

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RECEIVED IN THE CHAMBERS OF

~~AUG 08 2012~~

HON CATHY L WALDOR

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
v. :
RYAN KRIEGER : Mag. No. 12-7227 (CLW)

I, Robert Breunig, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about the dates set forth on Attachment A, in the District of New Jersey, the defendant, RYAN KRIEGER:

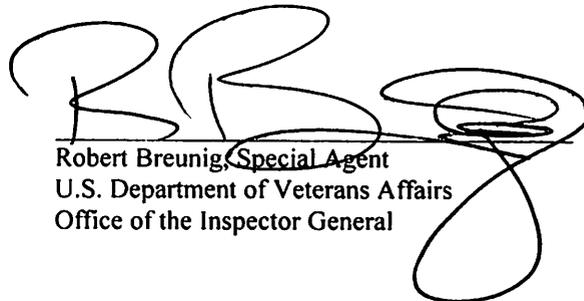
SEE ATTACHMENT A

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Sections 1512(c)(2) and 2.

I further state that I am a Special Agent with the U.S. Department of Veterans Affairs, Office of the Inspector General, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.


Robert Breunig, Special Agent
U.S. Department of Veterans Affairs
Office of the Inspector General

Sworn to before me and subscribed in my presence,

August 8, 2012
Date

at Newark, New Jersey
City and State

HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

Count One

From on or about July 1, 2011, until on or about July 2, 2011, in Somerset County, in the District of New Jersey, and elsewhere, the defendant,

RYAN KRIEGER,

did knowingly and intentionally distribute and dispense a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, to J.Z.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

Count Two

From on or about July 1, 2011, until on or about July 2, 2011, in Somerset County, in the District of New Jersey, and elsewhere, the defendant,

RYAN KRIEGER,

did corruptly obstruct, influence, and impede an official proceeding, namely, the U.S. Department of Veterans Affairs, Office of the Inspector General's ("VA-OIG") investigation into the death of J.Z., and did attempt to do so, by lying to VA-OIG and tampering with the dead body of J.Z. to conceal his involvement in J.Z.'s death.

In violation of Title 18, United States Code, Section 1512(c)(2).

ATTACHMENT B

I, Robert Breunig, a Special Agent with the U.S. Department of Veterans Affairs, Office of the Inspector General ("VA-OIG"), having conducted an investigation and having spoken with other individuals, have knowledge of the following facts. All dates and times are approximate, and all conversations and statements are related in substance and in part:

1. In July, 2011:

a. The defendant, RYAN KRIEGER ("defendant KRIEGER"), was a military veteran and in-patient resident at the post-traumatic stress disorder ("PTSD") ward of the U.S. Department of Veterans Affairs ("VA") Medical Center in Lyons, New Jersey (the "VA Hospital").

b. R.C. was a military veteran and in-patient resident at the PTSD ward of the VA Hospital.

c. J.Z. was a military veteran and in-patient resident at the PTSD ward of the VA Hospital.

2. On July 1, 2011, defendant KRIEGER and J.Z. called a taxi and snuck out of the VA Hospital to buy heroin in Paterson, New Jersey. Once in Paterson, they withdrew \$500 from J.Z.'s bank account at an ATM machine, which was captured on surveillance video, and defendant KRIEGER purchased the heroin from a narcotics dealer in Paterson who had supplied defendant KRIEGER with heroin in the past. When defendant KRIEGER and J.Z. returned to the hospital with the heroin defendant KRIEGER had purchased, they were joined by R.C., and the three of them used the heroin in J.Z.'s room.

3. In the early hours of July 2, 2011, defendant KRIEGER, J.Z., and R.C. continued to socialize and use heroin in J.Z.'s room. J.Z. was speaking on his cellular phone with his girlfriend, A.E., while defendant KRIEGER and R.C. were watching videos and talking. Suddenly, J.Z. collapsed and lost consciousness. Neither defendant KRIEGER nor R.C. notified anybody at the VA Hospital.

4. VA Hospital staff discovered J.Z.'s dead body in his room the following afternoon. The positioning of the body led special agents with VA-OIG (the "Agents") to investigate the possibility of a suicide. New Jersey's Office of the State Medical Examiner later determined that the cause of death was "acute heroin intoxication."

5. The Agents interviewed A.E., who stated that, while

speaking with J.Z. on the phone, she heard a crashing sound followed by cries in the background of, "Jay! Wake up! Wake up!" The Agents also reviewed surveillance camera video from the PTSD ward on the dates set forth above, and they determined that defendant KRIEGER and R.C. had entered and exited J.Z.'s room both before and after J.Z.'s collapse, as measured by A.E.'s estimate of the time.

6. Upon being questioned by the Agents on August 11, 2011, concerning the events surrounding J.Z.'s death, defendant KRIEGER told material lies about his activities on the night of J.Z.'s death, including that he was smoking cigarettes with J.Z. and never left the building. When he was confronted with contradictory facts, such as surveillance video of R.C. and him withdrawing money in Paterson, he recanted and admitted to the conduct and events set forth above. Defendant KRIEGER then agreed to cooperate with the Agents' investigation.

7. In the autumn of 2011, defendant KRIEGER spoke with a cooperating witness (the "CW") on the campus of the VA Hospital. According to the CW, defendant KRIEGER admitted to the CW that he engaged in the conduct set forth above, but defendant KRIEGER additionally said that he had administered the heroin to J.Z., and that when J.Z. appeared to overdose, defendant KRIEGER had propped J.Z. up in his bed, in lieu of going for help, to create the appearance that J.Z. had taken the heroin himself and overdosed by himself.

8. Defendant KRIEGER has ceased cooperating with the investigation insofar as he has ceased attending appointments and programs at the VA Hospital, failed to make himself available to the Agents, and changed his address without notifying the VA.