

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee



United States of America

v.

Cason Moreland

Defendant(s)

Case No.

17-3054

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 March 1, 2017 to March 26, 2017 in the county of Davidson in the Middle District of Tennessee, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1510	Obstruction of criminal investigations
18 U.S.C. 1512	Tampering with a witness, victim, or an informant
18 U.S.C. 1513	Retaliating against a witness, victim, or an informant

This criminal complaint is based on these facts:
See the attached Affidavit of FBI Special Agent Mark Shafer.

Continued on the attached sheet.

Mark Shafer
Complainant's signature

FBI Special Agent Mark Shafer
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/28/2017

City and state: Nashville, TN

Joe B. Brown
Judge's signature

Magistrate Joe B. Brown
Printed name and title

STATEMENT IN SUPPORT OF COMPLAINT

I, Mark Shafer, being duly sworn, deposes and states as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed for nineteen years. As a Special Agent, I am charged with the responsibility of investigating violations of the laws of the United States Code, including, but not limited to, violations of Title 18, United States Code, Sections 1341, 1343, and 1346 (honest services fraud), 1951 (Hobbs Act extortion under color of official right), as well as Sections 1503, 1510, 1512, and 1513 (obstruction of justice), and collecting evidence in matters in which the United States is or may be a party of interest. I have received specialized training to perform those official duties and responsibilities and have been exposed to a variety of investigative techniques and resources, which include, but are not limited to, physical surveillance, electronic surveillance, monitoring court-authorized wiretaps, managing the use of confidential sources ("CS"), consensual monitoring of conversations, the use of vehicle tracking devices, conducting searches of physical locations, and conducting searches of electronic storage medium, i.e.; computers, cell-phones, and other digital storage devices, all of which may be utilized to retain information such as documents, e-mails, text messages, pictures, voice notes, contact lists, and call logs.

2. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation from discussions with Special Agents and Analysts with the FBI; from my discussions with witnesses involved in the investigation; from my review of recordings made during the course of the investigation; and from my review of other records and reports relating to the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by an FBI Special Agent or Analyst, or a witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Such statements are

among many statements made by others and are stated in substance and in part unless otherwise indicated. Where statements from recorded calls or meetings are set forth in quotation marks, these quotes represent an attempt at rough transcription based on the recordings, which have not been officially transcribed. This affidavit does not contain all the information known to me regarding this investigation but only what I believe to be sufficient facts for the sole purpose of establishing probable cause for the arrest of Cason (“Casey”) MORELAND. Therefore, I have not set forth each and every fact that I have learned during the course of this investigation. Facts not set forth herein are not being relied upon in reaching my conclusion that an arrest warrant should be issued. Nor do I request that the Court rely on any facts not set forth herein.

3. This affidavit is presented in support of an arrest warrant for Cason (“Casey”) MORELAND, and a complaint charging that, beginning not later than March 1, 2017 and continuing on through at least March 26, 2017, in the Middle District of Tennessee and elsewhere, MORELAND did knowingly attempt to obstruct justice through bribery and witness tampering, in violation of Title 18, United States Code, Sections 1510, 1512(b)(3), 1512(c)(2), and 1513(e).

THE FEDERAL CRIMINAL INVESTIGATION INTO MORELAND

Background of the Investigation

4. MORELAND is a Judge on the General Sessions Court of Metropolitan Nashville & Davidson County, Tennessee. MORELAND presides over Division X of the General Session Court and hears civil, criminal, and traffic cases. MORELAND previously served as Presiding Judge of the General Sessions Court and directed the administration of two specialized court programs—the General Sessions Drug Treatment Court, and the Cherished H.E.A.R.T.S. program—until his resignation from those positions on or about February 3, 2017. As a General Sessions Court Judge, MORELAND was required to take an oath or affirmation to “administer

justice without respect of persons, and impartially discharge all the duties incumbent on a judge or chancellor, to the best of [his] skill and ability.” See T.C.A. § 17-1-104.

