

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

v.

CASE NUMBER:

SERGIO CHAVES

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about June 18, 2011, at Evanston, in the Northern District of Illinois, Eastern Division, defendant SERGIO CHAVES:

knowingly possessed a firearm, namely, a destructive device as defined in Title 26, United States Code, Section 5845(f), which was not registered to him in the National Firearms Registration Transfer Record,

in violation of Title 26, United States Code, Section 5861(d). I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

\_\_\_\_\_  
Signature of Complainant

ERIC DORNBUSCH

Special Agent, Bureau of Alcohol, Tobacco,  
Firearms & Explosives

Sworn to before me and subscribed in my presence,

June 20, 2011

Date

at

Chicago, Illinois

City and State

Michael T. Mason, U.S. Magistrate Judge

Name & Title of Judicial Officer

\_\_\_\_\_  
Signature of Judicial Officer



4. According to Officer A, on or about June 18, 2011, at approximately 3:45 p.m., she received a telephone call from an individual who identified himself as "Sergio Chaves." Officer A recognized CHAVES's voice based on her prior interactions with CHAVES. During this call, CHAVES told Officer A that Individual A was making a bomb and intended to use it in the Evanston or Skokie (Illinois) area later that day.

5. According to Officer A, on or about June 18, 2011, at approximately 7:50 p.m., she received another telephone call from CHAVES. During this call, CHAVES stated that the bomb was inside a trash can located behind a building at 633 Howard Street in Evanston. (The building at this address is a substation for the Evanston Police Department.) After receiving this information, Officer A contacted the Cook County Sheriff's Police Bomb Unit, which located and searched the trash can.

6. According to the Bomb Unit, during a search of the trash can, the Bomb Unit found a plastic shopping bag, inside of which was a nylon drawstring bag. Inside the drawstring bag, was, what appeared to be, a part of a cardboard DVD movie cover wrapped around a portion of a small, black watch box. Inside the watch box, there were three, approximately two-inch long aerial display mortar shells, which are commonly used for large fireworks displays, and which were wrapped together with clear tape and attached to a wick. The watch box also contained apparent shrapnel, including shards of glass, one .22 caliber round of ammunition, and approximately 40 nails (hereinafter, the "Device"). According to the Bomb Unit, the Device, if it had exploded, could have been lethal up to approximately

thirty to fifty feet, and could have had a blast radius well over 100 feet. Attached as Exhibit A to this affidavit are photographs of the Device and the location in which it was found.

7. According to Officer A, on or about June 19, 2011, at approximately 1:35 a.m., she called CHAVES. During this call, CHAVES stated that he had delivered the "bomb" to the Evanston police substation. CHAVES further stated that he obtained the bomb from Individual A. Officer A then requested that CHAVES come to the Evanston Police Department to provide additional information regarding this incident.

8. On or about June 19, 2011, at approximately 3:00 a.m., CHAVES arrived at the Evanston Police Department where he was interviewed regarding his knowledge of the Device. In summary, CHAVES initially provided police and ATF personnel at least two versions of his knowledge of and involvement with the Device, including the following:

a. Beginning at approximately 3:00 a.m., CHAVES claimed that, at Individual A's direction, CHAVES met with Individual B in a park in Evanston. During this meeting, Individual B placed the Device in CHAVES's car. CHAVES initially believed that the Device was a package containing marijuana. However, he later realized that it was a bomb or explosive device.

b. Shortly after providing the description in paragraph 10(a) above, CHAVES altered his description and claimed that Individual A gave CHAVES the Device, and that Individual B later directed CHAVES to place the Device in a dumpster next to the

Evanston police substation. Although CHAVES initially thought the Device was a package of marijuana, he later discovered that it appeared to be a bomb.

9. On or about June 19, 2011, at approximately 6:00 a.m., CHAVES consented to a search of his residence located at 6030 North Kenmore Avenue, Apt. 506, in Chicago, Illinois. At that location, agents encountered a male individual who identified himself as CHAVES's father. CHAVES's father identified the room in the residence occupied and used by CHAVES and consented to a search of the residence. During the search of CHAVES's room, agents found, among other things: (1) a nail that appeared similar to the nails contained in the Device; (2) a portion of a cardboard DVD movie cover, which appeared to be part of the same DVD cover that was wrapped around the Device; (3) a portion of a small, black watch box which appeared similar to the watch box used on the Device; (4) a pair of yellow rubber gloves; (5) a cable bill bearing CHAVES's name and address; and (6) two .22 caliber rifles.

