
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

EDWARD RAND,
also known as "Pee Wee";
DANIEL SPRINGHORN,
also known as "Stonegreaser" and "SG";
and
BRENDA RAND

UNDER SEAL

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

Count One

On or about December 15, 2010, EDWARD RAND, also known as "Pee Wee," and DANIEL SPRINGHORN, also known as "Stonegreaser" and "SG," did knowingly sell in and affecting interstate commerce a firearm, namely, a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2.

Count Two

On or about December 15, 2010, EDWARD RAND, also known as "Pee Wee," having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm was in or affecting interstate commerce in that the firearm had traveled interstate prior to

the defendant's possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1).

Count Three

On or about February 18, 2011, DANIEL SPRINGHORN, also known as "Stonegreaser" and "SG," did knowingly sell in and affecting interstate commerce ammunition, namely, 2,400 rounds of NORINCO 7.62 caliber ammunition, which ammunition had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2.

Count Four

On or about June 16, 2011, EDWARD RAND, also known as "Pee Wee," and BRENDA RAND did knowingly sell in and affecting interstate commerce a firearm, namely, namely Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, which firearms had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2.

Count Five

On or about June 16, 2011, EDWARD RAND, also known as "Pee Wee," having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, which firearm was in or affecting interstate commerce in that the firearm had traveled interstate prior to the RAND's possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant

LARISSA K. BACCUS

Special Agent, Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Sworn to before me and subscribed in my presence,

August 22, 2011

Date

at Chicago, Illinois

City and State

Maria Valdez, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

AFFIDAVIT

I, Larissa K. Baccus, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so employed since approximately 2007.

I am currently assigned to Chicago Field Division, Downers Grove Field Office in Downers Grove, Illinois, and my responsibilities include the investigation of federal firearms offenses and drug trafficking committed by members of street gangs and other organizations whose members engage in violent criminal activity.

2. The information in this Affidavit is drawn from interviews of a confidential informant, consensually recorded conversations, controlled purchases of firearms and ammunition, physical surveillance, information received from other law enforcement agents, state and local police reports, and National Criminal Information Center (“NCIC”) records, my experience and training, and the experience of other agents.

3. My understanding and interpretation of recorded conversations set forth in this affidavit are based on my knowledge of the investigation to date and review of consensually recorded conversations, the content and context of the

conversations, prior and subsequent conversation, information provided by a confidential informant, the results of physical surveillance, conversations with other officers and agents, and my experience and familiarity with these types of investigations. The summaries of conversations do not include all potentially criminal conversations recorded during this investigation, or all statements or topics covered during the course of the recorded conversations. The quoted material contained in the Affidavit are based on summaries of the recorded conversation, not final transcripts, and the times listed for these conversations are approximate.

4. This affidavit is made for the limited purpose of establishing probable cause for the issuance of a criminal complaint charging that:

- a. On or about December 15, 2010, EDWARD RAND, also known as “Pee Wee” (“RAND”), and DANIEL SPRINGHORN, also known as “Stonegreaser” and “SG”) (“SPRINGHORN”), did knowingly sell in and affecting interstate commerce a firearm, namely, a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in

violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count One);

- b. On or about December 15, 2010, EDWARD RAND, also known as “Pee Wee” (“RAND”), having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm was in or affecting interstate commerce in that the firearm had traveled interstate prior to the defendant’s possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1) (Count Two);
- c. On or about February 18, 2011, DANIEL SPRINGHORN, also known as “Stonegreaser” and “SG”), did knowingly sell in and affecting interstate commerce ammunition, namely, 2,400 rounds of NORINCO 7.62 caliber ammunition, which ammunition had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment

exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count Three);

- d. On or about June 16, 2011, EDWARD RAND, also known as “Pee Wee” (“RAND”), and BRENDA RAND did knowingly sell in and affecting interstate commerce a firearm, namely, Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, which firearms had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count Four); and
- e. On or about June 16, 2011, EDWARD RAND, also known as “Pee Wee” (“RAND”), having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial

number A47946, which firearm was in or affecting interstate commerce in that the firearm had traveled interstate prior to the RAND's possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1) (Count Five).

5. This affidavit is also made for the purpose of establishing probable cause in support of a warrant to search the single family residence located at N728 Peters Road, Sharon, Wisconsin (the "Springhorn farm"), as described further in Attachment A, for evidence relating to violations of 18 U.S.C. §§ 922(a)(1), 922(d)(1), 922(g)(1), and 2, as described further in Attachment B.

6. Because this affidavit is being submitted for the limited establishing probable cause in support of a criminal complaint and search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are sufficient to establish probable cause to believe that the defendants committed the offenses alleged in the complaint, and sufficient to establish probable cause in support of the search warrant.

Overview and Historical Information Provided by the CI

7. Since approximately December 2009, ATF has been investigating illegal firearm sales and trafficking by members of the Almighty Gaylord Nation, a Chicago-area street gang (the "Gaylords"). A confidential informant (the "CI")

has provided information to law enforcement regarding RAND, SPRINGHORN, and other members of the Gaylords street gang.¹

¹ The CI began cooperating with ATF in exchange for monetary compensation in approximately January 2009. The CI's cooperation has continued to the present. During that time, the CI has received over \$30,000 in payments from ATF in connection with his participation in various investigations. The CI has a history of substance abuse. The CI has multiple stated felony convictions, including a conviction for possession of a controlled substance for which defendant was sentenced to one year imprisonment while he was cooperating with ATF. Once the CI completed the sentence, s/he resumed cooperation with ATF.

The CI provided timely and reliable information concerning the illegal activities of RAND, SPRINGHORN, and other Gaylords as detailed below. A substantial portion of the CI's information has been corroborated by independent investigation, including physical surveillance, controlled firearms and ammunition purchases from RAND, SPRINGHORN, and BRENDA RAND, consensually recorded telephone calls and conversations between the CI, RAND, and SPRINGHORN.

On April 11, 2011, the CI engaged in the controlled purchase of a .22 caliber rifle from Christopher BATAGLIA, who is charged in a separate criminal complaint. After the controlled buy the CI gave the .22 caliber rifle and an video/audio recoding device to ATF agents. During the debrief of the controlled buy, agents asked the CI if he participated in any illegal activity during the controlled buy. The CI admitted that s/he smoked a marijuana cigarette while waiting for BATAGLIA to arrive to BATAGLIA's house. ATF agents reviewed the audio/video recording from the purchase and believed that the recording showed that CI smoke a marijuana cigarette while he was waiting to buy the rifle from BATAGLIA. Agents confronted CI, who again admitted to secreting the marijuana in the crotch area of his body and smoking the marijuana cigarette while waiting for BATAGLIA. Agents admonished the CI of his actions.

