

UNITED STATES DISTRICT COURT
for the
District of New Jersey

United States of America
v.
DARICK NOLLETT

Case No.
20-mj-2076 (JS)

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 May 28, 2020 in the county of Cumberland in the
District of New Jersey, the defendant(s) violated:

Table with 2 columns: Code Section, Description of Offenses. Row 1: Title 18, United States Code, Sections 922(g) and 2; Title 26, United States Code, Sections 5841, 5861(d), and 5871. Possession of a Firearm by a Convicted Felon; Receiving or Possessing a Firearm which is not registered to him in the National Firearms Registration and Transfer Record (See Attachment A)

This criminal complaint is based on these facts:

See Attachment B

Continued on the attached sheet.

Handwritten signature of Timothy F. Keating

Complainant's signature

Special Agent Timothy F. Keating, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

telephone (specify reliable electronic means).

Date: 05/29/2020

Handwritten signature of Joel Schneider

Judge's signature

City and state: District of New Jersey

Hon. Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED
UNITED STATES ATTORNEY

By: 

Daniel A. Friedman
Assistant U.S. Attorney

Date: May 29, 2020

ATTACHMENT A

COUNT 1

On or about May 28, 2020, in Cumberland County, in the District of New Jersey, and elsewhere, defendant

DARICK NOLLETT,

knowing that he had previously been convicted in a court in the State of New Jersey of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, namely a loaded Glock G19 9mm handgun, bearing serial number XGS165, and the firearm was in and affecting commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 2

On or about May 28, 2020, in Cumberland County, in the District of New Jersey, and elsewhere, defendant

DARICK NOLLETT

did knowingly receive and possess a firearm, that is, a silencer as defined in 18 U.S.C. § 921(a)(24), which was not registered to him in the National Firearms Registration and Transfer Record.

In violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871 and Title 18, United States Code, Section 2.

ATTACHMENT B

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Timothy F. Keating, being duly sworn, hereby deposes and states:

INTRODUCTION

1. I am a Special Agent with Homeland Security Investigations (“HSI”), assigned as the Resident Agent in Charge of the Cherry Hill, New Jersey Division, Group I, and have been employed as a Special Agent for HSI since March 2019. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, U.S.C. § 2501(7), that is an officer of the United States who is empowered by law to conduct investigations of, and make arrests for, offenses against the United States.

2. I have successfully completed the Criminal Investigator Training Program (“CITP”) and the ICE Special Agent Training Program (“ICESAT”) at the Federal Law Enforcement Training Center (“FLETC”) in Glynco, Georgia, and have experience in the investigation and prosecution of violations of immigration, customs (import/export), narcotics, and other federal criminal laws. I have executed and participated in the execution of numerous search warrants for violations of federal laws.

3. This Affidavit is submitted for the limited purpose of setting forth probable cause for the issuance of the requested criminal complaint. For that reason, I have not included every fact known to me regarding this investigation. Rather, I have set forth only those facts which I believe are necessary to establish probable cause to support issuance of the requested criminal complaint. The statements set forth herein are related in substance and in part. Similarly, when I assert that an event occurred on a particular date, I am asserting that the event occurred on or about the date alleged.

4. Based on the facts set forth in this Affidavit, there is probable cause to believe, and I do believe, that on or about May 28, 2020, in Cumberland County, in the District of New Jersey and elsewhere, DARICK NOLLETT, knowing that he had previously been convicted in a court in the State of New Jersey of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, and the firearm was in and affecting commerce, in violation of Title 18, United States Code, Section 922(g)(1) and Title 18, United States Code, Section 2.

5. Based on the facts set forth in this Affidavit, there is probable cause to believe, and I do believe, that on or about May 28, 2020, in Cumberland County, in the District of New Jersey and elsewhere, DARICK NOLLETT, did knowingly receive and possess a firearm, that is, a silencer as defined in 18 U.S.C. § 921(a)(24), which was not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871 and Title 18, United States Code, Section 2.

6. The facts in this Affidavit come from my personal observations, my training and experience, information and materials obtained during the investigation and from other agents and witnesses, as well as the results of a search warrant executed at DARICK NOLLETT's residence, located in Heislerville, New Jersey, on May 28, 2020.

SUMMARY OF INVESTIGATION AND PROBABLE CAUSE

7. On or about April 8, 2020, DARICK NOLLETT purchased a "Car Fuel Filter Kit" from a seller located in China. He placed this order on eBay and entered his residence as the shipping address.

8. Based upon my training, experience, and discussions with other law enforcement officers, I am aware that firearm silencers and silencer components are offered for sale online through shopping websites such as eBay.¹ In order to prevent the detection of firearms and firearm components, online retailers often describe such devices as "fuel filters," "storage cups," "fuel trap/solvent filters," or other products in the automotive, industrial, and machinery industries.

9. With the proper knowledge and materials, individuals have the ability to use items like the "Car Fuel Filter Kit" that DARICK NOLLETT purchased as silencers, or to modify parts and supplies like the "Car Fuel Filter Kit" that DARICK NOLLETT purchased into silencers.

10. An ATF agent who is familiar with items that have been marketed

¹ A firearm silencer is "any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication." 18 U.S.C. § 921(a)(24).

as “fuel filters” or “solvent traps” that are easily convertible to silencers has reviewed photographs of the “Car Fuel Filter Kit” that DARICK NOLLETT purchased and advised me that the characteristics of the “Car Fuel Filter Kit” appear consistent with other items that have been marketed as “fuel filters” or “solvent traps” and found by ATF firearms experts to qualify as “silencers” as that term is defined in 18 U.S.C. § 921(a)(4).

