

AO93 Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
District of Arizona

In the Matter of the Search of
113 E. Hermosa Drive, Tempe, Arizona 85282.

Case No. 23-5012MB

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona:

As further described in Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal:

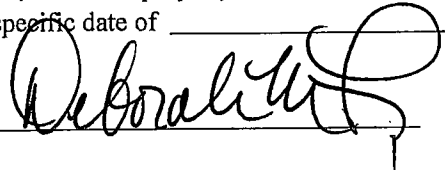
As set forth in Attachment B.

YOU ARE COMMANDED to execute this warrant on or before 2/1/23 (not to exceed 14 days)
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to any United States Magistrate Judge on criminal duty in the District of Arizona.

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized for 30 days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: January 16, 2023 @ 4:46pm 
Judge's signature

City and state: Phoenix, Arizona

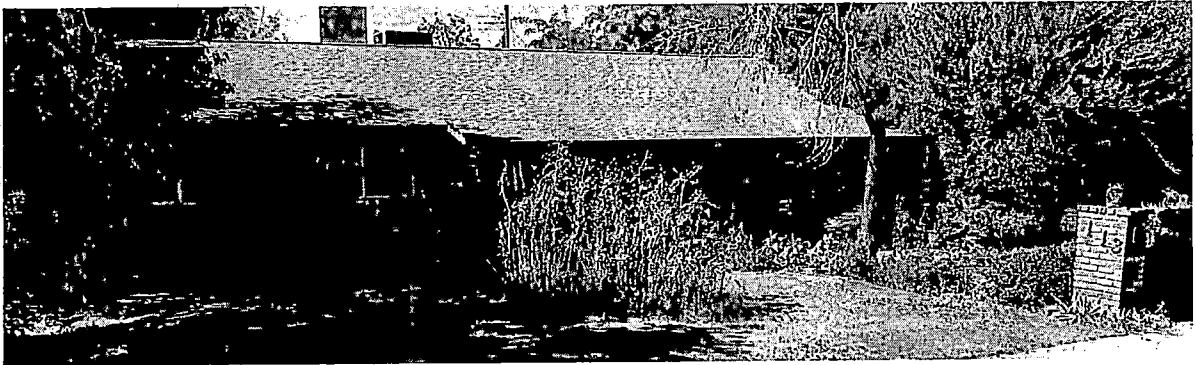
Honorable Deborah M. Fine, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

DESCRIPTION OF THE PROPERTY TO BE SEARCHED

The bedroom, common areas, rooms, outbuildings, and sheds, utilized, controlled, or accessible by ERIC THOMAS SCIONTI located at 113 E. Hermosa Dr., Tempe, Arizona 85282 (hereafter, the "Subject Premises").

The Subject Premises is a north facing, single-story, single-family residence, constructed of yellow painted brick with red decorative brick pillars, green decorative shutters next to exterior windows, wooden front door with glass inlay, beige/tan shingle roof, attached single carport on the west side, and the numbers "113" affixed on both sides of the standalone brick mailbox at the front of the residence, located at 113 E. Hermosa Dr., Tempe, Arizona 85282



ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEIZED

Agents are authorized to search for evidence, contraband, fruits, or instrumentalities of violations of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (Felon in Possession of a Firearm or Ammunition) as further described in the affidavit of probable cause including:

1. Any firearms and firearm accessories, ammunition, magazines, cases, boxes, 80% lower receivers (completed and uncompleted), upper receivers, triggers and trigger groups, barrels, optics, gunsmithing tools, and related manuals, receipts, and records.

2. Documentation of any firearms, firearm transactions, firearm ownership, firearm registration, firearm parts, and paperwork showing the purchase, storage, disposition, or dominion and control over any firearms, firearm parts, and ammunition.

3. Tools, CNC machines, and 3D Printers used or capable of being used for the purpose of milling/completing 80% lower receivers or 3D printing firearm parts and accessories.

3. Indicia of current occupancy, residency, and/or ownership of the items noted above and of the premises, including but not limited to, papers, correspondence, canceled envelopes, canceled postcards, bills, and registration documents.

4. Indicia of historical occupancy, residency, and/or ownership of other premises, including but not limited to, papers, correspondence, canceled envelopes, canceled postcards, bills, and registration documents

5. Any safes, locked cabinets, and/or other secured containers and/or devices capable of holding the items noted above. Law enforcement shall be permitted to open such locked containers by force, or through the use of a locksmith if necessary.

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

RETURN

Case No.:

Date and Time Warrant Executed:

Copy of warrant and inventory left with:

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

CERTIFICATION

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

AO 106 Application for a Search Warrant

UNITED STATES DISTRICT COURT

for the District of Arizona

In the Matter of the Search of 113 E. Hermosa Drive, Tempe, Arizona 85282.

Case No. 23-5012MIS

APPLICATION FOR A SEARCH WARRANT

I, Jason L. Saitta, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

As further described in Attachment A

located in the District of Arizona, there is now concealed:

As set forth in Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is:

- Evidence of a crime; Contraband, fruits of crime, or other items illegally possessed; Property designed for use, intended for use, or used in committing a crime; A person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Table with 2 columns: Code/Section, Offense Description. Row 1: 18 U.S.C. § 922(g)(1), Felon in Possession of a Firearm or Ammunition

The application is based on these facts:

See attached Affidavit of FBI Special Agent Jason L. Saitta

- Continued on the attached sheet. Delayed notice of 30 days (give exact ending date if more than 30 days) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Glenn B. McCormick

GBM 1-18-2023

Signature of Jason L. Saitta, Applicant's Signature

Jason L. Saitta, Special Agent, Federal Bureau of Investigations Printed name and title

Sworn to before me telephonically and signed.

