

UNITED STATES DISTRICT COURT
for the
District of Delaware

United States of America
v.
ARMAND NICHOLAS LU
Case No.
24- 80M
Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 April 2, 2024 in the county of Kent in the
District of Delaware, the defendant(s) violated:

Code Section Offense Description
18 USC 2422(b) Attempted enticement of a minor

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

/s/ Randy Mullins
Complainant's signature
Randy Mullins, Special Agent, US Air Force
Printed name and title

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

Date: April 2, 2024

Christopher J. Burke
Judge's signature

City and state: Wilmington, DE

Hon. Christopher J. Burke, US Magistrate Judge
Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff

v.

Case No. 24- 80M

ARMAND NICHOLAS LU,

Defendant.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Randy Mullins, a Special Agent with the United States Air Force Office of Special Investigation (“OSI” or “AFOSI”), Dover, Delaware, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is in support of a criminal complaint against Armand Nicholas LU.
2. I am a Special Agent (“SA”) with OSI and a credentialed federal agent authorized to investigate violations of the Uniform Code of Military Justice, as well as violations of State and Federal laws where a military nexus exists. I have served with OSI since September 2016 and as a Special Agent since January 2019. I am a graduate of the Federal Law Enforcement Training Center’s Criminal Investigator Training Program, the United States Air Force Special Investigations Academy, the Sex Crimes Investigations Training Program, and the National Criminal Justice Training Center Undercover Concepts and Techniques. I graduated from the Community College of the Air Force in 2019, where I received an associate degree in Criminal Justice. Since joining OSI, I have served in multiple capacities as a Special Agent and have

completed tours as a field level Special Agent, protective service officer, counterintelligence Special Agent, and have served in various supervisory roles.

3. I have experience in numerous investigative disciplines to include child exploitation, child sexual abuse, various adult sex crimes, cyber-based investigations, financial crimes, narcotics investigations, fraud, and espionage. I have received substantial training related to child exploitation, narcotics trafficking, online undercover operations, interviewing techniques, surveillance and counter-surveillance techniques, and multiple other criminal investigator-related facets.

4. I also assist the Delaware Internet Crimes Against Children Task Force (the “Delaware ICAC”) with investigations where a military nexus exists. The primary goal of the Delaware ICAC will be to expand the quantity and quality of detection, investigation, apprehension, and prosecution of electronic communications-facilitated crimes against children.

5. As a federal agent, I am authorized to investigate violations of laws of the United States, including Title 18, United States Code, 2422(b), and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

6. I am the case agent assigned to this investigation of Armand Nicholas LU. The statements contained in this affidavit are based in part on information and reports provided by U.S. federal law enforcement agents and state law enforcement officers; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, independent investigation and analysis by law enforcement agents/analysts and computer forensic professionals, and my experience, training, and background as a Special Agent. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each

and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish that there is sufficient probable cause for the requested warrant.

TARGET OFFENSE

7. Title 18, United States Code, Section 2422(b) provides as follows: “Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and imprisoned not less than 10 years or for life.” 18 U.S.C. 2422(b).

8. In this case, “sexual activity for which any person can be charged with a criminal offense” includes:

- a. 11 Del. C. § 771(a)(1) (third degree rape)¹;
- b. 11 Del. C. § 770(a)(1) and (a)(2) (fourth degree rape)².

FACTS SUPPORTING PROBABLE CAUSE

9. In March 2024, AFOSI utilized an undercover (“UC”) persona to create a Dover-based profile on a popular online dating application (the “UC persona”). On this online dating application, users create profiles, which can include their photos, a short bio, and some of their interests. Users can “swipe right” to like other users’ profiles and can “swipe left” to dislike other

¹ “A person is guilty of rape in the third degree when the person . . . Intentionally engages in sexual intercourse with another person, and the victim has not reached that victim’s sixteenth birthday and the person is at least 10 years older than the victim”

² “A person is guilty of rape in the fourth degree when the person: (1) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim’s sixteenth birthday; or (2) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim’s eighteenth birthday, and the person is 30 years of age or older”

users' profiles. If two users like one another's profiles, then they "match" and can thereafter exchange messages. Due to the terms and agreements of the dating application, the UC persona was listed as 18 years old, which is the minimum age permitted in the dating application. The bio included that the UC persona was, "New to dating. Not sure what I'm looking for. Just trynna [sic] have fun. No drama." Her interests were, "Camping," "Hiking," "Outdoors," "Online games," and "Shopping."