During the CI's cooperation, the CI was also arrested twice for disorderly conduct. One of these prosecutions was dismissed and one case is still pending. The ATF did not intervene in either prosecution.

8. During the investigation, as described below, the CI purchased firearms and ammunition from multiple Gaylords, including an AK-47 assault rifle from RAND and SPRINGHORN, AK-47 ammunition from SPRINGHORN, and several additional firearms from RAND and BRENDA RAND. Based on consensually recorded conversations with RAND and SPRINGHORN, these firearms had previously been stored at the Springhorn farm.

9. As described below, SPRINGHORN and RAND purchase and distribute firearms to Gaylords in the Chicago area and elsewhere. Although RAND is legally prohibited from purchasing firearms because of prior felony convictions, SPRINGHORN is able to purchase firearms because he is not a convicted felon. SPRINGHORN purchases firearms and ammunition at gun shows in Wisconsin for RAND and other Gaylords who are not legally able to purchase firearms. RAND and SPRINGHORN then distribute those firearms to Gaylords who SPRINGHORN knows to be convicted felons, including the CI. SPRINGHORN allows RAND, a convicted felon, to store guns at the Springhorn farm, including the guns that RAND, BRENDA RAND, and SPRINGHORN later sold to the CI.

10. The CI advised law enforcement that he became a member of the Sayre Park (Chicago) Gaylords² in approximately 1991. The CI later became a member of the Addison, Illinois faction of the Gaylords while cooperating with ATF. Based on the CI's personal observations and the CI's conversations with members of the Gaylords, the CI provided the following information to law enforcement:

- a. **RAND:** The CI knows RAND to be a member of the Gaylords. The CI advised that RAND goes by the nickname "Pee Wee." According to the CI, RAND lives in Wisconsin. The CI identified a Wisconsin Department of Transportation drivers license photograph of RAND as the person the CI knew as "Pee Wee."
- b. NCIC reports reflect that RAND has multiple prior felony convictions, including an August 1997 conviction for robbery in Cook County, for which RAND was sentenced to six years' imprisonment in the Illinois Department of Corrections ("IDOC"). The report also stated that RAND is a reputed member of the Gaylords street gang. According to Wisconsin Department of Transportation ("WDOT") records, RAND lives in Wilmot, Wisconsin.

² According to the CI, Gaylords is an acronym standing for "Great American Youth Leading Our Race Destroying Spics."

- c. **BRENDA RAND:** The CI knows BRENDA RAND to be a member of the Gaylords. According to the CI, RAND and BRENDA RAND are married.
- d. **SPRINGHORN:** The CI knows SPRINGHORN to be a member of the Addison, Illinois-faction of the Gaylords. The CI advised that SPRINGHORN goes by the nickname “Stonegreaser” or “SG.”
- e. NCIC reports reflect that SPRINGHORN has two prior misdemeanor convictions for carrying a weapon/firearm and possession of a controlled substance. According to WDOT drivers license records, SPRINGHORN lives at N728 Peters Road in Sharon, Wisconsin (*i.e.*, the Springhorn farm).
- f. According to ATF records, SPRINGHORN does not have a Federal Firearms License allowing him to deal firearms.
- g. The CI knows SPRINGHORN to be the former Treasurer of the Gaylords. In that role, SPRINGHORN maintained a fund from which he and other Gaylords sent money to Gaylord gang members who were incarcerated in IDOC. According to the CI, SPRINGHORN kept a list on his computer of all Gaylord inmates and parolees and the amount of money that was sent to each inmate.

- h. On September 28, 2009, the CI advised ATF agents that s/he had received a message sent from SPRINGHORN via an internal messaging system of a Gaylord website, www.gaylords712.com. According to the CI, SPRINGHORN used the name “Stonegreaser GLSC” when sending and receiving messages through the Gaylord website. The CI gave ATF agents copies of messages between the CI and SPRINGHORN. The CI also gave agents a copy of a message dated September 18, 2009, that had been posted by “Stonegreaser GLSC” to the Gaylord website. In this message, “Stonegreaser GLSC” stated, “as of 25 September, I will no longer be involved in the Fund as anything but a contributor. . . My name is on blacklists in quite a few Illinois prisons, and I believe my continued association with the Fund is causing problems for Brothers inside.” The bottom of the message is signed “Love/Honor/Respect, SG.” According to the CI, the message was posted by SPRINGHORN to inform gang members that he would no longer be administering the fund and sending money to Gaylords in prison, and to announce that another gang member would be taking over the administration of the fund.

- i. According to the CI, on or about March 23, 2010, SPRINGHORN sent money and a letter to the CI at an IDOC facility. At the time, the CI was serving a sentence for a felony drug conviction. The CI retained the letter and envelope sent by SPRINGHORN and later turned the letter and envelope over to ATF agents. The return address on the envelope listed Daniel SPRINGHORN and a post office box in Sharon, Wisconsin. The enclosed letter is dated March 23, 2010 and is signed, "L/H/R, And Good Luck, Now!, SG, Dan."
- j. According to the IDOC records, on April 28, 2010, SPRINGHORN sent \$50 to the CI at an IDOC facility.

The Springhorn Farm

According to the CI, SPRINGHORN lives on a farm located outside of Sharon, Wisconsin (the "Springhorn farm"). Based on the CI's visits to the Springhorn farm and conversations with SPRINGHORN, RAND, and other Gaylords, the CI knows SPRINGHORN to store a large number of firearms in a storage container in the garage of the Springhorn farm, including handguns, rifles, semi-automatic assault rifles, and fully-automatic machine guns.

11. Based on conversations with SPRINGHORN, RAND, and other Gaylords, the CI knows several Gaylords to store firearms at the Springhorn farm, including some who have prior felony convictions. In addition, gang

members occasionally gather at the Springhorn farm to shoot various firearms, including fully automatic machine guns. Prior to his cooperation in this investigation, the CI traveled to SPRINGHORN's farm several times in order to shoot and purchase firearms.

12. According to the CI, in or about February 2008, SPRINGHORN sold the CI a 9mm Smith & Wesson handgun for approximately \$200-300. The CI later told ATF agents that he threw the gun into the Des Plaines River at a forest preserve in Melrose Park, Illinois following the CI's arrest on state charges in or about December 2008. On September 19, 2009, the CI accompanied ATF agents and other law enforcement officers to the forest preserve. At the CI's direction, dive unit officers recovered a 9mm Smith & Wesson handgun.

