

UNITED STATES DISTRICT COURT
for the
Middle District of Tennessee

United States of America
v.
DEMARCUS ADAMS
JARIUS BRUNSON
BRANDON MILLER

Case No. 21-mj-2839

Defendant(s)

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 December 2020 to April 28, 2021 in the county of Montgomery in the
Middle District of Tennessee, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Rows include 18 U.S.C. § 922(a)(5); Transferring a Firearm to an Out-of-State Resident; 18 U.S.C. § 922(a)(6); False Statement During Purchase of a Firearm; 18 U.S.C. § 922(a)(1)(A); Engaging in the Business Without a License (Firearms); 18 U.S.C. § 1343; Wire Fraud; 18 U.S.C. § 371; and Conspiracy to Commit Title 18 Offenses; and 18 U.S.C. § 1956(a)(3)(A); Laundering of Monetary Instruments

This criminal complaint is based on these facts:

See Attached Statement in Support of Criminal Complaint

Continued on the attached sheet.

/s/ Michael Babiarz

Complainant's signature

ATF SA Michael Babiarz

Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: May 10, 2021

Handwritten signature of Judge Jeffery S. Frensley

Judge's signature

City and state: Nashville, Tennessee

Magistrate Judge Jeffery S. Frensley

Printed name and title

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael J. Babiarz, a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, depose and state the following:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been so employed since March 2016. I am currently assigned to the Nashville Field Division, Nashville Group I Field Office, in Franklin, Tennessee. As an ATF Agent, I have attended training at the Federal Law Enforcement Training Center (FLETC) in Brunswick, Georgia. I have been trained in conducting investigations into violations of the Federal Firearms Laws, the Controlled Substance Act, and other related violations of federal law.

2. This application is submitted in connection with a joint investigation by ATF Nashville Office, ATF Chicago Office, the Chicago Police Department, the Clarksville Police Department, and the United States Army Criminal Investigation Command, regarding false statements in connection with the acquisition of firearms or ammunition, engaging in the business of dealing firearms without a license, and conspiracy to commit the aforementioned offenses. The investigation has revealed that Demarcus ADAMS (herein referred to as ADAMS), Jarius BRUNSON (herein referred to as BRUNSON) and Brandon MILLER (herein referred to as "MILLER") have made false statements in connection with the acquisition of firearms or ammunition, engaged in the business of dealing firearms without a license, transferred firearms to individuals not living in their State of residence, utilized wire payments to further the sale of firearms without a license and false acquisition of such firearms, and conspired to commit the aforementioned offenses in the Middle District of Tennessee.

3. Based upon my training and experience, and the facts set for in this affidavit, there

is probable cause to believe that criminal violations of Title 18, United States Code, Sections 922(a)(5) (an unlicensed person transfer, sell, trade, give, transport, or deliver any firearm to any person who the transferor knows or has reasonable cause to believe does not reside in the State in which the transferor resides), 922(a)(6) (false statements in connection with the acquisition of firearms or ammunition), 922(a)(1)(A) (engaging in the business of dealing in firearms without a license), 1343 (wire fraud), 1956(a)(3)(A) (laundering of monetary instruments), and 371 (conspiracy), (hereinafter collectively referred to as the “Subject Offenses”), have been committed in the Middle District of Tennessee, by ADAMS, BRUNSON, and MILLER. I believe there is probable cause to issue a Criminal Complaint for the arrest of ADAMS, BRUNSON, and MILLER.

4. The information contained in this affidavit is based on my training and experience, my personal participation in this investigation and information provided to me by other law enforcement officials. Where conversations are related herein, they are related in substance and in part. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the issuance of an arrest warrant for ADAMS, BRUNSON, and MILLER for the “Subject Offenses”.

