

DAO91 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT

NOV 30 2007

Michael N. Milby, Clerk of Court
TEXAS

SOUTHERN

DISTRICT OF

UNITED STATES OF AMERICA

V.

Turner Cornell Mooneyham

CRIMINAL COMPLAINT

Case Number: V-07-97M

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about July 29, 2006 in Victoria County, in the Southern District of Texas defendant(s) did,

knowingly make a false statement with regards to information required to be kept by Federal Firearms Licensees; to Mooneyham listed [redacted] as his current address on an ATF Form [redacted] resided at [redacted]

in violation of Title 18 United States Code, Section(s) 922 (a) (1) (A).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

(See Attached Affidavit)

Continued on the attached sheet and made a part of this complaint: Yes No



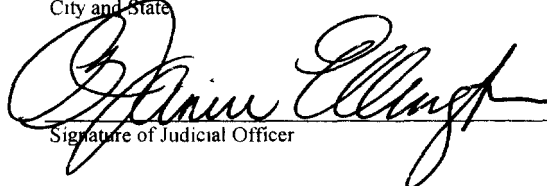
Signature of Complainant
Richard Miller, ATF Special Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

November 30, 2007
Date

at Corpus Christi, Texas
City and State

B. Janice Ellington, U.S. Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

I, Richard Miller, being duly sworn, depose and state that:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), a Division of the United States Justice Department, and have been so employed since July 16, 2001. I am a graduate of the United States Department of Treasury Criminal Investigator Training Program and the ATF National Academy. Prior to employment with the ATF, I was a police officer in Texas for approximately 13 years. My experience as a police officer included 5 years as a criminal investigator assigned to the Killeen Police Department Organized Crime Division, and the Drug Enforcement Administration (DEA) Task Force in Waco, Texas. In that capacity I received numerous hours of training and experience in criminal investigations involving violations of Title 18, Title 21, and Title 26 United States Code. As a Special Agent with the ATF I am vested with the authority to investigate violations of Federal laws, including Title 18 and Title 26 United States Code. As a result of my training, my experience relating to these statutes, and the experience of senior ATF Special Agents, I know that it is a violation of:

18 USC 924 (a) (1)(A), to knowingly make any false statement or representation with respect to the information required by the Gun Control Act to be kept in the records of a person licensed under the Gun Control Act or in applying for any license or exemption or relief from disability under the provisions of the Gun Control Act;

2. As a result of my training, my experience relating to these statutes I also know that the information pertaining to a purchaser's residence is among the information that the federal firearms dealer is required to keep under the provisions of the Gun Control Act.
3. This investigation began in 2006 when your affiant received information concerning possible allegations of Federal Firearm Violations by Turner C. Mooneyham.
4. Agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) received information in July, 2006, that Turner C. Mooneyham purchased firearms from Longhorn Pawn and Jewelry in Victoria, TX. While completing the ATF Form 4473, the form used to record the transaction, Mooneyham failed to list his correct address, [REDACTED] Mooneyham listed his former address located at [REDACTED] rather than his address at the time of the transaction.

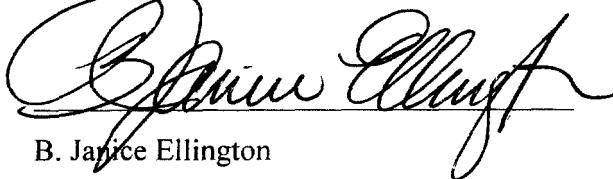
5. Your affiant knows that on July 29, 2006, Mooneyham went to Longhorn Pawn in Victoria, TX, and executed an ATF Form 4473 to purchase seven firearms. In block 2 of the form, Mooneyham listed his current address at that time as [REDACTED]
6. Your affiant knows that on August 19, 2004, Mooneyham's trailer at [REDACTED] his former residence, burned down. Your affiant obtained a copy of Victoria Fire Department Report number 04-0004534 which confirms this date.
7. Since May 2006, ATF agents have conducted surveillance of [REDACTED] on numerous occasions. ATF agents believe the home located at [REDACTED] has been the primary residence of Turner Mooneyham from October, 2005 to the present.
8. On November 7, 2007, ATF Special Agent David Taylor contacted the Victoria Utility Billing Office and learned that on October 17, 2005, Turner Mooneyham obtained city utilities for the residence at [REDACTED]
9. On November 7, 2007, Special Agent David Taylor spoke with the former owner of [REDACTED] who provided copies of paperwork documenting the sale of [REDACTED] Mooneyham in October, 2005.
10. Based on the above information, your affiant believes Turner C. Mooneyham knowingly made a false statement with regards to information required by the Gun Control Act to be kept by Federal Firearms Licensees; to wit, Mooneyham listed [REDACTED] as his current address on an ATF Form 4473, while he actually resided at [REDACTED] which is in violation of Title 18, United States Code, Section 922 (a) (1) (A).



Richard Miller

Special Agent, ATF

Sworn to and subscribed before me this 30th day of November, 2007.



B. Janice Ellington

U.S. Magistrate Judge