
United States District Court

WESTERN

DISTRICT OF

MISSOURI

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

Case Number: 11-155-SWH-01

ANTHONY WINN
[DOB: 07/08/1985]

Count One:
18 U.S.C. §§ 922(g)(1) and 924(a)(2)
[NMT: Ten Years Imprisonment, \$250,000
Fine, Three Years Supervised Release, Plus
\$100 Special Penalty Assessment]

Count Two:
49 U.S.C. § 46505(b)
[NMT: Ten Years Imprisonment, \$250,000
Fine, Three Years Supervised Release, Plus
\$100 Special Penalty Assessment]

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

On or about December 28, 2011, in the Western District of Missouri, the defendant, ANTHONY WINN, having been convicted of crimes punishable by imprisonment for terms exceeding one year, did knowingly possess, in and affecting commerce, a firearm, that is, a Glock Model 19, 9mm handgun, Serial Nmbre AGX945US, which had been transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWO

On or about December 28, 2011, in the Western District of Missouri, the defendant, ANTHONY WINN, when on and attempting to get on Delta Airlines Flight # DL5804, traveling from Kansas City International Airport to Minneapolis, Minnesota, an aircraft that was in and was intended for operation in air transportation or intrastate air transportation, did knowingly have on or about his person or property a concealed dangerous weapon that was and would have been accessible to him in flight, that is a Glock Model 19, 9mm handgun, Serial Number AGX945US, in violation of Title 49, United States Code, Section 46505(b).

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

(See attached affidavit.)

Continued on the attached sheet and made a part hereof: Yes No

/s/ Steven Lester

**Steven Lester, Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives**

Sworn to before me and subscribed in my presence,

December 29, 2011

Date

at

Kansas City, Missouri

City and State

HONORABLE SARAH W. HAYS

U.S. Magistrate Judge

Name and Title of Judicial Officer

/s/ SARAH W. HAYS

Signature of Judicial Officer

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

I, Special Agent Steven Lester, being duly sworn, state the following: I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have worked in law enforcement for approximately 11 years, and for the past 4 ½ years I have been employed as a Special Agent with ATF. In the performance of my duties with ATF I have investigated and participated in numerous investigations involving federal firearms violations and the criminal activities of street gangs and narcotic trafficking organizations.

1. The information set forth in this Affidavit is based upon my review of criminal history records, discussions with other law enforcement officers, and the review of reports and other documents.

2. On December 28, 2011, at 8:41am, officers with the Kansas City, Missouri, International Airport Police were dispatched to 56 N. Rome Circle, Kansas City, Platte County, Missouri, Delta Airlines terminal, in reference to a loaded firearm inside of a carry-on bag.

3. Upon arrival, the officers went to gate security at the Delta terminal and made contact with the x-ray machine operator who stated that he saw a man, later identified as Anthony **Winn**, place his carry-on bag on the x-ray belt to be examined by Firstline Security screeners. The x-ray machine operator stated that when **Winn**'s bag entered the x-ray machine, he observed on the x-ray machine monitor what he believed to be the image of a loaded firearm inside the carry-on bag. The x-ray machine operator then made contact with a co-worker to have the image on the monitor verified. The co-worker verified the image and advanced the x-ray belt to move **Winn**'s bag so the reporting officers could further examine the contents of **Winn**'s carry-on bag.

4. The officers removed **Winn**'s carry-on baggage from the x-ray belt and placed it on the screening table. The officers observed **Winn**'s carry-on bag to be zipped closed. The officers conducted a visual inspection of the contents of Anthony **Winn**'s carry-on bag and discovered the following:

- One (1) Glock, Model 19, 9mm, handgun, Serial Number AGX945US. This item was loaded with twenty-two (22) live rounds of ammunition in the thirty-one (31) round capacity magazine, with one (1) live round of ammunition in the chamber.

5. The officers stated that when they removed the firearm from **Winn**'s carry-on bag, **Winn** spontaneously uttered "the firearm is my brothers and he left the firearm at my house, I was going to bring it back to him in Tucson, Arizona."

6. The officers conducted a computer check of Anthony **Winn** through REGIS and NCIC. The query revealed **Winn** to have felony convictions for burglary in the 1st degree, burglary in the 2nd degree, and unlawful use of a weapon.

7. The officers placed **Winn** under arrest for being a convicted felon in possession of a firearm and secured his carry-on bag. A search incident to arrest of **Winn** revealed the following:

- \$4,906.00 in U.S. currency was removed from **Winn**'s pants pockets.
- One (1) Delta Airlines boarding pass issued to Anthony **Winn**. This boarding pass was dated December 28, 2011, for flight DL5804, which was traveling from Kansas City, Missouri, to Minneapolis, Minnesota
- One (1) Delta Airlines boarding pass issued to Anthony **Winn**. This boarding pass was dated December 28, 2011, for flight DL1067, which was traveling from Minneapolis, Minnesota, to Tucson, Arizona
- One (1) Missouri drivers issued to Anthony Keith **Winn**, Jr.
- Two (2) cellular telephones

8. The officers transported **Winn** and his carry-on baggage from the airport property to the Kansas City, Missouri, Police Department Headquarters for processing. ATF SA Lester and Detective Oldham with the Kansas City, Missouri, Police Department, Robbery Unit met with the airport police officers. The officers relayed the aforementioned facts to SA Lester and Detective Oldham. The airport officers handed SA Lester and Detective Oldham **Winn**'s carry-on bag. The airport officers stated that Anthony **Winn**'s carry-on bag had not been searched or disturbed after the firearm had been removed from the bag.

9. An inventory search of Anthony **Winn**'s carry-on baggage prior to recovery revealed the following:

- Three (3) pairs of men's jeans size 34/32
- Two (2) dress shirts
- Five (5) socks
- Three (3) under shirts
- Two (2) pair of boxer shorts
- One (1) pair of shoes
- One (1) pair of head phones
- One (1) American Airline boarding pass issued to Anthony **Winn**. This boarding pass was dated December 08, 2011, for flight 1471, which was traveling from Kansas City, Missouri, to Dallas/Fort Worth, Texas
- \$26,515.00 in U.S. currency was located in various pockets of the three (3) pair of men's jeans listed above

10. Further investigation revealed that **Winn** had purchased his Delta airlines tickets to Arizona that same day using a temporary Visa debit card. The tickets were one-way.

11. On December 28, 2011, at approximately 12:41p.m., KCMOPD Detective Cranston and SA Lester interviewed Anthony **Winn** regarding the aforementioned firearm investigation. Detective Cranston presented **Winn** with a *Miranda* Waiver Form. Anthony **Winn** stated that he understood each of his rights and signed the form. **Winn** admitted to possessing the carry-on bag that the firearm was recovered inside. **Winn** stated that his friend Greg Lyles wanted him (**Winn**) to bring the aforementioned carry-on bag to him (Greg Lyles) in Tucson, Arizona. **Winn** stated that he responded to Grey Lyle's mother's house in Independence, Missouri, and picked up the bag prior to traveling to the airport. **Winn** denied any knowledge of the U.S. currency that was recovered from inside of the baggage. **Winn** added that he has seen Greg Lyles with the recovered firearm in the past. **Winn** stated that Greg Lyles is enlisted in the United States Air Force and is stationed Tucson, Arizona. **Winn** stated that he thought that Greg Lyles had just received a signing bonus and that might justify the large amount

of cash in the baggage. **Winn** stated that he thought that he had \$7,500.00 in U.S. currency on his person. **Winn** stated that he intended on setting up an automobile business in Tucson, Arizona, and that he was going to use the extra money to purchase two (2) vehicles. **Winn** stated “if I knew that there was a gun in my bag I would not have tried to take it on the plane.” **Winn** stated that he was a convicted felon and that he could not legally possess a firearm. SA Lester asked **Winn** what the size was on the pair of jeans that he was wearing during the interview. **Winn** stated that they were 34/32. It should be noted that the jeans **Winn** was wearing during the interview were the same size of jeans that was used to conceal the \$26,515.00, inside of **Winn**’s carry-on bag.

12. SA Lester contacted SA Mallory who is an expert in the field of origins of firearms. SA Mallory determined that the firearm was likely manufactured in Austria and imported into the United States by Glock Incorporated, in Smyrna, Georgia, thus traveling in interstate commerce.

The forgoing is true and correct to the best of my knowledge and belief.

/s/ Steven Lester

Special Agent Steven Lester

Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me this

29th day of December, 2011.

/s/ SARAH W. HAYS

HONORABLE SARAH W. HAYS

United States Magistrate Judge

Western District of Missouri