

FILED

APR 05 2016

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

KRISTIAN JESSE CULVER

CASE NUMBER:

W16-74M

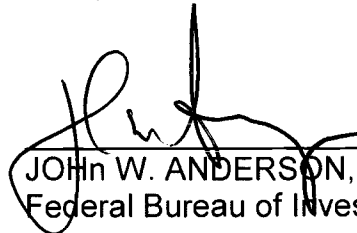
I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about April 2, 2016, in Bell County, in the Western District of Texas, defendant(s), did intentionally, knowingly and unlawfully possess a firearm, after having been convicted of a crime punishable by imprisonment exceeding one year, in violation of Title 18, United States Code, Section(s) 922(g)(1) and 924(a)(2).

I further state that I am a(n) Special Agent, Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

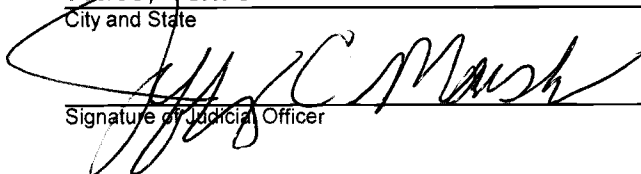
continued on the attached sheet and made a part hereof: YES



JOHN W. ANDERSON, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

April 5, 2016
Date
Jeffrey C. Manske
U.S. Magistrate Judge
Name & Title of Judicial Officer

Waco, Texas
City and State


Signature of Judicial Officer

United States District Court

Western District of Texas, Waco Division

Affidavit

1. Your Affiant is a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice. I have been employed as an SA of the FBI for over 10 years and am currently assigned to the San Antonio Division, Waco Resident Agency (WRA) in Waco, Texas. I am currently assigned to a violent crime squad where my responsibilities include enforcing federal criminal statutes, including investigating crimes involving firearms violations. As part of these duties, your Affiant has become involved in the investigation of suspected violations of Title 18, United States Code, § 922(g). The facts in this affidavit come from your Affiant's personal observations, his training and experience, and information obtained from other law enforcement officers and witnesses.
2. The statements contained in this affidavit are based on information provided to your Affiant by other law enforcement officers who investigate these types of crimes and through his personal investigation. Your Affiant has set forth herein the facts I believe are necessary to establish probable cause that said violation does exist.
3. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, your Affiant has not included each and every fact known to him concerning this investigation. Your affiant has set forth only facts that I believe are necessary to establish probable cause.

Background of the Investigation

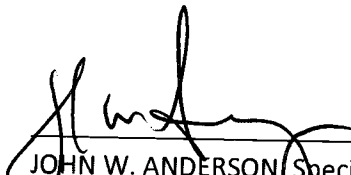
4. On April 2, 2016, Temple Police Department (TPD) in Temple, Bell County, Texas, were contacted by a local hotel when a male individual presented himself in to the lobby of the establishment. The male individual, wearing a yellow shirt and no shoes, "flashed" a badge and stated that he was a police officer and was trying to get information on a hotel guest. The suspicious male said that he had a fugitive arrest warrant for the hotel guest. That hotel guest was identified as Robert Lee Kingham, who was later identified as being in a relationship with the suspicious male (later identified as KRISTIAN JESSE CULVER).
5. On April 2, 2016, after being located and contacted by Officer Daniel Amaya for the impersonation of an officer, CULVER attempted to flee in his vehicle from Officer Amaya. Officer Amaya grabbed the suspect, attempting to pull CULVER from the vehicle, as it sped away. During this attempt to escape, Officer Amaya and CULVER both fell from the moving vehicle. The vehicle, which now had no driver, ran into a set of railroad tracks nearby and was disabled. CULVER was taken into TPD custody.
6. TPD obtained a search warrant for CULVER's vehicle, which he (CULVER) had locked in an attempt to keep TPD from doing a search. During the execution of the search warrant, TPD located a firearm in the rear passenger floorboard. The firearm is further described as a Glock 23, Generation 4, .40 caliber pistol, serial number YMC094.

7. A search of CULVER's criminal history revealed that he had been convicted of at least three felonies, including federal convictions within the United States District Court, Western District of Texas, for providing false statements during the purchase of a firearm and being a convicted felon in possession of a firearm.
8. During an interview of Kingham, he stated that he had purchased the recovered firearm for CULVER at Gander Mountain in Beaumont, Texas, and provided a receipt documenting such. Kingham explained that he and CULVER had originally tried to purchase a handgun in Louisiana, but they could not do so because they had out of state (Texas) driver's licenses. Once coming back to Texas on July 26, 2015, they went to Gander Mountain. CULVER asked Kingham to buy the gun for him because he (CULVER) only had his Colorado driver's license. While this confused Kingham, he accepted \$600 from CULVER and purchased the firearm for CULVER.
9. On July 30, 2015, Kingham and CULVER executed a "Record of Firearms Transfer Between Unlicensed Persons" in which CULVER is listed as the person having "Received" the firearm. Execution of this document transferred possession of the firearm from Kingham to CULVER.
10. Glock was contacted and provided with the make, model and serial number of the firearm that was recovered. Your affiant was informed by personnel at Glock that this firearm was made in Austria.

Conclusion

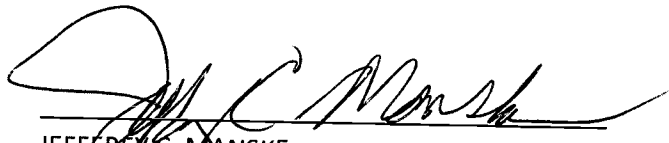
11. Based upon the aforementioned facts, there is probable cause to believe that one or more violations of 18 United States Code, § 922(g) has been committed by KRISTIAN JESSE CULVER.
12. Accordingly, your Affiant respectfully requests that an arrest warrant be issued for KRISTIAN JESSE CULVER.

FURTHER AFFIANT SAYETH NAUGHT.



JOHN W. ANDERSON, Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO before me on the 5th day of April, 2016.



JEFFEREY C. MANSKE
UNITED STATES MAGISTRATE JUDGE