

AO 91 (Rev. 11/11) Criminal Complaint

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

2015 OCT 30 AM 11:05

DEPUTY CLERK *[Signature]*

United States of America
v.

Case No. **5-15MJ00100**

Shannon Dale Smith

Defendant(s)

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 October 27-29, 2015 in the county of Crosby in the Northern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, United States Code, Section 875(b)	From on or about October 27, 2015, to on or about October 29, 2015, in the Lubbock Division of the Northern District of Texas, and elsewhere, Shannon Dale Smith, defendant, with the intent to extort from a person, firm, association, and corporation, money, and other things of value, did knowingly transmit in interstate and foreign commerce a communication containing a threat to kidnap any person and a threat to injure the person of another. In violation of Title 18, United States Code, Section 875(b).

This criminal complaint is based on these facts:

see attached affidavit in support of complaint.

Continued on the attached sheet.

[Signature]
AUSA

[Signature]
Complainant's signature
Keith Quigley, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: October 30, 2015

[Signature]
Judge's signature
Nancy M. Koenig, U.S. Magistrate Judge
Printed name and title

City and state: Lubbock, Texas

AFFIDAVIT IN SUPPORT OF COMPLAINT

1. My name is Keith Quigley. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, and I have been so employed since December 1997. I have been assigned to the Lubbock, Texas, Resident Agency since April 1998. I have been the case agent in a previous kidnapping and extortion cases.

2. As part of my duties and responsibilities as an FBI Special Agent, I am authorized to investigate crimes involving Extortion, including violations of Title 18, United States Code, Section 875(b).

3. Title 18, United States Code, Section 875(b), states that: “[w]hoever, with the intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall not be fined under this title or imprisoned not more than twenty years, or both.”

4. On October 27, 2015, at approximately 7:00 a.m., Nathan Boardman, who resides in Crosbyton, Crosby County, Texas, received a telephone call on his land line telephone from telephone number 806-407-7159, which was displayed on his caller identification. The unknown male caller left a message on Boardman’s answering machine that said in a muffled voice: “We are watching you, there is a note on the north door.”

5. Boardman found the note on the north door, which was in a white envelope

taped to the door with gray duct tape. Inside the white envelope was a hand written note that stated: "Follow these Instructions and no one will get Hurt. We Have a man watching your daughter. We Have a man watching your Grand daughter. We Have a man watching you and your wife. We are monitoring [sic] your home and cell phone. If you call the police, we will know and someone will be taken from you. If you choose not to participate, someone will be taken from you. You have till Thursday at 9pm to put \$525,000 in cash and or gold coins in a bag, duffel style. we [sic] will call you with further instructions. We are watching you. Do what you're told and no one will be Hurt".

6. On October 29, 2015, at approximately 7:00 a.m., Boardman received another telephone call to his landline telephone from 806-407-7159. An unknown male stated that they (Boardman) have 14 hours to get the money or he will see what Boardman's granddaughter looks like naked.

7. At approximately 6:22 p.m., the unknown male called and left a message saying they (Boardman) better answer and if they don't, that will be the last thing they do.

8. At approximately 8:00 p.m., the unknown male provided the following instructions: At 8:30 p.m., drive south on FM 651 3.5 miles south of the city limits, turn west and go one-half of a mile to a white boiler that's on the east side of a barn and throw the money into the weeds.

9. At approximately 9:00 p.m., law enforcement dropped a bag at the above-stated location in order to effect a staged delivery of the extortion money.

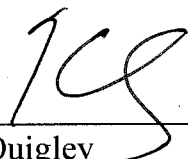
10. Soon after the drop was completed, a vehicle was observed in the vicinity of the drop and two individuals were observed on foot.

11. Law enforcement personnel immediately confronted the two male individuals and detained them. They were identified as Shannon Dale Smith and a juvenile male. At the time of his arrest, Smith had a semi-automatic pistol on his person.

12. Law enforcement informed Smith of his *Miranda* rights and he agreed to waive those rights and speak with law enforcement. Smith stated that in or around February he was having problems with his wife and financial problems. Smith said that while at Walmart this past week, he saw a TracFone and decided to extort money from Nathan Boardman because he believed that Boardman had around 23 million dollars. Smith admitted that he called Boardman and told him that Smith was watching him. Smith stated that he then placed a note on the door of the Boardman's house in Crosbyton, Texas, demanding \$500,000.00, which was a random number he had come up with.

13. After Smith's interview and based on information from Smith, law enforcement found the TracFone assigned 806-407-7159.

14. I believe that there is probable cause that Shannon Dale Smith violated Title 18, United States Code, Section 875(b), and respectfully ask for a warrant for his arrest.



Keith Quigley
Special Agent
Federal Bureau of Investigation
Lubbock, Texas

Subscribed and sworn before me this 30th day of October, 2015.



NANCY M. KOENIG
UNITED STATES MAGISTRATE JUDGE