

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON**

UNITED STATES OF AMERICA

PLAINTIFF

v.

JOSHUA COOK

DEFENDANT

AFFIDAVIT

I, Jeff Wyss, being duly sworn, do hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Task Force Office with the Federal Bureau of Investigation (“FBI”), and have been since July 2020. I have experience conducting investigations into national criminal enterprises, organized crime, violent crimes, and criminal organizations that leverage technology during the course of their crimes. I have received instruction and training on, and have participated in, investigations involving possession with the intent to distribute and distribution of controlled substances, and conspiracies associated with the foregoing criminal offenses, in violation of, *inter alia*, Title 21, United States Code, Section 841(a)(1).

2. During the course of my law enforcement career, I have conducted and participated in the investigation of numerous criminal offenses, including those involved in the current investigation. I have experience investigating complex criminal enterprises

with local and national nexus. These investigations include criminal organizations that leverage cyber-based techniques to further their criminal activity. I have training and experience investigating criminal organizations that use technology, such as the Tor network to commit criminal violations. Through the course of conducting these investigations, I have been involved in the use of the following techniques: interviewing confidential human sources; conducting physical surveillance; conducting undercover drug operations in which drugs are purchased through the use of confidential human sources or undercover employees; analyzing telephone pen registers and caller identification system data; analyzing data from mobile telephones; and executing search warrants and arrest warrants. I have also been involved in online undercover operations, as well as controlled drug deliveries and transactions. In the course of my investigations and other cases on which I have worked, I have gained experience executing search warrants for physical premises, as well as for electronic evidence and data, including the content and other data associated with email, messenger, financial, and digital-marketplace accounts operating on both the traditional internet and the dark web (as that term is defined below).

3. I am familiar with the increasingly popular use of text messaging, instant messaging, and electronic mail used by drug traffickers and drug trafficking organizations to advance their unlawful activities.

4. This Affidavit is based upon my personal knowledge and upon information reported

to me by other state and local law enforcement officers during the course of their official duties. The information contained in this Affidavit is not a complete account of everything known to me about this case. Rather, it contains the facts that I believe are sufficient to support a finding of probable cause to support the issuance of a Criminal Complaint and corresponding arrest warrant.

5. This affidavit is in support of an arrest warrant for JOSHUA COOK (hereinafter COOK), for conspiracy to distribute controlled substances, to include quantities of mixtures or substances containing a detectable amount of 4-Bromo-2,5-dimethoxyphenethylamine (also known as 2C-B), a Schedule I controlled substance, and Ketamine, a Schedule III controlled substance, in violation of Title 21, U.S.C., § 841(a)(1) and 846.

PROBABLE CAUSE

6. The [REDACTED] Dark Web Drug Trafficking Organization (DTO) (Hereafter, “[REDACTED] DTO”) opened a vendor page on the dark web marketplace site, White House Market. Under their vendor profile on White House Market, it lists [REDACTED] DTO as a vendor since August 2020. In July 2021, the Southern Ohio Digitized Organized Crime Group, comprised of numerous Federal agencies, began working jointly with agencies in Lexington, Kentucky, and Denver, Colorado, to investigate the [REDACTED] Dark Web Drug Trafficking Organization (DTO) (hereafter, “[REDACTED] DTO”), which operates from various dark web marketplaces. The [REDACTED] DTO is a poly-drug vendor-based organization responsible for the distribution of controlled substances throughout the United States via the United States Postal Service (USPS).

7. The [REDACTED] *DTO* vendor profiles on dark web markets offer for sale (listings) Xanax Candies (“Alp SweetTarts”)¹, MDMA², Shrooms, 2C-B HCl³, and Amphetamine Sulfates. The [REDACTED] *DTO* negotiates drug purchases on these marketplaces in exchange for different types of cryptocurrency primarily bitcoin (BTC). [REDACTED] *DTO* also engages in direct drug deals via the Protonmail platform, which is an end-to-end encrypted email exchange.

8. In May 2021, an anonymous tip was supplied to the FBI regarding Haleigh FLANIGAN. The tip identified Haleigh FLANIGAN as being a drug dealer who was selling drugs out of a warehouse for a person named “Josh,” and that “Josh” had recently fled to Colorado from Lexington, Kentucky. Investigators believed “Josh” to be COOK based on open-source searches and cellular telephone records. Information located in those search results showed COOK as an acquaintance of Haleigh FLANIGAN and her husband Benjamin FLANIGAN on social media accounts and cell phone toll records showed frequent contact between all the parties. Investigators determined that as of May 31, 2021, COOK was residing at an address on [REDACTED] in Denver, Colorado.

9. Physical surveillance conducted during the FBI’s investigation has confirmed that the FLANIGANS were involved in the [REDACTED] *DTO* conspiracy, as follows:

- a. Physical surveillance of Haleigh FLANIGAN at her residence in Lexington, Kentucky on August 11, 2021, revealed that she departed her apartment and drove to a nearby United States Post Office where she shipped 22 USPS

¹ Xanax, otherwise known as alprazolam, is a Scheduled IV Controlled Substance.

² MDMA (technical name - 3,4-Methylenedioxymethamphetamine (MDMA)) is a Scheduled I Controlled Substance.

³ 2C-B (technical name - 4-bromo-2,5-dimethoxyphenethylamine) is a Scheduled I Controlled Substance.

Priority Flat Rate envelopes each with the return address to [REDACTED] in Lexington, KY. There were no other flat rate envelopes in the collection box. Investigators seized one of these 22 parcels addressed to Individual-1, an individual previously interviewed by the investigative team for purchasing drugs from [REDACTED]. Individual-1 confessed to purchasing drugs from [REDACTED] via a dark web marketplace and then consented to the search of this parcel, which revealed “Sweet Tart” style candies inside (resembling the dark web marketplace listing for [REDACTED]) along with a receipt that looked like it was from [REDACTED]. Individual-1 had previously admitted to FBI agents that he had purchased controlled substances from [REDACTED]. The contents of that package were provided to a regional crime laboratory and were determined to be flualprazolam, a Schedule I controlled substance in the state of Ohio. Based on the above surveillance and seizure, the FBI believed that Haleigh FLANIGAN left her residence with controlled substances and drove to the Post Office to ship controlled substances to drug customers throughout the United States, including to Individual-1

- b. On October 13, 2021, Haleigh and Benjamin FLANIGAN were observed on a covert camera that the FBI placed near the entrance of their residence. The FLANIGANS were seen leaving the apartment. Haleigh FLANIGAN carried multiple USPS Priority style envelopes in her hand as she entered a rental vehicle driven by Benjamin FLANIGAN. On October 14, 2021, contact was made with the Postal Inspection Service at The UPS Store at 4101 Tates Creek Centre Drive, Lexington, KY where investigators believed Haleigh FLANIGAN delivered these Priority envelopes into a nearby USPS collection box. Based on my training and experience, I know that it is common for dark web drug traffickers to drop packages at different postal locations to attempt to conceal their identity. Upon checking the postal box, in front of the UPS Store, there were only eight USPS Priority style envelopes inside, addressed to addresses around the United States, with return addresses listed to female names and addresses to include [REDACTED] Lexington, KY.
- c. On December 16, 2021, physical surveillance was conducted of Benjamin FLANIGAN at his apartment. Benjamin FLANIGAN departed his apartment carrying a backpack and drove to the United States Postal Office located at 365 Duke Rd, Ste A, Lexington, Kentucky. Benjamin FLANIGAN placed several white postal envelopes into a USPS collection box in the parking lot and departed the area. With the assistance of United States Postal Inspectors, six Priority Mail Flat Rate envelopes were located and photographed. One envelope was seized. The seized envelope had a return address of [REDACTED] in Lexington, KY which was the same as one of the return addresses FBI saw in the USPS box on October 14th that had been deposited, as referenced above. Additionally, the package had a cryptocurrency paid postal

code on the top of the label, as did the package FBI saw on October 14th. It should also be noted that the remaining five packages had the same other two female names and addresses as the October 14th packages. A search warrant for the seized package was applied for and received. The package was searched, and “candies” similar to the ones contained in the package previously seized from Individual-1, which he had purchased from PC-DTO, were found. The contents of that package were provided to a regional crime laboratory, and testing did not reveal it to contain a controlled substance.

10. Financial and blockchain analysis have revealed the manner and methods in which the █████ DTO use cryptocurrency and further confirmed the FLANIGANS’ involvement in the conspiracy. The investigative team found several █████ DTO wallets that were receiving funds from dark web marketplaces. The █████ DTO provided some of those wallets to undercover agents for controlled drug purchases or listed them on their vendor webpage, described more fully below. The FBI’s investigation has revealed that Benjamin and Haleigh FLANIGAN used their Coinbase accounts to indirectly receive funds from the online drug trafficking sales of the █████ DTO.

11. As part of the FBI’s investigation, agents reviewed Apple iCloud search warrant results for Apple accounts used by Benjamin and Haleigh FLANIGAN and found evidence related to COOK. Detailed below are intercepted messages backed up from these iCloud accounts that relate to COOK and range from 2019 to early 2021:

- a. Haleigh FLANIGAN saved COOK’s known Denver address in her iNotes.
- b. Messages between Haleigh FLANIGAN and COOK contained information about “orders” (drugs) and “packaging” (drug packages).
- c. Messages between Benjamin FLANIGAN and COOK:
 - i. Payment sheet sent to COOK for people who owe them money.

- ii Dark web references to “beans,” believed to code for “Xanax.”
- iii Discussion with COOK about liquid alprazolam on sweet tarts.
- iv COOK asked how the review was for Xanax.⁴
- v A message about fentanyl and getting “greens,” which is believed to be code for Xanax.
- vi Supply [drug] coming from the dark web.
- vii COOK replied that he can’t have anymore traffic at his apartment between the drug court and the cop that lives below him. The timeframe for this message would have been a reference to COOK’s Lexington apartment.
- viii COOK referenced packages he sent to the FLANIGAN’s apartment and FLANIGAN’s concern that the number of deliveries could make the apartment “hot,” which investigators believe is a reference to law enforcement detection of drug trafficking at the FLANIGAN’s apartment.

12. In addition, there have been four undercover drug purchases from the *PC-DTO*.

Three of these four drug parcels were shipped from Denver, Colorado, as follows:

- a. On August 2, 2021, a controlled purchase was made of 100mg of powder 2C-B HCl from [REDACTED] via an encrypted email address, [REDACTED] in exchange for 0.0024 bitcoin (\$95). Upon receiving the package, the USPS envelope was adorned with the return address of [REDACTED] Denver, CO 80237. The powder returned from the Hamilton County Crime Lab (Ohio) as 2C-B, a Scheduled I controlled substance, and Ketamine, a Schedule III controlled substance.
- b. On October 21, 2021, a controlled purchase was made of 1000mg of 2CB powder 2C-G HCl from [REDACTED] in exchange for 2.504 monero (XMR) (\$662.71) via an encrypted email address, [REDACTED]. Upon receiving the envelope, the USPS envelope was adorned with the return address [REDACTED] Denver, CO 80238. The powder returned from the Hamilton County Crime Lab as 2C-B and Ketamine.

⁴ It is common practice for dark web drug vendors to ask customers to leave reviews based on product quality, shipping speed, order responsiveness and stealth or package concealment.

- c. On May 11, 2022, a controlled purchase was made of Albino Psyllisibin mushrooms and Clonozalam Pez from [REDACTED] in exchange for 0.00518 bitcoin (\$155) via an encrypted email address, [REDACTED]. Upon receiving the envelope, the USPS envelope was adorned with the return address [REDACTED] [REDACTED] Denver, Colorado 80238. The suspected drugs are pending laboratory analysis.

13. The use of female names and return addresses is a common method of operation for [REDACTED] DTO. The [REDACTED] street name has been used on different packages received by the FBI from [REDACTED] DTO, and on one package from Denver suspected to be from COOK delivered to the FLANIGANS. United States Postal Inspection Service (USPIS) shipping analysis revealed that within the past year there have been in excess of 30 USPS parcels travelling to and from Denver and Lexington. The parcels shipped to Denver were destined to COOK's known Denver residence while the parcels from Denver to Lexington were destined to the FLANIGANS' premises. Recently, a Denver based Postal Inspector alerted Cincinnati FBI agents that there was an inbound USPS parcel shipped from Lexington to COOK's Denver residence with an anticipated delivery of June 13, 2022. A federal search warrant was obtained to open the package on June 14, 2022, and it was found to contain sweet tart candies in a plastic Kroger shopping bag. It is my belief based on internet searches that "Kroger" are not common to the Denver area. A field test on the "candies" was negative for controlled substances.

14. On June 14, 2022, search warrants for the FLANIGANS' apartment and vehicle were executed. A plastic Kroger bag with sweet tart candies, similar to the ones found in the package opened by law enforcement on June 14, 2022, going to COOK, was located. Additionally, suspected controlled substances, USPS envelopes, black Mylar

bags, label makers, and large rolls of shipping labels were found. A USPS envelope with a pre-printed shipping label with a return address in COOK's name and his known Denver address was also found. The contents of that envelope had a black Mylar bag inside and similar black Mylar bags were located in the vehicle. Additionally, a Protonmail email account on Haleigh FLANIGAN's telephone was also found to be in email correspondence with the [REDACTED]. Based on my training and experience, this communication with [REDACTED] shows that there is another person who is using the [REDACTED] account. Based on the investigation to date, I believe that that the other individual communicating through the [REDACTED] is COOK.

15. Based on the foregoing information, including the evidence from the controlled purchases, iCloud communications between the FLANIGANS and COOK, the recent package sent to COOK, and the evidence of shipments from COOK found in the FLANIGANS' vehicle, I believe that COOK is operating the [REDACTED] DTO with the FLANIGANS in violation of 21 U.S.C. § 841(a)(1) and 846.

CONCLUSION

16. Based the foregoing, I am requesting that this Honorable Court issue a criminal complaint and arrest warrant for JOSHUA COOK for conspiracy to possess with the intent to distribute and distribution of controlled substances in violation of 21 U.S.C. § 841(a)(1) and 846.

/s/ Jeff Wyss

Jeff Wyss, Task Force Officer
Federal Bureau of Investigation

Attested to by applicant per FRCP 4.1 by reliable electronic means on this 14th day of June 2022.



MATTHEW A. STINNETT
U.S. MAGISTRATE JUDGE