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U.S. DISTRICT COURT
DISTRICT OF NEVADA

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7 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,
9 Plaintiff,

10 v.

11 CLIVEN D. BUNDY,
12 Defendant.

) CRIMINAL COMPLAINT

) Case No.: 2:16-mj-000127-PAL

) VIOLATIONS:

) 18 U.S.C. § 371 – Conspiracy to Commit
) An Offense Against the United States;

) 18 U.S.C. § 111(b) – Assault on a Federal
) Law Enforcement Officer;

) 18 U.S.C. § 924(c) – Use and Carry of a
) Firearm In Relation to a Crime of
) Violence;

) 18 U.S.C. § 1503 – Obstruction of the
) Administration of Justice;

) 18 U.S.C. § 1951 – Interference with
) Commerce by Extortion;

) 18 U.S.C. § 2 – Aiding and Abetting

24

COUNT TWO

Assault On a Federal Officer By Use of Deadly And Dangerous Weapon
(Title 18, United States Code, Sections 111(a)(1), (b) and 2)

On or about April 12, 2014, in the State and Federal District of Nevada, and
elsewhere,

CLIVEN D. BUNDY,

defendant herein, aided and abetted by others, did use a dangerous and deadly
weapon to forcibly assault, resist, oppose, impede, intimidate, and interfere with
federal law enforcement officers while they were engaged in, and on the account of,
the performance of their official duties, to wit: guarding and protecting government
personnel and equipment located at the Impoundment Site at or near Bunkerville,
Nevada, while executing federal court orders to remove cattle from the federal
public lands, as described herein.

All in violation of Title 18, United States Code, Sections 111(a)(1) and (b),
1114, and 2.

COUNT THREE

Use and Carry of a Firearm in Relation to a Crime of Violence
(Title 18, United States Code, Sections 924(c) and 2)

On or about April 12, 2014, in the State and Federal District of Nevada, and
elsewhere,

CLIVEN D. BUNDY,

defendant herein, aided and abetted by others, did knowingly use and carry
firearms, which were brandished, during and in relation to a crime of violence for
which he may be prosecuted in a court of the United States, that is, assault on a

1 federal law enforcement officer, in violation of Title 18, United States Code, Section
2 111(b), as charged in Count Two of this Complaint.

3 All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

4 **COUNT FOUR**

5 Interference with Commerce by Extortion
6 (Title 18, United States Code, Sections 1951 and 2)

7 On or about April 12, 2014, in the State and Federal District of Nevada, and
8 elsewhere,

9 **CLIVEN D. BUNDY,**

10 defendant herein, did obstruct, delay and affect commerce, and attempt to obstruct,
11 delay and affect commerce, and the movement of articles and commodities in such
12 commerce, by extortion, as those terms are defined in Title 18, United States Code,
13 Section 1951, in that defendant **BUNDY** attempted to obtain approximately 400
14 head of impounded cattle at or near Bunkerville, Nevada, from the care, custody,
15 and possession of the Special Agent in Charge of impoundment operations on
16 federal public lands at or near Bunkerville, Nevada, their consent having been
17 induced by the wrongful use of force, fear, and violence as described herein.

18 All in violation of Title 18, United States Code, Sections 1951(a) and 2.
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COUNT FIVE

Use and Carry of a Firearm in Relation to a Crime of Violence
(Title 18, United States Code, Sections 924(c) and 2)

On or about April 12, 2014, in the State and Federal District of Nevada and elsewhere,

CLIVEN D. BUNDY,

defendant herein, aided and abetted by others, did knowingly use and carry firearms, which were brandished, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, extortion by force, fear and violence, in violation of Title 18, United States Code, Section 1951, as charged in Count Four of this Complaint.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

COUNT SIX

Obstruction of the Administration of Justice
(Title 18, United States Code, Sections 1503 and 2)

On or about April 12, 2014, in the State and Federal District of Nevada,

CLIVEN D. BUNDY,

defendant herein, aided and abetted by others, did corruptly, and by threats and force, and by threatening communications, influence, obstruct and impede, and attempt to influence, obstruct and impede, the due administration of justice, in that the defendant threatened force and violence and used force and violence to impede, obstruct, and thwart the execution of federal court Orders by assaulting and extorting federal officers at the Impoundment Site near Bunkerville, Nevada, as described herein.

All in violation of Title 18, United States Code, Sections 1503 and 2.

1 In support of probable cause of the aforementioned charges, I state as follows.

2 1. I have been a Special Agent with the Federal Bureau of Investigation
3 (“FBI”) for over 12 years and, since November 2009, I have been assigned to the Las
4 Vegas Field Office. My training in law enforcement includes agency specific
5 training in all aspects of conducting federal criminal investigations, including the
6 planning, preparation, and execution of search warrants and criminal complaints. I
7 am an “investigative or law enforcement officer of the United States” within the
8 meaning of Title 18, United States Code, Section 2510(7), authorized to make
9 arrests and conduct investigations in connection with alleged violations of federal
10 law. Over the course of my career, I have led or participated in numerous federal
11 investigations to include the drafting and execution of search warrants and criminal
12 complaints.

13 2. I am currently assigned to conduct an investigation into events that
14 occurred in and near Bunkerville, Nevada, during April 2014 in connection with a
15 cattle impoundment operation conducted by federal law enforcement officers. I
16 submit that the evidence adduced during the investigation to date establishes
17 probable cause to believe that, at all times relevant to the Complaint:
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SUMMARY

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2 3. Defendant Cliven D. **BUNDY** (“**BUNDY**”) was a resident of
3 Bunkerville, Nevada, and the operator of a ranch referred to as “Bundy Ranch.” His
4 ranching operations included grazing cattle unlawfully on federal public land.

