

UNITED STATES DISTRICT COURT

for the

District of New Hampshire

United States of America
v.

James Ferguson
and
Richard Conner

Case No.

1:26-mj- 170-01/02-TSM

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 March 1st, and March 15th, 2026 in the county of Cheshire in the
District of New Hampshire, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1951 - Hobbs Act Robbery and 18 U.S.C. § 371 - Conspiracy.

This criminal complaint is based on these facts:

Please see the attached affidavit.

Continued on the attached sheet.

/s/ Sean Brackett

Complainant's signature

Special Agent Sean Brackett, ATF

Printed name and title

The affiant appeared before me by telephonic conference on this date pursuant to Fed. R. Crim P. 4.1 and affirmed under oath the content of this complaint and affidavit.

Date: Jun 12, 2026

Judge's signature



City and state: Concord, New Hampshire

Hon. Talesha L. Saint-Marc, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF THE ISSUANCE OF A
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Sean Brackett, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been employed so since November of 2015. I am currently assigned to the ATF Manchester Resident Office in Manchester, New Hampshire. While employed by the ATF, I have investigated federal criminal violations related to, among other things, narcotics trafficking, firearms, explosives, arson, alcohol, Hobbs Act robbery, and tobacco diversion. In my role with the ATF, I completed the Criminal Investigator Training Program and the ATF Special Agent Basic Training program at the Federal Law Enforcement Training Centers (FLETC) in Glynco, Georgia. In addition, I serve as an Army National Guard Special Forces Officer and have a Bachelor of Science Degree in Military Science from the United States Military Academy at West Point and a Master's Degree in Military Science from American Military University.

2. The information set forth in this affidavit is based on my personal participation in this investigation, as well as my training and experience, and information received from other law enforcement officers. I have not set forth every detail I or other law enforcement agents know about this investigation but have set forth facts that I believe are sufficient to evaluate probable cause for the issuance of the requested complaint and arrest warrant.

3. I submit the facts below to establish probable cause to believe that James FERGUSON ("FERGUSON") and Richard CONNER ("CONNER") have committed the crimes of Hobbs Act Robbery, and conspiracy thereof, both in violation of 18 U.S.C. § 1951, within the District of New Hampshire and elsewhere.

RELEVANT LAW

4. 18 U.S.C. § 1951, provides in relevant part that: “[w]hoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits ore threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.” 18 U.S.C. § 1951.

PROBABLE CAUSE

5. The ATF New Hampshire Violent Crimes Task Force, along with state and local law enforcement in New Hampshire, Vermont, and Massachusetts, are investigating FERGUSON and CONNER for their involvement in the theft of a U-Haul truck on March 1, 2026, in Northampton, Massachusetts, and subsequent armed robbery on or about March 15, 2026, in Hinsdale, New Hampshire where they used the stolen U-Haul truck. The U-Haul truck was later found on fire on or about March 16, 2026, in Orange, Massachusetts.

MARCH 1, 2026, U-HAUL TRUCK THEFT IN MASSACHUSETTS

6. On or about March 1, 2026, at approximately 7:17 p.m., a white sedan pulled into the parking lot of Walmart, located at 180 N. Kings Street, Northampton, Massachusetts. Video surveillance captures two individuals as they exit the white sedan. The driver, who I believe to be FERGUSON, put on a jacket and pulled a sweatshirt hood over his head. The front seat passenger, who I believe to be CONNOR, then walked around the car and entered the driver’s seat.

7. I then observe, via recorded video footage, FERGUSON walking past a Bank of America ATM, located at 192 N. Kings Street, Northampton, Massachusetts, in the same parking

lot where the white sedan initially parked. FERGUSON was walking towards the U-Haul truck rental center located at 227 N. Kings Street (MA Route 10), in Northampton, Massachusetts.



Images 1 (left) and 2 (right): screenshots from video footage depicting WM#1 walking past the Bank of America ATM at 192 N. Kings Street, Northampton, Massachusetts

8. I then observed video surveillance from the U-Haul rental center that shows FERGUSON used a hammer-like instrument to break a window of the business at approximately 7:24 p.m. FERGUSON then climbed through the broken window and walked directly into the garage. Video surveillance captured FERGUSON as he picked up three sets of keys that were in the Key Return drop box. I learned from a U-Haul employee that those sets of keys had been previously placed in the Key Return slot at the business earlier in the evening by customers returning U-Haul trucks. FERGUSON then exited the business through the broken window and walked towards the returned U-Haul vehicle line in the parking lot, which is out of camera view. A short time thereafter, a white 2025 GMC Savana, U-Haul truck, with Arizona registration AN07568, is captured on video surveillance as it was driven out of the lot. Additional area video surveillance timestamped 7:31 p.m. captured the white sedan in the parking lot and captured it as

it left around the same time as the stolen U-Haul.