10. On or about March 9, 2024, an individual with the profile name "Armand" matched with and messaged the UC persona. A review of "Armand's" profile revealed that "Armand" listed himself as 36 years old, described himself as a "resource advisor at USAF" and listed his location as "2 Miles Away."

11. After briefly communicating using the dating application, the parties then transitioned to standard messaging services ("SMS") via direct cellphone numbers on or about the same day. For communicating via SMS, "Armand" utilized phone number "[REDACTED]." The first message "Armand" sent the UC persona was "it's Armand Lu you can call me Lu for short." "Armand" also sent a SMS to the UC persona that stated, "I live here," and provided a link to Google maps to address "[REDACTED]."

12. Your affiant has identified "Armand" as Armand Nicholas LU ("LU"). LU is an active-duty airman assigned to the Dover Air Force Base ("DAFB") as a Technical Sergeant (E-06). LU has listed his primary telephone number with the Department of Defense as "[REDACTED]," which is the same phone number utilized by "Armand," and address as [REDACTED] Dover, Delaware, which is the same address that "Armand" provided the UC persona, as detailed above. LU's date of birth on file with the Department of Defense reflects that he is 36 years old.

13. Once LU and the UC persona transferred to communicating via SMS, the UC persona

informed LU that “I’m not quite 18,” and that “I’m almost 15.” In response, LU told the UC persona that “We can still talk... Let’s be friends.”

14. After the UC persona informed LU that the UC persona was 14 years old, LU continued to communicate via SMS with the UC persona. LU asked the UC persona about prior boyfriends. LU also expressed interest in meeting with the UC persona. For example, on or about March 10, 2024, LU stated “I really like you,” “And I cannot wait to meet you.” On or about March 17, 2024, LU stated “I honestly want to meet you... it’s the first step to any relationship,” and “I want you baby. Let’s meet up.”

15. LU also expressed his sexual interest in the UC persona. For example, after exchanging a photo of the UC persona,³ LU stated on or about March 17, 2024, “TBH I am doing things to your pic... Lol,” “Lol I really like like you... So you know .. Turns me on..” LU also requested another photo, stating “I want to see your body.” LU also said “I really think you were super attractive.” Additionally, on or about March 18, 2024, LU stated regarding the photo “I did something with it ‘before I went to sleep’ last night” and “there’s some fantasizing involved in it.”

16. LU also informed the UC persona that their communications should be secret. For example, on or about March 18, 2024, LU stated “I don’t want anything transmitted about our secret.”

17. LU also acknowledged that he could get in trouble for meeting with the UC persona. For example, on or about March 18, 2024, in response to LU’s question about when they were meeting, the UC persona stated, in part, “I’m not chancing getting caught if its not worth it lol.” LU responded, “You know I should be the one telling you that. Because if I get caught I go to

³ All of the photos in this operation (including the dating profile and photos exchanged with LU via SMS) were photos of a female law enforcement officer that were age regressed using software available to the UC to make the female officer appear to be a child.

prison...” In response, the UC persona stated, “I said I wouldn’t tell anyone. But you don’t have to if you don’t want to. Not gonna hurt my feelings. There’s plenty of other guys out there.” LU replied, “Wait. I do want us to work out. I want to pick you up and we can experiment.”

18. On several occasions, LU expressed his direct sexual interest in the UC persona. Examples include:

a. On or about March 18, 2024, LU stated, “I want to have sex with you but with your own terms. How old were the other guys? . . . I’m still up for it if you are.” He also stated “I would like to get in a shower with you . . . Let’s start there then we can experiment.”

b. On or about March 18, 2024, LU stated, “Can you stop texting other guys for me. I want to be the one that makes you cum pls.”

c. On or about March 19, 2024, LU stated, “I really Wana [sic] meet up” and when asked what he wanted to do if they met, he said, “I wana pick you up from school then I take you straight to my bedroom.” The UC persona asked what would happen in the bedroom to which LU stated, “You know what will happen in there.” The UC persona asked why LU was so secretive.

d. On or about March 20, 2024, LU replied to the UC persona’s question about being secretive and said, “Well we will have sex in my bedroom.”

e. On or about March 23, 2024, LU stated, “I want a really long time of making out and see where it goes.”

