

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

AFFIDAVIT

I, Jeffrey Weiland, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, state the following is true and correct to the best of my knowledge and belief:

1. I am a Special Agent with the FBI and have been employed in such a capacity since September 2007. I am currently assigned to the Criminal Enterprise Program, which investigates gangs, drugs, and organized crime matters. Prior to working for the FBI, I was employed as an attorney in Chicago, Illinois (2001-06) and as a law clerk to federal judges sitting on the Fifth Circuit Court of Appeals (2000-01) and the Northern District of Illinois (2006-07). The information in this complaint was obtained by me personally, from other FBI agents, and from police officers and police officers' official reports.

2. This affidavit is in support of a Complaint and Arrest Warrant for Michael Austin Leak, white male, date of birth August 11, 1990, for violations of Title 18, United States Code, Sections 371, 2113(a) and (d), and 2, Conspiracy to Commit Bank Robbery and Aiding and Abetting Armed Bank Robbery. A criminal history report shows that the Columbia, Missouri Police Department arrested Leak on one count of Stealing on January 30, 2008.

3. On Thursday, July 2, 2009, law enforcement personnel responded to a bank robbery at the Bank of Brookfield Purden located at 33332 Main, Winigan, Missouri. During the course of the investigation, it was learned that a lone white male entered the bank at approximately 9:02 a.m. The robber approached the victim teller, Cheryl Crist, and pointed a silver semi-automatic handgun at her. The robber explained to the victim teller that she was being robbed and ordered her to provide him with the money. The robber placed the U.S. currency into a black nylon bag

that he had brought into the bank with him. The robber then pointed the pistol at two other occupants inside the bank prior to his exit. The robber was described as being a white male, 5'9" to 5'10," wearing a dark colored T-shirt with blue jeans and a camouflaged turkey hunting style mask.

4. After leaving the bank, the robber was observed leaving the area in a vehicle resembling a 1992 white Buick four-door sedan. A second person was observed inside the vehicle and was described as being a white male who was taller and skinnier than the robber.

5. The deposits of the Bank of Brookfield are insured by the FDIC. The loss sustained from the bank robbery was \$25,561.

6. On July 9, 2009, Corporal Brad Ream, Missouri State Highway Patrol, provided SA Kurt Lipanovich with the following information:

A. On July 9, 2009, Corporal Ream displayed a photo line up comprised of 6 photographs, including a photograph of William Alan Wolfe, to John Crist. Crist a distant relative of the victim teller, Cheryl Crist. Crist picked out the photograph of Wolfe as the driver of the vehicle he observed on the morning of July 2, 2009, about a half a mile from Winigan, Missouri. Crist was certain of his identification of Wolfe.

B. On July 2, 2009, at about 8:15 a.m., Crist was driving west on Lama Road and started to turn south on to Melon Drive, but was prevented from doing so by a vehicle parked in the middle of the road. It should be noted both roads are narrow gravel country roads. Crist described the vehicle blocking the road as a 1990s model white Buick with two white males.

C. When Crist started to turn onto Melon, he saw the driver was out of the car looking into the trunk. The driver then returned to the driver's seat and the passenger got out and went to

the trunk. The passenger rummaged around in the trunk for a couple of minutes, during which time Crist clearly observed the driver from a distance of approximately 75 feet. The passenger then returned to the passenger seat and the vehicle started up and headed east toward the town of Winigan.

7. A Google Maps search was conducted that determined the time it would take to travel from the Bank of Brookfield Purden located at 33332 Main, Winigan, Missouri, to William Alan Wolfe's residence located at 6801 County Road 424, Fulton, Missouri. The Google Maps search indicated such a trip would take an estimated 3 hours and 15 minutes.

8. On July 7, 2009, law enforcement personnel responded to a bank robbery at Community State Bank, located at 300 East Hazel, Clarence, Missouri.

9. On July 7, 2009, SA Keith Kohne interviewed Megan Hillard, bank teller for the Community State Bank. She provided the following information:

A. At approximately 9:30 a.m., on July 7, 2009, a white male, hereafter referred to as the robber, entered the bank. He approached Hillard at the teller's counter. The robber was wearing a silver-colored mask that covered his face and head but not his neck. He was carrying a silver, semi-automatic handgun and black duffle bag. The robber provided the bag to Hillard and instructed her to place the money in the bag. Hillard did as instructed and placed U.S. currency in the bag. The robber then asked to get into the vault but Hillard and Kenneth Spencer (another employee of the bank) told him that they could not access the vault. The robber then exited the bank.

B. Hillard described the robber as a white male, approximately 6' tall with a thin build. Through the robber's mask, Hillard could see that he had strawberry-blonde facial hair.

He was wearing a dark-colored, short-sleeved t-shirt and black jogging pants with white stripes down the sides.

10. At approximately 10:30 a.m., on July 7, 2009, Robert Hall provided a written statement to Dennis Perrigo, Clarence Police Sheriff. Hall reported that:

A. On July 7, 2009, he observed a male running in front of him, wearing a short-sleeved black shirt and black pants and carrying a black duffle bag. The male was 6' tall with a skinny build and his hair was short in length. The male ran into a funeral home parking lot and entered the passenger side of a white, 1990s model Pontiac Bonneville with damage to the front end. The vehicle was occupied by a driver. The vehicle left the parking lot and drove East on Hazel Street then turned on Business 36.

11. Beth Rickerson, Cashier and Security Officer for the bank reported that the loss to the bank as a result of the robbery was \$4,700.69. Kenneth Spencer, Bank Manager, advised that the deposits located within the bank are insured by the FDIC under certificate number 22567-3, effective August 8, 1994.

12. On July 9, 2009 Lieutenant Michael Platte of the Missouri State Highway Patrol spoke with Russell D. Chittum. Chittum works at the D&B Market, 219 East Chestnut, Clarence, Missouri. D&B Market is located about three blocks from the Community State Bank. Chittum said he was working at the store on the morning of July 7, 2009. While he was working, he observed two customers enter the business at approximately 8:30 a.m. Chittum had brief conversation with the two customers while they were inside the business.

13. Lt. Platte asked if Chittum might recognize the persons if he saw them again. Chittum said he would. Lt. Platte provided Chittum with a photo lineup consisting of six

individuals including William Alan Wolfe. The lineup was developed from Missouri Department of Revenue drivers license photographs. Chittum immediately identified the photograph of Wolfe as the individual he saw in the store on July 7, 2009. Chittum said he was 100% sure Wolfe was the individual he saw in the store.

14. A search was conducted that determined the time it would take to travel from the Community State Bank, located at 300 East Hazel, Clarence, Missouri, to William Alan Wolfe's residence located at 6801 County Road 424, Fulton, Missouri. The estimated travel time is 2 hours and 8 minutes.

15. On Wednesday, July 8, 2009, law enforcement personnel responded to a bank robbery at the F&C Bank located at 1006 Eagle Crest Drive, Holden, Missouri. During the course of the investigation, it was learned that a lone white male entered the bank at approximately 9:15 am. Just prior to the bank robbery, employees at the bank observed the robber attempting to enter the bank through a rear door. Then the employees called 911.

16. The robber then walked around the bank and entered through the front door. As he was entering the bank, a customer was attempting to exit the bank. The robber pointed a silver handgun at the customer and ordered him to the floor. The robber proceeded to the teller counter area and ordered the victim teller, Cheryl Hoover, to provide him with the money from the teller drawers. The robber was described as being 5'7" to 5'9" with a stocky build, wearing a camouflage turkey hunting style mask and carrying a black duffle style bag. Hoover complied with the robber's demands and provided money to him.

17. Katheleen Kephart, Bank Manager, at F & C Bank, said that the deposits at the bank are insured by the FDIC under certificate number 9378, effective July 15, 2006. The loss sustained by the bank from the robbery is \$12,060.45.

18. After leaving the bank, the robber was observed walking to 58 Highway, which is located directly in front of the bank. After a few moments, the robber was seen entering a white four-door sedan being driven by an unknown white male. The vehicle then left the area heading east on Highway 58.

