

UNITED STATES DISTRICT COURT

for the

District of South Carolina

United States of America

v.

MICHAEL LAMBERT SEABROOKE

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Case No. 8:19mj 107

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 July 7, 2019, and July 9, 2019 in the county of Pickens in the District of South Carolina, the defendant(s) violated:

Code Section

Offense Description

Title 26, U.S.C., Section 5861(d) by possessing firearms (destructive devices) which are not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT, ATTACHMENT A

Continued on the attached sheet.

Complainant's signature

Thomas Kurtz, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/10/19

Judge's signature

City and state: Greenville, South Carolina

Kevin McDonald, United States Magistrate Judge

Printed name and title

ATTACHMENT A

AFFIDAVIT

I, Thomas Kurtz, being duly sworn, depose and state that:

Affiant's Training and Experience

I am an investigator or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered to conduct investigations of and to make arrests for the offenses enumerated in Titles 18, 21, and 26, of the United States Code and other related offenses. I have been employed with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Justice Department since January 2016. My duties involve the investigation of federal firearms offenses, and associated violent crime and narcotics offenses. During my time with ATF I have participated in numerous investigations related to explosives.

I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy. During my ATF Academy Training I participated in explosives and post blast training. In 2008, I successfully completed the Oregon Department of Public Safety, Standards and Training academy as a peace officer and have been employed in Law Enforcement since then.

The statements contained in this Affidavit are based on information I have learned through my own investigation, experience, and background as an ATF agent, and through that of other Federal agents and members of law enforcement. Because this Affidavit is being submitted for the limited purpose of securing a Criminal Complaint and Arrest Warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that on or about July 7, 2019, and on July 9, 2019, MICHAEL LAMBERT SEABROOKE violated Title 26, United States Code, Section 5861(d), by possessing a firearm which is not registered to him in the National Firearms Registration and Transfer Record.

Arrest of Michael Lambert SEABROOKE:

On July 7, 2019, around 11:15 p.m., a Pickens Police Department officer located a destructive device in a fenced in area of the Pickens County Courthouse located at 214 East Main Street, Pickens, South Carolina. The device had detonated and caused damage to the building but no injuries were reported. The bomb squad and the Greenville Field office of ATF were notified. Certified Explosive Specialist (CES) Special Agent (SA) David Sanford and SA Thomas Kurtz responded to the incident. CES/SA Sanford notified the Greenville Office of the Federal Bureau of Investigation (FBI) per protocol. Once the device was rendered safe agents assisted with the identification and evidence collection of the device.

The items collected from the scene included galvanized metal pipes, pieces of pipe endcaps, black plastic bag type material, green plastic bag type material, a propane cylinder, propane cylinder hose, and a brown construction style belt. The preliminary investigation indicated the device was

made of two metal pipe bombs attached with a belt to a propane cylinder with the valve in the open position. The pipe bombs detonated but did not ignite the propane.

During the investigation surveillance video was obtained from several nearby businesses. In the video a Chevy Silverado pickup truck with a South Carolina license plate was identified as a suspect vehicle. The vehicle was registered to a subject in Columbia, South Carolina.

On July 9, 2019, around 8:00 a.m., the suspect vehicle was located in front of a residence in Columbia, South Carolina. Agents maintained surveillance on the vehicle until contact was made with a subject walking to the truck. FBI Task Force Officer (TFO) Maxwell identified the subject as MICHAEL LAMBERT SEABROOKE.

During a post Miranda interview SEABROOKE confessed to FBI TFO Maxwell and ATF SA Jordan that he placed the device at the Pickens County Courthouse. SEABROOKE also reported he threw several destructive devices on the roof of the Pickens County Department of Social Services DSS building, located at 212 McDaniel Avenue, Pickens, South Carolina. SEABROOKE also stated he had several destructive devices in his (suspect) vehicle.

SEABROOKE provided written consent for the vehicle and for the room he rents in a mobile home to be searched. The bomb squad located two metal pipe bombs and two incendiary devices (Molotov cocktails) inside the vehicle. The incendiary devices were rendered safe at the scene. The pipe bombs were transferred to a safe location to be rendered safe. A preliminary test of the powder contained in the pipe bomb was found to be energetic.

During the interview of SEABROOKE he reported the suspect vehicle belongs to another person and that SEABROOKE is in the process of purchasing the vehicle. SEABROOKE reported he has had possession of the vehicle for several weeks. An interview of the vehicle's owner conducted by SA Kurtz confirmed that SEABROOKE has had the vehicle for a little more than a month.

Located by SA Kurtz and SA Cox-McClain during the consent search of the vehicle were two receipts for McDonald's in Pickens County dated July 7, 2019. The vehicle also contained green plastic wrap consistent with the wrap found on the incendiary devices located in the vehicle and on the roof of the DSS building. A roll of black electrical tape was located in the vehicle and consistent with the tape used on the device located at the Pickens County Courthouse.

Located by SA Kurtz, SA Cox-McClain and FBI TFO John Dyas during the consent search of SEABROOKE'S room was a piece of fuse consistent with the fuse located in the pipe bombs recovered from the vehicle. Also located in that same room was green plastic material consistent with the plastic roll located in the vehicle as well as the plastic wrapped around the incendiary devices.

During the contact with SEABROOKE it was found there was an active warrant for his arrest out of Pickens County issued in June 2019. SEABROOKE was transported by agents to the Pickens County Detention Center where he remains.

Criminal History

SEABROOKE has previously been convicted of a crime punishable by imprisonment for a term exceeding one year to include a conviction in Pickens County for Breach of peace, aggravated in nature.

National Firearms Registration and Transfer Record query

On July 9, 2019, SA David Sanford caused a search of to be conducted of records at the National Firearms Registration and Transfer Record. The result of this query revealed that MICHAEL SEABROOKE has no firearms or destructive devices registered to his name.

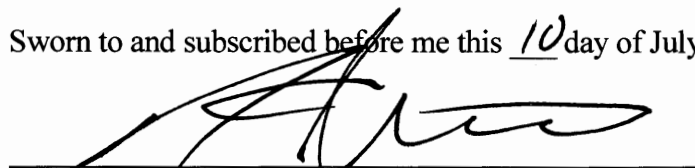
Based on the above information, your Affiant knows that a person who manufactures and/or possesses destructive devices is required to register such devices with ATF. Your Affiant further knows that a person who manufactures or possesses an unregistered destructive device is in violation of Title 26, United States Code, Section 5861(d).

Therefore, based upon the information set forth in this Affidavit, I respectfully submit there is probable cause to believe that on or about July 7, 2019, and July 9, 2019, in the District of South Carolina, MICHAEL LAMBERT SEABROOKE violated Title 26, United States Code, Section 5861(d), by possessing a firearm which is not registered to him in the National Firearms Registration and Transfer Record.

In consideration of the foregoing, I respectfully request that this Court issue a Criminal Complaint and Arrest Warrant for MICHAEL LAMBERT SEABROOKE.


Thomas Kurtz
Special Agent, ATF

Sworn to and subscribed before me this 10 day of July, 2019.



Kevin McDonald
United States Magistrate Judge
District of South Carolina