Date: January 18, 2023 4:46 PM

Signature of Deborah M. Fine, Judge's signature

City and state: Phoenix, Arizona

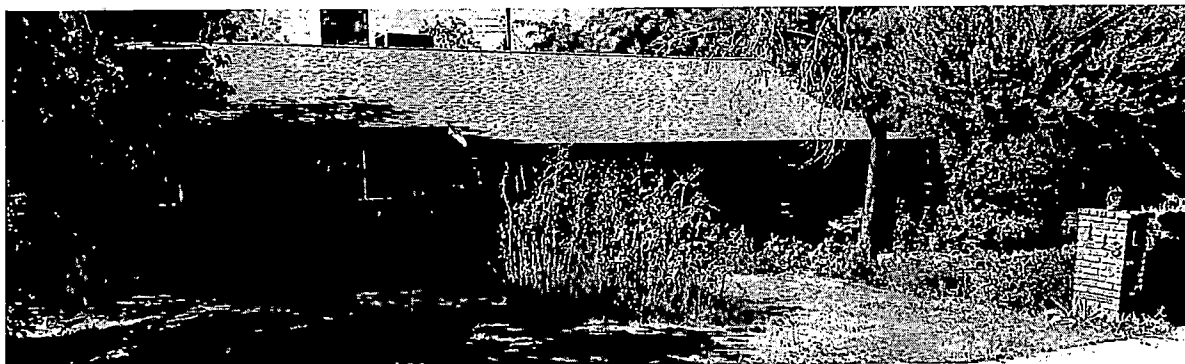
Honorable Deborah M. Fine, U.S. Magistrate Judge Printed name and title

ATTACHMENT A

DESCRIPTION OF THE PROPERTY TO BE SEARCHED

The bedroom, common areas, rooms, outbuildings, and sheds, utilized, controlled, or accessible by ERIC THOMAS SCIONTI located at 113 E. Hermosa Dr., Tempe, Arizona 85282 (hereafter, the "Subject Premises").

The Subject Premises is a north facing, single-story, single-family residence, constructed of yellow painted brick with red decorative brick pillars, green decorative shutters next to exterior windows, wooden front door with glass inlay, beige/tan shingle roof, attached single carport on the west side, and the numbers "113" affixed on both sides of the standalone brick mailbox at the front of the residence, located at 113 E. Hermosa Dr., Tempe, Arizona 85282



ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEIZED

Agents are authorized to search for evidence, contraband, fruits, or instrumentalities of violations of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (Felon in Possession of a Firearm or Ammunition) as further described in the affidavit of probable cause including:

1. Any firearms and firearm accessories, ammunition, magazines, cases, boxes, 80% lower receivers (completed and uncompleted), upper receivers, triggers and trigger groups, barrels, optics, gunsmithing tools, and related manuals, receipts, and records.

2. Documentation of any firearms, firearm transactions, firearm ownership, firearm registration, firearm parts, and paperwork showing the purchase, storage, disposition, or dominion and control over any firearms, firearm parts, and ammunition.

3. Tools, CNC machines, and 3D Printers used or capable of being used for the purpose of milling/completing 80% lower receivers or 3D printing firearm parts and accessories.

3. Indicia of current occupancy, residency, and/or ownership of the items noted above and of the premises, including but not limited to, papers, correspondence, canceled envelopes, canceled postcards, bills, and registration documents.

4. Indicia of historical occupancy, residency, and/or ownership of other premises, including but not limited to, papers, correspondence, canceled envelopes, canceled postcards, bills, and registration documents

5. Any safes, locked cabinets, and/or other secured containers and/or devices capable of holding the items noted above. Law enforcement shall be permitted to open such locked containers by force, or through the use of a locksmith if necessary.

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

I, Jason L. Saitta, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is submitted in support of an application for a warrant to search the following property, which is further described in Attachment A, for evidence of a violation of Title 18, United States Code, §922(g)(1), felon in possession of a firearm or ammunition: A North facing, single story, single family residence, constructed of yellow painted brick with red decorative brick pillars, green decorative shutters next to exterior windows, wooden front door with glass inlay, beige/tan shingle roof, attached single carport on the west side, and the numbers "113" affixed on both sides of the standalone brick mailbox at the front of the residence, located at 113 E. Hermosa Dr., Tempe, Arizona 85282 (RESIDENCE), the current residence of ERIC THOMAS SCIONTI ("SCIONTI").

2. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed since June 2014. I am currently assigned to the Phoenix Field Office in Phoenix, Arizona. I am a member of the Joint Terrorism Task Force (JTTF) and am responsible for investigating acts of domestic terrorism. As a Special Agent of the FBI, my duties and responsibilities include conducting criminal investigations of individuals and entities for possible violations of federal laws, particularly those laws found in Title 18 of the United States Code.

