### **STATEMENT OF FACTS**

- 1. The FBI, along with the Metropolitan Police Department (District of Columba) ("MPD"), the Bladensburg Police Department (Maryland), the Prince George's County Police Department (Maryland) and the Arlington Police Department (Virginia), are investigating a series of multiple armed robberies that occurred in and around Washington D.C., Maryland, and Virginia. Specifically, your affiant believes KINGSBURY may have committed all of the armed robberies discussed in this affidavit due to a similar *modus operandi*, similar physical characteristics (as observed on surveillance camera, and as explained more below), and similar firearm used during the course of the robbery.
- 2. At the outset, on November 8, 2024 the Honorable Moxila A. Upadhyaya signed search warrant 24-SW-362 (the "WARRANT") which authorized the government to search the residence at 225 Orange Street Southeast, Apartment # 24, Washington D.C. 20032 (the "PREMISES"), and a red 2013 Hyundai Sonata bearing D.C. license plate number JE 2264 (the "VEHICLE"), for evidence of the robberies, including digital devices, discussed within this affidavit.
- 3. Members of law enforcement entered the PREMISES on November 8, 2024 at around 6:00 a.m. (EST) to execute the WARRANT. The interior of the PREMISES is a one bedroom, one bathroom apartment with one kitchen and one living room.
- 4. Upon entering the PREMISES, KINGSBURY was located on a couch in the living room. KINGSBURY was detained by members of the FBI SWAT team for the duration of the search, and no other individuals were located in the PREMISES, although members of FBI observed a crib and female clothing in the bedroom, suggesting KINGSBURY may have occupied the PREMISES with a partner and a child.

- 5. Within the bedroom, members of law enforcement recovered several items of clothing that appear to match clothing worn by the robbers discussed in this affidavit. As the robberies are discussed herein, your affiant will note where clothing consistent with the robbers clothing was recovered.
- 6. Within the kitchen, members of law enforcement recovered a 9-millimeter Sig Sauer P365 pistol with serial number 66A554907. The Sig Sauer pistol was located hidden in an oven mitt on top of a cabinet in the kitchen. At the time of its recovery, the Sig Sauer pistol was loaded with eleven (11) cartridges in a magazine capable of holding twelve (12) cartridges. No round was in the chamber of the pistol.
- 7. There is probable cause that KINGSBURY violated 18 U.S.C. § 922(g)(1) (Possession of a Firearm and Ammunition by a Person Previously Convicted of a Crime Punishable by a Term of Imprisonment Exceeding One Year). First, your affiant is aware, and had this knowledge prior to the execution of the WARRANT, that there are no firearm or ammunition manufacturers in the District of Columbia. Accordingly, the Sig Sauer recovered by law enforcement must have traveled in interstate commerce. Moreover, your affiant is aware, and had this knowledge prior to the execution of the WARRANT, KINGSBURY was previously convicted of a felony punishable by a term of imprisonment exceeding one year. Specifically, KINGSBURY was convicted of Aggravated Assault While Armed in D.C. Superior Court Case Number 2014 CF1 2190 on June 19, 2015. Your affiant reviewed MPD's gun offender registry unit forms related to KINGSBURY, which shows KINGSBURY's period of supervision began on May 2, 2022 and is set to end on May 2, 2026. In that same form, KINGSBURY provided his social security number, date of birth, signed his signature, provided his fingerprint, and verified his phone number as

(XXXX) XXX-7056 (the "PHONE NUMBER"), and his address as the PREMISES. Accordingly, there is probable cause that KINGSBURY violated 18 U.S.C. § 922(g)(1).

- 8. Based on your affiant's belief that KINGSBURY violated 18 U.S.C. § 922(g)(1), KINGSBURY was placed under arrest and brought to FBI's Washington Field Office. At that time, a recorded custodial interview was performed of KINGSBURY. KINGSBURY voluntarily waived his right to silence and confessed to committing at least seventeen (17) armed robberies between the District of Columbia, Maryland, and Virginia. Specifically, among these robberies, KINGSBURY admitted to the commission of the October 10, 2024 robbery of MetroPCS within the District of Columbia (discussed below as LOCATION 6) and each of the robberies described in the chart below, in addition to other robberies.. As such, there is probable cause that KINGSBURY violated 18 U.S.C. § 1951(a) (Interference with Interstate Commerce by Robbery); and 18 U.S.C. 924(c)(1)(A)(ii) (Using, carrying, or possessing a firearm during, in relation to, or in furtherance of, a crime of violence) during the commission of the October 10 Robbery.
- A brief summary chart of the robberies is below, followed by a more fulsome description of each robbery under investigation.

Robbery Description	Robber Description	Surveillance Photograph

## January 9 Robbery D.C. Subway

- Robber arrives on foot and leaves on foot:
- Robber asks to order a sandwich prior to robbery;
- Robber produces a black firearm with left hand, threatening to kill employees if they do not give him cash from cash register; and
- Robber specifically demanded \$100 bills.

## January 9 Robbery D.C. Subway

- Black male
- Approximately 6 feet tall
- Medical mask
- Black Nike hooded sweatshirt
- Grey New Balance shoes



## January 23 Robbery D.C. Starbucks

- Robber arrives on foot and leaves on foot; and
- Robber produces a black firearm with left hand demanding cash from cash register.

## January 23 Robbery D.C. Starbucks

- Black male
- Approximately 6 feet tall
- Medical mask
- Black Nike hooded sweatshirt
- Grey New Balance shoes



### <u>January 26 Robbery</u> D.C. Fuji Hibachi & Sushi

- Robber arrives on foot and leaves on foot;
- Robber asks to see menu and inquires with employees about menu items;
- Robber produces a black firearm with left hand demanding cash from cash register; and
- Robber flees before obtaining cash due to employee calling police.

### <u>January 26 Robbery</u> D.C. Fuji Hibachi & Sushi

- Heavyset black male
- Medical mask
- Black Nike hooded sweatshirt
- Grey New Balance shoes



## January 27 Robbery D.C. Starbucks

- Robber arrives on foot and leaves on foot; and
- Robber produces a black firearm with left hand demanding cash from cash register.

## January 27 Robbery D.C. Starbucks

- Heavyset black male
- Approximately 6 feet tall
- Medical mask
- Black Nike hooded sweatshirt
- Grey New Balance shoes
- White gloves



### June 9 Robbery VA Subway

- Robber arrives on foot and leaves on foot;
- Robber poses as a customer by grabbing a bottle of soda and waiting for customers to leave establishment;
- Robber holds a black firearm with his left hand demanding cash from cash register; and
- Robber specifically demanded \$100 bills.

