

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

KHARI MALIK WHITEHEAD

Case No. 3:18mj3045

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 22, 2018 in the county of Rutherford in the Middle District of Tennessee, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: 18 U.S.C. Sections 922(a)(6) and 924(a)(2); Knowingly making a false statement in connection with an attempted purchase of a firearm

This criminal complaint is based on these facts:

See attached STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

Continued on the attached sheet.

Complainant's signature

R. Morgan Madison, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3-16-2018

Judge's signature

City and state: Nashville, Tennessee

Joe B. Brown, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

KHARI MALIK WHITEHEAD

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No. 3:18mj3045

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, R. Morgan Madison, being first duly sworn, hereby depose and state as follows:

Introduction

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so employed since November 2015. I am currently assigned to the Nashville Field Division, Nashville V Field Office.

2. This statement is submitted in support of a Criminal Complaint for the arrest of Khari Malik WHITEHEAD, for the following offense: knowingly making a false statement in connection with an attempted purchase of a firearm, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

3. The facts contained in this statement are based on first-hand knowledge and information learned during this investigation from other law enforcement sources or witnesses related to the investigation. This statement does not provide each and every detail I know regarding this investigation, but rather provides information necessary to establish probable cause for the arrest of Khari Malik WHITEHEAD for the above-mentioned offenses. Except where indicated, all statements referred to below are set forth in substance and in part, rather than verbatim.

PROBABLE CAUSE

4. In early 2018, Agents received a number of alarming notifications about WHITEHEAD's behavior and his attempts to purchase a firearm from businesses in the Middle District of Tennessee after a judicial officer committed WHITEHEAD to a mental institution for an evaluation. Agents began investigating WHITEHEAD and obtained records from the Rutherford County General Sessions Court, Metro-Nashville Police Department (MNPd), and employees of area businesses to determine whether WHITEHEAD violated any offenses listed in Title 18 of the United States Criminal Code. Based on the information that Agents obtained, Agents believe WHITEHEAD has violated Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), by knowingly making a false statement in connection with an attempted purchase of a firearm.

Information Obtained from Police and Court Records

5. Agents reviewed MNPd files and determined that on July 5, 2013, MNPd arrested WHITEHEAD for displaying a hand grenade in a crowded downtown nightclub. The hand grenade was later found to be inert. WHITEHEAD was charged with aggravated assault with a deadly weapon and possession of a prohibited weapon.

6. MNPd records also indicate that on November 7, 2017, MNPd went to WHITEHEAD's residence. When they arrived, MNPd spoke with a cooperating source of information (hereinafter referred to as "CS") who has a familial and residential relationship with WHITEHEAD. The CS told MNPd that WHITEHEAD was acting out of control and crazy. The CS said WHITEHEAD had converted to Islam and had possibly been radicalized. The CS added that he/she was afraid that WHITEHEAD may commit a mass murder one day.

7. The following day, MNPB returned to WHITEHEAD's residence. The CS told MNPB that WHITEHEAD was watching ISIS propaganda videos on the internet. The CS said WHITEHEAD told him/her that white people are going to end up getting it.

8. On December 7, 2017, a judicial official in Rutherford County, Tennessee, signed a form judicially committing WHITEHEAD for an evaluation because WHITEHEAD was researching ISIS and mass shootings, and he went to purchase ammunition and a sniper rifle from Wal-Mart. A judicial official in Rutherford County signed another order on December 19, 2017.

Interview of Wal-Mart Employees

9. Agents spoke with Wal-Mart employees in the Middle District of Tennessee to determine whether WHITEHEAD did in-fact purchase a firearm or ammunition. Agents learned that on February 22, 2018, WHITEHEAD attempted to purchase a firearm at the Wal-Mart in LaVergne, Tennessee, by submitting ATF Form 4473 to an employee. Agents have since obtained a copy of the form that WHITEHEAD submitted, *and this form displayed that Whitehead was never committed to a mental institution. JMM*

10. In speaking with Wal-Mart employees, Agents learned that WHITEHEAD asked to see semi-automatic rifle that could hold a lot of bullets. WHITEHEAD was denied the purchase based on his the background check. WHITEHEAD requested the check be run again and was denied a second time. WHITEHEAD was provided with an appeal form for the denial, and he left the store. *JMM*

CONCLUSION

11. Based on the foregoing facts, there is probable cause to believe that Khari Malik WHITEHEAD knowingly made a false statement in connection with an attempted purchase of a firearm, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2). *JMM*