3. My training in law enforcement includes agency specific training in all aspects of conducting federal criminal investigations, including the planning, preparation,

and execution of search warrants. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, §2510(7), authorized to conduct investigations into alleged violations of federal law. Through my experience and training, I know that it is a felony offense for any person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year to receive, possess, or transport any firearm or ammunition in or affecting interstate or foreign commerce according to Title 18, United State Code, §922(g)(1). Moreover, the term “crime punishable by imprisonment for a term exceeding one year” means any federal or state felony offense, or any state offense classified as a misdemeanor and punishable for a term of imprisonment of two years or more (Title 18, United States Code, §921(a)(20)).

4. This affidavit is intended to show that there is sufficient probable cause for the requested search warrant and does not purport to set forth all of my knowledge of or investigation into this matter. The statements set forth in this affidavit are based upon my investigation to date, my experience, my training, and other reliable sources of information relative to this investigation.

PROPERTY TO BE SEARCHED

5. The property to be searched is described in Attachment A, incorporated herein by reference.

ITEMS TO BE SEIZED

6. The items to be seized are described in Attachment B, incorporated herein by reference.

PROBABLE CAUSE

7. On or about December 31, 2022, the Federal Bureau of Investigation (FBI) received an anonymous tip to FBI National Threat Operations Center (NTOC) via “tips.fbi.gov.” The website provides a fillable form with numerous fields in which information about the alleged crime can be entered. These fields include (among others) the date, location, and time the crime occurred, the subject’s name, and a field for a detailed description. The following is the verbatim text of the tip/detailed description as reported to NTOC:

“Eric Thomas Scionti, a convicted felon, is currently in possession of several guns and other weapons and has been actively involved with groups associated with the Boogaloo militia movement. He has had as many as 12 guns in his possession at a single time, including AR-15s and hand guns. Though the guns were purchased by Eric, the funds used to purchase them were Eric's own funds, and Eric being the sole person using the weapons recreationally, they were registered in the name of his mother, Robin Scionti, to avoid the purchases being blocked by a background check and suspicions being risen. Additionally, he has had two dozen gas grenades and several pieces of bullet proof body armor in his possession. All of these items are kept in several safes located at 113 E Hermosa Dr, Tempe AZ. These safes are usually kept in his bedroom, he will occasionally move them to a backyard shed. Weapons were first acquired in anticipation of taking part in violent uprisings following the 2020 election.”

8. In addition to the detailed description, the complainant/tipster provided the following information, verbatim, in response to the noted questions in the fillable fields:

- What was the exact crime that occurred?: Felon illegally in possession of weapons, taking part in anti-government militia movements.
- When did the crime/incident occur? (Please provide an approximate date and time):
Ongoing
- Where did the crime/incident occur? (Please provide the specific location/address if possible): 113 E Hermosa Dr, Tempe AZ 85282

9. Your Affiant knows from training and experience that the “boogaloo” is not a single cohesive group, but rather a loose concept arising from internet platforms which has become a rallying point for some fringe politically motivated groups. The concept has resonated with such fringe groups to reference an impending politically-motivated civil war or uprising against the government following perceived incursions on Constitutional rights—including the Second Amendment—or other perceived government overreach

10. As described more fully below, the FBI’s investigation to date shows that on January 18, 2023, SCIONTI was in possession of ammunition and firearms, in violation of Title 18 U.S.C. § 922(g)(1), despite having multiple felony convictions.

Felony Convictions:

11. A query of the Superior Court of Arizona, Maricopa County court records revealed the following criminal history for Eric SCIONTI:

12. On September 26, 2007, SCIONTI was convicted of Unlawful Discharge of a Firearm, a Class 6 Undesignated Felony, in Superior Court of Arizona, Maricopa County, and sentenced to two (2) years' probation. The case number is CR2007-149052-001 and the sentence was imposed concurrent with case number CR2007-123776-001.

13. On September 26, 2007, SCIONTI was convicted of Criminal Possession of a Forgery Device, a Class 6 Undesignated Offense, in Superior Court of Arizona, Maricopa County, and sentenced to two (2) years' probation. The case number is CR2007-123776-001 and the sentence was imposed concurrent with case number CR2007-149052-001.

14. On May 17, 2013, SCIONTI was convicted of Criminal Trespass in the First Degree, a Class 6 Designated Felony, in Superior Court of Arizona, Maricopa County, and sentenced to three (3) years' probation. The case number is CR2013-418657-001. On September 04, 2014, SCIONTI was sentenced to one (1) year incarceration in case number CR2013-418657-001 for violating the terms of probation. The sentence was imposed concurrent with case number CR2014-109871-001.

15. On September 04, 2014, SCIONTI was convicted for Two (2) counts of Trafficking in Stolen Property, First Degree, both Class 2 Felony offenses, in Superior Court of Arizona, Maricopa County, in case number is CR2014-109871-001. On the first count, SCIONTI was sentenced to six (6) years' incarceration to be served concurrent to case number CR2013-418657-001. On the second count, SCIONTI was sentenced to six (6) years' probation to run concurrent with cases CR2014-112967-001 and CR2014-115238-001.

16. On September 04, 2014, SCIONTI was convicted for Possession of Narcotic Drugs, a Class 4 Felony, in Superior Court of Arizona, Maricopa County, and sentenced to four (4) years' probation. The case number is CR2014-112967-001. The sentence was imposed concurrent with cases CR2014-109871-001 and CR2014-115238-001.

