

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Colorado

United States of America)

v.)

Case No. 15-mj-01023-MEH

THADDEUS CHEYENNE MURPHY)

Defendant(s)

CRIMINAL COMPLAINT

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

Count 1

On or about January 6, 2015, in the State and District of Colorado, the defendant, THADDEUS CHEYENNE MURPHY, did maliciously damage and destroy, and attempt to damage and destroy, by means of fire and an explosive, a building and other real and personal property used in interstate or foreign commerce and used in any activity affecting interstate or foreign commerce.

All in violation of Title 18, United States Code, Section 844(i).

Count 2

On or about February 19, 2015, in the State and District of Colorado, the defendant, THADDEUS CHEYENNE MURPHY, having been previously convicted of crimes punishable by imprisonment for a term exceeding one year, did knowingly possess firearms in and affecting interstate commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

This criminal complaint is based on these facts:

See Affidavit attached hereto and herein incorporated by reference.

X Continued on attached sheet.

s/Peter A. Merenyi

Complainant's signature

Peter A. Merenyi, Special Agent, ATF

Printed name and title

Sworn to before me and: [] signed in my presence.

[X] submitted, attested to, and acknowledged by reliable electronic means.

Date: 20 Feb 2015

Michael E. Hegarty

Judge's signature

City and state: Denver, Colorado

Michael E. Hegarty, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, PETER A. MERENYI, being duly sworn, depose and say:

1. I am a Special Agent for the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since September of 1991, in Colorado Springs, Colorado, Washington, D.C., and Los Angeles, California. Prior to that I was employed by the United States Department of Justice, U.S. Marshal's Service in Los Angeles, California. My primary responsibility is to investigate violations of Federal firearms, explosives and arson laws. I am currently assigned to a Gun Interdiction Unit with the Colorado Springs Police Department (CSPD).

2. This affidavit provides probable cause in support of a criminal complaint charging Thaddeus Cheyenne Murphy, (YOB: 1970) for violations of Title 18, United States Code, Sections 844(i) -- Damaging or Destroying a Building by means of Fire or Explosive, and 922(g)(1) -- Felon in Possession of a Firearm.

3. All information contained herein was obtained by your Affiant or related to your Affiant by other ATF Special Agents (SA), Federal Bureau of Investigation (FBI) Agents, Colorado Springs Police Department (CSPD) Officers and El Paso County Sheriff's Deputies (EPSO), to include reports produced by other Law Enforcement Officers. Throughout this Affidavit I will be referred to as Your Affiant.

4. On January 6, 2015, at 10:48 a.m., a 911 call was received by the Colorado Springs Police Department (CSPD) regarding an explosion at 603 S. El Paso Street, Colorado Springs, Colorado. The caller identified himself as Gene Southerland. In summary, Southerland said the following: Someone tried to blow up the building at 603 S. El Paso. Someone put a stick of dynamite and a container of gasoline and lit it. He and others heard a huge explosion from inside. He went outside and saw the gas container sitting there. People came by and said they saw a

white truck that looked like a Chevrolet drive away with a heavysset Caucasian in it. Southland said that the explosion happened at either or around 10:40 a.m. or 10:45 a.m.

5. FBI and ATF agents responded to the scene of the incident at approximately 12:00 p.m. (noon). The CSPD, including CSPD Bomb Squad personnel, were already on the scene. The area had been swept for the potential of secondary explosive devices and none were found. There were no casualties or injuries reported and the exploded device had been deemed safe by the bomb squad.

6. Agents and Bomb Squad personnel were able to determine that an Improvised Explosive Device (IED), in the form of a pipe bomb, had exploded in the immediate vicinity of the northeast corner of a building located at 603 S. El Paso Street, Colorado Springs, Colorado. FBI SA Schirmer noticed that the building housed a multiple businesses, including the Colorado Springs chapter of the NAACP and a hair salon called Mr. G's Hair Design Studios. Gene Southerland, mentioned previously, is also known as "Mr. G" and owns/operates Mr. G's Hair Desig Studio. There was charring on the side of the building and a small portion of an adjacent concrete wall looked like it had been damaged (chipped) from the exploded device. The concrete wall was roughly six feet from the side of the building. There was a piece of metal at the blast site that was a remnant of the exploded device, specifically a remnant of the pipe used for the device. Located at the blast site was a piece of flare which appeared to be a standard road flare. SA Schirmer also observed a red, plastic gas can at the blast site which was intact and had not been ignited by the exploded device. Information was later received from an FBI Evidence Response Team (ERT) member who had responded to the scene, that the gas can was roughly $\frac{3}{4}$'s full of a liquid that smelled like gasoline. At the blast site, there was a Keystone Light beer can. CSPD Bomb Squad personnel recovered an end cap from the IED in the intersection of South El Paso Street and East Moreno Avenue, and there was also a second end cap recovered within the debris field. There was also some pieces of duct tape in the debris field. There was also a plastic bottle with liquid recovered within the debris field. Based on

observations and information received from an Agent on the scene, the beer can and plastic bottle appeared to have been in the area for an extended period of time, as they appeared dirty.

7. The immediate vicinity was canvassed for witnesses by the CSPD and FBI. Several people were interviewed. FBI SA Jon Beutelschies reviewed the interview reports and provided a synopsis of statements. Some, but not all, of the witnesses statements are summarized below.

a. Rhonda Estes initially told Brian Kelly, who was one of the first CSPD officers on-scene, that she saw a white male in his 40s, driving a white Ford truck with a black hood leaving the scene of the bombing with its tailgate down. During a subsequent interview, Estes advised that she was on her front porch when she and her step son, Trevor Mead, noticed a white truck pull up in front of 713 E. Moreno Street and park. Estes then described the truck as a newer model two door white Chevrolet, standard bed size, possibly mid 2000 model with a black bed liner and rails on the truck bed. Estes said that its tailgate was down and she could not see the license plate. She saw the driver get out and walk around the front of the truck with a red gas can and walk directly over to the northeast corner of Mr. G's (603 S. El Paso) and place the gas can down. The driver walked back to the white truck and the truck began to pull away when she heard a loud explosion at the site where he set the gas can down. Estes described the driver as a bald white male, 35 to 40 years old.

b. Trevor Mead advised that he was on his front porch with his mother-in-law when he noticed her looking at something. Mead saw a white male getting into a white truck which was parked across the street. The white truck pulled away and Mead heard a loud boom coming from the direction of the brown building located at 603 S. El Paso Street. Mead said the driver was wearing dark, wrap-around style sunglasses and described him as a white male in his late 30s with a medium to heavy build, clean

shaven and bald. Mead said that the truck was a two door white Chevrolet pickup truck with a black bed liner, rail extensions, normal size tires and a standard bed. He said that the tailgate was down and that he could not read the license plate. Mead said that he was positive that it was a Chevrolet truck. On January 15, 2015, Mead was shown four still photographs of a white extended cab Chevrolet truck captured on a business surveillance video a few miles from the scene. Mead said that it looked like the truck he saw following the explosion, but he did not remember seeing any black striping on the truck as is shown on the photographs.

c. Julie Skufca was out on her front porch when she heard an explosion. Skufca saw a white Chevrolet truck driving east on E. Moreno Street. Skufca said that the truck had its tailgate down and described it as a full size, single cab truck with a dark hood, which she described as primer grey or flat black. Skufca described the driver as a pale white male in his mid 40s with a round face, heavy build and close cut hair and a five o'clock shadow from his hairline to his jaw. In a subsequent interview with Skufca she said she did not think that the truck had a dark colored hood and that the dark color she perceived may have been from the sun reflecting off of the hood. On January 15, 2015, Skufca was shown four still photographs of a white extended cab Chevrolet truck captured on a business surveillance video a few miles from the scene. Skufca said that it was not the truck she saw following the explosion.

d. Crystal Dojcak said that she heard an explosion between 10:30 a.m. and 11:30 a.m. and after consideration thought it was around 11ish. She said that she went to her front door and looked out and saw a white truck heading east on E. Moreno with its tailgate was down. She described the driver as a white male with a shaved head or short hair that could have been blonde, possibly in his late 40s. She did not see him wearing a hat or sunglasses. When shown a sketch, Dojcak said that the person she saw in the truck looked heavier than the male depicted in the police sketch.

e. According to a CSPD report, Jasmine Cardenas was sitting in her car on El Paso Street at about 10:40 a.m. on the day of the explosion. She said they saw a tall, bald white male with a medium to heavy build who may have been in his 40s, but she was not sure, walking toward the building that houses the NAACP and a barbershop. She then heard a boom and thought it was a gunshot. She saw the white male run to his truck and speed away up E. Moreno. Cardenas said that the truck was a medium size older truck and was black, not white, as had been reported in the news.

8. On January 9, 2015, Trevor Mead provided details of a suspect description to a CSPD sketch artist, who prepared a composite sketch. Later, the FBI and law enforcement partners held a press conference in Colorado Springs, Colorado and a copy of the composite sketch of the suspect was released as well as a reward amount for information leading to the arrest of the suspect.

9. On January 12, 2015, through additional research and conversations with witnesses, FBI Task Force Officer (TFO) William Burruel attempted to narrow down the year of the white Chevrolet truck described by witnesses, and through his efforts, he believed the white Chevrolet truck may be a body style consistent with 2006 to 2009 models.

10. On January 15, 2015, information was received from the FBI Laboratory that DNA had been developed on the Keystone Light beer can and on the plastic bottle with liquid recovered near the bombing site. The DNA was searched in the FBI Combined DNA Index System (CODIS) and matches were obtained on both items of evidence as follows: Keystone Light can – Barron M. McCollum, YOB: 1989; Plastic bottle with liquid – Encel Edward Wilcox, YOB: 1985.

11. On January 23, 2015, FBI SA Schirmer interviewed Encel Edward Wilcox. Wilcox was in custody at the El Paso County Criminal Justice Center (CJC) on unrelated drug charges at the time of interview. Wilcox stated that he had a fight with his girlfriend on or about the morning of January 6, 2015 (the date of the explosion) and he was waiting in line at the Marian

House soup kitchen off of Bijou in Colorado Springs, Colorado before the doors opened. Wilcox readily agreed to talk with investigators after executing an advice of rights form. Wilcox stated that he had not owned a vehicle since about 2007 and he had no recollection of borrowing a truck.

12. On January 27, 2015, Barron Marquis James McCollum was interviewed by SA Beutelschies and Task Force Officer (TFO) William Burruel. McCollum lives on the same block where the explosion occurred. McCollum heard about the explosion at work, Brutal Nation Inc., a tattoo shop. McCollum has a suspended driver's license and does not drive and he does not own a working vehicle. McCollum is a black male and investigating agents do not believe he was involved in the incident.

13. On January 15, 2015, SA Beutelschies and TFO Burruel contacted Amanda Harris at 847 E. Cimarron, Colorado Springs, Colorado, regarding her home surveillance system. Cameras on the system cover portions of E. Cimarron and the intersection at E. Cimarron and South Institute. SA Beutelschies noted that the time on the surveillance system was off by roughly a half-hour. Based on a limited review of the cameras around the time of the explosion, SA Beutelschies did not note any white trucks. Harris was asked if she would consent to allow investigators to download data for further review and she agreed.

