

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America  
v.

Shawn D. BROOKINS  
USMS #: 28975-509

Case No. 2:24-mj-377

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 7/5/2024 in the county of Jefferson in the Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C 751(a)

Escape from Custody

This criminal complaint is based on these facts:

On or about July 5th, 2024, Shawn D. BROOKINS did knowingly escape from the custody of the United States Bureau of Prisons in violation of 18 U.S.C. 751(a). Furthermore, the aforementioned escape from custody occurred within the Southern District of Ohio.

Continued on the attached sheet.

JLB II

Complainant's signature

John P. Barco II, Deputy U.S. Marshal

Printed name and title

Sworn to before me and signed in my presence.

August 5, 2024

Date:

Columbus, OH

City and state:

Kimberly A. Johnson  
United States Magistrate Judge



**AFFIDAVIT**

I, John P. Barco II, being duly sworn, do hereby declare and state the following:

1. I am employed as a Deputy U.S. Marshal and have been since August of 2021. As a Deputy U.S. Marshal, I am authorized under 18 U.S.C. § 564 to enforce the laws of the United States, including 18 U.S.C. § 751, entitled Prisoners in Custody of Institution or Officer, and all of its subsections.
2. On or about June 30, 2022, Shawn BROOKINS was sentenced by Judge John Preston Bailey, United States District Court, Northern District of West Virginia, in case number 5:22-CR-00010 to 120 months of incarceration in the Bureau of Prisons ("BOP") following a conviction under 18 U.S.C. § 922(g) for being a previously convicted felon in possession of a firearm.
3. BROOKINS was present for his sentencing and fully aware of the 120-month sentence he was ordered to serve at the BOP.
4. On or about July 5, 2024, BROOKINS was in the custody of the Jefferson County Sheriff's Office in Ohio on a Writ of Habeas Corpus from FCI McDowell.
5. On or about July 5, 2024, BROOKINS was erroneously released by the Jefferson County Sheriff's Office, rather than being returned to BOP custody, after completing his local court obligations. BROOKINS still has an active federal sentence with an estimated release date of October 17, 2030.
6. On July 31, 2024, the Bureau of Prisons - FCI McDowell was made aware of the release of BROOKINS and contacted the United States Marshals Service.
7. As of August 5, 2024, BROOKINS has not returned to the Bureau of Prisons and his whereabouts are unknown.
8. Based on the foregoing facts and my knowledge and experience, I submit that probable cause exists to believe Shawn BROOKINS did knowingly escape from the custody of the United States Bureau of Prisons in violation of 18 U.S.C. 751(a). I thereby request the issuance of a criminal complaint and arrest warrant.

JPB II

John P. Barco II  
Deputy U.S. Marshal

Sworn before me and subscribed in my presence this 5<sup>th</sup> day of August 2024, at Columbus, Ohio

Kimberly A. Johnson  
Kimberly A. Johnson  
United States Magistrate Judge

