

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

United States of America

v.

Brandon Ye

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Case No. M-23- 200 -SM

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 15, 2023 to February 22, 2023 in the county of Oklahoma in the Western District of Oklahoma, the defendant(s) violated:

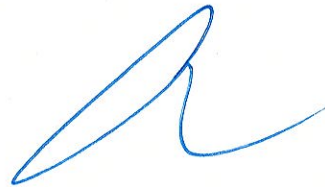
Code Section
21 U.S.C. § 846

Offense Description
Drug Conspiracy

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent, Chad Vontungeln, FBI, which is incorporated and made a part hereof by reference.

Continued on the attached sheet.



Complainant's signature

Chad Vontungeln, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: March 29, 2023



Judge's signature

City and state: Oklahoma City, Oklahoma

SUZANNE MITCHELL, U.S. Magistrate Judge

Printed name and title

WESTERN DISTRICT OF OKLAHOMA

OKLAHOMA CITY, OKLAHOMA

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

AFFIDAVIT

I, Detective Chad Vontungeln, being duly sworn, depose and state as follows:

EXPERIENCE AND TRAINING:

1. I am a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been since October 2021. As such, I am an investigative and law enforcement officer of the United States authorized to conduct investigations of, and to make arrests and seizures for, offenses enumerated in, *inter alia*, the Controlled Substances Act, Title 21, United States Code. I am currently assigned to the Oklahoma City Division of the FBI. In becoming an FBI Task Force Officer, I was assigned from my parent agency the Oklahoma City Police Department. I have been an Oklahoma City Police officer since May 2001. I completed the Oklahoma City Police academy as well as the field training program. I was assigned to the Oklahoma City Police department IMPACT unit which specializes in street narcotics investigations from 2013 to 2020. I have been trained in a variety of investigative matters, including investigations targeting large criminal enterprises, including the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1) and 846. I am familiar with the ways drug traffickers conduct their business. My familiarity includes the various means and methods by which drug traffickers import and distribute drugs, their use

of cellular telephones, their use of vehicles, and their use of numerical codes and code words to conduct drug transactions.

2. This Affidavit is being submitted for the limited purpose of securing a criminal complaint and warrant for the arrest of BRANDON YE (YE) (DOB: XX/XX/XXXX) conspired with others to possess with intent to distribute and to distribute 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846.

3. Because this Affidavit is being offered for the limited purpose of obtaining a criminal complaint and arrest warrant, I have set forth only those facts necessary to establish probable cause to support this request. The facts contained in this Affidavit come from reports of other law enforcement officers and discussions with other law enforcement officers involved in this investigation.

PROBABLE CAUSE

4. Since November of 2021, the FBI along with agents from the Oklahoma Bureau of Narcotics have been investigating the illegal distribution of black-market marijuana in Oklahoma. An investigation that was not initially targeting Brandon YE (“YE”) led law enforcement to identify YE as a person involved in the illegal distribution of marijuana in Oklahoma.

5. On December 1, 2022, during the initial investigation of a separate DTO, the FBI set up surveillance on one of the stash houses related to that case, which was located

at located at 2721 N.W. 58th Street (the “58th Street Residence”) in Oklahoma City, Oklahoma.

6. On that day, a blue Mercedes sprinter van, bearing Oklahoma Tag 78424V, that is disguised as an Amazon.com, Inc. (the “Amazon Van”), which has been determined to be registered to YE, backed into the driveway of the 58th Street Residence. The garage door of the 58th Street Residence opened, and several Asian men walked from inside of the garage to the back of the Amazon Van. The driver of the Amazon Van, who was also an Asian male, exited the Amazon Van and met the other males at the back of the Amazon Van. An Asian male, who was believed not to be the driver, opened the back doors of the Amazon Van. All of the men unloaded several full, black trash bags.¹ Based on my training and experience and investigation into this case and others like it, I believe these trash bags are full of marijuana. The Amazon Van parked at the 58th Street Residence for a couple of minutes before it left.