5 4. On April 12, 2014, **BUNDY** and his co-conspirators organized and led
6 a massive armed assault against federal law enforcement officers in and around
7 Bunkerville, Nevada, in order to extort the officers into abandoning approximately
8 400 head of cattle that were in their lawful care and custody. In addition to
9 conspiring among themselves to plan and execute these crimes, **BUNDY** and his
10 confederates recruited, organized, and led hundreds of others in using armed force
11 against law enforcement officers in order to achieve their criminal objectives.

12 5. One of the conspiracy’s objectives was to thwart the seizure and
13 removal of defendant **BUNDY**’s cattle from federal public lands. **BUNDY** had
14 trespassed his cattle on federal public lands for over 20 years, refusing to obtain the
15 legally-required permits or pay the required fees to keep and graze his cattle on the
16 land.
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18 6. Since 1998, **BUNDY** was under federal Court Order to remove his
19 trespass cattle, an Order **BUNDY** refused to recognize or follow. In 2013, a federal
20 court issued two more Orders for removal, each declaring that, in keeping with the
21 law, the United States was authorized to seize and remove the cattle from the land
22 in the event **BUNDY** refused to do so. **BUNDY** refused.

23 7. The removal operation began on April 5, 2014. While it was ongoing,
24 **BUNDY** and his co-conspirators used deceit and deception to recruit others to help

1 them to force BLM to stop operations, flooding the internet with false and deceitful
2 images and statements to the effect that law enforcement officers were abusing
3 **BUNDY** and stealing his cattle. Deliberately lying, **BUNDY** and his co-
4 conspirators pleaded for others to travel to Nevada to “stop the abuse” by “making a
5 show of force against [the officers]” in order “to get them to back down” and “return
6 the cattle.” By the morning of April 12, hundreds of people, many armed with
7 assault rifles and other firearms, had traveled to Bunkerville, becoming **BUNDY**’s
8 “Followers,” conspiring with, and aiding and abetting him and his co-conspirators to
9 execute a plan to recover **BUNDY**’s cattle by force.

10 8. On the morning of April 12, **BUNDY** organized his Followers and gave
11 them the order to get the cattle, directing a crowd of hundreds to travel more than
12 five miles to the site where the cattle were corralled. One group of Followers kept
13 law enforcement officers occupied at the main entrance of the site by threatening to
14 enter there, while another group – ultimately consisting of more than 200 Followers
15 led by Co-conspirator 2 – assaulted the site from below, converging on its most
16 vulnerable point: a narrow entrance located in a wash that ran under highway
17 bridges. Seeing the assault unfold, the officers responded to the wash to prevent
18 entry.

19 9. The 200 Followers in the wash included a significant number
20 brandishing or raising their assault rifles in front of the officers. Some of these
21 gunmen took tactically superior positions on high ground, while others moved in
22 and out of the crowd, masking their movements behind other unarmed Followers.
23 The most immediate threat to the officers came from the bridges where gunmen
24

1 took sniper positions behind concrete barriers, their assault rifles aimed directly at
2 the officers below.

3 10. Having seized the tactical advantage, Co-conspirator 2 and the 200
4 Followers pressed forward to and against the wash entrance, demanding that the
5 officers leave and abandon the cattle, threatening to enter by force if the officers did
6 not do so. Outnumbered by more than 4:1, unwilling to risk harm to children and
7 other unarmed bystanders who had accompanied the Followers, and wishing to
8 avoid the firefight that was sure to follow if they engaged the snipers on the bridge
9 who posed such an obvious threat to their lives, the officers had no choice and were
10 forced to leave and abandon the cattle to **BUNDY** and his co-conspirators, who
11 promptly released and returned the cattle to **BUNDY**.

12 11. Thereafter, the conspirators organized armed security patrols and
13 checkpoints in and around **BUNDY**'s property to deter and prevent any future law
14 enforcement actions against **BUNDY** or his co-conspirators and to protect his cattle
15 from future removal actions, cattle he continued to hold, graze and keep on federal
16 public lands unlawfully and continues to do so as of the date of this Complaint.
17

18 **TERMS AND DEFINITIONS**

19 12. "Federal public land" or "public land" was land owned by the United
20 States and managed through various agencies of the United States, including,
21 among others, the United States Department of Interior, Bureau of Land
22 Management ("BLM") and National Park Service ("NPS").

23 13. The BLM and NPS employed Rangers, Officers, and Special Agents to
24 enforce federal laws and regulations on public land under their management.

1 14. BLM and NPS Rangers, Officers, and Special Agents were “federal law
2 enforcement officers” under Title 18, United States Code, Section 115(c)(1), that is,
3 they were officers, agents, and employees of the United States authorized by law to
4 engage in or supervise the prevention, detection, investigation, or prosecution of any
5 violation of federal criminal law.

6 15. The Bunkerville Allotment (“the Allotment”) was an area of federal
7 public land near Bunkerville, Nevada, under the management of BLM. The United
8 States has owned the land comprising the Allotment since 1848, when it was
9 acquired from the nation of Mexico under the Treaty of Guadalupe Hidalgo, and has
10 never relinquished ownership.

11 16. The Lake Mead National Recreational Area (“LMNRA”) was an area of
12 federal public land located near or adjacent to the Allotment, under the
13 management of the NPS. The United States has owned the land comprising the
14 LMNRA since 1848, when it was acquired from the nation of Mexico under the
15 Treaty of Guadalupe Hidalgo, and has never relinquished ownership.

16
17 **BUNDY TRESPASSED CATTLE ON PUBLIC LAND AND REFUSED
18 TO COMPLY WITH FOUR COURT ORDERS TO REMOVE THEM**

19 17. Federal law required a rancher to obtain a grazing permit from the
20 BLM and to pay fees to the United States to graze cattle on the Bunkerville
21 Allotment. Grazing cattle without a permit constituted a trespass on public land.

22 18. From 1993 to the date of this Complaint, **BUNDY** knowingly refused
23 to pay fees or obtain permits as he kept and grazed his cattle on the Allotment year-
24 round, constituting a continuing trespass on public land.

1 19. In 1998, and because of **BUNDY's** continuing trespass, the United
2 States District Court for the District of Nevada (hereinafter "District Court" or
3 "Federal Court") Ordered **BUNDY** to remove his cattle permanently from the
4 Allotment. **BUNDY** deliberately ignored the Order and continued to trespass by
5 keeping and grazing his cattle unlawfully on public land.

6 20. In 1999, the District Court fined **BUNDY** for each day he refused to
7 remove his cattle. **BUNDY** refused to pay the fines and continued to trespass by
8 keeping and grazing his cattle unlawfully on public land.

9 21. By 2012, **BUNDY's** herd had multiplied substantially and spread into
10 the LMNRA where **BUNDY** kept and grazed them year-round, refusing to pay fees
11 or obtain permits, constituting a continuing trespass on public land.

12 22. In 2013, the District Court issued two Orders. One ordered **BUNDY** to
13 remove his trespass cattle permanently from the LMNRA and the other re-affirmed
14 the 1998 and 1999 Orders that required him to remove his cattle permanently from
15 the Allotment. Both Orders declared that, in keeping with the law, the United
16 States was authorized to seize and remove **BUNDY's** trespass cattle if he did not
17 comply with the Court's Orders. One of the Orders expressly stated that **BUNDY**
18 was "not to interfere" with any removal.

19 23. **BUNDY** ignored the Orders and continued to keep and graze his
20 trespass cattle unlawfully on public land.
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1 **THE BLM PLANNED TO SEIZE AND REMOVE THE CATTLE**
2 **FROM THE PUBLIC LANDS PURSUANT TO COURT ORDERS**

3 24. In keeping with the law and the 2013 federal court Orders, the BLM
4 planned to seize and remove BUNDY's trespass cattle, following well-established
5 rules and regulations governing this procedure, referred to hereinafter collectively
6 as "impound" or "impoundment."

7 25. A preliminary survey revealed that the BLM would have to impound
8 almost 1,000 head of trespass cattle scattered over hundreds of thousands of acres
9 of arid and difficult terrain. Given these circumstances, BLM estimated that it
10 would take a month or more to complete the impoundment.

11 26. It was part of the plan that BLM would establish a base of operations
12 (hereinafter referred to as "the Impoundment Site") located on the public lands near
13 Bunkerville, about 7 miles away from Bundy Ranch in an area commonly referred
14 to as the Toquop wash.

15 27. It was part of the plan that on February 17, 2014, the BLM entered
16 into a contract with a civilian contractor in Utah to round-up and gather the
17 trespass cattle. The contract required the contractor to bring people and equipment
18 to Nevada to conduct impoundment operations.

19 28. It was part of the plan that the civilian contractor and crew would
20 gather and move the trespass cattle from public land into corrals at the
21 Impoundment Site where they would be held until such time as they could be
22 further transported.
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1 29. It was part of the plan that on March 20, 2014, BLM entered into a
2 contract for the services of an auctioneer in Utah. The contract required the
3 trespass cattle to be trucked from the Impoundment Site in Nevada to the contract
4 auctioneer in Utah, who would then sell them at public sale.

5 30. It was part of the plan that BLM would use BLM and NPS Rangers,
6 Officers, and Special Agents to provide security for impoundment operations,
7 including securing the cattle at the Impoundment Site and protecting the civilian
8 contractors and government employees engaged in impoundment operations.

9 31. It was part of the plan that BLM designated the Special Agent-in-
10 Charge of BLM's Nevada and Utah region (hereinafter the "SAC") to lead
11 impoundment operations.

12 **BUNDY THREATENED TO "DO WHATEVER IT TAKES"**
13 **TO PREVENT THE IMPOUNDMENT OF HIS CATTLE**

14 32. On October 23, 2012, and in connection with legal proceedings
15 culminating in the 2013 Court Orders, **BUNDY** threatened to interfere with any
16 impoundment by stating that he "would do whatever it takes" to stop the
17 impoundment. When asked whether that included soliciting support from others to
18 help him, **BUNDY** responded: "Yes."

19 33. On March 14, 2014, the BLM formally notified **BUNDY** that
20 impoundment operations would take place.

21 34. On March 15, 2014, **BUNDY** threatened to interfere by stating
22 publically that he "[was] ready to do battle" with the BLM and he would "do
23 whatever it takes" to protect "his property."
24

1 35. On March 17, 2014, a BLM Special Agent notified one of BUNDY's
2 adult sons that the Special Agent was available to answer any questions about the
3 impoundment operation. BUNDY's son became angry and threatened to interfere,
4 stating that he and his family would "do whatever it takes" and he would "have
5 several hundred" with him to prevent the BLM from removing the trespass cattle.
6 When asked whether his use of "whatever it takes" included physical force or
7 violence, BUNDY's son replied: "I will do whatever it takes; you interpret that the
8 way you want."

9 36. On March 24, 2014, BUNDY threatened to interfere, stating publically
10 that he intended to "organize lots of groups" to "come from hundreds of miles away"
11 and he was in a "range war" with BLM that could "last a long time."

12 37. On March 25, 2014, BUNDY threatened to interfere, stating publically
13 that: "BUNDY's ready . . . whenever [the federal government's] got the guts to try it
14 . . . tell them to come . . . I'll do whatever it takes."

15 38. On March 28, 2014, BUNDY threatened to interfere, stating publically
16 that: "all of those cowboys are going to be thieves who steal my cattle . . . [i]t's like
17 they're staging for a war . . . I told them I'd do whatever it takes . . . I'll stick with
18 that."
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20 **BUNDY CARRIED OUT HIS THREATS**
21 **BYCONSPIRING TO LIE, THREATEN FORCE**
22 **AND VIOLENCE AND USE FORCE AND VIOLENCE**

23 **A. Object and Nature of the Conspiracy.**

24 39. The scope, nature, and objects of the conspiratorial agreement were to
use threats of force and violence and actual force and violence to: (1) impede,

1 obstruct and interfere with BLM's impoundment operation; (2) obtain BUNDY's
2 impounded cattle from federal law enforcement officers; (3) threaten, intimidate and
3 prevent by force federal law enforcement officers from taking action against the
4 conspirators; and (4) threaten, intimidate and prevent by force federal law
5 enforcement officers from taking law enforcement actions against BUNDY and his
6 co-conspirators and prevent by force BLM from exercising regulatory and law
7 enforcement authority over the public lands.

8 40. In order to achieve the objects of the conspiracy, BUNDY conspired,
9 confederated, and agreed to commit numerous federal offenses, as charged herein.

10 **B. Manner and Means of the Conspiracy.**

11 41. To achieve his objectives, BUNDY and his co-conspirators recruited,
12 organized, and led a force of hundreds of people to threaten and use force and
13 violence to prevent the law enforcement officers from discharging their duties and
14 to coerce their consent to abandon the cattle that were, pursuant to court order,
15 lawfully in their care and custody and which they were duty bound to protect.

16 42. As a part of the manner and means of the conspiracy, BUNDY and his
17 co-conspirators, among other things:

18 a. Used deceit and deception to knowingly recruit Followers, that
19 is, to encourage, counsel, and incite others to travel to Bundy Ranch for the
20 unlawful purposes of interfering with impoundment operations, obstructing the
21 execution of federal court orders, and using force and violence against federal law
22 enforcement officers while they were performing their duties.

23 b. Used the internet and other facilities in interstate commerce to
24

1 knowingly broadcast false, deceitful, and deceptive images and messages for the
2 purpose of recruiting Followers.

3 c. Used the internet and other facilities in interstate commerce to
4 encourage, counsel, and incite Followers to bring guns to Bundy Ranch for the
5 unlawful purposes of interfering with impoundment operations, obstructing the
6 execution of federal court orders, and using force and violence against federal law
7 enforcement officers to prevent them from discharging their duties.

8 d. Traveled in interstate commerce and used other facilities in
9 interstate commerce to threaten force, violence, and economic harm to private
10 contractors providing services to the BLM during impoundment operations.

11 e. Threatened and used force and violence against BLM civilian
12 employees engaged in impoundment operations for the purpose of obstructing the
13 execution of federal court orders and interfering with impoundment operations.

14 f. Counseled, incited, and led Followers to use, carry, brandish,
15 and aim firearms, including assault rifles, for the purpose of assaulting federal law
16 enforcement officers.

17 g. Counseled, incited, and led Followers to use, carry, brandish,
18 and aim firearms, including assault rifles, for the purpose of extorting federal law
19 enforcement officers.

20 h. Organized Followers into body guards, armed patrols, and
21 security checkpoints for the purpose of using threats, force, violence, and
22 intimidation to protect the conspirators, prevent law enforcement actions against
23 the conspirators, prevent the execution of federal court orders, and prevent law
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1 enforcement officers from discharging their duties.

2 **C. Roles of the Conspirators.**

3 43. **BUNDY** was the leader, organizer, and chief beneficiary of the
4 conspiracy, possessing ultimate authority over the scope, manner, and means of
5 conspiratorial operations and receiving the economic benefits of the extortion.

6 44. **BUNDY** and Co-Conspirators 1, 2, 3, and 4 were leaders and
7 organizers of the conspiracy who, among other things: recruited Followers;
8 interfered with impoundment operations through threats and use of force and
9 violence; interfered with impoundment operations by attempting to extort BLM
10 contractors; led an armed assault against federal law enforcement officers; delivered
11 extortionate demands to law enforcement officers; and extorted federal law
12 enforcement officers. Co-Conspirators 1, 2, 3, and 4 have been arrested and are
13 detained on federal charges lodged in another district.

14 **D. Overt Acts in Furtherance of the Conspiracy.**

15 49. It was a part of the conspiracy that from March 28 to April 11, 2014,
16 and for the purpose of carrying out the objects of the conspiracy, **BUNDY** and his
17 co-conspirators performed, or caused to be performed, the following overt acts,
18 among many others.

19
20 **1. March 28 to April 11: The Conspirators Interfered with**
21 **Impoundment Operations and Used Deceit and Deception to**
Recruit Followers.

22 50. On or about March 28, 2014, **BUNDY** and others working with him,
23 blocked a convoy of vehicles carrying horses and equipment intended for use in
24 impoundment operations, confronting and threatening civilian contractors,

1 endangering the safety of the personnel in the convoy, and interfering with
2 impoundment operations.

3 51. Shortly thereafter, and in an effort to recruit Followers, **BUNDY**
4 caused the broadcast of a video of the confrontation with the contractors entitled
5 "Range War," depicting images captured during the confrontation, combining them
6 with false, deceitful and deceptive statements to the effect that the BLM was
7 stealing **BUNDY's** cattle.

8 52. On or about April 2, 2014, Co-conspirator 1 traveled from Nevada to
9 Utah to threaten force, violence, and economic harm to the contract auctioneer
10 providing services to the BLM, by, among other things, entering upon the
11 contractor's property for the purpose of interfering with business operations,
12 threatening and intimidating customers and employees, interfering with business
13 operations, and threatening to shut down the business if the contractor fulfilled his
14 contractual obligations with BLM.