Images 3 (left) and 4 (right): screenshots from video footage depicting the Sedan (circled in red)

MARCH 15, 2026, ARMED ROBBERY IN HINSDALE, NEW HAMPSHIRE

9. On March 15, 2026, I observed video surveillance footage obtained from a business in Brattleboro, Vermont, that showed that, on or about March 15, 2026, at approximately 10:40 p.m., a U-Haul truck traveled northbound on Canal Street towards Hinsdale, New Hampshire.



Image 5: screenshots from video footage depicting the Stolen U-Haul traveling northbound on Canal Street

10. Approximately seven (7) minutes later, the U-Haul is captured on video surveillance as it arrived at the plaza of the T-Bird Mini Mart and parked behind the building. I observed, via the surveillance video, that the U-Haul then backed up to the loading dock in the rear of the business.



Image 6: screenshots from video footage depicting the U-Haul pulling behind the building with a suspect in dark clothing on foot (circled in red)

11. At approximately 10:50 p.m., video surveillance captured two males as they entered the T-Bird Mini Mart, located at 849 Brattleboro Road (Route 119), Hinsdale, New Hampshire, each brandishing what appeared to be a pistol. One of the males, believed to be FERGUSON, was wearing a gray, brown, or olive drab jacket, with a black ski mask, red and black work gloves, dark pants, and gray Nike sneakers. Notably, FERGUSON appeared to be wearing a similar jacket, red and black work gloves, dark pants, and gray Nike sneakers as seen on the video surveillance during the theft of the U-Haul on or about March 1, 2026, in Northampton, Massachusetts.



Image 7: screenshot from video footage depicting Suspect #1 holding what appeared to be a 1911-type pistol (circled in red)

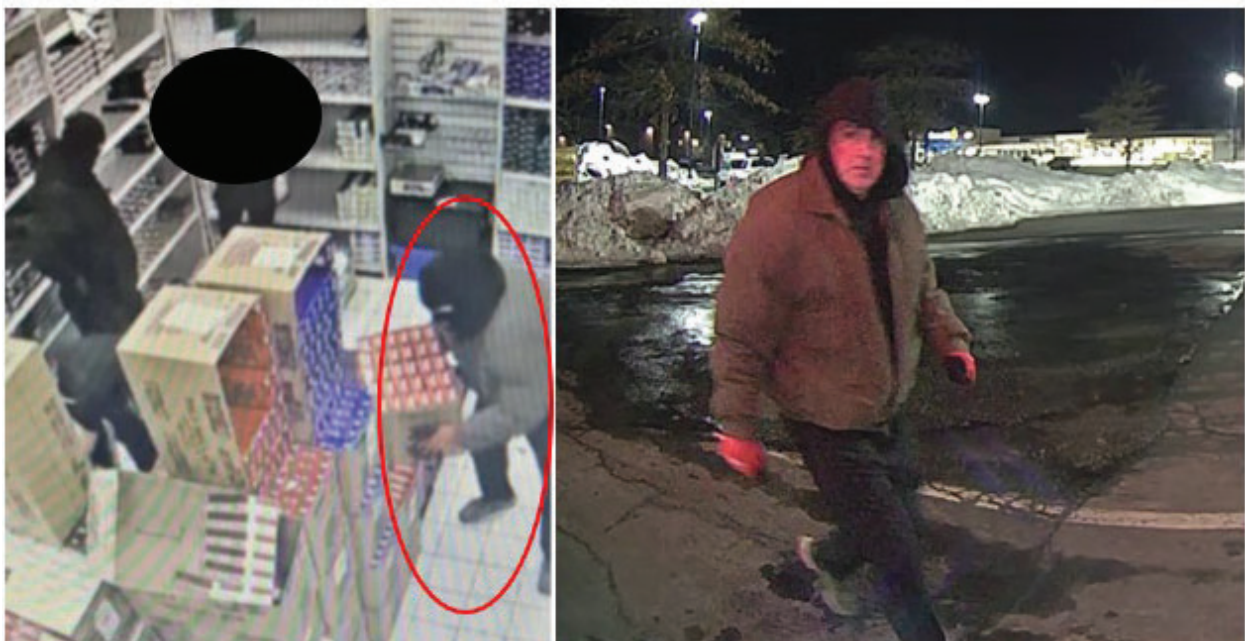


Image 8 (left): screenshot from March 15, 2026, T-Bird Mini Mart video footage depicting FERGUSON (circled in red) (victim's face redacted); Image 9 (right): screenshot from March 1, 2026, Bank of America ATM video footage depicting FERGUSON.

12. The other individual depicted on the T-Bird Mini Mart surveillance video appeared to be a heavysset white male, wearing a black ski mask, black and gray gloves with a white stripe across the knuckles, black Nike sweatshirt, black Nike pants, and black sneakers with distinctive black disks comprising the soles. I believe this second perpetrator to be CONNER.

13. According to a T-Bird Mini Mart clerk (Victim #1), two individuals came into the store right before closing. They then locked the doors and forced Victim #1 and Victim #2, at gunpoint, into a backroom where they directed the victims to package cartons of cigarettes into boxes. The two individuals then ordered Victim #1 to help load the cartons of cigarettes into the rear of the U-Haul. They then handcuffed Victims #1 and #2, duct taped their legs and left the business.

14. I reviewed video surveillance that corroborated Victim #1's statement. Additionally, I observed what appeared to be a phone alert go off while in FERGUSON's pocket.

15. I learned from the Hinsdale Police Chief that the value of the stolen cigarettes was approximately \$210,547.21 in United States Currency. Employees from the T-Bird Mini-Mart provided Hinsdale Police with a total loss amount for the cigarettes based on a review and audit of their inventory after the robbery. I reviewed invoices for cigarettes at T-Bird Mini-Mart and observed that they were distributed by J. Polep Distribution Services. I learned that J. Polep Distribution Services is based out of Springfield, Massachusetts, and has locations in Massachusetts, Rhode Island, and Connecticut. As such, the cigarettes traveled in and affected interstate commerce.

16. I observed that the video surveillance captured FERGUSON and CONNER as they entered the U-Haul and drove away from the T-Bird Mini-Mart at approximately 11:15 p.m. and drove northbound on Brattleboro Road (Route 119) towards Brattleboro, Vermont. Video

surveillance footage then captured that the rear pull down door was half open as the U-Haul drove away and that, as a result, a box of cartons of cigarettes appeared to fall out of the U-Haul and onto the loading dock parking area.

17. I, along with other ATF agents, observed multiple surveillance videos wherein the U-Haul is observed traveling from Hinsdale, New Hampshire, through Vermont, and into Massachusetts. I observed that additional boxes of cigarettes fell out of the rear of the U-Haul in Brattleboro, Vermont. Employees from the T-Bird Mini-Mart calculated the total value of the cigarettes that fell out of the truck to be approximately \$50,389.81 in United States Currency.



Image 10: screenshot from video footage depicting a U-Haul truck (circled in red) and cigarette cartons (circled in green) in the middle of the roadway on March 15, 2026

18. I observed State of Massachusetts video surveillance footage that showed that, on or about March 16, 2026, at approximately 12:35 a.m., the U-Haul truck drove eastbound on Massachusetts Route 2A, in the vicinity of Main Street, in Gill, Massachusetts. I observed a white sedan following the U-Haul.



Image 11: screenshot from MA DOT video footage depicting the U-Haul truck (circled in red) traveling in Gill, Massachusetts on March 16, 2026



Image 12: screenshot from MA DOT video footage depicting the white sedan (circled in red) traveling in Gill, Massachusetts on March 16, 2026

MARCH 16, 2026, STOLEN U-HAUL ARSON

19. I learned that, on or about March 16, 2026, at approximately 1:16 a.m., a 911 caller reported an explosion and fire in the vicinity of Route 2 and Route 2A in Orange Massachusetts. Orange (Massachusetts) Police Department responded to the area and observed a burning U-Haul truck. The U-Haul VIN number matched the stolen U-Haul truck from the March 1, 2026, theft. I learned that the Massachusetts Fire Marshall's Office determined an accelerant was utilized and

the U-Haul appeared to be purposely set on fire.



Images 13 (left) and 14 (right): screenshots from body worn camera of burning U-Haul truck.

20. On March 25, 2026, ATF agents applied for, and were granted, three federal search warrants for tower data information. Using the returns from those warrants, ATF investigators were able to isolate and identify two cell phones as being at various locations related to the crime scenes. ATF agents then applied for federal search warrants to track the location of those cell phones. Through those phone numbers, ATF were able to identify FERGUSON and CONNER as the suspects in the robbery.

