

FILED IN OPEN COURT
JACKSONVILLE, FLORIDA

UNITED STATES DISTRICT COURT ^{3/3/21}

MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case No. 3:21-mj-1127-POB

KRISTOPHER JUSTINBOYER ERVIN


I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about February 22, 2021, in the Middle District of Florida, the defendant,

did knowingly possess a firearm as defined under Title 26, United States Code, Section 5845(a) and (b), that is, a machinegun conversion device, that was not then registered to the defendant in the National Firearms Registration and Transfer Record,

in violation of Title 26, United States Code, Sections 5861(d) and 5871. I further state that I am a Special Agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No


Signature of Complainant
Jesse Hooker


Sworn to before me and subscribed in my presence,

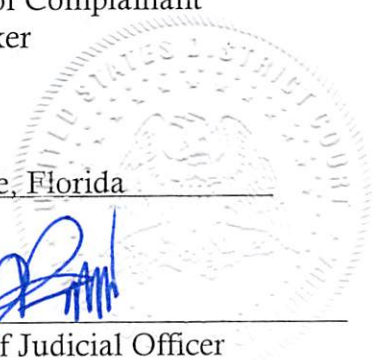
on March 3, 2021

at

Jacksonville, Florida

PATRICIA D. BARKSDALE
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer



AFFIDAVIT

Your affiant, Jesse Hooker, being duly sworn, deposes and states:

I. INTRODUCTION

Identity of Affiant

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Department of Justice, and have been so employed since February of 2001. Currently, I am assigned to the Jacksonville II Field Office. Prior to my employment with ATF, I was employed as an Immigration Inspector for the United States Immigration and Naturalization Service, U.S. Department of Justice, for four years. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy. I hold a Master of Science degree in Criminal Justice from the University of Central Florida. My duties as an ATF special agent are to investigate violations of federal law relating to alcohol, tobacco, firearms, explosives and controlled substances.

2. I have participated in many investigations involving the unlawful possession of firearms, including machineguns. In some of these investigations I have been the case agent, while in others I have acted in an undercover capacity dealing directly with the targets of the investigation. In the course of my duties as a special agent of the ATF, I have been investigating the unlawful making, possession, and distribution of machineguns by Kristopher Justinboyer ERVIN (ERVIN). This affidavit relates to that investigation.

3. The information in this affidavit is based on my personal knowledge as well as information, knowledge, observations, and investigations of other federal, state, and local law enforcement officers. This affidavit does not contain all information discovered during this investigation, rather only that believed necessary to provide a legal basis for the requested complaint.

Requested Criminal Complaint

4. Based on the information in this affidavit, I request that a complaint be issued charging ERVIN with violating Title 26, United States Code, Section 5861(d).

Statutory Authority

5. I am familiar with federal law, including regulations of certain types of firearms under Title 26 of the United States Code. I know that the firearms regulated under Title 26 of the United States Code include machineguns, and that Title 26, United States Code, Section 5845(a)(6) and (b) provides that that “[t]he term ‘firearm’ means . . . (6) a machinegun,” which is defined to include “any weapon which shoots, is designed to shoot, or can readily be restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger” and also includes “any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.” I am also familiar with Title 26, United States Code, Section 5861(d), which provides that it is unlawful for a person “to receive or possess a firearm which

is not registered to him in the National Firearms Registration and Transfer Record.”

This offense is referred to herein as the “Subject Offense.”

II. PROBABLE CAUSE

6. On January 8, 2021, I received information regarding the alleged unlawful possession and distribution of machineguns by Kristopher Justinboyer ERVIN. The information alleged that ERVIN currently resides in Orange Park, Florida. The information indicated that ERVIN was associated with a website called AutoKeyCards.com. The information alleged that the website was selling auto-sears or similar devices that convert weapons into machineguns. ATF describes an auto sear as a combination of parts designed and intended for use in converting a weapon to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the auto-sear is a machinegun as defined by Title 26, United States Code, Section 5845(b). These devices are also sometimes referred to as “lightning links.”

7. I briefly viewed the website AutoKeyCards.com¹ and observed that items described as AutoKeyCard 1 in 1 (\$59.00), AutoKeyCard 2 in 1 (\$79.00), AutoKeyCard 3 in 1 with Bottle Opener (\$99.00), AutoKeyCard 1 in 1 Pen Holder Edition (\$79.00), AutoKeyCard 2 in 1 Pen Holder Edition (\$109.00), and

¹ The website AutoKeyCard.com features substantially the same content as AutoKeyCards.com. Based on my investigation of this case, I believe that both websites are maintained by ERVIN and that he obtained a second domain name after having issues with his original website being shut down.

AutoKeyCard 3 in 1 Pen Holder Edition (\$139.00) were being offered for sale. Two t-shirts and a beanie displaying the name AutoKeyCard.com were also offered for sale.

