

UNITED STATES DISTRICT COURT
for the
Western District of Virginia

JAN 11 2016

JULIA O'DRISCOLL, CLERK
BY: 
DEPUTY CLERK

United States of America
v.
Dequan Montez Kelso

Case No. 716MS2

Defendant

CRIMINAL COMPLAINT

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 of 01/10/2016 in the county of Appomattox in the Western District of Virginia, the defendant violated 18 U. S. C. § 922(g)(1), 922(u) and 922(j)

, an offense described as follows:
Title 18 USC 922(g)(1)-Possession of firearm by convicted felon
Title 18 USC 922(u)- Theft of firearms from a licensed firearm dealer.
Title 18 USC 922(j)- Possession of stolen firearm

This criminal complaint is based on these facts:

See Attached Affidavit

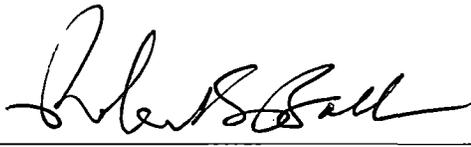
Continued on the attached sheet.


Complainant's signature

ATF Special Agent Russell Davidson
Printed name and title

Sworn to before me and signed in my presence.

Date: 01/11/2016


Judge's signature

City and state: Roanoke, VA

United States Magistrate Judge Robert Ballou
Printed name and title

Affidavit

I, Russell Davidson, being duly sworn, depose and state the following:

I am a Senior Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice, I have been employed with ATF since July 2002 and I am presently assigned to the Roanoke, Virginia Field Office. I have successfully completed the Criminal Investigators Training Program and New Professional Training, ATF National Academy, held at the Federal Law Enforcement Training Center, Glynco, Georgia. Prior to this employment, I was employed as a sworn police officer for the City of Lynchburg, Virginia for eight years. During those eight years, I was assigned to the Vice/ Narcotics Unit responsible for conducting drug trafficking investigations. Since becoming an ATF Special Agent, I have conducted narcotics and firearms investigations involving large conspiracies. This aforementioned experience has given me the knowledge to recognize the methods used by criminal violators and individuals disposed to commit criminal offenses to conceal their overall criminal activities from law enforcement personnel and other persons. This affiant knows that it is a violation of:

Title 18 USC Section 922(g) (1) – It shall be unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year to possess any firearm or ammunition.

Title 18 USC Section 922(u) – Theft of firearms from a licensed firearm dealer.

Title 18, USC Section 922(j) - Possession of stolen firearms.

The information contained in this affidavit is based on my knowledge of this investigation and other facts provided to me by others. I have not included all the facts of this investigation in this affidavit, but only enough to establish probable cause.

1. On 01/10/2016, Special Agent (SA) Russell Davidson received information regarding the Burglary of TNT Outfitters LLC, which is a licensed firearm dealer (FFL# 1-54-11587) located at 147 Dove Lane Appomattox, VA, located in the Western District of Virginia.
2. SA Davidson contacted Appomattox County Sheriff's Office Investigator R.N. Richardson. Inv. Richardson advised on 01/10/2016 at approximately 0400hrs the TNT Outfitters LLC had been burglarized and approximately 55 firearms were stolen by four unknown suspects.
3. SA Davidson and Inv. Richardson developed investigative leads that led to the address of 117 Columbia Lane, Spout Springs, VA. A state search warrant was obtained for the residence and 16 firearms were seized all of which had been stolen from TNT Outfitters.

Handwritten signature and date:
RDS
1/11/2016

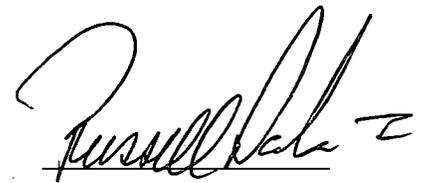
4. SA Davidson and Inv. Richardson also developed additional investigative leads that led to the address of 5527 Promise Land Road Appomattox, VA, residence of Laura Kelso. Laura lives at this residence with her two sons, Deron Kelso and Delonta Kelso. A consent search was obtained for the address and two firearms (Jimenez, JA 380 pistol, serial# 312840 and Taurus, Curve 380 pistol, serial# 00086F) were seized from that location. Inv. Davidson interviewed Deron Kelso, the cousin of Dequan KELSO. Deron Kelso was present at 5527 Promise Land Road, Appomattox during the consent search. Deron Kelso advised Dequan KELSO brought the above described firearms to the residence on 01/10/2016 at approximately 10am. Dequan KELSO told Deron Kelso that if the police came to give them everything, meaning the firearms, and to tell that he is the one who went into the place and stole the firearms.
5. On 01/11/2016, Dequan Montez KELSO was arrested by ATF-Roanoke on charges related to the burglary of a Federal Firearms Licensee (FFL). KELSO was transported from Appomattox County Sheriff's Office to the ATF-Roanoke Field Office by ATF Special Agent (SA) William Cunningham and SA Nicholas Davis. Prior to departure from the Sheriff's Office, SA Davis advised KELSO of his Miranda Rights via a pre-printed card and interviewed.
6. KELSO stated that on the evening of Saturday, 01/09/2016, Chris McCoy, Kwamane McCoy, Jakwan Harris, and KELSO decided to break into TNT Outfitters and steal firearms. KELSO explained that the four of them were hanging out, drinking and smoking marijuana, at 117 Columbia Lane, Appomattox, VA, along with Kelsey Coffey and Katie Thompson. After coming up with a plan, the four males gathered desired clothing for the burglary. KELSO stated they found and wore clothing that covered their hands, face, and body in dark colors. The four males brought backpacks as they walked through the woods to TNT Outfitters late in the night. KELSO stated that the group went around back and all lifted up the garage door and snuck inside. The group then started swiping firearms into their backpacks. Following the burglary, all four males went back to 117 Columbia Lane, where they split up the firearms between each other. At Coffey's everyone saw the firearms, including the females.
7. KELSO stated that early in the morning on Sunday, 01/10/2016, Chris McCoy and his girlfriend, Thompson, gave KELSO a ride to his aunt's house. KELSO then stated he placed two (2) of his firearms at his aunt's (Laura Kelso) house, while packaging approximately five (5) others in a pink backpack.
8. A check of Kelso's NCIC records revealed that Kelso is a three-time previously convicted felon.
9. On 01/10/2016 ATF Roanoke S/A Mike Cilento, after being given a description of the firearm seized on 01/10/2016, determined that the Jimenez JA 380 pistol, serial# 312840 and Taurus, Curve 380 pistol, serial# 00086F pistol affected interstate commerce.

MS
1/11/2016

The facts and information contained in this affidavit are based upon my personal knowledge as well as knowledge and observations obtained from other law enforcement officials involved in this investigation. I am thoroughly familiar with the information contained in this affidavit through personal exposure to the records, reports, and discussions with other law enforcement personnel. The facts comprising the basis for this affidavit are true and correct, to the best of my knowledge.

Based on my knowledge, training, and experience, the preceding information set forth in this Affidavit constitutes supportive evidence that:

Dequan M. Kelso possessed a firearm after being previously convicted of a felony, in violation of Title 18, United States Code Section 922 (g)(1), and unlawfully took or carried away from the person or the premises of a person who is a licensed to engage in the business of dealing in firearms, any firearm in the licensee's business inventory that has been shipped or transported in interstate or foreign commerce, in violation of Title 18, United States Code Section 922(u) and unlawfully for any person to receive, possess, conceal, store, barter, sell or dispose of any stolen firearm which has been shipped or transported in interstate or foreign commerce in violation of Title 18, United States Code Section 922(j) that the aforementioned violations took place in the County of Appomattox, in the Western District of Virginia.

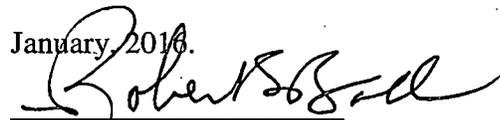


Special Agent Russell Davidson
ATF-Roanoke, VA.

Sworn and subscribed to

Before me this 11th day of

January, 2016.



Robert S. Ballou

United States Magistrate Judge