7. On December 7, 2022, a search warrant issued by Oklahoma County District Court was executed at the 58th Street Residence. During a systematic search of that residence, over 60 pounds of packaged marijuana was recovered. The marijuana was packaged in one-pound sized vacuum sealed bags and then stored in black trash bags

¹ My investigation into Oklahoma’s black-market marijuana network has lasted over a year, including my investigation into multiple criminal operations. Through my investigation, I have found that black-market marijuana dealers package illegal marijuana in individual vacuum sealed pounds of marijuana and then package or conceal those vacuum sealed bags in large black trash bags. As previously mentioned, this has been confirmed through various trash pulls, surveillance, and traffic stops. Additionally, your affiant has been part of numerous search warrants at marijuana grows and this is the only way that has been used to package, transport, and distribute the marijuana.

identical to the trash bags that were observed being removed from the Amazon Van on December 1, 2022. Agents with the OBN have confirmed that the 58th Street Residence is not a licensed marijuana dispensary or other legal entity. Rather, it appears the 58th Street Residence was operating as a stash house for the distribution of illegal marijuana.

8. Coincidentally, a little more than a year prior to observing the Amazon Van at the 58th Street Residence, on November 2, 2021, after a traffic interdiction stop in Arkansas, law enforcement from FBI and OBN traveled to Arkansas to interview a person who was arrested for transporting over one hundred pounds of marijuana across the border of Oklahoma to Arkansas. The marijuana was packaged in vacuum sealed bags which were stored in large black trash bags—consistent with the packaging of black-market marijuana seen throughout my investigation. That individual admitted under Miranda that he picked up the marijuana from a business and warehouse, Arch Granite & Cabinetry, located at 400 S. Hudiburg Circle (the “Arch Granite Warehouse”). He also confirmed this by showing me the GPS on his phone, which showed his travel history.

9. A review of the registration for the Amazon Van revealed that it is owned by Brandon YE, listing an address of 400 S. Hudiburg Circle, Suite A, in Oklahoma City, Oklahoma, where the Arch Granite Warehouse is located. This address and company has been under investigation since agents traveled to Arkansas in November of 2021. Records show that YE is an owner of the Arch Granite Warehouse.

10. Further investigation into YE showed that he is listed on utilities at a residence located at 4604 N.W. 12th (“YE’s House”) in Oklahoma City, Oklahoma. Law enforcement surveillance has observed him to live at that residence. Surveillance has seen

the Amazon Van parked in the driveway multiple times overnight. This is another indicator that this is not an official Amazon delivery truck, as an official truck would be stored overnight at a distribution location or other Amazon owned property. Amazon does not allow their trucks to be taken to the drivers' residence to store overnight. This along with the fact the Amazon Van is registered to YE and not Amazon are undisputable evidence this is not a vehicle that is used for "official" Amazon delivery purposes.

I. Summary of YE's Marijuana Operation

11. Based on the investigation, law enforcement believes YE's marijuana enterprise works as follows. First, YE is an owner of, and operates, a business and warehouse in Oklahoma City called Arch Granite & Cabinetry, which is located in the Western District of Oklahoma and which law enforcement has identified as being involved in YE's marijuana distribution enterprise. Likewise, YE owns a Mercedes sprinter van that bears the Arch Granite Warehouse information which he also uses in his marijuana operation (the "Arch Granite Van"). It appears that a Dodge Ram sprinter van with the logo Simon Kangaroo 3D Print and Paint LLC it (the "Ram Van") is also involved in YE's criminal operation. Most often, however, YE operates, and owns, a blue Mercedes sprinter van, bearing Oklahoma Tag 78424V, that is disguised as an Amazon.com, Inc. delivery van (the "Amazon Van") to transport marijuana from marijuana grows to his stash locations.



Above: Photo of the Van

12. YE drives the Amazon Van to visit Oklahoma-based marijuana grows where large black trash bags containing vacuum-sealed packages of marijuana are loaded and transported to initial stash houses controlled by YE. At the initial stash house, law enforcement believes that the marijuana is re-packaged and then transported to one of two warehouses that have been identified by law enforcement as being controlled by YE. At the warehouses, it appears that a semi-truck is loaded about once a week with the marijuana for transportation out-of-state.

13. As recently as February 22, 2023, law enforcement in Indiana pulled over a semi-truck loaded with more than 2,700 pounds of marijuana. The driver of the semi identified one of YE's warehouses in Oklahoma City—the Arch Granite Warehouse—as the pickup location for his load.

14. Surveillance of that warehouse showed the white semi which was pulled over

in Indiana arrive at the warehouse on February 20, 2023, and then leave the warehouse on February 21, 2023. On February 20, 2023, at 10:47 p.m., a white semi-truck arrived at the Arch Granite Warehouse. The next day, on February 21, 2023, the Arch Granite Van arrived at the Arch Granite Warehouse and drove to the back of the warehouse. The semi was still parked back there. That evening, the Amazon Van arrived and backed into the west overhead door, where loading ramps for semis are located. At 8:23 p.m., YE arrived at the Arch Granite Warehouse, driving the Amazon Van. At 7:41 p.m., YE left the Arch Granite Warehouse and drove to the Linn House in Arch Granite box truck. There, several men loaded the box truck from the garage, where law enforcement observed the men loading boxes from the garage of the Linn House. At 9:03 p.m., law enforcement observed a male load a box from the garage of the Linn House into the back of the Ram Van. At 9:04 p.m., both the Ram Van and the Arch Granite box truck left, driving in tandem, from the Linn House to the Arch Granite Warehouse, with YE driving the Arch Granite box truck. The Ram Van arrived at the Arch Granite Warehouse shortly thereafter. The Arch Granite box truck pulled directly into the overhead garage door. At 9:52 p.m., the semi left from behind the business. The next day, on February 22, 2023, that same semi was stopped by Indiana state police where over 2,500 pounds of marijuana were recovered.

15. In an interview under Miranda of Mingxuan Xie (“XIE”), the driver of the semi, he stated that the pickup address for the semi was in his phone or in his iPad. A search warrant was granted for both, and the address of the Arch Granite Warehouse was listed in the driver’s recent location history. The address of YE’s other warehouse, which is located at located at 8416 S.W. 23rd Place (the “23rd Place Warehouse”), is in Oklahoma

City, Oklahoma, was listed as a recent address as well in his iPad.

16. A review of historical surveillance, which consists of pole camera footage, showed that on February 15, 2023, at 7:14 p.m., the Arch Granite Van arrived at 23rd Place Warehouse. At the same time, the Amazon Van and the Ram Van from the Linn House and pulled into the property. The Arch Granite Van and the Amazon Van took turns backing part way into an open garage bay door on the north side of the 23rd Place Warehouse. At 8:01 p.m., the Arch Granite Van arrived back at the 23rd Place Warehouse. YE arrived as well in his Ford F-250. At 8:24 p.m., a semi-truck pulled up and backed into the property by the overhead bay doors. Several men loaded the semi with several pallets of cardboard boxes that were at 23rd Place Warehouse. At 8:52 p.m., the semi departed 23rd Place Warehouse. The historical surveillance is consistent with the location data retrieved on XIE's iPad showing a semi at the 23rd Place Warehouse on February 13, 2023. YE pays the utilities at both the 23rd Place Warehouse and the Arch Granite Warehouse.

17. A toll analysis of XIE's phone showed that he was in contact with YE on February 15, 2023, at 6:23 p.m. The analysis also revealed that XIE was in contact with YE about every six to seven days.

18. On February 22, 2023, approximately 2,700 pounds of packaged marijuana, an amount of marijuana is well in excess of 1000 kilograms, was found during a traffic stop on a semi-truck in Indiana. Based on the investigation of that stop and of the black-market marijuana industry in Oklahoma, I have probable cause to believe that, in the Western District of Oklahoma, YE knowingly and intentionally conspired to possess with

intent to distribute and to distribute 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, in violation of 21 U.S.C. § 846.



Chad Vontungeln
Task Force officer
Federal Bureau of Investigation

SWORN AND SUBSCRIBED before me this 29th day of March, 2023.



SUZANNE MITCHELL
United States Magistrate Judge
Western District of Oklahoma