19. LU also mentioned talking to other girls the UC persona’s age. For example, on or about March 20, 2024, the UC persona asked, “Have you talked to other girls like me?” LU responded “Not as much as I talked like I talk with you.” The UC persona then stated “I’ve had sex before but I’m always nervous it will hurt. I didn’t know if you had been with girls my age or girls as

inexperienced as me,” to which LU responded, “I had sex before and did not have any issues. I have been with girls your age and inexperienced as well.”

20. On or about March 26, 2024, LU provided specific graphic details regarding his sexual interests and plans for a sexual encounter with the UC persona. Examples include:

a. LU stated, “I want to go all out but I want you to tell me to stop if it gets too much...”

b. LU stated, “Well I want to go to my bedroom with you and do things...”, “Like tickling each other and laughing, making out and lots of touching then see where it goes,” and “Then if you let me there will be grabbing and rubbing...”

c. LU asked, “What sorts of positions do you fantasize about?”

d. LU described sexual positions where the UC persona was on top. He described his penis size and said he would use protection. He stated that he wanted the UC persona to put the protection on him.

e. LU asked if the UC persona wanted to put honey on each other and lick it off.

f. LU asked if the UC persona squirted and explained that squirting meant, “when you cum you also wet yourself... I think it’s a turn on...”

g. LU asked how often the UC persona masturbated and said he masturbated after he received her picture.

h. LU stated, “I want you so bad right now... I’m playing with myself rn” [Note: I know that “rn” commonly stands for “right now.”]

i. LU asked if the UC was masturbating that moment and asked if she was “humping a pillow.”

j. LU asked if the UC shaved and described how he trimmed his pubic hair.

k. LU asked, “Do you like slow and rhythmically movements?... Or do you want fast and hard?... I like doing both.”

