

Title of Investigation TX Border Militia	Investigation Number: 782120-14-0001	Report Number: 1
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SUMMARY OF EVENT:

On September 2, 2014, Cameron County Sheriff's Office (CCSO) Investigator and Task Force Officer (TFO) for the FBI Brownsville Field Office (b) (6), (b) (7)(C) called ATF SA (b) (6), (b) (7)(C) for assistance on the "BP Militia" case.

NARRATIVE:

- On September 2, 2014, CCSO Investigator (b) (6), (b) (7)(C) had called ATF SA (b) (6), (b) (7)(C) for assistance with the firearms recovered from an arrest of a militia member that had been shot at by an Untied States Border Patrol Agent over the weekend of August 29, 2014. (b) (6), (b) (7)(C) advised SA (b) (6), (b) (7)(C) that the BP agent was following a group of illegals through the brush when he encountered a militia member pointing a firearm at him. CCSO Investigator (b) (6), (b) (7)(C) also informed SA (b) (6), (b) (7)(C) that this militia member is a previously convicted felon who was possibly in possession of NFA weapons.
- CCSO Investigator (b) (6), (b) (7)(C) informed SA (b) (6), (b) (7)(C) that he responded to the scene and recovered several firearms from the militia member. CCSO Investigator (b) (6), (b) (7)(C) stated that one of the firearms was an "AK-pistol" with an attached forward grip and the other was an AK-style rifle, which he believed field tested as fully automatic. The AK-pistol was the firearm that was pointed at the BP Agent when the encounter happened. CCSO Investigator (b) (6), (b) (7)(C) informed SA (b) (6), (b) (7)(C) that the militia member had made a statement about that firearm, the AK pistol, to which he stated that he attached the forward grip onto the pistol because it was easier to handle in the brush.
- CCSO Investigator (b) (6), (b) (7)(C) indicated to SA (b) (6), (b) (7)(C) that ATF assistance was needed in determining if the two recovered AK-47 style firearms were in fact NFA weapons. CCSO Investigator (b) (6), (b) (7)(C) inquired as to if the ATF would send these firearms to the ATF Lab for the determination of NFA firearms as well as charge the militia member with the felon in possession and possession of NFA weapons. CCSO Investigator (b) (6), (b) (7)(C) informed SA (b) (6), (b) (7)(C) that (b) (7)(E)
(b) (7)(E)
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- SA (b) (6), (b) (7)(C) advised CCSO Investigator (b) (6), (b) (7)(C) that the ATF would assist the CCSO with the investigation and

Prepared by: (b) (6), (b) (7)(C)	Title: Special Agent, Brownsville Field Office	Signature: (b) (6), (b) (7)(C)	Date: 9/15/14
Authorized by: (b) (6), (b) (7)(C)	Title: Acting Resident Agent in Charge, Brownsville Field Office	Signature: (b) (6), (b) (7)(C)	Date: 9/15-14
Second level reviewer (optional): Robert W. Elder	Title: Special Agent in Charge, Houston Field Division	Signature:	Date:

agreed to meet (b) (6), (b) (7)(C) at the CCSO on this same day to examine and take custody of the recovered firearms in order to send them to ATF lab, as well as obtain copies of the current case report.

5. On September 2, 2014, CCSO Investigator (b) (6), (b) (7)(C) called SA (b) (6), (b) (7)(C), approximately 15 min after the conclusion of the first phone call, to inform SA (b) (6), (b) (7)(C) that he had to "un-invite" ATF to the case. CCSO Investigator (b) (6), (b) (7)(C) stated that the FBI would be handling the case and charging the firearm violations. (b) (6), (b) (7)(C) apologized and said that the call came from above him and he was following orders.
6. SA (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) that SA (b) (6), (b) (7)(C) had already informed his RAC of the situation, and that now the situation would be pushed up the chain of command to the next level and that his RAC might receive a phone call. CCSO Investigator (b) (6), (b) (7)(C), approximately 10-15 minutes later, texted SA (b) (6), (b) (7)(C) stating that he was acting in the capacity as a SO investigator.
7. On September 4, 2014, ATF IRS (b) (6), (b) (7)(C) sent an intel report identifying individuals and firearms related to the BP shooting incident:
 - The militia member who was shot at was (b) (6), (b) (7)(C), identified as a white male, (b) (6), (b) (7)(C)
 - (b) (6), (b) (7)(C) was convicted on (b) (6), (b) (7)(C) out of the 138th District Court of Texas for the Burglary of a Building, Case# (b) (6), (b) (7)(C) and was sentenced to 2 years confinement, 5 years probation.
 - (b) (6), (b) (7)(C) was also convicted on (b) (6), (b) (7)(C) out of the 138th District Court of Texas for the Burglary of a Building, Case# (b) (6), (b) (7)(C) and was sentenced to 18 months confinement.
 - The firearms that were recovered from (b) (6), (b) (7)(C) are as follows:
 1. Zastava, MODEL: Serbia PAP M92PV, 7.62 x 39mm rifle, SN: (b) (6), (b) (7)(C)
 2. Llama, MODEL: 1911, .45 caliber pistol, SN: (b) (6), (b) (7)(C)
 3. Winchester, MODEL: 70, .243 caliber rifle, SN: (b) (6), (b) (7)(C)
 4. Springfield Armory, MODEL: XDS, .45 caliber pistol, SN: (b) (6), (b) (7)(C)
 5. Centurion, MODEL: 39 Sporter, 7.62 x 39mm, SN: (b) (6), (b) (7)(C)
 - Two other members of this militia have also been identified as Kevin Lyndel Massey and (b) (6), (b) (7)(C).
 - Kevin Lyndel MASSEY is identified as a white male, 6'3" tall, weighing approximately 200 pounds, with brown hair and eyes. DOB: 7/2/1966, FBI: 352619EA8, SSN: 452-19-7991 who resides at 6494 FM 2101, Quinlan, TX 75474. On 1/28/1988, MASSEY served 5 years for the Burglary of a habitation out of Dallas County. MASSEY is coded by the FBI as being apart of a terrorist organization, armed and dangerous, and having violent tendencies.
 - (b) (6), (b) (7)(C) is identified as a white male, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
8. On September 15, 2014, ATF SA (b) (6), (b) (7)(C) was contacted by FBI SA (b) (6), (b) (7)(C). FBI SA (b) (6), (b) (7)(C) was requesting ATF assistance with the firearm violations; NFA determinations, Interstate Nexus Report, and

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establishing the felon in possession case. FBI SA (b) (6), (b) (7)(C) also stated that the FBI would use the FBI lab when sending the firearms off for the NFA determinations. FBI SA (b) (6), (b) (7)(C) further stated that the FBI would be the agency charging the firearm violations because they have the jurisdiction because it is a Domestic Terrorism case.