

AO 91 (Rev. 11/11) Criminal Complaint

FILED
VANESSA L. ARMSTRONG, CLERK

UNITED STATES DISTRICT COURT

FEB 12 2020

for the

Western District of Kentucky

U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY

United States of America)

v.)

Patrick O'BRYAN)

Case No. 3:20-MJ-112

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 09/16/2019 to 02/11/2020 in the county of Jefferson in the
Western District of Kentucky, the defendant(s) violated:*Code Section**Offense Description*21 USC 841
21 USC 846Possession with intent to distribute controlled substances
Conspiracy to possess with intent to distribute controlled substances

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

SA Grant Baginski

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/12/2020

Judge's signature

City and state: Louisville, Kentucky

Regina S. Edwards, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Grant Baginski, having been duly sworn, depose and state:

1. I am a Special Agent of the U.S. Drug Enforcement Administration (DEA) assigned to the Louisville Division Office. As such, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, 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, United States Code, Section 2516 (1). From September 2011 to May 2018, I was employed by the Department of Homeland Security (DHS) as a Border Patrol Agent. Moreover, while employed with the DHS from November 2016 to May 2018, I was assigned as a Task Force Officer in a narcotics group with Homeland Security Investigations. Since May 2018, I have been a Special Agent of the Drug Enforcement Administration during which time I have specialized in investigations involving narcotics trafficking. I have received specialized training on the subject of narcotics trafficking and money laundering and have been personally involved in investigations concerning the possession, distribution, and importation of controlled substances, as well as investigations concerning the methods utilized to finance transactions, launder and transport drug proceeds, and conceal assets purchased with illegal proceeds. I have also participated in investigations involving the interception of both wire and electronic communication devices. This affidavit is based upon my personal knowledge, as well as information reported to me by other federal and local law enforcement officers and others with knowledge of the facts surrounding this case.
2. This affidavit is submitted in support of a criminal complaint and arrest warrant of Patrick O'BRYAN. I allege that the facts and circumstances outlined in this affidavit are indicative of probable cause to believe that Patrick O'BRYAN, on or about September 16, 2019, and continuing to on or about February 11, 2020, possessed with intent to distribute, and conspired to possess with the intent to distribute in excess of

100 kilograms of marijuana and in excess of 500 grams of cocaine in violation of Title 21, United States Code 841 (a) (1) and Title 21, United States Code 846.

Background of Investigation

3. On September 16, 2019, as part of a narcotics investigation, officers of the Jeffersontown, Kentucky, Police Department (JPD) served a search warrant at the residence of Patrick O'BRYAN, located at 3504 Marlin Drive, Louisville, Kentucky. Subsequent to the search warrant, officers located and seized approximately 860 pounds of marijuana discovered in a trailer located on the property as well as in a vehicle utilized by Frank MCKINNEY, approximately 2 kilograms of cocaine located in the garage, a combination of US Currency and suspected drug proceeds located in bank accounts totaling approximately \$470,000 USC, and approximately 20 firearms which were located throughout the residence. Approximately 30 pounds of the marijuana seized was recovered from a vehicle driven by Colsen ROMOSER, following a traffic stop of his vehicle after he was observed departing O'BRYAN's residence. In addition, Officers arrested Patrick O'BRYAN on state drug trafficking charges, and issued Commonwealth of Kentucky citations to Frank MCKINNEY and Colsen ROMOSER for drug trafficking charges.
4. Upon executing search warrants on a cellular telephone seized from Patrick O'BRYAN, text conversations were discovered in which O'BRYAN was coordinating shipments, with multiple individuals, of marijuana, totaling over 1,000 pounds, to Louisville, Kentucky.
5. Through a continuing investigation of the O'BRYAN Drug Trafficking Organization (DTO), law enforcement identified multiple co-conspirators, to include Josh ANDRESS and Karl CALLOWAY.

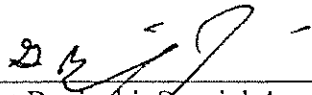
6. On February 11, 2020, JPD officers and Agents from the Drug Enforcement Administration (DEA) Louisville Division Office (LDO) received information from a reliable confidential informant (RCI) that ANDRESS would be receiving an additional load of marijuana, on behalf of the O'BRYAN DTO, from CALLOWAY. While information provided by the RCI has not previously lead to arrests or seizures, the information provided by the RCI has been corroborated by law enforcement and has been shown to be reliable. At approximately 7:10 pm JPD, in conjunction with agents and officers from the LDO established surveillance of ANDRESS at Mac's Dough House, located at 10509 Watterson Trail, Jeffersontown, Kentucky. Upon establishing surveillance, investigators identified ANDRESS meeting with CALLOWAY and O'BRYAN. A short time later, investigators received information from the RCI that ANDRESS had received the load. At approximately 8:00 pm, ANDRESS and CALLOWAY were observed by law enforcement exiting Mac's Dough House and walking to the parking lot. At that time members of JPD and the LDO detained ANDRESS and CALLOWAY as they were entering their vehicles.
7. After being advised of his Miranda Warnings by JPD Detective Matt Pribble, CALLOWAY stated he had several pounds of marijuana in his vehicle. A subsequent search of the trunk revealed a small suitcase containing a large quantity of suspected marijuana.
8. At that time, members of JPD and the LDO approached O'BRYAN inside Mac's Dough House and placed him under arrest.
9. Following the execution of search warrants at the residences of O'BRYAN and ANDRESS, ANDRESS was interviewed at the Jeffersontown Police Department. After being advised of his Miranda Warnings by JPD Detective Matt Pribble, ANDRESS stated CALLOWAY had transported the load of marijuana from

Lexington, Kentucky, and that he was receiving the load of marijuana on behalf of the O'BRYAN DTO.

Summary


10. Based on the above information, with the evidence seized, and based on my training and experience it is believed that Patrick O'BRYAN knowingly and intentionally possessed with intent to distribute, and conspired to possess with intent to distribute in excess of 100 kilograms of marijuana and in excess of 500 grams of cocaine in violation of Title 21, United States Code 841 (a) (1), and Title 21, United States Code 846.

Further your affiant sayeth naught.



Grant Baginski, Special Agent
U.S. Drug Enforcement Administration

Sworn to me and subscribed before me this 12th day of February, 2020.



Regina S. Edwards
United States Magistrate Judge