15 53. On or about April 5, 2014, **BUNDY** threatened force and violence
16 against federal law enforcement officers by publically stating, among other things:
17 "I've done quite a bit so far to keep my cattle, but I guess it's not been enough . . .
18 they took 75 of my cattle today . . . I have said I'd do what it takes to keep my cattle
19 so I guess it is going to have to be more physical."
20

21 54. On or about April 6, 2014, co-conspirator 1 and another conspirator
22 interfered with impoundment operations by positioning themselves to block a BLM
23 convoy and refusing to leave the area when asked to do so. Failing to leave after
24 repeated requests, a co-conspirator was arrested by law enforcement officers.

1 55. Shortly thereafter, **BUNDY** caused images of the arrest to be
2 broadcasted over the internet, combining them with false, deceitful and deceptive
3 statements to the effect that the BLM supposedly: employed snipers against Bundy
4 family members; used excessive force during the arrest; and arrested a conspirator
5 for exercising his First Amendment rights.

6 56. On or about April 7, 2014, Co-conspirator 2 traveled from Arizona to
7 the Bundy Ranch in Nevada.

8 57. On or about April 7, 2014, Co-conspirator 3 in Montana, contacted
9 **BUNDY** in Nevada, by telephone.

10 58. On or about April 7, 2014, Co-conspirator 3, who referred to himself as
11 a leader of a network he referred to as Operation Mutual Aid (“OMA”), used the
12 internet and other facilities in interstate commerce to recruit others whom Co-
13 conspirator 3 referred to as “militia” belonging to the OMA network. Attempting to
14 incite the so-called OMA “militia” members to travel to Bundy Ranch for unlawful
15 purposes, Co-conspirator 3 falsely, deceptively, and deceitfully stated, among other
16 things, that the ranch was surrounded by BLM snipers, the Bundy family was
17 isolated, and BLM wanted **BUNDY** dead.

18 59. On or about April 7, 2014, **BUNDY** and others working with him
19 established a site only minutes travel distance from the Bundy Ranch along Nevada
20 State Route 170, a state road that also served as the main route between the
21 Impoundment Site and the public land where impoundment operations were taking
22 place. Strategically located between the Impoundment Site and various ingress and
23 egress points to public land, the location of the site served as both a natural vantage
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1 point from which to observe impoundment operations and a potential choke-point
2 for disrupting BLM convoys. Conspicuous for, among other things, a stage and two
3 tall flagpoles, one of which flew the Nevada State flag above the flag of the United
4 States, this site (hereinafter referred to as “the Staging Site”) served as a base of
5 operations from which the conspirators made speeches, received and organized
6 Followers as they arrived at Bundy Ranch, and gathered and organized Followers
7 before initiating their assaults on federal law enforcement officers.

8 60. On or about April 8, 2014, Co-conspirator 4 in California, contacted
9 **BUNDY** in Nevada, by telephone.

10 61. On or about April 8, 2014, Co-conspirator 4 and **BUNDY** broadcasted
11 messages over the internet. Using deceit, deception, and threats to incite others to
12 travel to Bundy Ranch for unlawful purposes, **BUNDY** told listeners, among other
13 things, that: “they have my house surrounded . . . the federal government is stealing
14 my property . . . [the BLM] are armed with assault rifles . . . they have snipers . . . I
15 haven’t called no militia but, hey, that looks like where we are . . . there is a strong
16 army out here . . . we are going to have to take our land back . . . somebody is going
17 to have to back off . . . we the people will put our boots down and walk over these
18 people . . . they are up against a man who will do whatever it takes.”

19 62. In that same broadcast, Co-conspirator 4 used threats to incite
20 listeners to travel to Bundy Ranch for unlawful purposes, telling listeners, among
21 other things, that: “if this is not the issue right now where we stand and fight to the
22 absolute death there is no other option; the federal government must get out of the
23 State of Nevada . . . if they don’t want it to be peaceful it is by their choice. . . I’m
24

1 calling on all Americans anywhere in the vicinity of Clark County, Nevada . . . if
2 you're in Nevada and can legally carry, get weapons out there, o.k. . . . we are going
3 to stand and fight in Clark County, Nevada . . . they will leave or else.”

4 63. On or about April 8, 2014, Co-conspirator 3 sent a message from
5 Montana to Pennsylvania to another person who referred to himself as one of the
6 leaders in OMA, stating, among other things, that it was “time to invite everyone to
7 the first annual Patriots (sic) Picnic at the Bundy Ranch” and telling the OMA
8 leader that the Bundys “still want help.”

9 64. On or about April 8, 2014, and for the purpose of recruiting Followers,
10 Co-Conspirator 3 sent a message over the internet, stating that Co-Conspirator 3
11 had spoken with BUNDY and that “he knows we’re coming and has opened his land
12 up to everyone willing . . . OMA is moving . . . not going public with this until more
13 are enroute.”

14 65. On or about April 8, 2014, Co-conspirator 3 caused an email to be sent
15 to OMA members stating: “we have made the decision to mobilize in Nevada, units
16 are underway as I type this . . . the feds arrested some protestors today, and the
17 words ‘we need you now’ were uttered . . . we have approximately 150 responding,
18 but that number is [gr]owing by the hour.” The message provided directions and
19 grid coordinates to Bundy Ranch.
20

21 66. On or about and between April 8 and 9, 2014, Co-conspirator 4
22 traveled from California to Bundy Ranch in Nevada.

23 67. On or about and between April 8 and 9, 2014, Co-conspirator 3
24 traveled from Montana to Bundy Ranch in Nevada.

1 68. On or about April 9, 2014, Co-conspirators 3 and 4 met with **BUNDY**
2 and other conspirators at Bundy Ranch.

3 69. On the morning of April 9, 2014, Co-conspirator 4 met with the SAC
4 and stated that he was acting as a liaison between Bundy Followers and the BLM.
5 Threatening the SAC, Co-conspirator 4 stated: "What are you guys going to do if
6 10,000 people show up? . . . Are you prepared for this? . . . I don't believe in firing a
7 single bullet unless in absolute defense and it's legal and constitutional."

8 70. On or about April 9, 2014, and for the purpose of inciting others to
9 travel to Bundy Ranch for an unlawful purpose, the conspirators caused a message
10 to be broadcasted over the internet, stating: "The Bundy family has requested help
11 from militia groups including Operation Mutual Aid, 3 Percenters club, freedom
12 fighters, and other operations to come and stand with us and regain our rights and
13 freedom."

14 71. On April 9, 2014, and for the purpose of inciting others to travel to
15 Bundy Ranch for an unlawful purpose, Co-conspirator 4 broadcasted a message over
16 the internet, stating, among other things: "the BLM knows if they are outnumbered
17 and outgunned . . . they will stand down . . . we want BLM to get out of the state of
18 Nevada . . . I fully expect the standoff will occur when thousands go to repossess the
19 rightfully owned property of the Bundys . . . we need strength in numbers."

20 72. On or about April 9, 2014, Co-conspirator 1, and others working with
21 him, traveled for a second time from Nevada to Utah to threaten force, violence, and
22 economic loss to the contract auctioneer providing services to the BLM by, among
23 other things: intimidating customers; interfering with business operations; and
24

1 instilling fear and apprehension in customers and employees.

2 73. On or about April 9, 2014, and for the purpose of inciting others to
3 travel to Bundy Ranch for an unlawful purpose, Co-conspirator 4 broadcasted a
4 message over the internet, stating, among other things: “now is the time to show up
5 for something like this . . . we need ten thousand people to come here . . . I only have
6 one fear is that people that don’t respond to this call . . . it’s time to make a stand
7 against tyranny . . . we need to let everyone know that BLM has zero authority.”

8 74. On April 9, 2014, Co-conspirators 2 and 4 assaulted federal officers by,
9 among other things: intercepting and blocking a convoy of BLM vehicles engaged in
10 impoundment operations; colliding an ATV into a truck in the convoy in order to
11 stall the truck and gain entry by force; attempting to forcibly gain entrance to the
12 stalled truck; attempting to throw a rock at law enforcement officers while the
13 officers were protecting the truck and the civilian passengers inside; threatening
14 physical harm to law enforcement officers while they were protecting the truck and
15 the civilian passengers inside; and causing physical contact with an officer while the
16 officer was engaged in protecting the truck and the civilian passengers inside.

17
18 75. On or about April 9, 2014, and for the purpose of inciting others to
19 travel to Bundy Ranch for an unlawful purpose, Co-Conspirator 4 broadcasted a
20 message over the internet, stating, among other things: “we were serious about
21 stopping the convoy . . . [the BLM] were caught off guard and tried to push past us .
22 . . they couldn’t do it . . . we outnumbered them and they retreated . . . we know how
23 they will come back after they retreat . . . my biggest fear is if we don’t respond . . .
24 they retreated and will come back with a bigger force . . . we need to disperse them

1 with tens of thousands . . . we want BLM to always retreat because we will always
2 outnumber them . . . we have all been waiting for that ultimate moment . . . there is
3 so much at stake . . . we can win with numbers . . . I've got people coming from
4 Michigan . . . militia members who are fully armed are here . . . it's good to watch
5 the BLM with its tail between its legs . . . get out here . . . this is going to get
6 exciting . . . ultimately get the feds to leave.”

7 76. On April 10, 2014, and for the purpose of inciting others to travel to
8 Bundy Ranch for an unlawful purpose, Co-conspirator 3 caused an email to be sent
9 to self-described “militia” members of OMA under the subject line “Bundy
10 Objectives,” as follows:

11 Nevada Alert! We are requesting help to distribute the following to
12 any and all media, blog, patriot groups etc.

13 1. Secure the Bundy family from government incursion which
14 includes protection of all personnel responding in support of the
Bundys ie. Protestors, extended family, and friends.

15 2. To return the confiscated Clark County Nevada property
16 currently blocked by federal personnel to it's (sic) rightful stewards,
the people of Clark County, Nevada.

17 3. To secure and return to Mr. Bundys (sic) ranch the mounting
18 number of cattle which have been confiscated by BLM agents and
private contractors.

19 These objectives are in cohesion with Cliven Bundy and the Bundy
20 ranch

21 77. On or about April 10, 2014, and for the purpose of inciting others to
22 travel to Bundy Ranch for an unlawful purpose, Co-conspirator 4 broadcasted a
23 message over the internet, stating, among other things: “there is not enough militia
24 here . . . we have 1000's of very organized constitutional militia . . . they are

1 trickling in . . . where we will fail is for us not to at least match the overwhelming
2 force . . . we have about 50 members here now . . . where we will fail is for us not to
3 not match the BLM force . . . we need a show of force . . . we did a recon and found
4 that BLM have hundreds of vehicles . . . BLM needs to vacate immediately . . . we
5 need the numbers for the feds to leave . . . they will come back with a bigger force .
6 . . we need tens of thousands of people so they retreat . . . come out here . . . we've all
7 been waiting for the ultimate moment . . . we can win with numbers . . . get out here
8 no matter where you are . . . militia members here are fully armed.”

9 78. On or about April 10, 2014, and for the purpose of inciting other to
10 travel to Bundy Ranch for an unlawful purpose, Co-conspirator 4 broadcasted a
11 message over the internet, stating, among other things: “there is a court order, but
12 the court is corrupt . . . BLM believes they are acting constitutionally . . . BLM is in
13 violation of every God-given right of every human being . . . [BLM’s] closure orders
14 are ‘shelter in place’. . . [BLM] aimed AR-15’s at me [during confrontation on April
15 9] . . . Waco and Ruby Ridge was a show of force by government and violated
16 sovereign rights . . . if we have 10,000 people, [the BLM] will have to get past us.”

17 79. On the morning of April 11, 2014, Co-Conspirator 4 met with the SAC
18 and stated, among other things: “we are going to have a face-to-face confrontation .
19 . . we have thousands of people . . . we are going to come here and it is non-
20 negotiable . . . if that comes about, we want to make sure that any [BLM officer]
21 who wants to stand down will not be retaliated against . . . this is non-negotiable . .
22 . if you make the decision to go face-to-face and someone gets hurt we are going to
23 hold you responsible . . . tell D.C. that the justification for this is from a corrupt
24

1 court . . . I'm relaying a message . . . if anyone is acting unconstitutionally they will
2 be arrested . . . I came here to allow you to prevent a scenario where someone gets
3 hurt.”

4 80. By on or about April 11, 2014, hundreds of Followers traveled to
5 Nevada, many armed with assault rifles and other firearms and many of whom
6 identified themselves as “militia” and wore military style clothing and equipment.

7 81. By on or about April 11, 2014, Co-conspirator 3 and others working
8 with him, received the armed Followers, including those who identified themselves
9 as “militia.” The leaders of the conspiracy placed them into camps, which the
10 leaders described as “militia camps,” from which camps the conspirators would
11 organize and deploy the militia and other armed Followers.

12 82. By on or about April 11, 2014, Co-conspirator 3, and others working
13 with him, organized armed Followers and militia into patrols and armed
14 checkpoints to provide security to the conspirators and their criminal enterprise.

15
16 **2. April 12: The Conspirators Assaulted and Extorted Law
Enforcement Officers.**

17 83. It was further a part of the conspiracy that on April 12, 2014, BUNDY
18 and his co-conspirators, organized, led and executed a mass assault on federal law
19 enforcement officers in order to obtain the seized cattle, as follows.

20 84. By the morning of April 12, the BLM had seized approximately 400
21 head of cattle and had them corralled at the Impoundment Site, awaiting further
22 shipment out of the state of Nevada.

23 85. On the morning of April 12, BUNDY led a rally of hundreds of his
24

1 Followers, including militia and other armed Followers, at the Rally Site where he
2 told them that “God [is] going to be with us” and that it was time “to take our land
3 back.” He then commanded his Followers to get the cattle.

4 86. BUNDY directed his Followers that “horse people” (Followers riding
5 horses) would leave the Rally Site and travel a dirt road to the Toquop wash, the
6 location of the Impoundment Site, a distance of about 3.5 miles. While that was
7 happening, so commanded BUNDY, the other Followers, including militia and
8 other armed Followers, were to travel the highway by vehicle, a distance of about 5
9 miles, and “shut down the freeway” at the Impoundment Site. The Followers, so
10 directed BUNDY, were then to meet with the “horse people” in the Toquop wash.

11 87. The Followers did as BUNDY ordered. Armed with their weapons, the
12 Followers hurriedly loaded themselves into cars and trucks and moved *en masse* to
13 the Impoundment Site, jamming the roads and slowing traffic on northbound I-15 to
14 a trickle, making it difficult for state and local law enforcement vehicles to respond.
15 When the Followers arrived at the Impoundment Site, they jumped out of their
16 vehicles and many of them moved quickly on foot to a position across from the main
17 entrance.

18 88. Other Followers took positions on the bridges overlooking the
19 Impoundment Site. The few local law enforcement officers who were able to
20 respond formed a human line in the I-15 median to block the Followers, many of
21 whom carried and brandished assault rifles, from entering at the main entrance to
22 the Impoundment Site.

23 89. Many Followers then moved a few hundred yards east and below the
24

1 main entrance and met Co-conspirator 2 in the Toquop wash, gathering about 150
2 yards opposite from a makeshift metal rail gate that blocked the wash entrance
3 beneath the southbound bridge of I-15.

4 90. By 12:00 noon, over 400 of BUNDY's Followers had converged upon
5 the Impoundment Site, many of the Followers were comprised of Bundy's militia
6 openly brandishing assault rifles, others bearing side arms, the combined group
7 grossly outnumbering the officers that protected the site. About 60 yards across
8 from the metal rail gate at the wash entrance to the site, between the north and
9 southbound I-15 bridges, a crowd of more than 270 Followers – a combination of
10 militia and non-militia on foot and about 40 men and women on horseback – formed
11 into a line along the bottom of the wash about 60 yards across. This position was
12 guarded by about 50 federal law enforcement officers, positioned beginning about 15
13 to 20 yards behind the gate.

14 91. The officers at the gate were dangerously exposed. They were in the
15 open on low ground at the bottom of the wash, below highway bridges that towered
16 more than 40 feet above them and surrounded on the sides by steep embankments
17 of high ground. The terrain acted like a funnel with them at the bottom and no
18 natural cover or concealment to protect them from the gunmen on the high ground,
19 their only protection being their body armor and the vehicles they happened to
20 drive to the gate. At this point approximately 40 Followers were either carrying or
21 brandishing firearms in front of the officers, many of them moving in and out of the
22 line, taking high ground on the sides of the wash. Meanwhile, more than 20
23 Followers carried or brandished firearms while on the bridges that towered move
24

1 than 40 feet above the officers, some of them aiming assault rifles at the officers
2 from covered and concealed sniper positions.