17. On September 04, 2014, SCIONTI was convicted for Possession of Narcotic Drugs, a Class 4 Felony, in Superior Court of Arizona, Maricopa County, and sentenced to four (4) years' probation. The case number is CR2014-115238-001. The sentence was imposed concurrent with cases CR2014-109871-001 and CR2014-112967-001

18. Arizona Department of Corrections (ADC) records show that SCIONTI was incarcerated from September 8, 2014, to March 4, 2019, in cases CR2013-418657-001 and CR2014-109871-001.

Knowledge of Prohibited Status

19. The Uniform Conditions of Supervised Probation in case number CR2014-115238-001 signed by SCIONTI on September 04, 2014 state, in part, the following conditions:

- Probation will be for a period of four (4) years and will begin upon the absolute discharge of prison for a separate offense.
- I will maintain a crime-free lifestyle, by obeying all laws, and not engaging or participating in any criminal activity.
- **I will not possess or control any stun guns, tasers, firearms, ammunition, deadly or prohibited weapons as defined in A.R.S. §13-3101.**

- I will submit to a search and seizure of person and property by the Adult Probation Department (APD) without a search warrant.
- I will provide the APD safe, unrestricted access to my residence and receive prior approval of the APD before changing my residence. I will reside in a residence approved by the APD.

20. Between approximately April 7, 2010, and October 11, 2019, SCIONTI applied to Vacate Judgement/Dismiss Charges and restore civil rights/gun rights, applied for a Set Aside of Judgement of Guilt, as well as multiple motions for reconsideration, in case number CR2007-149052-001, in the Superior Court of Arizona, Maricopa County. On or about April 3, 2013, SCIONTI was granted restoration of his civil rights however, all other motions were denied. On February 10, 2020, the Court again denied SCIONTI's application to Set Aside the conviction or restore his gun rights in the aforementioned case number citing recent convictions for other offenses and insufficient evidence of rehabilitation.

21. On December 17, 2021, a Petition to Revoke Probation – Order for Warrant was filed by Maricopa County Adult Probation in the Superior Court of Arizona, Maricopa County in case number CR2014-115238-001 for numerous probation violations.

22. On December 17, 2021, the Superior Court of Arizona, Maricopa County issued an arrest warrant for SCIONTI in case number CR2014-115238-001 based on the alleged probation violations documented in the Petition to Revoke Probation. On January 11, 2023, your Affiant confirmed that the warrant was still valid. Despite the issuance of

the arrest warrant, SCIONTI remains subject to the terms of probation, agreed to and signed by him on September 04, 2014.

Identification and Social Media

23. Your Affiant obtained the Arizona driver's license for SCIONTI and noted that he is 5'11", 160 lbs, with brown hair, and brown eyes. Below are SCIONTI's past driver's license photos:



Image Date:4/2/2019 10:28:28 AM



Image Date:3/19/2009 12:07:59 PM



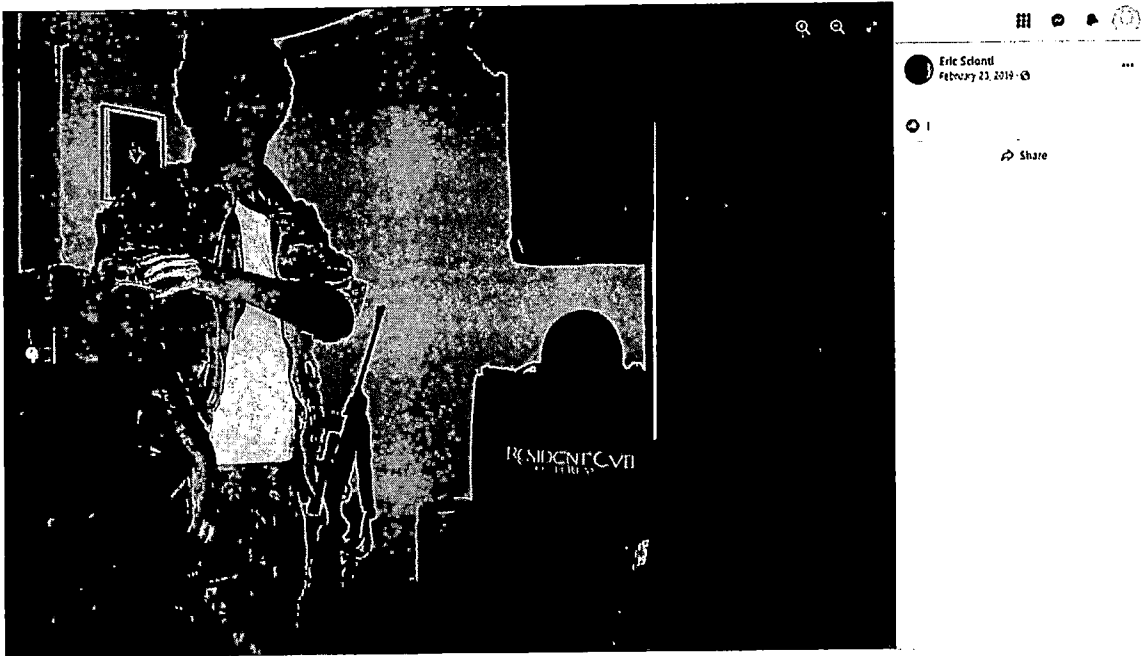
Image Date:9/28/2007 02:06:51 AM



Image Date:5/15/2004 12:18:59 PM

24. On January 9, 2023, your Affiant located and reviewed a public Facebook profile for SCIONTI located at <http://www.facebook.com/eric.scionti>. There were only three posts viewable, two of which were posted on February 28, 2019, and one on March 27, 2019, which was of no known significance to this investigation.

