.

In June and July 2023, FBI Knoxville received tips stating the defendant was "grooming minors," forcing minors to etch his moniker into their bodies, killing animals, and producing CP. An anonymous tip identified the defendant as a member of 764. In a December 2023 tip from the United Kingdom (UK), the defendant was purportedly "grooming" multiple minor victims and threatening to leak their nude images. The tip also provided information that the defendant was a "key admin" of the 764 group on Discord, was a known drug addict, and was a well-known groomer within underground communities associated with 764. [*Id.* at 35-6].

In January 2024, the FBI received information that the defendant was the administrator of a Telegram channel called “Criminal Content,” and the defendant’s Telegram username was “crimhn” with the display name “Criminal.” On his “Criminal Content” channel, the defendant gloated that he had “over 2,600 groomed victims but his ultimate goal is 3,000.” On January 19, 2024, the Criminal Content channel showed a high-ranking member of HN asking the defendant for images/videos of a specific minor victim. The defendant directed him to the Criminal Content channel saying, “she’s in the content channel...cutting her tongue and nude.” [*Id.* at 37].

FBI Knoxville, understanding only the tip of the brutality being done to these young teenage girls had been exposed, reacted immediately, obtaining a search warrant for the defendant’s phone, followed shortly by an arrest warrant. [*Id.* at 43]. Once FBI Knoxville had access and began to exam the content of the defendant’s phone, it became clear the defendant’s life was consumed with the pursuit of victimizing vulnerable girls on behalf of HN and 764. The forensic examination of the defendant’s phone revealed the defendant had no legitimate employment, and spent countless hours finding, grooming, and threatening victims for CP and self-harm images/videos to promote his content and elevate his status in HN and 764.

In February 2024, FBI Knoxville located a “hype video” posted in the HN Telegram Channel titled “Our Girls.” The video is three minutes and thirty seconds long, highlighting some of the HN members’ crimes of cruelty, including those of the defendant. The video begins with the text, “WE HARM NATION, PRESENT, OUR GIRLS, STARTING WITH, FLAR.” An HN member’s moniker is then shown on screen followed by images and videos of female victims graphically carving that member’s moniker and the HN symbol into their bodies. Many of the victims are completely nude with their breasts and vaginas exposed. Some of the victims are shown with indications of self-harm on their breasts and vaginas. Some of the victims appear

to be post-pubescent minors, but the video contains several instances of CP. Based on the images, some of the HN members appear to have persuaded their victims to murder and dismember animals on their behalf. Some of the victims are seen licking the inside of soiled toilets. One of the defendant's victims, a 15-year-old female who was known to "belong" to the defendant, is seen licking a toilet, her arms visibly bleeding from numerous wounds, believed to be self-afflicted. Another victim, known to "belong" to the defendant in different content channels, is shown in a photo with several lacerations on her arm next to an index card that says, "Criminal made me do this" and "harmnation." [*Id.* at 41].

FBI Knoxville was also able to locate a copy of the defendant's "Criminal Content" channel from Telegram on the defendant's phone. The content included hundreds of graphic CP images and videos organized somewhat neatly by victim. The channel also included images of victims with the defendant's moniker carved into different parts of their bodies, to include their breasts, stomachs, thighs, arms, and faces. The content also included multiple tortured animals, one of which was a mutilated chicken in a bathtub with the entrails pulled out to spell the defendant's moniker, "crim." Additional images in the content showed the defendant's moniker, 764, satanic symbols, pentagrams, and upside-down crosses written in blood across walls, in bedrooms, and showers. [*Id.* at 42].

While reviewing the defendant's online presence, as well as evidence from his phone, it became apparent to investigators that terrorizing vulnerable victims was the defendant's full-time job. Like a spider spinning a web, the defendant waited patiently, grooming his victims until he had them trapped. The defendant then flooded his victim's world with nonstop texting, direct messaging, video calls, and demands for graphic content. The defendant knew how to effectively manipulate and did so, communicating with his victims as soon as they woke up,

while they were at school, and continuing to communicate with them late into the evening. The internet provided the defendant with unlimited access to his victims, allowing him to pursue and inflict harm on young girls without ever meeting them in person.

