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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA
SOUTHERN DISTRICT OF CALIFORNIA

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4	UNITED STATES OF AMERICA,		MAGISTRATE CASE NO.
5		BY <u>Rm</u>	DEPUTY <u>[Signature]</u> DEPUTY
6	Plaintiff,)	COMPLAINT FOR
7)	VIOLATION OF
8	v.)	'07 MJ 0603
9)	
10	JOHN ALAN CARMAN,)	Title 18, U.S.C., Section 956
11)	Conspiracy to kill, kidnap,
12)	maim, or injure persons or
13	Defendant)	damage property in a foreign
14)	country

The undersigned complainant, being duly sworn, states:

Beginning in or about January 2007 and continuing up to and including March 2007, within the Southern District of California, defendant JOHN ALAN CARMAN, has conspired with others known and unknown to kidnap K.A.M., a United States citizen, in Mexico, which act would constitute the offense of kidnapping if committed in the territorial jurisdiction of the United States.

In furtherance of said conspiracy and to effect and accomplish the objects thereof, the following overt act, among others, were committed within the Southern District of California, and elsewhere:

In March 2007, within the Southern District of California, a telephone number subscribed to by defendant John Carman was in contact with a telephone number subscribed to by G.L., K.A.M.'s ex-husband.

All in violation of Title 18, U.S.C., Section 956(a).

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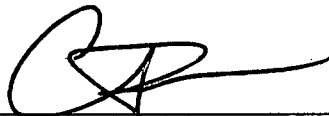
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ORDERED SEALED BY COURT
of 3.19.07

1 And the complainant states that this complaint is based on the
2 attached Probable Cause Statement incorporated herein by reference.

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4 MICHAEL LOMBARDI, Special Agent
Federal Bureau of Investigation

5 SWORN TO ME AND SUBSCRIBED IN MY PRESENCE THIS 16th DAY OF MARCH
6 2007.

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8 HONORABLE CATHY ANN BENCIVENGO
9 UNITED STATES MAGISTRATE JUDGE

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1 CONTINUATION OF COMPLAINT:
2 UNITED STATES v. JOHN ALAN CARMAN

3 PROBABLE CAUSE STATEMENT

4 I, Special Agent Michael Lombardi, declare under penalty perjury,
5 the following is true and correct:

6 These facts are based on my personal participation in this
7 investigation, as well as written and oral statements received from
8 other law enforcement officers. I submit that the facts contained in
9 this statement to demonstrate that probable cause exists to believe
10 that the defendant named in the attached complaint committed the crime
11 charged in the complaint. Additionally, since this statement is being
12 submitted for the purpose of supporting a criminal complaint, I have
13 not included each and every fact known to me about the defendants or
14 this investigation. I have included only those facts which I believe
15 are necessary to establish probable cause to believe that the
16 defendant has committed the crime alleged in the complaint.

17 On February 22, 2007, the FBI Yuma Resident Agent (YRA) was
18 contacted by a Source of Information (SOI) regarding a possible plot
19 to kidnap a United States Citizen. The SOI advised YRA that a private
20 investigator in the San Diego, California area named John Carman,
21 solicited the SOI to assist in abducting a woman named K.A.M. while
22 she is on vacation in Mexico. According to the SOI, Carman is
23 conspiring along with the parents of K.A.M. and K.A.M.'s ex-husband,
24 subsequently identified as G.L., to abduct K.A.M. in Mexico. The SOI
25 stated that Carman told him K.A.M.'s parents are willing to pay up to
26 one million dollars ransom. According to Carman, he and the SOI can
27 keep whatever ransom is paid. G.L. and K.A.M. have two children,
28 which K.A.M. intends to take on vacation with her to Mexico on or
about March 25, 2007. Carman told the SOI that G.L. only wants to

1 take the children away from K.A.M. and have her declared an unfit
2 mother. According to Carman, G.L. and K.A.M. are presently engaged
3 in a custody dispute over the children.

4 On March 6, 2007, YRA contacted the San Diego Division of the
5 FBI. Subsequently, your affiant contacted the SOI and was advised of
6 certain other details of the kidnapping plot. On March 11, 2007, the
7 SOI informed your affiant that Carman's plan is to have K.A.M. stopped
8 by the SOI and other people dressed as Mexican police officers or law
9 enforcement officers and stage a mock arrest of her. The SOI stated
10 that Carman told him K.A.M. uses methamphetamine and will have some
11 on her when she is stopped. After she is "arrested," G.L. will come
12 to take possession of the children, leaving the SOI to stage a mock
13 kidnapping of K.A.M., have K.A.M. call her parents, and demand one
14 million dollars in exchange for K.A.M.'s release. According to the
15 SOI, Carman was approached by K.A.M.'s ex-husband sometime in January
16 2007 with this plan.

17 The SOI provided your affiant with e-mails between himself and
18 Carman documenting the conspiracy. The SOI also gave your affiant
19 verbal permission to search his e-mail account with AOL and provided
20 his password.

21 An e-mail, dated February 4, 2007, from Carman to the SOI
22 contains the following relevant details:

23 We need to concentrate on [K.A.M.] and
24 her boyfriend during Easter in Cabo or
25 Cancun (Helicopter ride)(BIG MONEY
26 CASE). It is imperative that she is
27 arrested and is a known drug user.
28 (grass, meth, pills). The ex-
boyfriend just told me WE get to keep
any money which is paid for her
release. I may have to have you
deposit my share in my wife's account
or have you send me a bank check.
(less than \$5,000 each cashiers or

American Express travelers checks)
Then I can deposit it monthly. (no
cash or it gets reported)

The SOI advised that the ex-boyfriend is really the ex-husband,
later identified as G.L..

In an e-mail dated February 23, 2007, Carman told the SOI that
he has "personally observed" K.A.M. driving her vehicles around town.
Carman also provided the SOI with K.A.M.'s home address in San Diego,
California. Your affiant confirmed that one of the vehicles is
registered to K.A.M.'s parents.

In an e-mail dated February 28, 2007, Carman informed the SOI
that K.A.M. will be staying at the Mimi Del Mar Hotel, in Playa Del
Carmen, Mexico, from March 28, 2007, through April 5, 2007.

On March 13, 14, and 15, 2007, your affiant met with the SOI at
the San Ysidro Port of Entry, San Ysidro, California, for the purpose
of recording telephone calls between the SOI and Carman, with the
SOI's consent. The SOI was deported to Mexico from the United States
in December 2006 and does not have permission to enter the United
States. The SOI's criminal history includes convictions for being an
illegal alien found in the United States without permission and for
making false statements to law enforcement officers.

On March 13, 14, and 15, 2007, your affiant and other special
agents of the FBI remained with the SOI and monitored three telephone
calls to Carman while the SOI was in the territorial jurisdiction of
the United States.

On March 13, 2007, the SOI voluntarily placed a consensually
recorded telephone call to Carman's cellular telephone number. During
the conversation with the SOI, Carman indicated he wants the SOI to
stage an "arrest" of K.A.M. at the hotel she has reservations at in

1 Mexico. According to Carman, K.A.M. and her family often stay at this
2 particular hotel, the Mimi Del Mar Hotel, Playa Del Carmen, Mexico.
3 Carman told the SOI K.A.M. is a "meth user" and should have drugs on
4 her person or in the hotel room with her. The SOI asked Carman
5 whether "[K.A.M.] goes by any other names," and Carman said no, just
6 "[K.]." The SOI asked Carman to email the SOI pictures of K.A.M. and
7 her children.

8 Carman then gave the SOI information about the children that
9 K.A.M. will have with her on vacation, including their names and ages.
10 Your affiant has verified the names given are accurate. Carman
11 instructed the SOI to have the children stay with people at the hotel
12 until someone from K.A.M.'s family can pick them up. The SOI was then
13 instructed to tell K.A.M. she is going to jail for a long time and
14 will lose her children unless she "pays a fine." Carman told the SOI
15 to come up with a monetary figure he believes K.A.M. or her family
16 will pay. Carman anticipates K.A.M. will call her parents and, once
17 they have wired the requested money to the SOI, the SOI can "release"
18 K.A.M.

19 On March 14, 2007, your affiant reviewed the SOI's e-mails, with
20 his consent, and found four e-mails from Carman's Earthlink.net
21 account. In an e-mail titled "suspect picture," Carman attached a
22 picture of K.A.M., which your affiant verified through California
23 Department of Motor Vehicle records. In an e-mail titled "suspect's
24 boys at beach," Carman attached pictures of K.A.M.'s two sons and an
25 unknown male. Based on your affiant's review of known pictures of
26 G.L. and the pictures e-mailed to the SOI by Carman, the male with
27 K.A.M.'s children is G.L.
28

1 On the evening of March 14, 2007, your affiant showed the SOI a
2 photographic line-up of six similar-looking adult white males. The
3 SOI positively identified the individual in photograph four as the
4 individual he has been communicating with him via telephone and e-mail
5 to kidnap K.A.M. The individual in photograph four is John Carman.

6 The same evening, the SOI voluntarily placed another consensually
7 recorded telephone call to Carman on his cellular telephone.
8 Surveillance operatives of the FBI were watching Carman's residence
9 at the time the call was made and confirmed that Carman was inside his
10 residence in the United States, 8633 La Mesa Boulevard, La Mesa,
11 California, for the duration of the telephone call. During the call,
12 Carman told the SOI that "these people" have money and encouraged the
13 SOI and his "friends" to ask for \$500,000.00 from K.A.M.'s parents for
14 her release. At the end of the conversation, Carman instructed the
15 SOI to "black out" the face of the man with the children in the
16 pictures. Carman told the SOI that the picture could imply the man
17 was involved or knew about the plot against K.A.M.


18 On the evening of March 15, 2007, the SOI voluntarily placed
19 another consensually recorded telephone call to Carman's cellular
20 telephone. Carman and the SOI discussed advance payment for the
21 uniforms and equipment that the SOI would need in order to stage a
22 mock arrest. Carman could not commit to providing the SOI with any
23 funds in advance. Carman affirmed that the pictures he sent via e-
24 mail on March 14, 2007, were of K.A.M. Carman also stated that he has
25 conducted surveillance of K.A.M. and commented that she looks just
26 like the picture he sent the SOI, except that she is thinner.

27 Carman also told the SOI that another person Carman discussed the
28 plot with thought it might be a good idea to approach K.A.M. as she
is coming out of a bar in Playa Del Carmen and stage the arrest at

1 that point. According to Carman, the other person said it would be
2 a good idea to "put something" in K.A.M.'s hotel room so that the SOI
3 and his associates can pretend to be "responding" to an anonymous tip.
4 The SOI again asked Carman about an advance payment for expenses.
5 Carman responded if K.A.M. is "arrested" and the SOI "puts her on the
6 phone to pay that bail money or whatever - They'll pay whatever they
7 have to pay."

8 Based on the above, your affiant has probable cause to believe
9 that John Alan Carman has knowingly and intentionally conspired with
10 others known and unknown to kidnap and hold for ransom K.A.M., a
11 United States citizen, in Mexico, and has committed an overt act in
12 furtherance of said conspiracy while in the territorial jurisdiction
13 of the United States in violation of Title 18, U.S.C., Sections 956.

14 DATED THIS 16TH DAY OF MARCH, 2007.

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17 MICHAEL LOMBARDI, Special Agent
18 Federal Bureau of Investigation
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