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AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
District of Minnesota

UNITED STATES OF AMERICA

v.

Case No. 26-mj-022 (DLM)

RAUL GUTIERREZ,

CRIMINAL COMPLAINT

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

1. On or about January 14, 2026, in the District of Minnesota, the defendant, Raul Gutierrez, having been previously convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year:

Crime	Jurisdiction of Conviction	Case Number
Burglary-building or dwelling	Dunn County, Wisconsin	2011CF000313
Dangerous weapons-reckless discharge of firearm within a municipality	Hennepin County, Minnesota	27-CR-18-10500
Domestic assault-by strangulation	Ramsey County, Minnesota	62-CR-25-2921

and knowing he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate commerce, a firearm, specifically, a Colt model M16A1 rifle bearing serial number 9506120, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

2. On or about January 14, 2026, in the District of Minnesota, the defendant, Raul Gutierrez, the defendant, Raul Gutierrez, willfully and knowingly did steal and purloin a Colt model M16A1 rifle bearing serial number 9506120 and a Huxwrx Suppressor bearing serial number P1000791, of a value exceeding \$1,000, of the goods and property of the United States, in violation of Title 18, United States Code, Section 641.

I further state that I am an ATF Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

SUBSCRIBED and SWORN before me
by reliable electronic means (Facetime and email)
pursuant to Fed. R. Crim. P. 41(d)(3).

Date:

1/16/26

City and State: St. Paul, MN


Complainant's signature

Nicholas McAdams, Special Agent
ATF

Printed name and title


Judge's Signature

The Honorable Douglas L. Micko
United States Magistrate Judge

Printed Name and Title

STATE OF MINNESOTA)
) ss. Case No. 26-MJ-22 (DLM)
COUNTY OF HENNEPIN) AFFIDAVIT OF NICHOLAS S. McADAMS

I, Nicholas S. McAdams, being duly sworn, state the following:

1. I am a special agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and am thus an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7).

2. I have been employed as a special agent with ATF since May 2016. I am assigned to the St. Paul Field Division, St. Paul IV Field Office, in the District of Minnesota. I received a Bachelor of Arts degree in international studies from the University of St. Thomas in May 2008. I received a Master of Arts degree in criminal justice from American Military University in February 2015. Before becoming an ATF special agent, I was a military police officer in the United States Marine Corps. As an ATF special agent, my duties and responsibilities include conducting criminal investigations of persons and entities for possible violations of federal law, including those laws found in Titles 18 and 21 of the United States Code. I have completed courses in criminal investigations, tactical training in executing searches of persons and premises, courses in federal firearms violations, and other general investigative matters. I have participated in hundreds of investigations that have resulted in the arrests, searches, seizures, and convictions of persons who have violated federal firearms and narcotics laws.

3. The facts and information contained in this affidavit are based upon my personal knowledge and observations of and information transmitted by other officers and agents involved in this investigation. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed or communicated to me or known to the government.

4. On January 14, 2026, members of the Federal Bureau of Investigation (FBI) were assisting Department of Homeland Security (DHS) personnel as part of the ongoing federal operation in the Twin Cities, Minnesota, metropolitan area. On this evening, FBI personnel were assisting in north Minneapolis following a DHS arrest operation that resulted in a use of force. As a result of the ensuing civil unrest, FBI and DHS personnel were forced to abandon their vehicles and property therein. As a result, individuals within the crowd broke into an unmarked FBI vehicle and stole its contents, to include:

- Colt M16A1 bearing serial number 9506120
- Glock 17M bearing serial number ADDC383
- Huxwrx Suppressor bearing serial number P1000791
- TYR Tactical ULV body armor bearing serial number 20013391
- Motorola APX handheld radio bearing serial number 579CWR4376
- Dell Latitude 5540 bearing serial number FYT7B04
- 5.56 and 9mm firearm ammunition

- Numerous items of unsterilized equipment, uniforms, and personal items.

5. Based on my training, experience, and research, I know that Colt M16A1 rifles are not manufactured in the State and District of Minnesota.

Identification of Raul GUTIERREZ

6. Throughout January 14th and 15th, 2026, investigators with DHS and the Department of Justice (DOJ) observed numerous open-source social media posts and videos of the destruction and theft of government property. In one such video, investigators observed a male with a distinguishable facial tattoo remove a soft rifle case containing the aforementioned Colt M16A1 and HUXWRX suppressor from the trunk vault of the FBI vehicle that had just been broken into.

7. Investigators familiar with the suspect from another investigation identified him as Raul GUTIERREZ (DOB: 09/30/1992). Additionally, booking photos from previous arrests that show identical facial tattoos were utilized to confirm his identity. GUTIERREZ's criminal history includes the following felony offenses:

Crime	Jurisdiction of Conviction	Case Number
Burglary-Building or Dwelling	Dunn County, Wisconsin	2011CF000313
Dangerous Weapons-Reckless Discharge of Firearm Within a Municipality	Hennepin County, Minnesota	27-CR-18-10500

Domestic Assault–By Strangulation	Ramsey County, Minnesota	62-CR-25-2921
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8. GUTIERREZ was previously under investigation by the Drug Enforcement Administration (DEA). DEA investigators stated that through their investigation, they identified GUTIERREZ's residence as 1318 23rd Street East, Minneapolis, Minnesota. Additionally, they identified his vehicle as a 2019 Ram 1500 with Minnesota license plate SPZ062.

9. While conducting additional monitoring of open-source social media posts, ATF investigators observed a video that showed GUTIERREZ walking down the street carrying the soft rifle case. The video shows GUTIERREZ stopping at the rear passenger door of a black Ford sedan (Minnesota license plate SMV596), pulling out a key fob, and unlocking the doors before placing the rifle case in the backseat. The video then shows GUTIERREZ walking around the driver's side door and entering the vehicle.

Surveillance of 1318 23rd Street East, Minneapolis, Minnesota

10. On the morning of January 15, 2026, investigators with ATF and the Hennepin County Violent Offender Task Force (VOTF) established surveillance on GUTIERREZ's residence. Investigators observed the aforementioned Ram 1500 parked outside of the residence. The residence had an accompanying garage. At approximately 1100 hours, investigators observed the garage door opening, revealing a vehicle under a cover. A short time later, a tow truck arrived and loaded the covered vehicle onto the back. A

male wearing a face mask who matched GUTIERREZ's height and weight exited the garage and entered the tow truck before it departed.

11. Investigators followed the tow truck for several minutes and observed the cover beginning to lift in the wind, revealing a black Ford sedan similar to that identified the previous night. Shortly thereafter, VOTF investigators attempted to conduct a traffic stop on the tow truck, which resulted in the truck fleeing. Investigators observed the driver and passenger exit the truck and run in different directions. Both the driver and passenger were apprehended after a brief foot pursuit. Upon being detained, the passenger was identified as GUTIERREZ.


Interviews of Raul GUTIERREZ

12. GUTIERREZ was subsequently arrested by VOTF and brought to Hennepin County Adult Detention Center. Detectives from VOTF conducted a recorded post-Miranda interview, during which GUTIERREZ initially admitted to stealing the gun and went on to state that shortly after he took it two unknown black males stole it from him. When the detective pressed for additional information, GUTIERREZ attempted to walk back his knowledge of the gun by saying he did not know what was in the case.

13. A few hours after this initial interview with VOTF, ATF and FBI Special Agents conducted a recorded post-Miranda interview with

GUTIERREZ. During this interview, GUTIERREZ admitted to handling and possessing the rifle. Additionally, he admitted to knowing he was a felon and thereby prohibited.

14. Based on the foregoing, there is probable cause to believe that on or about January 14, 2026, in the District of Minnesota, the defendant, Raul GUTIERREZ, did commit the offenses of felon in possession of a firearm in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8), and theft of public property in violation of Title 18, United States Code, Section 641.



Nicholas S. McAdams
Special Agent, ATF

Subscribed and Sworn before me by
reliable electronic means via Facetime
and email pursuant to Fed. R. Crim. P.
41(d)(3) this 16 day of January, 2026



The Honorable Douglas L. Micko
United States Magistrate Judge