21. On or about April 15, 2026, ATF agents observed FERGUSON in front of 50 Arthur Street, Worcester, Massachusetts, at approximately 7:45 a.m. as he exited his residence. FERGUSON then entered a white Audi vehicle that appeared to be similar to the white sedan observed during the theft of the U-Haul and the robbery in Hinsdale, New Hampshire.



Images 15 (left) and 16 (center) and 17 (right): surveillance photos taken by ATF Task Force officer on or about April 15, 2026.

22. I learned that FERGUSON had been stopped by Massachusetts State Police (MSP) for traffic stops on or about December 20, 2025, December 28, 2025, and April 5, 2026. I obtained, and reviewed, bodycam from the MSP that showed FERGUSON driving the white Audi and wearing a winter jacket that appeared similar to the jacket he was wearing during the U-Haul theft.



Image 18: Snippet from MSP Bodycam video during December 28, 2025, traffic stop.



Image 19: Snippet from MSP Bodycam video during April 5, 2026, traffic stop.

23. I then applied for two residential warrants for residences associated with CONNER and FERGUSON. On or about, June 4, 2026, the Honorable Jennifer C. Boal, from the District of Massachusetts, issued federal search warrants for 50 Arthur Street, Worcester, Massachusetts 01604 (FERGUSON RESIDENCE), and 93 Chapman Street, Greenfield, Massachusetts 01301 (CONNER RESIDENCE).

24. On June 12, 2026, ATF agents, along with the Manchester Police Department, Worcester Police department, and other state and local partners, executed the residential warrants on the CONNER and FERGUSON residences.

25. In CONNER's RESIDENCE, ATF agents discovered cigarettes, including approximately 103 assorted Marlboro cartons, approximately 25 Newport cartons, and approximately 147 Winston cartons of cigarettes. Additionally, ATF agents discovered mail addressed to CONNER, credit cards in CONNER's name, and cardboard boxes indicating the box originated in Hinsdale, New Hampshire or was shipped to Hinsdale, New Hampshire. Notably, the cigarettes also contained a New Hampshire Tobacco Tax stamp. Some images of cigarettes seized

from CONNER's RESIDENCE are depicted below:





26. CONNER was Mirandized and agreed to make a statement. CONNER, in sum and substance, stated the following: CONNER admitted to involvement in the Hinsdale T-bird Mini-Mart robbery and said that he committed the robbery with his brother, FERGUSON; CONNER stated that it was FERGUSON's idea; CONNER further stated that he should've told FERGUSON "no" when asked to participate in the robbery; CONNER further stated, "As soon as you guys called me, I knew." CONNER further stated that they surveilled the location multiple times before committing the robbery. CONNER further stated that there was one gun used that FERGUSON borrowed from someone else. CONNER further stated that FERGUSON paid the individual three

(3) boxes of cigarettes for use of the firearm and that the handcuffs they used on the victims were obtained in Boston, Massachusetts. CONNER further stated that he gave the clothes that he used during the robbery to FERGUSON who dumped them in a dumpster.

27. At FERGUSON's RESIDENCE, ATF agents discovered additional cigarettes, including approximately 147 cartons of Winston, approximately 102 cartons of assorted Marlboro, and approximately 25 cartons of Newport cigarettes. Additionally, ATF agents found mail addressed to FERGUSON, a receipt for the white Audi vehicle indicating FERGUSON paid approximately \$15,000 in United States Currency, and cardboard boxes indicating the boxes originated in Hinsdale, New Hampshire or were shipped to Hinsdale, New Hampshire. Notably, the cigarettes also contained a New Hampshire Tobacco Tax stamp. Some images of cigarettes seized from FERGUSON's RESIDENCE are depicted below:





28. I submit there is probable cause to believe that FERGUSON and CONNER have committed the crime of Hobbs Act Robbery, in violation of 18 U.S.C. § 1951, and conspiracy thereof, within the District of New Hampshire and elsewhere, and, therefore, request the issuance of a criminal complaint and arrest warrants.

Respectfully submitted,

/s/ Sean Brackett

SEAN BRACKETT

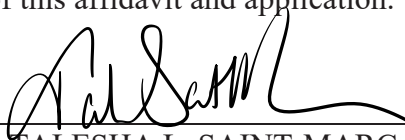
Special Agent

The Bureau of Alcohol, Tobacco, Firearms and
Explosives

The affiant appeared before me by telephonic conference, on this date, pursuant to Fed. R. Crim. P. 4.1, and affirmed under oath the content of this affidavit and application.

Date: Jun 12, 2026

Time: 2:58 PM



HON. TALESHA L. SAINT-MARC
United States Magistrate Judge