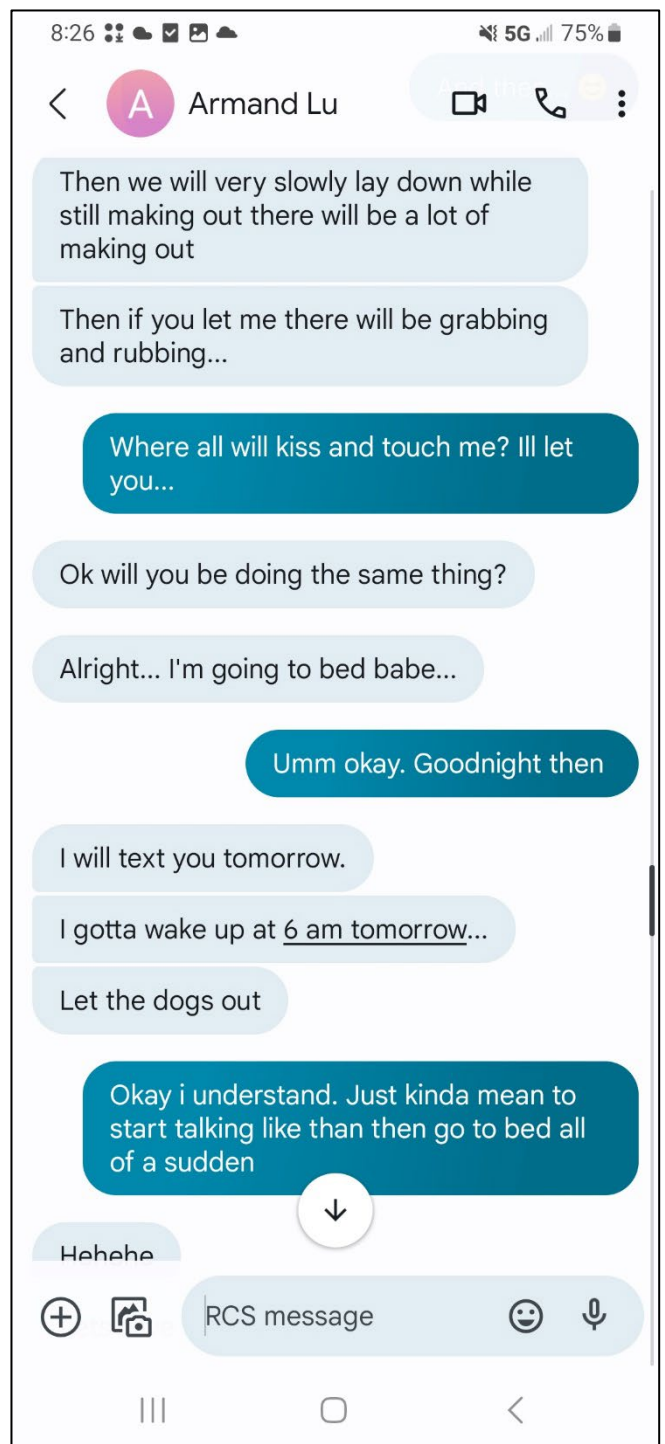
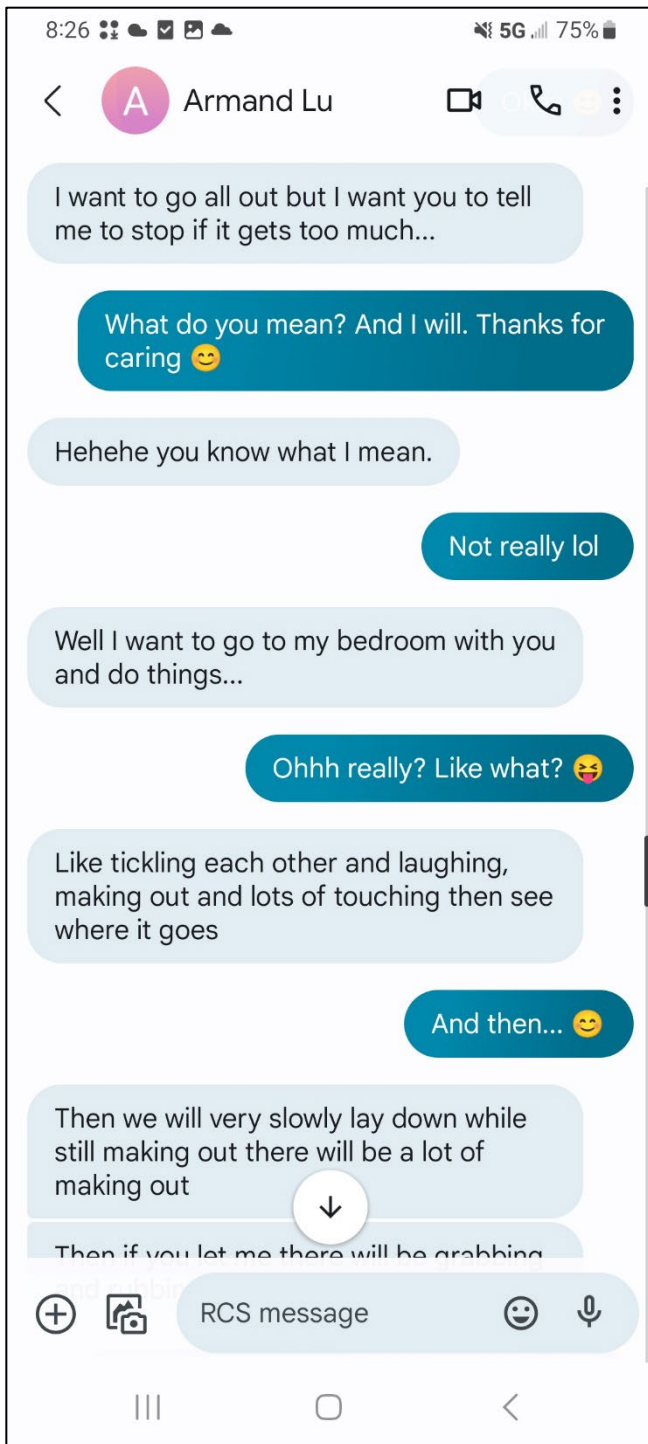
l. LU stated he was going to pick up condoms the following day.

