

Apr 06 2022

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
for the
Northern District of California

United States of America)
v.)
ANDREW TAN)
)
)
)
)
)

Defendant(s)

Case No. 3-22-mj-70441 MAG

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 September 30, 2021 in the county of San Mateo in the
Northern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Count 1: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)	Count 1: Possession with intent to distribute 5 grams or more of methamphetamine and 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine
	Penalties: Minimum 5 years imprisonment; maximum 40 years imprisonment; minimum supervised release 4 years; maximum lifetime supervised release; maximum \$5,000,000 fine; \$100 special assessment

This criminal complaint is based on these facts:

See attached affidavit of DEA Special Agent Colin Hart, attached hereto and incorporated by reference.

Continued on the attached sheet.

Approved as to form Kristina Green
AUSA Kristina Green

/s/
Complainant's signature
Colin Hart, DEA Special Agent
Printed name and title

Sworn to before me by telephone pursuant to Fed. R. Crim. P 4.1 and 4(d).

Date: 04/05/2022

Thomas S. Hixson
Judge's signature

City and state: San Francisco, California

Hon. Thomas S. Hixson, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

1 I, Colin Hart, a Special Agent (SA) with the Drug Enforcement Administration (DEA) being
2 duly sworn, hereby declare as follows:

INTRODUCTION

3
4 1. This Affidavit is made in support of a Criminal Complaint and Arrest Warrant charging
5 **ANDREW TAN** with one count of possession with intent to distribute and distribution of 5 grams or
6 more of methamphetamine and 50 grams or more of a mixture or substance containing a detectable
7 amount of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

8 2. The facts in this affidavit are based on my personal observations and knowledge, my
9 training and experience, my review of reports prepared by other law enforcement officers and records
10 prepared by others, information from records and databases, and information obtained from other
11 government agents and witnesses. To the extent that any information in the affidavit is not within my
12 personal knowledge, it has been made available to me through reliable law enforcement sources, and I
13 believe such information to be true. Because this affidavit is made for the limited purpose of obtaining
14 the requested search warrant, I have not set forth each and every fact learned during the course of this
15 investigation; rather I have set forth only those facts that I believe are necessary to establish probable
16 cause for the requested warrant.

17 3. Where actions, conversations, and statements of other individuals are referenced in this
18 affidavit, they are described in sum and substance and in relevant part only, unless otherwise noted.
19 Similarly, where information contained in reports, recordings, and/or other documents or records is
20 referenced in this affidavit, such information is also described in sum and substance and in relevant part
21 only, unless otherwise noted.

AFFIANT BACKGROUND

22
23 4. I am a Special Agent (“SA”) employed by the DEA and have been so employed since
24 December 2019. I am currently assigned to the San Francisco Field Division. I am authorized and am
25 presently assigned to investigate violations of the Controlled Substance Act (“CSA”), Title 21 of the
26 United States Code, and other violations of federal law.
27

1 5. Prior to becoming a DEA Special Agent, I was a legal analyst with Verizon Wireless. In
2 this capacity, I assessed and processed legal inquiries from various local, state, and federal law
3 enforcement agencies. I also conducted cellular phone data extractions, real-time GEO tracking, and
4 installed location tracking programs to assist in Verizon Wireless's mission to complement the
5 emergency services requests of various law enforcement agencies across the country.

6 6. During my employment with the DEA, I have received nineteen weeks of full-time
7 formalized education, training, and experience at the DEA Basic Agent Training Academy in Quantico,
8 Virginia. This education, training, and experience included but was not limited to drug detection, drug
9 interdiction, money laundering techniques, and schemes and investigation of individuals and
10 organizations involving the smuggling, cultivation, manufacturing, and illicit trafficking of controlled
11 substances. As a Special Agent, I have participated in multiple narcotics investigations. I have debriefed
12 defendants, confidential sources, and witnesses who had personal knowledge regarding narcotics
13 trafficking organizations, and conducted complex dark web and cryptocurrency investigations. I also
14 have participated in many aspects of drug investigations including but not limited to telephone toll
15 analysis, records research, and physical and electronic surveillance. I have participated in the execution
16 of several federal search and arrest warrants that resulted in the arrest of suspects and seizure of
17 narcotics. In addition, I have attended a training course regarding drug smuggling and interdiction.

18 7. I have also had the opportunity to speak extensively with other experienced law
19 enforcement officers and cooperating individuals about the packaging and preparation of narcotics,
20 methods of operation, and security measures often employed by drug traffickers. I have examined
21 documentation of various methods in which illicit drugs are smuggled, transported, and distributed.
22 Throughout these investigations, I have also gained expertise in the use of a variety of law enforcement
23 techniques, including the application and use of wire and electronic interceptions, confidential sources
24 and undercover agents, surveillance techniques, and various other types of electronic techniques, such as
25 body wires and transmitters. Additionally, I have gained knowledge and expertise in the use and
26 analysis of data from pen register and trap-and-trace devices, toll records, traditional business records
27 (including financial records and utility records) and nontraditional records kept by drug traffickers, such

1 as pay-and-owe sheets documenting deliveries of and payments for narcotics. I have also gained
2 knowledge and expertise in the collection and identification of drug evidence and the analysis and
3 interpretation of taped conversations.

4 8. Through my training, education, experience, and my conversations with other agents and
5 officers who conduct drug investigations, I have become familiar with narcotics traffickers' use of
6 mobile telephones and mobile telephone applications, Internet applications, social media applications, as
7 well as narcotics traffickers' use of numerical codes and code words to conduct business. I have become
8 familiar with narcotics traffickers' methods of operation, including, but not limited to, the
9 manufacturing, distribution, storage, and transportation of narcotics, and the methods used by drug
10 traffickers to collect, transport, safeguard, remit, and/or launder drug proceeds.

11 9. Through my work and training to become a DEA agent, I am also familiar with the
12 manner in which narcotics traffickers use telephones, cellular telephone technology, pagers, coded
13 communications or slang-filled telephone conversations, false or fictitious identities, and other means to
14 facilitate their illegal activities and thwart law enforcement investigations. Based upon my training and
15 experience, I know that it is common practice for narcotics traffickers to use pagers, telephones, and/or
16 cellular telephones in order to communicate with their customers, suppliers, couriers, and other co-
17 conspirators in order to insulate themselves from detection by law enforcement. Moreover, it is common
18 for them to initiate such service under the name of an associate or fictitious name. Furthermore, it is
19 common for narcotic traffickers to utilize false or incomplete address(s) while filling out subscriber
20 information related to their cellular phone(s) in an effort to secret their illegal activities.

21 10. I have had many discussions with other experienced law enforcement officers and have
22 conducted, and been present at, many interviews of self-admitted narcotics traffickers and cooperating
23 defendants concerning how drug traffickers and money launderers operate. I know that drug traffickers
24 often hold proceeds traceable to their drug-trafficking activities in the form of United States currency,
25 funds in bank accounts, high-value personal property items, and real property. But I also know drug
26 traffickers are now increasingly holding drug-trafficking proceeds in virtual currency or cryptocurrency.

27 11. Based on my training, research, education, and experience, I am familiar with the

1 relevant terms and definitions set forth in the section titled “Background on the Dark Web and
2 Cryptocurrency” below. I know that cryptocurrencies are different from traditional currencies in that
3 cryptocurrencies are not issued by or backed by any government. In addition, cryptocurrency accounts
4 and wallets are different from traditional bank accounts in that these accounts are held in digital format
5 in one of any number of various types of digital wallets or exchanges. Likewise, cryptocurrency is
6 accessible only by the account holder or someone who has access to the account password or account
7 “recovery seed,” a mnemonic passphrase made up of a series of random words, or in some
8 circumstances, by the company hosting the virtual wallet containing the cryptocurrency. Account
9 holders have the ability to send and receive cryptocurrency using a unique and complex wallet address,
10 often referred to as the private key.

11 12. In my training and experience, as well as my consultations with other Special Agents
12 with whom I work, I am aware that individuals who reside in the United States who attempt to
13 manufacture counterfeit prescription pills commonly obtain the necessary raw materials, active
14 pharmaceutical ingredients, pharmaceutical manufacturing equipment and components from a foreign
15 country.

16 13. I know that many foreign sourced suppliers of raw materials, active pharmaceutical
17 ingredients, pharmaceutical manufacturing equipment and components often require an active email
18 address to place an order. The email addresses are commonly utilized by these suppliers to send order
19 confirmations, payment information, and shipping tracking information.

20 14. Unless otherwise noted, when I assert that a statement was made, I have either heard the
21 statement directly or listened to a recording of the statement, or the statement was reported to me by
22 another law enforcement officer, either directly or indirectly in a written report. The officer providing
23 me with the information may have received the information by way of personal knowledge or from
24 another source. My understanding of certain events, facts, and evidence may change or develop as this
25 investigation progresses.

26 **APPLICABLE LAW**

27 15. Title 21, United States Code, Section 841 makes it unlawful for any person to knowingly

1 possess with intent to distribute or distribute a controlled substance. Methamphetamine and Adderall
2 are Schedule II controlled substances.

3 **BACKGROUND ON THE DARKWEB AND CRYPTOCURRENCY**

4 16. Based on my training, research, education, and experience, I am familiar with the
5 following relevant terms and definitions:

6 17. The “dark web,” also sometimes called the “darknet,” or “dark net” is a colloquial name
7 for a number of extensive, sophisticated, and widely used criminal marketplaces operating on the
8 Internet, which allow participants to buy and sell illegal items, such as drugs, firearms, and other
9 hazardous materials with greater anonymity than is possible on the traditional Internet (sometimes called
10 the “clear web” or simply “web”). These online black-market websites use a variety of technologies,
11 including the Tor network (defined below) and other encryption technologies, to ensure that
12 communications and transactions are shielded from interception and monitoring. The first major dark
13 web marketplace, Silk Road, operated similar to legitimate commercial websites such as Amazon and
14 eBay, but offered illicit goods and services. Law enforcement shut down Silk Road in 2013, though
15 dozens of similar sites have since appeared and continue to operate as of the date of this affidavit,
16 including Empire, Cryptonia, and SamSara.

17 18. Cellular “smart phones” can connect to the internet, including the dark web, and can be
18 utilized to manage a drug vendor account as well as conduct digital currency transactions.

19 19. “Vendors” are the dark web’s sellers of goods and services, often of an illicit nature, and
20 they do so through the creation and operation of “vendor accounts.” Customers, meanwhile, operate
21 “customer accounts.” It is possible for the same person to operate one or more customer accounts and
22 one or more vendor accounts at the same time.

23 20. Dark web sites, such as Silk Road, AlphaBay, White House, ASAP, Torrez, and Empire
24 operate on “The Onion Router” or “Tor” network. The Tor network (“Tor”) is a special network of
25 computers on the Internet, distributed around the world, that is designed to conceal the true Internet
26 Protocol (“IP”) addresses of the computers accessing the network, and, thereby, the locations and
27 identities of the network’s users. Tor likewise enables websites to operate on the network in a way that

1 conceals the true IP addresses of the computer servers hosting the websites, which are referred to as
2 “hidden services” on the Tor network. Such “hidden services” operating on Tor have complex web
3 addresses, generated by a computer algorithm, ending in “.onion” and can only be accessed through
4 specific web browser software, including a major dark web browser known as the “Tor Browser,”
5 designed to access the Tor network.

6 21. Some software used to access the dark web does not permanently store images of the
7 websites and or other data that are visited on the computer that is running the software.

8 22. Cryptocurrency (also known as digital currency), a type of virtual currency, is a
9 decentralized, peer-to peer, network-based medium of value or exchange that may be used as a
10 substitute for fiat currency to buy goods or services or exchanged for fiat currency or other
11 cryptocurrencies. Examples of cryptocurrency are Bitcoin, Litecoin, Monero, and Ether. Cryptocurrency
12 can exist digitally on the Internet, in an electronic storage device, or in cloud-based servers. Although
13 not usually stored in any physical form, public and private keys (described below) used to transfer
14 cryptocurrency from one person or place to another can be printed or written on a piece of paper or other
15 tangible object. Cryptocurrency can be exchanged directly person to person, through a cryptocurrency
16 exchange, or through other intermediaries. Generally, cryptocurrency is not issued by any government,
17 bank, or company; it is instead generated and controlled through computer software operating on a
18 decentralized peer-to-peer network. Most cryptocurrencies have a “blockchain,” which is a distributed
19 public ledger, run by the decentralized network, containing an immutable and historical record of every
20 transaction.¹

21 23. Cryptocurrencies may have legitimate uses. However, cryptocurrency is often used by
22 individuals and organizations for criminal purposes, such as money laundering, and as a means of
23 payment for illegal goods and services, including narcotics, on “dark web” websites operating on the
24 Tor network. By maintaining multiple cryptocurrency wallets, those who use cryptocurrency for illicit
25 purposes can attempt to thwart law enforcement’s efforts to track purchases within the dark web
26

27 ¹ Some cryptocurrencies operate on blockchains that are not public and operate in such a way to obfuscate transactions,
making it difficult to trace or attribute transactions.

1 marketplace.

2 24. “Bitcoin” (or “BTC”)² is a type of online digital currency that allows users to transfer
3 funds more anonymously than would be possible through traditional banking and credit systems.
4 Bitcoins are a decentralized, peer-to-peer form of electronic currency having no association with banks
5 or governments. Users store their Bitcoins in digital “wallets,” which are identified by unique electronic
6 “addresses.” A digital wallet essentially stores the access code that allows an individual to conduct
7 Bitcoin transactions on the public ledger. To access Bitcoins on the public ledger, an individual must use
8 a public address (or “public key”) and a private address (or “private key”). The public address can be
9 analogized to an account number while the private key is like the password to access that account. Even
10 though the public addresses of those engaging in Bitcoin transactions are recorded on the public ledger,
11 the “Blockchain,” the true identities of the individuals or entities behind the public addresses are not
12 recorded. If, however, a real individual or entity is linked to a public address, it would be possible to
13 determine what transactions were conducted by that individual or entity. Bitcoin transactions are,
14 therefore, described as “pseudonymous,” meaning they are partially anonymous. An individual can send
15 and receive Bitcoins through peer-to-peer digital transactions or by using a third-party broker. Such
16 transactions can be done on any type of computer, including laptop computers and smart phones.

17 25. Bitcoin is one example of a digital currency; other digital currencies, such as Ethereum,
18 Monero, and Zcash, also exist and are used by darknet actors. The technology underlying these
19 currencies are similar, though Monero and Zcash currencies provide more privacy and anonymity to the
20 users.

21 26. Exchangers and users of cryptocurrencies store and transact their cryptocurrency in a
22 number of ways, as wallet software can be housed in a variety of forms, including on a tangible, external
23 device (“hardware wallet”), downloaded on a PC or laptop (“desktop wallet”), with an Internet-based
24 cloud storage provider (“online wallet”), as a mobile application on a smartphone or tablet (“mobile
25 wallet”), printed public and private keys (“paper wallet”), and as an online account associated with a
26 cryptocurrency exchange. Because these desktop, mobile, and online wallets are electronic in nature,

27 ² On April 3, 2022, one Bitcoin is equal to approximately \$46,530 USD.

1 they are located on mobile devices (e.g., smart phones or tablets) or at websites that users can access via
2 a computer, smart phone, or any device that can search the Internet. Moreover, hardware wallets are
3 located on some type of external or removable media device, such as a USB thumb drive or other
4 commercially available device designed to store cryptocurrency (e.g. Trezor, KeepKey, or Nano
5 Ledger). In addition, paper wallets contain an address and a QR code with the public and private key
6 embedded in the code. Paper wallet keys are not stored digitally. Wallets can also be backed up into, for
7 example, paper printouts, USB drives, or CDs, and accessed through a “recovery seed” (random words
8 strung together in a phrase) or a complex password. Additional security safeguards for cryptocurrency
9 wallets can include two-factor authorization (such as a password and a phrase). I also know that
10 individuals possessing cryptocurrencies often have safeguards in place to ensure that their
11 cryptocurrencies become further secured in the event that their assets become potentially vulnerable to
12 seizure and/or unauthorized transfer. The Trezor device offers an advanced passphrase option that
13 incorporates a “25th seed word” that must be enabled to access potentially obscured digital currency
14 assets.

15 27. Some companies offer cryptocurrency wallet services which allow users to download a
16 digital wallet application onto their smart phone or other digital device. A user typically accesses the
17 wallet application by inputting a user-generated PIN code or password. Users can store, receive, and
18 transfer cryptocurrencies via the application; however, many of these companies do not store or
19 otherwise have access to their users’ funds or the private keys that are necessary to access users’ wallet
20 applications. Rather, the private keys are stored on the device on which the wallet application is installed
21 (or any digital or physical backup private key that the user creates). As a result, these companies
22 generally cannot assist in seizing or otherwise restraining their users’ cryptocurrency. Nevertheless, law
23 enforcement could seize cryptocurrency from the user’s wallet directly, such as by accessing the user’s
24 smart phone, accessing the wallet application, and transferring the cryptocurrency therein to a law
25 enforcement-controlled wallet. Alternatively, where law enforcement has obtained the recovery seed for
26 a wallet (see above), law enforcement may be able to use the recovery seed phrase to recover or
27 reconstitute the wallet on a different digital device and subsequently transfer cryptocurrencies held

1 within the new wallet to a law enforcement-controlled wallet.

2 28. Darknet marketplaces often only accept payment through digital currencies, such as
3 Bitcoin or Monero, and operate an escrow whereby customers provide the digital currency to the
4 marketplace, who in turn provides it to the vendor after a transaction is completed. Accordingly, large
5 amounts of cryptocurrency sales or purchases by an individual can be an indicator that the individual is
6 involved in drug trafficking or the distribution of other illegal items. Individuals intending to purchase
7 illegal items on Silk Road-like websites need to purchase or barter for cryptocurrency. Further,
8 individuals who have received cryptocurrency as proceeds of illegal sales on Silk Road-like websites
9 need to sell their cryptocurrency to convert them to fiat (government-backed) currency. Such purchases
10 and sales are often facilitated by peer-to-peer bitcoin exchangers who are not registered with the federal
11 or a state government and who advertise their services on websites designed to facilitate such
12 transactions. These unregistered exchangers often charge a higher transaction fee than legitimate,
13 registered digital currency exchangers. This higher fee is essentially a premium that the unregistered
14 exchangers charge in return for not filing reports on the exchanges pursuant to the Bank Secrecy Act,
15 such as CTRs and SARs.

16 29. When vendors receive orders for narcotics on the darknet, the orders can come from
17 anywhere in the world; vendors are known to use U.S. mail and/or commercial carriers to distribute
18 narcotics.

19 **METHODS AND MEANS OF USING THE UNITED STATES MAIL**

20 30. Based on my experience, training, and discussions with other law enforcement officers
21 experienced in drug investigations, I know that certain indicators exist when persons use the United
22 States Mail to ship controlled substances from one location to another. Indicators for parcels that
23 contain controlled substances and/or proceeds from controlled substances include, but are not limited to,
24 the following:

- 25 a) It is common practice for shippers of the controlled substances to use Express Mail and
26 Priority Mail because the drugs arrive at the destination more quickly and on a predictable date.
27 Express Mail and Priority Mail, when paired with a special service such as delivery

1 confirmation, allow traffickers to monitor the progress of the shipment of controlled substances.
2 Traffickers pay for the benefit of being able to confirm the delivery of the parcel by checking the
3 Postal Service Internet website and/or calling the local post office.

4 b) Packages containing controlled substances or proceeds have, in many instances, a
5 fictitious return address, incomplete return address, no return address, a return address that is the
6 same as the addressee address, or a return address that does not match the place from which the
7 parcel was mailed. These packages are also sometimes addressed to or from a commercial mail
8 receiving agency (e.g., Mail Boxes Etc.). A shipper may also mail the parcel containing
9 controlled substances from an area different from the return address on the parcel because: (1)
10 the return address is fictitious or (2) the shipper is attempting to conceal the actual location from
11 which the parcel was mailed. These practices are used by narcotics traffickers to hide from law
12 enforcement officials the true identity of the persons shipping and/or receiving the controlled
13 substances or proceeds.

14 c) Individuals involved in the trafficking of controlled substances through the United States
15 Mail will send and receive Express or Priority mailings on a more frequent basis than a normal
16 postal customer. Drug traffickers use Express Mail and Priority Mail at a higher rate due to their
17 frequent exchanges of controlled substances and the proceeds from the sale of these controlled
18 substances.

19 d) In order to conceal the distinctive smell of controlled substances from narcotics detection
20 dogs, the parcels often contain other smaller parcels which are carefully sealed to prevent the
21 escape of odors. Drug traffickers often use heat/vacuum sealed plastic bags, or mylar smell-
22 proof bags, and/or re-sealed cans in an attempt to prevent the escape of odors.

23 e) California is typically a source state for drugs. It is common for individuals in California
24 to mail parcels containing narcotics to other states and then receive mail parcels containing cash
25 payments in return.
26
27

STATEMENT OF PROBABLE CASUE

A. Overview of ADDERALL123

31. In April 2021, the Drug Enforcement Administration (DEA) and the United States Postal Investigation Service (USPIS) opened a criminal investigation into the drug trafficking activities of dark web vendor, ADDERALL123, and the drug trafficking organization’s (DTO) members, including Tony TAN, Andrew TAN, and Lester WONG. ADDERALL123 is a dark web vendor that has operated on various dark web marketplaces, including White House Market (WHM), Torrez Market, ASAP Market, and Empire Market, all accessed through the Tor Network.³ ADDERALL123 offers 30 milligram Adderall pills for sale in quantities of 30, 50, and 100 pills (though buyers can buy multiple of these pill bags at a time). The counterfeit Adderall pills sold by ADDERALL123 are pressed with methamphetamine. ADDERALL123 distributes narcotics through the United States Postal Service (USPS).

32. Dark web market places such as WHM, ASAP, and TORREZ MARKET allow users to create accounts and act as vendors or buyers of various narcotics or illicit services. Payment on dark web marketplaces is often made through the use of various cryptocurrencies. WHM favors Monero due to Monero’s built in privacy features that help anonymize users’ transaction activity.

33. In October 2021, I observed ADDERALL123’s profile on WHM. The account had imported feedback stating: “Empire: ADDERALL12345 97.56% / 47 sales.” I know from my training and experience that Empire Market was previously one of the most popular dark web marketplaces before it went offline in August 2020. ADDERALL123’s WHM profile showed the vendor had been an active seller since September 2020 with 96.6% positive feedback and, as of October 2021, had conducted approximately 2,800 sales. The vendor profile stated: “I’m back on whm since dark market is down.” Additionally, on September 29, 2021, I observed ADDERALL123’s profile, which stated, “I dont provide tracking numbers unless your package has not been delivered. I will check the tracking for you to see what’s going on. If its seized I will provide 100% refund. I dont provide tracking numbers for

³ Tor, also known as “The Onion Router,” is an open source privacy network that permits users to browse the web anonymously.

1 my safety.” Based on my training, experience, and familiarity with dark web narcotics traffickers, I
2 believe the individual(s) controlling the ADDERALL123 account are experienced traffickers, aware of
3 techniques to avoid law enforcement detection. Furthermore, I know it is common for dark web drug
4 traffickers to list former vendor accounts and sales statistics from their previous dark web market places
5 as a means of promoting their products and proving their reliability as drug traffickers. WHM is no
6 longer an active dark web market place and is no longer in operation. It shut down in October 2021,
7 leaving the marketplace inaccessible to vendors and buyers.

8 34. Following the shut down of WHM, ADDERALL123 started selling on a different dark
9 web marketplace, Torrez. ADDERALL123’s profile on Torrez showed it was created on October 5,
10 2021, shortly after the closure of WHM. According to ADDERALL123’s profile, the vendor account
11 showed it had been an active seller since October 2021 and had completed 189 sales, with 100% positive
12 feedback as of December 7, 2021. Additionally, ADDERALL123’s Torrez Market PGP key⁴ is the same
13 PGP key used by ADDERALL123 on WHM. The fact that ADDERALL123 had been on several dark
14 web marketplaces and has conducted thousands of sales, indicates, based on my training and experience,
15 that buyers have rated ADDERALL123 favorably as a reliable sender of narcotics. Torrez shut down in
16 December 2021.

17 35. A review of ADDERALL123 on Torrez, posted around November 2021, indicated that
18 ADDERALL123’s pills contain amphetamines: “tested with reagents and has amphetamine, feels great,
19 nice euphoria with good mental focus, come down might feel methy if you are anxious, use cbd or
20 something to ease back down. really great stuff. Ive bought from other buyers and it’s a toss up,
21 sometimes you don’t get any amphetamines but only dextroamphetamine, others are just ritalin which
22 isn’t as stimulating. buy and test at your own risk, but this buyer comes through time and time again for
23 me, this is order #10 for me.”

24 36. Currently, ADDERALL123 is selling through the dark web marketplace ASAP.
25 ADDERALL123’s profile on ASAP, as of March 2022, states: “Will start accepting orders starting

26 ⁴ PGP stands for “Pretty Good Privacy.” A PGP Key is a form of encryption, where users create a public and private key.
27 Users provide their public key to other users so they may receive encrypted messages that can only be opened by the
28 recipient’s private key. PGP Key pairs come with unique fingerprints that help verify a user’s public PGP key block.

1 March 1st.” As of March 27, 2022, ADDERALL123 is offering 30 milligram Adderall pills for sale in
2 quantities of 30, 50, and 100 pills, and has conducted 15 sales with 7 positive reviews. In a review from
3 an ADDERALL123 customer who purchased an order of “100x Adderall 30mg” on March 26, 2022, the
4 customer wrote: “From another market as well, always solid reputable vendor. if you haven’t ordered
5 yet, get it before its gone! Great, reliable, consistent vendor.”

6 37. Agents have also observed feedback for ADDERALL123 on the dark web service
7 “Dread,”⁵ accessed via the Tor Network. In April 2021 and March 2022, a search of Dread for
8 ADDERALL123 showed posts mentioning users trying and/or testing some of ADDERALL123’s
9 product. One post, dated December 18, 2020, stated “adderall123 on WHM, also on DarkMarket (there
10 they might be aderall12345, can’t remember), bought from them 3 times, each time positive for meth.”
11 Another post, dated November 9, 2020, stated “Adderall123 has the best cheap copys ive had. Tested
12 positive for amph.” Due to my training and experience, I interpreted this comment as the poster stating
13 that ADDERALL123 had the “best” counterfeit Adderall pills, which the poster claimed had tested
14 positive for amphetamines (aka “amph”). Another post from a different user, which an agent observed
15 on February 7, 2021, stated, “I have a testing kit... and the second batch tested positive for meth.” I
16 know from my training and experience that Adderall sold on the dark web is often sold pressed with
17 other drugs such as methamphetamine. The review comments provided for ADDERALL123, such as
18 those described above, led me to believe that ADDERALL123 was supplying methamphetamine-
19 pressed Adderall to customers.

20 38. Agents have conducted a number of undercover purchases (“UC Purchases”) of drugs
21 from ADDERALL123, as well as interdicted suspected ADDERALL123 parcels at post offices (“Parcel
22 Intercepts”), since the investigation commenced in 2021.

23 **B. Andrew TAN and the ADDERALL123 DTO**

24 ***Undercover Purchase #4 (September 2021) and Identification of Andrew TAN***

25 39. On September 29, 2021, I conducted an undercover purchase (UC Purchase #4) of 200
26

27 ⁵ Dread is a forum similar to the Clearnet website reddit.com. Users can talk about and respond to various topics of
conversation.

1 Adderall pills from ADDERALL123 on WHM using Monero. Agents had the UC Purchase order sent to
2 an undercover address controlled by USPIS San Francisco Division. The UC Purchase #4 was made in
3 the name of “Arlo Krauser”, with a requested shipping address in Elverta, CA.

4 40. According to Postal records, one suspected ADDERALL123 mailing occurred on
5 September 17, 2021 at the Westlake Post Office, 199 Southgate Ave, Daly City, CA 94015. The
6 September 17 West Lake Post Office mailing had been identified as part of a set of mailings flagged by
7 a USPIS General Analyst (GA) as suspected ADDERALL123 mailings. The packages in these mailings
8 were identified based on similarities they shared with previous suspected ADDERALL123 mailings and
9 prior undercover purchases from ADDERALL123. These similarities included over-the-counter mailing
10 transactions of large volumes of Priority Mail Flat Rate envelopes, mailed out of 940 and 941 zip codes,
11 mailed to addresses all over the U.S., with handwritten labels (often with fake names or fake return
12 addresses), and postage paid for in cash.

13 41. On September 29, 2021, agents reviewed post office surveillance footage of the
14 September 17, 2021 suspected ADDERALL123 mailing at the Westlake Post Office and observed an
15 Asian male with glasses (later identified as Andrew TAN) park a white Subaru SUV across the street
16 from the post office, exit the vehicle, and walk towards the post office with envelopes in hand.
17 Surveillance footage showed this male holding a large stack of Priority Mail Flat Rate Envelopes in his
18 hand and mailing the envelopes via an over-the-counter retail transaction. He was wearing glasses, a
19 black face mask and grey zip hoodie. Further review of the surveillance footage showed the male leave
20 the post office and cross the street to enter a white Subaru SUV with honeycomb shaped rims after
21 completing the mailing transaction.

22 42. On September 30, 2021, agents set up surveillance at multiple post offices in South San
23 Francisco, Daly City, San Bruno, and San Francisco. At approximately 12:10 PM, a Postal Inspector
24 observed a male (identified as Andrew TAN as further discussed below) conducting an over the counter
25 transaction at the Daly City Main Post Office, located at 1100 Sullivan Ave, Daly City, CA. The Postal
26 Inspector walked out to the parking lot of the Daly City Post Office while Andrew TAN was mailing his
27 parcels and located a white Subaru SUV with honeycomb shaped rims. The Postal Inspector observed

1 the male walk from the post office lobby to the white Subaru SUV in the parking lot. The male was
2 wearing glasses, a black face mask, a grey long sleeve shirt, and dark pants. He looked similar in
3 appearance to the mailer of the September 17, 2021 parcels, particularly with respect to his build, height,
4 and glasses. The Postal Inspector observed the individual enter the white Subaru SUV and drive away.
5 The Postal Inspector took a photo of the license plate, which was 7FDD305. The white Subaru SUV
6 (license plate 7FDD305) resembled the white Subaru SUV observed in surveillance footage from the
7 September 17, 2021 mailing, described above. According to CA DMV records, license plate 7FDD305
8 is registered to Andrew TAN or Gordon Tan, with a registered address of 316 Williams Avenue, San
9 Francisco, CA (the suspected residence of Andrew TAN's parents). The Postal Inspector then went
10 back into the post office and recovered the parcels the individual had mailed.

11 43. A review of the parcels mailed at the Daly City Main Post Office showed the individual
12 had mailed a total of nine Priority Mail Flat Rate Envelopes, all paid with cash, and all with handwritten
13 return address information of "Jimmy Leung, 191 Whittier St, Daly City, CA 94014." Looking at the
14 nine parcels, agents noticed one of the parcels was addressed to the USPIS undercover recipient name
15 and address provided for UC Purchase #4. Based on the DMV photo on record for Andrew TAN, DMV
16 registration records for the white Subaru SUV with license plate 7FDD305, in-person observations of
17 Andrew TAN during surveillance, a photo of Andrew TAN and his family from his iCloud account, pole
18 camera surveillance footage of Andrew TAN at 1127 Cayuga Avenue, San Francisco, CA (Andrew
19 TAN's suspected residence), and surveillance video for suspected ADDERALL123 mailings described
20 above, I believe the mailer of UC Purchase #4 to be Andrew TAN.

21 44. On September 30, 2021, agents opened UC Purchase #4 and confirmed the parcel
22 contained approximately 207 orange, circular pills pressed with "dp" and "30." The pills were contained
23 within two sealed black mylar pouches stapled to white paper that was enclosed within the parcel. The
24 pills and black mylar pouches recovered from UC Purchase #4, mailed from Daly City, were consistent
25 with the pills and black mylar pouches recovered from previous ADDERALL123 UC Purchases made
26 by agents and parcel interdictions. The pills were tested using a MX908 Mass Spectrometer device,
27 which returned presumptive positive results for methamphetamine. The pills were tested by a lab, which

1 confirmed the presence of methamphetamine, a net weight of 73 grams and pure methamphetamine
2 weight of 4.3 grams.

3 ***Parcel Intercept #2 (September 2021)***

4 45. On September 30, 2021, agents took custody of the other eight Priority Mail Flat Rate
5 Envelopes parcels mailed out with UC Purchase #4. Agents subsequently presented the other eight
6 parcels to a narcotics detection canine. The canine alerted to the parcels and agents held one of the
7 parcels (hereinafter Parcel Intercept #2) for further investigation.

8 46. On October 5, 2021, USPIS Inspector Kyle Quigley obtained federal search warrant 3-
9 21-mj-71567 TSH, for Parcel Intercept #2, signed by the Honorable Magistrate Judge Thomas Hixson.
10 The parcel is described as follows:

11 USPS Priority Mail Flat Rate Envelope

12 Return Address: Jimmy Leung 191 Whittier St Daly City, CA 94014

13 Addressee: Mr. Alton Absher 3974 Hoddington Court Winston Salem, NC 27106

14 USPS Tracking Number: 9505 5131 8512 1273 5583 76

15 47. On October 5, 2021, agents opened Parcel Intercept #2 which contained sheets of blank,
16 white paper with a sealed, black mylar pouch stapled to the paper. The black mylar pouch contained
17 approximately 104 circular orange pills pressed with "30" and "dp," suspected to be counterfeit Adderall
18 pills. A TruNarc test of the pills showed a presumptive positive result for the presence of
19 methamphetamine. The pills were tested by a lab, which confirmed the presence of methamphetamine,
20 a net weight of 36.515 grams and a pure methamphetamine weight of 2.556 grams.

21 48. The mylar pouches that contained the pills, all of which were contained within Parcel
22 Intercept #2, were submitted for fingerprint testing. The test came back with a positive result, stating:
23 "One latent print suitable for comparison was developed on one small black mylar zip lock bag. . . . One
24 latent print from the black mylar zip lock bag was identified to the known fingerprint card of Andrew
25 TAN, UCN: 698503VC9."

26 ***Parcel Intercept #3 (October 2021)***

27 49. On October 25, 2021, a USPS clerk at the McLaren Post Office alerted agents that a male

1 individual had just mailed several parcels that appeared similar to parcels previously intercepted by
2 agents at that post office on August 16, 2021 as part of this investigation. Specifically, the parcels had
3 handwritten labels, were contained in Priority Flat Rate Envelopes, numerous packages were mailed at
4 one time, and the sender paid in cash at the retail counter. Agents had previously asked this employee to
5 notify them if any additional parcels were mailed out of the McLaren Post Office that were similar to the
6 previously intercepted parcels, one of which had been opened pursuant to a federal search warrant (3-21-
7 mj-71317 JCS) and found to contain Adderall pills that tested presumptive positive for
8 methamphetamine. I responded to the McLaren Post Office, looked over the parcels, and reviewed
9 surveillance footage of the mailing.

10 50. The video surveillance footage showed an Asian male wearing glasses, no mask, a blue
11 long sleeve shirt, dark pants, and black shoes with white soles, whose appearance was similar to the
12 individual that mailed UC Purchase #4, mailing the parcels. I identified the individual as Andrew TAN
13 based on my familiarity with his appearance from reviewing his driver's license photo, observations of
14 him entering and exiting a vehicle registered to him and his address, and pole camera footage from
15 outside his suspected residence. Andrew TAN mailed seven Priority Mail Flat Rate Envelopes parcels
16 on October 25, 2021. Each parcel was packaged in Priority Mail flat rate envelopes, each had been paid
17 for during an over-the-counter transaction with cash, and each had handwritten return and addressee
18 information. These characteristics were consistent with previous parcels that had been intercepted and
19 purchased in an undercover capacity throughout the investigation into ADDERALL123. All of the
20 parcels mailed on October 25, 2021, had a handwritten return address of "Jimmy Leung, 191 Whittier
21 St. Daly City, CA 94014." This return address matched the return address of UC Purchase #4 from
22 ADDERALL123, conducted by agents on September 29, 2021.

23 51. On October 26, 2021, agents took custody of the seven parcels mailed by Andrew TAN
24 from the McLaren Post Office on October 25, 2021. Agents obtained a search warrant to search one of
25 the packages. *See* 3:21-MJ-71715 TSH. The package was addressed to "JBL Solutions, 2768 Salmon St,
26 Philadelphia, PA 19134." On November 1, 2021, agents opened the package pursuant to the search
27 warrant and found it to contain a black mylar pouch stapled to the paper containing approximately 105

1 circular orange pills pressed with "dp" and "30," which matched the appearance of other counterfeit
2 Adderall pills ordered from ADDERALL123 and seized in this investigation. A TruNarc test of the pills
3 showed a presumptive positive result of methamphetamine. Lab results confirmed the presence of
4 methamphetamine, a net weight of 37.173 grams and a pure methamphetamine weight of 2.23 grams.

5 ***Andrew TAN's iCloud Account***

6 52. Agents obtained iCloud account records for Andrew TAN. According to records
7 received from Apple, this iCloud account is associated with telephone number 415-728-8303, which
8 agents believe to be a phone number used by Andrew TAN. Customer subscriber records from AT&T,
9 show telephone number 415-728-8303 is subscribed to Andrew TAN at his suspected residence, 1127
10 Cayuga Avenue, San Francisco, CA.⁶ The Apple ID for the iCloud account is
11 andrewtan@sbcglobal.net. The account is a full iCloud account and is in "Active" status. Furthermore,
12 the iCloud account records contain indicia substantiating that the account belongs to Andrew TAN, such
13 as pictures of records bearing his name and a picture of an Emergency Medical Technician ID card
14 bearing his name.

15 53. In reviewing Andrew TAN's Apple iCloud account photo logs, agents observed a video,
16 dated June 16, 2020, which shows Tony TAN sitting in an indoor location, taking orange circular pills
17 from a large clear zip lock bag and sliding the pills onto a white piece of paper. The pills in the video
18 match the appearance of the counterfeit Adderall pills pressed with methamphetamine that agents have
19 purchased and seized throughout this investigation, including those contained within UC Purchase #4
20 and Parcel Intercept #2. GPS location data for this video is 37.730100N, 122.399500W, which shows to
21 be on the street outside of 316 Williams Avenue, the suspected residence of Andrew TAN and Tony
22 TAN's parents. I know the individual handling the pills in the video to be Tony TAN because his
23 appearance matches that of Tony TAN in his DMV photo, a family photo of Tony TAN found on
24 Andrew TAN's iCloud account, bank photos and video of Tony TAN making cash deposits into his
25

26 ⁶ This account holder for the AT&T phone account is Nelson Castro at 1127 Cayuga Avenue, San Francisco, CA; however
27 the phone number 415-728-8303 itself is subscribed to Andrew TAN. Agents believe that Andrew TAN resides at 1127
28 Cayuga Avenue based on, among other things, an Amazon account in his name listing this address as a billing and shipping
address and surveillance of him exiting and entering this residence.

1 bank account, and Tony TAN as observed on surveillance and pole camera footage during this
2 investigation.

3 54. In addition, Andrew TAN's Apple iCloud account has a least two photographs, dated
4 March 30, 2021, which are screenshots of the Apple Notes application. The screenshots show names,
5 addresses, and what appears to be quantities associated with each name and address (e.g. 30x, 50x,
6 100x). Notably, the denominations (e.g. 30x, 50x, 100x) are the same denominations in which
7 Adderall123 sells its pills; however, agents have not yet been able to confirm that these names and
8 addresses represent Adderall123 orders/shipments.

9 55. Additionally, Andrew TAN's iCloud account has a screenshot, dated March 4, 2021, of
10 an Amazon checkout cart showing 3 orders of "200 Pack Mylar Bags – 4x6 Inch Resealable Smell Proof
11 Bags Foi..." and 3 orders of "100 Pack Smell Proof Bags – 3x4 Inch Resealable Mylar Bags Foi..."
12 Furthermore, Tony TAN's Amazon account, on January 3, 2021, placed an order for "100 Pack Smell
13 Proof Bags - 3 x 4 Inch Resealable Mylar Bags Foil Pouch Bag Flat Bag Matte Black" and had them
14 shipped to Andrew TAN at 316 Williams Avenue. The Amazon account email associated with this
15 purchase was tonytan415@yahoo.com, and the credit card used was in Tony TAN's name, with an
16 associated billing address of 316 Williams Avenue. Finally, Andrew TAN's iCloud also a photo of what
17 appears to be two stacks of black mylar bags laid out on a black table, dated November 8, 2020.

18 56. The black mylar bags purchased by Tony TAN's Amazon account and sent to Andrew
19 TAN, and the black mylar bags observed in Andrew TAN's iCloud account mentioned above are similar
20 to all of the black mylar pouches used to contain counterfeit Adderall pills pressed with
21 methamphetamine acquired during the undercover purchases and parcel intercepts to date. A search for
22 "100 Pack Smell Proof Bags - 3 x 4 Inch Resealable Mylar Bags Foil Pouch Bag Flat Bag Matte Black"
23 and "100 Pack Mylar Bags - 4 x 6 Inch Resealable Smell Proof Bags Foil Pouch Bag Flat Bag Matte
24 Black," on Amazon.com showed images for small, black mylar bags that appear to be identical to the
25 packaging used to conceal the counterfeit Adderall in each undercover ADDERALL123 purchase and
26 parcel intercept to date. I know, based on my training and experience, that dark web drug traffickers
27 often package narcotics in smell proof packaging to conceal their whereabouts from mail service

1 providers or law enforcement.

2 57. Agents obtained a record of iMessages (the iPhone version of text messages) as part of
3 the records returned by Apple pertaining to Andrew TAN's iCloud account. Among these messages, are
4 messages between the iCloud account holder (Andrew TAN) and phone number (415) 244-8364, which
5 agents believe to be used by Andrew TAN's girlfriend based on the context and content of the messages
6 and phone subscriber records for this number. A number of these messages indicate that Andrew TAN
7 has knowledge of federal controlled substances, including particularly Adderall, and suggest that
8 Andrew TAN has been involved in distributing controlled substances. Some examples are listed below:

9 a) A message dated June 14, 2017 from the iCloud account holder (Andrew TAN) to (415)
10 244-8364 states: "Pop a adderall. I'll figure it out." (415) 244-8364 responds with a message
11 that same day that states: "Drugs will help you figure it out?" iCloud account holder (Andrew
12 TAN) then writes back to (415) 244-8364 stating: "Yup. Help me focus."

13 b) A message dated July 24, 2017 from (415) 244-8364 to the iCloud account states: "I am
14 trying to be open minded at least about weed. You smoking with my brother multiple times. That
15 time where you were so high you couldn't drive after you smoked with Matt. You smoking with
16 Nathan. I even smoked with you. Eating them with you. But at least you were upfront with me.
17 You said it would only be with me, but you don't follow through with anything that you say. I
18 didn't like it but I tolerated you having this job. We are waiting for you to pick up your career
19 and you claim it got fcked bc of this job. Now you're moving onto pills. the first time you told
20 me about the pills I said to get rid of them. You didn't and I let it go. You offered them to me and
21 at one point I even considered it despite my values bc I should be more open minded and at least
22 give it a try. But that's against what I believe in and yet you still suggest them to me every now
23 and then. You're offering them to my brother and now you want to sell this shit?! That's too
24 much for me to try to understand."

25 c) A message dated July 24, 2017 from the iCloud account holder (Andrew TAN) to (415)
26 244-8364 states: "As for selling them, people can get them even not from me. I just thought your
27 brother can sell some for me to his friends." (415) 244-8364 responds with a message that same

1 day that states: “You are not going to be the supplier while he sells the fucking pills.”

2 d) A message dated July 24, 2017 from (415) 244-8364 to the iCloud account states: “None
3 of them supply ppl with drugs.” The iCloud account holder (Andrew TAN) responds back with
4 six messages to (415) 244-8364 stating: “I don’t supply. It’s like Matt supplies me. Its like
5 Natalie buys them. And shares with your brother. She’s not supplying. It’s called sharing what
6 we hav.”

7 e) Two messages dated July 24, 2017 from the iCloud account holder (Andrew TAN) to
8 (415) 244-8364 state: “THE ADDERALL” and “IS FOR ME.”

9 f) Two messages dated October 24, 2017 from the iCloud account holder (Andrew TAN) to
10 (415) 244-8364 state: “Unless you buying drugs from me” and “Don’t get my number.”

11 g) A message dated November 30, 2017 from the iCloud account holder (Andrew TAN) to
12 (415) 244-8364 states: “The ones in your drawer were the last adderalls.”

13 h) Three messages dated January 18, 2018 from the iCloud account holder (Andrew TAN)
14 to (415) 244-8364 state: “Last year I had a white boy buddy who looks like Paul Walker,” “He
15 bought xans” and “From me.” Based on my training and experience I know “xans” is a common
16 slang term for the pharmaceutical drug Xanax.

17 i) A message dated February 5, 2018 from the iCloud account holder (Andrew TAN) to
18 (415) 244-8364 states: “I’m gonna take a adderall and study until my module.”

19 j) A message dated February 6, 2018 from the iCloud account holder (Andrew TAN) to
20 (415) 244-8364 states: “On adderall.”

21 k) A message dated February 13, 2018 from the iCloud account holder (Andrew TAN) to
22 (415) 244-8364 states: “I CANT FOCUS I DIDN’T TAKE ADDERALL.”

23 l) Two messages dated June 1, 2018 from the iCloud account holder (Andrew TAN) to
24 (415) 244-8364 state: “No adderall” and “Dangerous drug.”

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B) - Count 1: Possession with intent to distribute 5 grams or more of methamphetamine and 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine Petty Minor Misdemeanor Felony

PENALTY: Maximum penalties: minimum 5 years imprisonment; maximum 40 years imprisonment; minimum supervised release 4 years; maximum lifetime supervised release; maximum \$5,000,000 fine; \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ ANDREW TAN

DISTRICT COURT NUMBER

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form Stephanie M. Hinds
 U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Kristina Green

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges ▶
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

} If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶ Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments: