

AO 91 (Rev. 11/11) Criminal Complaint (Rev. by USAO on 3/12/20)

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LODGED
 CLERK, U.S. DISTRICT COURT
 10/05/2023
 CENTRAL DISTRICT OF CALIFORNIA
 BY: TV DEPUTY

UNITED STATES DISTRICT COURT

for the

Central District of California

FILED
 CLERK, U.S. DISTRICT COURT
 10/05/2023
 CENTRAL DISTRICT OF CALIFORNIA
 BY: GR DEPUTY

United States of America

v.

BYROM ZUNIGA SANCHEZ,

Defendant.

Case No. 8:23-mj-00501

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Beginning on or about May 16, 2023, and continuing to at least on or about early October 2023, in the county of Orange in the Central District of California, the defendant violated:

Code Section
18 USC 875(c)

Offense Description
Threat by Interstate/Foreign Communications

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

/s/ Tyler Call

Complainant's signature

Tyler Call, SA FBI

Printed name and title

Attested to by the applicant in accordance with the requirement of Fed. R. Crim. P. 4.1 by telephone.

Date: October 5, 2023

Karen L. Stevenson
Judge's signature

City and state: Los Angeles, California

Hon. Karen L. Stevenson, Chief U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Tyler Call, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. I make this affidavit in support of a criminal complaint and arrest warrant for BYROM ZUNIGA SANCHEZ ("ZUNIGA") (year of birth 1991) for violating 18 U.S.C. § 875(c) (Threat by Interstate/Foreign Communications) beginning on or about May 16, 2023, and continuing to at least on or about early October 2023.

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all my knowledge of the investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only, and all dates and times are approximate.

II. BACKGROUND OF FBI SPECIAL AGENT TYLER CALL

3. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have been so employed since September 2009. In that capacity, I am an "investigative or law enforcement officer of the United States" within the meaning of 18 U.S.C. § 2510(7) and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

4. I received basic federal law enforcement training at the FBI Academy in Quantico, Virginia from September 2009 through January 2010. This training included segments on conducting criminal investigations, narcotics identification, gangs, and other law enforcement topics. I am currently assigned to a violent crime and major offender squad in Orange County, California, where I have worked since October 2017. I am assigned to work fugitive and violent crime investigations. Prior to working in Orange County, I was assigned to a Hispanic gang squad in Los Angeles, California, where I worked from January 2010 until October 2017. During that time, I was assigned full-time to a multi-agency gang task force investigating the Mara Salvatrucha ("MS-13") street gang and the Mexican Mafia operating in the Los Angeles area. From October 2013 until October 2017, I was the lead case agent and coordinator for this multi-agency MS-13 gang task force.

5. Prior to working for the FBI, I was an intelligence officer for the United States government from approximately March 2006 to September 2009. During that time, I was assigned to work counternarcotics and counterterrorism analysis and operations. Prior to my work as an intelligence officer, I was a graduate fellow for the Drug Enforcement Administration ("DEA") for approximately eight months. As a graduate fellow, I was assigned to assist on narcotics investigations.

III. SUMMARY OF PROBABLE CAUSE

6. Since approximately May 16, 2023, ZUNIGA has sent communications threatening to kill a sitting Orange County

Superior Court Judge (hereafter "Victim Judge #1"), who presided over a family law matter involving ZUNIGA from 2019 to 2021. Additionally, ZUNIGA threatened to kill or harm others, including other judges, attorneys, and law enforcement.

7. For example, in July 2023, from an email account controlled by ZUNIGA, an email message was sent to the email address for Victim Judge #1's former courtroom, which was entitled "[Victim Judge #1's first name]-It is time you die." That email message read: "I am more committed to murdering you than I am to being present as a father." That same email also said: "Do you have any last words, apologies, or regrets you want to communicate before I lawfully kill you."

8. The emails also threatened to harm other judges, attorneys, and police officers. For example, the same email sent in July 2023 said: "You're already dead. The remainder of my life will be dedicated to assassinating judges, attorneys, and a police station's entire shift staff."

9. Additionally, as discussed below, ZUNIGA has also posted to his Instagram account an email addressed to Victim Judge #1's former courtroom email address, entitled "Active shooter - Lamoreaux Justice Center," within which ZUNIGA threatened to conduct an active shooting on October 13, 2023, at the Lamoreaux Justice Center, which is an Orange County Superior Court courthouse located in Orange, California. The Lamoreaux courthouse is the location where family law proceedings involving ZUNIGA had been conducted in 2019 to 2021.

10. In late September 2023, ZUNIGA wrote on his Instagram

account the following statement also directed at the Orange County Lamoreaux courthouse "With access to a weapon, it is easier for me to walk into a courthouse and indiscriminately assassinate [sic] because I notified lawyers and judges."

11. A review of IP addresses from the emails sent by ZUNIGA indicates the emails were processed through an Apple data center in California and a Microsoft data center in Washington, before arriving at the Orange County Superior Court's email system. As a result, ZUNIGA's threatening communications were transmitted in interstate commerce. Moreover, as detailed below, ZUNIGA appears to have sent the threatening messages while he was in Mexico, which thus constituted transmissions in foreign commerce.

12. Last, ZUNIGA is the subject of multiple domestic violence protective orders and a workplace violence order. ZUNIGA has multiple warrants in Orange County for state criminal offenses, including evading police/reckless driving, invasion of privacy, violation of a court order, and criminal threats.

IV. RELEVANT DEFINITIONS

13. Based on my background, training, experience and research, I know the following:

a. The Internet is a collection of computers and computer networks which are connected to one another via high-speed data links and telephone lines for the purpose of communicating and sharing data and information. Connections between Internet computers exist across state and international borders; therefore, information sent between two computers

connected to the Internet frequently crosses state and international borders even when the two computers are located in the same state.

b. An Internet Protocol address ("IP address") is a unique numeric address used by each computer on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet must be assigned an IP address so that Internet traffic sent from and directed to that computer may be properly directed from its source to its destination. Most ISPs control a range of IP addresses.

c. Email, also known as "electronic mail," is a popular means of transmitting messages and/or files in an electronic environment between computer users. When an individual computer user sends an email, it is initiated at the user's computer, transmitted to the subscriber's email server, and then transmitted to its final destination. A server is a computer that is attached to a dedicated network and serves many users. An email server may allow users to post and read messages and to communicate via electronic means.

d. Every email comes with a header which is one part of an email structure. It has basic information such as from whom the email comes from, to whom it is addressed, the date/time it was sent, and the subject of the email. This basic information comes in all "basic headers" that most email programs will automatically show. However, there is other detailed technical information that an email has. This detailed technical

information can be viewed in a "full header." A full header will have information such as the mail server's name that the email passed through on its way to the recipient, the sender's IP address, and even the name of the email program and the version used. This information cannot be found in a brief header. A full header is crucial for cases involving email abuse, worm-infected email, harassment and forgeries.

e. A website consists of textual pages of information and associated graphic images. The textual information is stored in a specific format known as Hyper-Text Mark-Up Language and is transmitted from the web servers to various web clients via Hyper-Text Transport Protocol.

V. STATEMENT OF PROBABLE CAUSE

14. Based upon my review of email messages, law enforcement reports, discussions with other law enforcement personnel, database checks, and interview reports, as well as my involvement in the investigation and discussions with other federal and local law enforcement also involved in this investigation, I learned the following:

A. Background

15. From approximately 2019 to 2021, ZUNIGA was a party in family law proceedings at the Lamoreaux Justice Center in the Superior Court of California, County of Orange, which is located at 341 The City Drive South, in Orange, California. Victim Judge #1 was the judge assigned to those proceedings.

16. According to the Orange County Superior Court website, the Lamoreaux Justice Center "handles Juvenile, Family Law and

Domestic Violence. Also housed at this facility is a Self-Help Center, Family Court Services and the Office of the Family Law Facilitator.”