25. The first February 28, 2019, post shows SCIONTI, based on comparisons to the Arizona driver's license, standing in what appears to be a bedroom, with a rifle or long-gun behind him leaning against the wall.

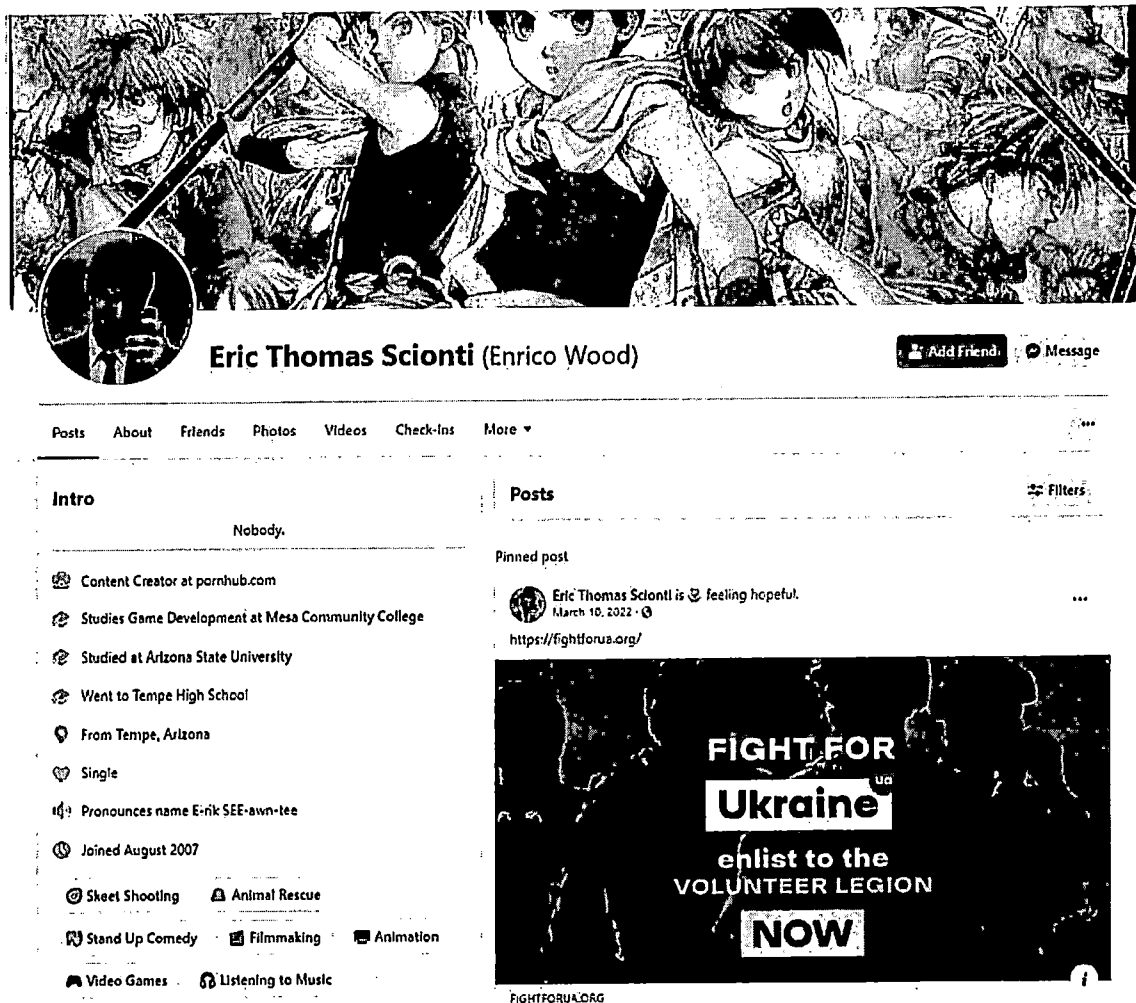


26. The second February 28, 2019, post shows what appears to be the top of a desk containing a desktop computer and monitor, rifle scope, approximately 20 rounds of .223 or larger rifle ammunition, and other miscellaneous items.



Note: Your Affiant is aware that these photos appear to have been posted while SCIONTI was incarcerated with the ADC. Your Affiant is unaware if SCIONTI had access to his Facebook account while incarcerated or when the photos were taken.

