

AO 91 (Rev. 8/88) Criminal Complaint

FILED
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEP 17 2007

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
CRIMINAL COMPLAINT
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

CASE NUMBER: 5:07 mj 034 TAG

Tyler Stumbo

(If search warrant is issued regarding this complaint, indicate above the case number assigned.)

I, Chad Plennes, being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between February 14, 2007, and on or about August 16, 2007, in Kern County, and elsewhere, in the Eastern Districts of California, and elsewhere,

The defendant did conspire to distribute and to possess with the intent to distribute anabolic steroids, a Schedule III controlled substance;

in violation of Title 21, United States Code, Section(s) 841(a)(1), 841(b)(1)(D), and 846 with a minimum penalty of ten years imprisonment and a maximum penalty of life imprisonment, \$250,000.00 dollar fine, and \$100 penalty assessment.

I further state that I am a Special Agent with the Drug Enforcement Administration (DEA) and that this complaint is based on the following facts:

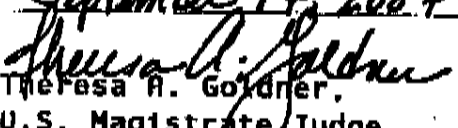
See Attachment A.

Continued on the attached sheet and made a part hereof: Yes No


Chad Plennes, Special Agent, DEA

Sworn to before me and subscribed in my presence,

at Bakersfield, California

September 17, 2007 (Date)

Theresa A. Goldner,
U.S. Magistrate Judge

AFFIDAVIT

I, Chad Plennes, Special Agent, U.S. Department of Justice, Drug Enforcement Administration (DEA), being duly sworn, state:

EXPERTISE

1. I am a Special Agent ("SA") of the DEA and have been so employed by the DEA since March, 2005. I am currently assigned to the DEA Bakersfield Resident Office to investigate large-scale narcotics organizations. Prior to my employment with DEA, I was a licensed police officer in the State of Wisconsin from 1999 to 2005. As a patrol officer, I worked for the Village of Brown Deer, Wisconsin. To become a licensed police officer in Wisconsin, I completed a four year college program that included instruction in general investigations and law enforcement procedures for enforcing Wisconsin State Statutes.
2. I have worked and conferred with various experienced narcotics agents and officers who are trained in narcotic investigations, and I have drawn from their knowledge and expertise in the field of narcotic enforcement. I have spoken with and arrested many suspects engaged in narcotic trafficking.
3. I am an investigative or law enforcement officer of the United States empowered by law to conduct investigations and make arrests for offenses enumerated in the United States Code.
4. As a result of my participation in this investigation, and through review and analysis of information received from various sources, including other law enforcement agencies, law enforcement investigators, and information yielded from law enforcement databases, I am familiar with all aspects of this investigation. On the basis of this familiarity and other information which I have reviewed and determined to be reliable, I

allege the following in support of the issuance of a criminal complaint. This affidavit does not purport, however, to contain each and every fact known to me as a result of this investigation but rather sets forth sufficient information to reach a determination that there is probable cause to believe that Tyler STUMBO conspired with others to distribute and to possess with intent to distribute anabolic steroids, a Schedule III controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(D), and 846.

STATEMENT OF PROBABLE CAUSE

OVERVIEW OF INVESTIGATION

1. During the months of January and February 2007, at the direction of DEA Special Agent ("SA") Jack Robertson, DEA Confidential Source ("CS") conducted a series of undercover e-mail negotiations from an undercover e-mail address with an illicit anabolic steroid manufacturer/distributor OSOCA LABORATORIES ("OSOCA") using the e-mail address, osocabro@hushmail.com. OSOCA advertises by posting a price list and payment information on the discussion board, www.bodybuildingclassifieds.com.

The advertisement posted on www.bodybuildingclassifieds.com on August 29, 2006, by OSOCA was similar to the following:

"Hello all!

My name is Oble, I run a small lab here in the states. I currently dont sell online, however, I am doing my homework as we speak and am looking forward to switching my operations into the 21st century!

Let me bore all of you real quick with my story...

I've been using anabolics for many years now. Back in the day, there were no

online sources, not many UGLs (Under Ground Lab), no WU (Western Union), no e-gold, and nobody even knew what a message board was outside of the grocery store. These were the times when you actually had to drive to Mexico or hook up with a local bro.

This is when I started selling gear.

In the beginning, I was a Mexico runner, just hooking up bros. I then started buy larger quantities, and supply local sellers, and turning a profit. Then I discovered some of the very first online sources, and started buying from them. Things became cheaper and safer. Then the UGLs started popping up, and I started dealing with pretty much all of them. Once again, even cheaper.

The next step in my evolution was buying unlabeled bulk vials from an UGL (who so happened to turn scammer and took me for 9k bucks) And relabeling them with my own labels. After my big loss, I started experimenting with brewing my own gear. This is now one of my favorite past times, and I have been doing it for about 1.5 years now. This significantly dropped the price of my gear, and I now have about 8 bros who sell for me here in California. This is what I am trying to get away from, I'm not as cocky as I use to be, and now that I am married, I want the safety of doing it online. I feel I am doing way to much volume, and that my luck will some day run out. I've given my local bros a heads up that I am getting out of the business (even though I'm not, I'm just switching up my operation). So that's my story. I will be posting in the open classifieds soon (hopefully within a month) with pics of all my goods, and a full price list. I will also be giving away a ton of freebies to get my name out there. I'm currently building up my stock to

a comfortable level (I want a good couchin for my launch so nobody gets left out). If you want a preview price list, please feel free to drop me a PM.

My business philosophy is keep the prices low, and keep the volume high, this is good for my suppliers, my customers, my customer's customers, and in the end, ME!

Thanks for all your time, if you are reading this, please introduce yourself!

Stay safe

-Oble"

2. Oble is a moniker used by the operator of OSOCA while communicating on bodybuilding forums and emails. Shortly after posting this introduction, OSOCA began posting pictures on www.bodybuildingclassifieds.com of anabolic steroids available for sale through his company.

3. On January 25, 2007, OSOCA responded to the CS's inquiry detailed in paragraph one (1). The e-mail confirmed the CS's order and provided detailed payment instructions. The order total was \$225.00 which included \$15.00 for shipping. OSOCA instructed the CS to send payment via Western Union to Marlo Hernandez, Bakersfield, California. On January 26, 2007, S/A Jack Robertson as witnessed by Diversion Investigator (D/I) Darn White sent \$243.99 (\$18.99 Western Union Fee) via Western Union (MTCN #587-276-1936) for the above referenced purchase of anabolic steroids. On January 26, 2007, the CS e-mailed OSOCA that the funds had been sent via Western Union. In the e-mail, the CS provided an undercover postal mail box ("PMB") in San Diego, CA for the anabolic steroids to be shipped to. On February 6, 2007, S/A Kevin Tidwell took custody of the exhibit from the undercover postal mailbox

in San Diego, CA. S/A Tidwell later provided custody of the package to (D/I) White. The return address listed the sender as Thermatech, 1226 Brimhall, Ste 13, Bakersfield, CA 93312. The USPS Priority Mail package contained two (2) vials and three (3) bottles of anabolic steroids all which were labeled "OSOCA." The vials and bottles were processed into evidence by D/I White and forwarded to the DEA Southwest Lab for analysis and safekeeping. Two of the three steroids later tested positive as anabolic steroids. The third steroid exhibit is still pending analysis.

4. On June 6, 2007, DEA SA Shawn Riley received three CD'S via Fed Ex from the DEA San Diego Division Office. The CD's were the results of a mutual legal assistance treaty ("MLAT") executed on Hush Communications Inc, based in Canada, for e-mail addresses osocabro@hushmail.com and obl1st@hushmail.com. Hush Communications Inc., also known as Hush Mail, is a free encrypted email communication system that claims to ensure the security, privacy, and authenticity of emails sent and received by it's users. A majority of source of supplies ("SOS") that are distributing raw steroid product from China, operators of UGL in the United States who convert anabolic steroid powders into usable injectable or oral anabolic steroids, and customers of the UGL'S utilize Hush Communications Inc, to facilitate the manufacturing, distribution, and purchase of illicit anabolic steroids.

5. A review of e-mails from e-mail address osocabro@hushmail.com between February 14, 2007 and May 17, 2007, revealed OSOCA filled 88 separate anabolic steroid orders for a total sale of \$36,024.00. During a review of the e-mails, SA Shawn Riley identified OSOCA'S Chinese SOS for bulk powdered anabolic steroids as "GLP". GLP was using the email address glpinternational@hushmail.com to communicate with

OSOCA. The e-mails between osocabro@hushmail.com and glpinternational@hushmail.com showed there were two shipments of bulk powdered anabolic steroids from GLP to OSOCA. Both orders were sent to Tyler STUMBO at 9530 Hageman, Suite B, #192, Bakersfield, CA. An address check revealed 9530 Hageman, Suite B, Bakersfield, CA is a UPS Store.

6. On June 8, 2007, SA Shawn Riley and SA Chad Plennes brought Administrative Subpoena 2007-197 to the UPS Store for the customer of box #192. The UPS Store provided the "mailbox service agreement" for box #192 which identified the customer name as Tyler STUMBO, address: 4101 California Avenue, and phone number: 661-703-2480. A copy of STUMBO'S California driver's license and Fitness 19 membership card were attached to the agreement.

7. SA Riley conducted a records check of properties associated with STUMBO which revealed STUMBO purchased a residence located at 5702 Rockwell Drive, Bakersfield, CA on October 23, 2006 for \$420,000.

8. On June 15, 2007, SA Shawn Riley received the results of employment history sent to the California Employment Development Department for STUMBO. The results indicated STUMBO had employment history at Abercrombie and Fitch Stores for four quarters in 2004, four quarters in 2005, and the first and second quarters in 2006. The results indicated STUMBO had employment history at Mor Furniture for Less for the third and fourth quarter of 2005 and the first and second quarter of 2006. Since July 2006, nearly 14 months, STUMBO has no documented employment history.

9. On June 15, 2007, SA Shawn Riley received the results of Administrative Subpoena 2007-190 sent to Bright House Networks/Road Runner for Internet protocol

("IP") addresses associated with osocabro@hushmail.com which is used by OSOCABRO LABS. The results of the MLAT conducted on osocabro@hushmail.com included an IP log associated with access to this e-mail account. SA Riley conducted a sampling of eight IP addresses logging onto the osocabro@hushmail.com e-mail account between March 29, 2007 and May 17, 2007 and requested the subscriber using the IP addresses. Bright House Networks/Road Runner indicated the eight IP addresses sampled were accessed by account 609020-03 subscribed to "Tyler S. STTUMBO" with a listed address of 5702 Rockwell Drive, Bakersfield, CA 93308 and phone number 661-703-2480. This account was installed on November 29, 2006 and is currently active.

10. On June 25, 2007, SA Shawn Riley received the results of Administrative Subpoena 2007-199 sent to Green Dot Corporation. The subpoena was for 24 Green Dot money packs identified during a review of e-mails sent to OSOCABRO@HUSHMAIL.COM. Green Dot Corporation is a type of prepaid credit card. Users of Green Dot credit cards can "reload", or add funds to their card using "money packs". A money pack is an electronic transfer of funds to a card. A money pack can be purchased at various locations and is represented by a series of numbers. Customers e-mailed money pack numbers to OSOCABRO LABS to pay for anabolic steroid orders. As stated above, a review of the emails between March 6, 2007 and May 15, 2007, indicated OSOCABRO LABS filled 88 orders of anabolic steroids for customers. Some of these orders were paid for using Green Dot money packs. Green Dot Corporation indicated 22 of the money pack numbers sent by customers were used to reload card number 4852-8000-0133-3917. Green Dot Corporation indicated card

number 4852-8000-0133-3917 is subscribed to Tyler S. STUMBO, DOB: [REDACTED]
SSN: [REDACTED] Address: 9530 Hageman Road, Ste B192, Bakersfield, CA, and
phone number 661-703-2480. Two of the Green Dot money pack numbers could not
be identified. The results of this subpoena included account transaction details for card
number [REDACTED] SA Riley reviewed the transaction details and located
the following orders to companies supplying equipment used in the manufacturing and
distribution of anabolic steroids:

a. Date	Amount	Company	Supplier:
b. 01/18/2007	\$384.00	DAIGGER	Lab Equipment
c. 02/19/2007	\$143.00	Capsuline	Capsules
d. 03/30/2007	\$490.00	Le Melange	Lab Equipment
e. 04/28/2007	\$282.00	Research Supply	Lab Equipment
f. 05/01/2007	\$158.00	Research Supply	Lab Equipment
g. 05/09/2007	\$62.20	Le Melange	Lab Equipment
h. 05/23/2007	\$69.80	Le Melange	Lab Equipment
i. 05/24/2007	\$103.15	E-Bottles	Bottles
j. 05/24/2007	\$237.27	Col-Parmer	Lab Equipment

11. On July 10, 2007, at approximately 1:00 PM, Agents from the Bakersfield Resident
Office established surveillance in the area of 5702 Rockwell Drive, Bakersfield, CA.

SA Riley observed STUMBO departing the residence in a silver Dodge Charger.

12. On July 22, 2007, SA Shawn Riley, acting in an undercover capacity and using an
undercover email address, contacted OSOCABRO LABS at

osocabro@hushmail.com and placed an order for the following anabolic steroids:

- i. Dianabol 25 mg 100 count
- ii. Deca 600mg/ml x 2
- iii. Boldenon Undecylenate 400 mg/ml

13. The order totaled \$250. During subsequent e-mails, OSOCABRO LABS agreed to accept a Green Dot reload money pack for payment. On July 25, 2007, SA Chad Plennes withdrew official advanced funds ("OAF") in order to complete the transaction. SA Plennes and SA Riley purchased a Green Dot reload money pack in the amount of \$250. The money pack was represented by reload number 90024405778657. On July 25, 2007, SA Riley e-mailed reload number 90024405778657 to OSOCABRO LABS to complete the transaction. SA Riley asked OSOCABRO LABS when the anabolic steroids would be shipped. OSOCABRO LABS indicated the shipment would occur on Friday, July 27, 2007; however, this shipment was not received until Wednesday, September 12, 2007, in the undercover PMB located in San Diego, California. This shipment of suspected anabolic steroids is pending lab analysis.
14. On August 7, 2007, SA Riley received the results of Administrative Subpoena 2007-229 sent to Green Dot Corporation requesting the subscriber of the card used to load money pack reload number 90024405778657. On July 25, 2007, SA Riley emailed this reload number to osocabro@hushmail.com to pay for an order of anabolic steroids from OSOCABRO LABS. Green Dot Corporation indicated this reload number was uploaded onto account number 4852800001333917 registered to Tyler STUMBO, [REDACTED] Address: 9530 Hageman Road, Suite B 192, Bakersfield, CA; Phone: 661-703-2480.
15. On September 7, DEA SA Shawn Riley received nine CD'S via Fed Ex from the DEA San Diego Division Office. The CD's were the results of a second mutual legal assistance treaty ("MLAT") executed on Hush Communications Inc, based in

Canada, for e-mail addresses osocabro@hushmail.com, obl1st@hushmail.com, and qlpinternational@hushmail.com. The analysis of the second MLAT revealed 45 separate anabolic steroid orders between May 29, 2007, and August 20, 2007 for a total sale of \$18,977.00. Twenty two of the anabolic steroid orders were paid for by way of Green Dot. All of the money packs reloads were uploaded onto Green Dot account number 4852800001333917, which was previously identified as the account belonging to STUMBO.

CONCLUSION

16. Based on my training and experience and the information contained within this Affidavit, I believe that probable cause exists to believe that Tyler STUMBO conspired with others, known and unknown, to possess with intent to distribute anabolic steroids, a Schedule III controlled substance, with intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(D), and 846.
17. I swear that the facts presented herein are true and accurate to the best of my knowledge.



CHAD PLENNES
DEA Special Agent
Bakersfield Resident Office

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 17 DAY OF September, 2007.



THERESA GOLDNER
UNITED STATES MAGISTRATE JUDGE