17. Between May and July 2023, email address xxx@occourts.org¹ received multiple threatening and harassing emails from byrom.zuni@icloud.com and awarewolf7@icloud.com.

18. Email address xxx@occourts.org is administered by the County of Orange Superior Court of California and associated with a specific courtroom at the Lamoreaux Justice Center. It is monitored only sporadically. The content of the emails indicated they were intended for Victim Judge #1, who previously occupied that courtroom.

19. In late September 2023, the Orange County Sheriff’s Department (“OCSD”) Judicial Protection Unit (hereafter “JPU”), which oversees the security and safety of judges assigned to courts in Orange County, discovered that ZUNIGA had sent email messages to the court email account assigned to a courtroom at the Lamoreaux Justice Center. Thereafter, JPU referred the matter to federal law enforcement.

B. Email accounts and Instagram account used by ZUNIGA

1. Email account awarewolf7@icloud.com

20. On October 3, 2023, I interviewed ZUNIGA’s ex-significant other, who was a party to the family court proceedings with ZUNIGA before Victim Judge #1 in 2019 through

¹The full e-mail address is known to me but has been redacted here.

2021.² She said that ZUNIGA uses email account awarewolf7@icloud.com. She also said that ZUNIGA had sent her threatening emails from the awarewolf7@icloud.com account.

21. On October 3, 2023, I interviewed attorney B.B., who was ZUNIGA's child's appointed counsel in the family law matter involving ZUNIGA in 2019 through 2021. B.B. told me that he/she communicated with ZUNIGA on email account awarewolf7@icloud.com.

22. I reviewed multiple reports from the OCSD regarding ZUNIGA. Attached to a report DR# 22-043804 was an email dated August 27, 2021 from awarewolf7@icloud.com to the attorney for ZUNIGA's ex-significant other.

23. I also reviewed a Form POS-050/EFS-050, which was filed in July 2021 in the family law matter involving ZUNIGA. It provides awarewolf7@icloud.com as ZUNIGA's service address.

24. Furthermore, in two of the emails sent by awarewolf7@icloud.com, the name signed at the bottom was "BYROM ZUNIGA SANCHEZ," which is ZUNIGA's legal name. In one of them sent on May 16, 2023, the name used in the signature at bottom of text was: "Byrom Zuniga Sanchez Conejo Cruz."

25. Similarly, the name that appears next to the email address in the "From" header section of the emails sent by awarewolf7@icloud.com is "Byrom Zuniga."

26. Thus, based on the facts and my training and experience, I believe that ZUNIGA is using the awarewolf7@icloud.com account.

² The identity of ZUNIGA's ex-significant other is known to me, but I have not included her name or initials to protect her.

2. Email account byrom.zuni@icloud.com

27. In the emails sent by this email address, the name that appears in the "From" header section is "Byrom Zuniga."

28. Based on my review of threatening messages sent using both awarewolf7@icloud.com and byrom.zuni@icloud.com, the content, tone, and diction of the email messages from both email accounts are similar. Of note, the language used often times appears awkward, stumbling and utilizing words that seem as if the individual is overly using a thesaurus. This makes the emails particularly distinguishable and seem to be clearly written by the same person.

29. Thus, based on the facts and my training and experience, I believe that ZUNIGA is using the byrom.zuni@icloud.com account.

3. Instagram account "byromzuniga"

30. As of October 2, 2023, Meta, the parent company of Instagram, indicated to the FBI that the Instagram account "byromzuniga" is being utilized by an individual named "Byrom Zuniga."

31. Based on my review of the "byromzuniga" Instagram account, I know the user of the account posted a video on September 29, 2023, where it depicted ZUNIGA speaking. I recognized ZUNIGA from this video from my review of his California driver's license photograph.

32. The account contains various other posts of photographs and videos that also appear to match ZUNIGA.

33. Over the last 72 hours, I have seen ZUNIGA post

"stories" to his account, which disappear after 24 hours. These stories show videos and posts portraying highly personal text messages between ZUNIGA and family members. Many of the posts to his Instagram page also discuss highly personal content, particular to ZUNIGA.

