

DUA
09-15-20

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America

v.

James Lee Carr

Case No.: 20-9261 MJ

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

On or about the dates described in Attachment A in the County of Maricopa in the District of Arizona, the defendant violated 18 U.S.C. § 111(a)(1)(b), and 18 U.S.C. § 924(c)(1)(A), offenses described as follows:

See Attachment A – Description of Counts

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

AUTHORIZED BY: Todd M. Allison, AUSA

Branden S. Williams, Special Agent FBI
Name of Complainant

Branden S. Williams
Signature of Complainant

Sworn to telephonically before me

9/15/2020 10:44pm

Date

at Phoenix, Arizona
City and State

HONORABLE EILEEN S. WILLETT
United States Magistrate Judge
Name & Title of Judicial Officer

Eswillett
Signature of Judicial Officer

ATTACHMENT A

DESCRIPTION OF COUNTS

Count 1

On or about September 15, 2020, in the District of Arizona, Defendant JAMES LEE CARR, using a deadly or dangerous weapon, did intentionally and forcibly assault, resist, oppose, impede, intimidate, or interfere with federal court security officer, S.F., who is an employee of the United States and protected as designated in section 18 U.S.C. § 1114, while engaged in or on account of the performance of his official duties.

In violation of Title 18, United States Code, Sections 111(a)(1) and 111(b).

Count 2

On or about September 15, 2020, in the District of Arizona, Defendant JAMES LEE CARR did knowingly use, carry, brandish, and discharge a firearm, during and in relation to a crime of violence, and did knowingly possess, brandish, and discharge a firearm, in furtherance of a crime of violence, that is Assault of a Federal Officer Using a Dangerous or Deadly Weapon, as alleged in Count 1, a felony crime prosecutable in a Court of the United States.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii), and (iii).

**STATEMENT OF PROBABLE CAUSE IN SUPPORT
OF A CRIMINAL COMPLAINT**

I, Branden S. Williams, a Special Agent with the Federal Bureau of Investigation, being duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since June 2008. I am currently assigned to the FBI Phoenix Division. Within the Phoenix Division, I have been assigned to work violent crime violations, and my duties include the investigation of crimes such as those at issue in this matter.
2. This investigation involves an assault on a federal officer in violation of 18 U.S.C. § 111(a)(1) and (b) (Assault on a Federal Officer Using a Dangerous or Deadly Weapon), and 18 U.S.C. § 924(c)(1)(A) (Discharging a Firearm During and in Relation to a Crime of Violence) that occurred within the District of Arizona, on September 15, 2020. As shown below, there is probable cause to believe that JAMES LEE CARR committed these violations.
3. The facts in this affidavit come from my own investigation, my training and experience, the investigation of other agents and law enforcement officers working the case, and information obtained from witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested arrest warrant and does not set forth all my knowledge about this matter.

II. PROBABLE CAUSE

4. On Tuesday, September 15, 2020, a federal court security officer (hereinafter, "Victim 1"), who is a contractor deputized by the United States Marshals Service while on duty, was working at the Sandra Day O'Connor Federal Courthouse located at 401 West Washington Street, Phoenix, Arizona. Victim 1 was engaged in the performance of his official duties as enumerated in 18 U.S.C. § 1114 as an officer of the United States government.

5. FBI learned from interviewing Victim 1 that, on the morning of September 15, 2020, Victim 1 was conducting a security sweep of a UPS truck at the guardhouse on the north side of the Federal Courthouse prior to allowing the truck entry to the courthouse facility. Victim 1 heard someone say "hey." When Victim 1 looked up, Victim 1 observed a black male wearing a full-brimmed hat, driving a silver Cadillac sedan westbound on Washington Street on the north side of the courthouse. At that point, the driver opened fire with a handgun from the vehicle, firing approximately three rounds and striking Victim 1 with at least one round on the right side of his chest area. Victim 1 was wearing body armor and a uniform identifying him as a federal court security officer. FBI's Evidence Recovery Team later observed two spots on the parked UPS vehicle struck by bullets. Victim 1 returned fire, shooting approximately eight rounds back at the subject. Following the return of gunfire, the silver Cadillac sedan continued westbound on Washington Street, fleeing the scene.
6. FBI obtained surveillance video footage from the exterior cameras at the Federal Courthouse. Law enforcement reviewed the video footage and was able to observe a silver Cadillac near the guardhouse of the Federal Courthouse on Washington Street at approximately 11:31 AM.
7. On September 15, 2020, James Lee Carr (hereafter, "James") called his brother Lonnie Carr (hereafter, "Lonnie"). FBI learned the following information from interviewing Lonnie. James told Lonnie that he shot at a security guard on Washington Street and 7th Avenue. Lonnie told FBI that, at approximately 11:30 AM, he contacted Buford Carr, James Carr's son, and Donna Gonzalez, James Carr's ex-wife. Lonnie told them James had told him that he shot a security guard and was sitting in Verde Park. Lonnie further stated that James indicated he wanted to die because he shot the security guard. Lonnie's statements were later confirmed by Buford and Donna during their interviews with law enforcement.
8. FBI learned the following information from interviews of Buford and Donna. After receiving the calls from Lonnie, Buford and Donna went to look for James. They

drove Buford's silver Volkswagen Passat. Buford and Donna said they arrived at Verde Park and observed James sitting in the park. James was wearing a full suit, dress shoes, and a fedora hat. Next to James was a revolver and a rifle. According to Buford, as Buford and Donna approached James, James told them, "Tell people not to fuck with me." Buford moved the firearms away from James. Donna told law enforcement that she took the firearms and placed the rifle in the trunk of Buford's vehicle, and the handgun under the driver's side seat cushion of Buford's vehicle. According to Buford, James told Buford he snapped and shot a security guard at 7th Avenue and Washington because the security guard was harassing him. Buford indicated that James had mental health issues and thought it was out of the ordinary that James was wearing a full suit.

9. At approximately 1:12 PM, Donna contacted 911 and advised that James was at Verde Park. Officers arrived at Verde Park near 9th Street and Van Buren and took James into custody. The arresting officer heard James mutter something about blowing something up. After James was taken into custody, a law enforcement officer was testing James' left hand for potential gunshot residue when James stated, "That's not the hand I shot with."
10. Officers observed a silver Cadillac DeVille sedan matching the description of the vehicle provided by Victim 1 parked at Verde Park. Out of an abundance of caution, officers secured the Volkswagen Passat and the silver Cadillac sedan, and waited for bomb technicians to clear the silver Cadillac sedan.
11. FBI checked Arizona Motor Vehicles Division's database and pulled James' Arizona driver's license information. James' driver's license information listed James' most-current address as 8845 N. 23rd Avenue, Apartment 109, Phoenix, Arizona. According to Arizona Motor Vehicles Division records, a Cadillac sedan is registered to James at that residence.
12. After James was taken into custody by law enforcement officers, agents and Task Force Officers of the FBI Violent Crimes Task Force conducted interviews of James' neighbors who provided the following information:

13. According to Barry Morris, who lives in an apartment near the Target Residence, at approximately 8:00 AM, James visited Barry to borrow cigarettes. Barry told law enforcement that Barry and James have been friends for approximately eight years. Barry felt that James appeared to be in a very good mood on the morning of September 15. At approximately 10:00 AM, Barry went to James' apartment. At that time, James appeared to be very angry and agitated. James kept repeating, "I'm going home today." Barry thought James meant he was going to kill himself. James went inside his apartment and shut the door. Shortly thereafter, James came out of his apartment dressed in a suit and holding a rifle and a revolver. James got in his silver Cadillac that was parked in front of his apartment and drove away. Barry's girlfriend, Lovie Kellie, was with Barry during his encounters with James.
14. Jerrie Olds lives in the apartment above James, and told law enforcement that James is an alcoholic, smokes marijuana, and has mental health issues. Jerrie saw James leave his apartment at approximately 11:00 AM on September 15.

III. CONCLUSION

15. Based on the foregoing, your Affiant believes there is probable cause to arrest JAMES LEE CARR for the September 15, 2020 incident in which CARR committed an assault on a federal officer in violation of 18 U.S.C. § 111(a)(1) and (b) (Assault on a Federal Officer Using a Dangerous or Deadly Weapon), and 18 U.S.C. § 924(c)(1)(A) (Discharging a Firearm During and in Relation to a Crime of Violence), all of which occurred within the District of Arizona.
16. At this time, CARR is in law enforcement custody, and your Affiant requests that this Court authorize a criminal complaint.

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I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Branden S. Williams

BRANDEN S. WILLIAMS
Special Agent
Federal Bureau of Investigation

Sworn to before me telephonically this 15th day of September, 2020. 10:44pm

E. Willett

HONORABLE EILEEN S. WILLETT
United States Magistrate Judge