14. On January 16, 2015, the Computer Forensic Unit for the Colorado Springs Police Department responded to 847 E. Cimarron and downloaded video from the surveillance system for January 6, 2015, between the hours of 9:00 a.m. and 12:00 p.m. The detective who downloaded the information noted the time on his watch and compared it to the time on the surveillance system. Through this comparison, it was determined that the time (indicated) on the surveillance system was approximately 26 minutes ahead of the actual time. For reference, 847 E. Cimarron is approximately 2 1/2 blocks from the scene of the bombing.

15. The video was subsequently reviewed and, at approximately 10:36 a.m., as calculated by the time offset, a white truck was observed driving westerly on E. Cimarron with

the tailgate up; the direction of travel was toward the bomb site. At approximately 10:45 a.m., as calculated by the same time offset, the same white truck was observed traveling easterly on E. Cimarron with the tailgate down; the direction of travel was away from the bomb site. The truck has a regular cab, a dark hood, a black bed liner and black rims. Based on the times observed, it was believed that the truck depicted in the video arrived before the explosion and departed right after the explosion. Further, some witnesses who saw the white truck departing the scene believed that the truck was either missing the tailgate, or the tailgate was down.

16. The video obtained from 847 E. Cimarron was forwarded to the FBI's Forensic Audio/Video and Image Analysis Unit ("FAVIAU") for analysis and enhancement. FAVIAU enhanced the video and provided still images of the truck for investigative purposes.

17. On January 27, 2015, SA Beutelschies interviewed TD Townsend, Sales Manager at Phil Long Ford in Colorado Springs. Townsend seemed very knowledgeable about Ford trucks. Townsend was shown enhanced still images of the truck captured in the surveillance video from 847 E. Cimarron. Townsend indicated he was sure the vehicle was a Ford and believed that it was an F-250 model and said it could be anywhere between a 2000 and 2005 model.

18. The enhanced images and video were forwarded to Ford Motor Corporation for review. As a result, it was determined that the vehicle appears to be a Ford F-250 or F-350 with a long bed produced between the years 1999 and 2005.

19. On February 10, 2015, at approximately 10:46 a.m., FBI SA Schirmer received a phone call from Detective George Pinyerd, a CSPD official familiar with the investigation. Detective Pinyerd was participating in the investigation on February 10, 2015 by looking for white Ford F-250 trucks, specifically with a dark colored hood. In his investigative efforts, Detective Pinyerd advised that he spotted a white Ford F-250, Colorado license plate 512WBO (hereafter referred to as TARGET VEHICLE) parked in the general vicinity of the Yorkshire Square Townhomes, which is located at 6633 Palace Drive, Colorado Springs, Colorado. SA Schirmer responded to the location and observed the truck and also observed still photos of the

truck. After careful observation and comparing the still images, they appear to match with the video images from witness Amanda Harris at 847 E. Cimarron. Several CSPD surveillance units were in the area.

20. At approximately 12:00 p.m., the white Ford F-250 (512WBO) (TARGET VEHICLE) became mobile. Surveillance units temporarily lost sight of the white Ford F-250 (512WBO) and reacquired it at a Diamond Shamrock convenience store located at the corner of Austin Bluffs and American in Colorado Springs, Colorado. The TARGET VEHICLE was ultimately followed to 6722 Palace Drive, Colorado Springs, Colorado. SA Schirmer observed the TARGET VEHICLE parked at the 6722 Palace Drive address. On February 10, 2015, Detective George Pinyerd specifically stated that he observed the driver of this vehicle, believed to be consistent with the registered owner of the TARGET VEHICLE, enter the residence at 6722 Palace Drive.

21. Colorado Department of Motor Vehicle (DMV) checks reveal that the registered owner of the white Ford F-250 (512WBO), the TARGET VEHICLE, is Thaddeus Murphy. The address on the vehicle registration is 5170 Alturas Circle, Colorado Springs, Colorado. Colorado Springs Utility checks at the 5170 Alturas address reveal that the subscriber is under the name Lucy Vail. Additional Colorado Springs Utility checks for 6722 Palace Drive revealed that Thaddeus Murphy was the utilities subscriber for 6722 Palace Drive. Open source checks also place Donna Sue Murphy and Thaddeus Murphy at the 6722 Palace Drive address. A Colorado driver's license image of Thaddeus Murphy more fully identified him as Thaddeus Cheyenne Murphy, YOB: 1970.

22. On February 10, 2015, SA Schirmer observed two images of Thaddeus Murphy, including a Colorado Driver's license image. SA Schirmer compared the images to the police sketch of the subject released on or about January 9, 2015. SA Schirmer observed a resemblance between Murphy and the sketch. SA Schirmer was aware that Thaddeus Murphy, as of February 10, 2015, has facial hair and his current hair style differs from that depicted in the police sketch. Based on SA Schirmer's training and experience, it would not be unusual for a

criminal to intentionally alter his appearance after committing a crime, in order to avoid detection by law enforcement, especially if a composite sketch had been released by the media.

23. National Crime Information Center (NCIC) and Colorado Crime Information Center (CCIC) checks reveal that Thaddeus Murphy has a criminal history in the State of Colorado including violations associated with felony theft, felony burglary, failure to appear, and fraud by check. In 2009, Murphy was convicted of Theft, \$500-\$15,000, and was sentenced to 5 years in the Department of Corrections under El Paso County District Court case number 2007CR635.

24. On the afternoon of February 14, 2015, TFO William Burruel was participating in a surveillance in the vicinity of York Drive and Academy Boulevard North, which is in very close proximity to Murphy's residence. TFO Burruel observed Murphy exit the Conoco convenience store at that intersection, holding a red container with a black cap. The red container with black cap resembled plastic gas cans that were on the store shelves.

25. On February 13, 2015, FBI surveillance units followed the TARGET VEHICLE with the assistance of a vehicle tracker legally obtained via court authorized search warrant to a Big R store located at 2208 Freedom Road, Trinidad, CO, 81082. An FBI surveillance team member approached Big R store personnel, who knew Thaddeus Murphy, as he had done some contract work for them for several years. The manager Carlos Contreras, who was familiar with Murphy, provided a current cell phone number for Murphy as 719-330-8609. Investigation determined that the number was an AT&T Corporation cellular number associated with AIO wireless, a subsidiary of AT&T Corporation.

26. On February 13, 2015, SA Schirmer obtained a court order in the District of Colorado pursuant to 18 U.S.C. § 2703(d), for disclosure of records and information, related to the number 719-330-8609.

27. On February 15, 2015, SA Beutelschies received an e-mail from AT&T containing records requested pursuant to the 2703(d) Court Order. The records show that the user/subscriber for cellular telephone number 719-330-8609 is Thadd Murphy (SUBJECT) of

6722 Palace Drive, Colorado Springs, Colorado. The records show a service start date of 11/25/2014 and an IMSI of 310150805126101.

28. On 2/15/2015, SA Beutelschies forwarded the data received by AT&T for telephone number 719-330-8609, to FBI SA Scott D. Eicher for review and analysis.

29. On 02/15/2015, SA Scott D. Eicher of the FBI's Cellular Analysis Survey Team (C.A.S.T.), reviewed the Call Detail Records (CDRs) for AT&T cellular phone (719) 330-8609. Per these records this cell phone is registered to Thadd Murphy, address: 6722 Palace Drive, Colorado Springs, CO. The phone service was established on 11/25/2014. SA Eicher conducted analysis of the records and the cell sites used by this cell phone during voice calls and text messages for the date of 01/06/2015. The analysis shows that this phone at 10:02 am received an incoming call from 719-216-4175, and the phone associated with Murphy during this call used a cell site in Northern Colorado Springs, CO just south of the Murphy residence located at 6722 Palace Drive, Colorado Springs, CO.

30. The next call to this phone on 01/06/2015 was at 10:04 am, incoming from 719-216-4175. During this call the cell phone associated with Murphy used two cell sites which are located on North Academy Blvd. indicating the phone moved south from its previous location in the direction of the crime scene. The next call at 10:58 am, which took place approximately 13 minutes after the time of the crime, was an outgoing call to 719-216-7021. During this call the phone registered to Murphy used a cell site located approximately 2.38 miles northeast of the crime scene located at 603 S El Paso St., Colorado Springs, CO.

31. The next several connections to the network by this phone on 01/06/2015 were at 11:11 am, 11:15 am and 11:18 am. These three connections were text message to and from 719-210- 6108. During these text messages the phone used cell sites located along North Academy Blvd, indicating the cell phone had moved back up towards the residence associated with Murphy. During the next two connections which were at 11:35 am and 11:55 am, this cell

phone used two cell sites which are located closer to the residence associated with Murphy.

The 11:35 am connection was an outgoing call to 719-260-8190, and the connection at 11:55 am was an incoming call from 719-216-4175.

32. Further, SA Eicher reviewed some historical data and determined that the subject's phone was using the cell sites in the area of the building at 603 S El Paso St., Colorado Springs, CO on 12/30/14. The subject's phone arrived in the area of the building at 603 S El Paso St., Colorado Springs, CO sometime between 10:46 am and 11:53 am and by 12:32 pm , the phone was out of the area. An analysis of the call detail records for this phone, which spanned from 11/26/2014 to 2/13/2015, shows that this phone, only on one other occasion (besides 1/6/2015), namely on 12/30/2014, used the sites and sectors which provide signal to the area of the building at 603 S El Paso St., Colorado Springs, CO, for an extended period of time.

33. Following consult with FBI Special Agent Bomb Tech Garrett Gumbinner, persons who plant explosive devices often scout out the target of the bombing in order to plan where to place a device and familiarize themselves with routes of travel to and from the target area.

34. On February 14, 2015, at approximately 10:45 a.m., FBI SA Larry McVay, as part of a surveillance team, observed Thaddeus Murphy accessing a storage unit inside the fenced area of the American Storage located at 6740 Vincent Drive, Colorado Springs, Colorado. On that date, SA McVay did not observe the unit number; however he did note the exact location of the unit on the west side of the complex.

35. On February 16, 2015, TFO William Burruel, contacted the manager at American Storage and confirmed that Thaddeus Murphy rents storage unit, A09, at the storage facility.

36. On or about January 8, 2015, the items of evidence in this case were forwarded to the FBI Laboratory located in Quantico, Virginia for forensic analysis and testing. The pieces of duct tape found in the debris field, referenced above, including evidence marked by the Laboratory as Item 3, "gray tape," and Item 5 "gray tape," were processed by the Laboratory for

trace evidence (hairs and fibers). The FBI Laboratory report dated January 10, 2015 determined that textile fibers of various types and color and brown dog hairs were recovered from Items 3 and 5.

37. On February 10, 2015, Detective Pinyerd informed me that, on or about February 9, 2015, there was a CSPD call for service associated with Thaddeus Murphy at 6722 Palace Drive, Colorado Springs, CO, for possible overdose of Ambien (a sleep aid). A responding CSPD officer on this call, heard a dog in the residence.

38. On February 12, 2015, TFO William BurrueI interviewed Amber Creech, Colorado State Community Parole Officer regarding Murphy. Creech advised that Murphy was on parole from November 2010 through January 2013. Creech conducted several home visits with Murphy and she remembered that he had a brown pit bull (canine) at the time.

39. As recently as February 16, 2015, a white box trailer was observed in the driveway at 6722 Palace Drive, Colorado Springs, CO. The box trailer, bearing Colorado license plate 385OQF, has dual axles and the words "Carpentry Core" painted on the front and side. The registered owner of the trailer is Thaddeus Murphy. Surveillance personnel have seen Murphy in close proximity to the box trailer and have seen Murphy use the TARGET VEHICLE to tow this trailer.

40. Approximately a week after the bombing incident, SA Schirmer conducted searches on the internet to evaluate publically available information on pipe bombs. SA Schirmer observed that not only are there countless images of pipe bombs, but there also exists detailed instructions on making pipe bombs. SA Schirmer believed it would be very likely for someone to research the internet about bomb construction before the actual detonation of the device. Furthermore, as part of this investigation, SA Schirmer attempted to locate fuse material at local hobby stores in Colorado Springs, Colorado and was unsuccessful. Fuse material was recovered at the crime scene (1B15/E5119078). For the reason stated above, fuse material may have been ordered on the internet.

41. In consult with Special Agent Bomb Tech Garrett Gumbinner, often persons who commit crimes involving explosive devices often practice and refine their ability to construct more effective devices as they learn how components and materials work. Additionally, SA Schirmer knew that often times persons construct the devices or components of the device ahead of time at a different location before transporting and placing such a device at a target location.

42. As outlined above, the building at 603 S El Paso St., Colorado Springs, CO houses both the NAACP and Mr. G's Hair Design Studios. Because 18 U.S.C. § 844(i) requires proof of an interstate nexus element, on February 10, 2015, SA Beutelschies contacted a representative at the NAACP office and determined that they receive items such as voting materials, mailers, posters (for holidays), rules and regulations (bylaws) from their headquarters located in Baltimore, Maryland. In addition, SA Beutelschies advised that Gene Southerland, Mr. G's Hair Design Studio, receives most of his supplies from Sally's Beauty Supply including the location near Union and Academy in Colorado Springs, Colorado. An FBI analyst proceeded to a local Sally's Beauty Supply and spoke with a manager, who confirmed that they receive many of their products from Reno, Nevada.

43. Due to the very distinctive description of the TARGET VEHICLE matching the truck registered to Murphy; the use of the cell phone number registered to Murphy in close proximity to the crime scene, the existence of brown dog hair on tape found in the device's debris field is consistent with the color of the dog known to be at Murphy's residence; Murphy's recent purchase of what resembled a gas can; and, Murphy's physical description generally consistent with descriptions given by witnesses, FBI agents applied for a number of search warrants related to Murphy's residence, vehicle and phone.

44. On February 18, 2015, Federal Search Warrants were signed by United States Magistrate Judge Michael E. Hegarty for Thaddeus Murphy's residence located at 6722 Palace Drive, Colorado Springs, Colorado; as well as for Murphy's truck and cell phone.

45. On February 19, 2015, Thaddeus Murphy was interviewed by investigating Agents. Murphy was read his Miranda Rights and signed a form consenting to the interview. During the interview, Murphy admitted to conducting the bombing at the building located at 603 S. El Paso Street, Colorado Springs, Colorado. The interview was recorded and the following is a summary of some of what Murphy stated and is not a verbatim transcript of the interview: An accountant by the name of Steve Dehaven wouldn't return to him (Murphy) his tax records from 2006 to the present and wouldn't return his phone calls. Dehaven operated his business out of the building located at 603 South El Paso, Colorado Springs, Colorado. Murphy had to declare bankruptcy and need the records because he had financial issues. Murphy believed Dehaven destroyed his tax records. Murphy admitted to manufacturing a pipe bomb. Murphy believed that he set the pipe bomb outside of Dehavens office on January 6, 2015. Murphy believed that Dehaven and his son intentionally were keeping him (Murphy) from his tax records and were giving him the run around. Murphy stated that he "flipped out" because of his financial problems. Murphy built the pipe bomb as a warning to Steve Dehaven. Murphy admitted to using Dragon Breath, a shotgun shell as the explosive material inside the container. Murphy learned how to build the pipe bomb from the internet. That he used firework fuses for the pipe bomb. That he had all the pipe bomb materials from home materials he used as a carpenter. That he built the pipe bomb in his garage. Murphy admitted to driving up to the north side of 603 South El Paso Street on January 6, 2015, parking his truck, getting out of his vehicle and placing the pipe bomb, 2 gallon gas can, road flare on the north east corner of the building. The pipe bomb went off as he was getting back into his truck. Murphy admitted building the pipe bomb the night before in his garage. Murphy admitted the rational for the pipe bomb was rage. Murphy sketched a diagram of the pipe bomb he manufactured and the location where he placed the bomb on January 6, 2015. Murphy admitted to having 5 firearms in the house and knew he wasn't allowed to have any weapons in his house because he is a convicted felon. Murphy admitted to shooting the firearms with his wife and children.

