

UNITED STATES DISTRICT COURT

for the
Western District of Missouri

United States of America
v.

Ardaris Webb Cheatham

Case No. 17-3031-MJ-WJE

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 09/11/2017 in the county of Cole in the
Western District of Missouri, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

On or about September 11, 2017, in Jefferson City, in Cole County, in the
Western District of Missouri, the defendant, ARDARIS WEBB CHEATHAM,
having been convicted of crimes punishable for terms exceeding one year,
knowingly possessed in and affecting commerce a firearm, that is, a loaded
Beretta, Model PX4 Storm, .40 caliber pistol, serial number PY138950; all in
violation Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

This criminal complaint is based on these facts:

See affidavit of ATF SA Philip D. Pritchett, attached hereto and made a part hereof for all purposes.

Continued on the attached sheet.

Handwritten signature of Philip D. Pritchett

Complainant's signature

ATF SA Philip D. Pritchett

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/11/2017

Handwritten signature of Willie J. Epps, Jr.

Judge's signature

City and state: Jefferson City, Missouri

Willie J. Epps, Jr., United States Magistrate Judge

Printed name and title

**AFFIDAVIT
OF
PHILIP D. PRITCHETT
SENIOR SPECIAL AGENT
BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES**

I, Philip D. Pritchett, being first duly sworn, do hereby depose and state that:

1. I am a Senior Special Agent of the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) assigned to the Jefferson City, Missouri Office. As such, I am an “investigative or law enforcement officer” of the United States 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(1). I have been an agent with ATF since July of 2002. During my career as a law enforcement officer, I have participated in hundreds of drug, violent crime and firearm investigations, either as a case agent or in various support roles at both the state and federal level.

2. This affidavit is based on my own personal knowledge as well as information provided to me by other law enforcement agencies and officers. This affidavit is submitted for the limited purpose of establishing probable cause that ARDARIS WEBB CHEATHAM is a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1). I have not included each and every fact known to me concerning this investigation. I have only set forth the facts I believe are essential to establish probable cause for the aforementioned offense.

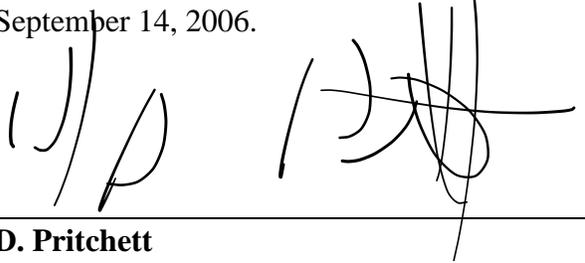
3. On September 11, 2017, at approximately 12:35 p.m., the Jefferson City Police Department SWAT Team served a search warrant at 1001 Poplar Street in Jefferson City, Missouri, the residence of ARDARIS WEBB CHEATHAM. The warrant was a state search warrant for narcotics. During the investigation, I observed what appeared to be a Beretta pistol on CHEATHAM’s Facebook profile. CHEATHAM is a convicted felon from the State of Kentucky

for possession of a controlled substance. Upon making entry to the residence, CHEATHAM fired one round at the SWAT Team as he retreated further into the residence. CHEATHAM attempted to escape by exiting the basement of the residence, but was apprehended by other officers who were stationed outside. I observed the firearm used by CHEATHAM at the edge of the door that he attempted to escape through. The firearm that I observed matched the firearm that I saw on CHEATHAM's Facebook profile.

4. JCPD Detective Andy Rogers and I went to meet with CHEATHAM's wife, Casey Cheatham, at St. Mary's Hospital in Jefferson City, Missouri. I asked Mrs. Cheatham if she was aware of a firearm in her residence, and she explained that she had purchased a Beretta 9mm pistol approximately two years' prior from PCA Firearms in Jefferson City, Missouri. I asked her if her husband, ARDARIS WEBB CHEATHAM, ever fired or handled the gun, and she stated that he had fired the gun in the past, and that he sometimes handled the firearm in the residence.

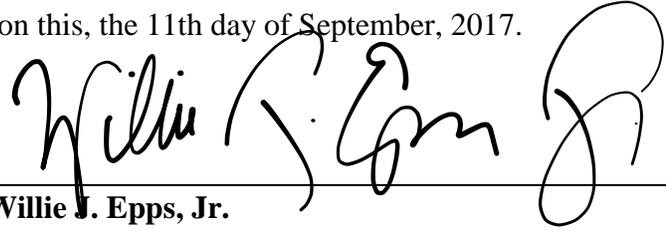
5. The firearm that was recovered from the residence was a Beretta, Model PX4 Storm, .40 caliber pistol, serial number PY138950. This caliber is contradictory to what Casey Cheatham told me during her interview. One loose round of ammunition was recovered on the dresser in the master bedroom next to CHEATHAM's identification. Approximately twenty-seven pounds of marijuana was located hidden in various locations within the residence. A methamphetamine pipe with residue was also found on the bed in the same room.

6. CHEATHAM has one prior felony conviction in the State of Kentucky for first degree possession of a controlled substance dated September 14, 2006.



Philip D. Pritchett
Senior Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to and subscribed before me, on this, the 11th day of September, 2017.



Willie J. Epps, Jr.
United States Magistrate Judge