## June 9 Robbery VA Subway

- Black male
- Black durag
- Black hooded sweatshirt with white logo, possibly "Nike"
- Medical mask
- Black "Allied Security"

  Jacket (found discarded in trash can after the robbery)



### October 3 Robbery VA Subway

- Robber arrives on foot and leaves on foot;
- Surveillance shows Robber keeping hand in left pocket as he enters store and covering his right hand with his sweatshirt when opening door; and
- Robber produces a black firearm demanding cash from cash register

### October 3 Robbery VA Subway

- Black male
- Approximately 6 feet tall
- Black durag
- Dark pants
- Black Shirt
- Medical mask



### October 3 Robbery MD Popeye's

- Robber arrives on foot and leaves on foot;
- Robber went up to counter and produced money as if paying or ordering an item; and
- Robber produces a black firearm with left hand, demanding cash from cash register

### October 3 Robbery MD Popeye's

- Black male
- Black durag
- Black jacket
- Grey pants
- Medical mask
- Grey New Balance sneakers



## October 10 Robbery D.C. MetroPCS

- Robber arrives on foot and leaves on foot;
- Robber poses as a customer asking to use the restroom;
- Robber produces a black firearm with left hand, demanding cash from cash register; and
- Robber robs another customer in store prior to leaving store.

## October 10 Robbery D.C. MetroPCS

- Black male
- Approximately 6 feet tall
- White gloves
- Black durag
- Dark blue shirt
- Dark pants
- Medical mask
- Grey New Balance sneakers



## October 12 Robbery D.C. Chipotle

- Robber arrives on foot and leaves on foot;
- Robber poses as a customer asking to use the restroom;
- Robber produces a black firearm with left hand, demanding cash from cash register; and
- Robber specifically demands \$100 bills.

## October 12 Robbery D.C. Chipotle

- Black male
- Approximately 6 feet tall
- Black durag
- Black shirt
- Black pants
- Medical mask
- Grey New Balance sneakers



## October 18 Robbery VA Tobacco Hut

- Robber arrives on foot and leaves on foot;
- Robber poses as a customer asking to purchase a pack of cigarettes;
- Robber produces a black firearm with left hand, demanding cash from cash register; and
- Robber produced firearm from a plastic bag.

## October 18 Robbery VA Tobacco Hut

- Black male
- Approximately 6 feet tall
- Black durag
- White gloves
- Medical mask
- Black sneakers



## October 23 Robbery D.C. America's Best Wings

- Robber arrives on foot and leaves on foot;
- Robber poses as a customer and loiters in restaurant;
- Robber produces a black firearm with left hand, demanding cash from cash register; and
- Robber produced firearm from a plastic bag.

## October 18 Robbery D.C. America's Best Wings

- Heavyset black male
- Black skullcap
- Two-tone white/black shirt
- Medical mask
- Dark pants
- Dark sneakers



### October 31 Robbery MD Popeye's

- Robber arrives on foot and leaves on foot;
- Robber produces a black firearm with left hand, demanding cash from cash register; and
- Robber produced firearm from a plastic bag.

### October 31 Robbery MD Popeye's

- 5'10" black male
- White hooded jumpsuit
- White gloves
- Grey New Balance sneakers



### LOCATION 1

Subway Restaurant, 1412 Marion Berry Avenue, Southeast Washington D.C.

### January 9, 2024 Robbery

- 10. On January 9, 2024, MPD officers received a call for an armed robbery that occurred at LOCATION 1, a Subway restaurant.
- 11. LOCATION 1, a Subway restaurant, is a chain commercial establishment that affects interstate commerce. Specifically, Subway receives and sells items that have moved in interstate commerce.
- 12. According to the MPD detective file for the incident, an employee of LOCATION 1 reported on January 9, 2024, a black male approximately 6 feet tall wearing a medical mask over his nose and mouth, dark pants, dark hooded sweatshirt, and grey New Balance shoes entered LOCATION 1 (the "January 9 Robber").
- 13. The employee further reported the January 9 Robber then ordered a sub sandwich. Instead of pulling out money to pay for the sandwich, he produced a black pistol out of his left pocket and demanded money from the cash register.
- 14. The employee reported the January 9 Robber stated she was moving too slow and stated "Give me the money or I'll shoot you!" and moreover demanded any \$100 bills located in the register.
- 15. The employee then reported the January 9 Robber physically grabbed the cash register tray with his bare hands while taking the available cash and exited LOCATION 1. In total, the January 9 Robber took approximately \$60-\$70 in United States Currency. According to the MPD detective file, the employee was the only employee to touch the cash register tray on January 9 and the day prior, January 8. Accordingly that same day, the Department of Forensic Sciences ("DFS") took swabs of the cash register tray in an attempt to collect the January 9 Robber's DNA. DFS also attempted to obtain latent fingerprints from the cash register tray without success.

16. Also according to the MPD detective file, interior video surveillance is not available during this period of time as mice were recently located within the wires surrounding the surveillance equipment, causing internal cameras to be shut off. However, your affiant is aware that external video surveillance shows the January 9 Robber. The January 9 Robber is pictured below:



17. External video footage shows the January 9 Robber entering LOCATION 1 at around 12:19 p.m. (EST) and exiting LOCATION 1 and fleeing on foot into an alley behind LOCATION 1 at around 12:20 p.m. (EST).

# LOCATION 2 Starbucks, 2228 Martin Luther King Jr. Avenue, Southeast Washington D.C January 23, 2024 Robbery

- 18. On January 23, 2024, MPD officers received a call for an armed robbery that occurred at LOCATION 2, a Starbucks.
- 19. LOCATION 2, a Starbucks, is primarily a chain coffee shop that operates in interstate commerce. Specifically, Starbucks receives and sells items that have moved in interstate commerce.

- 20. According to the MPD detective file, employees of LOCATION 2 reported around 7:00 a.m. (EST) a black male approximately 6 feet tall wearing a medical mask over his nose and mouth, dark pants, dark hooded sweatshirt, and white gloves entered LOCATION 2 (the "January 23 Robber").
- 21. Internal surveillance footage during this time shows the January 23 Robber approaching the cash register and brandishing a black firearm with his left hand towards the employees.
- 22. The LOCATION 2 employees reported the January 23 Robber then demanded the employees give him the cash in the cash registers. At one point during the robbery, the January 23 Robber instructed the employees to not call law enforcement.
- 23. The employees reported they opened the register and gave the available cash to the January 23 Robber. The January 23 Robber then exited LOCATION 2 and fled on foot.
- 24. In total, the January 23 Robber took approximately \$250.00 in United States Currency.
- 25. Your affiant is aware internal surveillance video depicts the January 23 robbery, and the below two screen captures were taken from the surveillance:



26. Upon review of the stills from the internal surveillance footage, as well as the internal surveillance footage itself, the January 23 Robber appears to be wearing the same "Nike"

branded hooded sweatshirt as the January 9 Robber. Moreover, the January 23 Robber appears to be wearing similar shoes (the grey New Balance sneakers) worn by the January 9 Robber.

27. During the execution of the WARRANT at PREMISES on November 8, 2024, members of FBI recovered a "Nike" hooded sweatshirt consistent with what is seen in these robberies. A photograph of this hooded sweatshirt is seen below:



LOCATION 3
Fuji Hibachi & Sushi, 2714 Marion Barry Avenue, Southeast
Washington D.C

### January 26, 2024 Robbery

- 28. On January 26, 2024, MPD officers received a call for an attempted armed robbery at LOCATION 3, a restaurant called Fuji Hibachi & Sushi.
- 29. LOCATION 3, a Fuji Hibachi & Sushi restaurant, receives and sells items that have moved in interstate commerce.

- 30. Employees of LOCATION 3 reported around 8:43 p.m. (EST), a black male approximately 6 feet tall wearing a medical mask over his nose and mouth, dark pants, a dark hooded sweatshirt, and grey shoes entered LOCATION 3 (the "January 26 Robber").
- 31. After the January 26 Robber entered LOCATION 3, the January 26 Robber looked at the menu for a brief period of time. The employees of LOCATION 3 reported the January 26 Robber asked employees about menu items, then drew a handgun and stated "Open the drawer, give me the money."
- 32. Internal surveillance footage from LOCATION 3 shows the employees flee to the back of the restaurant, at which point the January 26 Robber fled LOCATION 3 on foot. The January 26 Robber was not able to obtain any United States Currency from LOCATION 3.
- 33. Your affiant is aware internal surveillance footage captured this incident. Upon review of the surveillance footage, the January 26 Robber appears to be wearing the same "Nike" branded hooded sweatshirt as the January 9 Robber, the January 23 Robber, and the January 27 Robber. Moreover, the January 26 Robber appears to be wearing the same grey shoes worn by the January 9 Robber.
- 34. Finally, the internal surveillance footage from the January 26 robbery shows the January 26 Robber brandishing a black firearm with his left hand, as seen below:







LOCATION 2 (Second Robbery)
Starbucks, 2228 Martin Luther King Jr. Avenue, Southeast
Washington D.C

### January 27, 2024 Robbery

35. On January 27, 2024, MPD officers received a call that LOCATION 2 was the subject of another armed robbery.

- 36. Employees of LOCATION 2 reported on January 27, 2024, a black male approximately 6 feet tall wearing a medical mask over his nose and mouth, tan pants, dark hooded sweatshirt, white gloves, and grey New Balance shoes entered LOCATION 2 (the "January 27 Robber").
- 37. Internal surveillance footage shows the January 27 Robber then went behind the counter to an area only for Starbucks employees and brandished a firearm towards employees with his left hand and stated "give me all the money out of the cash register." The employees proceeded to open the register, and the January 27 Robber stole an unknown amount of United States Currency from LOCATION 2.
- 38. Upon review of internal surveillance footage, the January 27 Robber (captured in the stills below) enters LOCATION 2 at approximately 1:28 p.m. (EST) and appears to be wearing the same grey New Balance shoes as the January 9 Robber. Finally, a review of the surveillance footage also shows the January 27 Robber brandishing a firearm using his left hand.



39. A further review of the MPD detective file shows on January 29, 2024, an MPD detective received a call from the LOCATION 2 asset protection manager, who stated based on surveillance footage believed an employee referred to herein as Individual 1 -- one of the

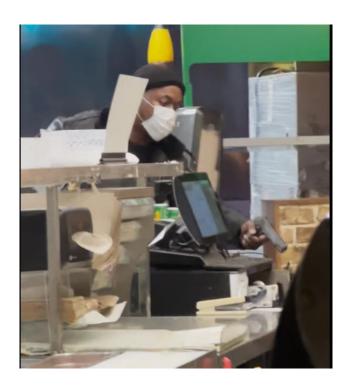
LOCATION 2 employees on duty at the time of the January 27 robber -- was involved in the robbery. In support of this allegation, according to the MPD detective file, the asset protection manager believed Individual 1 logged into the register and handed the January 27 Robber money against employee protocol, which is to open the drawer during robberies and step back. Your affiant understands, from speaking to an MPD detective that a non-custodial interview was attempted of Individual 1, but did not succeed in coordinating with Individual 1. However, MPD detectives determined Individual 1 was not a person of interest because Individual 1 is only alleged to have broken employee protocol, which was not a significant indication of her involvement in the January 27 Robbery.

# LOCATION 4 Subway, 3045 Columbia Pike Arlington, Virginia

### June 9, 2024 Robbery

- 40. At the outset, your affiant is in the process of obtaining the police reports and investigative file from Arlington Police Department ("APD"). As a result, the information included below about the June 9 Robbery is preliminary in nature, as it is based upon a review of a limited amount of currently available APD files.
- 41. On June 9, 2024, APD officers received a call for an armed robbery at LOCATION4, a Subway.
- 42. According to APD paperwork, at approximately 8:56 p.m. (EST), a black male wearing an Allied Universal Security jacket, black pants, and a medical facemask entered LOCATION 4 (the "June 9 Robber").
- 43. Employees of LOCATION 4 reported the June 9 Robber grabbed a bottle of soda and waited until other customers in LOCATION 4 left.

- 44. When no customers remained in LOCATION 4, the June 9 Robber approached the counter and, using his left hand, pulled a black handgun from under his jacket. The June 9 Robber then pointed the firearm at an employee of LOCATION 4 and stated "Give me the money or I'll kill you." The employee subsequently handed over approximately \$500 in United States Currency.
- 45. The June 9 Robber then demanded the employee tell him where the vault was located in the store. At that time, according to APD paperwork, a customer entered the store which prompted the June 9 Robber to flee on foot.
- 46. An APD K-9 unit subsequently recovered a black Universal Allied Security Jacket from a trash can nearby LOCATION 4. Inside the jacket was a surgical facemask matching that which the June 9 Robber wore during the robbery.
- APD paperwork shows that employees at LOCATION 4 claimed the store did not have access to the internal surveillance cameras. However, while the robbery was occurring, one of the employees of LOCATION 4 was able to capture the June 9 Robber by way of a cell phone video. A review of the video shows the June 9 Robber screaming at the cashier with a firearm in his left hand and demanding \$100 bills and stating, amongst other things, "I'm gonna shoot your motherfuckin' ass . . . . open the fuckin' register!"



LOCATION 4 (Second Robbery)
Subway, 3045 Columbia Pike
Arlington, Virginia

### October 3, 2024 Robbery

- 48. On October 3, 2024, APD responded to reports of another armed robbery at LOCATION 4. Similar to the June 9, 2024 Robbery of LOCATION 4, your affiant is in the process of obtaining the police reports and investigative file from APD. As a result, the information included below about the October 3 Robbery is preliminary in nature.
- 49. According to police paperwork from APD, at around 10:21 a.m. (EST), a black male approximately 6 feet tall wearing a medical mask over his nose and mouth, a black durag (a close-fitting cloth tied around the top of the head to protect hair), dark pants, and a black long sleeve shirt entered LOCATION 4 (the "October 3 Va. Robber"). As with the June 9 robbery at this same location, the October 3 Va. Robber brandished a black firearm towards employees, demanded money from the cash register, and then fled on foot.

- 50. In this particular instance, the October 3 Robber stole approximately \$400 in United States Currency.
- 51. APD paperwork shows an APD officer spoke to the manager of LOCATION 4 who confirmed with APD that all internal surveillance cameras in LOCATION 4 are inoperable.
- 52. Exterior surveillance footage from the location captured images of the October 3 Robber entering LOCATION 4, with his right arm swinging freely and left hand in his hooded sweatshirt pocket.
- 53. The October 3 Robber is also seen on surveillance footage covering his right hand with his sweatshirt when he opens the door to LOCATION 4. A screenshot of this exterior surveillance footage is seen below.



54. Due to your affiant's training and experience, and the context of the entire investigation, your affiant believes the October 3 Va. Robber was concealing his firearm in his

hooded sweatshirt with his left hand, and covering his right hand with his sweatshirt to prevent law enforcement from recovering his fingerprint on the door handle of TARGET LOCATION 4.

55. As discussed previously, the January 23 and January 27 Robbers utilized white gloves during the course of those robberies. Due to your affiant's training and experience investigating these types of robberies, gloves are often utilized by individuals to prevent law enforcement from recovering fingerprints or DNA during its investigation.

# LOCATION 5 Popeye's, 2310 Iverson Street Temple Hills, Maryland

### October 3, 2024 Robbery

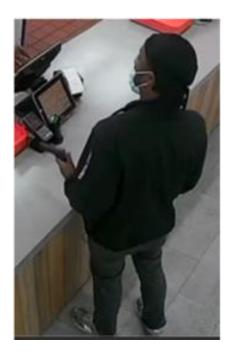
- 56. On October 3, 2024, officers from Prince George's County Police Department ("PGPD") responded to reports of an armed robbery that occurred at LOCATION 5, a Popeye's Restaurant.
  - 57. Popeye's is a chain restaurant that operates in interstate commerce.
- 58. Your affiant is in the process of obtaining the police reports and investigative file from PGPD. As a result, the information included below about the October 3 Robbery is preliminary in nature.
- 59. According to PGPD paperwork, at around 12:18 p.m. (EST), a heavyset black male approximately 6 feet tall wearing a medical mask over his nose and mouth, black durag, black jacket, grey New Balance sneakers, and grey colored pants (the "October 3 Md. Robber") entered LOCATION 5.
- 60. The October 3 Md. Robber walked up to the front counter, posing as a customer, and produced money as if he was paying. He then then brandished a handgun, pointing it at the employees, and demanded United States Currency from the register.

- 61. A review of internal surveillance footage shows the October 3 Md. Robber brandishing the handgun with his left hand.
- 62. The employees opened the cash register, and handed the suspect approximately \$292 from the register. The suspect then fled the scene on foot. Video footage at the location captured images of the suspect, as seen below.



63. As stated above, approximately two hours before this robbery, TARGET LOCATION 4 was also robbed on October 3, 2024. Specifically, both the October 3 Va. Robber and the October 3 Md. Robber appear to be wearing the same grey New Balance shoes, dark clothing, and black durag.





October 3 Md. Robber (left) and October 3 Va. Robber (right)

64. Moreover, the grey New Balance sneakers worn by the October 3 Md. Robber and October 3 Va. Robber appears visually consistent with the sneakers worn by the January 9, January 23, and January 27 Robbers.

## LOCATION 6 MetroPCS, 1346 Marion Barry Avenue, Southeast Washington D.C.

### October 10, 2024 Robbery

- 65. On October 10, 2024, MPD responded to reports of an armed robbery at LOCATION 6.
- 66. LOCATION 6, a MetroPCS, is a cell phone store, operated and owned by T-Mobile, which operates in interstate commerce. Specifically, MetroPCS receives and sells items that have moved in interstate commerce.
- 67. According to the MPD detective file, at around 1:38 p.m. (EST), a black male approximately 6 feet in height wearing a white gloves, black durag, medical mask over his nose

and mouth, blue shirt, dark pants, and grey New Balance Sneakers (the "October 10 Robber") entered LOCATION 6.

- 68. Employees of LOCATION 6 stated the October 10 Robber asked employees to use the restroom at the location.
- 69. The October 10 Robber then brandished a black handgun with his left hand, and demanded money from the cash register. Employees at the location opened the cash register and handed the October 10 Robber approximately \$672 in United States Currency.
- 70. After the October 10 Robber obtained the United States Currency, he then robbed a separate customer who was in LOCATION 6. The October 10 Robber brandished his firearm and demanded the victim's wallet. The October 10 Robber then stole the victim's wallet, which contained the victim's identification card, social security card, \$67 in United States currency, and numerous credit cards. The October 10 Robber then fled the location on foot.
- 71. Internal surveillance footage depicts the October 10 Robber as visually consistent in height and build with all of the other robbers discussed in this affidavit. Moreover, the grey New Balance sneakers worn by the October 10 Robber is visually consistent with the sneakers worn by the January 9, January 23, January 26, January 27, and October 3 Robbers.
- 72. Moreover, internal surveillance footage shows the October 10 Robber physically touching the cash register drawer with his bare hands. A further review of the MPD detective file shows swabs were taken of the cash register drawer to collect potential DNA of the October 10 Robber.
- 73. Video footage from the location captured images of the suspect, clips of which are below.



LOCATION 7
Chipotle, 1571 Alabama Avenue Southeast
Washington D.C.

### October 12, 2024 Robbery

- 74. On October 12, 2024, MPD responded to reports of an armed robbery at LOCATION 7.
- 75. LOCATION 7, a Chipotle, is a chain restaurant that operates in interstate commerce. Specifically, Chipotle receives and sells items that have moved in interstate commerce.
- 76. According to the MPD detective file, at approximately 2:50 p.m. (EST), tall black male wearing a black durag, black Helly Hansen branded jacket, black pants, grey New Balance sneakers, and white medical mask (the "October 12 Robber") entered LOCATION 7.
- 77. Employees reported to MPD that the October 12 Robber then approached the cash register and asked the employees to use the restroom.
- 78. Employees then stated the October 12 Robber walked away towards a security guard stationed in LOCATION 7, brandished a firearm with his left hand towards the security guard, and walked the security guard back to the cash register where the October 12 Robber then demanded the cash in the cash registers, specifically the \$100 bills. The October 12 Robber was

able to rob LOCATION 7 of approximately \$500 to \$800 in United States Currency. The October 12 Robber then fled the location on foot.

- 79. Internal surveillance footage depicts the October 12 Robber as visually consistent in height and build with all of the other robbers discussed in this affidavit. Moreover, the grey New Balance sneakers worn by the October 12 Robber is visually consistent with the sneakers worn by the January 9, January 23, January 26, January 27, October 3, and October 10 Robbers.
- 80. Several screenshots from the internal surveillance are seen below. Of note, your affiant can observe, upon reviewing the internal surveillance footage, the October 12 Robber wearing a black Helly Hansen jacket.



81. Your affiant has reviewed the MPD detective file, which indicates swabs of the cash register were taken to obtain potential DNA of the October 12 Robber.

### **LOCATION 8**

### Tobacco Hut, 4107 Columbia Pike Arlington, Virginia

### October 18, 2024 Robbery

- 82. On October 18, 2024, APD responded for an armed robbery at LOCATION 8.
- 83. LOCATION 8, a Tobacco Hut, is a commercial establishment that receives and sells items that have moved in interstate commerce.
- 84. Your affiant is in the process of obtaining the police reports and investigative file from APD. As a result, the information included below about the October 18 Robbery is preliminary in nature.
- 85. According to APD paperwork, at approximately 2:30 p.m. (EST), a black male approximately 6 feet tall wearing a black durag, black shirt, black pants, and black shoes (the "October 18 Robber") entered LOCATION 8.
- 86. The October 18 Robber asked the store clerk for a pack of cigarettes, at which point he produced a black handgun with his left hand and brandished it at the store clerk. The October 18 Robber then reached across the counter and robed approximately \$1,000 in United States Currency from the cash register. The October 18 Robber then fled on foot.
- 87. Internal surveillance footage depicts the October 18 Robber as visually consistent in height and build with all of the other robbers discussed in this affidavit.
- 88. Internal surveillance footage also shows the October 18 Robber brandishing a firearm using his left hand that was procured from a plastic bag. Of note, the October 18 Robber appears to be wearing a glove over his right hand, as seen below. As discussed in this affidavit, the robbers under investigation have previously used gloves or a sweatshirt sleeve to conceal law enforcement's recovery of fingerprint evidence.



LOCATION 9
America's Best Wings, 2863 Alabama Avenue, Southeast Washington D.C.

### October 23, 2024 Robbery

- 89. On October 23, 2024, MPD responded to LOCATION 9 in response to reports of an armed robbery.
- 90. LOCATION 9, an America's Best Wings, is a restaurant that operates in interstate commerce. Specifically, America's Best Wings receives and sells items that have moved in interstate commerce.
- 91. According to the MPD detective file, at approximately 3:06 p.m. (EST), a heavyset black male wearing a two-tone light colored shirt, black skull cap, dark pants, and dark sneakers (the "October 23 Robber") entered LOCATION 9. The October 23 Robber entered with a plastic bag in his left hand.

- 92. Employees of LOCATION 9 reported to MPD the October 23 Robber asked whether the bathroom was open. The October 23 Robber then entered the area behind the counter for employees only and produced a firearm with his left hand from the plastic bag. The October 23 Robber then brandished the firearm toward the employee and demanded money from the cash registers by stating "open everything."
- 93. The October 23 Robber then robbed LOCATION 9 of the cash in the cash registers and fled the location on foot. At this time, it is unknown the amount of United States Currency the October 23 Robber was able to obtain.
- 94. Internal surveillance footage depicts the October 23 Robber as visually consistent in height and build with all of the other robbers discussed in this affidavit.
- 95. A screenshot of the October 23 Robber brandishing a firearm toward the employee is seen below.



LOCATION 10
Popeye's, 4621 Silver Hill Road
Suitland, Maryland

October 31, 2024 Robbery

- 96. On October 31, 2024, PGPD responded to LOCATION 10 in response to reports of an armed robbery.
- 97. Your affiant is in the process of obtaining the police reports and investigative file from PGPD. As a result, the information included below about the October 31 Robbery is preliminary in nature.
- 98. According to PGPD paperwork, at approximately 4:10 p.m. (EST), a black male approximately 5'10" in height wearing a white hooded jumpsuit, medical mask over his nose and mouth, grey New Balance sneakers, and black plastic bag (the "October 31 Robber") entered LOCATION 10.
- 99. After entering the establishment, the October 31 Robber approached the cash register, brandished a black firearm from his black plastic bag, and demanded cash from the cash register. The October 31 Robber utilized his left hand to brandish the firearm.
- 100. The October 31 Robber obtained approximately \$600 in United States Currency from the cash register, and then fled on foot.
- 101. Internal surveillance footage depicts the October 31 Robber as visually consistent in height and build with all of the other robbers discussed in this affidavit. Moreover, the grey New Balance sneakers worn by the October 31 Robber is visually consistent with the sneakers worn by the January 9, January 23, January 26, January 27, September 16, October 3, October 10, and October 12 Robbers.
- 102. Internal surveillance footage captures the incident. It should be noted that internal surveillance footage from LOCATION 10 may not be exact. In your affiant's experience canvassing for surveillance footage at commercial establishments and residential buildings, surveillance video is commonly incorrect from real time by minutes to hours.

103. During the execution of the WARRANT at PREMISES on November 8, 2024, members of FBI recovered pair of white ty-vec pants consistent with what the robber was wearing during the October 31, 2024 Robbery. A photograph of the pants are below:



104. Below are two screenshots from that surveillance footage.





LOCATION 12
7-Eleven, 5401 Silver Hill Road
District Heights Maryland

### November 7, 2024 Robbery

- 105. On November 7, 2024, PGPD responded to LOCATION 12 in response to reports of an armed robbery.
- 106. Your affiant is in the process of obtaining the police reports and investigative file from PGPD. As a result, the information included below about the November 7 Robbery is preliminary in nature, especially due to the fact the robbery occurred approximately 24 hours prior to the drafting of this affidavit.
- 107. According to PGPD paperwork, a black male wearing a white medical mask, black hooded jacket under a burgundy fleece jacket, grey pants, grey New Balance sneakers, and white gloves (the "November 7 Md. Robber") entered LOCATION 12. Employees of LOCATION 12 reported the November 7 Md. Robber posed as a customer by requesting a carton of cigarettes. The November 7 Md. Robber then produced a firearm, pointed it at employees, and demanded cigarettes and cash from the cash register.

- 108. Employees of LOCATION 12 reported the November 7 Md. Robber then went behind the counter, and robbed the location of approximately 25 packs of Newport branded cigarettes and approximately \$40 in United States currency. The November 7 Md. Robber then fled the scene, and as he did so, discharged his firearm. Due to the preliminary nature of the PGPD paperwork, it is unclear the direction in which the November 7 Md. Robber discharged his firearm, although your affiant is aware one 9 millimeter shell casing was recovered from the scene, which could be fired by the firearm recovered from PREMISES during the execution of the WARRANT.
- 109. Moreover, during execution of the WARRANT, members of FBI recovered multiple packs of Newport cigarettes, consistent with what was stolen.

### PROBABLE CAUSE

### The Robberies are Committed by the Same Individual

- 110. Your affiant believes there is probable cause that the Robbers discussed in this affidavit are all the same individual.
- 111. Specifically, the Robbers from these incidents are all seen wearing substantially the same clothing, committing the robbery in a similar fashion to obtain United States Currency, arriving and fleeing on foot, and brandishing a firearm using his left hand. The similarities in the robberies and the Robbers are summarized in the summary chart contained earlier in this affidavit, however are briefly repeated below.
  - a. *First*, the Robber is always seen brandishing a black firearm utilizing his left hand. Your affiant has reviewed articles discussing research that only 10-12% of the world's population are left-handed.

- b. *Second*, the Robber is frequently seen either posing as a customer or taking other measures to ensure no other customers are present during the commission of the aforementioned robberies.
- c. *Third*, your affiant has reviewed the currently available internal surveillance footage from the aforementioned robberies. The visual depiction of the robber is consistent amongst all of them the Robber appears to be a black male approximately 6 feet in height wearing dark clothing, and some sort of head covering (either a hooded sweatshirt, a durag, or a skullcap).
- d. *Fourth*, the Robber's *modus operandi* appears similar across all of the aforementioned robberies. The Robber will briefly enter the store (often engaging in a ruse, such as posing as a customer) and then takes the first opportunity to obtain United States Currency from the cash register, often times seeking currency in the form of \$100 bills.
- e. *Fifth*, as stated above, KINGSBURY has confessed to all of the aforementioned robberies in the District of Columbia.

# Kingsbury is the Robber and Utilized TARGET VEHICLE and TARGET PREMISES Identification of the TARGET VEHICLE

- 112. On November 1, 2024, members of the FBI responded around LOCATION 10 to canvass for external surveillance footage with respect to the October 31, 2024 Robbery at LOCATION 10. Members of FBI reviewed external surveillance footage from neighboring apartment complexes on Swann Road, Maryland, which is within approximately 200 yards of LOCATION 10.
- 113. Members of FBI located external surveillance footage from the Madison Garden Apartments located at 3220 Swann Road, Hillcrest Heights, Maryland 20746. For reference,

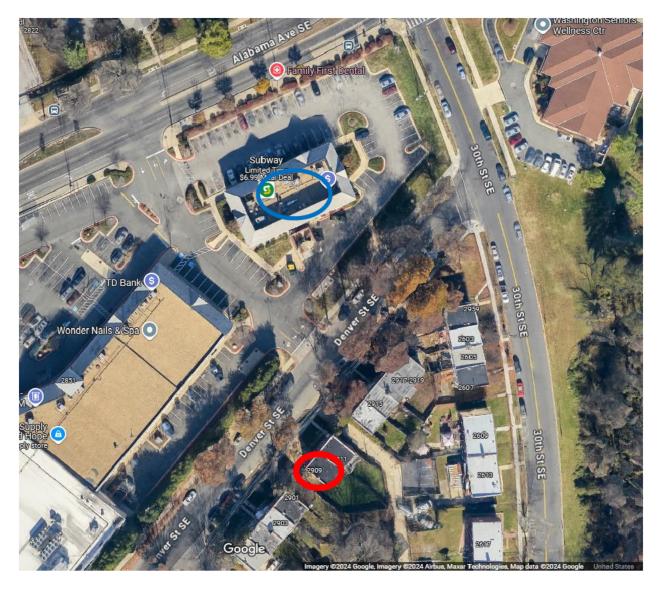
LOCATION 10 is circled in green below, and the Madison Garden Apartments are circled in red below.

114. The Madison Garden Apartments has external surveillance cameras directed towards the Regency Court Apartments located 3215 Swann Road #204, Suitland, Maryland 20746. The Regency Court Apartments are circled in blue above, and features a parking lot on its premises.



- 115. During a review of the Madison Garden exterior surveillance footage, your affiant viewed the following footage prior to the October 31 Robbery:
  - a. 4:04:15 p.m. (EST) a red sedan, consistent with a Hyundai Sonata, drives on Swann Road towards LOCATION 10;
  - b. 4:05:30 p.m. (EST) the red sedan, consistent with a Hyundai Sonata, enters the parking lot of Regency Court Apartments; and

- c. 4:10:13 p.m. (EST) an individual wearing an all-white hooded jumpsuit, consistent with the appearance of the October 31 Robber, exits the vehicle, walks to Swann Road, and walks towards LOCATION 10.
- 116. Your affiant also reviewed portions of the Madison Garden exterior surveillance footage, your affiant viewed the following footage immediately after the October 31 Robbery:
  - a. 4:15:02 p.m. (EST) the individual wearing an all-white hooded jumpsuit appears on camera, now running, towards the red sedan consistent with a Hyundai Sonata;
  - b. 4:15:13 p.m. (EST) the individual wearing an all-white hooded jumpsuit enters the driver's seat of the red sedan consistent with a Hyundai Sonata
  - c. 4:15:40 p.m. (EST) the red sedan consistent with a Hyundai Sonata exits the Regency Court Apartment parking lot onto Swann Road, and drives away from LOCATION 10.
- 117. It should be noted that the internal surveillance system for the Madison Garden Apartments listed a date and time that is believed to be accurate, as footage of the October 31 Robber traveling to and from LOCATION 10 is consistent with the timing reported by employees of LOCATION 10 and internal surveillance of LOCATION 10.
- 118. Members of the FBI then reviewed external surveillance footage relating to the October 23 Robbery of LOCATION 9. Specifically, members of the FBI reviewed external surveillance footage from a residence at 2909 Denver Street Southeast, Washington D.C. (marked in a red circle below). LOCATION 9 is marked in a blue circle below.

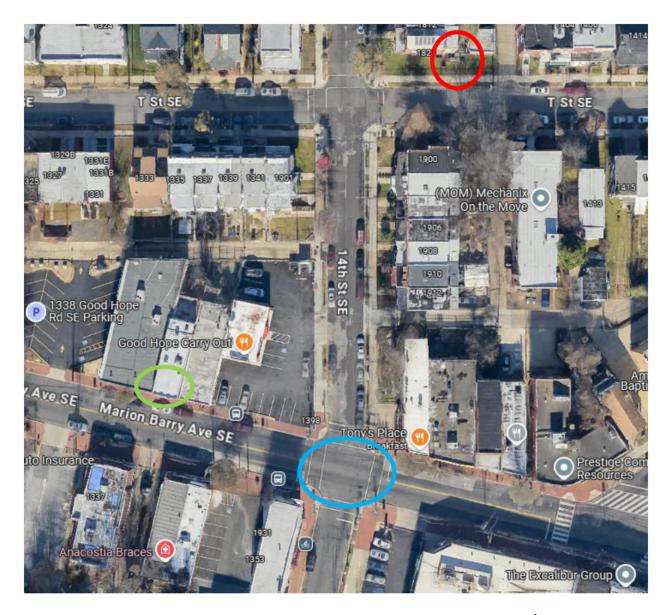


- 119. During a review of the exterior surveillance footage from 2909 Denver Street Southeast, your affiant viewed the following footage from immediately prior to the October 23 Robbery of LOCATION 9:
  - a. 3:01:04 p.m. (EST) a red sedan, consistent with a Hyundai Sonata, is seen driving southbound on Denver Street Southeast;
  - b. 3:01:20 p.m. (EST) the red sedan, consistent with a Hyundai Sonata, disappears from view of the surveillance footage;

- c. 3:02:45 p.m. (EST) a black male wearing a two-tone light colored shirt, black skull cap, dark pants, and dark shoes (consistent with the appearance of the October 23 Robber) is seen walking northbound on Denver Street Southeast towards LOCATION
  9. The individual is seen holding a plastic bag, consistent with the bag the October 23 Robber brandished the firearm from.
- 120. Your affiant viewed the following footage from immediately prior to the October 23 Robbery of LOCATION 9:
  - a. 3:09:07 p.m. (EST) the black male described above consistent with the October 23
     Robber is seen running down Denver Street Southeast southbound. He is seen holding the same plastic bag in his left hand as he runs down the street.
- 121. Given your affiant's review of the surveillance footage from the October 31 Robbery and the October 23 Robbery, your affiant believes there is probable cause that a red sedan, consistent with a Hyundai Sonata was used by the October 31 and October 23 Robbers during the course of the commission of the TARGET OFFENSES.

### Use of License Plate Readers to Identify TARGET VEHICLE

- 122. Given the FBI's identification of a red sedan, consistent with a Hyundai Sonata, members of the FBI attempted to identify a possible license plate associated with the red sedan.
- 123. Members of the FBI reviewed exterior surveillance video related to the October 10, 2024 Robbery of LOCATION 6. Specifically, your affiant viewed exterior surveillance footage from 1814 14<sup>th</sup> Street Southeast (circled in red) an MPD crime camera capturing the intersection of Marion Barry Avenue Southeast and 14<sup>th</sup> Street Southeast (area circled in blue). LOCATION 6, where the robbery occurred, is marked with a green circle.



- 124. Your affiant viewed exterior surveillance footage from 1814 14<sup>th</sup> Street Southeast immediately prior to the robbery, showing the following:
  - a. 1:35:17 p.m. (EST) an individual wearing clothes consistent with the October 10
     Robber is seen walking T Street Southeast in the direction of 14<sup>th</sup> Street Southeast.
- 125. Your affiant also viewed the MPD Crime camera capturing the intersection of Marion Barry Avenue Southeast and 14<sup>th</sup> Street Southeast and observed the following:

- a. 1:29:00 p.m. (EST) a red sedan, consistent with a Hyundai Sonata, is seen driving
   Northbound on 14<sup>th</sup> Street Southeast, through the intersection of 14<sup>th</sup> Street Southeast
   and Marion Barry Avenue Southeast towards T Street Southeast.
- 126. Given the surveillance footage capturing a red sedan (consistent with the red sedan seen in the October 10 surveillance footage) during the October 23 and October 31 Robberies, the location where the red sedan was traveling immediately prior to the October 10 Robbery, and the surveillance footage capturing the October 10 Robber on foot walking from a direction where the red sedan was driving approximately 6 minutes prior, your affiant believes this is the same red sedan in all three of the robberies.
- 127. As such, your affiant took a screenshot of the red sedan traveling through the intersection of 14<sup>th</sup> Street Southeast and Marion Barry Avenue Southeast and determined the vehicle was a red Hyundai Sonata, had a D.C. license plate, and D.C. registration (which is placed on the lower left on the front windshield). (As with the plate below, D.C. license plates consist of two letters followed by four numbers, which is visually consistent with the photographed license plate here). Moreover, your affiant was able to determine the vehicle was likely a Hyundai Sonata model year 2013 through 2017. Your affiant is aware those models contain a specific silver trim on the rear trunk. Finally from this photograph as your affiant was able to determine the D.C. license plate contained what appeared to be the numbers "22" in sequential order.