5. On or about March 26, 2021, Chicago Police Department responded to a ShotSpotter (ShotSpotter is a gunshot detection and acoustic surveillance technology that uses sensors to detect, locate, and alert law enforcement to gunfire) at 2515 W. 79th Street, Chicago, Illinois. Chicago Police Department arrived on scene and observed a mass shooting; multiple people were shot, and one victim was pronounced dead on scene. After Chicago Police determined the scene safe, Chicago Police officers began to search for evidence related to the mass shooting. Multiple firearms were recovered from the shooting scene, in the area of 2515 W. 79th Street,

Chicago, Illinois. The National Tracing Center conducting a trace of the firearms recovered from the shooting scene. Of the firearms recovered and traced, the following five firearms showed a short time to crime: a Glock pistol, Model: 43X, Caliber: 9mm Luger, Serial Number: BSDN847; a Glock pistol, Model: 17, Caliber: 9mm Luger, Serial Number: BRDK220; a Glock pistol, Model: 27, Caliber: .40, Serial Number: BPCF675; a Taurus pistol, Model: G3C, Caliber: 9mm, Serial Number: ABM228091, a Glock pistol, Model: 17, 9mm Luger, Serial Number: BRWA198. The aforementioned firearms were purchased at Federal Firearm Licensed (FFL) dealers in the area of Clarksville, Tennessee.

6. ATF Agents identified the following individuals who purchased the short time-to-crime firearms recovered at the shooting scene in Chicago, Illinois: Demarcus ADAMS (male, black, DOB 06/07/1999), Andrew KIMM (male, white, DOB 08/14/1996), Jarius BRUNSON (male, black DOB 05/28/1998), and Brandon MILLER (male, black, DOB 04/09/1999). ADAMS, BRUNSON, and MILLER are currently enlisted members of the United States Army at the Fort Campbell military installation in Clarksville, Tennessee.

7. ATF Industry Operations Investigators (IOIs) and Special Agents requested ATF Form 4473, Firearms Transaction Records, from FFLs in the Clarksville, Tennessee region and discovered the following:

- a. From December 2020 to April 1, 2021, ADAMS purchased approximately twenty-seven (27) assorted firearms from multiple FFLs in Oak Grove, Kentucky, Hopkinsville, Kentucky, and Clarksville, Tennessee.
- b. From January 2021 to April 1, 2021, KIMM purchased approximately five (5) assorted firearms from multiple FFLs in Clarksville, Tennessee.
- c. From September 2019 to April 1, 2021, MILLER purchase approximately

thirty-two (32) assorted firearms from multiple FFLs in Oak Grove, Kentucky and Clarksville, Tennessee.

d. From December 2020 to April 9, 2021, BRUNSON purchased approximately thirty-two (32) assorted firearms, from multiple FFLs in Oak Grove, Kentucky, Fort Campbell, Kentucky, Hopkinsville, Kentucky, and Paducah, Kentucky.

8. On April 28, 2021, ATF Agents and Chicago Police Officers conducted an interview of ADAMS's first line supervisor Specialist Roy Carvajal at the Fort Campbell Army Criminal Investigation Division (CID) office. Specialist Carvajal stated ADAMS did not live on post at Fort Campbell and was residing in the city of Clarksville, Tennessee. Specialist Carvajal provided the address of 926 Hedge Apple Drive, Clarksville, Tennessee as ADAMS's current address and had lived there since approximately December of 2020. Specialist Carvajal stated ADAMS's phone number is (256) 394-2066. Specialist Carvajal stated ADAMS resides with a roommate who is also a soldier in the United States Army.

9. On April 28, 2021, ATF and Chicago Police conducted a Mirandized interview of ADAMS at the Fort Campbell Army CID office. During the interview, ADAMS made the following statements:

a. ADAMS stated his phone number 256-394-2066 and he resides at 926 Hedge Apple Drive, Clarksville, Tennessee with his roommate Brandon MILLER.

b. ADAMS has lived at the aforementioned address since approximately December of 2020.

c. ADAMS stated he and MILLER would go to gun shops in the Clarksville, Tennessee area and MILLER would provide ADAMS cash or electronic funds through cash app to purchase the firearms for MILLER.

d. ADAMS stated MILLER would point out firearms he (MILLER) liked, and ADAMS would purchase the firearms for MILLER.

e. After the firearm purchase was completed, the firearms would be brought back to the residence located at 926 Hedge Apple Drive, Clarksville, Tennessee and would be left out in a common area of the residence for MILLER to take possession.

f. ADAMS stated he does not know if the firearms he purchased are still in the residence located at 926 Hedge Apple Drive, Clarksville, Tennessee after MILLER took possession of the firearms.

g. ADAMS further stated that believed MILLER was taking the firearms to Chicago and selling the firearms on the street.

10. ADAM provided consent for agents to search through his cellphone and conducted a Cellebrite extraction of ADAMS's device. Agents reviewed the Cellebrite extraction of ADAMS's device and observed the following text thread conversations between ADAMS, BRUNSON, and MILLER (MILLER's contact is saved in ADAMS's device as "Bro Miller" at phone number (225) 287-3728, BRUNSON's contact is saved in ADAM's device as "Bro Brunson" at phone number (704) 674-6751):

a. **On January 14, 2021:**

i. From 12252873728 Bro Miller: "We got some orders time to get on it mfs tryna send 1600 and 3400 and already got that 1700 and another mf tryna pay 800."

ii. From demarcusadams236@yahoo.com Demarcus Adams: "If they send it send me some and I'll grab some from here this weekend."

iii. From 12252873728 Bro Miller: "I'll give u that 1700 for them 3 mp

45 shields like Brunson had and that 556 rounds.”

iv. From 17046746751 Bro Brunson: “I got 2 XD’s and a Glock 27 I’m going to pick up after work.”

v. From demarcusadams236@yahoo.com Demarcus Adams: “Send it Apple Pay or Walmart to Walmart so it want take out to much bread.”

vi. From 12252873728 Bro Miller: “I was gone give it to u cash.”

b. On March 1, 2021:

i. From 12252873728 Bro Miller: “Fat boy u better take out a lil loan they want a lot of guns”

ii. From 12563942066 (ADAMS): “I got to find some where.”

11. Additionally, Agents observed the following text thread conversation between ADAMS and MILLER:

a. On January 13, 2021:

i. From 12252873728 Bro Miller: “We gotta get them 3 mp 45.”

ii. From demarcusadams236@yahoo.com Demarcus Adams: “We can get them next week I was just gone let it calm down this week.”

iii. From 12252873728 Bro Miller: “Hell yea I’m grabbing one toma.”

iv. From demarcusadams236@yahoo.com Demarcus Adams: “Bet bet and I’ll try to grab the other 2 Monday.”

b. On February 23rd through February 25th, 2021:

i. From 12252873728 Bro Miller: “U gone take this trip this weekend.”

ii. From demarcusadams236@yahoo.com Demarcus Adams: “If I get

paid from the army or get some orders cause I ain't got no bread for gas or nothing.”

- iii. From 12252873728 Bro Miller: “For orders.”
- iv. From demarcusadams236@yahoo.com Demarcus Adams: “Yea I’ll slide.”
- v. From 12252873728 Bro Miller: “Tight.”
- vi. From demarcusadams236@yahoo.com Demarcus Adams: “We taking my car?”
- vii. From 12252873728 Bro Miller: “Ion kno yet.”
- viii. From demarcusadams236@yahoo.com Demarcus Adams: “Bet cause I got to get a oil change.”
- ix. From demarcusadams236@yahoo.com Demarcus Adams: “You tried to call?”
- x. From 12252873728 Bro Miller: “Naw but u got zelle?”
- xi. From demarcusadams236@yahoo.com Demarcus Adams: “Nahh just ApplePay and the Cashapp.”
- xii. From 12252873728 Bro Miller: “What time you off im about to cashapp you I need you to grab 3 guns the cheapest 17’s 19’s.”

c. On April 24, 2021:

- i. From 12252873728 Bro Miller: “Can u grab some xd while u down there.”
- ii. From 12563942066 (ADAMS): “Everything already closed and don’t nothing be open tomorrow.”

- iii. From 12252873728 Bro Miller: “Damn a pawn shop.”
- iv. From 12563942066 (ADAMS): “They closed to anywhere that sell guns be closed on Sundays here.”
- v. From 12252873728 Bro Miller: “Damn we need a lot.”
- vi. From 12563942066 (ADAMS): “We a just have to start this week or some.”
- vii. From 12252873728 Bro Miller: “Yea we need like 12-14.”
- viii. From 12563942066 (ADAMS): “Bet.”

