

Chief Magistrate Judge Brian A. Tsuchida

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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

TODD A. PETERMAN-DISHION,

Defendant.

NO. MJ19-287

COMPLAINT FOR VIOLATION

Title 21, United States Code, Sections
841(a)(1) and (b)(1)(A), 846

BEFORE, Brian A. Tsuchida, United States Magistrate Judge, U. S. Courthouse,
Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1
(Conspiracy to Distribute Controlled Substances)

Beginning at a time unknown, but within the last five years, and ending on or
about June 4, 2019, in Everett, within the Western District of Washington, and elsewhere,
TODD A. PETERMAN-DISHION, and others known and unknown, knowingly and

1 intentionally did conspire to distribute controlled substances under Title 21, United States
2 Code, Section 812, including heroin and methamphetamine.

3 It is further alleged that the offense involved 50 grams or more of
4 methamphetamine, its salts, isomers, and salts of its isomers, and 500 grams or more of a
5 mixture and substance containing a detectable amount of methamphetamine, its salts,
6 isomers, and salts of its isomers.

7 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A),
8 and 846.

9 The undersigned complainant, Michael Fischlin, a Postal Inspector with the United
10 States Postal Inspection Service (“USPIS”) being duly sworn, further deposes and states
11 as follows:

12 **INTRODUCTION**

13 1. I am a Postal Inspector with the USPIS and have been so employed since
14 June 2016. I am currently assigned to the Seattle Division, Prohibited Mail Narcotics
15 Team, where I investigate controlled substances transported via the United States Mail. I
16 have attended a one-week training course presented by the USPIS addressing narcotics
17 investigations and trends in narcotics mailings. At that training, subject-matter experts
18 taught current trafficking trends and suspicious parcel recognition.

19 2. Prior to becoming a Postal Inspector, I was employed as a Special Agent
20 (“SA”) of the United States Secret Service (“USSS”). As part of my training, I
21 completed the Federal Law Enforcement Training Center (“FLETC”) Criminal
22 Investigator Training Program as well as the USSS SA Training Program. While
23 employed by the USSS, I was trained in computer forensics. Prior to joining the USSS, I
24 served four years of active duty in the United States Marine Corps as a military
25 policeman.

26 3. As a Postal Inspector, I am authorized to investigate crimes involving
27 federal offenses relating to the United States Postal Service (“USPS”). During the course
28 of my law enforcement career, I have conducted or participated in criminal investigations

1 involving access device fraud, bank fraud, computer fraud, controlled substances,
2 counterfeit currency and securities, identity theft, mail theft, robbery, and wire fraud. My
3 duties have included planning the execution of search warrants; securing and searching
4 premises; seizing documents, records and other evidence; and interviewing witnesses.

5 4. The facts set forth in this complaint are based on my own personal
6 knowledge; information obtained from other individuals during my participation in this
7 investigation, including other law enforcement officers; interviews of cooperating
8 witnesses; review of documents and records related to this investigation; communications
9 with others who have personal knowledge of the events and circumstances described
10 herein; and information gained through my training and experience.

11 5. Because this affidavit is submitted for the limited purpose of establishing
12 probable cause in support of a criminal complaint, it does not set forth each and every
13 fact that I, or others, have learned during the course of this investigation.

14 6. As discussed below, TODD A. PETERMAN-DISHION sold drugs on a
15 dark web marketplace under a particular moniker, which is referred to herein as the
16 “Subject Moniker.” PETERMAN-DISHION completed approximately 1,650 orders on
17 the dark web, shipping the drugs via the USPS.

18 **SUMMARY OF PROBABLE CAUSE**

19 **A. The Dark Web**

20 7. The “dark web” is a portion of the “Deep Web” of the Internet, where
21 individuals must use anonymizing software or applications to access content and
22 websites. Within the dark web, criminal marketplaces operate, allowing individuals to
23 buy and sell illegal items, such as drugs, firearms, and other hazardous materials, with
24 greater anonymity than is possible on the traditional Internet (sometimes called the “clear
25 web” or simply the “web”). These online market websites use a variety of technologies,
26 including the Tor network (defined below) and other encryption technologies, to ensure
27 that communications and transactions are shielded from interception and monitoring.
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1 Famous dark web marketplaces, also called Hidden Services, such as Silk Road,
2 AlphaBay¹, and Dream Market² operated similarly to clear web commercial websites
3 such as Amazon and eBay, but offered illicit goods and services. There are a number of
4 marketplaces that have appeared on the dark web that have offered contraband for sale,
5 including narcotics. Users typically purchase narcotics through these marketplaces using
6 digital currency such as bitcoins.³

7 8. “Vendors” are the dark web’s sellers of goods and services, often of an
8 illicit nature, and they do so through the creation and operation of “vendor accounts” on
9 dark web marketplaces. Customers, meanwhile, operate “customer accounts.” Vendor
10 and customer accounts are not identified by numbers, but rather monikers or “handles,”
11 much like the username one would use on a clear web site. If a moniker on a particular
12 marketplace has not already been registered by another user, vendors and customers can
13 use the same moniker across multiple marketplaces. Based on customer reviews, vendors
14 can become well known as “trusted” vendors.

15 9. The Onion Router or “Tor” network is a special network of computers on
16 the Internet, distributed around the world, that is designed to conceal the true Internet
17 Protocol (“IP”) addresses of the computers accessing the network, and thereby the
18 locations and identities of the network’s users. Tor likewise enables websites to operate
19 on the network in a way that conceals the true IP addresses of the computer servers
20 hosting the websites, which are referred to as “hidden services” on the Tor network.
21 Such “hidden services” operating on Tor have complex web addresses, which are many
22 times generated by a computer algorithm, ending in “.onion” and can only be accessed
23

24 ¹ AlphaBay was a website on the dark web that offered drugs and other contraband for sale. Furthermore,
25 I know that AlphaBay was seized by U.S. law enforcement in July 2017.

26 ² Dream Market was a website on the dark web that offered drugs and other contraband for sale. In late
27 March 2019, Dream Market announced it was closing on April 30, 2019 and transferring its services to a
28 partner company.

³ Since Bitcoin is both a cryptocurrency and a protocol, capitalization differs. Accepted practice is to use “Bitcoin”
(singular with an uppercase letter B) to label the protocol, software, and community, and “bitcoin” (with a lowercase
letter b) or “BTC” to label units of the cryptocurrency. That practice is adopted here.

1 through specific web browser software designed to access the Tor network. Most
2 “hidden services” are considered dark web services with no legitimate or identified
3 service provider to which legal process may be served.

4 10. Bitcoin is a type of digital currency. Bitcoin payments are recorded in a
5 public ledger that is maintained by peer-to-peer verification and is thus not maintained by
6 a single administrator or entity. Bitcoins are widely used to conduct both legitimate and
7 unlawful business. For example, Microsoft accepts bitcoins as payment for Xbox games
8 and services. On the other hand, bitcoins were the payment used on the Silk Road, a
9 website on the dark web that offered drugs and other contraband for sale.

10 **B. The Subject Moniker’s Dark Web Profile on Dream Market**

11 11. In April 2018, the Federal Bureau of Investigation (“FBI”) and USPIS
12 initiated a joint operation in the Seattle area targeting persons selling drugs on the dark
13 web and shipping the drugs via the USPS. As part of this operation, agents identified a
14 vendor shipping parcels out of the Seattle area who sold drugs on the dark web site
15 Dream Market using the Subject Moniker.

16 12. On October 24, 2018, I viewed Subject Moniker’s profile on Dream
17 Market. The profile picture for the account appeared to be of a white skull against a blue
18 background. Dream Market showed that Subject Moniker had joined the market on June
19 22, 2018. I observed that Subject Moniker had numerous listings for black tar heroin,
20 varying from one-half gram to 100 grams. Subject Moniker also had several listings for
21 crystal methamphetamine, varying from one-half gram to 112 grams. Subject Moniker
22 accepted bitcoins as a method of payment, and offered USPS Express and Priority Mail
23 shipping for the drugs.

24 13. On February 5, 2019, I viewed Subject Moniker’s profile on Dream
25 Market. I noticed that Subject Moniker had listed an alternate method of contact
26 involving Wickr—an encrypted messaging application designed for both computers and
27 mobile phones. Specifically, the following comment was under the terms and conditions
28 of Subject Moniker’s profile:

1 1/31***IN CASE MARKET GOES DOWN OR YOU CANT
2 ACCESS DUE TO DDOS, YOU MAY CONTACT US AT
3 OUR WICR ME: OL007D

4 14. On March 27, 2019, I viewed Subject Moniker's profile on Dream Market.
5 Dream Market showed that Subject Moniker had 1,650 reviews with a 4.94 out of 5
6 rating. Based on my training and experience, I know that a review is generally
7 associated with an order, meaning that Subject Moniker had conducted (at least) 1,650
8 orders on Dream Market. I observed that Subject Moniker had various listings for both
9 heroin and crystal methamphetamine.

10 **C. Controlled Buys and Surveillance**

11 15. Beginning around October 2018 and continuing through December 2018,
12 FBI Online Covert Employees ("OCE") ordered drugs on several occasions from Subject
13 Moniker on Dream Market. In total, OCEs bought approximately 28 grams of
14 methamphetamine.

15 16. In addition, OCEs communicated directly with, and purchased drugs from,
16 Subject Moniker via his Wickr user account (described above). Beginning in early
17 February 2019, the OCEs completed several direct drug purchases with Subject Moniker
18 via Wickr, which totaled approximately 84 grams of methamphetamine and 6 grams of
19 black tar heroin. During these communications on Wickr, Subject Moniker provided
20 OCEs with wallet addresses to receive bitcoins in exchange for narcotics.

21 17. On or about April 17, 2019, law enforcement agents established
22 surveillance at the Bitter Lake Post Office ("PO") in Seattle. Agents observed a man
23 arrive at the PO in a PT Cruiser, which he drove. Agents later identified this man as
24 PETERMAN-DISHION, in part on the basis of his driver license. Further, Washington
25 State Department of Licensing records revealed that the PT Cruiser was registered to a
26 woman by the name of K.D. A search of local law enforcement databases revealed that
27 K.D. is a member of PETERMAN-DISHION's family. Agents observed PETERMAN-
28 DISHION walk from his vehicle into the PO and deposit seven parcels into the mail. A

1 Postal Inspector collected the parcels and immediately detained one, which was
2 subsequently opened pursuant to a federal search warrant. The parcel contained
3 approximately 13.9 grams of a substance that presumptively tested positive for the
4 presence of heroin.

5 18. After PETERMAN-DISHION was observed mailing parcels at the Bitter
6 Lake PO, agents continued to conduct physical surveillance as he departed in the PT
7 Cruiser. The PT Cruiser subsequently traveled to the parking lot of a hotel in Everett,
8 (the “Everett hotel”). Based upon information obtained from hotel management,
9 investigators learned that PETERMAN-DISHION and a woman with the initials of Z.D.
10 had resided at the Everett hotel since October 2018.

11 **D. Tracking Device**

12 19. Pursuant to a federal court order, agents installed an electronic tracking
13 device on the PT Cruiser in early May 2019. The tracking device revealed that, from
14 approximately May 3, 2019 to May 20, 2019, the PT Cruiser had driven from the Everett
15 hotel to POs in the Seattle metropolitan area multiple times. A Postal Inspector reviewed
16 security footage for several of these visits. The footage showed PETERMAN-DISHION
17 entering the POs and shipping Express or Priority Mail envelopes. Postal business
18 records revealed that the shipping labels used in the transactions completed by
19 PETERMAN-DISHION bore return names known to agents from seized shipments
20 associated with Subject Moniker.

21 20. On or about the middle of May 2019, OCEs placed an undercover order for
22 approximately 57 grams of methamphetamine from Subject Moniker via his Wickr
23 handle. On or about May 17, 2019, the tracking device attached to the PT Cruiser
24 showed that the vehicle traveled directly from the parking lot of the Everett hotel to the
25 Mill Creek PO, arriving at approximately 2:15 pm.

26 21. Security footage from the Mill Creek PO revealed that at approximately
27 2:21 pm, a woman entered the PO and mailed two parcels. The woman strongly
28 resembled the individual depicted in the driver license photograph for Z.D. The footage

1 showed that Z.D. carried both parcels in a plastic bag, which she initially emptied onto
2 the counter without physically touching the parcels. After emptying the parcels onto the
3 counter, Z.D. waited in line to speak with a clerk and then moved the parcels to the area
4 in front of the clerk. Z.D. appeared to carry the parcels in a manner that minimized
5 contact between her hands and the parcels in an apparent attempt to prevent leaving
6 fingerprints on them. The clerk scanned the parcels at approximately 2:23 pm. Postal
7 business records revealed that one of the parcels sent by Z.D. was a Priority Express Mail
8 parcel that was later received at an undercover mailing address used for the investigation.
9 Agents opened the parcel and inside found approximately 58 grams of a crystalline
10 substance that presumptively tested positive for the presence of methamphetamine.

11 **E. The Search Warrant and Interview**

12 22. On June 4, 2019, agents executed a federal search warrant for
13 PETERMAN-DISHION's room at the Everett hotel. PETERMAN-DISHION and Z.D.
14 resided in the room. Agents discovered in the hotel room suspected controlled
15 substances, specifically: distribution-quantity amounts of black-tar heroin, crystal
16 methamphetamine, and 3,4-Methylenedioxymethamphetamine ("MDMA"). In addition,
17 agents discovered packaging materials, drug paraphernalia, a scale, and plastic baggies.
18 Moreover, agents found a trash bag containing used packing materials, used rubber
19 gloves, Mylar bags, USPS envelopes, and a piece of paper with handwritten user names.
20 The piece of paper with handwritten usernames included the name provided by OCEs to
21 place undercover purchases from Subject Moniker via Wickr.

22 23. Agents interviewed PETERMAN-DISHION at the Everett hotel after he
23 provided his written consent and a waiver of his *Miranda* rights. PETERMAN-
24 DISHION admitted to agents that he was the dark web vendor Subject Moniker on
25 Dream Market. PETERMAN-DISHION stated that he sold drugs in exchange for
26 bitcoins. PETERMAN-DISHION stated he took the Subject Moniker profile picture
27 photograph found on Dream Market with his mobile phone. PETERMAN-DISHION
28 also indicated he operated the Wickr account OL007D—the same account that was listed

1 on Dream Market as an alternate method of contacting Subject Moniker, as well as the
 2 account from which OCEs had ordered drugs from Subject Moniker.

3 **F. Search of PETERMAN-DISHION’s Electronics**

4 24. The federal search warrant for PETERMAN-DISHION’s room at the
 5 Everett hotel also authorized the search and seizure of electronic media.

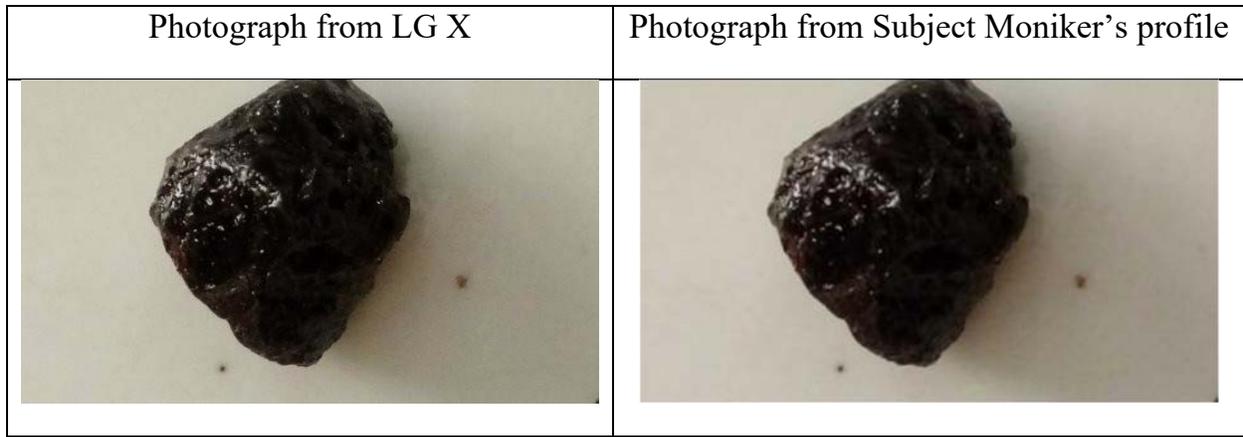
6 25. During subsequent review of PETERMAN-DISHION’s LG X mobile
 7 phone, agents found a Bitcoin wallet application on the phone. One of the Bitcoin
 8 wallets within the application had a name that was identical to that of the Subject
 9 Moniker (except for the omission of a single alphanumeric character).

10 26. Agents also recovered from the LG X phone a digital photograph of a white
 11 skull with a blue background. Metadata associated with the photograph showed that the
 12 device used to take the photograph was an LG X phone. The metadata further indicated
 13 that the photograph was taken on June 4, 2018 (approximately three weeks before Subject
 14 Moniker joined Dream Market). As can be seen below, this photograph appears to be the
 15 original and uncropped version of Subject Moniker’s profile picture on Dream Market.

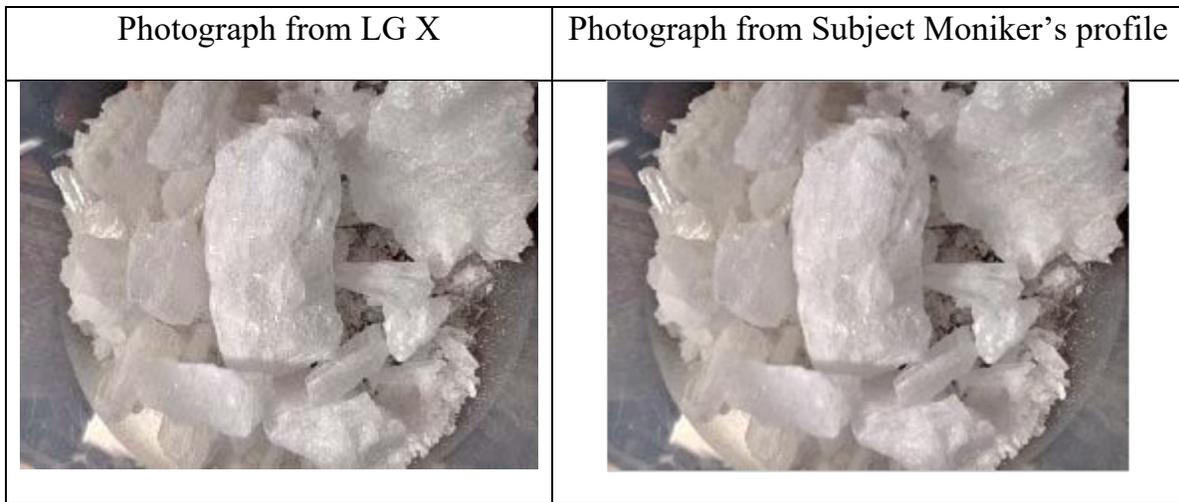
Photograph from LG X	Photograph from Subject Moniker’s profile
	

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26 27. In addition, a photograph of suspected black-tar heroin was recovered from
 27 the LG X. As can be seen below, this photograph matches the photograph used for a
 28 Subject Moniker listing of high-grade black tar heroin on Dream Market:

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28. Also recovered from the LG X was a photograph of suspected crystal methamphetamine. As can be seen below, this photograph matches the photograph used for a Subject Moniker listing of crystal clear methamphetamine on Dream Market:



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CONCLUSION

29. Based on the foregoing, I respectfully submit that there is probable cause to believe that PETERMAN-DISHION committed the crime of Conspiracy to Distribute Controlled Substances, in violation of 21, United States Code, Sections 841(a)(1), (b)(1)(A), and 846.



MICHAEL FISCHLIN
Inspector, USPIS

Based on the Complaint and Affidavit, to which the above-named affiant provided a sworn statement attesting to the truth of the contents of such, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

Dated this 27 day of June, 2019.



BRIAN A. TSUCHIDA
Chief United States Magistrate Judge