AO 91 (Rev. 11/11) Criminal Complaint

FILED
September 30, 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY: ANB
DEPUTY

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America
v.
BENNY CALDERA JR.

Case No. **SA:26-MJ-1235**

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 September 30, 2026 in the county of Bexar in the Western District of Texas, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. § 922(k)	Possession of a Firearm with an Obliterated Serial Number PENALTIES: 5 years imprisonment; 3 years supervised release; $250,000, and $100 mandatory special assessment

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

DAVID SNOW (Affiliate) Digitally signed by DAVID SNOW (Affiliate) Date: 2026.09.30 17:06:35 -05'00'

Complainant's signature

David L. Snow, TFO, FBI

Printed name and title

☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: 9/30/2026

Judge's signature

City and state: San Antonio, Texas

Elizabeth S. Chestney, US Magistrate Judge

Printed name and title

I, David L. Snow, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of a criminal complaint for BENNY CALDERA Jr. for the charge of 18 U.S.C. 922(k) Possession of a Firearm with Obliterated Serial Number.

2. I am a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been since 2016. I am currently assigned to the San Antonio Division, Joint Terrorism Task Force (JTTF). I have conducted and participated in physical and electronic surveillance, execution of arrest warrants, debriefings of Confidential Human Sources (CHS) and Cooperating Witnesses (CW), reviews of recorded conversations and criminal records, and subject interviews and interrogations. I have also received training on open source and social media platforms and through my training, education, and experience, I have become familiar with violent domestic extremist groups and their methods of communication in order to plan and carry out attacks while avoiding detection by law enforcement. My primary duty and current assignment is to conduct investigations targeting violent domestic extremists and individuals involved in illegal activities as members of extremist organizations.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that the violation of 18 U.S.C. 922(k) Possession of a Firearm with Obliterated Serial Number has been committed by BENNY CALDERA Jr.

4. On September 29, 2026, the Bexar County Sheriff's Office notified FBI Austin of an active threat to the Texas State Capitol by a Bexar County resident. The information provided additional details that the Bexar County resident is among a group of unknown size planning a coordinated attack on the Texas State Capitol involving firearms and the attack was to commence on October 1, 2026. The Bexar County resident was identified as BENNY CALDERA Jr. with a date of birth March 18,1986 with a residential address of 8346 Bent Meadow Drive, in Converse, Texas.

5. The Texas Department of Public Safety (TXDPS) was notified by the FBI of the active threat and assumed the lead in the State investigation into the threat. On September 29, 2026, TXDPS Criminal Investigations Division (CID) Agents contacted a concerned citizen who has known BENNY CALDERA Jr. (CALDERA Jr.) for several years. The concerned citizen spoke directly with TXDPS JTTF Task Force Officer (TFO) Fred Medina. The concerned citizen told TFO Medina that CALDERA Jr. stated, "I love you, if you don't see me again." When asked by the concerned citizen what CALDERA Jr. meant by that statement, the concerned citizen told TFO Medina that CALDERA Jr. then stated, "I am going to the Capitol and I am going to shoot it up." The concerned citizen told TFO Medina that CALDERA Jr. was angry at AIPAC (American Israeli Public Affairs Committee) and stated to the concerned citizen, "These people have to be exterminated." The concerned citizen stated CALDERA Jr. showed the concerned citizen his laptop computer which held radicalized ideas about AIPAC and a communication by CALDERA Jr., "Are we still on for tomorrow?" Furthermore, the concerned

citizen told TFO Medina that CALDERA Jr. stated he contacted his parents and told them "goodbye" and that his parents were crying during their conversation with CALDERA Jr. This in person conversation between CALDERA Jr. and the concerned citizen occurred on September 28, 2026.

6. On September 29, 2026, the concerned citizen recorded an in-person conversation between the concerned citizen and CALDERA Jr., which were provided to TFO Medina. The recordings did not capture CALDERA Jr. stating specifically that CALDERA Jr. was planning on shooting the Capitol but substantiated CALDERA Jr.'s radical beliefs based on the lack of concern for CALDERA Jr.'s well being when CALDERA Jr. was at the Capitol and CALDERA Jr. hoped his actions would cause others to support him and mentioned, "every Capitol in the fucking country."

