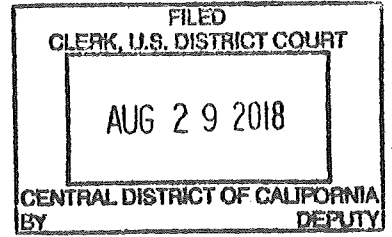


UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

GUANGYAO YANG,

Defendant(s)

Case No.

18 MJ02297

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 16, 2018 in the county of Los Angeles in the Central District of California, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 371, 875(a) Conspiracy to Commit Interstate Communications with Intent to Extort

Substance This criminal complaint is based on these facts:

Please see attached affidavit.

[X] Continued on the attached sheet.

151

Complainant's signature

Alejandra Sanchez, Special Agent, FBI

Printed name and title

STEVE KIM

Judge's signature

Hon. Steve Kim, U.S. Magistrate Judge

Printed name and title



Sworn to before me and signed in my presence.

Date: 8/29/18

City and state: Los Angeles, California

LODGED

2018 AUG 29 PM 1:49 CLERK U.S. DISTRICT COURT CENTRAL DISTRICT OF CALIF. LOS ANGELES BY

AFFIDAVIT

I, Alejandra Sanchez, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint against GUANGYAO YANG ("G. YANG") for a violation of 18 U.S.C. § 371, 875(a) (Conspiracy to Commit Interstate Communications with Intent to Extort).

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and search warrant and does not purport to set forth all my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and part only.

II. BACKGROUND OF FBI SPECIAL AGENT ALEJANDRA SANCHEZ

3. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), and have been so employed since August 2016. I received my initial training and instruction to become a SA during the 21-week long course at the FBI Academy located in Quantico, Virginia. There, I received extensive training in investigating violations of United States criminal statutes. After my initial training, I was assigned to the International

Violent Crime and Major Offenders squad in the West Covina Resident Agency of the FBI Los Angeles Division. During the course of my employment with the FBI, I have led and/or participated in multiple investigations involving kidnapping, hostage taking, money laundering, wire fraud, and extortion.

III. SUMMARY OF PROBABLE CAUSE

4. On July 16, 2018, ROUCHEN LIAO ("LIAO") was kidnapped from San Gabriel, California by a man known only to law enforcement as "David" and at least two other unidentified men. G. YANG is visible on surveillance video purchasing "David's" prepaid cellular telephone and cell-site data places G. YANG and "David" in the area of where LIAO was last seen. Shortly after LIAO's kidnapping, LIAO's parents were contacted via LIAO's WeChat account and LIAO's hostage takers demanded a ransom of two million dollars to be wired into three Chinese bank accounts. During the investigation into LIAO's disappearance, the FBI learned from LIAO's friends that they believed G. YANG put LIAO in contact with "David" to help LIAO collect a debt. When the FBI attempted to interview G. YANG, they learned he had placed all his belongings into storage and fled to China. In an interview with Chinese authorities, G. YANG provided an alibi witness who, when interviewed by the FBI, denied being with G. YANG on the night of LIAO's kidnapping. Also Chinese authorities reviewed G. YANG's cellular device and found text messages containing the Chinese bank account numbers that were used in the ransom demand made to LIAO's parents.

IV. STATEMENT OF PROBABLE CAUSE

A. LIAO's Friends Report Kidnapping and LIAO was last seen with "David," G. YANG's Acquaintance

5. Based on my review of law enforcement reports, my conversation with other law enforcement officers, as well as my own observations and knowledge of the investigation, I am aware of the following:

6. On July 18, 2018, SHIYUN ZHANG ("S. ZHANG") reported to the FBI that LIAO, her boyfriend, was kidnapped in San Gabriel, California on July 16, 2018. S. ZHANG stated the following:

a. MUYE LI ("M. LI"), LIAO's friend, took LIAO to meet with "David" on July 16, 2018. "David" was to help LIAO collect a debt from ZIWEN LI ("Z. LI").

b. On July 17, 2018, S. ZHANG learned that LIAO's parents, who reside in China, received a telephone call from LIAO, via LIAO's WeChat account, using LIAO's unique WeChat identification.¹ LIAO told his parents he needed help. LIAO's parents were told to prepare a ransom of two million dollars in three hours. LIAO's parents received a picture of LIAO bound and tied, with bruises on his lips.

7. On July 19, 2018, S. ZHANG told the FBI that G. YANG introduced LIAO to "David."

¹ Based on SA Sanchez's training and experience she understands that WeChat is a Chinese multipurpose messaging and social media application commonly installed and accessed through the user's portable digital devices, such as a cellular telephone.

8. On July 19, 2018, M. LI was interviewed by the FBI.

M. LI stated the following:

a. M. LI was LIAO's friend.

b. M. LI believed G. YANG introduced "David" to LIAO. LIAO discussed with M. LI that G. YANG had a debt in the past with Z. LI and G. YANG was able to collect the money using hired individuals. M. LI knew LIAO would ask G. YANG to assist with locating a person to help collect a debt.

c. On July 16, 2018, at approximately 7:00 PM, M. LI dropped LIAO off at 140 W. Valley Blvd., San Gabriel, California. M. LI knew LIAO was meeting "David" to collect a debt from Z. LI. LIAO stated to M. LI, "tonight will not be good." LIAO entered a dark colored car that was occupied by a single male Asian driver, "David." M. LI also saw a second car occupied by two unknown males that drove out of the parking lot with the car carrying LIAO. That was the last time M. LI saw LIAO.

d. On July 17, 2018, M. LI reported LIAO missing.

e. M. LI believed Z. LI was involved in kidnapping LIAO because Z. LI owed LIAO money. M. LI believed Z. LI owed LIAO approximately \$100,000. Z. LI had purchased a Porsche from LIAO and had not paid LIAO for the car.

f. According to M. LI, on July 4, 2018, M. LI accompanied LIAO to 15333 Culver Drive, Irvine, California to meet with "David." "David" was late to the meeting. According to M. LI, "David" said he was late because he did not realize how far Irvine was from Pasadena. "David" stated he was in town

just for a few days for his boss. "David" stated he could help LIAO with his problem. M. LI believed "David" would charge LIAO a fee between 20%-30% of the money he helped LIAO collect.

g. According to M. LI, on July 14, 2018, LIAO went with JIN YUCHAO ("J. YUCHAO") to meet "David" in Pasadena, California. M. LI could not go with LIAO that day to meet "David." M. LI believed the meeting on July 14, 2018 was for the purpose of reviewing details and plans for collecting the debt owed to LIAO. M. LI believed other than LIAO and himself, J. YUCHAO was the only other person to meet with "David" in person.

9. On July 19, 2018, J. YUCHAO was in communication with the FBI. J. YUCHAO indicated he was in China. J. YUCHAO confirmed the meeting on July 14, 2018 in Pasadena, California. J. YUCHAO was uncertain of the exact address of the meeting. J. YUCHAO said the meeting took place between "David", LIAO, and J. YUCHAO at approximately 7:30 PM. J. YUCHAO remembered the sun was setting during the meeting. According to J. YUCHAO, the meeting was outside and none of the participants went into the residence. J. YUCHAO stated he returned to China because he saw "David's" face.

B. G. YANG Purchased "David's" Prepaid Cellular Telephone and was at the Scene of the Kidnapping

10. Through Call Detail Records provided by Verizon Wireless and interviews with S. ZHANG, who accessed LIAO's iCloud account, I learned "David's" cellular telephone number was 929-206-4118. Also, saved in LIAO's iCloud account were

text messages between LIAO and the telephone number belonging to "David" that discussed meeting. Call Detail Records from Verizon Wireless further showed the only telephone number in communication with 929-206-4118 was LIAO's. Based on cell tower data, that phone was with LIAO on the night of his kidnapping. Based on records provided by Verizon Wireless, I learned that cellular telephone number 929-206-4118 was a prepaid TRACFONE with no subscriber information. TRACFONE disclosed the prepaid cellular telephone associated with telephone number 929-206-4118 was sold at a Walmart. On August 13, 2018, Walmart provided a digital copy of the receipt and Closed Circuit Television Video ("CCTV") of the purchase transaction of the prepaid cellular telephone associated with 929-206-4118. I recognized the person depicted in the CCTV making the purchase of the prepaid cellular telephone as the same person depicted in the California DMV photograph, GUANGYAO YANG. I thus believe that G. YANG purchased the prepaid cellular telephone that "David" used to communicate with LIAO and that "David" had this cellular phone on him when he was with LIAO at the time LIAO was last seen.

11. On July 25, 2018 the FBI received closed CCTV recordings from Azabu Sabo, at 137 W. Valley Blvd., San Gabriel, California. The time period covered approximately 6:30 PM to 7:45 PM on July 16, 2018. The angle of the camera was facing the exit of the parking lot at 140 W. Valley Blvd., San Gabriel, California. This was the last location M. LI saw LIAO.