8. The devices appeared to be metal in construction and were similar in appearance to credit cards. The devices appeared to have a design (possibly an auto-sear) that was laser engraved on them that would allow purchasers to “punch” or “cut out” the design (auto-sear). The devices varied in size and contained either one, two, or three designs (auto-sears) laser engraved on them. The devices described as the “Pen Holder Editions” had more metal cut outs already performed on them than the other devices and were priced higher.

9. On January 11, 2021, I contacted Cody Toy, Firearms Enforcement Officer with ATF’s Firearms and Ammunition Technology Division (FATD). I provided Officer Toy with the website address for AutoKeyCards.com and asked for his opinion on the devices. Officer Toy later contacted me and stated that the items on the website appeared to be machinegun conversion devices. Officer Toy advised that FATD previously examined similar devices as those on the AutoKeyCards.com website and classified them as machineguns. Officer Toy stated that I would have to obtain a device and submit it for examination and testing before it could be officially classified as a machinegun.

10. On January 11, 2021, I reviewed information stored in the Florida Driver and Vehicle Information Database (“DAVID”) related to ERVIN.

Information in DAVID indicated that ERVIN is a 40-year old white male, 6'1" tall, with brown hair and that ERVIN resides at 2409 Kirkwall Court, Orange Park, Florida 32065, within the Middle District of Florida. I also reviewed criminal history information for ERVIN, which indicated that has a prior felony arrest for Fraud – Insufficient Funds Check, but no convictions.

11. I then queried ERVIN's home address using DAVID for other licensed drivers and observed that Kris Anderson Ervin (referred to herein as "K.A. Ervin") was also listed as a resident of 2409 Kirkwall Court, Orange Park, Florida 32065. I believe that K.A. Ervin is ERVIN's father. Information stored in DAVID reflects that K.A. Ervin is a 67-year old white male, 5'11" tall, with grey hair. Criminal history information that I reviewed for K.A. Ervin indicated that he has prior arrests for Fraud - Insufficient Funds Check and Driving While License Suspended or Revoked, but no convictions.

12. On January 11, 2021, an ATF Intelligence Research Specialist (IRS), provided information to me regarding the investigation of ERVIN. The ATF IRS informed me that she had identified social media accounts that appeared to be owned by ERVIN in his personal capacity as well as social media accounts that appeared to be for the business AutoKeyCards.com.

- a. The ATF IRS asserted that ERVIN appears to use a portion of his middle name (which, according to DAVID, is Justinboyer)

along with his true last name ERVIN for an Instagram account located at https://www.instagram.com/therealjustin_ervin/.

- b. The ATF IRS also located an Instagram account at <https://www.instagram.com/autokeycarddotcom/>, which appears to be used to promote the business of AutoKeyCards.com. I observed several postings to this Instagram account featuring images of devices similar to the metal cards containing etched designs for auto-sears described herein, including one image featuring a pen with the word “AutoKeyCard.com” painted on it that was placed through a hole in the metal card. Several images posted to this account featured numerous metal cards that appeared to be laid out on a towel with water droplets on the surface of the cards. Based on my training and experience and investigation of this case, I believe that the water droplets are indicative that the cards had just been manufactured and were being washed of metal shavings or other debris and then laid on the towel to dry.
- c. The ATF IRS located numerous videos about the business AutoKeyCards.com and the item being sold (machinegun conversion devices or auto-sears) on YouTube. On a YouTube video entitled “The Parts the ATF Wishes Never Existed,” the

ATF IRS observed that an account using the name “Justin Ervin” had posted a comment reading “Clear your cookies and web data. AutoKeyCard.com is back up and we have a secondary site up at AutoKeyCards.com with an ‘s’ until we get both sites pointing to our new online freedom store platform next week. 15% off sale Black Friday to Cyber Monday. Code: 15% OFF. Thank you for the support during this time. I am thankful for all of you.”

- d. The ATF IRS located a Reddit account with the username “Akeycard” (profile located at <https://www.reddit.com/user/Akeycard/> which also appears to be used to promote the business of AutoKeyCards.com. The ATF IRS observed that this user had made a post to Reddit regarding the AutoKeyCards.com business and the shutdown of that website November of 2020. The Reddit posting is located at the following link: https://www.reddit.com/r/Firearms/comments/k1hcgt/autokeycard_unexpectedly_shut_down/. This posting was made to the subreddit “Firearms,” which as the name indicates, is a subreddit devoted to the discussion of firearms.² On this posting, the

² I know based on my training and experience that Reddit is a website where

Reddit account Akeycard posted the following comment: “Back online at autokeycards.com. Once the DNS internet servers update worldwide our original url autokeycard.com will go there too. Our shop was a victim of cancel culture. In a few weeks we will have our freedom platform up and both sites will point to those servers. Censorship is real. 15% off sale till Cyber Monday at midnight. Free shipping.”

13. I conducted additional research on the AutoKeyCards.com website and located an option to purchase using a mail in order form rather than utilizing a credit card. The form provides prices for products and instructions for submitting an order by mail. The form indicates that money orders and cash are accepted, but no business or personal checks are accepted. The form instructs the purchaser to make money orders payable to J. ERVIN (ERVIN’s middle name is Justinboyer). The order form and payment should be mailed to AutoKeyCard – J. ERVIN, 950 Blanding Boulevard, STE 23, PMB 336, Orange Park, FL 32065. This payment address is a UPS Store in which ERVIN is believed to have a postal box.