19. Approximately three miles east of the bank, the vehicle was spotted by a Deputy Sheriff with the Johnson County, Missouri Sheriff's Office. The Deputy attempted to stop the vehicle by activating his lights and sirens. At that time, the passenger in the vehicle fired multiple shots from what was believed to be a rifle, at the Deputy, striking his vehicle multiple times. The Johnson County Deputy and the Chief of Police for the Holden Police Department continued to pursue the vehicle occupied by the robber. During the pursuit, while the vehicles were moving, the robber continued to shoot at the Chief of Police, striking the police vehicle in the windshield and disabling the vehicle. Law enforcement responding to the robbery and shootings were able to see the vehicle from a distance as it fled.

20. During the canvass for the robbers, a Buick LeSabre was found engulfed in flames at 518 SW 301 Road, Chilhowee, Missouri. The vehicle was in the vicinity of where the robbers were last seen fleeing. The LeSabre was secured and towed back to the FBI in Kansas City, Missouri. It was examined by KCMOPD Forensic Specialist Steven Downing. Downing was able to identify the Vehicle Identification Number (VIN) number as 971G4HP52K6VH481449. A records check indicated that the VIN is associated with a 1997 Buick LeSabre, registered to

William and Heather Wolfe, 6801 County Road 424, Fulton, Missouri. The vehicle license plates were missing. That vehicle was processed. Spent cartridge casings (.223 caliber) were recovered from the inside of the vehicle and are maintained as evidence.

21. Law enforcement continued to search for the individuals who were located in the Buick LeSabre. During the course of the investigation, a Chevy LS 4-door crew cab was reported stolen from a home located near where the burning vehicle was discovered.

22. On July 9, 2009, the Chevy LS 4-Door was located by the Missouri State Highway Patrol. It was partially submerged in the Missouri River near Boonville, Missouri. The vehicle was secured and processed.

23. On July 9, 2009, SA Leena Ramana contacted Cingular Wireless regarding cellular telephone number 573-239-0582, subscribed to by William Wolfe. SA Ramana obtained subscriber information along with cell site history for the dates of July 8, 2009 and July 9, 2009. There were no cellular calls placed or received on the target number for July 8, 2009, until 10:14 a.m, with the first cell tower reading occurring at 12:02 p.m. Analysis of the records provided the following information (times are approximate):

<u>Time:</u>	<u>Area of Cell Phone</u>
<u>July 8, 2009</u>	
12:02 p.m.	I-70 and Blackwater/Chouteau Springs
12:07 p.m.	I-70 and Boonville, Missouri
12:37 p.m.	I-70 and Highway 240
2:31 p.m. to 10:06 p.m.	Fulton, Missouri
10:37 p.m.	I-70 and Columbia, Missouri

A Google Maps search was conducted that determined the amount of time it would take to travel from the F&C Bank, located at 1006 Eagle Crest Drive, Holden, Missouri, which was robbed at approximately 9:15 a.m., on July 8, 2009, to the location at I-70 and Blackwater/Chouteau Springs is estimated to be an 1 hour and 42 minutes.

July 9, 2009

1:08 a.m.	Fulton, Missouri
2:09 a.m.	I-70 at Rocheport, Missouri
2:16 a.m.	Boonville, Missouri near Missouri River
2:27 a.m. to 3:44 a.m.	Boonville, Missouri
4:05 a.m.	I-70 and Merna, Missouri
5:00 a.m. to 5:30 a.m.	I-70 and Columbia, Missouri

Geographic plotting on the cell sites shows the cell phone moved eastbound along Interstate 70 to Fulton, Missouri, where the phone was stationary for a period of time. At approximately 1:08 a.m., the target phone traveled westbound on Interstate 70 until it reached Boonville. At approximately 2:16 a.m., the target phone was in the area where the stolen flatbed truck was recovered in the Missouri River by Missouri State Highway Patrol on July 9, 2009. The target phone left the area and returned to the Columbia, Missouri area, where it was last located at approximately 5:30 a.m.