12. On July 30, 2018, M. LI was interviewed for the purpose of reviewing CCTV recordings. M. LI reviewed the CCTV

recording in the presence of the interviewing agents. On July 16, 2018, at approximately 6:50 PM, M. LI and LIAO arrived at 140 W. Valley Blvd., San Gabriel, California. M. LI accompanied LIAO to the location, but did not participate in the meeting. "David" had instructed LIAO to come to the location alone; therefore M. LI attempted to covertly observe the meeting. M. LI saw "David" in the parking lot of the location. M. LI saw that "David's" vehicle was a dark-colored minivan. M. LI saw a second unidentified vehicle occupied by two unknown men. M. LI observed "David" and LIAO in a discussion for approximately one half hour. At the conclusion of the discussion, M. LI believed "David" and LIAO entered the dark-colored minivan. The dark-colored unidentified vehicle proceeded to exit the parking lot. The dark-colored minivan followed the dark-colored unidentified vehicle in close succession. M. LI attempted to follow the two suspect vehicles in LIAO's black Mercedes. M. LI lost sight of the two vehicles after encountering the first traffic light a short distance from the initial location. On the CCTV timestamped 7:26 PM, M. LI identified three-vehicles exiting the parking lot: the first vehicle, a dark-colored unidentified vehicle, followed closely by a dark-colored mini-van containing LIAO and "David", followed several feet back by the third vehicle, LIAO's black-colored Mercedes, driven by M. LI.

13. A review of CCTV recordings by the FBI Operational Technology Division ("OTD") on August 22, 2018, revealed that, based on vehicle characteristics, it was possible that one of the vehicles in the CCTV recording was a 2013 Land Rover.

14. On August 24, 2018, FBI Cellular Analysis Survey Team ("CAST") conducted an analysis of a cell tower dump of the three known meeting locations between LIAO and "David." G. YANG's phone was identified as pinging off a cell tower at the same location and same time for two of the three meetings: the July 14, 2018 meeting in Pasadena and the July 16, 2018 kidnapping in San Gabriel. I thus believe that G. YANG was present at two of the three meetings, including the meeting that resulted in the kidnapping, but may have concealed his presence from LIAO and M. LI. The cell tower records also indicate G. YANG was not sending or receiving phone calls or text messages during the meetings, however there were at least forty-eight pings off of the cell tower near the site of the July 16, 2018 kidnapping. In my experience and training as a law enforcement officer, I believe G. YANG was using an application on his cellular telephone that required the use of cellular data. I further believe G. YANG was utilizing the popular application "WeChat" to communicate with co-conspirators at the site of the kidnapping.

C. After Kidnapping, G. YANG Ended Lease Early and went to China

15. On July 27, 2018, the FBI attempted to interview G. YANG at his residence, South Hills Apartments 2918 E. Virginia Ave. #69, West Covina, California. Upon arriving at the residence, agents found the entry door unsecured and open. The interior of the living room was visible from the outside. While standing outside of the residence, agents saw that the room was in disarray, with personal belongings and trash strewn

about the room. Agents interviewed the manager of South Hills Apartments, C.B. C.B. stated G. YANG turned in the keys to apartment #69 on July 25, 2018. G. YANG informed C.B. he was returning to China that day. G. YANG had previously given a thirty-day notice to vacate the premises on July 6, 2018. C.B. thus expected that G. YANG would not vacate apartment #69 until around August 6, 2018. G. YANG provided C.B. the contact information for XINYU ZHANG ("X. ZHANG") as G. YANG's forwarding address.

16. A search of travel records showed G. YANG purchased a one-way ticket to China on July 22, 2018 with a departure date of July 26, 2018.

D. G. YANG has Ransom Accounts on his Cellular Telephone

17. On July 25, 2018, the FBI interviewed YUAN LIAO ("Y. LIAO"), the father of LIAO, and DANMEI FAN ("FAN"), the mother of LIAO. On July 17, 2018 at 8:42 PM, LIAO's parents received a ransom demand from LIAO's WeChat account that included instructions to deposit a \$2,000,000 ransom into the same three accounts located in China found on G. YANG's phone: 6226181715338888, 6228451398060174771 and 6228450088077022573. The ransom instructions to LIAO's parents were that they were to make three specific deposits in amounts to total CNY 13,770,000 (Chinese Currency).

18. On or about August 1, 2018, Chinese authorities were able to locate and interview G. YANG. The FBI has received a report of this interview. Based on the report from Chinese authorities, I learned that Chinese authorities were able to

review text messages on G. YANG's cellular device. G. YANG was in contact with a person listed as "Audi Brother." On July 17, 2018 at 8:33 PM, "Audi Brother" sent a text message to G. YANG that included the following three account numbers to banks in China: 6226181715338888, 6228451398060174771 and 6228450088077022573. The text message also included that \$2,000,000 multiplied by a rate of 6.885 would equal CNY 13,770,000 (Chinese Currency). G. YANG explained to Chinese authorities the account numbers listed in the text messages were regarding a real estate deal G. YANG was brokering for someone in China.