46. On February 19, 2015, a search warrant, signed by United States Magistrate Judge Michael E. Hegarty, was served on the residence of Thaddeus Murphy at 6722 Palace Drive, Colorado Springs, Colorado. The following is some, not all of what was discovered in the residence, during the execution of the search warrants:

- a. (1) Rossi, .38 caliber 5-shot revolver, serial number W428996.
- b. (1) New Frontier Armory, Model G-15, .223 caliber rifle, serial number NV03264.
- c. (1) Bushmaster, Model Carbon-15, .223 caliber rifle, serial number CBC076162.
- d. (1) Stevens, Model 62, .22 caliber long rifle, serial number L252792.
- e. (1) Made in Turkey, by Hatsan Arms Co., Model Escort Magnum, 12 gauge shotgun, serial number 347869.
- f. (1) Sun City Machinery, Westfield Model 320, 12 gauge shotgun, serial number 121985W.
- g. (1) Russian, Moisin Nagant, Model 91/30, 7.62x54R, bolt action rifle, serial number 532213.
- h. (1) Three pack of road flares with one missing.
- i. (6) $\frac{3}{4}$ inch galvanized end caps.
- j. Green hobby fuse.
- k. 3 $\frac{1}{2}$ pounds of commercially available binary explosive.

47. Your Affiant inspected the firearms and found that based on his knowledge, training and experience, that they were all capable of expelling a projectile by action of an explosive as defined in 18 USC 921 (a)(3). Further, Your Affiant knows based on his knowledge, training and experience that all of the firearms were not manufactured in the State of Colorado and would have to have traveled in interstate commerce prior to being found in Murphy's possession.

48. Based on the above information, Your Affiant believes that probable cause exists for a criminal complaint charging Thaddeus Cheyenne Murphy for violations of Title 18, United States Code, Sections 844(i) -- Damaging or Destroying a Building by means of Fire or Explosive, and 922(g)(1) -- Felon in Possession of a Firearm.

FURTHER AFFIANT SAYETH NAUGHT.

s/ Peter A. Merenyi

PETER A. MERENYI, SPECIAL AGENT

Sworn and Subscribed to
before me this 20th day of
February 2015, at Denver, Colorado


U.S. MAGISTRATE JUDGE

DEFENDANT: THADDEUS CHEYENNE MURPHY

YOB: 1970

ADDRESS (CITY/STATE): In Custody

OFFENSE(S): Count 1: 18 U.S.C. § 844(i) – Arson of Building and other Real Property in Interstate Commerce
Count 2: 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm

LOCATION OF OFFENSE (COUNTY/STATE): El Paso County, Colorado

PENALTY: Count 1: NLT 5 years imprisonment, \$250,000 fine, or both; NMT 5 years supervised release; \$100 special assessment
Count 2: NLT 10 years imprisonment, \$250,000 fine, or both; NMT 5 years supervised release; \$100 special assessment

AGENT: Peter A Merenyi, Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Jon Beutelschies, Special Agent, Federal Bureau of Investigations (FBI)
Jeffrey Schirmer, Special Agent, Federal Bureau of Investigations (FBI)

AUTHORIZED BY: Gregory Holloway
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X five days or less _____ over five days _____ other

THE GOVERNMENT

X will seek detention in this case _____ will not seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: _____ Yes X No