12. Additionally, Agents noted text conversation between MILLER and ADAMS relating to them living at the same residence and ADAMS assisting MILLER pay the mortgage.

13. On April 28, 2021, ATF and Chicago Police conducted a Mirandized interview of BRUNSON at the Fort Campbell Army CID office. During the interview, BRUNSON advised his phone number is 704-674-6751.

14. On April 28, 2021, ATF Agents executed a federal search warrant at MILLER and ADAMS’s residence, located at 926 Hedge Apple Drive, Clarksville, Tennessee. During the search of the residence law enforcement located the following:

- a. Approximately forty-nine (49) empty firearm cases.
- b. Of the firearm cases recovered, Agents later noted the following:
 - i. ATF Exhibit 24: a Glock gun case bearing serial number AEKW006- This firearm was purchased by MILLER and recovered by the Chicago Police Department relating to a homicide investigation in Chicago, Illinois on February 2, 2021.
 - ii. ATF Exhibit 25: A Glock gun case bearing serial number

BSDN847- This firearm was purchased by MILLER and recovered by the Chicago Police Department relating to the mass shooting that occurred on March 26, 2021.

iii. ATF Exhibit 26: A Glock gun case bearing serial number AERW263- This firearm was purchased by MILLER and recovered by the Chicago Police Department relating to a shooting in Chicago, Illinois, on March 11, 2021.

iv. ATF Exhibit 27: A Glock gun case bearing serial number BRWA198- This firearm was purchased by ADAMS and recovered by the Chicago Police Department relating to the mass shooting that occurred on March 26, 2021.

v. ATF Exhibit 5: A sales receipt documenting the purchase of a Glock pistol, Model: 33 gen 4, Caliber: .357 Sig, Serial Number: BTCN972 and one (1) box of .357 Sig ammunition from Gun and Knife Country FFL by Jarius BRUNSON on April 27, 2021.

vi. ATF Exhibit 15: A Glock pistol, Model: 33 gen 4, Caliber: .357 Sig, Serial Number: BTCN972.

vii. ATF Exhibit 43: The Glock gun case belonging to ATF Exhibit 15.

15. On May 5, 2021, ATF obtained a federal search warrant for MILLER's phone. A Cellebrite extraction was conducted on MILLER's device. Agents reviewed the Cellebrite extraction of MILLER's device and observed the following text thread conversation between BRUNSON and MILLER (BRUNSON's contact is saved in MILLER's device as "Brunson" at phone number 704-674-6751):

a. On January 8, 2021:

- i. BRUNSON sends MILLER two photographs of two pistols.
- ii. From 225-287-3728 (MILLER): "Ticket?"
- iii. From 704-674-6751 (BRUNSON): "8 for the XD 9 for the Glock."

b. On February 11, 2021:

- i. From 225-287-3728 (MILLER): "Send a pic of the military gun and glock."
- ii. From 704-674-6751 (BRUNSON): "I got you."
- iii. From 225-287-3728 (MILLER): "I got you like \$1200 for both em."
- iv. From 704-674-6751 (BRUNSON): "1300?"
- v. BRUNSON sends a photograph of two handguns, one black and one tan.
- vi. From 225-287-3728 (MILLER): "I think 1250 max but that's a steal."
- vii. From 225-287-3728 (MILLER): "He said 1250."
- viii. From 704-674-6751 (BRUNSON): "That's a bet bro."

c. On April 27, 2021:

- i. From 704-674-6751 (BRUNSON): "Glock 33 357 for 550 plus tax."
- ii. From 225-287-3728 (MILLER): "Ok bet I'm fina sent it."
- iii. Agents noted ATF Exhibit 15 (recovered from MILLER's residence during a federal search warrant), is a Glock pistol, Model: 33 gen 4, Caliber: .357 Sig. Agents further noted ATF Exhibit 5 (recovered from MILLER's residence during a federal search warrant), the receipt documenting the

purchase of ATF Exhibit 15 on April 27, 2021, by BRUNSON lists the sale price of \$549.99.