11. On May 26, 2020, United States Magistrate Judge Joel Schneider issued a search warrant for DARICK NOLLETT’s residence and other structures on his property, which authorized the seizure of evidence relating to violations of 18 U.S.C. § 922(g) (unlawful possession of a firearm), 18 U.S.C. § 922(l) (unlawful importation of a firearm), and 26 U.S.C. §§ 5861(b) and (d) (possession of unlawfully transferred or unregistered firearms).

12. On May 28, 2020, a USPIS inspector working in an undercover capacity as a USPS mail carrier, delivered the parcel containing the “Car Fuel Filter Kit” to DARICK NOLLETT’s residence. DARICK NOLLETT accepted the package and brought it inside the residence. The “Car Fuel Filter Kit” is not registered to DARICK NOLLETT on the National Firearm Registration and Transfer Record.

13. Law enforcement officers subsequently executed a search of DARICK NOLLETT’s residence and other structures on his property, located in Heislerville, New Jersey, pursuant to the search warrant referenced above.

14. During this search, law enforcement officers located and later seized approximately 14 handguns, approximately 24 long guns, ammunition, and high-capacity magazines, including the following:

- 1) A Remington 710 .270 caliber rifle;
- 2) A Savage 93R17 .17 caliber rifle;
- 3) An Aero Precision DTOM 15 rifle;
- 4) A CMMG Inc. MK4 rifle;
- 5) A Del-Ton DTI-15 rifle;
- 6) A black rifle with Blackhawk scope;
- 7) An Aero Precision DTOM 15 rifle;
- 8) A Keltec rifle;
- 9) A Smith & Wesson .38 caliber revolver;
- 10) A black revolver;
- 11) A Ruger LCP .380 caliber semi-automatic pistol;
- 12) A Colt Python .357 caliber revolver;
- 13) A Taurus PT738 .380 caliber handgun;

- 14) A Sig Sauer P226 .22 caliber handgun;
- 15) A Glock 20 10mm handgun;
- 16) A Heckler & Koch VP9 tactical pistol;
- 17) A Smith & Wesson M&P40 .40 caliber handgun;
- 18) A Springfield XD-40 .40 caliber handgun;
- 19) A Springfield XD-45 .45 caliber handgun;
- 20) A Taurus PT111 G2 9mm handgun;
- 21) A Browning BPS 12 gauge shotgun;
- 22) A Winchester Model 120 12 gauge shotgun;
- 23) A Hatsan Arms Escort PS Magnum 12 gauge semi-automatic shotgun;
- 24) A Remington 870 20 gauge shotgun;
- 25) A Mossberg 500E .410 gauge shotgun;
- 26) A Rossi 520 20 gauge shotgun;
- 27) A New England Firearms Pardner SBI 12 gauge shotgun;
- 28) A Fabrica Aguirre y Aranzabal JC Higgins Model 100 12 gauge shotgun;
- 29) A Savage Model 720 12 gauge shotgun;
- 30) A Springfield Armory Model 1896 rifle;
- 31) A Ruger Model 10-22 .22 caliber rifle;
- 32) A Remington 7615 Police .223 caliber rifle;
- 33) A Winchester Model 1864 30 30 rifle;
- 34) A Mossberg 500 12 gauge shotgun;
- 35) Various ammunition and high-capacity magazines

15. In addition, law enforcement officers located and seized an assembled AR-15 style rifle with scope that did not bear a serial number. Law enforcement officers also located and seized unassembled parts for another AR-15 style rifle.

16. One of the seized firearms is a Glock G19 9mm handgun, bearing serial number XGS165. The Glock G19 was loaded with a magazine containing 9mm ammunition.²

17. During the search, law enforcement officers located a New Jersey Permit to Purchase a Handgun and Form of Register stating that the Glock G19 was purchased by DARICK NOLLETT on May 24, 2014. A search conducted by law enforcement on or about May 4, 2020 revealed that the Glock G19 and five other handguns located and seized during the search are registered to DARICK NOLLETT.

² The Glock G19 was found in a bedroom that appears to be used by DARICK NOLLETT.

18. The Glock G19 is believed to have traveled in interstate commerce based on consultation with an ATF Special Agent who is qualified in making determinations as to the place of manufacture of firearms and who examined the firearm. Many of the other firearms and ammunition that were recovered during the search of DARICK NOLLETT's residence also are believed to have been manufactured outside of the State of New Jersey.

19. On or about October 23, 2015, DARICK NOLLETT was convicted in Superior Court of New Jersey, Cumberland County, of endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4a, a crime punishable by imprisonment for a term exceeding one year. Because of this offense, DARICK NOLLETT is prohibited by federal law from possessing a firearm or ammunition.

20. In a statement to law enforcement officers on May 28, 2020, DARICK NOLLETT stated that he ordered the "Car Fuel Filter Kit" and intended to modify and use it as a silencer. DARICK NOLLETT further stated that he is a "gun fanatic" who orders firearm parts on the Internet and manufactures firearms and ammunition. DARICK NOLLETT stated that he built the AR-15 style rifle that was located during the search from parts he purchased on the Internet. DARICK NOLLETT further stated that he possessed many of the firearms, ammunition, and high capacity magazines that were found during the search of his property.