13. On July 10, 2010, the CI attended a Gaylord party at the Springhorn farm. Prior to attending the party, ATF agents provided the CI with a digital camera. According to the CI, while at the party, he saw gang members shoot several firearms during the party, including both fully-automatic and semi-automatic AK-47 assault rifles, 9 mm and .38 caliber handguns, and a .22 caliber rifle with 50 round clips. While at the party, the CI took a photograph of people shooting firearms while standing near a table containing several additional firearms. The CI later provided the photograph to ATF agents.

14. The CI also took photographs of gang members who were present at the July 2010 party at the Springhorn farm. The CI later identified several of the gang members, including RAND. The CI later provided the photographs to ATF. ATF agents identified RAND in the photographs based on a comparison with an IDOC photograph of RAND.

15. During the July 2010 party, the CI observed two large lockers filled with numerous firearms, including handguns, AK-47 assault rifles, and a Tec-9 assault rifle. According to the CI, the lockers were located in a storage container in the garage at the Springhorn farm.

RAND and SPRINGHORN Distributed Firearms to Gaylords

16. According to the CI, RAND and SPRINGHORN purchase guns at gun shows in Wisconsin and distribute those guns to Gaylords, including Gaylords who (like RAND) are legally prohibited from owning firearms due to prior felony convictions. According to the CI, SPRINGHORN also allows RAND and other Gaylords who are not legally allowed to own firearms because of past felony convictions to store their guns at the Springhorn farm.

17. SPRINGHORN advertised gun shows via the Gaylord website. In a message posted to the Gaylord website on September 28, 2009 and later provided to ATF agents, "Stonegreaser GLSC" wrote, "Gun Show this coming

Saturday & Sunday in Janesville [Wisconsin] at the Fairgrounds. Anyone interested, hit me up.”

18. In a message sent to the CI via the Gaylord website on December 13, 2010³ and later provided to ATF agents, “Stonegreaser GLSC” wrote, “Next show is 14/15/16 January, so let me know.” The CI understood SPRINGHORN to be inviting the CI to the next gun show in Wisconsin where the CI could purchase guns from SPRINGHORN.

19. On January 13, 2011, at approximately 6:07 p.m., the CI sent a message to SPRINGHORN’s “Stonegreaser GLSC” user name via the Gaylord website. ATF received a copy of the message, which stated, “I [the CI] won’t be able to make it this weekend.” On January 14, 2011, at approximately 10:47 p.m., the CI received a response from “Stonegreaser GLSC.” ATF received a copy of the message, which stated, “There’s another [gun] show coming up in February, so no big thang.”

20. Gaylords understood that RAND and SPRINGHORN could obtain firearms for Gaylords who were convicted felons and unable to purchase firearms. For example, during a recorded conversation on January 4, 2011, the

³ In late 2009, after learning of SPRINGHORN’s involvement in the Gaylord website, ATF agents asked the CI to attempt to contact SPRINGHORN via the website. The CI provided ATF agents copies of the messages (including those discussed above) that he exchanged with SPRINGHORN.

CI discussed a possible gun sale with JAMES GRACE (“GRACE”), a convicted felon and the leader of the Addison, Illinois-faction of the Gaylords. GRACE agreed to sell the CI a firearm.⁴ GRACE stated, “I’ll search around for you, but if worse comes to worse, I’ll just call fucking, uh, Pee Wee [RAND] or S.G. [SPRINGHORN], see what they say, you know, because I know they got whatever we need and all we got to do is tell ‘em what we want.”

**RAND and SPRINGHORN Sold an AK-47 to the CI on December 15, 2010
(Counts One and Two)**

21. On December 11, 2010, the CI hosted a Gaylord party at the CI’s residence in Illinois. Prior to the party, ATF agents equipped the CI with a disguised audio recording device. ATF agents conducted surveillance outside of the CI’s residence during the party. The CI later explained that s/he did not use the recording device for fear of being searched by gang members.

22. On December 11, 2011, at approximately 2:31 p.m., ATF agents observed a maroon sport utility vehicle, bearing Wisconsin license plate 786PMZ, parked in front of the CI’s residence. According to Wisconsin Department of Motor Vehicle records, this license plate is registered to a maroon GMC Envoy owned by BRENDA RAND of Wilmot, Wisconsin.

⁴ On January 12, 2011, GRACE sold the CI a .38 caliber handgun. The CI wore an audio/video recording device during the transaction. At the time, GRACE was aware that the CI was convicted felon.

23. On December 12, 2010, the CI met with ATF agents to discuss the party. The CI told agents that during the party RAND offered to sell the CI an AK-47 assault rifle and two magazines for \$500. The CI stated that RAND conducted a pat down search of the CI's body prior to discussing the firearms sale. According to the CI, RAND related that the CI could be trusted because the CI had shopped with them before, which the CI understood to mean that the CI had purchased firearms from SPRINGHORN in the past. The CI told agents that RAND agreed to sell the gun to the CI on December 12, 2010. According to the CI, the sale was later postponed due to inclement weather.

24. On December 13, 2010, the CI contacted ATF agents and informed them that he/she had received a telephone call from RAND. This call was not recorded. According to the CI, RAND stated that he and SPRINGHORN would deliver the gun to the CI's house while en route to picking up another Gaylord gang member, Individual A, who was scheduled to be released from the Illinois Department of Corrections ("IDOC") facility in Jacksonville, Illinois.⁵

⁵ According to IDOC records, Individual A was released from the IDOC facility in Jacksonville, Illinois on December 15, 2010. Individual A was referred to by a street name.

25. On December 15, 2010, at approximately 8:45 a.m., the CI placed a consensually recorded telephone call to RAND.⁶ During the call, RAND stated, “we’ll be there around 11:00 or 12:00.” The CI then asked, “it ain’t no biggie if I don’t come with to pick up [Individual A]?” RAND replied, “no.”

26. At approximately 10:52 a.m., the CI placed another consensually recorded telephone call to RAND. Upon answering the call RAND asked, “what do you want now?” The CI asked whether “you guys got to run or do you want me to put on a cup of coffee?” RAND responded, “we’ll hang out for a second, but we do got to fly because we’ve got to pick Ed up too.” The CI asked, “where you at now?” RAND replied, “on our way.”

27. On December 15, 2010, the CI met with RAND and SPRINGHORN at the CI’s residence in Illinois. Prior to the meeting, agents searched the CI’s person and the portion of the CI’s residence in which the transaction was to take place for contraband with negative results. Agents then placed a disguised audio/video recording device in the CI’s residence. Agents provided the CI with \$500 in ATF funds for use in purchasing the firearm.

⁶ The identification of RAND in this Affidavit is based upon the following: First, an ATF agent reviewed the consensual audio/video recording of the transaction that occurred on December 15, 2010, as described below. Second, an ATF agent positively identified RAND from that audio-video recording based a IDOC photograph of RAND. Third, based on the ATF agent’s review of the audio-video recordings from that meeting, that agent was able to identify RAND’s voice.

