

UNITED STATES DISTRICT COURT
for the
District of Nebraska

United States of America
v.
ADAM STUART VANNOY

SEALED

Case No. 4:21MJ3043

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 14, 2021 in the county of Lancaster in the
District of Nebraska, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: 18 U.S.C. § 922(g)(3) and 18 U.S.C. § 924(a)(2); On or about March 14, 2021, Defendant ADAM STUART VANNOY, knowing he was an unlawful user of Marijuana, a Schedule I controlled substance, knowingly possessed a firearm in and affecting commerce, and which had been shipped and transported in interstate commerce.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

[X] Continued on the attached sheet.

[Handwritten signature of Anthony Sorenson]

Complainant's signature

ANTHONY SORENSON, SPECIAL AGENT, ATF

Printed name and title

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

[X] Sworn to before me by telephone or other reliable electronic means.

Date: Mar 25, 2021

[Handwritten signature of Cheryl R. Zwart]

Judge's signature

City and state: Lincoln, Nebraska

CHERYL R. ZWART, U.S. MAGISTRATE JUDGE

Printed name and title

Affidavit in Support of an Arrest Warrant

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I am a law enforcement officer of the United States within the meaning of Title 18, United States Code (U.S.C.), 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, U.S.C., Section 2516. I have been so employed by the ATF since 2016. I attended the Special Agent Basic Training program at the ATF National Academy and the Criminal Investigator Training Program at the Federal Law Enforcement Training Center. As such, your affiant is empowered to conduct investigations and make arrests for offenses against the laws of the United States of America. Your affiant has conducted and/or participated in investigations related to federal firearms, narcotics and arson violations.
2. Your affiant, being duly sworn, states the following to be true and correct to the best of his knowledge and belief based upon his personal observations and from information provided by knowledgeable law enforcement agents and officers who are involved in the investigation of Adam Vannoy.
3. As a result of my training and experience as an ATF Special Agent, I am familiar with federal criminal laws and know that it is unlawful for persons who are unlawful users of any controlled substance to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition, or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, as stated in Title 18 United States Code, Section 922(g)(3).
4. On March 14, 2021, AT 11:19 am, a person traveling on Interstate 80 called into police dispatch to report that a white vehicle displaying a Colorado license plate "NOHATE" had been tailgating him, passed him twice, and then accelerated to that the caller estimated to be 120+ mph. The identity of the caller is known to law enforcement.
5. Nebraska State Patrol (NSP) Trooper Dunton was traveling east on Interstate 80 in Lancaster County when he encountered the above-described vehicle also traveling east. The vehicle was in the third lane and traveling below the posted speed limit. Trooper Dunton began driving behind the vehicle to observe it's driving. The vehicle then activated it's turn signal

and then exited the interstate and pulled into the eastbound weigh station adjacent to Interstate 80 near Waverly, Nebraska. Trooper Dunton activated his emergency lights, and once the vehicle was stopped, approached the driver's side.

6. The driver of the vehicle was Adam Stuart Vannoy. While speaking with Vannoy, Trooper Dunton noticed that Vannoy had scabs on his nose and dried blood coming out of his left ear. Trooper Dunton asked Vannoy if he had been involved in a road rage incident. Vannoy said that while driving on the interstate, he encountered a white vehicle that had tinted windows and was driving without its lights on. He said the vehicle was traveling over 100 mph and Vannoy said he was attempting to harass the driver into turning its lights on.
7. As Vannoy was talking, Trooper Dunton noticed a glass bubbler, which is typically used to smoke marijuana, on top of Vannoy's belongs and near Vannoy's right leg. Trooper Dunton also saw a blow torch style lighter, which is also commonly found with people who use illegal drugs. Trooper Dunton noticed black marks on the glass bubbler consistent with it having been used to smoke a substance. Vannoy denied that it was being used and said he had it because he was moving. Vannoy began searching through the center console and Trooper Dunton noticed rolling papers which Vannoy showed to Trooper Dunton. Rolling papers are commonly possessed by people who use drugs such as marijuana. Vannoy continued to search through the center console and pulled out a cigarette rolling box. He opened it and showed it to Trooper Dunton. Trooper Dunton saw what he, based on his training and experience, believed to be a marijuana bud inside the box. Vannoy quickly closed the box and tried to conceal it. Trooper Dunton told Vannoy that he had seen it and Vannoy then handed Trooper Dunton the box. Vannoy handed Trooper Dunton his Colorado driver's license and a Colorado permit to carry a concealed handgun. When asked, Vannoy said that he had a pistol in his jacket pocket. Trooper Dunton asked Vannoy to remove his jacket. (The jacket was later searched and a Sig Sauer P365 handgun was found inside a pocket.)
8. Trooper Dunton then asked Vannoy to have a seat with him inside Dunton's patrol vehicle. Vannoy told Trooper Dunton that he was moving from Colorado. Trooper Dunton asked him where he was moving to and Vannoy said he did not know, but his family all lived in Pennsylvania. Vannoy asked Trooper Dunton what charges he was facing. Trooper Dunton said it depends and told Vannoy that he would be searching the vehicle. Vannoy said that he

was a firearms enthusiast and said that there were several firearms haphazardly placed in the vehicle. Vannoy told Trooper Dunton that he was leaving Denver before he was killed. Vannoy said his neighbors did not like him because when he moved into the area he raised the property values. Vannoy said he had a three-year feud with one neighbor and they had gotten into a fist fight. Vannoy said he had a mental breakdown and quit his job. Trooper Dunton asked if there was anything else illegal in the car, and Vannoy said he had more marijuana. Vannoy said it was legal where he was coming from and legal where he was going. Vannoy told Trooper Dunton that he almost became a Colorado State Patrol officer, but he stopped the process at the psych eval. He then stated that he should have been a better boy while driving. Vannoy further stated that he told his mom that he hoped he did not get pulled over because he would have a difficult time explaining all of the guns and loose ammunition in the vehicle.

9. Trooper Dunton's patrol rifle was locked in a position between the front seats. While looking at Trooper Dunton, Vannoy reached for the end of Trooper Dunton's patrol rifle and made a motion that indicated that he had a silencer in his vehicle. Trooper Dunton asked if he had a permit for the silencer. Vannoy said that he did not, but that he would tell Trooper Dunton the whole story. Vannoy said that he bought the item as a "solvent trap," and when it arrived, it was unfinished without a hole on one end. Vannoy said that he drilled a hole in the end so he could shoot through it. Vannoy said that everything else he had talked about paled in comparison to this. Vannoy began to scratch his arms to the point that they began to bleed. Vannoy said that the stress in his life causes him to pick and scratch. Vannoy said that was a serious offense, that this was going to dramatically change his life, and that it was stupid to have put it on the end of his gun and in his vehicle.
10. Your affiant knows that illegal silencers are sold online and are sometimes advertised on social media. The items are typically manufactured and shipped from foreign countries, such as China. The devices are advertised as "solvent traps" or "fuel filters," and will be made to fit on the end of a firearm with a threaded barrel. One end of the silencer typically will not have a whole and will need to be drilled out by the purchaser to help it avoid being discovered to be a silencer. Once the end is drilled out, the item is a silencer and will function as such. What Vannoy was describing is consistent with these types of illegal silencers that are sold online.

11. Vannoy then told Trooper Dunton about an incident where he randomly met a Middle Eastern male at a gas station. The Middle Eastern man offered to sell Vannoy a \$16,000 Rolex watch for \$600. Vannoy said that he then drove from Stranton back to Denver to obtain the money to pay for the Rolex.
12. After other officers arrived, Trooper Dunton began searching Vannoy's vehicle. Trooper Dunton located an AR-15 style rifle. The rifle was loaded with a round in the chamber and a silencer was firmly affixed to the end of the barrel. There was no serial number on the silencer. (The absence of a serial number is consistent with the illegal silencers sold online as described above.) That rifle was located between the driver and passenger seats. The rifle was an Anderson Manufacturing AM-15 rifle. Trooper Dunton also located coffee cans and Tupperware containers full of miscellaneous ammunition. Another rifle was found, as well as another glass pipe with burnt markings consistent with it having been used.
13. Trooper Dunton then informed Vannoy that he was under arrest and not to say anything until after he was advised of the *Miranda* warnings, which Trooper Dunton would do later. After being arrested and placed in the back of the patrol car, Vannoy became increasingly agitated. Vannoy continued to talk as Trooper Dunton was driving him to the Lancaster County Jail. At one point, Vannoy said that he was going to use his time in jail to think about getting even with people. The manner in which Vannoy made that comment led Trooper Vannoy to believe it was a threat directed at Trooper Vannoy.
14. Due to the wind and the number of items in Vannoy's vehicle, Trooper Dunton determined that it would have to be towed to a different location to finish the search.
15. During a search of the vehicle by Trooper Dunton, more firearms were located, three (3) grams of marijuana, one (1) grams of wax labeled as 66% THC, and an unlabeled pill bottle containing Venlafaxine (an anti-depressant and anti-anxiety medication) were located. In addition to the above, a Kevlar (bullet proof) blanket, Kevlar (bullet proof) vest, two (2) brown hair wigs, Air Force jumpsuit costume in package and body camera were located in the vehicle. In total, six firearms were located.
16. Vannoy does not have a silencer registered to him with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and during the course of the traffic stop, he admitted that he knew it was illegal to possess.
17. On March 15, 2021, Trooper Denton went to the jail to obtain Vannoy's phone from

property, while at the jail Trooper Denton was made aware of comments and behavior Vannoy has made while at the jail. Vannoy had made numerous threats toward guards, threatening to kill one of them, exposed his penis to the guards, and had thrown his feces from his cell into the common holding area.

18. Vannoy was released on bond from the Lancaster County Jail on March 17, 2021. On March 23, 2021, Vannoy attempted the purchase of an AR-15 style rifle from Sportsman's Warehouse 120 in Ankeny, Iowa. The store denied the sale after comments made by Vannoy. Vannoy stated that he was surprised that his friends hadn't called him to see if it was him in the mass shooting in Colorado. Vannoy stated that he had also had five hundred (500) rounds of ammunition in his truck. With the recent event of a mass shooting in Colorado and Vannoy's statement, the gun store denied the sale and notified the Bureau of Alcohol, Tobacco, Firearms and Explosives.
19. This affiant states that the above statements and facts are true and correct to the best of my knowledge, information and belief. It is requested that arrest warrants be issued for the person listed above for violation of Title 18 United States Code, Section 922(g)(3), in relation to this investigation based on probable cause, statements by the subjects and evidence obtained during the arrest of the individual. This violation occurred within Lancaster County, in the District of Nebraska.
20. Your affiant knows that the above-described Sig Sauer P365 handgun, and the above-described Anderson Manufacturing AM-15 rifle, are not manufactured in the state of Nebraska and would have traveled in instate commerce.

Anthony Sorenson

SA Anthony Sorenson, ATF

Sworn before me by reliable electronic means. **Mar 25, 2021**

Cheryl R. Zwart

Cheryl R. Zwart, United States Magistrate Judge