FBI Knoxville located twenty-five albums of photos and videos on the defendant's phone. [Doc. 36, ¶ 4]. A number of the albums had female names as labels, with the others labeled with nicknames or the name of the content, such as "cut signs." [Doc. 50, ¶ 44]. The albums contained violent images and videos like the ones seen on the defendant's Criminal Content channel and the HN "hype" video. FBI Knoxville began the long, arduous process of attempting to identify the victims in the images/videos, reviewing each one for small clues that may lead to the identities of the victims who were sometimes still being extorted by other members of HN or 764.

During this investigation, FBI Knoxville has identified victims across the world. Unfortunately, many are not, and most likely will never be, known to law enforcement, thereby never receiving the mental and/or medical support they deserve. Those unidentified victims will most likely suffer alone in silence and fear. Of those who were identified, some came forward, spoke with law enforcement, and relived the horror of being the defendant's victim. What did come to light was years of the defendant foisting a barrage of mental malevolence on minor girls, causing fear of what the defendant had made them do to their bodies being exposed to their families and friends.

The defendant's criminal acts are a new breed of violence, so powerful the only tools the defendant needed were his phone and the internet. During interviews with the FBI, the defendant's victims outlined how the defendant was able to permanently scar victims across the world, physically and mentally, without ever having to lay a hand on them in person.

The defendant met his minor victims on a Discord server created by the defendant and other members of HN. In one such server, owned and created by the defendant, called “Slitbunnies,” young girls participated in the server by cutting themselves with knives and razors, and produced CP at the direction of the defendant. The defendant made each victim believe she was the defendant’s only girlfriend, or in some way special to him, over the other girls on the channel. Those who provided CP and self-harm content as demanded by the defendant were rewarded with attention and praise. The victims who did not comply with the defendant’s content demands knew they would be threatened and extorted using techniques such as swatting, doxing and publishing their CP.

For example, minor victim (MV1) was 12 years of age when she became one of the many vulnerable victims of the defendant. MV1 was identified by FBI-Knoxville in one of the defendant’s albums labeled with her first name. Inside the album were sixteen (16) images and four (4) videos containing CP images identified by the victim. The images included a chicken being decapitated in a bathtub which contained metadata. [*Id.* at ¶ 46]. The metadata contained the exact location, date, and time one of the videos was created, bringing the FBI to MV1’s doorstep. The FBI also located personal information for MV1, such as her true name and address, on the defendant’s phone.

The defendant’s grooming tactics were polished and quick. MV1’s first conversation with the defendant was casual and friendly. The defendant had targeted MV1 because she was so young. MV1, being a 12-year-old girl in a rural community, was ready to have attention given to her by a boy. Within approximately three (3) days, the defendant attempted to make things “intimate.” The defendant told MV1 he was only 17 and that she was his girlfriend. The defendant told her to take pictures of herself, and told her about his rape fantasies, including

"consent non-consent." To drive his rape fantasy home, defendant sent MV1 a video of a 17-year-old girl bent over with her feet in the air, where an adult male was using his hand to "finger" her. The girl in the video was trying to remove the male's finger, but she couldn't. The defendant captioned the video to MV1 as "hot," and he wanted them to do something similar to the video. The defendant continued to send different types of porn, saying these were the "things" he wanted to do to her.

A week into the barrage of communications, the defendant asked for a nude of MV1, which she sent him. She also sent him a video of her nude from the waist down. In the video, MV1 was sitting and going over a script of what the defendant wanted her to say. MV1 is heard apologizing for getting the script wrong. The defendant is heard threatening MV1 if she doesn't get it right, saying he will throw a brick through her window. A third video, made at the defendant's request, is of MV1 inserting a brush into her vagina. [Doc. 50, ¶ 48].

The defendant also chatted on video calls with MV1. On one of the video calls, the defendant asked MV1 to cut herself as deep as she could. These demands did not stop. MV1 cut "Kyle" in her leg, but the defendant said he wanted the cuts to be deeper. If MV1 did not make the cuts deeper, the defendant threatened to leak compromising videos of her.

The defendant later expanded his horrific demands, telling MV1 to kill a chicken or a lamb on video. MV1 chose a chicken, and the defendant told her she had to spell out "crim" with the chicken's intestines. MV1 complied and sent the content to the defendant. The defendant was so pleased with the image that he posted it on his "Crim Content" Discord channel and on "Slitbunnies" with the message: "guys this is fucking awesome."

Angering the defendant literally puts his victim's life at risk. The defendant was angry with MV1 because she had written something about him on Twitter that he did not like. The defendant told MV1 he was coming for her and was going to "Fucking" kill her.

In just five months' time, the defendant was able to brainwash and manipulate his 12-year-old victim into cutting, producing CP, and creating animal-killing videos for him. The defendant never met the child in person.

MV2 was another tally in the defendant's count on the way to his goal of 3,000 victims. MV2 was a 15-year-old girl who communicated with the defendant for several months. In only one month, the defendant and MV2 exchanged over 1,000 text messages. [*Id.* at ¶ 52]. MV2 met the defendant through a Discord server that was created by the leader of HN. Initially, the defendant complimented and flirted with MV2, while other members of the group offered her money if she would cut the member's moniker into her leg. MV2 was sent \$25 for doing the first cut by another member. Almost immediately, after MV2 made the cut, the HN members threatened her for more.

Because the defendant had complimented and flirted with MV2, she mistakenly believed the defendant would protect her from the threats of the other HN members. When MV2 cut another HN member's name into her body, the defendant became angry and threatened MV2. In exchange for not publicly exposing her personal information, defendant made MV2 strip naked, cut out the other members' names on her leg, and carve his moniker on her. The defendant then forced MV2 to create a video addressing the other HN members, stating that she belonged to the defendant. But the defendant did not stop there.

The defendant threatened MV2 and forced her to take nude pictures with monikers and symbols written on her body in her own blood. Images located in the defendant's phone showed

MV2 kneeling naked on her bed. On MV2's body between her breasts, written in her own blood, was a small heart, the moniker "crim," and a swastika. The same images showed the cuts on MV2's leg that supplied the blood to produce this extreme content. [Doc. 36, ¶ 4]. This specific content was created for the sole purpose of declaring his ownership of MV2 to the other members of HN and 764.

Communication between the defendant and MV2 showed the defendant instructed MV2 to, "[w]rite Criminal Rape Me," "[c]an you splatter the wall with blood," and "[b]onus any dead animals." [Doc. 50, ¶ 55]. Images were located in the defendant's cell phone of MV2's bedroom where one wall was covered in splatters, monikers, and hate symbols, all in blood. MV2's mother verified the room belonged to her daughter. MV2's mother confirmed it was her bedroom, as she had gone into the bedroom, took down the posters on the wall and found the remaining bloods stains.

Communications located on the defendant's cell phone proved that the defendant told MV2 he had a three-page document on how to groom girls and get them to do stuff for him without extorting them. The defendant told MV2 that the document worked perfectly on her. The defendant explained he groomed girls to be dependent on him. The defendant explained in the communications that when a victim became dependent, he used their triggers against them to manipulate them.

The defendant used CP of MV2 to show his manipulation skills of sexual exploitation on his Telegram Channel in the hopes of promoting his membership in HN. A member with the most content on his channel had elevated stature within the group.

MV2 attempted to end her relationship with the members of 764/HN multiple times. She was unable to do so because the defendant and other HN members had her phone number and

would message and threaten her using anonymous phone numbers. HN had created a public “doxbin” on her that was accessible to anyone. The doxbin included her full name, her home address, her parents’ names, her cellphone number, her email addresses, all her former address, photos of her siblings and parents, and where her siblings went to school. The release of the doxbin was used as a threat many times. The threat became a reality when the doxbin was released just prior to the defendant’s arrest.

MV1 and MV2 are statutory victims in the counts to which the defendant pled guilty. As of March 2025, thirty (30) victims of the defendant have been found. [*Id.* at ¶ 57]. Of those, only nineteen (19) have been identified. [*Id.*] The victims who have been identified live around the world. The defendant admitted his motivation for the crimes against his victim was terrorism. [Doc. 36, ¶ 4].

The number of victims, their age, vulnerability, the length of time the crimes were occurring, and the serious crimes committed, demand a sentence of no less than nine hundred twenty-four (924) months in prison followed by a lifetime of supervised release.

b. Specific and General Deterrence are Necessary because of the Serious Crimes Committed and Prevent the Younger Members from Taking Defendant’s Place.

Section 3553 also guides the Court to consider the need for a sentence that affords adequate deterrence to criminal conduct. From the standpoint of sentencing, deterrence takes two forms: (1) specific deterrence, to deter similar crimes by the defendant who is being sentenced, and (2) general deterrence, to deter criminal actions by others who may contemplate committing similar offenses.

The defendant was, and is, devoid of any remorse for his actions. Quite the opposite, in fact. The defendant, in the hopes of moving up through the ranks of 764/HN groups, created his “Criminal Content” Telegram Channel for people to see and consume. The channel was used for

the sole purpose of exhibiting his violent criminal control over “minor girls.” Like for most tormentors, the manipulation and control over his young victims were like a drug high to this defendant. He made vulnerable young girls do the most disturbing things he could think of, with his only tools being a cellular phone and the internet. Even after he was arrested, the defendant continued to commit crimes against his victims from jail. (*See* Section C below).

It is unlikely that any term of imprisonment will deter the defendant from committing other crimes. There is nothing to indicate that the defendant has ever been a contributing member to society as an adult. He has never worked at a legitimate job for more than a few months at a time. All of his time was devoted to following the nihilistic extremist ideology of 764/HN. The defendant has prior minor criminal convictions on which he served minimal time. The defendant, at the age of 24, has already committed criminal acts, putting him into the criminal history category of two. Together with the defendant’s general history, it suggests he was abusing drugs as well as selling them. [*See* Doc. 50]. The defendant used his parents as pawns for his self-interest. For example, the defendant employed his father to tamper with his victims; and when his own mother passed, lying in her own blood, it was more important to the defendant to take and post a video of that on the internet, than to call 911. Still, it is imperative that the defendant know his years of enjoyment in sexually exploiting, and physically and mentally manipulating vulnerable minor girls will not be tolerated. A sentence of nine hundred twenty-four (924) months imprisonment will hopefully send a message that his crimes are so abhorrent he will not be tolerated by society.

In cases involving sexual violence against minor children, there is a critical need for general deterrence for would be “copycats.” The defendant’s crimes are a new breed of criminality and must be stopped! These crimes are driven by a violent ideology coming from

groups like 764/HN. Showing your loyalty to these groups means committing the same types of crimes committed by the defendant. The heinous crime of online child sextortion committed by the members of 764/HN is the latest front of child exploitation that is being addressed in Congress. For example, on December 9, 2025, Senate Judiciary Committee Chairman Grassley introduced bipartisan legislation entitled the Stop Sextortion Act. *See* https://www.grassley.senate.gov/imo/media/doc/stop_sextortion_act.pdf. This bill targets those criminals who threaten to distribute child sexual abuse material (CSAM) to intimidate, extort, or coerce children. This bill would increase the maximum penalty for these types of offenses from five to ten (5 – 10) years.