5. On or about January 25, 2017, the FBI opened a federal criminal investigation into whether MORELAND and others violated federal anti-corruption statutes, including 18 U.S.C. §§ 1341, 1343, and 1346 (honest services fraud); and 18 U.S.C. § 1951 (Hobbs Act extortion under color of official right).

6. In or about February 2017, a federal grand jury in the Middle District of Tennessee began to investigate whether MORELAND and others had violated federal anti-corruption laws. The grand jury issued its first subpoena in furtherance of the investigation on or about February 15, 2017.

7. The federal criminal investigation is centered on allegations that MORELAND solicited, accepted, and extorted things of value—including sexual favors, travel, and lodging—from persons with whom he had close personal relationships, in return for performing official acts that benefitted these persons and their associates. Some of the specific allegations that the FBI and the grand jury are investigating pertain to MORELAND’s relationships with a number of individuals, including but not limited to Person 1 and Person 2.

MORELAND’s Knowledge of the Investigation

8. There is probable cause to believe that MORELAND is well aware of the federal investigation into his relationships with Person 1 and Person 2.

9. On or about February 1, 2017, FBI agents, identifying themselves as such, made contact with MORELAND and attempted to interview him. MORELAND advised the agents to speak to his attorney. MORELAND’s attorney then contacted the U.S. Attorney’s Office.

10. On or about February 23, 2017, MORELAND's attorney met with the U.S. Attorney's Office to discuss the status of the criminal investigation.

Person 1's Status as a Material Witness

11. On or about January 26, 2017, the FBI interviewed Person 1 in connection with the investigation into MORELAND. Since this initial interview, Person 1 has continued to provide the FBI with information related to this investigation.

12. According to Person 1, she was introduced to MORELAND in July 2015 by Person 2. Person 1 has told the FBI about various official acts that MORELAND has taken to benefit her, and has told the FBI that she and MORELAND began a sexual relationship in or about April 2016. Person 1 has also stated her opinion that it was not her intent for the official acts and sexual relationship to be exchanged as a quid pro quo; however, she believed that MORELAND offered to perform the official acts with the hope and expectation of receiving a sexual relationship in return.

13. With regard to the first official act that MORELAND undertook to benefit Person 1, Person 1 told the FBI that she complained to Person 2 in July 2015 about her inability to pay off various fees and fines that she had accrued in two court cases. In response, Person 2 offered to set up a meeting with MORELAND. Person 2 later disclosed to Person 1 that, in approximately summer 2013, she had had a sexual relationship with MORELAND in order to get out of a charge for driving under the influence. According to Person 1, Person 2 set up a meeting with MORELAND at a local restaurant, where Person 1 told MORELAND about her unpaid fees and fines. A few days later, MORELAND intervened on her behalf by waiving the fees and fines. On or about July 14, 2015, MORELAND sent Person 1 a text message stating, "Your fees; fines and

court costs are taken care of! You now officially owe me !! Haha.” Person 1 responded, “I cannot thank you enough!!! And yes I definitely owe you!”

14. Person 1 also told the FBI that in December 2015, MORELAND agreed to help Person 1 have an interlock breathalyzer removed from her car, by writing a memorandum on official letterhead that she could present to the Department of Motor Vehicles. On or about December 29, 2015, MORELAND created a letter (of which he sent a picture to Person 1 via text message) stating that Person 1 had “satisfied the twelve (12) month interlock requirement as a result of her probation. The device may now be removed from her vehicle.”