10. On or about July 19, 2011, at approximately 11:00 a.m., CHAVES admitted to ATF agents that he built the bomb and placed it in the trash can outside of the Evanston Police substation. CHAVES further stated, among other things: (1) that he built the bomb using "3 mortar shells, a .22 shell and some nails and glass"; (2) he used a watch box to hold the bomb and used a "DVD box" that he had in his room; (3) he wore yellow gloves when he assembled the bomb to conceal his fingerprints; (4) he made the bomb so that he could put it by a police station, call in the tip about the bomb to the police, and "make

some money” from the tip; and (5) he deserved some money for alerting the police instead of blowing up the bomb. CHAVES also admitted that he learned how to make bombs from experimenting with fireworks and black powder, and that he did not “seek to legally register” the bomb.

11. According to a search of the National Firearm Registration and Transfer Records conducted on or about June 19, 2011, there are no firearm registration records for CHAVES.

*Conclusion*

12. Based on the foregoing, I respectfully submit that there is probable cause to believe that on or about June 18, 2011, defendant SERGIO CHAVES knowingly possessed a firearm, namely, a destructive device as defined at Title 26, United States Code, Section 5845(f), which was not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

FURTHER AFFIANT SAYETH NOT.

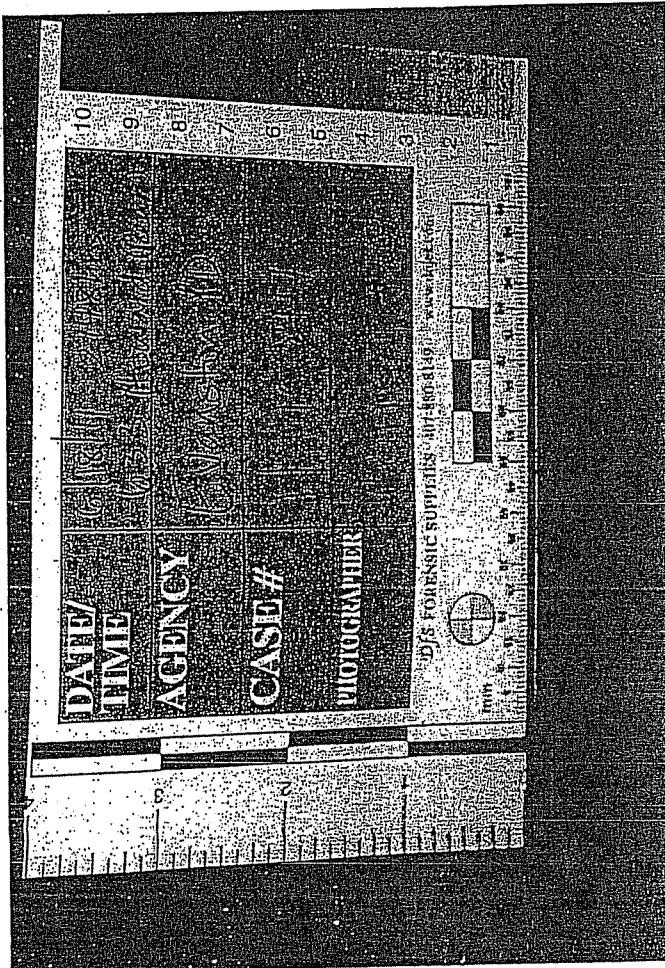
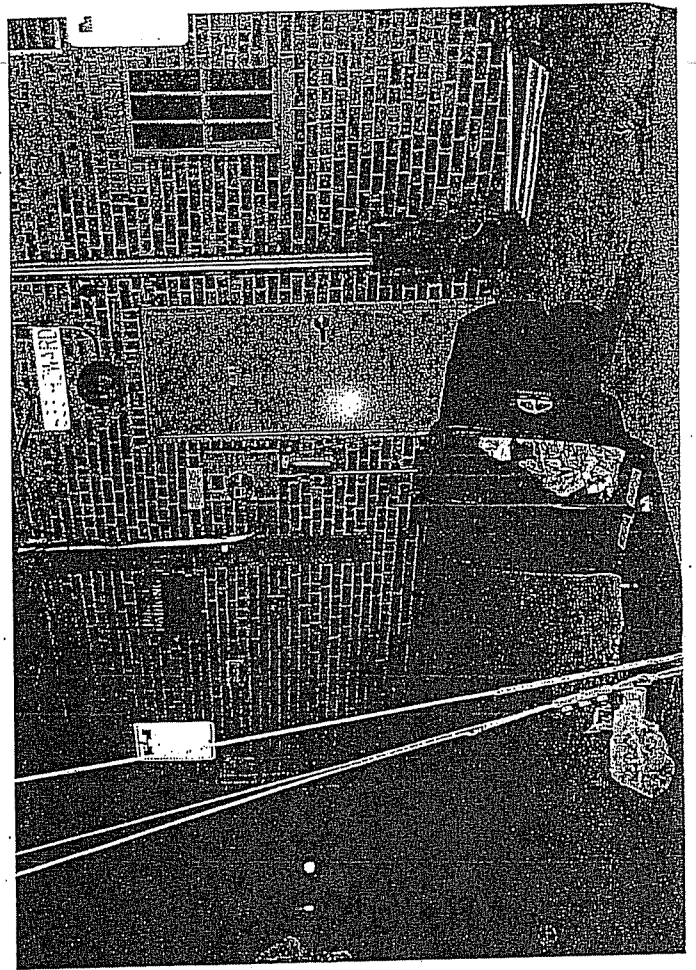
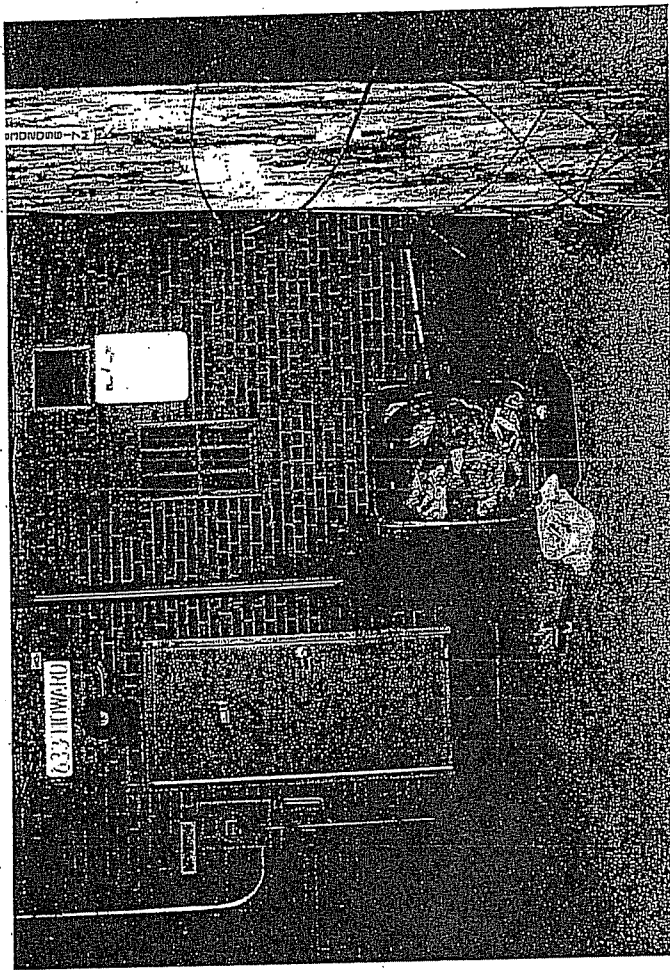
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ERIC DORNBUSCH  
Special Agent, ATF

SUBSCRIBED AND SWORN to before me on June 20, 2011

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MICHAEL T. MASON  
United States Magistrate Judge



GOVERNMENT  
EXHIBIT  
A