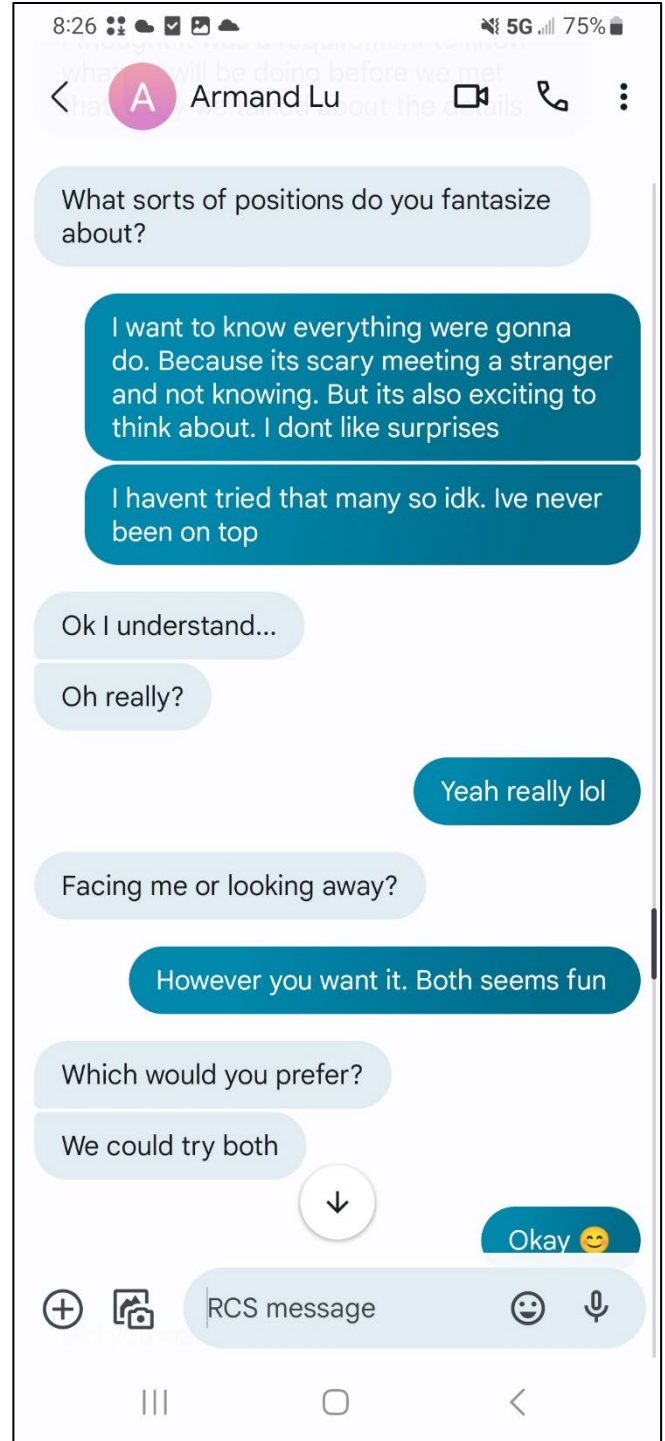
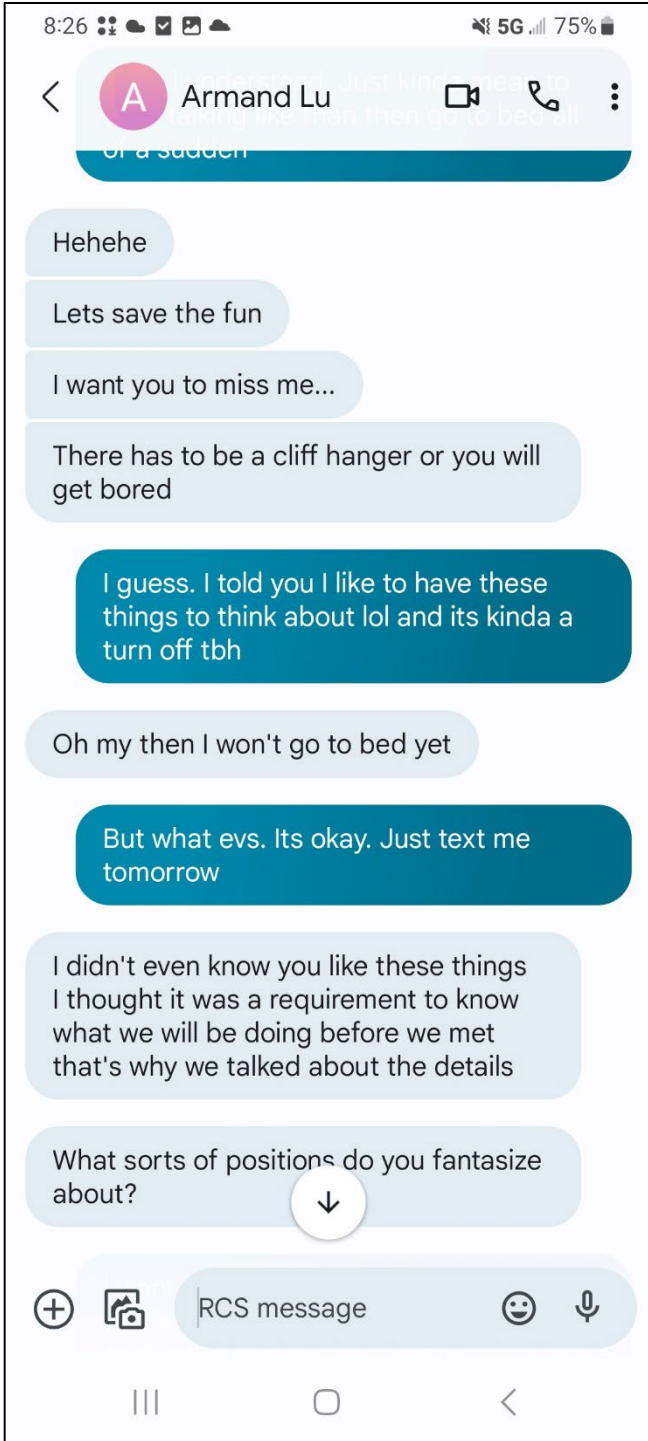
m. LU asked the UC persona about her favorite sexual positions again and mentioned “doggy,” “cowgirl,” “reverse,” and that he wanted her to ride him.

