

UNITED STATES DISTRICT COURT

for the Northern District of California

United States of America

v.

RYAN KELLY CHAMBERLAIN, II

Defendant(s)

UNDER SEAL

Case No.

3-14-7077413

FILED 2014 JUN -3 A 8:53 RICHARD W. WIENING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

AMENDED 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 31, 2014 in the county of San Francisco in the Northern District of California, the defendant(s) violated:

Code Section 26 U.S.C. § 5861(c)

Offense Description Possession of an illegal destructive device as defined in 26 U.S.C. § 5845(a).

Penalties:

Approved as to form:

[Signature]

AUSA Philip J. Kearney

- (1) Imprisonment: Maximum 10 Years. (2) Fine: Not more than \$10,000 (3) Supervised release: Maximum 3-year Term (4) Special assessment: \$100.00

This criminal complaint is based on these facts:

See attached AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

[x] Continued on the attached sheet.

[Signature] Complainant's signature

Michael P. Eldridge, FBI Special Agent Printed name and title

Sworn to before me and signed in my presence.

Date: 6/2/2014

[Signature] Judge's signature

City and state: San Francisco, California

HON. NATHANAEL COUSINS Printed name and title

1 **AFFIDAVIT IN SUPPORT OF AMENDED CRIMINAL COMPLAINT**

2 I, Michael P. Eldridge, hereafter referred to as affiant, duly sworn under oath, hereby depose and
3 state as follows:

4 1. I make this affidavit in support of a complaint for the issuance of an arrest warrant for
5 Ryan Kelly Chamberlain, II (CHAMBERLAIN).

6 2. As set forth below, there is probable cause to believe that CHAMBERLAIN has
7 committed a violation of Title 26 U.S.C. § 5861(c) (possession of an illegal destructive device). I am a
8 Special Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed since July
9 2013. I am currently assigned to the FBI's San Francisco Division, Oakland Resident Agency
10 ("Oakland RA"). The Oakland RA is tasked with the investigation of federal criminal offenses,
11 including the investigation of weapons of mass destruction ("WMD"), which comprise, in part,
12 biological agents, toxins, explosive devices, and related materials. This application arises from a joint
13 investigation by the FBI, the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), and the
14 United States Department of Homeland Security, Homeland Security Investigations, of
15 CHAMBERLAIN.

16 3. I have personally participated in this investigation and am aware of the facts contained
17 herein based on my own investigation, as well as my review of documents, records and information
18 provided to me by other law enforcement officers and technical experts. The other law enforcement
19 officers and experts I have received information from include FBI special agents with training and
20 experience in WMD related investigations. These special agents have received specialized training in
21 WMD investigations and have conducted investigations concerning the production and manufacturing of
22 WMDs, as well as multiple assessments and investigations of the threatened use of WMDs. Based on
23 my personal knowledge, and the information I have received from the law enforcement officers and
24 technical experts described above, I have knowledge, training, and experience regarding the
25 manufacture, deployment, and manufacturing of WMDs.

26 4. This affidavit is intended to show that there is sufficient probable cause for the requested
27 criminal complaint and does not set forth all of my knowledge about this matter. Unless specifically

1 indicated, all conversations and statements described in this affidavit are related in substance and in part.
2 Where I assert that an event took place on a particular date, I am asserting that it took place on or about
3 the date asserted.

4 5. On May 30, 2014, United States Magistrate Judge Jacqueline Scott Corley signed a
5 search warrant authorizing the search of 1831 Polk Street #117, San Francisco, California (the **Subject**
6 **Premises**), the suspected residence of CHAMBERLAIN. (See Search Warrant attached as Exhibit A
7 and incorporated as if fully set forth herein). Based on your affiant's investigation, CHAMBERLAIN
8 was believed to be the sole resident of the **Subject Premises**.

9 6. On May 31, 2014, your affiant was part of a team of law enforcement personnel that
10 served the search warrant on the **Subject Premises**. Shortly before the service of the search warrant,
11 CHAMBERLAIN was observed exiting the **Subject Premises** with an identified female known to reside
12 at a separate location. CHAMBERLAIN was observed to drive away from the area of the **Subject**
13 **Premises** with the identified female. Approximately 30 minutes later, CHAMBERLAIN was observed
14 approaching the **Subject Premises** on foot. Your affiant identified himself to CHAMBERLAIN and
15 invited CHAMBERLAIN to talk in a nearby coffee shop.

16 7. Inside the coffee shop, CHAMBERLAIN admitted that he was aware of the Tor network,
17 and that he sometimes played poker on 'black market' websites. He admitted that the laptop he used to
18 access these sites was inside the **Subject Premises**. After a short interview, CHAMBERLAIN was
19 allowed to leave the coffee shop at his request. CHAMBERLAIN was thereafter observed to enter his
20 personal vehicle and drive away from the vicinity of the **Subject Premises**. Attempts to follow
21 CHAMBERLAIN were curtailed by surveillance teams out of a concern for public safety, when
22 CHAMBERLAIN was observed driving in an apparent intentionally reckless manner at a high rate of
23 speed, failing to stop at posted lights and signs. CHAMBERLAIN's whereabouts remain unknown to
24 your affiant.