24. During the evening of July 8 and into the morning of July 9, Wolfe had numerous calls with T-Mobile cellular telephone number 573-639-2970, subscribed to by Mike Leak. Wolfe had no other calls of significant duration during the evening of July 8 and into the morning of July 9. Based on his description in available records, Leak fit the description of a young, skinny white

male provided by witnesses at the bank robbery. On the afternoon of July 9, Wolfe's phone went off and agents could no longer track his activity. Thereafter, Agents received authorization to monitor the call activity and location for T-Mobile cellular telephone number 573-639-2970, subscribed to by Mike Leak. At approximately 9:30 p.m. on July 9, Leak's cellular telephone registered its location at the same intersection where Wolfe's cellular telephone registered at 5:30 a.m. that morning. The location is the Hotel Super 7, 1306 Range Line Street, Columbia, Missouri, Room 206. Task Force Officer John Cooley spoke with the manager and learned that Mike Leak was registered in Room 206. Leak had checked in on July 9 and paid for a week. Leak's residence is less than half a mile from the hotel. At approximately 2:00 a.m. on July 10, 2009, FBI SAs arrested Leak in Room 206 of the Hotel Super 7. Leak was transported to the Columbia, Missouri Police Department. SAs Benjamin Kinsey and Michael Mrachek advised Leak of his rights, whereafter Leak provided the following information in a written statement:

a. Approximately two weeks ago, Leak and Will Wolfe burglarized a Kentucky Fried Chicken restaurant near Boonville, Missouri. Leak identified Will Wolfe in a photograph as William Alan Wolfe, white male, date of birth April 6, 1981. After transporting the store's safe to a separate location in Wolfe's white Buick, Leak and Wolfe used a concrete saw to open it. They split the approximately \$240.00 in the safe.

b. The next day, Leak and Wolfe drove the white Buick with stolen license plates to Blackburn, Missouri. In the middle of the night, they parked the car in the rear of the bank. Leak was armed with a .38 Special with the bullets in his pocket and Wolfe had a 9 millimeter (mm) handgun. Leak walked to the front of the bank to serve as a lookout while Wolfe broke a

rear window and jumped inside the bank. When Wolfe entered the bank, an alarm sounded.

Both men ran back to the car. Leak drove the vehicle out of the area.

c. Sometime last week, Leak and Wolfe traveled to Winigan, Missouri. They parked Wolfe's white Buick near an abandoned warehouse and slept in the vehicle. They awoke at approximately 8:30 the next morning and drove around for a while. Leak and Wolfe stopped and made three firebombs, lit them and threw them in different locations. The firebombs were intended to divert attention away from the bank but none of the firebombs worked. Leak drove back to the area of the bank and parked the Buick two lots away from the bank. Leak was armed with a pellet rifle and Wolfe had a 9mm handgun. Wolfe wore a gray or orange shirt with blue jeans and a camouflage mask. Wolfe got out of the vehicle walked to the rear of the bank and cut the telephone wires. Wolfe carried a Craft brand black nylon tool bag. Wolfe entered the bank through the front door. Leak then saw Wolfe running out of the bank. Leak pulled the Buick forward, Wolfe got in, and they drove away towards Columbia, Missouri. Leak received \$2,000.00 from the robbery, Wolfe kept the rest.

d. On Monday, July 6, 2009, at approximately 10:00 p.m., Wolfe and Leak drove from Columbia to Clarence, Missouri. They parked the Buick in a graveyard near Clarence around 1:30 a.m. and slept in the vehicle. Leak again tried to make a firebomb using a beer bottle filled with gasoline and a rag. Leak threw the bottle into an abandoned house but it did not burn. Leak and Wolfe then drove to Northwestern Bank. Wolfe parked the Buick across the street from the bank. Leak was armed with an unloaded .38 Special and Wolfe had a 9mm handgun. Leak wore black pants with white stripes, a dark blue shirt and a camouflage mask. Leak walked into the bank and told the teller to fill the Craft brand nylon toolbag. The only other

person in the bank was a white male employee. Leak asked about the vault and both employees stated that they could not open it. Leak left the bank, got into the vehicle and Wolfe drove away. Leak split the money evenly, Leak kept \$2,000.00.