128. Your affiant then conducted a search through law enforcement License Plate Readers ("LPRs") for red Hyundai sonata vehicles registered in D.C. with similar characteristics. Your affiant located records for TARGET VEHICLE, bearing license plate number JE2264 (which is consistent with the blurry photo of the license plate shown above). The registered owner is ANTONIO KINGSBURY, although your affiant notes his registration is currently expired. Moreover, the TARGET VEHICLE has a registered address at the TARGET PREMISES.

### The TARGET VEHICLE and TARGET PREMISES

- 129. Your affiant subsequently reviewed law enforcement records showing KINGSBURY was previously convicted of a felony punishable by a term of imprisonment exceeding one year. Specifically, KINGSBURY was convicted of Aggravated Assault While Armed in D.C. Superior Court Case Number 2014 CF1 2190 on June 19, 2015.
- 130. KINGSBURY was sentenced to a period of imprisonment of 100 months, followed by 4 years of supervised release.

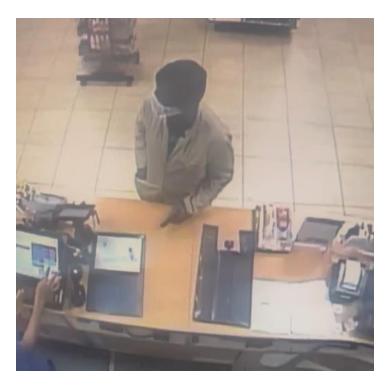
- 131. Your affiant reviewed MPD's gun offender registry unit forms related to KINGSBURY, which shows KINGSBURY's period of supervision began on May 2, 2022 and is set to end on May 2, 2026. In that same form, KINGSBURY provided his social security number, date of birth, signed his signature, provided his fingerprint, and verified his cell phone number as (202) 276-7056 (the "TARGET PHONE NUMBER"), and his address as the TARGET PREMISES.
- 132. On November 6, 2024, your affiant conducted surveillance at TARGET PREMISES. When your affiant arrived at 3:36 p.m. (EST), the TARGET VEHICLE was parked outside of TARGET PREMISES. At approximately 4:24 p.m. (EST), your affiant observed KINGSBURY load items into the trunk of TARGET VEHICLE and then enter the common door of TARGET PREMISES.



133. Your affiant concluded physical surveillance at approximately 6:10 p.m. (EST). Later that evening, your affiant received a call from APD indicating an ABC Store (a liquor store owned by the state of Virginia) located at 2940 Columbia Pike, Arlington Virginia was the subject of an armed robbery. Your affiant is in the process of obtaining the police reports and investigative file from APD. As a result, the information included below about this robbery is preliminary in

nature but follows the same pattern as prior robberies (similar clothes and mask, use of a similar ruse, and using his left hand to hold the firearm).

- 134. According to preliminary APD paperwork, at approximately 7:28 p.m. (EST), a black male wearing a beige shirt, black skull cap (the "November 6 Robber"), entered the ABC store and posed as a customer by placing a bottle of vodka on the check out counter. An employee of the ABC store then reported to APD that the November 6 Robber brandished a black firearm with his left hand towards the employee and stated something to the effect of "open the register before I shoot you." The November 6 Robber then robbed the establishment of an unknown amount of United States Currency and fled on foot immediately after.
- 135. Your affiant spoke to security at the ABC store, who stated the November 6 Robber stated "I'll be back" because the November 6 Robber was upset he did not obtain enough United States Currency.
  - 136. A screenshot of the internal surveillance footage is seen below:



- 137. Your affiant subsequently reviewed the law enforcement LPR database, which shows at 7:14 p.m. (EST) the TARGET VEHICLE traveled westbound on Columbia Pike and South Queen Street, Arlington Virginia. Your affiant is aware this is approximately .4 miles away from the ABC store, and 8.5 miles away from the TARGET PREMISES where your affiant observed KINGSBURY and the TARGET VEHICLE approximately one hour prior.
- 138. The LPR database also showed at 7:34 p.m. (EST), the TARGET VEHICLE traveled eastbound on Columbia Pike and South Ross Street, Arlington Virginia towards the District of Columbia. Your affiant is aware Columbia Pike and South Ross Street is .6 miles away from the ABC store that was robbed minutes prior.
- 139. Law enforcement subsequently returned to TARGET PREMISES at around 8:04 p.m. (EST), and observed the TARGET VEHICLE parked in the parking lot of TARGET PREMISES.

### KINGSBURY's INSTAGRAM

- 140. After identifying the TARGET VEHICLE, TARGET PREMISES, and KINGSBURY, your affiant discovered KINGSBURY's public Instagram account, username "topsouljatone" (the "TARGET INSTAGRAM ACCOUNT") (Instagram is a social media website where users can post photographs).
- 141. The TARGET INSTAGRAM ACCOUNT's handle "topsolejaytone" is the same handle as a public Cashapp account linked to KINGSBURY's TARGET PHONE NUMBER. In addition, the publicly available photos posted to the TARGET INSTAGRAM ACCOUNT, as shown below, are visually consistent with KINGSBURY. Your affiant has viewed several photographs where KINGSBURY is wearing articles of clothing consistent with that worn during the robberies discussed in this affidavit.

### New Balance Sneakers

142. As stated in this affidavit, the robber during the January 9, January 23, January 26, January 27, October 3 (Popeye's), October 10, October 12, and October 31 Robberies wore grey New Balance sneakers. As seen in KINGSBURY's Instagram account, KINGSBURY is seen wearing grey New Balance sneakers in over a dozen photographs, some of which are below.









Helly Hansen Jacket

143. As stated in this affidavit, the robber during the October 12 Robbery wore a black Helly Hansen branded jacket. As seen in KINGSBURY's Instagram account, KINGSBURY is seen wearing a black Helly Hansen jacket in multiple posts, as seen below:



144. In addition, your affiant would note KINGSBURY's physical features are visually consistent with the robber's appearance. For instance, the still below is from a cell phone video taken by an employee during the October 3 Virginia Robbery of the Subway, compared to the physical features of KINGSBURY as taken from his Instagram.



145. Finally, as discussed above, during his November 8, 2024 interview, KINGSBURY confessed to all of the robberies, in addition to other previously unidentified robberies.

Respectfully Submitted,

SPECIAL AGENT FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this  $8^{th}$  day of November 2024.

\_\_\_\_

MATTHEW J. SHARBAUGH UNITED STATES MAGISTRATE JUDGE