

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

BRYANT RIYANTO BUDI

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Case No. 3:18mj173

Defendant(s)

RULE 4.1 - 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 May 31, 2018 in the county of Mecklenburg in the Western District of North Carolina, the defendant(s) violated:

Code Section

18 U.S.C. § 1958

Offense Description

Use of interstate commerce facilities in the commission of murder-for-hire

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Christopher Nasca of the U.S. Department of Homeland Security, Homeland Security Investigations, which is incorporated by reference herein.

☒ Continued on the attached sheet.



Complainant's signature

Christopher Nasca, Special Agent, DHS-HSI

Printed name and title

Sworn in accordance with Rule 4.1.

Date: 06/03/2018


David S. Cayer
United States Magistrate Judge 

City and state: Charlotte, North Carolina

David S. Cayer, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Christopher Nasca, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed as a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations (HSI), and have been employed in that capacity since November 2007. I am currently assigned to HSI, Buffalo, New York. Before that time, I was employed as a Customs and Border Protection Enforcement Officer for approximately five years. As a Special Agent, I am a federal law enforcement officer within the meaning of Rule 41(a) of the Federal Rules of Criminal Procedure, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses in violation of the United States Code.

2. The information contained in this affidavit is based on my personal knowledge and observations during the course of this investigation; on information conveyed to me by other law enforcement officers and witnesses, either personally or through their reports; and on my review of physical evidence obtained during the investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint and arrest warrant, I have not set forth each and every fact known in the investigation.

3. Based on the facts set forth herein, I submit that there is probable cause to believe that from on or about April 24, 2018 through June 1, 2018, in the Western District of North Carolina and elsewhere, defendant BRYANT RIYANTO BUDI violated Title 18, United States Code, Section 1958, Use of interstate commerce facilities in the commission of murder-for-hire.

FACTS SUPPORTING PROBABLE CAUSE

4. Website #1 is a hidden service website that is a publicly accessible marketplace and forum.¹ A username and password is required to access the marketplace and forum for Website #1, but the registration process is open to the public. The marketplace for Website #1 contains numerous subsections advertising the sale of various illegal products, including drugs, counterfeit goods, and weapons.

5. In April and May 2018, BUDI contacted an HSI undercover agent (UCA) located in Buffalo, New York via the internet on Website #1. During the course of communications between BUDI and the UCA, BUDI hired the UCA to murder victim C.S., a resident of the Charlotte, North Carolina area. While negotiating the terms of the murder-for-hire with the UCA, BUDI used online usernames, encrypted messaging platforms, and encrypted email services to disguise his true identity.

6. Separately, in April and May 2018, BUDI also contacted a Federal Bureau of Investigation online covert employee (OCE) via the internet on Website #1 to purchase a lethal dose of a radioactive substance.² In his communications with the OCE, BUDI expressed his intent to use the radioactive substance to kill an unnamed individual. BUDI also instructed the OCE to ship the radioactive substance to an address in Charlotte, North Carolina. Similarly, while negotiating the purchase and delivery of this radioactive substance, BUDI again used

¹ The actual name of Website #1 is known to law enforcement. The site remains active and disclosure of the name of the site would potentially alert users to the fact that law enforcement action is being taken against the site, potentially provoking users to notify other users of law enforcement action, flee, and/or destroy evidence. Accordingly, for purposes of the confidentiality and integrity of ongoing investigations, specific names and other identifying factors have been replaced with generic terms.

² The specific radioactive substance is primarily created in nuclear reactors, is highly-toxic, and will likely cause death if ingested in small amounts.

online usernames, encrypted messaging platforms, and encrypted email services to disguise his true identity.

BUDI Hires the UCA to Murder C.S.

7. On April 24, 2018, BUDI, utilizing a username associated with an account on Website #1, hereinafter referred to as “Username #1,” contacted the UCA on Website #1. The UCA was posing as a seller of illegal goods. BUDI asked the UCA, “Actually do you know someone who is a hitman? and able to do a quick job in US?”³ The UCA responded stating, “That type of business is not for me. If you need weapons send me a message otherwise I am out.” The UCA then provided BUDI with an email address purporting to belong to another individual that would provide hitman services. Unbeknownst to BUDI, the email address provided by the UCA for the hitman was also controlled by the same UCA.

8. On April 25, 2018, BUDI responded to the UCA stating, in part, “My enemy that I am trying to get has been making my life a living hell and extorting me for a year now. I was giving him the benefit of the doubt. I appreciate helping me.”

9. On or about April 26, 2018, BUDI initiated the email exchange set forth in part below, by sending an email from his email account hosted by an encrypted email service, hereinafter referred to as “Encrypted Email Address #1,” to the email address provided by the UCA for the hitman.

BUDI: Hey,

UCA: Who gave you my email addres?
What is the job?
Where is the job?

³ This quote and those that follow include a number of grammar and punctuation errors originally made by the messengers who are quoted—all without the use of “sic.”

BUDI: first of all I want to consult with you first. this isnt a definite hire, i want to see if i can trust you and vice versa based on your response.

one guy, he is a no body and doesn't have any fighting skills or training.
just make it look like a robbery gone wrong and finish him.

it's in the eastern part of the US

...

BUDI: first, I am still doubting because i have been scammed before. so how do i know that you are the real deal? and wouldnt scammed me?

UCA: I don't need your business.
Best of luck.

BUDI: why are you all offended like that?
the previous person I hired didnt do the job and left with my money, so i am just making sure that I am not getting into the same hole again.

10. On or about April 27, 2018, the email conversation between BUDI and the UCA continued, as set forth in part below.

BUDI: I know that I am being difficult, but I am just looking out for myself. like i said before, the other guy I have hired left without doing his job....

here is the detail of the job and let me know what you think. or at least reconsider

he is 30 years old

lives in apt in Charlotte, NC (i'll tell you when you have agree)

goes only to dollar tree and gas station (doesnt go anywhere)

doesnt know fighting skill

basically make it look like robbery went wrong. dont care what weapon you use, as long as you get it done.

UCA: I can't give you prices or anything without details.
Do you actually have funds to pay for this?

BUDI: I have 4k ready to go. cash... if we want to convert to btc [bitcoin], then it might be a few hundreds lower than 4k

Can you we do payment step by step?

for example: 1/3 (to get to town and show pic for proof), 1/3 (when you do it), 1/3 (when its done).

UCA: Yes we can do your 1/3 plan. But I would need 1/3 to start, 1/3 when I prove I'm in your town, 1/3 when the job is done. Price to be determined on the person.

11. On or about May 17, 2018, the UCA sent a message to BUDI stating, "You have to tell me who it is and agree to the payment structure you asked for if I were to even consider it."

12. On or about May 18, 2018, BUDI responded to the UCA:

Name: [C.S.]
Age: ~ 30
Place: Charlotte, NC
pic: [internet link to a photograph of C.S.]
Height: 6 feet 1 inch

13. On or about May 19, 2018, BUDI provided C.S.'s address to the UCA.

14. On May 23, 2018, BUDI and the UCA began exchanging text message communications. The telephone number BUDI provided was a Google Voice number. Internet protocol (IP) address information associated with BUDI's Google Voice number revealed that the IP addresses used by this Google Voice number on May 23, 2018, resolved to a Holiday Inn located at 17 W. Haley Street, Santa Barbara, California. Travel records obtained by law enforcement personnel revealed that BUDI stayed at the Holiday Inn located at 17 W. Haley Street, Santa Barbara, California from May 22, 2018 to May 23, 2018.

15. On May 24, 2018, BUDI and the UCA exchanged text messages which read, in part:

BUDI: Can I request that you make him like he ran away?
Is that possible?

UCA: Ran away or disappeared?

BUDI: Which way is easier for u?
It would be nice to be like he ran away. But not sure how much work that would be for u?

UCA: Disappeared I can do, Ran away is a LOT of work to convince insurance companies LE and family or friends to believe it.

BUDI: Isn't disappearing and ran away the same thing?
Whichever is easier for u.

UCA: No. Disappeared is just gone. Run away is creating a whole story that he up and left and is living happily somewhere else.

BUDI: Disappear then.

UCA: Ok.

16. On May 29, 2018, the UCA traveled to Charlotte, North Carolina from Buffalo, New York.

17. On May 29, 2018, BUDI and the UCA had the following text message exchange:

BUDI: So u r already in Charlotte?

UCA: Yes. I used all the travelers for the race crowd to blend in and get in the city.

BUDI: Btw. My phone is broken, it works half of the time. Email me in the meantime

UCA: I'm here and I think I found the apartment. We need to discuss the payment.

18. On or about May 30, 2018, BUDI sent an email to the UCA stating, in part, "additionally, you said that you would take a pic of your weapon (barrel with notes). I want you to take a pic of that and also with the same note, use that it within apt building/complex pic."

19. On or about May 30, 2018, the UCA texted a photograph of the outside of C.S.'s apartment to BUDI. The photograph shows the front door of C.S.'s apartment with a note depicting the date and the email prefixes for the email account used by the UCA and BUDI's Encrypted Email Address #1. The UCA also texted a photograph to BUDI depicting a firearm with the note as instructed by BUDI.

20. Based on records provided to law enforcement agents by the management company of the apartment complex, BUDI is the lessee for the apartment where C.S. resides.

21. On May 31, 2018, BUDI sent an email to the UCA stating, “Hey, haven’t heard back from you since yesterday. Is everything ok?” The UCA responded to BUDI stating, “Yes. The photos you requested were sent to your phone. Just like we talked about. I think it’s very clear, I have done what I said I would do. Now its up to you to uphold your part. Stop stalling and wasting my time and check your phone.”

22. On or about May 31, 2018, BUDI made two payments to the UCA for the murder-for hire: the first payment was for approximately \$500 in virtual currency and the second payment was for approximately \$300 in virtual currency.

BUDI Purchases a Lethal Dose of a Radioactive Substance

23. On April 22, 2018, BUDI, utilizing the same Username #1 discussed in paragraph 7 above, contacted the OCE via Website #1 to inquire about purchasing a lethal dose of a radioactive substance.

24. On April 25, 2018, BUDI provided his Encrypted Email Address #1 to the OCE. This is the same email address BUDI used to communicate with the UCA regarding the murder-for-hire discussed above.

25. On April 26, 2018, BUDI sent the following message to the OCE: “do you sell ricin as well? basically I want to use it for you know how much is a lethal dosage? and how do I know that you have is radioactive not some water solution? I am in US, how fast is the shipping?”

26. Later on April 26, 2018, BUDI sent another message to the OCE, stating, “how long would it take for a person to die if he/she ingest that? how much could I get for \$500?”

27. On April 27, 2018, BUDI sent a message to the OCE stating in part, “i tried to poison him with something else, but it tasted bitter as soon as he took a swig at it so he threw up. [...] how would i know the affect would happen in 2 weeks? will it show in body autopsy?”

28. On April 27, 2018, the OCE replied to BUDI, stating, in part, “cant say that it be exact 2 weeks but somewhere 2-3. i always make dose little above lethal so it for sure work.”

29. On April 29, 2018, BUDI asked the OCE, in part, “whats the lethal dosage for a 250 pound man? i want to see if i can put on multiple food. can you put the money in the escrow until he dies? can you make 4ml of the dosage for \$800?”

30. On April 30, 2018, BUDI asked the OCE “Hey I am not sure if I have asked you this, but do you know anyone that you trust/recommend who is a hitman?”

31. On May 1, 2018, the OCE responded to BUDI’s message sent on April 29, 2018, stating, in part, “yes, i will make u 4ml for 800\$”

32. On May 20, 2018, BUDI and the OCE had a conversation over an encrypted messaging platform. During this exchange, BUDI provided the OCE with the name and address the OCE should use to ship the radioactive substance.⁴

BUDI: Send the package to this:
 [C.W.]
 [C.W.’s address in Charlotte, NC

33. On May 20, 2018, the OCE responded to BUDI by reminding him that their agreement was for a total of \$800, paid partially up front and then complete once the unidentified victim dies from radiation poisoning. The OCE also agreed to ship the package to C.W.’s address.

⁴ As set forth herein, “C.W.” refers to a cooperating witness and does not represent the initials of the individual identified by BUDI.

34. On May 22, 2018, the OCE advised BUDI that the package containing the radioactive substance was shipped and provided the international tracking number for the package.

35. On May 31, 2018, the package containing the inert radioactive substance ordered by BUDI was delivered to the C.W.'s address in Charlotte, North Carolina.

36. On June 1, 2018, law enforcement officers interviewed the C.W. The following is only a portion of what the C.W. stated during the course of his interview with law enforcement officers.

- a. The C.W. told the law enforcement agents that he was holding the package for BUDI while BUDI was out of town.
- b. The C.W. provided law enforcement agents with text messages from BUDI regarding the delivery of the package.
- c. The C.W. positively identified BUDI and informed law enforcement agents that he has known BUDI for several years. The C.W. also said that BUDI was a friend from college.

37. On June 1, 2018, BUDI met the C.W. in Charlotte, North Carolina, to retrieve the package containing the inert radioactive substance. During the brief meeting, BUDI told the C.W. that BUDI was recently in California. At approximately 11:15pm, BUDI retrieved the package from the C.W. and was placed in custody shortly thereafter.

CONCLUSION

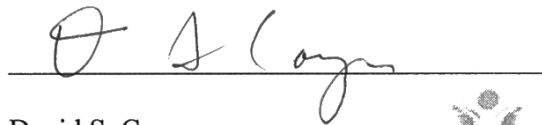
38. Based on the above facts, there is probable cause to believe that BRYANT RIYANTO BUDI has violated Title 18, United States Code, Section 1958 (Use of interstate commerce facilities in the commission of murder-for-hire).

Respectfully submitted,

Christopher Nasca
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 3d Day of June, 2018, at enter time am/pm

Signed: June 3, 2018

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