e. On Tuesday, July 7, 2009, at approximately 10:00 p.m., Wolfe and Leak left Columbia, Missouri in Wolfe's white Buick intending to drive to Kansas City, Kansas to rob a bank. Instead, they turned off Interstate 70 at Odessa and took Route 131, eventually arriving in Holden, Missouri, around 1:00 a.m. Leak and Wolfe parked the white Buick in a church parking lot and fell asleep. They awoke around 8:00 the next morning, Wednesday, July 8. Leak and Wolfe drove around Holden looking for police in anticipation of robbing the bank. In the white Buick at this time were a silver 9mm handgun belonging to Wolfe; a black 10mm handgun belonging to Wolfe; a black 10mm handgun with a brown grip belonging to Wolfe; a black AK-47 with a laser pointer scope belonging to Wolfe; a black AR-15 belonging to Wolfe; a black .38 Special with a brown grip belonging to Leak; and a 7mm Remington long gun belonging to Leak. At approximately 9:00 a.m., Leak dropped Wolfe off at the bank. Leak does not remember the name of the bank. Wolfe wore a gray shirt, blue jeans and a camouflage mask. Wolfe was armed with a 9mm handgun and one of the 10mm handguns. Wolfe carried the black nylon Craft bag. Leak parked in the parking lot of a nearby funeral home until Wolfe came out of the bank. When Wolfe came out, Leak drove by and picked him up. After driving a short distance, maybe a quarter of a mile, Leak heard sirens and saw a police car behind them. Leak pulled the vehicle to the side of the road. Wolfe then started to shoot the AR-15 through the back windshield at the police car. Wolfe fired seven or eight shots causing the police car to pull into the ditch. A second police car then approached them. Wolfe fired an entire magazine of ammunition at the

second police car causing it to go off the road. Leak turned off onto a country road while being pursued by a Missouri Highway Patrol Sport Utility Vehicle. Leak eventually got away from the SUV. At a farmhouse, Leak and Wolfe stole a white diesel flatbed pickup truck. They transferred everything to the new vehicle and then drove the Buick two or three miles away from the farmhouse. Using gasoline and gun powder, Leak and Wolfe burned the white Buick and drove the pickup truck to the Midway Truck Stop. Here, Wolfe gave Leak \$1,000.00 from the robbery.

f. From the Truck Stop, Wolfe drove Leak to Aaron Lorzen's (ph) residence, near 3115 Mexico Gravel Road, Columbia, Missouri. Leak's van was parked at Lorzen's residence. Wolfe called his wife, Heather Wolfe, to come pick him up at the Truck Stop. Leak slept in his van. In the afternoon of the next day, Wolfe and Leak agreed to meet at the Midway Truck Stop to dispose of the pickup truck. Around 8:00 or 9:00 p.m., Leak and his brother, Courtney Leak drove separate vehicles to the Midway Truck Stop. When they arrived, they saw a Boone County deputy and a Columbia, Missouri police officer. Courtney Leak left before Wolfe arrived at the Truck Stop for the meeting. Leak and Wolfe went to a separate location to talk. Leak and Wolfe then met up with Courtney Leak and drove Wolfe's white pickup truck to the Calloway County Fairgrounds where Leak retrieved his 7mm long gun. Wolfe also retrieved his AR-15 and AK-47 from beneath an air conditioning unit. Leak and Wolfe put the stolen license plates that had been on the white Buick used in the Holden, Missouri bank robbery under the air conditioning unit. Wolfe, Leak and Courtney Leak next traveled to the Midway Truck Stop to get the stolen white flatbed pickup truck. Leak drove the stolen vehicle to a state park near Boonville, Missouri. Wolfe placed a rock on the accelerator and pushed the stolen vehicle into the water.

g. Leak is aware that evidence of the Holden, Missouri bank robbery is located in Wolfe's storage shed located near the Calloway County Fairgrounds. Leak's 7mm long gun and .38 Special are located in the garage at Aaron Lorzen's residence.

The foregoing is true and correct to the best of my information and belief.

JEFFREY WEILAND
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me

on this _____ day of July, 2009.

HONORABLE JOHN T. MAUGHMER
United States Magistrate Judge
Western District of Missouri

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