- iv. From 225-287-3728 (MILLER): "They ain't got that 17 for 450?"
- v. From 704-674-6751 (BRUNSON): "No."
- vi. From 225-287-3728 (MILLER): "Fuck it grab that 19 bro."
- vii. From 225-287-3728 (MILLER): "I'm fina Apple Pay u."

16. Agents noted on February 23, 2021, MILLER and a Chicago, Illinois area code phone number had the following text message exchange:

a. From Chicago, IL phone number: "But I want to talk to u about the price n wat was it again."

b. From 225-287-3728 (MILLER): "Iight and wassup big dawg you said 3 .40s 3 9s and a Ar Pistol I said around 6700-6800."

c. From 225-287-3728 (MILLER): "You want sticks and eggs and everything to or u just want pipes I gotta drive 7 hrs gas and ona road taking the risk if not I'll jus bring the pipes only no rounds or sticks the store go up and down."

17. Agents noted on April 7, 2021, MILLER and a different Chicago, Illinois area code phone number had the following text exchange:

a. From 225-287-3728 (MILLER): "We gotta hold this shit together ima still play the back role g I ain't never turning my back on gang whatever got going on y'all ina door wit me stand on business ima stand on my business to make sure mfs got what they need."

b. From Chicago, IL phone number: "Sayless."

c. Later on the same day; from 225-287-3728 (MILLER): “We gone win this *war* we losing the battle but this a marathon not a race.”

18. Agents noted on April 15, 2021, MILLER texted a Chicago, Illinois area code phone number a picture of stacked handgun cases (which appear to be in a similar configuration law enforcement discovered the empty handgun cases in MILLER’s residence) with the caption of “Ain’t even half.”

19. Agents noted on April 25, 2021, MILLER texted an additional Chicago, Illinois area code phone number and had the following text exchange:

a. From Chicago, IL phone number: “Yu got that 27 for me right.”

b. From Chicago, IL phone number: “Finna send you some bread, what’s yo chasapp.”

c. From 225-287-3728 (MILLER): “\$bigarsenal69th and I been waiting my funds been funny.”

20. Cash App is a mobile payment service developed by Square, Inc. that allows users to transfer money to one another using a mobile phone application. Apple Pay is a mobile payment and digital wallet service by Apple Inc. that allows users to make payments online, in applications, or to other users through the Messages application.

21. Section 21a of ATF Form 4473, Firearms Transaction Record asks the following question, “Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.** Exception: If you are only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may

proceed to question 21.b.” ATF Form 4473 provides a further warning to the buyer of the firearm, **“I understand that answering “yes” to question 21.a. if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”**

22. Section 10 of ATF Form 7, Application for Federal Firearms License, requires a fee of \$200.00 to be paid by the applicant to ATF to be a “Dealer in Firearms Other than Destructive Devices (Includes: rifles, shotguns, pistols, revolvers, gunsmith activities, and National Firearms Act (NFA) weapons).

23. On May 5, 2021, the Federal Licensing System (FLS) was queried for ADAMS’s, BRUNSON’s, and MILLER’s information. The FLS query revealed ADAMS, BRUNSON, and MILLER do not have a Federal Firearms License.

24. Based on the foregoing, I submit there is probable cause that ADAMS, BRUNSON, and MILLER have committed criminal violations of Title 18, United States Code, Sections 922(a)(5) (an unlicensed person transfer, sell, trade, give, transport, or deliver any firearm to any person who the transferor knows or has reasonable cause to believe does not reside in the State in which the transferor resides), 922(a)(6) (false statements in connection with the acquisition of firearms or ammunition), 922(a)(1)(A) (engaging in the business of dealing in firearms without a license), 1343 (wire fraud), 1956(a)(3)(A) (laundering of monetary instruments), and 371 (conspiracy), the Subject Offenses between December 2020 and April 2021.

25. The events described above occurred in the Middle District of Tennessee as described or involved activities in support of the Subject Offenses by individuals within the Middle District of Tennessee and unindicted co-conspirators.

26. Further affiant sayeth not.