

ATTACHMENT A

AFFIDAVIT

I, Kenneth Jordan, being duly sworn, depose and state that:

I am an investigator or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered to conduct investigations of and to make arrests for the offenses enumerated in Titles 18, 19, 21, and 31, of the United States Code and other related offenses. I have been a special agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Justice Department for approximately eleven (11) months. I am currently assigned to the Greenville, South Carolina Field Office. My duties involve the investigation of federal firearms offenses and associated violent crime and narcotics offenses.

Prior to serving as an ATF Special Agent, I was employed with the United States Secret Service as a uniformed officer. I was an officer with the Secret Service for approximately five (5) and one-half years. My duties included protecting the White House as well as the Vice President's residence.

I have successfully completed the Uniformed Police Training Program and also the Criminal Investigator Training Program at the Federal Law Enforcement Training Center. I have also successfully completed Special Agent Basic Training at the ATF National Academy.

The statements contained in this Affidavit are based on information I have learned through my own investigation, experience, and background as an ATF agent and through that of other members of law enforcement. Because this Affidavit is being submitted for the limited purpose of securing a Criminal Complaint and Arrest Warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that SAHIER LAVON RICHARDSON and JURAN MAGHI WITHERSPOON, violated Title 18, United States Code, Section 922(u), by knowingly stealing firearms that have been shipped or transported in interstate or foreign commerce from the inventory of a person licensed to engage in the business of dealing in firearms, and did aid and abet each other in the commission of the aforementioned offense, in violation of Title 18, United States Code, Section 2. These violations occurred in the District of South Carolina.

October 13, 2016: Federal Firearms Licensee (FFL) burglary

On October 13, 2016, at approximately 2:52 a.m., a burglary occurred at The Gun Shop and Indoor Range, a federal firearms licensee (FFL) #15704233, located at 622 NE Main Street, Simpsonville, South Carolina 29681. Surveillance camera footage from the store depicted a minivan driving through the front of the store and then three subjects, wearing hooded sweatshirts, gloves and carrying bags, entering the store. The subjects used a sledge hammer and a baseball bat to break the glass from display cases containing firearms before loading handguns into the bags. The subjects were in the store for just under one minute before they fled in an

unknown getaway car and abandoned the van at the scene. A subsequent inventory of the missing guns revealed that a total of forty-three (43) handguns had been stolen to include various models of Auto Ordnance, Bersa, Glock, Ruger, Sig Sauer, Smith & Wesson, Springfield Armory and Taurus firearms.

The van was identified as a white Chrysler Town & Country (North Carolina tag number CEE7888) which had been reported stolen from Denver, North Carolina, on the morning of October 12, 2016. The Simpsonville Police Department obtained a State search warrant for the van which was executed later that afternoon, resulting in the recovery of a cigarette butt and additional forensic evidence.

Stolen Gun Recoveries

On October 13, 2016 (the same day as the burglary), at approximately 11:45 a.m., SAHIER LAVON RICHARDSON was arrested by Charlotte Mecklenburg Police Department (CMPD) Officers on an outstanding arrest warrant for possession of a stolen vehicle while RICHARDSON was attending school at Project Lift Academy, located in Charlotte, North Carolina 28216. RICHARDSON ran from the officers but was caught and placed into custody. RICHARDSON's black North Face book bag was searched and found to have a marijuana blunt and a Ruger LCP II .380 caliber pistol (serial number 380004756). This Ruger LCP II .380 was one of the guns stolen from The Gun Shop on October 13, 2016.

On October 17, 2016, the North Carolina probation office conducted a check on Tyquan WITHERSPOON at his residence in Charlotte, North Carolina. Probation officers searched WITHERSPOON's room and found .22 and .45 caliber ammunition. WITHERSPOON's mother stated that he also used a second bedroom which the officers searched as well. In the second bedroom officers found a book bag containing a Glock Model 30, .45 caliber pistol (serial number BCUR419). This firearm was one of the guns stolen from The Gun Shop in Simpsonville, South Carolina, on October 13, 2016. WITHERSPOON initially denied knowing about the firearm but then admitted that he received the gun from his brother, JURAN WITHERSPOON on October 16, 2015. Additionally, Tyquan stated that JURAN WITHERSPOON (hereinafter WITHERSPOON) came home at about 5:30 a.m. on October 13, 2016, the day of The Gun Shop burglary.

Stolen Vehicles Investigation

On October 12, 2016, at approximately 3:16 a.m., a Ford F-250 Super Duty truck was stolen from Charlotte, North Carolina. The truck was a work vehicle and had a GPS monitoring system in it. A detailed report of the truck's movements was provided to CMPD. The report indicated the truck was in the same neighborhood in Denver, North Carolina, where the white Chrysler van was stolen (the vehicle used in The Gun Shop burglary) from approximately 3:34 a.m. to 4:17 a.m.

In addition, the GPS report showed that the truck had stopped at a 7-Eleven convenience store in Charlotte on two (2) separate occasions on October 12, 2016. CMPD was able to retrieve surveillance video from the times when the truck was at the 7-Eleven. A review of the footage

revealed that at approximately 4:58 a.m., Derico MISENHAIMER arrived at the store driving a white Chrysler Town & Country van and walked over to the Ford F-250. At approximately 5:27 a.m., SAHIER RICHARDSON is seen getting out of the driver's side of the stolen truck and entering the store. JURAN WITHERSPOON is also seen at the store getting out of a dark colored sedan and entering the store with RICHARDSON. The white Chrysler van is also seen in the parking lot but the driver does not get out of the vehicle. RICHARDSON and WITHERSPOON exit the store together, hang out in the parking lot for approximately ten (10) minutes before RICHARDSON leaves in the truck and WITHERSPOON departs in the sedan while the white van also drives off. The subjects were identified by a Charlotte Mecklenburg (North Carolina) Police Department (CMPD) officer familiar with these individuals.

Analysis of Cellular Telephones

On October 19, 2016, SAHIER RICHARDSON was arrested for possession of a stolen vehicle warrant (relating to the stolen Ford F-250 truck) by CMPD. RICHARDSON was advised of his Miranda rights and agreed to answer questions. During a recorded interview, RICHARDSON admitted his involvement in stealing the Ford F-250 truck and gave consent for the officers to conduct a search of his iPhone. CMPD imaged the contents of the cellular telephone and provided copies to ATF. A review of the contents identified the following texts, messages and photos relevant to the burglary at The Gun Shop (not all inclusive).

On October 3, 2016, a photo of The Gun Shop was texted to an individual in RICHARDSON's phone known as "Tario". On this same date, RICHARDSON texted "Tario" saying that he wants to go that night, he called them and they have "them rods" in there, referring to guns. Earlier on October 3, 2016, RICHARDSON placed a call to 864-757-8580, the telephone number for The Gun Shop, that lasted about three (3) minutes. RICHARDSON later placed two other calls to The Gun Shop on October 7, 2016.

On the same date RICHARDSON texted the same photos of a gun and of The Gun Shop to an individual identified in RICHARDSON's phone as "Kash." RICHARDSON also sent "Kash" a screenshot of the weather in Simpsonville, South Carolina.

On October 26, 2016, Juran WITHERSPOON was arrested by CMPD on a warrant for possession of a stolen vehicle relating to the stolen Ford F-250. CMPD obtained a State search warrant for WITHERSPOON's cellular telephone and provided copies of contents of the telephone to ATF. A review of the contents identified the following texts, messages and photos relevant to the burglary at The Gun Shop (not all inclusive).

On October 11, 2016, WITHERSPOON texted an individual in his phone identified as "Ez", to "look up 622 ne main Simpsonville sc" (the address for The Gun Shop). "Ez" texted back "yall got gas money to get there?" On October 13, 2016, at approximately 12:46 a.m., WITHERSPOON also texted telephone number 908-267-7390 the address of The Gun Shop.

Later on October 13, 2016, at approximately 7:23 a.m. – 7:24 a.m., WITHERSPOON texted two photos to telephone number 704-352-3282 depicting handguns set out on an apparent ottoman. One of the photos showed four handguns to include Glock pistols and a Ruger LC9 pistol

(similar to some of the firearms stolen from The Gun Shop) while the other photo showed seven handguns including several Glock pistols. Approximately ten minutes later, telephone number 704-309-5323 texted WITHERSPOON to send him “the names and prices.”

On October 16, 2016, WITHERSPOON texted a person known in his contacts as “KC”, later identified as Keyshawn CROWDER, that WITHERSPOON got CROWDER a pistol and was coming to get his Glock. CROWDER texted back that he would hold on to the Glock until WITHERSPOON could get him something. WITHERSPOON then replied that he got CROWDER something but didn’t want him to lose the “27“. On October 31, 2016, CROWDER was arrested by CMPD for possession of stolen goods when a Glock Model 27 was recovered from him. The Glock Model 27 pistol was a firearm stolen from The Gun Shop on October 13, 2016.

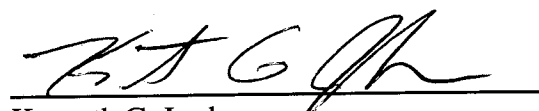
Communications between RICHARDSON and WITHERSPOON

On October 6, 2016, RICHARDSON texted a photo of The Gun Shop to Juran WITHERSPOON, known as “Ran” in the contacts section. RICHARDSON also texted Juran WITHERSPOON a photo of a gun and a photo of a map with a dot labeled 622 NE Main St., (the address of The Gun Shop), with a message saying “Nothing around this shit”. Another text to Juran WITHERSPOON was a photo of a high-capacity rifle magazine with a message saying “Thats in that store”.

Interstate Nexus of Firearms

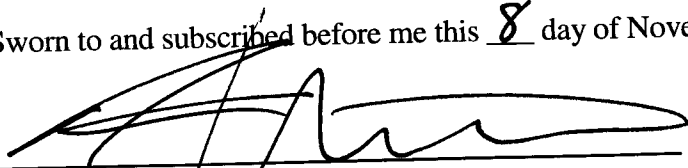
Based on your Affiant’s experience, knowledge and research, your affiant knows that all of the previously listed firearms (including Auto Ordnance, Bersa, Glock, Ruger, Sig Sauer, Smith & Wesson, Springfield Armory and Taurus) are manufactured outside the state of South Carolina and therefore the firearms had traveled in and affected interstate commerce.

Wherefore, based upon all of the information set forth in this Affidavit, I respectfully submit that there is probable cause to believe that SAHIER LAVON RICHARDSON and JURAN MAGHI WITHERSPOON, did on or about October 13, 2016, violate Title 18, United States Code, Section 922(u), and Title 18, United States Code, Section 2, by stealing firearms from the inventory of a federally licensed firearms dealer and by aiding and abetting each other and others in the commission of the aforementioned offense. In consideration of the foregoing, I respectfully request that this Court issue criminal complaints and arrest warrants for SAHIER LAVON RICHARDSON and JURAN MAGHI WITHERSPOON.



Kenneth G. Jordan
Special Agent, ATF

Sworn to and subscribed before me this 8 day of November, 2016.

A handwritten signature in black ink, appearing to read 'Kevin F. McDonald', written over a horizontal line.

Kevin F. McDonald
United States Magistrate Judge
Greenville, South Carolina