15. Person 1 also told the FBI that on or around June 16, 2016, MORELAND intervened on her behalf during a traffic stop. According to Person 1, she was pulled over by a Metro Nashville Police Officer while on her way to a bar to meet MORELAND for drinks. Person 1 reported the traffic stop to MORELAND as it was happening, and he asked her to find out the name of the officer who had stopped her. After she relayed that information to him, MORELAND called the officer’s supervisor and told him that Person 1 was on her way to meet MORELAND at his office for a meeting, which caused the supervisor to believe that MORELAND wanted Person 1 to be allowed to continue to his office, despite the fact that her driver’s license had been revoked. The supervisor then spoke with the officer, who declined to issue Person 1 a ticket for driving on a revoked license and allowed her to continue on to her destination. According to Person 1, she then met MORELAND at a bar, after which they returned to his chambers, where they had sexual intercourse. A few days later, Person 1 expressed her gratitude for MORELAND’s assistance. In response, MORELAND first noted that he “just used [his] super powers,” then added that his “desk still has butt marks on it!!”

16. Person 1 also told the FBI that in November 2016, MORELAND intervened on her behalf by placing two of her traffic tickets on the docket without issuing subpoenas to the officers who had issued the tickets, resulting in the fines being waived or retired.

MORELAND's Knowledge of Person 1's Status as a Material Witness

17. There is probable cause to believe that MORELAND is well aware of Person 1's status as a witness with information material to the federal criminal investigation, and that she has made statements that implicate his penal interest.

18. Several local media reports have focused on Person 1's relationship with MORELAND, and have broadcast statements that Person 1 has made about MORELAND. *See, e.g.,* Nancy Amons, *Friend: Leigh Terry Threatened to Expose Affair with Attorney Before Suicide*, WSMV, Feb. 1, 2017 (reporting on July 2015 episode when MORELAND waived court fines for Person 1); Nancy Amons, *Judge Dismissed Tickets, Fines for Female Friend*, WSMV, Feb. 3, 2017 (reporting on November 2016 episode when MORELAND took steps to place two of Person 1's tickets on the docket without subpoenaing the officer); Nancy Amons, *Judge's Phone Call Intervenes During Police Stop*, WSMV, Feb. 9, 2017 (reporting on June 2016 episode when MORELAND intervened during Person 1's traffic stop, and highlighting the text message in which MORELAND tells Person 1 about "butt marks" on his desk).

19. On or about February 1, 2017, a formal complaint was filed anonymously with the Board of Professional Responsibility and the Board of Judicial Conduct. That complaint alleged, among other things, that "Judge MORELAND had sex with [Person 2] in the chambers of his courtroom in exchange for dismissing charges against [Person 2]"; and that "Judge MORELAND engaged in an ongoing sexual relationship with women who appeared before him as Defendants, including" Person 1. According to local media, MORELAND's attorney has

confirmed that MORELAND has been notified of the complaint. *See* Stacey Barchenger, *What's Next for Nashville Judge Casey Moreland?*, THE TENNESSEAN, Feb. 24, 2017.

20. MORELAND has also given statements to the media acknowledging his awareness of the allegations regarding his relationships with Person 1 and Person 2. For example, MORELAND gave a statement to *The Nashville Scene* in which he falsely stated, "At no time did I intervene on [behalf of Person 1 or Person 2] during or after judgments were rendered by the appropriate courts." *See* Steve Cavendish & Walter Roche, *Questions Surround Trip Taken by Judge, Lawyers, Women*, NASHVILLE SCENE, Jan. 31, 2017. Likewise, MORELAND gave an interview to WKRN in which he falsely stated that he met Person 1 "long after I had helped her in any shape, form, or fashion. Her cases were over before I ever met her." *See* WKRN Web Staff, *Embattled Judge Casey Moreland Opens Up on Allegations for First Time*, WKRN, Feb. 22, 2017.