34. ZUNIGA utilized this Instagram account several times on September 30, 2023, to post "Tidal" music service links. Tidal music is a publicly available online music service. These postings are consistent with ZUNIGA emailing Victim Judge #1 a Tidal link in EMAIL FOUR, as discussed below.

35. Thus, based on the facts and my training and experience, I believe that ZUNIGA is actively using the Instagram account "byromzuniga."

C. Email message sent and received on July 24, 2023

36. An email from awarewolf7@icloud.com to xxx@occourts.org was received at 3:46 pm on July 24, 2023 (hereafter "EMAIL FIVE"). EMAIL FIVE, dated July 24, 2023, was entitled "[Victim Judge #1's first name]-It is time you die."

37. Additionally, EMAIL FIVE presented a motive for the threats and harassment against Victim Judge #1. The email message repeatedly referenced damage caused to ZUNIGA's relationship with his son purportedly caused by Victim Judge #1. The OCSD confirmed that in 2021 and 2022, Victim Judge #1 was assigned to the courtroom to which email address xxx@occourts.org was associated, and oversaw family court proceedings with ZUNIGA from approximately 2019 to 2021.

38. EMAIL FIVE also included reference to "Lamoreaux and

other courts." Lamoreaux Justice Center, located in Orange, California, is the courthouse where Victim Judge #1 heard the family law case involving ZUNIGA.

39. Additionally, EMAIL FIVE included the following threatening and harassing language directed at Victim Judge #1 and others:

a. "I am more committed to murdering you than I am to being present as a father. Nothing will change course and nothing will stop the guaranteed accountability requiring your life as payment."

b. "Nothing can save you, and nothing can protect you. Pelosi's husband got hammered in the presence of police. What makes you think anyone is going to spare your life?"

c. "You're already dead. The remainder of my life will be dedicated to assassinating judges, attorneys, and a police station's entire shift staff."

d. "Instead I'm going to shove a funnel in you, shit in it, then flush it into you with my piss, dirty cunt. This is abusive language. Learn the difference moron."

e. "You think I give a fuck about living in the US? My hatred for your government isn't based on the discrimination I've experiences my entire life, it is based on the putrid rot in government that betrays children in their most formative years. A prudent judge understands children are safest and most loved having both father and mother in their life, or just the father."

f. "Have you come to terms with the fact that I will

not stop, and I will continue to murder until your environment crushes you out of self-preservation. You will be one of the easiest to kill, everyone involved in this case actually, resulting from the public shaming you've been subjected to."

g. "I will make sure every rotten heart hiding in that building [Lamoreaux Justice Center] is exterminated in Mexican fashion."

h. "Worst case scenario I get extradited just to result in an acquittal."

i. "Do you have any last words, apologies, or regrets you want to communicate before I lawfully kill you, a federal protection that at worst will be tried before a jury of MY peers in FEDERAL court, where jurisdiction exists and conflict of interest is absent."

j. "You may be spared criminal prosecution for what you have done, but what importance does your image have, as you will be dead-dead. Imagine your life is a light switch, and I choose to turn you off and rip the switch out of the wall."

40. EMAIL FIVE is signed "God Bless and Good Riddance, bitch" followed by the name BYROM ZUNIGA SANCHEZ.

41. Based upon my background, training, and experience, I believe that EMAIL FIVE constitutes both a threat to injure and/or kill Victim Judge #1 and others. Further, ZUNIGA's statement about potential extradition suggests to me that ZUNIGA is aware that his threats are illegal.

42. An analysis of the IP header information for this email indicated it was sent on July 24, 2023, via Apple's server

in Cupertino, California, and received by Microsoft's server in Redmond, Washington, that same day, July 24, 2023.