28. At approximately 11:43 a.m., surveillance agents observed a silver van, bearing Wisconsin license plate DIEBOLD, parked in the driveway of the residence located one house south of the CI's residence. According to Wisconsin Secretary of State records, this license plate is registered to Diebold Goldring Tooling of Sharon, Wisconsin. According to the Diebold Goldring Tooling website,⁷ SPRINGHORN founded Diebold Goldring Tooling, USA.

29. Surveillance agents observed RAND at the door of the house and SPRINGHORN⁸ outside of the van parked outside of the CI's neighbor's house. Surveillance agents then observed the CI open the front door of the CI's house and motion for RAND and SPRINGHORN to come over to the CI's house. Agents then observed RAND walk to the CI's house. SPRINGHORN drove the van and parked it in the driveway of the CI's house. SPRINGHORN then got out of the van, opened the side passenger door, and retrieved an object from the van. Agents observed RAND and SPRINGHORN meet with the CI in front of the CI's house and enter the CI's house.

⁷ www.hsk.com (last accessed on August 19, 2011).

⁸ The identification of SPRINGHORN in this affidavit is based on the following: First, an ATF agent reviewed the consensual audio/video recording of the transaction that occurred on December 15, 2010, as described below. Second, an ATF agent positively identified SPRINGHORN from that audio/video recording based a WDOT photograph of SPRINGHORN. Third, based on the ATF agent's review of the audio/video recordings from that meeting, that agent was able to identify SPRINGHORN's voice.

30. As reflected in the audio/video recording:
- a. After Rand and SPRINGHORN entered the CI's residence, they walked into the room in which agents had set up the hidden audio/video recording device. Upon entry into the room, the CI closed the door and stated, "a little business room, huh." RAND responded, "can't be standing in front of the open window." RAND then handed the CI a clear plastic bag containing a large rifle, and a smaller plastic bag containing two magazines. The CI stated, "thank you, my friend. You got the two, okay." SPRINGHORN replied, "twenty rounds in each of 'em," which the CI understood to mean that there were twenty rounds in each of the two magazines.
 - b. The CI asked RAND and SPRINGHORN if they wanted a beer. RAND replied that he would like a beer. The CI then put the gun in a closet, and they left the room. As they left, RAND told the CI, "don't be starting Armageddon neither, mother fucker."
 - c. RAND, SPRINGHORN, and the CI then went into another room to talk over a beer. During the conversation, RAND told the CI that the CI was only getting the gun because "it was going anyway," which the CI understood to mean that RAND had wanted to sell the gun.

31. At approximately 11:56 a.m., surveillance agents observed the silver van leave the CI's residence. Shortly thereafter, agents received a call from the CI to inform them RAND and SPRINGHORN had left. ATF agents subsequently returned to the CI's residence and retrieved a clear plastic bag containing a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, and a plastic bag containing two magazines each loaded with twenty rounds of 7.62 x 39 caliber ammunition.⁹ Agents also turned off and retrieved the audio/video recording device.

32. According to an ATF agent who conducted an interstate nexus analysis, the DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, was not manufactured within the state of Illinois.

33. On December 17, 2010, at approximately 10:27 a.m., the CI placed a recorded telephone call to RAND. During the call, RAND discussed having been paroled from Jacksonville state prison in 1999. The CI stated, "you got out in '99, I went in [to prison] in '99." RAND responded, "yeah." The CI later stated, "thanks again for the baseball card [AK-47], you know, Wade Boggs, nice for my collection." RAND responded, "that's cool bro, don't trip." The CI stated,

⁹ Agents submitted the gun to the ATF lab for fingerprint analysis. The results are pending.

“you know, you made a comment earlier about that, um, that card, that the only reason, uh, is because it was going anyway, is the only reason I got it . . . that motherfucker ain’t dirty in any way, shape or form [used in any crimes], is it?” RAND responded, “no, if I did, I would have told you from the get [beginning], and you would have got it [the AK-47] at a way bigger discount than you got it [if it had been used in crimes] . . . No, we already took it to a couple of trade [gun] shows, you know what I mean, so it was going [to be sold] anyway, you know what I mean, but the price I had on it at the trade [gun] shows was higher than the price you paid for.” RAND later explained, “my whole collection has been authenticated [none of RAND’s guns have been used in crimes.]”

34. On or about February 13, 2011, the CI had a conversation with RAND at the CI’s residence. The CI was wearing a disguised audio recording device. During the conversation, RAND mentioned that the following day was SPRINGHORN’s birthday and discussed a birthday present that he had purchased. The CI asked RAND, “he [SPRINGHORN] ain’t gonna have no problem with me bringing black betty [the AK-47] up there [to shoot at the Springhorn farm] this summer, right?” RAND replied, “Not at all, dude. That’s home for it anyway.” The CI understood RAND to mean that the AK-47 that the CI purchased from RAND on December 15, 2010 came from the Springhorn farm.

SPRINGHORN Sold the CI AK-47 Ammunition on February 18, 2011 (Count Three)

35. On February 13, 2011, at approximately 9:45 p.m., SPRINGHORN sent the CI a text message from telephone number 414-870-0771.¹⁰ ATF received the message, which stated, “Brother, got food 4 ur long toy, \$25/100 or \$100/1000 mags r \$15 ea. For 30 rounders. 712.” The CI understood the message to mean that SPRINGHORN had some ammunition for the AK-47 that the CI had purchased from RAND and SPRINGHORN on December 15, 2010.

36. On February 15, 2011, at approximately 10:54 a.m., “Stonegreaser GLSC” posted a message on the Gaylord website advertising the sale of ammunition. ATF received a copy of the post, which lists the price for various types of 7.62 x 39 caliber ammunition:

- i. 7.62 x 39 DDR manufactured, steel-cased, FMJ, M43 84 Headstamped Corrosive, 112 10 round blister packs per case, have one case, \$115.00. SOLD
- ii. 7.62 x 39 DDR manufactured, steel-cased, M43 Ub, 86 Headstamped, Corrosive, bullet is a 63 gr. copper-plated steel

¹⁰ According to cell phone records, this telephone number is registered to H & D Trading, Ltd.. According to Wisconsin Department of Financial Institutions records, H & D Trading was registered to SPRINGHORN N728 Peters Road, Sharon, Wisconsin but administratively dissolved on March 10, 2008.

jacket with plastic core. Works well in AK rifles but is iffy in SKS rifles. Designed to be intermediate-range practice ammo for the AK. 112 10 round blister packs per case, have one case, \$100.00.