3 92. The officers guarding the gate could readily observe gunmen bobbing
4 up and down from behind the concrete barriers that bordered the northbound I-15
5 bridge, indicating to the officers that the gunmen were acquiring, and determining
6 the range to, their officer-targets. The officers could also observe armed gunmen
7 dressed in military-style tactical gear and wearing body armor, moving in and
8 among the unarmed Followers, using them as human shields to mask their
9 movements while still others took tactically superior positions on the sides of the
10 wash.

11 93. The Followers' close proximity to the officers, their array and
12 formation in the wash, their refusal to disperse upon command, their angry taunts,
13 their numbers carrying or brandishing firearms, their movement to the gate while
14 brandishing assault rifles and wearing body armor, and their superior sniper
15 positions on the bridge above, all caused the officers to fear immediate bodily harm
16 or death.

17 94. Around 12:15, the Followers in the wash, led by Co-conspirator 2,
18 advanced to the gate. The gunmen moved with him, openly brandishing their rifles
19 and taking over-watch positions on the high ground within full view of the tactically
20 disadvantaged officers, the snipers in concealed positions on and under the bridges
21 now aiming their assault rifles at the officers. Seeing the combined force arrayed
22 against them – an organized crowd of more than 400, more than 60 among the
23 crowd carrying or brandishing rifles or pistols, 40 supporters on horseback, militia
24

1 snipers concealed on the bridges above them with their rifles zeroed-in on the
2 officers, militia gunmen intermingled with the crowd using the unarmed people to
3 shield their movement, militia gunmen in over-watch positions on the high ground –
4 the officers believed they were going to be shot and killed. They were stymied –
5 prevented from shooting the gunmen who posed such an obvious threat to their
6 lives out of concern they would spark a firefight that would kill or injure unarmed
7 people. Unable to surgically remove the deadly threats before them, outnumbered,
8 outgunned, and located in a dangerously exposed and tactically inferior position, the
9 officers knew they were easy targets. They still held their ground.

10 95. Upon reaching the gate and backed by his gunmen and snipers, Co-
11 conspirator 2 told the SAC that he and the rest of his force would not leave until the
12 BLM left the impoundment site. When asked to move his gun-backed crowd away
13 from the gate so the officers could disengage, Co-conspirator 2 refused and
14 demanded that the officers leave first stating, among other things, “You need to
15 leave . . . that’s the terms . . . no, you need to leave . . . you are on Nevada State
16 property . . . the time is now . . . no, the time is now.”

17
18 96. To prevent the disaster that was sure to follow if they remained longer,
19 the SAC was forced to give in to Co-conspirator 2’s demands and ordered his officers
20 to leave, abandoning the post, the impoundment site, and the cattle to **BUNDY**.

21 97. Having made the decision to meet the conspirators’ demands, the SAC
22 met with Co-conspirator 1 near the main entrance to the Impoundment Site to
23 negotiate the departure of the law enforcement officers. While the armed Followers
24 held their position below at the wash entrance, Co-conspirator 1 demanded that the

1 BLM officers pack all of the equipment and leave the Impoundment Site within two
2 hours.

3 98. The law enforcement officers were forced to abandon the Impoundment
4 Site and the cattle to the conspirators and their Followers, who promptly released
5 and returned them to **BUNDY** and took down the fences comprising the corrals.

6 **3. Continuing Conspiracy – Post-Assault: The Conspirators**
7 **Organized Bodyguards, Patrols and Checkpoints to Prevent**
8 **and Deter Future Law Enforcement Actions.**

9 99. It was further a part of the conspiracy that following the April 12
10 assault and extortion, **BUNDY** and the co-conspirators took such other actions as
11 necessary to protect themselves and their ill-gotten gains and to further interfere
12 with and prevent future federal law enforcement actions on the public lands.

13 100. From April 12 to at least the end of May 2014, the **BUNDY** and the co-
14 conspirators established, organized, and maintained militia camps to provide
15 housing and logistical support to armed gunmen who continued to travel to the
16 Bundy Ranch.

17 101. From April 12 to at least the end of May 2014, **BUNDY** and his co-
18 conspirators established armed checkpoints and security patrols to prevent and
19 deter law enforcement actions against the conspirators, including recovering the
20 extorted cattle.

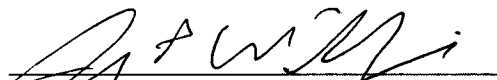
21 102. From April 12, 2014 through September 2014, Co-Conspirator 4 made
22 statements to the SAC, threatening similar assaultive conduct in the event the
23 BLM attempted further law enforcement actions.

24 103. From April 12, 2014 through the date of this Complaint, **BUNDY**

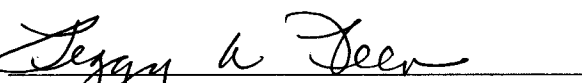
1 made public statements threatening that he would continue to interfere with
2 federal law enforcement actions against him or the cattle.

3 104. From April 12, 2014 through the date of this Complaint, **BUNDY**
4 continued to employ body guards to protect him and other co-conspirators from
5 federal law enforcement actions.

6 105. From April 12, 2014, through the date of this Complaint, the **BUNDY**
7 and his co-conspirators continue to take such actions as necessary to hold, protect,
8 and prevent the impoundment of the extorted cattle and such other trespass cattle
9 that are subject to the 2013 Court Orders.

10
11
12 
13 Joel P. Willis
Federal Bureau of Investigation

14 SUBSCRIBED and SWORN to before me
15 this 11th day of February 2016.

16 
17 PEGGY A. LEEN
18 United States Magistrate Judge