D. Other emails sent May through July 2023

1. Two email messages sent and received on May 16, 2023

43. Two emails to xxx@occourts.org were received on May 16, 2023, at 4:20 p.m. (hereafter "EMAIL ONE") and 6:16 p.m. (hereafter "EMAIL TWO"), respectively. EMAIL ONE, which was from awarewolf7@icloud.com and dated May 16, 2023, demanded the recipient "resign immediately" and referenced damage caused by Victim Judge #1 to Zuniga's family. It also included menacing language indicating "You are a public servant and there is no other remedy for what has occurred." EMAIL TWO, which was from byrom.zuni@icloud.com and also dated May 16, 2023, only said "Look into my eyes and see what you have done to my people," and contained a photograph of ZUNIGA SANCHEZ with his eyes wide open and glaring at the camera. I conducted a review of this photograph and photographs in ZUNIGA SANCHEZ's Instagram social media account "byromzuniga." A comparison of the photograph in EMAIL TWO and these social media photographs indicated it is the same person. EMAIL ONE is signed at the bottom with the name BYROM ZUNIGA SANCHEZ CONEJO CRUZ.

44. An analysis of the IP header information for both of these emails indicated they were sent on May 16, 2023, via Apple's server in Cupertino, California, and received by Microsoft's server in the State of Washington that same day, on May 16, 2023.

2. Email message sent and received on June 20, 2023

45. An email from byrom.zuni@icloud.com to xxx@occourts.org was received at 3:56 pm on June 20, 2023 (hereafter "EMAIL THREE"). EMAIL THREE proclaimed: "Your suicide doesn't suffice, and it won't cure nor redirect what is coming for you. I haven't received your resignation, and you've failed to justify your existence after all damage you have caused. You have until EOB (*sic*) to determine if you will quit, or be a fraction of the person you present yourself as."

46. An analysis of the IP header information for this email indicated it was sent on June 20, 2023, via Apple's server in Cupertino, California, and received by Microsoft's server in Redmond, Washington that same day, on June 20, 2023.

3. Email message sent and received on July 2, 2023

47. An email from byrom.zuni@icloud.com to xxx@occourts.org was received at 10:00 am on July 2, 2023 (hereafter "EMAIL FOUR"). EMAIL FOUR contained a link to a music video on a publicly available online music website. The music video is for a song entitled "You Make Me sick," and depicts numerous scenes of people suffering from horrendous illnesses, vomiting, and suffering from sickness.

48. An analysis of the IP header information for this email indicated it was sent on July 2, 2023, via Apple's server in Cupertino, California, and received by Microsoft's server in Redmond, Washington, that same day, on July 2, 2023.

E. ZUNIGA has also posted threatening and harassing messages on his Instagram account.

1. Email dated July 25, 2023, posted to Instagram in late August 2023

49. In late August 2023, on his Instagram account, ZUNIGA posted on his Instagram account a screenshot of an email dated July 25, 2023, which appears to have been addressed to xxx@occourts.org (the same email address to which ZUNIGA sent the threatening communications discussed above). I was unable to determine whether that email message had actually been sent to xxx@occourts.org, because court staff explained that could have been filtered into a junk folder by the court email system and was not recovered by court staff. However, based upon the facts of this case - including that ZUNIGA had sent a similar threatening email to that same recipient email address the day before on July 24, 2023 - I believe that email message was likely sent because ZUNIGA posted a photo of the email on Instagram, depicting ZUNIGA's sent email messages folder.

50. The posted email is entitled "Active shooter - Lamoreaux Justice Center." In this email he threatened to conduct an active shooting at the Lamoreaux Justice Center. It also contained the following threatening and harassing content:

- a. "I am the gorilla and I will murder everything responsible for traumatizing my son. Fuck you and your abuse of laws, dirty whore."

- b. "Absolutely nothing OCSD can do to prevent, prepare, nor impede."

c. "This is formal notice of intent and lawful right to exercise the 2nd amendment."

51. This posted email also specified a date when discussing the active shooting: "Does Friday the 13th, October 2023 work for you? I prefer sooner, but I like to make moments feel special, and unforgettable."

52. This posted email is signed "Byrom Zuniga Sanchez." No email header information is available for this email as it is only posted as a photograph, and court staff was not able to recover this from their system.

2. ZUNIGA's other current Instagram activity

53. I conducted a review of ZUNIGA's Instagram social media account "byromzuniga." During the review, I discovered that ZUNIGA has continued to make threatening and harassing communications directed at Orange County courts.

54. In late September 2023, ZUNIGA continued to make various threatening posts to his Instagram account, including the following:

a. "Don't pretend you allow me the right to die without robbing me of the autonomy to bring all of lamoraux with me."

b. "With access to a weapon, it is easier for me to walk into a courthouse and indiscriminately assassinate [sic] because I notified lawyers and judges."

55. Also sent in July 2023 were several posts made to ZUNIGA's Instagram story in which he posts text messages that he appears to have sent. Next to the text message screenshots are

several comments such as "literally absolutely nothing on my mind all day every day except the unbearable desire to murder people so I can mutilate the corpses and descrate [sic] them in an act of independence, freedom, and justice before the people."

F. ZUNIGA transmitted communications in interstate and foreign commerce.

56. Based on my background, training, experience, and the investigation to date, it is my belief ZUNIGA is sending threatening communications in interstate and foreign commerce.

57. In addition to the emails themselves being transmitted in interstate and foreign commerce, I further believe that ZUNIGA's utilization of online email and social media accounts (in this case Apple email and Instagram social media) to perpetrate a crime further affected interstate and foreign commerce.

1. Interstate communications

58. As discussed above, ZUNIGA used email and social media tools to communicate threats and harassment.

59. As detailed above, review of IP addresses in the email headers sent by ZUNIGA indicate the emails were processed through an Apple data center in California and a Microsoft data center in Washington.

60. Moreover, the internet is a complex web of networks connected to each other across the United States of America and the globe. The utilization of internet-based email and social media accounts, in this case Apple email and Instagram social media service, to perpetrate a crime also affects interstate

commerce.

61. Thus, ZUNIGA's threatening and harassing email messages were transmitted in interstate commerce.

2. Communications from Mexico

62. Based upon my review of the evidence, and my background, training, and experience, I believe that ZUNIGA was in Mexico when he sent these threatening communications.

63. The FBI conducted a search of an airline travel reservation database from May 1, 2023 to October 2, 2023. No results were discovered for ZUNIGA. Further, a search of Customs and Border Protection (CPB) records as of October 2, 2023, revealed only one encounter with ZUNIGA. This encounter occurred on June 16, 2023, when ZUNIGA attempted to enter the United States from Mexico via the San Ysidro border crossing, presenting an expired EAD (employment authorization document) card. According to the CBP report that I reviewed, ZUNIGA "stated has DACA," but could not provide a valid entry document. Accordingly, ZUNIGA was denied entry during this encounter.

64. Further, as of October 2, 2023, Meta, the parent company of Instagram, indicated to the FBI that the Instagram account "byromzuniga" is being utilized by an individual named "Byrom Zuniga," and is being accessed by an IP address in Mexico.

65. I located a Facebook page named "byrom.zuniga.5, which appears to be used by ZUNIGA based on photographs and written content I observed. The photographs on this Facebook page appear to match ZUNIGA's California driver's license photograph,

which I had reviewed. In posts made on June 5, 2023 and June 9, 2023, ZUNIGA indicated he was in Morella, Mexico.

66. A review of the most recent posts on this account as of October 2, 2023, showed videos with ZUNIGA speaking within the last few days. And finally, ZUNIGA's Instagram posted an advertisement for a music event in Mexico that was to occur on October 1, 2023. Moreover, in late September 2023, ZUNIGA posted on Instagram an advertisement for a music event in Mexico that was to occur on October 1, 2023.

67. In early October 2023, ZUNIGA posted a screenshot of text messages between him and his mother. In those messages, ZUNIGA is demanding she find him a place to live and references her as his mother. They discussed possible relatives' residences in Mexico where he could live.

68. Finally, the Immigration and Customs records indicate ZUNIGA does not have legal status in the United States of America and is subject to removal proceedings.

69. This information, compounded with the fact ZUNIGA is actively posting on his Instagram account frequently, leads me to believe that ZUNIGA is in Mexico as of October 2, 2023.

G. ZUNIGA's threatening messages have caused Victim Judge #1 to fear for his/her safety and the safety of his/her family.

70. I interviewed Victim Judge #1. Victim Judge #1 stated that ZUNIGA's email messages have caused him/her to fear for his/her own safety and that of his/her family. This fear has resulted in increased stress, anxiety, and caused sleepless

nights. Many of ZUNIGA's social media posts were sent to law enforcement by Victim Judge #1's JPU.

H. ZUNIGA has pending domestic protective orders and arrest warrants.

71. I reviewed federal and state criminal databases and other documents provided to me by local law enforcement. Based upon that review, I know the following.

72. ZUNIGA used to reside in Laguna Niguel, California.

73. ZUNIGA is the subject of multiple domestic protective orders and a workplace violence order.

74. ZUNIGA has multiple pending arrest warrants issued in Orange County in 2023 for violating state law, including evading police/reckless driving, invasion of privacy, violation of a court order, and criminal threats. According to my review of the underlying reports, on May 5, 2022, ZUNIGA led Orange County Sheriff's Department deputies on a chase after they were called to a home where he was violating a domestic violence court order. Deputies cornered ZUNIGA at a business location, where after negotiations lasting several hours, he ultimately surrendered, and was arrested.

a. Attached to one of those reports was a text message exchange posted to ZUNIGA's Instagram account in June 2023 in which ZUNIGA wrote: "If you do, your brother and father will be murdered, and OCSA deputies will be assassinated on duty. Do not put your family nor others in a grave over your mental retardation. If I have to, we will kill deputies on duty until their loved ones kill you..."

b. In another associated text message posted to his Instagram account, ZUNIGA continued to threaten law enforcement: "You're very closed [*sic*] to getting murdered just to keep the peace. Understand the reality of what the situation is. I'll kill anything that stands between me and my son, and in this case it's going to be a police station or your family."

c. Another OCSD report included a screenshot from ZUNIGA's Instagram account that had a photograph of a firearm under which was written "AK-47 Bloodsport", apparently as a description of the weapon in some videogame.

d. OCSD report DR# 22-014749, which I reviewed, relates an incident involving ZUNIGA on May 4, 2022. The victim, who apparently was a witness in the underlying family law matter involving ZUNIGA, provided video of ZUNIGA at the victim's residence in Mission Viejo. In the second video from May 4, 2022, ZUNIGA is seen and heard yelling the following:

i. "Go ahead [victim's first name] call the cops, let's see how this plays out."

ii. "I went and emailed all the fucking attorneys, the judge, I went to [the District Attorney's] house."

iii. "Why do you think shit happens when people's fucking workplaces get shot up, because of fucking lying pieces of shit like you."

75. I also reviewed reports regarding incidents involving ZUNIGA and the Orange County District Attorney's office, from which I learned the following:

a. On February 24, 2021, March 1, 2021, and March 4, 2021, ZUNIGA parked in front of the Orange County District Attorney's office, made a scene of dancing and singing erratically, and demanded to speak with the Orange County District Attorney.

b. On at least one of these occasions, ZUNIGA also called the Orange County District Attorney's office and left a message asking to speak with the Orange County District Attorney himself.

c. On October 2, 2021, ZUNIGA went to the personal residence of the Orange County District Attorney at around 8:45 p.m. ZUNIGA had parked his white BMW across the street and approached an individual at the residence, asking whether the Orange County District Attorney "was home." ZUNIGA then said "Tell him Byrom stopped by." ZUNIGA then drove away. That report also described an email message dated August 14, 2021, from "Byrom Zuniga" using email address awarewolf7@icloud.com, to the Orange County District Attorney's email address.

VI. CONCLUSION

76. For all the reasons described above, there is probable cause to believe that Byrom Zuniga Sanchez violated Title 18, United States Code, Section 875(c) (Threat by Interstate/Foreign Communications).

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 5th day of October 2023.



HONORABLE KAREN L. STEVENSON
UNITED STATES MAGISTRATE JUDGE