- iii. 7.62 x 39 Chinasport (Norinco) Steel-cased, non-corrosive, FMJ, commercially packaged. Have 4 crates of 60 20 round boxes, \$120 per crate.
- iv. 7.62 x 51 Chinasport (Norinco) Steel-cased, non-corrosive, copper-washed, commercially packaged. Have 4 crates of 28 20 round boxes, \$170 per crate.
- v. 7.62 x 51 Argentine (NATO spec) Brass-cased, not listed as corrosive, but I have no way to guarantee it. FMJ. Assuming it's Berdan-primed, could be wrong. Have 3, 1K crates, 20 rounds per box, In a rubber bag. \$300.00 each.

37. On February 15, 2011, at approximately 8:04 p.m., SPRINGHORN sent the CI another text message. ATF received a copy of the message, in which SPRINGHORN wrote, "so the bars [ammunition] are in 1200 piece crates, \$120 per crate. You want 2 of those, i can throw in 6 of the 30's for \$50."

38. According to the CI, during a subsequent unrecorded telephone call, SPRINGHORN suggested that he meet the CI at the Moose Lodge in River

Forest, Illinois on February 18, 2011 to conduct the ammunition sale. The CI explained that Gaylords gang members were having a party at the Moose Lodge that night, and SPRINGHORN suggested that he deliver the ammunition to the CI in the parking lot during the party.

39. On February 17, 2011, at approximately 6:22 p.m., the CI placed a consensually recorded telephone call to SPRINGHORN at the direction of ATF agents. During this call, the CI stated, “instead of [meeting] at the Moose, I was thinking even better, how about I get out to Mount Prospect early tomorrow . . . and you could just meet me there . . . to take care of the baseball cards [conduct the ammunition transaction] there, and I’ll ride with you to the Moose.” The CI explained, “I think that would be better because how do we know who’s at Bullwinkle’s [Moose Lodge], you know what I’m saying.” SPRINGHORN stated, “yeah, that should work . . . let me give you a call around lunch time tomorrow.”

40. On February 18, 2011, ATF agents met the CI at a location near the CI’s residence in Illinois. At approximately 5:30 p.m., an ATF agent searched the CI for contraband, with negative results. Agents gave the CI \$350 in ATF funds to purchase the ammunition from SPRINGHORN. An ATF agent then equipped the CI with disguised audio and video recording devices. Agents instructed the CI to turn on the recording devices prior to SPRINGHORN’s arrival at the CI’s residence.

41. At approximately 6:00 p.m., agents drove the CI to the CI's residence and established surveillance in the area. The CI subsequently informed agents that the CI had received a text message from SPRINGHORN and that SPRINGHORN would arrive at about 8:00 p.m.

42. At approximately 7:30 p.m., agents met with the CI inside of the CI's residence. Upon arrival, an ATF agent turned off the recording devices and again searched the CI for contraband, with negative results. Agents then searched the garage area of the CI's residence for contraband, with negative results. Agents placed a disguised transmitting device in the CI's garage, and turned on the transmitting device and the audio and video recording devices on the CI's person. Agents then proceeded into the basement of the CI's residence.

43. Approximately five minutes later, SPRINGHORN arrived. After the CI opened the garage door, s/he saw SPRINGHORN and another individual, who identified himself as "Little Dillinger," each carry a wooden box out of the side of SPRINGHORN's van. As reflected in the audio/video recording,¹¹ the CI told them where to put the boxes of ammunition: "Right there in that, uh—hey, you read my mind, brother." According to the CI, SPRINGHORN then handed him a plastic bag containing the magazines. The CI placed the magazines atop the wooden boxes, and placed a sheet over them. The CI then handed

¹¹ Because the sale took place at night, little can be seen on the video recording.

SPRINGHORN \$350 in payment for the ammunition and magazines. As reflected in the audio/video recording, SPRINGHORN states, “thanks so much, man.” Moments later, a van door can be heard sliding shut. The CI then stated that he was riding with them, and asked that they wait while he locked up the house. The CI returned to the kitchen and took off the still-activated audio/video recording device. According to the CI, s/he then left with SPRINGHORN and drove to a Gaylord party in River Grove.

44. At approximately 8:15 p.m., the CI notified agents that the transaction was complete. Agents then left the basement area and went to the garage. Agents then turned off the transmitting device and recovered two wooden crates containing 2,400 rounds of 7.62 caliber ammunition manufactured by North China Industries (NORINCO) and a plastic bag containing six 50-round magazines. Both the wooden crates and the individual boxes of ammunition were stamped, “Made in China.”

RAND Sold a Rifle and a Shotgun to the CI on June 16, 2011 (Counts Four and Five)

45. On June 15, 2011, at approximately 4:04 p.m., the CI placed a consensually recorded telephone call to RAND. During the call, RAND stated that he was “checking something out to make sure I want to bring it to ya . . . I’ll bring you the one [firearm] with the other goodies.” RAND and the CI then

discussed where and when they would meet the following day. The CI suggested, "you can just stop by my house if you want, that would be easier, that way nobody knows our business." RAND then stated, "another thing I was going to ask you, now look it, that one golf club, cause I know that sometimes, you know, because of that club foot of yours, you got to duck down, did you want that handle cut down on it a little bit, for your swing, or did you just want to leave it the way it is [does the CI want RAND to saw off the rifle's barrel]." The CI understood RAND to be offering to saw off the barrel of a shotgun. The CI responded, "I can't answer that question right now. I'd have to wait until, uh, I go up by SG's [SPRINGHORN's farm], I go golfing with SG [shooting with SPRINGHORN]. He's the only one I'm going to let do something like that." RAND stated, "well no shit, sherlock, that's why I was asking." RAND stated that he would call the CI in the morning. The CI asked, "what should I be ready for on my end." RAND stated, "you're probably looking at around four [\$400], and that covers the two golf clubs [firearms] and the one that I'm going to bringing you."

46. On June 16, 2011, at approximately 11:12 a.m., the CI received a consensually recorded telephone call from RAND. RAND stated, "I'm going to be hours bro, I can't even get a hold of SG yet." At approximately 12:40 p.m., the CI received another telephone call from RAND. During the call, RAND stated,

“it’s not looking good for today . . . I got the one part of it that I told you I’d bring, but I got to get out by yours to grab the golf clubs, and he’s [SPRINGHORN] got his partner out here from Germany, so I don’t know where he’s at.” During the call, the CI stated, “I’m gonna throw you an extra fifty [\$50], an extra bill for the drive [from Wisconsin to Illinois], by the way.”

47. At approximately 3:57 p.m., the CI received a telephone call from RAND. The call was recorded. RAND stated, “I’m out at the driving range right now.” The CI understood RAND to be referring to SPRINGHORN’s farm. RAND asked for the CI’s address, and stated, “you’ll see me tonight sometime.”

48. Prior to the CI’s meeting with RAND, agents searched the CI’s person and the CI’s residence for contraband with negative results. Agents then provided the CI with an audio recording device and instructed the CI to turn the recording device on when RAND arrived. Agents also provided the CI with \$500 in ATF funds for use in purchasing the firearms and marijuana.

49. At approximately 8:26 p.m., the CI received a call from RAND. RAND stated that he was in front of a specific address. The CI replied, “you’re in front of my house then, brother. . . . I’ll come open up.”

50. At approximately 8:30 p.m., the CI met with RAND and BRENDA RAND at the CI’s residence in Elmwood Park, Illinois. At approximately 8:30

p.m., surveillance agents observed RAND and BRENDA RAND¹² arrive at the CI's residence in a dark-colored vehicle bearing Wisconsin license plate 786PMZ.¹³ Agents then observed RAND and BRENDA RAND enter the CI's residence.¹⁰

51. RAND told the CI, "that's a fucking Marlin Magnum," which the CI understood to be referring to the .12 gauge shotgun that RAND was going to sell the CI. BRENDA RAND stated, "they're both out there [the rifle and shotgun are outside] . . . bring that blanket." The CI then asked, "what were you telling me about cutting down [creating a sawed-off shotgun] yesterday on the phone? I almost wanted to hang up on you." Brenda Rand responded, "well you guys were working out conversation." RAND asked if the CI "want[ed] one like that or one that he can carry under a coat." The CI responded, "well I would like one long at least, but isn't that like an extra federal fucking case." RAND explained,

¹² The identification of BRENDA RAND in this Affidavit is based on the following: First, surveillance agents identified BRENDA RAND from a WDOT photograph. ATF agents were able to identify BRENDA RAND's voice based on a consensually recorded telephone call between RAND and the CI during which BRENDA RAND spoke to the CI.

¹³ According to Wisconsin Secretary of State records, this license plate is registered to Brenda Rand of Wilmot, Wisconsin. Agents previously observed this car at a party at the CI's residence on December 10, 2010.

¹⁰ As reflected in the audio recording, after RAND and BRENDA RAND entered the CI's residence, RAND told the CI that the suspect marijuana should weigh "somewhere in the vicinity of 28.9 [grams]." The CI then weighed the suspect marijuana using a scale and found that it weighed approximately 28.3 or 28.4 grams.

“oh, this one is long.” The CI continued, “not that I’m worried, god forbid, if I ever get fucking popped [arrested].” RAND stated, “it’s a different case . . . it’s a case where it depends on how much you took off.” The CI replied, “even the stock? I thought it was just the barrel and even then I thought you had so many inches to play with?” RAND explained, “it’s got to have 18 inches.”

52. The CI told RAND, “I’m off parole after midnight tonight, brother.” RAND asked, “is that what you’re waiting on?” The CI responded, “fuck yeah . . . I thought I’d be off as of midnight already, cause of June 16 . . . but they [IDOC] still got me in the computer.” RAND asked, “when was the last time you seen your P.O. [parole officer].” The CI responded, “3 to 4 weeks ago, she said I’ll never see her again, she said don’t ever call again.” RAND stated, “you’re off now, [but] they’re going to have you on the computer for months after.” The CI replied, “oh, I thought they took you off right away now.”

53. The CI later asked RAND, “did you bring me any ammo?” RAND replied, “no . . . [but] I thought about it.” The CI then counted out \$500 and handed it to RAND as payment for the guns and marijuana. BRENDA RAND stated, “I know what I’m going to do that [bring the guns from the car to the CI’s apartment], wait listen, you know that material that I have in the back, I’m going to wrap them in that material and I’m going to tell you, I got some material I got to bring in . . . what it is like a throw for a couch or whatever.”

The CI responded, “I’ve got one of twenty feet of baby blue fleece.” BRENDA RAND stated, “no, I’m just pretending to bring it in, I need something to wrap them in.” BRENDA RAND explained, “see, what I’m doing is I’m using it to wrap the pieces [rifle and shotgun] and bring it in like I’m bringing you some fabric.” BRENDA RAND then left the apartment.

54. At approximately 8:45 p.m., surveillance agents observed BRENDA RAND exit the CI’s apartment and return to the dark-colored vehicle. Agents observed BRENDA RAND retrieve a white-colored object and return to the CI’s residence.

55. As reflected in the audio recording, BRENDA RAND then returned to the CI’s apartment. According to the CI, when she returned, BRENDA RAND was carrying a blanket with something wrapped inside of it. The CI then unwrapped the blanket and found a rifle and a shotgun. As reflected in the audio recording, BRENDA RAND stated “that was a good trick.” The CI responded, “yes, it was, it looked like you were coming in for something for the house.” The CI asked, “how many shots is this, a six-shot?” RAND responded, “I think it’s a six-shot.” The CI stated, “alright beautiful, awesome, beautiful.” BRENDA RAND asked the CI, “aren’t they gorgeous?” The CI replied, “I love six-shot shotgun.” RAND explained to the CI, “just so you know, I didn’t make a goddam penny off of either one of them, seriously, I didn’t make a goddam

penny off of either one of them . . . the Marlin [shotgun] is worth a deuce and a half [\$250] by itself.” The CI asked, “do they make extension clips for this one?” referring to the .22 caliber rifle. RAND replied, “no, fuck, it’s a five-shot.” RAND later explained that “it’s a .22 [caliber], it’s a Romanian military rifle.”

56. Prior to leaving the CI’s apartment, RAND asked the CI, “are you happy?” RAND stated, “I don’t mind letting it go if it stays in the family [within the Gaylords].”

57. At approximately 9:00 p.m., surveillance agents observed RAND and BRENDA RAND leave the CI’s residence. The CI subsequently called an ATF agent and reported that s/he had completed the transaction and that RAND and BRENDA RAND had left. Agents returned to the CI’s residence and turned off the audio recording device. Agents also retrieved: (1) a Century Arms International .22 caliber bolt action rifle, model M 199, bearing serial number M6909625; (2) a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946; and (3) approximately 28 grams of green leafy substance that appeared to be marijuana.

58. According to an ATF agent who conducted an interstate nexus analysis, neither the Century Arms International .22 caliber bolt action rifle, model M 199, bearing serial number M6909625 nor the Marlin Firearms

Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, were manufactured within the state of Illinois.

59. On July 16, 2011, the CI attended a Gaylord party at a residence in Addison, Illinois. The CI wore a disguised audio recording device during most of the party. During the party, the CI spoke with RAND about firearms. The CI told RAND that he had an AK-47, six .38 caliber handguns, a 9mm handgun, and several rifles, and that he would like to store his guns at the Springhorn farm. RAND asked, “so what are you saying, like ten of ‘em [firearms]?” The CI replied, “fourteen [14 firearms].” RAND stated, “alright, I’ll call him and ask him.” RAND explained, “I don’t think he’d have a real big problem with it, but I’ll check it out.” The CI asked if anyone would use the guns if the CI stored them at Springhorn’s. RAND replied, “no, not at all dude. First of all, anything you take up there, nobody fucks, nobody can fuck with your shit dude. If you had 1,267 rounds when you dropped it off, you’d have 1,267 rounds when you went back.”

60. During the conversation, the CI asked RAND about the .22 caliber rifle that he purchased from RAND on June 16, 2011. The CI asked RAND, “you’re positive the .22 you sold me does, will not take any type of extension clip whatsoever?” RAND replied, “SG [SPRINGHORN] said it won’t. Cause it’s from Romania. He could probably find one, you just gotta look for it. You’d have to

go to the gun shows and shit and find one that somebody, that somebody had a ten-shot and maybe a little 20-shot banana, a little 20-shot banana clip or something but it's still a bolt action, you know what I mean?" RAND also told the CI, "if I didn't need the money, I'd never sold none of my shit, dude."

61. On July 21, 2011, the CI met GRACE, the reputed leader of the Addison faction of the Gaylords street gang, at GRACE's residence in Addison, Illinois. Prior to traveling to GRACE's residence, ATF agents outfitted the CI with a disguised audio recording device. Agents then observed the CI travel to and enter GRACE's residence. As reflected on the audio recording, GRACE and the CI discussed traveling to the Springhorn farm in Wisconsin to shoot guns. GRACE stated, "I'm going to be pitching in for ammunition and shit. I need someone that's going with a FOID card though and Joe ain't going and I don't think Bear can go." The CI asked, "oh, to Wisconsin? SG's [SPRINGHORN's]?" GRACE stated, "yeah, but I want somebody here that like to drive my bulldog, you know, and I don't want to drive with it unless someone's got a gun card." The CI understood GRACE to mean that GRACE did not want to bring his gun to Wisconsin unless someone in the car had a firearms owners identification ("FOID") card in case they got pulled over. According to the CI, GRACE wanted to travel to SPRINGHORN's because GRACE had recently been released from parole.

62. On July 23, 2011, at approximately 9:00 a.m., the CI informed an ATF agent that GRACE and several other Gaylords were going to travel to the Springhorn farm in Wisconsin to shoot guns. According to the CI, GRACE invited the CI to come with, and the CI accepted his invitation. An ATF agent then met the CI and searched the CI's person for contraband, with negative results. The agent then gave the CI \$1,200 in ATF funds for use in purchasing firearms. The agent also equipped the CI with a disguised audio recording device, and activated the device.¹¹ At approximately 10:00 a.m., the agent then drove the CI to a residence in Villa Park, Illinois, where the CI met GRACE and Gaylords before driving to Wisconsin.

63. According to the CI, upon entering the residence, the CI was greeted by GRACE, RAND, and other Gaylords. While they waited for another Gaylord gang member to arrive, the CI spoke with RAND about a Glock pistol that RAND had at the Springhorn farm. The CI then drove with GRACE, RAND, and the others to the Springhorn farm in Wisconsin. Upon arrival, everyone gathered in a picnic area near a shed that contained gun lockers. During the next few hours, RAND and SPRINGHORN went into the lockers and brought out various types of firearms, including a .44 caliber Magnum revolver, a 9mm

¹¹ Due to a mechanical malfunction, the recording device did not work. None of the events that occurred on July 23 were recorded.

Glock, a .25 caliber Ravens Arms pistol, and a .38 caliber revolver. GRACE, RAND, Individual C,¹² and others took turns shooting the guns.¹³

64. According to the CI, the CI told RAND that the CI had gone to the bank, by which the CI meant he had obtained money to buy guns. RAND stated that he would get the gun from SPRINGHORN. The CI then observed RAND speak with SPRINGHORN, after which both RAND and SPRINGHORN entered the gun shed. Shortly thereafter, RAND and SPRINGHORN came out. When they did, RAND was carrying a .38 caliber revolver. According to the CI, when GRACE saw RAND bring the gun to the CI, GRACE stated that he wanted to buy the gun and complained that the CI had enough guns. GRACE did not have any money, but asked to buy the gun from RAND on an installment plan. The CI suggested that the CI would buy the gun from RAND for \$200, and that the CI and GRACE could both own the gun. GRACE agreed to allow the CI to purchase the gun for both the CI and GRACE to own.

65. The CI then paid RAND \$200 for the .38 caliber revolver. RAND told the CI that the gun was a “throw away” [a cheap, low-quality gun]. GRACE and the CI shot the gun several times that day to make sure it worked properly.

¹² NCIC records reflect that Individual C is a convicted felon.

¹³ Although the CI had been advised by an ATF agent prior to departure not to engage in any illegal behavior, the CI also shot guns while at the Springhorn farm on July 23.

66. According to the CI, later that day, the CI drove with RAND and Individual C to a nearby Walmart to purchase food and 9mm caliber ammunition. They then returned to the Springhorn farm and shot RAND's 9mm Glock handgun until they ran out of ammunition. RAND told the CI that RAND keeps all of his guns at the Springhorn farm. RAND also told the CI that the two rifles that the CI recently purchased from RAND had been stored in SPRINGHORN's shed. The CI understood RAND to be referring to the rifles that the CI purchased from RAND on June 16.

67. According to the CI, Individual C retrieved a .25 caliber Raven Arms semi-automatic pistol from a hidden compartment of an SUV, and shot the gun. While Individual C was shooting, the gun broke. SPRINGHORN examined the gun and concluded that it had a broken firing pin. Individual C and GRACE left the .25 Raven, which the CI understood to be a Gaylord nation gun, with SPRINGHORN to be repaired.

68. According to the CI, SPRINGHORN stated that "Player" stored a number of AK-47 assault rifles in SPRINGHORN's shed, as well as a number of handguns in a safe within the shed. The CI identified "Player" as Individual B. According to NCIC records, Individual B is a convicted felon.¹⁴

¹⁴ During a consensually recorded conversation with the CI on October 5, 2010, Individual B discussed shooting an AK-47 assault rifle at "SG's [SPRINGHORN's farm] in July 2010. During the conversation, Individual B also talked about going to

69. According to the CI, before leaving the Springhorn farm, the CI and Individual C hid the .38 caliber revolver that the CI and GRACE had purchased in the hidden compartment in the SUV. The CI placed the gun in white gym sock prior to placing it in the hidden compartment. The CI and Individual C left the Springhorn farm in the SUV at approximately 7:00 p.m.

70. At approximately 10:35 p.m., the CI contacted an ATF agent and informed him that the CI had purchased a gun. The agent later met the CI, and retrieved the recording device, the gym sock, and an RG Industries model RG31 .38 Special revolver, with an obliterated serial number.¹⁵

Methods of Illegal Firearms Traffickers

71. As a result of my law enforcement experience and investigation, and my discussions with other experienced law enforcement officers, I am familiar with the ways in which firearms traffickers conduct their business, including their methods of obtaining and distributing firearms and their use of codes and code words to conduct their weapons sales in secret. Based on this training and experience, I am aware of the following:

“gun shows in Wisconsin with SG [SPRINGHORN].”

¹⁵ ATF agents submitted the gun to the ATF lab for fingerprint analysis, but the results are not yet available.

72. It is common for firearms traffickers to secret illegal firearms, contraband, records of illegal weapons sales, gun sources, and customers in secure locations within their residences, offices, garages, storage buildings, storage sheds, safes, and other locations to conceal such items from law enforcement.

73. Firearms traffickers commonly maintain addresses and telephone numbers in books, papers, cellular telephones, and computers that reflect names, addresses, and telephone numbers for firearms sources and customers and gun trafficking associates.

74. Firearms traffickers commonly maintain books, ledgers, computer printouts, and other documents regarding illegal firearm sales and acquisitions.

75. Firearms traffickers commonly carry loaded firearms as protection, and store and conceal firearms and ammunition in locations they control or own, including their residence, garages, and storage facilities.

SPECIFICS REGARDING SEARCHES OF COMPUTER SYSTEMS

76. Based upon my training and experience, and the training and experience of specially trained computer personnel with whom I have consulted, searches of evidence from computers commonly require agents to download or copy information from the computers and their components, or remove most or all computer items (computer hardware, computer software, and

computer-related documentation) to be processed later by a qualified computer expert in a laboratory or other controlled environment. This is almost always true because of the following:

- a. Computer storage devices can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he or she often stores it with deceptive file names. This requires searching authorities to examine all the stored data to determine whether it is included in the warrant. This sorting process can take days or weeks, depending on the volume of data stored, and it would be generally impossible to accomplish this kind of data search on site.
- b. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. The search of a computer system is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover even hidden, erased, compressed, password-protected, or encrypted files.

Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis.

77. In order to fully retrieve data from a computer system, the analyst needs all storage media as well as the computer. In cases involving child pornography where the evidence consists partly of graphics files, the monitor(s) may be essential for a thorough and efficient search due to software and hardware configuration issues. The analyst needs all the system software (operating systems or interfaces, and hardware drivers) and any applications software which may have been used to create the data (whether stored on hard disk drives or on external media).

PROCEDURES TO BE FOLLOWED IN SEARCHING COMPUTERS

78. The warrant sought by this Application does not authorize the “seizure” of computers and related media within the meaning of Rule 41(c) of the Federal Rules of Criminal Procedure. Rather the warrant sought by this Application authorizes the removal of computers and related media so that they may be searched in a secure environment.

79. With respect to the search of any computers or electronic storage devices seized from the location identified in Attachment A hereto, the search

procedure of electronic data contained in any such computer may include the following techniques (the following is a non-exclusive list, and the government may use other procedures that, like those listed below, minimize the review of information not within the list of items to be seized as set forth herein):

- a. examination of all of the data contained in such computer hardware, computer software, and/or memory storage devices to determine whether that data falls within the items to be seized as set forth herein;
- b. searching for and attempting to recover any deleted, hidden, or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein (any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offenses, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offenses specified above);
- c. surveying various file directories and the individual files they contain to determine whether they include data falling within the list of items to be seized as set forth herein;

- d. opening or reading portions of files in order to determine whether their contents fall within the items to be seized as set forth herein;
- e. scanning storage areas to discover data falling within the list of items to be seized as set forth herein, to possibly recover any such recently deleted data, and to search for and recover deliberately hidden files falling within the list of items to be seized; and/or
- f. performing key word searches through all storage media to determine whether occurrences of language contained in such storage areas exist that are likely to appear in the evidence described in Attachment B.

80. The government will return any computers or electronic storage devices seized from the residence described in Attachment B hereto within 30 days of the seizure thereof, unless contraband is found on the seized computer and/or electronic storage device.

CONCLUSION

81. Based on the foregoing, I believe there is probable cause to believe that on or about December 15, 2010, RAND and SPRINGHORN, did knowingly sell in and affecting interstate commerce a firearm, namely, a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm had traveled interstate commerce, to a person knowing or having

reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count One).

82. Based on the foregoing, I believe there is probable cause to believe that on or about December 15, 2010, RAND, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely a DC Industries, Inc., model NDS-3 7.62 x 39 caliber assault rifle, bearing serial number 3000286, which firearm was in or affecting interstate commerce in that the firearm had traveled interstate prior to the RAND's possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1) (Count Two).

83. Based on the foregoing, I believe there is probable cause to believe that on or about February 18, 2011, SPRINGHORN, did knowingly sell in and affecting interstate commerce ammunition, namely, 2,400 rounds of NORINCO 7.62 caliber ammunition, which ammunition had traveled interstate and foreign commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count Three)

84. Based on the foregoing, I believe there is probable cause to believe that on or about June 16, 2011, RAND and BRENDA RAND did knowingly sell in and affecting interstate commerce a firearm, namely, Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, which firearms had traveled interstate commerce, to a person knowing or having reasonable cause to believe that such person had been convicted of a crime punishable by imprisonment for a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(d)(1) and 2 (Count Four)

85. Based on the foregoing, I believe there is probable cause to believe that on or about June 16, 2011, RAND, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing possessed in and affecting interstate and foreign commerce a firearm, namely Century Arms .22 caliber model M199 bolt action rifle, bearing serial number M6909625, and a Marlin Firearms Company model 120 Magnum .12 gauge shotgun, bearing serial number A47946, which firearms were in or affecting interstate commerce in that the firearm had traveled interstate prior to the RAND's possession of the firearm, in violation of Title 18, United States Code, Section 922(g)(1) (Count Five).

86. Based on the foregoing, I believe there is probable cause that evidence of violations of 18 U.S.C. Section 922(a)(1), 922(d)(1), 922(g)(1), and 2, as further described in Attachment B, will be found at the single family residence and adjoining buildings located at N728 Peters Road, Sharon, Wisconsin (the “Springhorn farm”), as described further in Attachment A.

FURTHER AFFIANT SAYETH NOT.

LARISSA K. BACCUS
Special Agent, Bureau of Alcohol,
Tobacco, Firearms, & Explosives

Subscribed and sworn before me on August 22, 2011.

MARIA VALDEZ
United States Magistrate Judge