MORELAND'S ENDEAVOR TO OBSTRUCT THE FEDERAL CRIMINAL INVESTIGATION

March 1-6, 2017: Creation of Scheme to Obstruct

21. On or about March 1, 2017—less than a week after MORELAND's attorney had met with the U.S. Attorney's Office to discuss the status of the federal criminal investigation—MORELAND met at his sister's house with CS-1.¹ According to CS-1, he and MORELAND had met twenty-plus years earlier, but had reconnected recently, in the context of CS-1 asking MORELAND for help getting a job working as a security officer in General Sessions Court. According to CS-1, MORELAND asked during the March 1 meeting whether CS-1 was friends with Person 1. CS-1 told MORELAND that he was not, but might have a friend in common with

¹ As noted below, CS-1 was approached by FBI agents on or about March 10, 2017, and initially lied about his knowledge of or involvement with the scheme to obstruct. He has since admitted to participating with MORELAND in a scheme to obtain an affidavit from Person 1 in exchange for money, and is currently cooperating with the FBI in the hopes of receiving leniency.

her. CS-1 then checked Facebook and discovered that he and Person 1 had a mutual friend, referred to here as CS-2. MORELAND then suggested to CS-1 that he reach out to CS-2 and use her as an intermediary to persuade Person 1 to sign an affidavit recanting her prior statements, in exchange for several thousand dollars. CS-1 agreed to do so, and contacted CS-2 on Facebook, asking her to call him.

22. Also on or about March 1, 2017, MORELAND told CS-1 that he was interested in orchestrating a situation in which drugs would be planted on Person 1 and then she would be pulled over in a traffic stop where the drugs would be found. MORELAND told CS-1 that a traffic stop of that sort would likely destroy Person 1's credibility. MORELAND asked CS-1 if he knew anyone in law enforcement who could help orchestrate the plan, and CS-1 responded that he knew someone who might be willing to assist them.

23. On or about March 2, 2017, MORELAND told CS-1 that he was concerned about his phone calls being monitored, and the two of them discussed acquiring a temporary, or "burner," phone for MORELAND to use. On or about March 3, 2017, CS-1 went to a Verizon store and purchased a "burner" phone for MORELAND, registered in the name of "Raul Rodriguez." CS-1 then delivered the phone to MORELAND. Toll records show that the first call on the "Raul Rodriguez" burner phone was placed on March 3, 2017 at 6:24 p.m., with the dialed number being to a cell phone registered to MORELAND.

24. On or about March 3, 2017, MORELAND directed CS-1 to call Person 1's phone in order to confirm that the number MORELAND had for her was still valid. CS-1 called Person 1 on speakerphone, with MORELAND listening. When Person 1 answered and MORELAND confirmed that it was her, CS-1 attempted to make it sound like he had dialed the wrong number.

25. Between on or about March 3 and on or about March 5, 2017, MORELAND continued to ask CS-1 whether he had heard back from CS-2 (the mutual friend with Person 1). On or about March 5, 2017, CS-1 sent CS-2 a series of messages indicating that it was very important for her to call him. That evening, CS-2 called CS-1, and he told her about the idea of giving her several thousand dollars—which she could split with Person 1—in exchange for having Person 1 sign an affidavit recanting her prior statements about MORELAND.

26. On or about March 6, 2017, CS-2 spoke to Person 1 and told her about the proposal that CS-1 had relayed to her. Shortly thereafter, Person 1 conveyed this information to the FBI.

March 9-10, 2017: Initial Recorded Phone Calls

27. On or about March 9, 2017, CS-2 was approached by FBI agents and was asked about her discussions with CS-1 and Person 1. CS-2 acknowledged that she had spoken to CS-1 and had conveyed his proposal to Person 1. CS-2 then agreed to place a consensually recorded call to CS-1. On that call, CS-1 initially told CS-2 that he had “a bunch of hundred dollar bills” for her. CS-2 then told CS-1 that she had spoken to Person 1 and that Person 1 did not want to sign the affidavit and instead needed to speak to her lawyer. In response, CS-1 asked CS-2 if she had given his full name to Person 1. CS-2 told CS-1 that she had. CS-1 then advised CS-2 not to answer any calls from Person 1 and that if Person 1 were to mention his name to her again, she should say that she does not remember CS-1 and had been “half drunk” when she had talked to Person 1 previously. Shortly thereafter, CS-1 called CS-2 back and attempted to explain that he had not actually been offering Person 1 money.

