

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

FILED
CHARLOTTE, NC

FEB 13 2020

United States of America)

v.)

Case No. 3:20-mj-51

US DISTRICT COURT
WESTERN DISTRICT OF NC

Anthony Blane Byrnes)

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 August 07, 2019 in the county of Mecklenburg in the Western District of North Carolina, the defendant(s) violated:

| Code Section | Offense Description |
|-----------------------------------|--|
| 21 U.S.C. 841(a)(1), 841(b)(1)(A) | PWID over 10 grams of LSD, a Schedule I Controlled Substance; |
| 21 U.S.C. 846, 841(b)(1)(A) | Conspiracy PWID over 10 grams of LSD, a Schedule I Controlled Substance; |
| 18 U.S.C. 924(c) | Possession of a Firearm in Furtherance of a Drug Trafficking Crime |

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.



Complainant's signature

Rustambek Ismatullaev, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/13/2020



Judge's signature

City and state: Charlotte, North Carolina

Hon. David Cayer, United States Magistrate Judge

Printed name and title

AFFIDAVIT

The undersigned, being duly sworn, deposes and states:

1. I am a Special Agent with the Drug Enforcement Administration (DEA) and have been so assigned since September 2018. I am currently assigned to the Charlotte District Office of the Atlanta Field Division and was previously assigned to the San Antonio District Office. I attended a seventeen (17) week basic agent training program in Quantico, Virginia. At the DEA Academy I was trained to identify controlled substances, interview and surveillance techniques, arrest tactics, legal training and more. Prior to attending basic agent training, I was employed for two (2) and half years as a Border Patrol Agent in Texas, assigned to the Laredo Sector. I attended approximately twenty four (24) weeks of training at the Border Patrol Academy in the Federal Law Enforcement Training Center. As a Border Patrol Agent, I had Title 21 authority to seize and arrest. During my tenure as a law enforcement officer, I have been involved in several investigations of individuals who derive substantial income from unlawful activities, including the importation, manufacture, cultivation, distribution and sale of illegal controlled substances. In addition, I have experience in the execution of search warrants and arrest warrants. In my current and previous capacities in law enforcement, I have had extensive formal training in the fields of interdiction of illegal drugs, drug identification, interview and interrogation, law pertaining to search and seizure, surveillance operations, Title III intercept laws and procedures, affidavit drafting, drug cartels investigations, and intelligence collection. Additionally, I am trained in cyber investigation techniques and have been involved in cases related to Dark Net drug trafficking.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
3. In August 2019, U.S. Customs and Border Protection intercepted a mail parcel containing suspected narcotics, sent from Slovenia and addressed to Anthony Blane BYRNES (BYRNES) at 13337 Willow Breeze Lane, Huntersville, NC. The mail parcel was transferred to the Huntersville (NC) Police Department (HPD) for further investigation.
4. On or about August 7, 2019, law enforcement conducted a controlled delivery of the suspected parcel. The parcel was delivered to the front door of BYRNES'S residence. A short time later, BYRNES grabbed the parcel and entered his residence. Subsequently, law enforcement executed a state search warrant at BYRNES'S residence.
5. During the search warrant execution, investigators seized various narcotics and contraband, including suspected MDMA, Cough Syrup, THC, THC Wax, LSD/ACID, approximately \$10,000 (USD), drug paraphernalia, a Glock 19 handgun, a Taurus GRC handgun, and ammunition. All of this contraband was located throughout BYRNES'S bedroom, including within his bedroom safe. BYRNES provided investigators the passcode for his safe. BYRNES was subsequently arrested by law enforcement.
6. Law enforcement *Mirandized* and interviewed BYRNES. BYRNES stated that narcotics were bought via the Dark Net Marketplace (DNM), "Empire Market." BYRNES admitted participating in a drug trafficking conspiracy with his co-conspirators, and facilitating the purchase of narcotics via the Dark Web/Dark Net with Bitcoin. BYRNES acknowledged using his cell phone, and phone applications on his cell phone to communicate with

co-conspirators. BYRNES admitted providing Bitcoin to his co-conspirators to facilitate drug sales, and admitted using local Bitcoin ATMs as a medium to further drug sales. Throughout these conspiracies, BYRNES visited multiple Bitcoin ATMs in Charlotte, NC and made numerous transactions on behalf of the DTO, ranging between \$2,000 (USD) to \$9,000 (USD) per transaction. BYRNES also admitted using the “Snapchat” phone application to communicate with co-conspirators. The Snapchat phone application was located on his cell phone. Law enforcement determined this cellphone was used to facilitate drug trafficking and money laundering activity. Law enforcement submitted the seized narcotics for further lab examination. Lab results revealed approximately 11.90 grams of D-Lysergic Acid Diethylamide (LSD), a Schedule I controlled substance, among other controlled substances, were seized within BYRNES’S bedroom. Law enforcement investigation also revealed the aforementioned Glock 19 handgun, and Taurus GRC handgun were possessed in furtherance of this drug trafficking activity. Law enforcement’s investigation revealed that BYRNES trafficked the aforementioned narcotics, with firearms, from his residence.

CONCLUSION

I respectfully submit there is probable cause to believe there is evidence of the commission of the federal offenses:

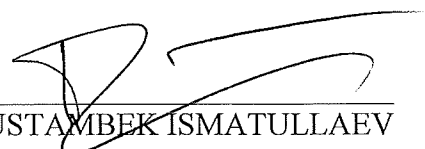
Possession with intent to distribute a controlled substance, that is 10 grams or more of LSD, a schedule I controlled substance, in violation of Title 21, U.S.C. §§ 841(a)(1) and 841(b)(1)(A);

Conspiracy to possess with intent to distribute a controlled substance, that is 10 grams or more of LSD, a schedule I controlled substance, in violation of Title 21, U.S.C. §§ 846 and 841(b)(1)(A); and

Possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c).


Therefore, I request this Honorable Court issue a criminal complaint and arrest warrant for the same.

Respectfully submitted,



RUSTAMBEK ISMATULLAEV
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me on February 13, 2020.



HONORABLE DAVID CAYER
UNITED STATES MAGISTRATE JUDGE
WESTERN DISTRICT OF NORTH CAROLINA