25 8. After entry was made into the **Subject Premises** on May 31, 2014, your affiant is aware
26 that FBI personnel found several items of potential evidentiary interest, including a rust-colored
27 'messenger' bag or satchel lying on the floor adjacent to the kitchen or dining room table.

1 9. Per FBI search protocol, an x-ray analysis of the contents of the bag was conducted
2 before the bag was handled or opened. The x-ray (an image from which is attached as Exhibit B), was
3 examined by trained FBI bomb technicians with experience in assessing destructive devices as defined
4 by 26 U.S.C. § 5845(a). These bomb technicians stated to your affiant that the contents of the
5 messenger bag included the following:

- 6 • A screw top glass jar containing batteries and a powdery, green substance
- 7 • A model rocket motor lodged within the green powdery substance
- 8 • An 'electric match,' a common igniter for improvised explosive devices ("IEDs")
- 9 • An assortment of ball bearings and screws believed to be intended projectiles
- 10 • A wire extending from the glass jar attached to the metal lid of the jar
- 11 • A circuit board, configured as a remote-controlled receiver

12 10. I am informed by the FBI bomb technicians who analyzed the device that the insertion of
13 the model rocket motor into the green powdery substance is significant, since rocket motors are known
14 to 'burn' at extreme temperatures, creating an efficient method of fully igniting explosive material,
15 which the FBI bomb technicians believe the green powdery substance to be. I am further informed by
16 these same bomb technicians that the device found within the messenger bag contained the four
17 components necessary to comprise an IED: 1) a power source; 2) wire conductors; 3) a switching
18 mechanism; and 4) an initiator/explosive. FBI bomb technicians believe that the circuit board described
19 above was designed to serve as a remote control, allowing detonation of the device from afar. Based on
20 this evidence and their collective training and experience, the FBI bomb technicians who analyzed the
21 contents of the messenger bag believe it to be an illegal destructive device within the meaning of 26
22 U.S.C. §§ 5845(a) and 5861(c). They further believe that the device was designed to maim or kill a
23 human being or human beings.

24 11. Your affiant believes based on the investigation that the messenger bag and contents were
25 the property of CHAMBERLAIN. The messenger bag itself was found immediately adjacent to the
26 kitchen or dining room table of the one bedroom apartment. On that table, within approximate arms-
27 reach of the messenger bag, was an open laptop computer believed by your affiant to be

1 CHAMBERLAINS, based on my investigation and statements made by CHAMBERLAIN to your
2 affiant on May 31, 2014.

3 12. On a shelf in the kitchen of the Subject Premises was what appeared to be a tool box
4 containing apparent additional IED components similar to those used in the messenger bag device,
5 including wires and a "clothespin switch," commonly used in assembling IEDs and booby-traps. The
6 search of the **Subject Premises** confirmed that CHAMBERLAIN was the apparent sole occupant.
7 Only male clothes were found within the **Subject Premises**.

8 13. On June 2, 2014 I was informed that an internal search conducted by the ATF of their
9 National Firearms Registration Transfer Records revealed no listing whatsoever for CHAMBERLAIN,
10 meaning that CHAMBERLAIN has never been given permission to possess or manufacture a
11 destructive device within the meaning of 26 U.S.C. § 5845(f).

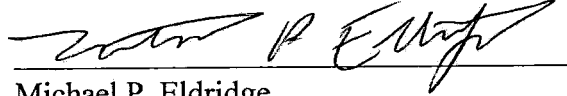
12 **CONCLUSION AND REQUEST FOR SEALING ORDER**

13 14. Based on the foregoing, I request that a criminal complaint issue for CHAMBERLAIN
14 for a violation of Title 26 U.S.C. § 5861(c) (possession of an illegal destructive device), based on
15 probable cause as described above in this Affidavit. Based on the on-going nature of this investigation,
16 and based on the fact that Attachment A to this Affidavit remains under seal based on the order of
17 United States Magistrate Judge Jacqueline Scott Corley, I request that this Affidavit, request for criminal
18 complaint, and supporting documents and attachments remain under seal except that it may be shared
19 with law enforcement personnel engaged in the search for CHAMBERLAIN, and other parties

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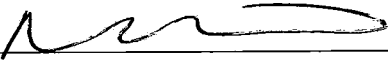
1 providing information in support of the search by law enforcement for CHAMBERLAIN.

2 15. Under the penalty of perjury, I swear that the foregoing is true and correct to the best of
3 my knowledge, information, and belief.



4
5 Michael P. Eldridge
6 Special Agent
7 Federal Bureau of Investigation

8 Subscribed and sworn before me
9 on June 2, 2014:



10 HONORABLE NATHANAEL COUSINS
11 UNITED STATES MAGISTRATE JUDGE

12 Approved as to form:



13 Philip J. Kearney
14 Assistant United States Attorney