

UNITED STATES DISTRICT COURT

for the
Western District of MissouriUnited States of America
v.
RUSSELL DEAN MOORE, JR.

Case No. 16-3011-MJ-MJW

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 04/07/2016 in the county of Boone and Callaway in the
Western District of Missouri, the defendant(s) violated:*Code Section*

18 U.S.C. § 922(g)(1)

Offense Description

On or about April 7, 2016, in Boone and Callaway Counties, in the Western District of Missouri, the defendant, RUSSELL DEAN MOORE, JR., having been convicted of crimes punishable for terms exceeding one year, knowingly possessed in and affecting commerce a firearm, that is, a Smith & Wesson, Model SW9VE, 9mm pistol, serial number RAX5305; all in violation Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

This criminal complaint is based on these facts:

See affidavit of ATF TFO David L. Wilson, attached hereto and made a part hereof for all purposes.

☒ Continued on the attached sheet.

Complainant's signature

ATF TFO David L. Wilson

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/07/2016

Judge's signatureCity and state: Jefferson City, MissouriMatt J. Whitworth, United States Magistrate Judge

Printed name and title

**AFFIDAVIT
OF
TASK FORCE OFFICER DAVID L. WILSON
BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES**

I, David L. Wilson, being first duly sworn, do hereby depose and state that:

1. I am a deputized Task Force Officer (TFO) of the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) assigned to the Jefferson City, Missouri Office. As such, I am an “investigative or law enforcement officer” of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516(1). I have been a commissioned officer with the Boone County Sheriff’s Department since 1994. During my career as a law enforcement officer, I have participated in hundreds of drug investigations, either as a case agent or in various support roles at both the state and federal level.

2. I am familiar with federal criminal laws, particularly federal firearms and narcotics violations. In the performance of my duties with ATF, I have investigated and participated in numerous investigations involving federal firearms violations and the criminal activities of street gangs and drug trafficking organizations. Because this affidavit is being submitted for the limited purpose of securing authorization for a tracking warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the requested warrant.

3. On April 6, 2016, at approximately 1:38 p.m., Boone County Sheriff’s Deputies were dispatched to 8101 Benthall Boulevard, Columbia, Boone County, Missouri, for a stolen

vehicle complaint. The complainant, Tracey Nichols, reported her 2007 Jeep, VIN: 1J8GA69197L145534, Missouri license plate HL7-K1S, had been stolen from her residence. In addition to the Jeep, firearms and other items were also stolen from the residence, including a Smith & Wesson, 9mm, semi-automatic pistol.

4. On April 7, 2016, at approximately 2:44 a.m., Boone County Sergeant Kenneth Boyce, who had been informed about the stolen Jeep, was at the Midway Travel Center, 6401 East Highway 40, Columbia, Boone County, Missouri. Sergeant Boyce observed the stolen Jeep pull into the parking lot of Midway Travel Center. From a distance, Sergeant Boyce observed that the Jeep appeared to be unoccupied. Sergeant Boyce drove over to the Jeep, exited his patrol car, and walked towards the Jeep. As he did so, a white woman appeared in the front passenger seat: she moved to the driver's seat and drove away from Sergeant Boyce. The woman stopped in the parking lot, and a white man entered the passenger front seat of the Jeep.

5. After confirming that the Jeep was stolen, Sergeant Boyce pursued the Jeep with his emergency lights activated. The Jeep turned onto Highway 40 and, as it was crossing Interstate 70, the man shot at Sergeant Boyce multiple times. The Jeep turned onto Highway UU and stopped at the intersection of Sugar Creek Road. Sergeant Boyce saw the white man exit the Jeep and started shooting at him. The man got back into the Jeep and the pursuit continued.

6. After Sergeant Boyce's patrol vehicle was struck by at least one bullet, disabling it, other officers continued their pursuit of the stolen Jeep into the southern part of Columbia, Missouri. The chase eventually moved onto Interstate 70 East, where officers continued to pursue the stolen Jeep into Callaway County. Throughout the pursuit, multiple shots were fired from the Jeep at various officers. Shots were also fired from the Jeep at four semi-trailer trucks traveling on Interstate 70, nearly striking one of the drivers.

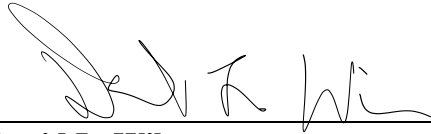
7. The officers' pursuit terminated on County Road 172 in Callaway County, Missouri, when the stolen Jeep ran out of gas. A Smith & Wesson, Model SW9VE, 9mm pistol, serial number RAX5305, was thrown from the front passenger seat of the Jeep by the woman. The occupants of the stolen Jeep were arrested without incident. ATF Special Agent Philip Pritchett confirmed this firearm was manufactured outside the State of Missouri, and therefore affected interstate commerce.

8. Officers identified the occupants of the stolen Jeep as RUSSELL DEAN MOORE, JR., date of birth 06/21/1990, and VICTORIA ANN BUOL, date of birth 02/23/1992. Both MOORE and BUOL were arrested and transported to the Boone County Jail for processing.

9. During post-*Miranda* interviews, both MOORE and BUOL admitted firing the pistol at officers and semi-trailer trucks from the stolen Jeep. They stated that their intent when shooting at semi-trailer trucks on Interstate 70 East was to cause a serious accident, which would terminate officers' pursuit of them and aid in their escape. BUOL admitted knowing the pistol had been stolen, and that she had fired it at officers. MOORE also admitted shooting the pistol at the officers.

10. On August 20, 2007, MOORE pled guilty to felony second degree burglary in Callaway County Circuit Court case number 07CW-CR00803-01, and received an SIS on September 17, 2007, which was revoked on April, 21, 2008. As a result, MOORE received a four year sentence, which he completed on July 25, 2011. On June 30, 2008, MOORE pled guilty to felony second degree burglary in Callaway County Circuit Court case number 08CW-CR00076-01, and received a five year sentence on August 25, 2008.

11. BUOL has no felony convictions, but on January 15, 2016, she was charged in felony possession of controlled substance except 35 grams or less of marijuana in Boone County Associate Circuit Court case number 16BA-CR00118. BUOL was released on bond, but after she failed to appear for numerous scheduled hearings, a warrant was issued for her arrest.



David L. Wilson
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to and subscribed before me, on this, the 7th day of April, 2016.



Matt J. Whitworth
United States Magistrate Judge