27. On January 11, 2023, Your Affiant located and reviewed another public Facebook profile for SCIONTI located at <http://www.facebook.com/escionti> and noted that his profile page lists "Skeet Shooting" as one of his interests/hobby. The following is a screenshot of SCIONTI's Facebook Profile:



28. In the “Likes” section of SCIONTI’s Facebook page, SCIONTI indicated he likes AR500 Armor, as shown in the following screenshot, which is consistent with the NTOC tip received on December 31, 2022:



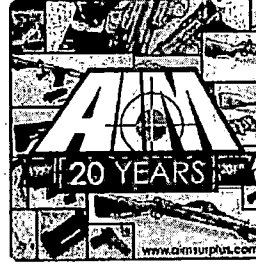
Eric Thomas Scionti



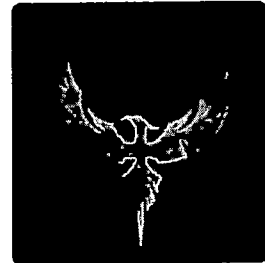
11 Best Moments from Superjail! Season 1



130 Батальйон територіальної оборони



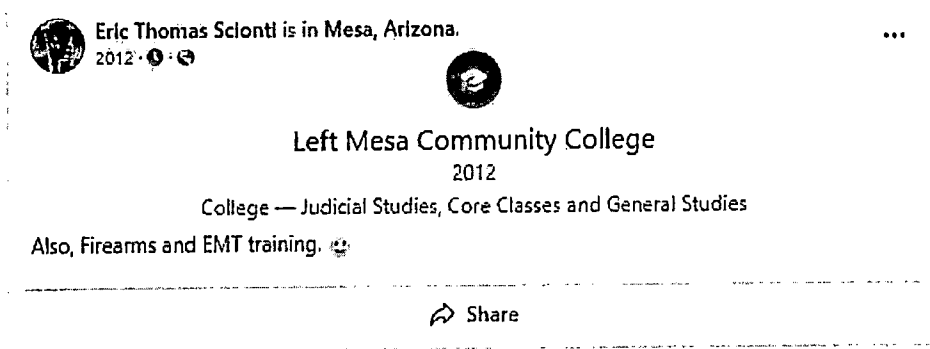
AIM



AR500 Armor

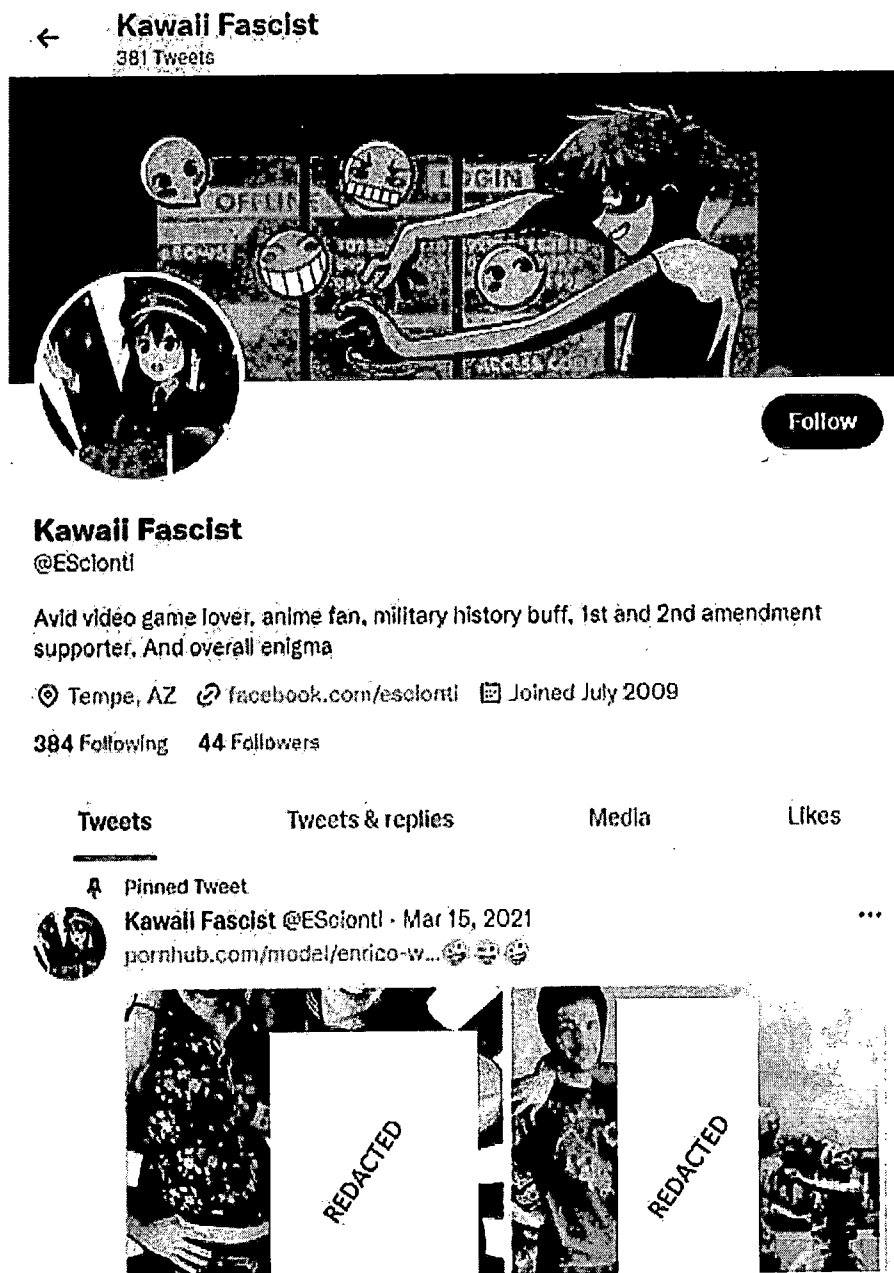
29. According to AR500's Facebook page, AR500 Armor is the industry leading manufacturer of affordable and reliable Ballistic Body Armor solutions.

30. In a post from 2012, SCIONTI announced that he left Mesa Community College indicating that he studied Judicial Studies, Core Classes and General Studies as well as Firearms and EMT Training. SCIONTI was still prohibited from possessing firearms or ammunition pursuant to CR2007-149052-001 as discussed previously.

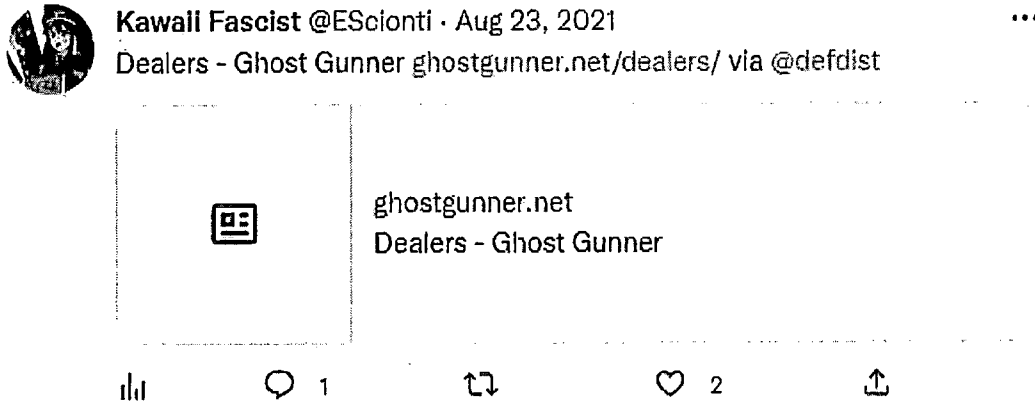


31. On January 11, 2023, writer located and reviewed the public Twitter profile for SCIONTI located at <http://www.twitter.com/escionti> and noted that on SCIONTI's

profile, he indicates he is a 2nd Amendment supporter and provides a link to his most recent Facebook account (facebook.com/escionti) as shown in the following screenshot:



32. On August 21, 2021, Scionti posted a link to ghostgunner.net as shown below:



33. A Google search of ghostgunner.net revealed that it is a website selling a "general purpose CNC mill that gives you the ability to finish a growing library of mil-spec 80 percent lowers to completion. 5X faster."

34. Through training and experience, your Affiant knows that throughout the course of the last several years, many firearms enthusiasts have developed products that are not manufactured to a point that, by legal determinations, would classify the products as firearms by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). When referring to such products, the industry has commonly used terms to include but not limited to "blanks," "80% receivers," "80%ers," "80% blanks," "80% lower," etc. These products, subsequently alleviate manufacturers', dealers', and buyers' requirements from standard firearm regulations. When, however, a person/business/entity completes the manufacturing process on a variant lower receiver, the resulting product is a firearm and is subject to all

firearm regulations under federal law. It is common for prohibited possessors to acquire firearms in this manner as no background check is required to obtain the parts necessary to build a complete and functioning firearm.

35. On December 6, 2018, SCIONTI posted a tweet “#FuckThePolice”, a statement consistent with those made by boogaloo adherents who generally hold anti-law enforcement beliefs.

36. On October 13, 2013, SCIONTI posted a photo of himself standing in a bathroom. This same photo is used in SCIONTI’s Facebook profile (for account <http://www.facebook.com/escionti>). The December 6, 2018, and October 13, 2013 posts are shown below:

← **Kawaii Fascist**
381 Tweets

Follow



Kawaii Fascist @EScienti · Dec 6, 2018
#FuckThePolice

...

📊 1 🗨️ 1 🔄 1 ❤️ 1 ↗️

Show this thread



Kawaii Fascist @EScienti · Oct 7, 2013

...

Time to be vain and devote my attention to fapping in a mirror or something.
lol



📊 2 🗨️ 7 ↗️

Proof of Residence

37. On January 9, 2023, writer searched publicly available records at the websites for the Maricopa County Assessor's Office and the Maricopa County Recorder's Office. Records Show that 113 East Hermosa Drive, Tempe, Arizona 85282 is owned by R. Scionti, SCIONTI's mother, and was purchased by her in September 2001.

38. SCIONTI's Arizona driver's license lists his residential address as 113 East Hermosa Drive, Tempe, Arizona 85282.

39. 113 East Hermosa Drive, Tempe, Arizona 85282 is also SCIONTI's approved residential address of record according to Maricopa County Probation.

40. On January 12, 2023, at approximately 12:14 p.m. local time, FBI surveillance observed a male, matching SCIONTI's description, exit the front door of 113 East Hermosa Drive, Tempe, Arizona 85282 and walk to a neighbor's house.

Violation of Title 18, United States Code, §922(g)(1)

41. On January 9, 2023, the FBI contacted Maricopa County Adult Probation (MCAP) and learned that SCIONTI had a warrant for his arrest based on numerous probation violations. Your Affiant then relayed the information contained in the NTOC tip to MCAP who advised they would attempt to execute the arrest warrant and any other law enforcement action deemed appropriate under their authority.