19. "Audi Brother" was subsequently identified by law enforcement as AODI SU ("A. SU") through a law enforcement database check of the telephone number associated with "Audi Brother" in G. YANG's cellular device.

20. On August 5, 2018, the FBI interviewed A. SU. A. SU positively identified the California Department of Motor Vehicles ("DMV") photograph of G. YANG as his friend, G. YANG. A. SU admitted he sent G. YANG a text message on July 17, 2018 at 8:33 PM with three account numbers to bank accounts in China and with instructions on how to deposit \$2,000,000. A. SU provided agents with digital screenshots of the text message. A. SU claimed G. YANG was brokering a real estate transaction in the United States for his uncle, who was located in China. A. SU stated he had no knowledge of any kidnapping. A. SU knew there were limits in China on how much money could be legally wired to the United States. A. SU was informed by G. YANG the

transaction would be in the amount of \$2,000,000. A. SU was unemployed. A. SU told agents his financial support was derived from his personal savings located in China. A. SU did not expect to earn a fee for brokering the transaction for G. YANG.

E. G. YANG's Alibi Witness says he was not with G. YANG

21. Also based on the report from Chinese authorities, during his interview with Chinese authorities, G. YANG stated he was with X. ZHANG, his friend, on the evening of July 16, 2018.

22. On August 13, 2018, X. ZHANG was interviewed by the FBI and stated the following:

a. X. ZHANG positively identified the California DMV photograph of G. YANG as an individual known to X. ZHANG as GUANGYAO YANG. X. ZHANG was shown a color photograph of an individual visible on Walmart store surveillance video making the purchase of the TRACFONE, from Walmart on June 20, 2018, at approximately 4:10 PM. X. ZHANG positively identified the individual making the purchase as his friend, G. YANG.

b. X. ZHANG stated he was not with G. YANG on the evening of July 16, 2018. X. ZHANG received a text message from G. YANG on July 16, 2018, about meeting for lunch, but X. ZANG could not meet at that time. X. ZHANG saw G. YANG on July 15, 2018. The next time they saw each other was on July 18, 2018 to play videogames. X. ZANG stated that on July 16, 2018, he went to a private Japanese language class at around 3:00 PM. The class usually lasted an hour and a half to two hours. After class, X. ZANG went to the supermarket in Little Tokyo and had dinner.

c. X. ZHANG assisted G. YANG with renting a storage unit at Public Storage, 2710 E. Garvey Ave. S., West Covina, California on or about July 24, 2018. G. YANG communicated to X. ZHANG the reason for renting the storage unit was his intent to return to China for an indeterminate time period. X. ZHANG knew G. YANG left for China on or about July 25, 2018. X. ZHANG told the FBI he was listed as an emergency contact on G. YANG's lease with Public Storage. An employee of Public Storage confirmed to the FBI that X. ZHANG was listed as an emergency contact on G. YANG's lease with Public Storage. On or about August 13, 2018, Public Storage reported to the FBI that G. YANG is the sole lessee/authorized agent who has sole access to the storage unit.

d. X. ZHANG provided G. YANG's WeChat user identification as YY740840679 with the profile name of "YGY". X. ZHANG stated he communicated with G. YANG by telephone and WeChat messaging. X. ZHANG and his friends used WeChat as their primary messaging method.

e. X. ZHANG knew G. YANG drove a Land Rover, which was a dark color. G. YANG had entrusted the Land Rover to X. ZHANG while G. YANG returned to China. G. YANG left the Land Rover parked in X. ZHANG's garage before leaving for China. California DMV records checked on or about August 13, 2018, reflect that G. YANG has a 2013 Land Rover, VIN# SALGS2DF6DA105136, license plate # 8DYM888, registered in his name to his residence at 2918 E. Virginia Ave. #69, West Covina, California.

V. CONCLUSION

23. Based on the foregoing, there is probable cause to believe that G. YANG committed a violation of 18 U.S.C. § 371, 875(a) (Conspiracy to Commit Interstate Communications with Intent to Extort).

15/

ALEJANDRA SANCHEZ
Special Agent, FBI

Subscribed to and sworn before me
This 29 day of August, 2018

STEVE KIM

UNITED STATES MAGISTRATE