Going even further, on December 9, 2025, Senator Grassley introduced the Ending Coercion of Children and Harm Online or the ECCHO Act³. The ECCHO Act seeks to establish a federal framework to combat the online coercion of minors to commit harm. The bill creates new criminal offenses, expands reporting of instances involving the online coercion of minors, facilitates the prosecution of offenders, and expands protections for minors who testify in court. Specifically, the bill makes it a crime to intentionally coerce a minor to: commit suicide (or attempt to); kill someone (or attempt to); kill a pet, emotional support animal, service animal, or horse (or attempt to); physically harm an individual (including the minor), pet, emotional support animal, service animal, or horse; or commit (or attempt to commit) arson; or certain other acts such as doxxing or swatting.

Criminals like the defendant, who are sextorting their victims, and having the young girls self-harm, and kill domestic animals, are being empowered and supported by other likeminded, odious criminals in their groups and on internet sites with similar interests. The internet is a

³ <https://www.congress.gov/bill/119th-congress/senate-bill/3397>

powerful tool for these criminals, as it allows criminals such as the defendant to remain anonymous, live anywhere in the world, support the criminality and NVE ideology within their group, and manipulate vulnerable victims, never having to leave their home. That sort of power is addictive and is no match for vulnerable victims such as insecure teenage girls with no life experience. [Doc. 50, ¶ 29, 30]. They are not going away. Minors are now taking the place of the defendant in these groups. The most recent data from the FBI shows they have over 450 cases involving NVE groups, up from 250 cases just one (1) year ago⁴. These members and their copycats need to see severe sentencing being ordered on their predecessors, with the knowledge that they will receive the same. These violent criminal acts must be counterbalanced by stringent sentences. Sentencing the defendant to nine hundred twenty-four (924) months' imprisonment is a good start to have any effect on the defendant's counterparts.

c. Defendant is a Danger to the Community and a Sentence of 924 Months Imprisonment would Protect our Children from Further Crimes of the Defendant.

The defendant is the most prolific 764/HN member today because of the "content" he put out on the internet. Members have indicated that they hope to emulate the defendant's dedication to the cause. It is precisely the defendant's dedication to the NVE ideology that makes him a danger to the vulnerable minor teenagers today. His victims were not humans to him. They were simply a means to an end in his rise in 764/HN status.

The defendant's actions show that, even after he was arrested and placed in jail, that he was going to continue to manipulate and reign fear over his victims' lives through a prison cell. And he did just that. The defendant either attempted to, or did, make contact while he was in jail with three of his victims. MV2 was contacted at the behest of the defendant's father, M. Spitze,

⁴ <https://www.fbi.gov/contact-us/field-offices/boston/news/open-letter-to-parents-guardians-and-caregivers>

to get her to set up an account that would allow her to talk to the defendant in jail. MV2 did as she was told out of fear. As a result, the defendant called MV2 fifty-one (51) times, until law enforcement stopped the defendant's phone privileges. [*Id.* at 64]. The defendant also had his father contact MV2, manipulating her with fatherly advice, giving her money, and then telling her to destroy evidence against his son. Finally, MV2 texted M. Spitze the following:

micahel im only 16 years old kyle has been grooming and extorting me for months, I wasn't lying about being kicked out and sexually assaulted im actually Kicked out of my house and have been struggling really bad but Michael kyle isn't a good person at all ive watched him first hand groom and extort other girls he claims he isnt a pedophile and that he is something called a hebephile is what he said he is ...im sorry i didnt tell you sooner i was so afraid of kyle

M. Spitze also facilitated communication between the defendant and a victim in the United Kingdom (U.K.). M. Spitze coached the U.K. victim into downloading a virtual private network in order to bypass constraints on the jail messaging application used to communicate with inmates, in order to directly communicate with the defendant. [*Id.* at 65]. Shortly after the communications began, the victim committed suicide.