42. On January 18, 2023, MCAP attempted to arrest SCIONTI at his residence, but he was not home. He is currently at large. During a protective sweep of the residence and subsequent probation search, MCAP located multiple safes: one in the living/common

area, two in a hall closet adjacent to SCIONTI's room-- one approximately four feet tall and the other about eighteen inches square, and one bolted on a shelf in the closet in SCIONTI's room with the words, "The Vault" on it, and body armor. The presence of these items is consistent with the aforementioned tip.

43. The residence located at 113 E. Hermosa Dr., Tempe, Arizona 85282 is owned by SCIONTI's mother, R. Scionti, who also lives at the residence. R. Scionti was present during the probation search. A MCAP interview of R. Scionti was conducted at the time of the probation search. R. Scionti advised MCAP personnel conducting the probation search regarding which room was SCIONTI's, and that everything in SCIONTI's room and the adjacent hallway closet belong to SCIONTI. R. Scionti said the safe in the living room/common area is hers.

44. Scionte was interviewed by your affiant after the MCAP search and said her safe contains her personal items and two pellet guns but does not contain firearms. R. Scionti refused to open the safe without a warrant. R. Scionti said she never purchased any firearms for SCIONTI and that any firearms in the home were not hers.

45. During the search, MCAP personnel found keys in a suitcase on the bed in SCIONTI's room. One of the keys fit the larger safe in the adjacent hallway closet. In addition to finding a loose round of ammunition in the hallway closet, upon opening the taller safe, MCAP personnel observed several rifles and a handgun. MCAP personnel were unable to open the other safe in the hall closet or the safe located in SCIONTI's bedroom closet.

46. The items sought by this search warrant were not seized by MCAP personnel during their probation search. This warrant seeks authorization to more fully search for, and seize items listed in Attachment B that may be found in the areas noted in Attachment A. Agents are standing by at the residence to conduct the search.

47. On January 17, 2019, your Affiant confirmed with Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Special Agent (SA) Lowell Farley who is a recognized expert in United States District Court for the District of Arizona and for the Southern District of Texas. SA Farley advised that, to his knowledge, no cartridge casings or primers are manufactured in the State of Arizona.

48. Through my training and experience I have learned that members of certain groups or individuals who subscribe to certain ideologies, such as the boogaloo or sovereign citizens, who pledge resistance against the United States government regarding any restriction of the United States Constitution, interpret any restrictions on their 2nd Amendment rights, including prohibiting felons from owning firearms, as unconstitutional. These same individuals feel it is their right to be able to defend their home and family with firearms, notwithstanding any laws to the contrary.

49. Through my training and experience I have learned that prohibited possessors generally acquire their firearms through private party transactions because any attempted purchase of a firearm through a business with a federal firearm license (FFL) requires a query of the National Instant Criminal Background Check System which, based upon their criminal history, will result in the denial of the purchase.

50. Through my training and experience I have learned that prohibited possessors may also build their own firearms using parts kits, 80% lowers, and equipment used to mill out or complete the remaining 20% of the lower, thereby making a functioning firearm as defined in Title 18, U.S.C., §921(a)(3).

51. Through my training and experience I have learned that prohibited possessors may also acquire firearms through a “straw purchase”, that is, the illegal purchase of a firearm by one person for another as the intended owner in most cases cannot legally obtain one on their own.

52. Through my training and experience I have learned that individuals who own firearms often keep them for many years. It is not uncommon for individuals to pass down their firearms to younger generations within their family.

53. Through my training and experience I have learned that individuals often store their firearms in a gun safe in their home for quick access, protection, and safe keeping.

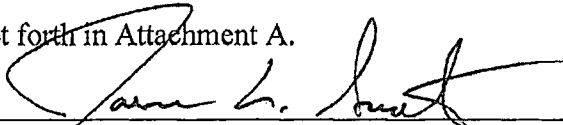
54. I am aware, based on my training and experience, that most firearms are not manufactured within the state of Arizona and have travelled in interstate or foreign commerce.

55. Based on the fact that MCAP located firearms and ammunition in the bedroom and closets controlled by SCIONTI at the Residence, whose origin of manufacture is likely outside Arizona, and thus affected interstate commerce, after having

been convicted of a felony, there is probable cause to establish that SCIONTI violated Title 18, United States Code, § 922(g)(1) – Felon in Possession of a Firearm or Ammunition.

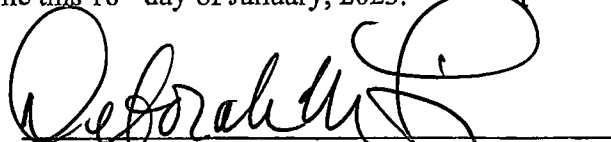
CONCLUSION

56. Based upon my training and experience, and the facts set forth herein, I submit that there is probable cause to believe that the items described in Attachment B are evidence of violations of Title 18, United States Code, §922(g)(1), felon in possession of a firearm and will be found in the property set forth in Attachment A.



JASON L. SAITTA, SPECIAL AGENT
Federal Bureau of Investigation

Sworn to and subscribed before me this 18th day of January, 2023. @ 4:46 pm



HONORABLE DEBORAH M. FINE
United States Magistrate Judge