

AO 91 (Rev. 11/11) Criminal Complaint

United States Courts  
Southern District of Texas  
FILED  
April 28, 2020

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

David J. Bradley, Clerk of Court

United States of America  
v.  
ADAN CAMPUZANO

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Case No. **4:20mj0759**

*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 March 22, 2020 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. Secion 922(g)(1)	Felon in possession of a Firearm

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.



ATF Special Agent Matthew McDavid

*Printed name and title*

Sworn to before me via telephone.

Date: 04/28/2020



City and state: Houston, Texas

NANCY K. JOHNSON, United States Magistrate Judge

*Printed name and title*

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Matthew B. McDavid, Special Agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, being duly sworn, do declare and state:

Affiant Background and Experience

1. I am an investigative or law enforcement officer within the meaning of Section 2510(7) of Title 18, United States Code: an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.
  
2. I am a Special Agent (SA) with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have so been employed since November of 2015. I am presently assigned to the Houston Group I, Houston, Texas. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code Section 2510(7), and I am empowered by law to conduct investigations and make arrests for offenses enumerated in Title 18, United States Code, Section 2516. In the late part of 2015, I attended the Department of Homeland Security's Criminal Investigator School and the ATF academy's New Professional Training, both located at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, for a combined period of twenty-nine (29) weeks. I have received formal training in the provisions of the Federal Laws administered under Title 18 and Title 26 of the United States Code.
  
3. Prior to working for ATF I was a police officer for more than five (5) years with the Metropolitan Washington Airports Authority Police Department, located in the Washington, D.C. metropolitan area. I attended the Northern Virginia Criminal Justice Training Academy for twenty three (23) weeks. I received extensive formal on-the-job training in criminal enforcement.

4. As an ATF Special Agent, I have participated in investigations of illicit firearms and narcotics trafficking organizations. During these investigations, I have participated in various types of investigative techniques, including electronic surveillance; undercover agents and informants; and controlled purchases of firearms and narcotics from suspects. I have participated in physical surveillance operations and have participated in the execution of state and federal arrest warrants and search warrants.
5. As an ATF Special Agent, I have conducted and participated in both state and federal investigations involving the trafficking of firearms and distribution of controlled substances. I have investigated and assisted in the prosecution of criminal street gangs engaged in illegal narcotics and firearms trafficking. I have been involved in various types of electronic surveillance, and in debriefing defendants, witnesses and informants as well as others who have knowledge of gang-related distribution of firearms and narcotics.
6. As a result of my training and experience, in addition to attending law enforcement conferences, I have gained knowledge in the utility of undercover agents, confidential informants, physical surveillance, electronic surveillance, oral surveillance, consensual recording, investigative interviews, mail covers, garbage searches, GPS tracking devices, pole-mounted cameras, the service of Grand Jury subpoenas, courtroom testimony, and the execution of federal and state search and arrest warrants.
7. In addition to utilizing the aforementioned investigative techniques, I have been required during these investigations to analyze information resulting from traditional record searches, pen registers and trap and trace devices, financial records, utility records, and telephone toll and subscriber records.
8. By virtue of my training and experience, and through consultation with other Special Agents and officers who have conducted firearm and narcotics investigations, I have

become familiar with the methods used by firearms and narcotics traffickers to distribute firearms and narcotics.

Case Specific

9. In preparing this Affidavit, I have reviewed the written reports relating to this investigation and have talked to other agents and officers about their knowledge of the relevant facts. Where statements made by other individuals (including other Special Agents and law enforcement officers) and information contained in reports and other documents or records are referenced in this Affidavit, such statements are described in sum and substance and in relevant part only.
10. I reviewed Houston Police Report 391897-20 and learned that on March 22, 2020, Houston Police officers were in the area of Little York Rd. and Airline Dr. in Houston, Texas. Several calls for service had been reported in that area regarding vehicle racing.
11. According to the report, officers witnessed a motorcycle driving recklessly on a sidewalk. The motorcycle accelerated at a high rate of speed before turning towards the officers in a marked police car and driving straight towards them in an effort to prevent the officers from stopping him. The driver of the motorcycle drove into a grassy area next to the street before losing control of the bike and wrecking. The suspect evaded on foot after crashing the motorcycle. Officers chased the suspect on foot while giving commands for him to stop running. During the foot pursuit officers witnessed the suspect toss a black and silver firearm on the ground before giving up and being arrested.
12. Once placed in handcuffs officers searched the suspect. In the suspects left rear pocket officers recovered a pistol magazine which matched the pistol that was recovered after the foot pursuit. The recovered pistol is described as a Smith & Wesson, SW40VE, .40 pistol, Serial Number: PBM6524. Officers also located a narcotics pipe in the suspect's right front pocket.
13. The motorcycle that the suspect crashed had Texas license plate 287T3X and had been reported stolen from Trinity County. Near the ignition officers observed a black handle

screw driver. The ignition was popped and it was clear that the screw driver is used to turn the ignition, making the vehicle capable of running without its manufactured key.

14. During the course of identifying the suspect, the suspect provided officers with a fictitious name. Officers used a mobile AFIS fingerprint machine to identify the suspect as Adan CAMPUZANO (10/20/1979).
15. Once officers identified the suspect as CAMPUZANO, they learned that CAMPUZANO had two (2) outstanding warrants from Montgomery County, Texas. Officers attempted to confirm the warrants but due to the current COVID-19 pandemic were unable to receive confirmation. CAMPUZANO was booked at the Harris County Joint Processing Center for being a felon in possession of a firearm, evading on foot, and failure to identify as a fugitive.
16. SA McDavid reviewed the Harris County District Clerk's website and confirmed the following federally prohibiting convictions:
  - Aggravated assault deadly weapon – felony - 1996
  - Assault family member – misdemeanor – 2009
  - Possession of cocaine – felony – 2009
  - Assault family member – felony – 2011
17. SA McDavid contacted an ATF Firearms Nexus Expert SA Alex Johny and learned that the Smith & Wesson pistol referenced above was manufactured outside of the State of Texas.
18. Based on the foregoing facts, your Affiant believes there is probable cause to believe that on March 22, 2020, in the City of Houston, in the Southern Judicial District of Texas, Adan CAMPUZANO, a convicted felon, did knowingly possess a firearm, specifically, a Smith & Wesson, SW40VE, .40 pistol, Serial Number: PBM6524, which was not manufactured in the State of Texas, doing so in violation of 18 U.S.C. Section 922(g)(1).



Matthew B. McDavid  
Special Agent, ATF

Sworn to before me and subscribed in my presence this 28th day of April 2020, and I find probable cause exists.



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United States Magistrate Judge NANCY K. JOHNSON