

UNITED STATES DISTRICT COURT
for the
Western District of Missouri

United States of America
v.
Edward John Maher
[DOB: 06-02-1955]
Case No. 12-2051JCE-01
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 February 8, 2012 in the county of Christian in the
Western District of Missouri, the defendant(s) violated:

Code Section 18 U.S.C. s. 922(g)(5)
Offense Description in that EDWARD JOHN MAHER, the defendant, then being an alien illegally and unlawfully in the United States did knowingly possess in and affecting interstate commerce, firearms, those are, a black Hi-Point, Model JHP, .45 caliber pistol, serial number 449068, a black Jennings, Model 48, .380 pistol, serial number 583190, a Mauser 7.62x39 rifle, serial number 8328, or a black Mossberg 702 Plinkster, .22 caliber rifle, serial number 61-13-002918-06, all in violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(2).

This criminal complaint is based on these facts:

See the attached affidavit prepared by Special Agent Jeffrey W. Atwood, Federal Bureau of Investigation.

Continued on the attached sheet.

/s/ Jeffrey W. Atwood
Complainant's signature

SA Jeffrey W. Atwood
Printed name and title

Sworn to before me and signed in my presence.

Date: 02/09/2012

/s/ James C. England
Judge's signature

City and state: Springfield, Missouri

United States Magistrate Judge James C. England
Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**AFFIDAVIT**

I, Jeffrey W. Atwood, a Special Agent of the Federal Bureau of Investigation (FBI), being duly sworn, depose and state the following:

1. I have been employed as a Special Agent of the FBI for approximately twelve years. I am currently assigned to the Kansas City Division, Springfield, Missouri Resident Agency. As a Special Agent of the FBI, I am responsible for investigating violations of various federal statutes, including bank robbery. I am authorized to execute warrants issued under the authority of the United States.
2. This affidavit is made in support of a Criminal Complaint charging EDWARD JOHN MAHER (white male date of birth 6/2/1955) with violation of Title 18, United States Code, Section 922(g)(5) Unlawful Possession of a Firearm by an alien who is illegally in the United States, violation of Title 18, United States Code, Section 1028(a) (4) Fraud in connection with identification documents and violation of Title 18, United States Code, Section 1001(a)(2) False Statements.
3. The information contained within this affidavit is based upon my own investigation and on information provided to me by other law enforcement officers whom I believe to be reliable.
4. On 2/7/2012, the Springfield Resident Agency of the FBI was contacted by officers of the Ozark, Missouri Police Department (OPD) who provided the following information: On or about 2/6/2012, OPD received information regarding a fugitive from England. The information included the following details: a man known as MICHAEL MAHER, may be a fugitive from England, that the man was actually EDWARD MAHER (aka EDDIE MAHER), was using the alias MICHAEL MAHER, and that MAHER was wanted in England for stealing a large amount of cash while he was working as a security guard. OPD officers corroborated the information they had received and compared a circa 1993 photo of EDDIE MAHER to a current Missouri Driver's License photo. OPD officers contacted the FBI.
5. SA Atwood reviewed the information provided by OPD and also conducted a comparison of the photographs. It was SA Atwood's opinion that the individuals in the photographs were very likely the same person.
6. On 2/7/2012, SA Atwood and SA Patrick Thomas conducted further investigation, which included the discovery of the following information from MAHER's adult son: On or about 2/6/2012, MAHER's adult son was arrested by the Nixa Police Department (NPD). MAHER responded to the NPD to post bond for his son. While MAHER was at NPD he also made a complaint to the NPD about one of his guns being stolen by his son's wife. After making the report, an NPD officer allegedly told

- MAHER that he was wanted in England, but that the officer could not arrest him. MAHER's son overheard what the NPD officer said, and asked MAHER about it after they left the police station. MAHER's son said that MAHER was irate. MAHER told his son that they would have to leave again, and threatened to kill the person who tipped the police off about his identity.
7. While MAHER's son was being interviewed by the FBI on 2/7/2012, OPD officers were conducting surveillance on MAHER's residence located at 5117 North 23<sup>rd</sup> Street, Ozark, Missouri. During the interview, MAHER called his son and told him that they had to leave immediately. MAHER's son told MAHER that he could not go with him. Shortly after the interview was concluded, OPD officers observed MAHER, a white female and a juvenile white male leave the residence carrying some clothing. MAHER and the others then drove away in one of MAHER's vehicles. OPD officers and FBI agents continued to conduct surveillance on MAHER and eventually followed him to a motel in Ozark, Missouri, where he, the female and juvenile male checked into a room.
  8. On 2/8/2012, MAHER's son contacted SA Atwood by telephone and said that he had just received a phone call from MAHER. MAHER told his son that he checked into the motel because he was afraid that the police were coming to his house to arrest him. MAHER told his son that he had changed his mind about leaving the area and that if the police were coming to arrest him, he would not resist. MAHER told his son that he was going back home. Surveillance confirmed that MAHER went back to his residence.
  9. On 2/8/2012, agents from the FBI and ICE made contact with MAHER at his residence. Upon contacting MAHER SA Atwood asked MAHER what his name was. MAHER responded that his name was MICHAEL MAHER and then advised that he had a Missouri Driver's License with his name on it. MAHER then showed agents his Missouri Driver's License which was in the name of MICHAEL MAHER. MAHER was subsequently taken into custody by ICE agents in order to determine his immigration status.
  10. SA Atwood then contacted MAHER's wife who was also at the residence. MAHER's wife identified herself as DEBORAH ANN BRETT. MAHER's wife provided information including the following: MAHER has used the aliases STEPHEN KING and primarily MICHAEL MAHER and alias date of birth 4/17/1951. MAHER used his brother's identification (MICHAEL MAHER) to obtain work and other state identification. BRETT said that MAHER purchased several firearms while he was in the United States. While at BRETT's residence, BRETT advised SA Atwood that several of MAHER's firearms were located under their bed. BRETT said that she did not want the firearms and she gave OPD officers permission to seize the firearms. OPD officers looked under the bed and located a black Hi-Point, Model JHP, .45 caliber pistol, serial number 449068 and a black Jennings, Model 48, .380 pistol, serial number 583190. Those firearms were recovered by OPD officers and placed into OPD evidence. BRETT also advised that several of

MAHER's firearms were located at a storage facility in Ozark, Missouri. BRETT accompanied SA Atwood and OPD officers to the storage facility advised that she did not want the firearms and voluntarily surrendered the OPD. Those firearms were located in a camper trailer which was inside of the storage facility. The following firearms were recovered by OPD: Mauser 7.62x39 rifle, serial number 8328, black Mossberg 702 Plinkster, .22 caliber rifle, serial number 61-13-002918-06. BRETT advised that all of the above firearms were purchased by MAHER.

11. On 2/8/2012, MAHER was interviewed while in ICE custody. SA Patrick Thomas conducted the interview. Prior to the interview MAHER was advised of his rights. MAHER acknowledged that he understood his rights and agreed to talk to SA Thomas without a lawyer present. MAHER also signed a written waiver of his rights. MAHER then provided the following information:
12. MAHER acknowledged that his true name is EDWARD JOHN MAHER and that his actual date of birth is 6/2/1955. He said that he has been using the alias of MICHAEL MAHER since approximately 1998, when he began working in the United States. MICHAEL MAHER is actually EDWARD JOHN MAHER's brother who currently lives in England. MAHER acknowledged that neither he nor his brother, are United States citizens and that he is in the United States illegally. MAHER said that he obtained a Social Security Account Number using the alias of MICHAEL MAHER. MAHER said that he used his brother's name and obtained false identification in the United States in order to conceal his true identity because he was wanted for a crime that he committed in England.
13. MAHER advised that he owns the following firearms: .45 caliber pistol, .380 caliber pistol, .22 caliber rifle and a Moisan Nagant rifle. MAHER did not elaborate on when or where he purchased all of the firearms. However, he did recall purchasing the Moisan Nagant rifle at a sporting goods store in the United States. He said that he kept them at his residence.
14. None of the following firearms were manufactured in the State of Missouri: a black Hi-Point, Model JHP, .45 caliber pistol, serial number 449068, a black Jennings, Model 48, .380 pistol, serial number 583190, a Mauser 7.62x39 rifle, serial number 8328, or a black Mossberg 702 Plinkster, .22 caliber rifle, serial number 61-13-002918-06. Therefore, these weapons would have travelled in interstate commerce prior to being possessed in the State of Missouri.

15. Based upon the facts and circumstances as set forth above, I respectfully submit that probable cause exists to believe that EDWARD JOHN MAHER violated Title 18, United States Code, Section 922(g)(5) Unlawful Possession of a Firearm by an alien who is illegally in the United States, Title 18, United States Code, Section 1028(a) (4) Fraud in connection with identification documents and Title 18, United States Code, Section 1001(a)(2) False Statements.

\_\_\_\_/s/ Jeffrey W. Atwood\_\_\_\_\_  
Jeffrey W. Atwood

Special Agent  
Federal Bureau of Investigation

Sworn and subscribed to me February 9, 2012, at Springfield, Missouri.

\_\_\_\_/s/ James C. England\_\_\_\_\_  
James C. England  
United States Magistrate Judge