14. On January 14, 2021, I contacted an Investigator for ATF Industry Operations in Jacksonville, Florida, to ascertain if ERVIN or K.A. Ervin have a

individual users can create and share content by making a posting to which other users can post comments. These individual postings are made on a page called a “subreddit.” There are numerous subreddits, each of which is devoted to a particular topic or area of interest.

Federal Firearms License (FFL) with ATF. The ATF Investigator conducted a query of the ATF Licensing database and determined that neither ERVIN nor K.A. Ervin have an FFL or have ever been associated with an FFL.

15. On January 14, 2021, I initiated an ATF National Firearms Registration and Transfer Record (NFA) search to ascertain if ERVIN or K.A. Ervin had any items registered to them with ATF. ATF National Firearms Registration and Transfer Record, Look up Number 2021567, indicated that ERVIN and K.A. Ervin had no items registered to them with ATF. All machineguns must be registered in the National Firearms Registration and Transfer Record in order for their possession by an individual to be legal.

16. On January 15, 2021, I initiated the undercover purchase of an alleged machinegun conversion device from ERVIN. I obtained an undercover (U/C) ATF laptop computer and a U/C credit card. The U/C credit card was associated with a U/C address located in Jacksonville Beach, Florida. I then drove to a Starbucks coffee shop in Jacksonville, Florida, to utilize their Wi-Fi service to access the internet. At 3:31 p.m., I placed an order for one (1) AutoKeyCard 3 in 1 Pen Holder Edition for \$139.00. There were no charges for shipping, but a sales tax charge of \$9.73 was added bringing the total purchase price to \$148.73. I utilized a U/C email address to receive the order confirmation from AutoKeyCards.com. At 4:10 p.m., I received an email from customerservice@autokeycard.com indicating that the item I ordered had shipped. The email indicated that order #2667 had shipped and

provided the following United States Postal Service (USPS) Tracking Number:
9400111202555999104102.

17. I then provided the USPS Tracking Number (9400111202555999104102) to USPIS Postal Inspector (PI) Keith Hannon, who is assisting with this investigation. On January 19, 2021, PI Hannon told me that he queried the tracking number I provided to him and obtained an image of the shipping label that was created. PI Hannon also determine the post office that the parcel was shipped from and that the parcel was expected to be delivered on January 19, 2021.

18. Utilizing a USPS database, PI Hannon was able to obtain the serial number (12584599) of the postage meter used to pay the postage on my U/C order. PI Hannon also obtained the customer ID number (9314903) associated with the serial number of the postage meter used to pay the postage on my U/C order. PI Hannon queried customer ID number 9314903 for mailings between the dates of January 12, 2021, through January 19, 2021. The query resulted in records for approximately 94 mailings, including my U/C purchase, during that period.

19. PI Hannon then requested historical mailing data associated with customer ID number 9314903 for the period of November 2020 through January 19, 2021. The result of the query indicated that 931 parcels had been mailed during that period. The return address for all 931 parcels was listed as AKeyCard, 950 Blanding Blvd., Suite 23, PMB 336, Orange Park, FL 32065.

20. On January 20, 2021, ATF Special Agent John Leahy traveled to the ATF U/C mailing address and obtained the parcel that I ordered. S/A Leahy later provided the parcel to me. I then opened the parcel, photographed it, and placed it into evidence. The item is identified as ATF property item 000001.

21. On January 21, 2021, the ATF IRS provided additional information to me regarding the social media investigation of ERVIN. The ATF IRS had located a prior firearms-related podcast that was streamed live on YouTube on October 6, 2020. The ATF IRS located a comment to the podcast from an account with the display name "Justin Ervin" stating: "Get your autokeycard dot com while you can. AR related. It only gets worse from here. Get ready. Get it and save it in your wallet. Search for it on YouTube." Based on my training and experience and my investigation of this case, I believe that the portion of the comment stating "AR related" is an admission that ERVIN is aware that the items ERVIN is selling on AutoKeyCards.com are able to be used in conjunction with an AR-15 type rifle.

22. On January 22, 2021, I packaged and shipped ATF property item 000001 to the ATF, Firearms Technology Criminal Branch, for examination and classification.

23. On January 26, 2021, I initiated an additional U/C purchase of a machinegun conversion device from ERVIN. I obtained a U/C ATF laptop computer and accessed the AutoKeyCards.com website. I intended to conduct a mail order transaction and purchase an Auto Key Card Stainless Steel Business Card

2 in 1 for \$80 and an Auto Key Card Stainless Steel Business Card 2 in 1 Pen Holder Edition for \$110, but observed that both those items were listed as sold out on the website.

24. On January 26, 2021, at 1:57 p.m., utilizing a U/C email account, I emailed customerservice@autokeycard.com and stated the following:

Hello I was wanting to buy a auto key card 1 in1 or 2 in 1 pen holder edition. i wanted to do everything by mail with a money order to pay you with. Your website says they are sold out. Will you be getting more in soon? Should I just send in my order form and money order now and then you will ship it to me as soon as you get more. I'm just worried about sending the money order and the thing never coming back in stock. thanks.

25. On January 26, 2021, at 2:09 p.m., I received an email response from customerservice@autokeycard.com stating the following:

Hi John, Thank you for contacting us. We always hold a few items back for mail in order customers. There is a mail in order form on our website. Please print and fill it out, then mail it to us. If you already know which products and the amount you want, let us know and we can set those aside for you. We always take care of our great customers. Sincerely, AutoKeyCard.com

26. On January 26, 2021, at 2:31 p.m., I responded to the email from customerservice@autokeycard.com stating the following:

Thanks for getting back to me. i wanted to get 2 different cards. a AKC 2 in1 for \$80.00 and a AKC 2 in 1 pen holder for \$110.00 . after the mail order fee and taxes i came to a total of \$214.00. If you have those 2 cards in stock and that is the right price, i will put the money order in the mail by morning at the latest if you will hold them back for me. thanks.

27. On January 26, 2021, at 2:38 p.m., I received an email response from customerservice@autokeycard.com stating the following:

Hi John, Yes, we have those 2 cards for your mail in order. The pricing looks correct. I attached the current mail in order form for you in case you need it. Sincerely, AutoKeyCard.com

28. On January 26, 2021, at 2:49 p.m., I responded to the email from customerservice@autokeycard.com stating the following:

Thank you. i'm getting the payment today and putting it in the mail tonight or tomorrow morning.

29. I then completed the AutoKeyCard.com MAIL IN ORDER FORM that I printed from the AutoKeyCards.com website. I then traveled to the USPS Post Office located on Belfort Road in Jacksonville, Florida. I purchased a Postal Money Order, Serial Number 27077535156, in the amount of \$214.00 as payment for the two Auto Key Cards that were being ordered by mail.

30. On January 27, 2021, I traveled to the USPS Post Office located on Belfort Road in Jacksonville, Florida. I mailed the AutoKeyCard.com MAIL IN ORDER FORM along with the Postal Money Order to the address on the order form. I sent the parcel by USPS Priority Mail and was provided with tracking number 9505512118831027723523 to track the parcel.

31. On January 28, 2021, PI Hannon provided me with updated information regarding the historical mailing data associated with the postal meter containing serial number 12584599 that is associated with the customer ID number 9314903. PI Hannon stated that the postal meter was activated on November 26,

2020, and remains active. PI Hannon stated that from the period of November 26, 2020, through January 27, 2021, a total of 1,037 parcels had been mailed. The return address for all 1,037 parcels was listed as AKeyCard, 950 Blanding Blvd., Suite 23, PMB 336, Orange Park, FL 32065.

32. On February 1, 2021, at 10:46 a.m., utilizing a U/C computer and U/C email account, I emailed customerservice@autokeycard.com and stated the following:

Good morning. Just following up with you about my order. i sent a money order and order form to you for 2 key cards by priority mail. looks like the post office said it got to you friday. just wanted to make sure you got it and everything was good. thanks.

33. On February 1, 2021, at 11:01 a.m., I received an email response from customerservice@autokeycard.com stating the following:

Hi John, Thank you for your purchase and for contacting us. I looked into your order and according to USPS, it was delivered to the front desk/reception area for your address this morning. Sincerely, AutoKeyCard.com

34. On February 1, 2021, at 11:04 a.m., I responded to the email from customerservice@autokeycard.com stating the following:

Awesome i did not know you had already shipped it. Thanks for your great customer support.

35. On February 1, 2021, I received an email from PI Hannon regarding this investigation. PI Hannon stated that he conducted research on the Postal Money Order with serial number 27077535156, that I utilized as payment to

ERVIN. PI Hannon stated that the postal money order was negotiated on January 29, 2021, at 4:58 p.m. at Community First Credit Union. PI Hannon provided an image of the negotiated postal money to me.

36. On February 1, 2021, I served a Federal Grand Jury Subpoena to Community First Credit Union (CFCU), 637 N. Lee Street, Jacksonville, FL 32204. I later contacted a Fraud Investigator for CFCU and requested assistance in obtaining video of the person who cashed the postal money order I provided as payment to ERVIN. I provided the physical description of ERVIN and the information stamped on the back of the postal money order by CFCU to the CFCU Fraud Investigator. The CFCU Fraud Investigator stated that postal money order was cashed at the Orange Park, Florida, branch of CFCU. The CFCU Fraud Investigator located in surveillance video of the lobby of the CFCU Orange Park branch during that time frame an individual that matched the description of ERVIN and emailed a screen shot to me. I compared the person in the screenshot with ERVIN's Florida driver's license photograph and determined they are the same person. The screen shot depicts ERVIN inside the lobby of the CFCU on January 29, 2021, at 4:45 p.m. The CFCU Fraud Investigator stated that she would preserve the video containing the financial transaction with ERVIN and provide it to me at a future date.

37. On February 2, 2021, S/A Leahy traveled to the ATF U/C mailing address and obtained the parcel that I ordered. S/A Leahy provided the parcel to me

and I opened the parcel, photographed it, and placed it into evidence. The machinegun conversion devices are identified as ATF property items 000003 and 000004. The items will be maintained in the ATF Jacksonville Evidence Vault and sent to the ATF, Firearms Technology Criminal Branch, for examination and classification in the future.

38. On February 2, 2021, I received ATF, Firearms Technology Criminal Branch (FTCB), Report of Technical Examination, FTCB #2021-207-CJT-315906, regarding the first item I had purchased in an undercover capacity from ERVIN doing business via AutoKeyCards.com (ATF property item 000001). Officer Toy of the FTCB had analyzed the submitted exhibit and determined that it met the definition of a “machinegun” contained in Title 26, United States Code, Section 5845(b), the definition of a “firearm” contained in Title 26, United States Code, Section 5845(a)(6), and the definition of “machinegun” contained in Title 18, United States Code, Section 921(a)(23).

39. The FTCB report described ATF property item 000001 as a flat piece of stainless steel with three AR-15 type machinegun conversion devices laser etched on the surface. Each device, consisting of two flat pieces of metal is readily identifiable and commonly referred to as a “Lightning Link”. The “Lightning Link” is designed to slip over the hook in the top of the disconnecter in an AR-15 type receiver and be positioned in the receiver over the top of the selector and under the rear take down pin. Once installed, the “Lightning Link” replicated the function of the machinegun

automatic-sear and converts a semi-automatic AR-15 type firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger.

40. The FTCB report stated that a “Lightning Link” functions as a “combination of parts designed and intended, for use in converting a weapon into a machinegun” and therefore is a regulated firearm under the National Firearms Act (NFA). A part need not be 100% complete in order to be a “part.” It need only be manufactured to the point where a critical line has been crossed or critical features formed to make it recognizable.

41. The FTCB report states that the submitted card containing etchings for auto-sear devices obtained from AutoKeyCards.com is not 100% complete, but it has clearly reached a stage in the manufacturing process where it is recognized as a “Lightning Link” and classified as a machinegun conversion device; therefore it is a “machinegun” as defined under federal law. The FTCB report explains that the fact these devices are attached to a piece of metal that contains a bottle opener does not remove them from the regulation under federal firearms law.

42. The FTCB demonstrated that the card containing etchings for auto-sear devices obtained from AutoKeyCards.com is designed and intended for use in converting a weapon into a machinegun. In summary, the ATF Firearms Enforcement Officer cut out one of the “Lightning Links” from the submitted card containing etchings for auto-sear devices using a commonly available Dremel tool.

He traced the lines of the “Lightning Link” until both pieces were removed from the metal plate. This took approximately 37 minutes. Per the FTCTB report, the “Lightning Link” parts were precisely indexed and were the correct size to fit AR-type firearms. The parts were then installed in a semi-automatic rifle. The rifle function tested as a machinegun.

43. Officer Toy test fired the rifle with the “Lightning Link” installed using commercially available ammunition. Three rounds of ammunition were loaded into the rifle and the selector switch was set to the semi-automatic position. When the trigger was pulled, the rifle fired all three rounds automatically with single function of the trigger. An additional test with five rounds of ammunition was conducted. The rifle with the Auto Key Card Device “Lightning Link” fired all five rounds automatically with a single function of the trigger. Additional tests were conducted. It was noted that majority of the time, the rifle would fire two or three rounds automatically with a single function of the trigger. Occasionally, it would only fire one round and chamber the next without firing.

44. The FCTB report noted that none of the submitted devices bear maker’s or manufacturers marks of identifications or serial numbers as required by Title 26, United States Code, Section 5842.

45. On February 11, 2021, I received an encrypted email containing the bank records for ERVIN’s personal and business accounts at CFCU. The bank records were downloaded to an optical media disk and placed into evidence at the

ATF Jacksonville Field Office evidence vault. The bank records were also provided to an ATF Senior Financial Investigator (SFI) for an analysis. The bank statements for ERVIN's personal account #1643009 and his business account #1502925 reflect a mailing address of 2409 Kirkwall Ct., Orange Park, FL 32065.

46. The ATF SFI later provided me with a summarization of ERVIN's personal bank account #1643009 from CFCU based on his analysis on the bank records received from the federal grand jury subpoena. In reviewing this information, I observed the following:

- a. ERVIN's account was analyzed from October 2, 2020, through January 19, 2021.
- b. The beginning balance on October 2, 2020, was \$213.03. The ending balance on January 19, 2021, was \$5,472.42.
- c. There were a total of two hundred and twenty-nine transactions (229) that occurred between October 2, 2020, and January 19, 2021.
- d. During this time frame there were total credits of \$130,076.96 and total debits of \$125,884.56.
- e. Eighteen (18) cash withdrawals occurred for a total of \$95,040.00.00 between October 2, 2020, through January 19, 2021. All the cash withdrawals were below the \$10,000.00 Currency Transaction Report (CTR) limit. Seven (7) of the cash

withdrawals were for \$9,000.00. Some of the withdrawals were done on consecutive days or just a few days apart.

- f. Thirteen (13) money orders were deposited totaling \$2,881.30 between October 2, 2020, and January 19, 2021.
- g. Forty nine (49) Automated Clearing House (ACH) deposits posted for a total of \$125,022.90 between October 2, 2020 and January 19, 2021. These deposits originated from STRIPE, which based on my training and experience and investigation of this case, is a processor for online payments, including credit card payments.
- h. One hundred thirty two (132) debit card withdrawals posted for a total of \$29,337.39 between October 2, 2020, and January 19, 2021. Ten (10) of these debits totaling \$2,790.00 were for USPS Stamps. There were numerous debits to retail stores that I recognize as being firearms-related, including 3D Cart, Body Armor USA, Boyds Gunstock Industries, Brownells Inc, Classis Firearms, Discount Enterprise, Durkin Tactical LLC, Global Ordnance LLC, Glock Store, Gunmagwarehouse.com, Hinterland Outfitter, Impact Guns Web Store, Infowarsstore.com, J & G Sales Moto, Kentucky Gun Co, Lakeline LLC,

Palmetto State Armo, Primary Arms, Recover Tactical,
SGAmmo LLC and SP Combat.

47. On February 16, 2021, I received an optical media disk containing video footage of ERVIN from CFCU. The video footage contained the date/time stamp of January 29, 2021, from 4:42 p.m. through 4:45 p.m. I requested the video footage after it was determined by PI Hannon that that the postal money order I obtained and used as payment to ERVIN had been negotiated on January 29, 2021, at 4:58 p.m. at Community First Credit Union.

48. The video footage depicts ERVIN arriving at the CFCU Orange Park branch driving a silver Honda SUV consistent with his registered vehicle. ERVIN is wearing blue jeans, a grey jacket with a hood, and sunglasses. ERVIN enters the lobby of CFCU, walks to a bank teller, and signs two items (presumably money orders). ERVIN provides the two items to the bank teller who then provides U.S. currency to ERVIN inside a bank envelope. ERVIN then departs from the branch, walks to his silver Honda SUV, and drives out of the parking lot. The optical media disc containing the video footage of ERVIN was placed into evidence at the ATF Jacksonville Field Office evidence vault.

49. On February 16, 2021, I was advised by PI Hannon that he made an undercover purchase from the website AutoKeyCards.com on February 2, 2021. The order was completed using the mail order form provided on the website. The mail in order form was completed and requested the purchase of three cards

containing etchings for auto-sear devices: 2x Auto Key Card Stainless Steel Business Card 1 in 1 for \$60.00 each, and 1x Auto Key Card Stainless Steel Business Card 3 in 1 with Bottle Opener for \$100.00. The order for the Auto Key Card Devices totaled \$220.00 plus an additional \$10.00 fee for a "Mail Order Processing Fee" for a total of \$230.00. PI Hannon told me that on February 2, 2021, he obtained a USPS Money Order in the amount of \$230.00 with serial number 27019119328 from the South Jacksonville Post Office. The USPS Money Order was made payable to J. Ervin as requested on the mail in order form. The USPS Money Order was then placed inside a USPS Priority Mail envelope bearing tracking number 9505 5122 3204 1033 5572 13 which was addressed to Autokeycard – J Ervin, 950 Blanding Blvd., Ste 23, PMB 336, Orange Park, FL 32065. This was the address provided on the mail in order form. An "Order Delivery Mailing Address" was provided to an undercover P.O. Box in Savannah, Georgia. PI Hannon told me that the undercover P.O. Box was established and monitored by PI Thomas Plumley.

50. PI Hannon advised me that he checked USPS records and learned that Priority Mail parcel 9505 5122 3204 1033 5572 13 containing the undercover purchase order form and payment was delivered to 950 Blanding Blvd., Suite 23 on February 3, 2021. PI Hannon told me that another check of USPS databases revealed that USPS Money Order with serial number 27019119328 was negotiated on February 3, 2021, at a Community First Credit Union. The USPS Money Order

was for the payment of three cards containing etchings for auto-sear devices described in the previous paragraph.

51. PI Hannon advised me that on February 8, 2021, he was notified by PI Plumley that a USPS parcel from “AKeyCard” arrived at the undercover P.O. Box in Savannah, Georgia, with tracking number 9400 1112 0255 53597832 37. Inspector Plumley secured the parcel as evidence and transferred it to Inspector Hannon. PI Hannon reviewed USPS records and learned that USPS parcel 9400 1112 0255 53597832 37 was mailed on February 4, 2021, and was delivered on February 6, 2021, to the undercover P.O. Box.

52. PI Hannon advised me that on February 16, 2021, he received USPS parcel 9400 1112 0255 53597832 37 from PI Plumley. PI Hannon told me that on the same date, he opened parcel 9400 1112 0255 5359 7832 37 and discovered the three cards containing etchings for auto-sear devices that had been ordered in the undercover capacity. The outer envelope was consistent with the two previous undercover orders that I placed from AutoKeyCards.com. The return address on the parcel was listed as “AKeyCard, 950 Blanding Blvd., STE 23, PMB 336, Orange Park, FL 32065.” The three cards containing etchings for auto-sear devices were packaged in individual plastic baggies with a green business card. The three cards containing etchings for auto-sear devices contained cutouts for a total of five devices that would convert a semi-automatic AR-15 style firearm to being capable of firing in a fully automatic mode.

53. On February 18, 2021, I received an email from PI Hannon containing the updated records pertaining to the Stamps.com “Provider Cust ID” 9314903 mailing log. The updated records indicated that between November 26, 2020, and February 18, 2021, a total of approximately 1,207 mailings had been made with the postage account. PI Hannon told me that he reviewed the updated records and observed that the return address of “AKeyCard, 950 Blanding Blvd., STE 23, PMB 336, Orange Park, FL 32065” was listed on all the mailings.

54. On February 19, 2021, I received an optical media disk containing video footage of ERVIN from CFCU. The video footage contained the date/time stamp of February 3, 2021, from 4:00 p.m. through 4:05 p.m. I requested the video footage after it was determined by PI Hannon that that the postal money order he obtained and used as payment to ERVIN was negotiated on February 3, 2021, at 4:09 p.m.

55. The video footage depicts ERVIN sitting in the driver’s seat of a silver Honda SUV at the CFCU Orange Park branch. ERVIN then exits his silver Honda SUV and is observed wearing blue jeans, an orange tee shirt, a grey jacket with a hood, and sunglasses. ERVIN enters the lobby of CFCU, waits for a bank teller to become available, and signs two items (presumably money orders). ERVIN provides the two items to the bank teller who then provides U.S. currency to ERVIN inside a bank envelope. ERVIN then departs from the branch, walks to his vehicle, and drives out of the parking lot. The optical media disc containing the video footage of

ERVIN was placed into evidence at the ATF Jacksonville Field Office evidence vault.

56. On February 22, 2021, ATF Special Agents and U.S. Postal Inspectors established surveillance at the residence located at 2409 Kirkwall Court, Orange Park, Florida 32065, within the Middle District of Florida. I had reason to believe that this was ERVIN's residence based upon his bank records from CFCU as well as this being the residence that ERVIN listed in DAVID. Surveillance was also established at the Ridgewood Post Office and the UPS Store located at 950 Blanding Boulevard, Orange Park, Florida 32065.

57. During the surveillance operation on February 22, 2021, a silver Honda CRV with Florida license plate Y2261C was observed by agents parked in the driveway of ERVIN's residence. A records check revealed the vehicle was registered to ERVIN. At approximately 11:14 a.m., ERVIN was observed walking from the residence to the driver's door of the Honda CRV carrying a box. ERVIN was wearing blue jeans, a black shirt and white framed sunglasses. PI Hannon told me that he observed ERVIN place the box he was carrying in the Honda CRV and enter the driver's seat. ERVIN sat in the Honda CRV for several minutes before reversing out of the driveway and leaving his neighborhood via Moody Road at 11:17 a.m. ATF Special Agents and Postal Inspectors surveilled ERVIN as he drove south on Moody Road to westbound Peoria Road to northbound College Drive and observed ERVIN as he drove into the customer parking lot of the Ridgewood Post Office

located at 225 College Drive, Orange Park, Florida 32065. ERVIN arrived at the Ridgewood Post Office at approximately 11:21 a.m.

58. PI Keith Hannon advised me that once ERVIN arrived at the Ridgewood Post Office on February 22, 2021, he was observed by Postal Inspectors, who were already stationed at the facility, exiting his Honda CRV carrying a brown box. The top of the brown box carried by ERVIN was open and PI Chris Martin advised he could see numerous small white envelopes consistent with the envelopes from the undercover purchases, sticking out of the top of the brown box. PI Martin estimated that between 20-30 envelopes were being carried by ERVIN inside the brown box. ERVIN was then surveilled entering the Ridgewood Post Office and placing the brown box containing the white envelopes on the customer counter. At approximately 11:24 a.m., ERVIN was observed exiting the Ridgewood post office.

59. PI Keith Hannon advised me that PI Richard Batchelder secured the mailings placed on the customer counter by ERVIN on February 22, 2021. Being that the postage for the mailings was prepaid with the Stamps.com postage account, ERVIN did not need to wait in line or provide payment for the mailings. PI Hannon advised me that he reviewed the envelopes placed on the counter by ERVIN. The mailings were contained inside a previously used Amazon parcel (the address label had been removed from the parcel). The mailings totaled twenty-two USPS First Class parcels and all the mailings listed the return address of "AKeyCard, 950 Blanding Blvd., STE 23, PMB 336, Orange Park, FL 32065." PI Hannon told me

that he and PI Batchelder reviewed the available CCTV surveillance video at the Ridgewood Post Office and observed that ERVIN was inside the Ridgewood Post Office for approximately 30 seconds.

60. PI Hannon advised me that he consulted with the U.S. Attorney's Office on February 22, 2021, and intended to secure the twenty-two parcels in order to seek the issuance of federal search warrants.

61. PI Hannon advised me that on February 25, 2021, he obtained twenty-two warrants to search the twenty-two parcels mailed by ERVIN on February 22, 2021 (described above). PI Hannon informed me that he executed these search warrants on February 26, 2021, and that each one of the twenty-two parcels contained an etched metal card consistent with the cards that had been purchased by he and I in an undercover capacity from AutoKeyCards.com.

62. On February 24, 2021, PI Hannon called me and stated that employees at the Ridgewood Post Office located at 225 College Drive, Orange Park, Florida 32065, advised PI Batchelder that the same individual (ERVIN) who had dropped off twenty-two parcels on Monday (February 22, 2021), just dropped off twenty-six additional parcels. PI Batchelder provided this information to PI Hannon, who later traveled to the Ridgewood Post Office and seized the parcels. PI Hannon advised me that the parcels were identical in appearance to the parcels seized on February 22, 2021, and all the parcels contained the return mailing address of AKeyCard, 950 Blanding Blvd., STE 23, PMB 336, Orange Park, FL 32065.

63. On February 25, 2021, I spoke the CFCU Fraud Investigator regarding ERVIN's personal bank account #1643009 with CFCU. The CFCU Fraud Investigator advised me that the account was originally established as a joint account with ERVIN and K.A. Ervin (believed to be ERVIN's father) as the account owners. The CFCU Fraud Investigator advised me that on November 24, 2020, K.A. Ervin was removed as a joint account owner and that ERVIN has been the only account owner since November 24, 2020.

64. On March 1, 2021, I obtained warrants to search ERVIN's 2004 Honda SUV and his residence. On March 2, 2021, I and other law enforcement officers conducted surveillance with the intention of executing these search warrants. In the afternoon of March 2, 2021, I received information that ERVIN may be in the Lake City area and that he may have purchased property there around sometime in February 2021. I informed Assistant United States Attorney Laura Cofer Taylor of these facts and she authorized a probable cause arrest of ERVIN.

65. On March 2, 2021, just before 6 p.m., ATF SA Chad Lifsey encountered ERVIN near his 2004 Honda SUV at a property in Columbia County, Florida, within the Middle District of Florida. SA Lifsey and other law enforcement officers approached ERVIN, informed him that he was under arrest, and advised him of his Miranda rights. ERVIN stated that he wanted a lawyer and therefore was not questioned about the offense. ERVIN's 2004 Honda SUV was searched pursuant to the previously issued search warrant, revealing a cellular telephone, a warranty deed

to the property in Columbia County where ERVIN was arrested, and \$3700 in U.S. currency in a bank envelope. ERVIN was later transported to the Baker County jail in order to be held overnight due to the late hour of his arrest.

66. Once ERVIN was taken into custody, I and other law enforcement officers began executing the search warrant at ERVIN's residence. Inside of the residence, agents seized approximately 1552 auto-sears, machinery that appeared to be used to manufacture the auto-sears, what appear to be paper templates or designs for auto-sears, thousands of rounds of ammunition, approximately 20 firearms (pistols, rifles, shotguns, and firearms frames/receivers), computers, and packaging materials consistent with those that had been used to ship auto-sears that were purchased undercover and auto-sears that were seized from the post office on February 22, 2021. The auto-sears were located in multiple locations inside of ERVIN's residence. Also inside of the residence was a white board containing handwritten notes, including multiple URLs, including "notagunpart.com," "nofullautoAR15.com," "GetLitLightingNow.com" "FullMetalTrumpCard.com," "AutoTrumpCard.com," and others that I believe to be firearms-related.


III. CONCLUSION

67. Based on the facts set forth in this affidavit, and the experience and training of myself and other ATF Special Agents and law enforcement officers including U.S. Postal Inspectors, I submit that probable cause exists to believe that ERVIN is possessing firearms, that is, machineguns, which are not registered to him

in the National Firearms Registration and Transfer Record and request that the criminal complaint I am applying for be issued.

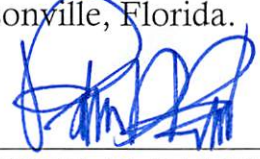
I state that the above information is true and correct to the best of my knowledge, and I ask that the requested criminal complaint be issued.

Respectfully submitted,



Jesse Hooker, Special Agent
BUREAU OF ALCOHOL,
TOBACCO, FIREARMS &
EXPLOSIVES (ATF)

Sworn to before me and subscribed in my presence this 3rd day of March, 2021, at Jacksonville, Florida.



PATRICIA D. BARKSDALE
United States Magistrate Judge
Middle District of Florida