28. According to CS-1, he was with MORELAND and had CS-2 on speaker phone during the conversation described above. CS-1 stated that MORELAND listened to the call with CS-2, then uttered an expletive and told CS-1 not to mention MORELAND’s name. Shortly before

CS-2's call, MORELAND had sent a text message to CS-1 with a photograph of a large pile of cash. (A copy of the photograph is attached as Exhibit 1.) According to CS-1, MORELAND wanted him to send the picture to CS-2 to prove that the money was ready and available. After CS-2's phone call to CS-1, MORELAND told CS-1 that he now needed to send another text to CS-1 providing a cover story for why he had sent the photo of the money. Later that day, MORELAND sent CS-1 a text message saying that he had just sold his Harley-Davidson motorcycle, in order to make it seem as though the sale of the motorcycle had prompted him to send the picture. The FBI has reviewed both the photo of the money and the follow-up text describing the sale of the Harley-Davidson.

29. On or about March 10, 2017, CS-1 was approached by FBI agents, who asked whether he knew Person 1 or CS-2, and whether he had placed a call to Person 1's phone. CS-1 initially denied that he knew them and denied that he had made the phone call, but later admitted that he had agreed to contact CS-2 at MORELAND's request and that he had placed the phone call to Person 1. CS-1 then made a series of consensually recorded calls with MORELAND, acting at the direction of the FBI. Prior to the first call, CS-1 sent a text message to MORELAND asking MORELAND to call him. MORELAND then called CS-1 back from the "Raul Rodriguez" burner phone. On that call, CS-1 first indicated to MORELAND that he had spoken to CS-2 again, and that Person 1 might be willing to sign the affidavit after all. In response, MORELAND suggested that "it might be a setup," and recommended that CS-1 go out for drinks with CS-2 and Person 1 to "feel it out." On that call, MORELAND instructed CS-1 to tell CS-2 and Person 1 that MORELAND did not "know anything about it."

30. On that same recorded call, MORELAND also told CS-1 that he would call him back with "some numbers." MORELAND then called CS-1 back and provided him with three

letters that he said were the last three letters of Person 1's license plate number. The FBI has confirmed that the three letters MORELAND provided to CS-1 are indeed the last three letters of Person 1's license plate number.

March 11, 2017: Meeting with MORELAND to Pick Up Affidavit and Money

31. On or about March 11, 2017, CS-1, still acting at the FBI's direction, met with MORELAND. During that meeting, which was recorded, CS-1 told MORELAND that he had met with CS-2 the night before and that he believed that Person 1 would be willing to sign an affidavit. MORELAND then gave CS-1 \$5,100 in cash, plus an affidavit that was written as though it was from Person 1. (The FBI has since taken the money into evidence.) In discussing the affidavit, MORELAND explained to CS-1 that "this right here gets me out of trouble." The affidavit stated, among other things:

- a. that Person 1 first met MORELAND on July 15, 2015, and that, on that date, "while I was at the AA Birch Building, based upon my statement [to MORELAND about my finances], he found me to be indigent therefore freeing me from my fines and court costs";
- b. that "Judge MORELAND never once asked me for anything in return for his assistance";
- c. that "[a]t no time did Judge MORELAND offer to help me in any way in exchange for sex";
- d. that "[o]ur relationship was consensual at all times and never quid pro quo";
- e. that "I did meet Judge MORELAND in his office one afternoon, however we were there for only a few minutes" and "[w]e did not have sex in his office," but that she

had “jokingly [sat] on his desk and left a butt print, thus the origin of the text message”;

- f. that “in the later part of January, 2017, I was taken to the Channel 4 studio by” Person 3 and “was further tricked, coerced, and paid \$2,500.00 to give an interview to Nancy Amons,” and that she later informed Nancy Amons “that a lot of what I told her was not accurate and that she did not have permission to use my interview,” and that “Nancy Amons had knowledge that I was paid for the interview and that I was tricked into giving it”;
- g. that “several of the text messages on my phone were put on there by way of the SPOFF [sic] phone application and not by Judge MORELAND”;
- h. that “Judge MORELAND loaned me \$800.00 to pay traffic fines in other counties” and that “when he discovered that I had spent the money on something other than fines, our relationship ended”; and
- i. that “Judge MORELAND was at all times a gentleman to me and never asked for sex in exchange for anything or any action on his part.”

32. When reviewing the affidavit, MORELAND told CS-1 at various points that Person 1 should only sign the affidavit if it was true, and should cross out portions of the affidavit that were untrue. Nevertheless, he acknowledged to CS-1 that the statement about text messages on her phone being spoofed was probably untrue, and that while she could cross that portion out if she wanted, “I’d really rather she not.” He also told CS-1, “I got to have in there that he”—referring to Person 3—“paid her. That gets me out of trouble.”²

² CS-1 has admitted to the FBI that he had previously told MORELAND that he had heard a rumor that Person 3 had paid Person 1 \$2,500 in exchange for the WSMV interview. CS-1 has further admitted to the FBI that he had not in fact heard such a rumor.

33. During the meeting, MORELAND took steps to try to distance himself from the affidavit, including asking CS-1 to take the affidavit out of an envelope so that MORELAND's fingerprints would not be on it; telling CS-1, "I know nothing about it"; and advising him that "You're like a private investigator. We're taking a statement from her. But you don't work for me." MORELAND also repeatedly advised CS-1 that when he meets with Person 1 and CS-2, he should speak with the assumption that he is being recorded. He further advised that CS-1 should "never mention a word about money" in front of Person 1, and should direct CS-2 not to do so either.

34. MORELAND further advised CS-1 that he should leave the affidavit and money in the car until Person 1 agrees to sign it, and that he should get Person 1 "liquored up real good before you bring it up."

March 11, 2017: Recorded Calls with MORELAND

35. On or about March 11, 2017 at approximately 8:05 p.m., CS-1 (still acting at the direction of the FBI) texted MORELAND on his regular phone and requested that he call him back. MORELAND then called CS-1 from the "Raul Rodriguez" burner phone. CS-1 told MORELAND that he was with Person 1 and CS-2. (In fact, CS-1 did not meet with Person 1 or CS-2 on March 11, 2017. CS-1's statements to MORELAND about Person 1 and CS-2 were made at the direction of the FBI.) CS-1 told MORELAND that he had reviewed the affidavit with Person 1 and that there were various statements that she wanted to cross out because they were untrue, including:

- a. that she was paid \$2,500 for the WSMV interview;
- b. that she and MORELAND never had sex in his office;
- c. that text messages on her phone had been placed there by spoofing;

- d. that the \$800 he had given her had been a loan; and
- e. that they had met at the A.A. Birch building (rather than at a local restaurant).

36. In response, MORELAND said that Person 1 could mark out the part about the \$800 being a loan. He further stated that Person 1 could mark out the amount she was paid, but should keep in there the statement that she was paid for the interview. He further stated that she had to leave in the statement about them not having sex in his office, noting, "Tell her, I got to have that." CS-1 asked MORELAND what he should do if he relays to Person 1 what changes are acceptable and she refuses to sign the affidavit. MORELAND first noted that what is in the affidavit has to be the truth, but further explained that "it's got to help me. If she's marking everything out and it's not helping me—." MORELAND then asked CS-1 how much money Person 1 wanted in exchange for signing the affidavit. CS-1 responded that Person 1 wanted half—meaning roughly \$2,500. MORELAND responded, "Well, but she's going to have to do something to help me for it." After further reviewing what changes MORELAND would find acceptable, CS-1 asked MORELAND what Person 1 could keep if she accepts the authorized changes. MORELAND responded that he did not care what she kept, before adding that "we'll take care of whoever on the back end, too" and that "if we have to have a little more, we'll have a little more."

37. On or about March 11, 2017 at approximately 8:51 p.m., CS-1 called MORELAND on the "Raul Rodriguez" burner phone. On that consensually recorded call, CS-1 told MORELAND that Person 1 would agree to sign the affidavit "as-is" for an extra thousand dollars. MORELAND agreed. CS-1 then explained that he was going to take the extra thousand dollars out of CS-2's cut, but then needed to get an additional thousand dollars from MORELAND to pay CS-2. MORELAND asked if CS-1 could give CS-2 the additional thousand dollars the next day, but added, "If you need to come by here tonight, I'll give it to you tonight." MORELAND further

instructed CS-1 to make a video recording of Person 1 reading the affidavit aloud or, failing that, at least make a recording of her signing it. CS-1 told MORELAND that he would try to do so.

March 11, 2017: Meeting with MORELAND to Pick Up Additional Money

38. Later in the evening on or about March 11, 2017, CS-1 returned to MORELAND's sister's house and had another meeting with MORELAND. During that meeting, CS-1 told MORELAND that he had been unable to record Person 1 reading or signing the affidavit. At one point, MORELAND asked CS-1 how much Person 1 had taken for herself, specifically asking whether it was \$3,500. CS-1 confirmed that it was around \$3,500-\$4,000.

39. During that meeting, MORELAND gave CS-1 an extra \$1,000, and CS-1 gave MORELAND the affidavit, which had purportedly been signed by Person 1, but in fact had been signed by an FBI agent. (The FBI has also taken this money into evidence.) MORELAND asked CS-1 if he would stamp and notarize the affidavit, and CS-1 responded that he would look for his notary stamp when he got home.

March 12-14, 2017: Further Discussion of Notary Stamp

40. On or about March 12, 2017, MORELAND called CS-1 and asked again about CS-1 putting his notary stamp on the affidavit. On or about March 14, 2017, CS-1 again met with MORELAND and put his notary stamp on the affidavit.

March 16, 2017: Meeting with MORELAND to Discuss Planting Drugs

41. On or about March 16, 2017, CS-1 again met with MORELAND at MORELAND's sister's house. During that meeting, and at the direction of the FBI, CS-1 told MORELAND that he met with the law enforcement officer he knows to talk about planting drugs on Person 1 and orchestrating a traffic stop. CS-1 told MORELAND that he had asked the officer about pulling Person 1 over and finding drugs on her. CS-1 told MORELAND that the officer had agreed that it

“wouldn’t look good [for Person 1] at all,” but had asked CS-1 what was in it for him. CS-1 also told MORELAND that the officer had said that he “can’t get ‘em.” When MORELAND asked, “Can’t get what?” CS-1 responded, “The dope.” MORELAND replied, “Oh.” After further discussion, CS-1 told MORELAND to let him know what he wanted to do about the officer. MORELAND responded, “What’s he want?”—which CS-1 understood to be an inquiry into how much money the officer wanted to carry out the stop. CS-1 replied that he did not know what the officer wanted. MORELAND then asked whether the officer would “be the one to pull her over,” and CS-1 responded that he would be. MORELAND then asked, “Does he have a dog?”—which CS-1 understood to be a reference to a drug-sniffing dog. CS-1 responded that he believed that the officer did have a dog. MORELAND then noted that the problem was that Person 1 does not have “a damn driver’s license.” He then asked whether CS-1 had found Person 1’s car, and whether he still had the tag number that MORELAND had previously given him. CS-1 responded that he had not found Person 1’s car but still had the tag number. MORELAND said that the tag number should be enough to find the car.

CONCLUSION

42. Based upon my training and experience, and the totality of the facts described above, I believe there is probable cause to believe that, beginning not later than March 1, 2017, continuing on through at least March 26, 2017, in the Middle District of Tennessee and elsewhere, MORELAND did knowingly attempt to obstruct justice through bribery and witness tampering, in violation of Title 18, United States Code, Sections 1510, 1512(b)(3), 1512(c)(2), and 1513(e).

