

FILED

DEC 17 2008

Clerk, U.S. District Court
By: *[Signature]* Deputy Clerk

United States District Court

DISTRICT OF KANSAS
(Kansas City Docket)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DAVID N. HAUSE,)
Defendant.)

CASE NUMBER: 08-MJ-8128-JPO

CRIMINAL COMPLAINT

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

COUNT 1

On or about December 12, 2008, in the District of Kansas, the defendant, David N. Hause, Jr., by force, violence, and intimidation took from the person and presence of Sierra Jewell Miller, an employee of Midwest Regional Credit Union, 1015 West 6th Street, Lawrence, Kansas, 66044, the deposits of which were then insured by the National Credit Union Association, United States currency, belonging to and in the care, custody, control, management, and possession of such credit union, in violation of Title 18, United States Code, Section 2113(a).

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 affidavit, which is incorporated herein by reference.

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



Special Agent Arch Gothard
Signature of Complainant

Sworn to before me and subscribed in my presence,

December 17, 2008 at Kansas City, Kansas.

Honorable James P. O'Hara
United States Magistrate Judge



Signature of Judicial Officer

CRIMINAL COMPLAINT

I, Special Agent Arch Gothard, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about December 12, 2008, in the District of Kansas, the defendant, David N. Hause, Jr., by force, violence, and intimidation took from the person and presence of Sierra Jewell Miller, an employee of Midwest Regional Credit Union, 1015 West 6th Street, Lawrence, Kansas, 66044, the deposits of which were then insured by the National Credit Union Association, United States currency, belonging to and in the care, custody, control, management, and possession of such credit union, in violation of Title 18, United States Code, Section 2113(a).

I have been a Special Agent with the Federal Bureau of Investigation (FBI) for over 13 years. During that time I have investigated a wide variety of violations of Federal law. I am currently assigned to the Violent Crimes Squad of the Kansas City Division of the FBI. The information in this complaint was obtained by me personally, from other law enforcement officers and their official reports.

1. On December 12, 2008, law enforcement personnel responded to a credit union robbery at Midwest Regional Credit Union, 1015 West 6th Street, Lawrence, Kansas, 66044.

2. On December 12, 2008, FBI Special Agent Scott F. Gentine interviewed Sierra Miller, teller, Midwest Regional Credit Union, regarding the robbery. Miller recounted the following information:

A. At approximately 10:15 am, a lone white male (hereinafter referred to as robber) entered the credit union and approached Miller's teller window. The robber pushed a white plastic grocery store bag under the window to Miller and told her to give him all the money. It was at this time that Branch Manager, Tina Christian came out to the lobby from her office and told the robber to get out of the credit union. The robber walked over to Christian while Miller was removing the cash from her teller drawer. Miller found out later that the robber struck Christian, but Miller did not see this occur. The robber walked back to Miller's station and put his hand over the window and told Miller to put the money in the bag, saying, "I have a piece." The robber's hand was concealed up his sleeve, so Miller did not see a weapon, but believed the robber to be in possession of one. During the robbery, the robber told her more than once to give him "all the hundreds." The robber grabbed the money from Miller's hand before she could put it in the plastic bag. The robber told her to give him the bag back and reached under the window to retrieve it. The robber turned and exited the credit union.

B. Miller gave the robber a dye pack from her drawer and bait bills.

C. Miller described the robber as in his late 20's or early 30's, 5'5" to 5'6" tall, average build, short brown hair, unshaven, wearing a dark navy blue hooded sweatshirt with the hood pulled up and large black sunglasses.

3. On December 12, 2008, Lawrence Police Officer Richard Nichols interviewed Tina Christian, branch manager, Midwest Regional Credit Union, regarding the robbery. Christian recounted the following information:

A. A white male, 20 years old, wearing a dark blue hoodie, large sunglasses, blue jeans, and white tennis shoes had robbed the credit union. During the incident the robber struck her in the face, and took money from Sierra Miller. This occurred when Christian believed the robber was threatening Sierra Miller, teller, by the tone of his voice. Christian came out of her office and yelled at the robber to "get out of here, get out of here." The robber then turned towards her, lunged and struck her in the cheek with his right fist. The robber fled southbound and went between a tan apartment building and a pink house, then appeared to go eastbound. While the suspect was running he took down the hood of the hoodie and Christian believed he may have been wearing another hat that was dark in color.

B. Miller further told Lawrence Police Officer Richard Nichols that the balance of her drawer would have been about \$7,641.

4. During Officer Nichols response to the robbery, he observed a scuffmark and what appeared to be a shoe print on the floor where Christian advised the suspect had lunged at her. He preserved this area for crime scene processing. Detective Randy Glidewell and Detective Zach Thomas, subsequently recovered several shoe prints from the credit union.

5. On December 16, 2008, Deputy United States Marshal (DUSM) Mike Thibault and members of the United States Marshal's Service arrested David N. Hause, Jr., white male, date of birth December 14, 1970, 5'7", 150 pounds, short brown hair, at approximately 11:30 am, in the vicinity of the Regency Inn, 4725 State Avenue, Kansas City, Kansas 66102. The defendant was arrested pursuant to a Governor's warrant issued out of the state of Nebraska. The defendant was wanted in connection to an armed robbery in that state. Incident to the arrest, DUSM Thibault recovered a sock from the left front pocket of Hause, that contained a large roll of \$10 and \$5 dollar bills. The Federal Bureau of Investigation was contacted and ultimately, FBI Special Agents and Lawrence Police Detectives responded to the United States Marshal's Service in the District of Kansas for further investigation.

6. On December 16, 2008, Special Agent Arch Gothard telephonically contacted Amy Lynn Johnson, an associate of Hause. Johnson advised that Hause made her rent a room for him at the Regency Inn on about December 14, 2008. A Regency Inn receipt confirmed that Amy Lynn Johnson rented a room at the Regency Inn from December 14 to 17, 2008.

Johnson was asked to voluntarily consent to a Law Enforcement search of the stated room at the Regency Inn. At approximately 4:45 pm, Johnson provided verbal consent to Special Agent Gothard for a search to be conducted at the Regency Inn.

7. On December 16, 2008, Law Enforcement conducted a search of Unit 209 at the Regency Inn, 4725 State Avenue, Kansas City, Kansas, 66102. During this search a pair of brown boots were recovered that appear to have tread similar to the tread marks recovered from the Midwest Regional Credit Union.

8. On December 16, 2008, Special Agent Arch Gothard and Lawrence Police Detective Michael Todd Brown contacted David Norman Hause, Jr., date of birth, December 14, 1970, at the United States Marshal's Service in the District of Kansas, 500 State Avenue, Kansas City, Kansas, 66101. After being advised of his *Miranda* rights, Hause waived his rights and provided the following information:

A. Hause originally denied being in Lawrence, Kansas, on December 12, 2008, and denied being involved in the aforementioned robbery. At a point, Hause requested to speak only with Special Agent Arch Gothard. This request was honored, at which point, Hause advised that he had conducted four bank robberies. He said no one else was involved in any of the robberies. Hause said he conducted the bank robbery on Friday, December 12, 2008, in Lawrence, Kansas. Hause said that the Shawnee County Sheriff's Office was looking for him in Topeka, Kansas on the day before the robbery. Because of this, Hause fled to Lawrence, Kansas, where he checked into the Jayhawk Motel.

B. The following morning, Hause robbed what he believed was a credit union rather than a bank, sometime Friday morning in Lawrence, Kansas. He selected the credit union because it was the first one he came to. Hause drove near the credit union in a blue chevy cavalier. Hause watched the credit union for about 30 minutes then moved his vehicle a short distance before going in the credit union. Hause wore a dark blue hoodie, a black Chiefs hat, and sunglasses during the robbery. Hause advised the boots he was shown were his boots, but he believed he was wearing white shoes during the robbery rather than the boots. Hause was not positive on this point. All of Hause's tattoos were covered during the robbery.

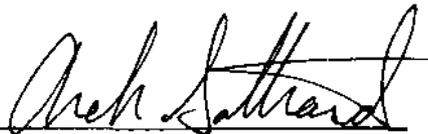
C. Hause only saw one teller and an office manager in the credit union. Hause said he threatened a gun but did not have one. Hause had a hand secreted underneath his hoodie. One of the credit union employees came out of an office and confronted Hause. Hause threw his arm up at her but did not physically strike her.

D. Hause used a white plastic grocery sack during the robbery. Hause fled the credit union through some yards near a pink house and then left the area in the blue cavalier. About twelve hours after the robbery, Hause found what he believed was a tracking device in a cut out in a stack of \$20 bills. He panicked and threw this pack out of the window of the car. Hause could not be sure how much money he stole from the credit union.

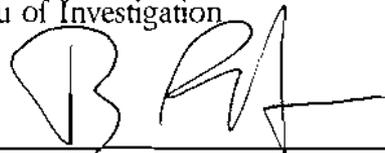
9. On December 16, 2008, Special Agent Scott Gentine contacted Branch Manager Tina Christian. Christina advised that the Midwest Regional Credit Union was insured by the National Credit Union Association on December 12, 2008.

10. The foregoing information and evidence indicates that on December 12, 2008, David Norman Hause, Jr., did by force, take from the person and in the presence of Sierra Miller, an employee of the Midwest Regional Credit Union, 1015 West 6th Street, Lawrence, Kansas, 66044, the deposits of which were then insured by the National Credit Union Association, approximately \$7,641 in United States currency, belonging to and in the care, custody, control, management, and possession of said credit union.

The foregoing is true and correct to the best of my information and belief.



Arch Gothard
Special Agent
Federal Bureau of Investigation



Signature of Judicial Officer

Honorable James P. O'Hara
United States Magistrate Judge