Among the statements made by CALDERA Jr. in the recordings, CALDERA Jr. stated, "I mean, we are past that point, it's going to happen regardless" in response to the concerned citizen's plea to CALDERA Jr. not to do anything crazy and not wanting anyone to get hurt. When asked by the concerned citizen about CALDERA Jr.'s wife and kids, CALDERA Jr. replied, "They have a plan." CALDERA Jr. was then asked by the concerned citizen, "So going to the Capitol, what's that going to do?". CALDERA Jr. replied, "It's going to surprise them." CALDERA Jr. continued by stating, "Yeah, because it's not just me. It's not just one Capitol, it's every Capitol in this fucking nation." When asked if people were really going, CALDERA Jr. responded, "I mean hopefully I inspire enough people to do it." CALDERA Jr. provided his timeline as, "Tomorrow night through Thursday morning, October 1st. Nothing is going to stop me. Literally nothing." When asked about innocent people in the Capitol, CALDERA Jr. replied, "We're not going there to start violence; we're going there to make demands. And if they want to fight us, we're going to fight back. That's the thing; we have never said this is the line…. If we are sitting across from each other from a table and you have a gun, right in front of you, fully loaded, ready to go, all you have to do is pull the trigger. And I'm across the table from you, and I have a disassembled rifle. And the whole time as I am assembling this rifle, I'm telling you, as soon as I get this thing assembled I'm going to shoot you in the fucking face. At what point do you pick up your gun and shoot me in the fucking face to stop me?" When asked who CALDERA Jr. is going after at the Capitol, CALDERA Jr. replied, "So really it's… the first demand we are going to make is eliminating anyone that supports AIPAC." CALDERA Jr. further stated, "The Israeli fucking AIPAC – they need to go….this is basically what the demand is going to be. They can either, effective immediately, resign, or they can stay and they will be arrested and they will be tried by a jury of their peers for treason." CALDERA Jr. later stated in the conversation, "I've made up my mind. I've said goodbye to my parents yesterday. They both were crying and I was crying. I can't back down. If all we're doing for the last forty years (inaudible) is backing down, backing down…It has to come to a head at some point. This is not the fate I would have chosen for myself."

7. On September 29, 2026, TXDPS requested the assistance of the FBI to conduct surveillance on CALDERA Jr.'s residence while TXDPS obtained a State arrest warrant and search warrant for CALDERA Jr.'s residence. The FBI surveillance team had a visual on the front of the residence and a white 2018 Toyota Highlander, bearing Texas license plate XLH3855 parked in the driveway of the location. Shortly after 11:00PM, the garage door of the residence opened and CALDERA Jr. was observed exiting the garage and entering the Toyota. The Toyota backed out of the driveway and drove north on Bent Meadow. Surveillance units followed the Highlander as calls were made to have marked TXDPS units conduct a traffic stop on the Toyota. The Toyota accelerated as it left the neighborhood and drove at a high rate of speed through a Dollar Tree parking lot on FM 78. The Toyota drove onto FM 78 and stopped in the center left turn lane and sat for a few seconds. The Toyota then performed a u-turn and continued accelerated eastbound on FM 78 before turning into another subdivision. Surveillance units lost sight of the Toyota in the neighborhood. The Toyota was then a short time later observed back at the residence parked face in the driveway and appeared to be unoccupied. FBI maintained surveillance on the residence.

8. On September 30, 2026, TXDPS TFO Medina obtained a State arrest warrant for CALDERA Jr. charging him with felony Terroristic Threats and a residential search warrant. FBI continued surveillance on the residence and Toyota parked in the driveway until TXDPS Agents executed the arrest and search warrants. CALDERA Jr. was found to be inside the residence and arrested pursuant to the warrant. CALDERA Jr. was booked into the Bexar County Jail where he is currently located.

9. During the search of the residence, TXDPS CID Agents located a loaded Smith and Wesson .357 revolver with six rounds and a 12 gauge shotgun in CALDERA Jr.'s master bedroom closet. Six 9 mm rounds were also found in the master bedroom closet. The serial number on the side of the revolver frame was obliterated and appeared to have been filed off. A live .38 special round was found on the front passenger floorboard of the same Toyota CALDERA Jr. was seen driving hours earlier. (Note: 38 special rounds can be fired in a .357 revolver) 15 rounds of shotgun ammunition were also found in the Toyota. Numerous digital devices were also seized during the search warrant execution.

10. Bureau of Alcohol, Tobacco, and Firearms Special Agent Kyle Crabtree determined that the seized Smith and Wesson .357 revolver did travel in interstate commerce.

11. FBI JTTF TFO Joseph Waelbroeck was able to locate a legible serial number under the hand grips of the .357 revolver along the left side of the frame. This serial number was queried in NCIC and returned with a stolen hit from a 1982 case by the Los Angeles County Sheriff's Department.

Due to the totality of the evidence, an Arrest Warrant is being requested.

David Snow

David Snow
Task Force Officer
FBI San Antonio – JTTF

Sept. 30, 2026

Subscribed and sworn before me on the ____th day of October 2026.

ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE