

OCT 18 2024

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP CLK

United States of America
v.
EARL CARTER, JR.
Defendant(s)

Case No. 5:24-MJ-2357-RN

CRIMINAL COMPLAINT

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

On or about the date(s) of August 8, 2024 to October 18, 2024 in the county of Wake in the Eastern District of North Carolina, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Rows include 18 USC §§ 371; 922(a)(1)(A), 18 USC §§ 922(o); 2, and 18 USC § 922(g)(1) with corresponding offense descriptions.

This criminal complaint is based on these facts:

See Affidavit

[X] Continued on the attached sheet.

[Signature]

Complainant's signature

Anthony Patrick, Special Agent, FBI

Printed name and title

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

Date: October 18, 2024

[Signature]

Judge's signature

City and state: Raleigh, NC

Robert T. Numbers II, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT

I, Anthony Patrick, a Special Agent (SA) with the Federal Bureau of Investigation (FBI) being duly sworn, depose and state as follows:

AFFIANT

1) I am a special agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since August 2021. I am currently assigned to the Charlotte Field Office – Raleigh Resident Agency, working as a member of the Joint Terrorism Task Force (JTTF). My duties include the investigation of domestic and international terrorism. I am an investigative or law enforcement officer within the meaning of Title 18, United States Code, Section 2510(7); that is, an officer of the United States, who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

2) From January 2022 to July 2024, I was assigned to the Charlotte Division – Fayetteville Resident Agency, attached to the Sandhills Criminal Enterprise Task Force (SCETF). My duties included the investigation and apprehension of individuals involved in drug trafficking crimes, including violent crime and drug distribution. Prior to joining the Charlotte Division as a Special Agent, I was a Digital Forensic Examiner attached to the FBI

Computer Analysis Response Team for five years. While working as a Forensic Examiner for the FBI, I assisted investigations dealing with multiple violations the FBI investigates, including, but not limited to investigations of domestic and international terrorism, child sexual abuse, drug trafficking, healthcare fraud, public corruption, and others.

3) Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 371 and 922(a)(1)(A) (conspiracy to manufacture and deal in firearms without a license), 18 U.S.C. §§ 922(o) and 2; (possessing a machine gun, and aid and abet), and 18 U.S.C. § 922(g)(1) (possession of a firearm by a felon).

PURPOSE

4) This affidavit is submitted in support of a criminal complaint and arrest warrant for EARL CARTER JR., born August 8, 1952, for federal violations indicated above.

SOURCES OF INFORMATION

5) The information contained within this affidavit is based on information observed by the affiant and from other law enforcement officers. Since this affidavit is being submitted for the limited purpose of supporting a criminal

complaint, I have not included each and every fact known to me concerning this investigation.

FACTUAL SUMMARY

6) FBI Charlotte Division - Raleigh Resident Agency JTTF is currently investigating Earl Carter Jr. (hereinafter CARTER), date of birth August 8, 1952, who is involved in the manufacturing and sale of illegal machineguns. CARTER has been identified as an individual who possesses not only the capabilities to manufacture machine guns, but also an individual who has taught others how to perform such manufacturing.

7) Through cooperating defendant reporting, along with other investigative activities, agents have learned that CARTER has made and sold hundreds of machineguns to date. Agents also learned that CARTER makes machineguns by either modifying legal firearms to make them into a machinegun or by piecing together parts from deconstructed machineguns to construct functioning machineguns. CARTER has also taught others how to perform the actions mentioned and has instructed others to make machineguns for CARTER to sell.

8) The investigation into CARTER was predicated on a machinegun sale by a subject to an FBI Confidential Human Source (CHS). During the course of

four weeks, the FBI utilized a CHS to conduct purchases of four machineguns and two illegal suppressors from the subject of that investigation in Wake County. At the conclusion of the previously mentioned FBI investigation, a cooperating defendant, hereinafter CD-1, was arrested in Wake County and interviewed about CD-1's knowledge of machineguns. During the interview, CD-1 informed investigators that CARTER was manufacturing machineguns at a large scale. CD-1 was introduced to CARTER via a mutual acquaintance who also has interests in machineguns. CD-1 was driven by another subject to CARTER's residence the first time they met, but CD-1 drove themselves to CARTER's residence thereafter.

9) Since first meeting CARTER, CD-1 has been to CARTER's residence on multiple occasions. During these meetings with CARTER, CD-1 was able to gain CARTER's trust, allowing CD-1 to be taught how to make machineguns and suppressors from CARTER. While inside CARTER's workshop, CD-1 observed CARTER possess hundreds of machineguns over the timeframe in which CD-1 knew CARTER. CD-1 also observed machineguns be present in CARTER's workshop one week and gone the next, implying to CD-1 that the machineguns were being sold.

10) Through the use of law enforcement database checks and physical surveillance, investigators determined that CARTER resides at the property of 257 Grace Chapel Church Road, Hamlet, North Carolina.

INTERVIEW OF COOPERATING DEFENDANT 1 (CD-1)

11) On October 2, 2024, an FBI investigation led to the arrest of cooperating defendant (CD-1) in Wake County. After CD-1 was arrested, CD-1 was interviewed and provided accurate and reliable information regarding facts known to investigators. During the interview, CD-1 provided information about CD-1's mentor, Earl Carter Jr. (CARTER). CARTER goes by the alias "AK Guru" and has been manufacturing firearms for a significant portion of CARTER's lifetime.

12) CD-1 informed investigators that CARTER lives in the blue structure within the property of 257 Grace Chapel Church Road, Hamlet, North Carolina, and that CARTER was the individual who taught CD-1 how to manufacture machineguns and suppressors. CARTER manufactures firearms inside of the brown outbuilding, hereinafter "CARTER's workshop", located slightly behind the blue structure and stores multiple illegal firearms and firearm kits in other structures unknown to CD-1. CD-1 later informed

investigators that CARTER accesses the three-car garage located within the property at 257 Grace Chapel Church Road. CD-1 has been inside CARTER's workshop on multiple occasions, observing hundreds of fully automatic machineguns within.

13) CD-1 was shown a photograph of CARTER and identified the individual in the photograph as "Earl", as CD-1 did not know CARTER's last name. CD-1 informed investigators that CARTER is an individual who is well connected and has sold machineguns to multiple prominent local individuals. CD-1 explained that the quantity of machineguns CARTER brings through his workshop is "astronomical". CD-1 was told by CARTER that CARTER has connections around the world who are able to smuggle firearms from Europe into the United States. CD-1 learned from CARTER that CARTER has sold over 1000 fully automatic AK-47s to different groups in the area and that individuals from the "mountains" have purchased multiple fully automatic AK-47s a week from CARTER.

14) As of September 28, 2024, CD-1 observed multiple machineguns still within CARTER's workshop. CD-1 specifically described observing CARTER to possess multiple fully automatic AK-47 style rifles, a Browning M2 .50 caliber belt-fed machinegun, a PPS-43 submachinegun, a Lancheater

submachinegun, and others. CD-1 learned from CARTER that CARTER stores multiple machineguns for prospective clients until the machinegun is complete. CD-1 informed investigators that CARTER stores both, the finished machineguns, and parts for future machinegun builds, in multiple storage buildings that CARTER has access to.

COMMUNICATION BETWEEN CD-1 AND CARTER

15) On October 2, 2024, investigators executed a search warrant on CD-1's telephone (See EDNC 5:24-mj-2236-RN). After the data from CD-1's telephone was forensically extracted, investigators examined the data from CD-1's telephone. During the examination of the data from CD-1's telephone, investigators found the following communication between CD-1 and CARTER that show CARTER's knowledge of manufacturing machineguns and the sale of the machineguns:

- a. On 9/9/2024 at 2:50 pm, CARTER texted CD-1, saying the following, "I sold that skorpion and the uzi" ¹

¹ Based on training and experience, the affiant knows that Scorpions and UZIs are fully automatic submachineguns.

b. On 9/9/2024 at 4:16 pm, CD-1 texted CARTER, saying the following, “Thank you I really appreciate it”

c. On 9/9/2024 at 5:12 pm, CARTER texted CD-1, saying the following, “Sold the rak to just now”²

d. On 9/9/2024 at 5:16 pm, CARTER texted CD-1, saying the following, “Also sold another skorpion as soon as you fix one, lol”

16) When CD-1 was asked about this communication, CD-1 informed investigators that CARTER tasked CD-1 to make fully automatic machineguns for CARTER to sell. CARTER found a buyer for two VZ-61 Scorpion machineguns, an UZI machinegun, and a PM-63 RAK machinegun. FBI’s execution of a court authorized search warrant on October 2, 2024, located machineguns matching these descriptions at the residence of CD-1, as CD-1 was actively manufacturing the machineguns for CARTER.

17) On October 9, 2024, CD-1 received a text message from CARTER, asking CD-1 to “make an arrangement to get all the stuff back to [CARTER] quickly.” On October 10, 2024, CD-1 responded to CARTER, telling CARTER that CD-1 will try to get in touch with a friend to return CARTER’s belongings. CARTER

² Based on training and experience, the affiant knows that CARTER is referring to a PM-65 RAK, a fully automatic submachine gun.

responded in text message, saying, “The guy that owns them 2 skorpions is mad as hell, what ever I need all that stuff back before Saturday”. CARTER continued to message CD-1 via text message, telling CD-1, “You in a world of shit boy you better have shit here, what’s more important your life or helping people you don’t know”.

18) The above communication shows CARTER’s knowledge of the machineguns being manufactured by CD-1, as well as confirms that CARTER was using CD-1 to manufacture machineguns for CARTER to sell to other individuals. CD-1 informed investigators that the “skorpions” mentioned by CARTER are the four VZ-61 Scorpion submachine guns seized during the execution of a search warrant at CD-1’s residence. CD-1 was to complete the reconstruction of the four deconstructed VZ-61 Scorpions for CARTER and return to CARTER four functioning fully automatic submachine guns the week of October 14, 2024.

FEDERAL SEARCH WARRANT ON CARTER’S RESIDENCE

19) On October 15, 2024, a federal search warrant for 257 Grace Chapel Church Road, Hamlet, North Carolina was authorized by the Honorable L. Patrick Auld, United States Magistrate Judge for the Middle District of North

Carolina (MDNC) (See 1:24MJ402). On October 18, 2024, a federal search warrant was executed on CARTER's residence, CARTER's workshop, and other outbuildings CARTER has access to within the property of 257 Grace Chapel Church Road, Hamlet, North Carolina, as authorized by the federal search warrant.

20) During the search, investigators seized multiple firearms with components present appearing to make the firearm capable of functioning as a machinegun.



21) Of these firearms, investigators specifically seized at least one AK style rifle that had a "third pin"; an exterior indicator that an AK style rifle is constructed with parts capable of functioning as a machinegun. In addition to the AK style rifles, over twenty other firearms were found during the search warrant execution. In addition to the firearms being found, investigators also

seized a homemade suppressor. The homemade suppressor and AK style rifle are shown below:



GJD

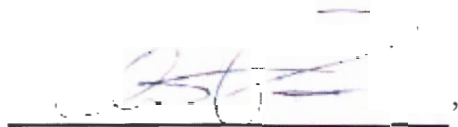


22) While the search warrant was ongoing, CARTER was interviewed. CARTER informed investigators that he knew that he was a felon and was not allowed to possess firearms. CARTER's criminal history includes a North Carolina felony conviction for discharging a weapon into occupied property on February 17, 1994.

PROBABLE CAUSE

23) Based on the facts described above, there is probable cause to believe that Earl Carter Jr., did knowingly conspire to manufacture and deal in firearms without a license, in violation of 18 U.S.C. §§ 371 and 922(a)(1)(A), possessed a machine gun, and aid and abet, in violation of 18 U.S.C. §§ 922(o)

and 2; and possessed a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g)(1). **WHEREFORE**, I submit that this Affidavit supports probable cause for a warrant to arrest EARL CARTER JR.



ANTHONY PATRICK
Special Agent
Federal Bureau of Investigation

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit.
Dated: October 18, 2024



Robert T. Numbers, II
United States Magistrate Judge