The defendant asked M. Spitze to send the phone number of a victim in Greece. M. Spitze attempted to send a photo of the number to the defendant, but it was blocked by the messaging service.⁵

Continuing his reign of terror over his vulnerable victims while in prison is the ultimate message to any victim: the terror will not cease. These children were not safe from the defendant even after he was arrested and jailed.

⁵ Because of the aforementioned, M. Spitze was indicted on two counts of attempted tampering of MV2 in EDTN case no. 3:25-CR-69. On January 21, 2026, M. Spitze pled guilty to one count of attempted tampering. On May 6, 2026, M. Spitze was convicted and sentenced to 70 months incarceration.

Despite the victims feeling unprotected while the defendant waited in jail, the defendant sought protection for himself, sending the following email communication to M. Spitze:

[A]lso add [INMATE'S NAME] to your ctc, hes good people and I need to stay in touch with him becasue hes a sgt in the third reich (aryan nation) and said when I get to prison he will have his captain talk to whoever is in charge there to verify me as good people.

This email demonstrates that the defendant sought to join a hate group and seek protection from them while in jail, just as he did when participated in HN and 764. The defendant is the definition of evil. Freedom in society is not the place for the defendant.

d. Defendant Needs Medical Care for his Drug Addiction.

It is undisputable that the defendant suffers from drug addiction and has for some time. *[Id. at 123-136]*. While in prison he would benefit from mental and addiction help offerings. Millions of Americans are addicted to drugs. Some commit property crimes for money to buy drugs. The defendant's drug use may have been a contributing factor in quelling his conscious from the horrific decisions of his heinous crimes. However, his drug use in no way justifies his criminal actions. His crimes were for the pure enjoyment of terrorizing and exploiting vulnerable victims for notoriety.

EFFECTS THE DEFENDANT'S CRIMES HAVE HAD ON VICTIMS

It is essential that the effects of the crimes on the defendant's intended victims be considered in fashioning a sentence that is sufficient but not greater than necessary. From just his phone, FBI Knoxville found thirty (30) human beings that were victimized as a part of the defendant's membership with 764/HN. Those thirty (30) victims have not stopped being traumatized simply because the defendant will be incarcerated for a long time. Every one of them will have permanent physical scars from cutting and mental scars from all the

manipulation, production, and exploitation of CP, and from the killing of their animals for the defendant's enjoyment.

To date, two of his victims have committed suicide. Both killed themselves after the defendant contacted them from jail. The final proof needed that they would never be rid of his evil. The raw vulnerability they must have felt knowing their terrorizer could reach them even from jail.

Another victim, in order to heal and feel safe, felt she had no other choice than to leave her country to live in another country, and has changed her name. One victim wrote in her victim impact statement (VIS):

I truly am deeply traumatised (sp) by what has happened to me. When I try to sleep and think about everything I've seen I get filled with terrible anxiety and I often cry myself to sleep, or sleep after having horrible anxiety. Most days it's hard for me to even leave my room, and going outside is extremely difficult for me now. I have lost all motivation to be happy and healthy and to work on my life and my future. I hope one day I will be able to move on from what happened and be able to find myself again.

Another victim wrote in her VIS:

After leaving school to recover, I was in one of the most vulnerable states of my life. I had spent much of my teenage years being sexually extorted. Private content of me had been spread and profited upon by strangers. I lived in fear. Not just fear of being hurt, but of having nothing left to give and still being taken from.

Congratulations, you have our attention! Society is shocked and appalled at your actions and your NVE ideology. Society is aware of the permanent physical and emotional scars you and your 764/HN members have given to the vulnerable young teen girls all over the world.

Society is aware that you made sport of placing young minors in your own special “hell” simply for the crime of being an insecure teenaged girl. You will receive a sentence that reflects the seriousness of your crimes!

WHEREFORE, the United States requests this Court to impose a nine hundred twenty-four (924) month term of imprisonment on the defendant followed by a lifetime term of supervised release and any forfeiture, fines and restitution this honorable Court deems fit.

Respectfully submitted on this the 15th day of June 2026.

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