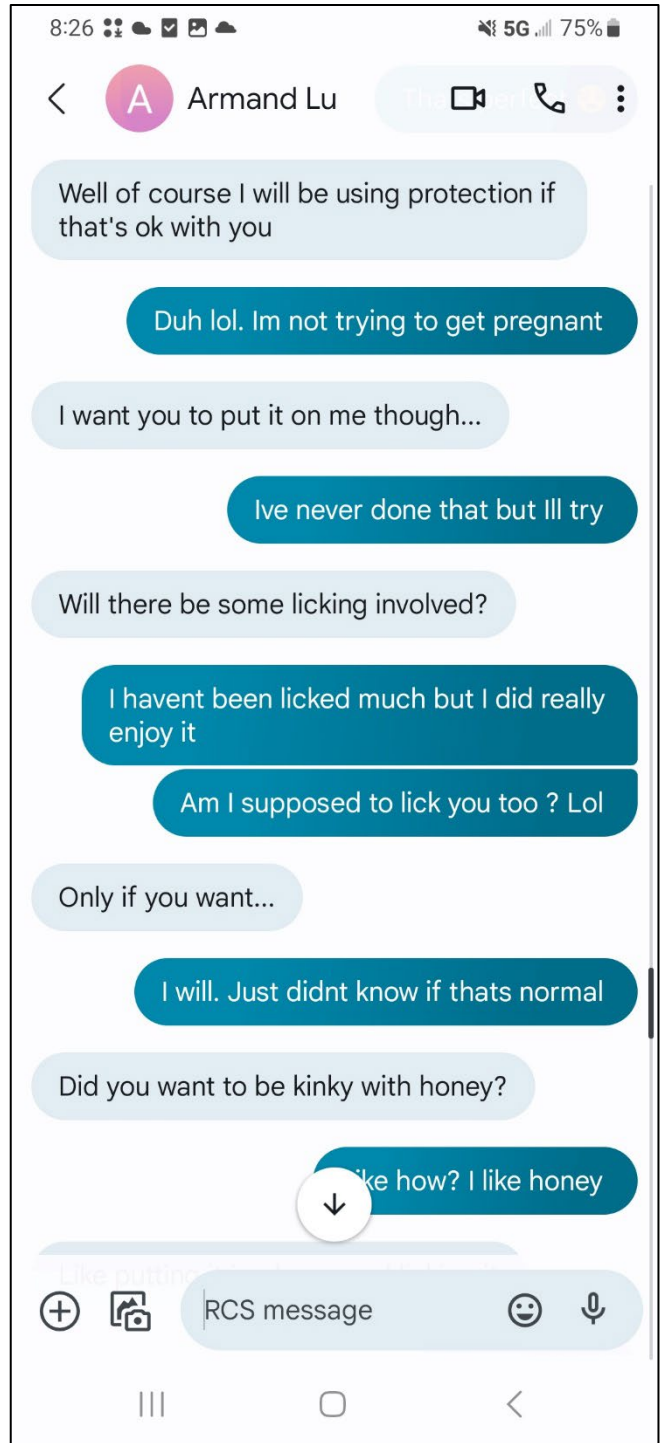
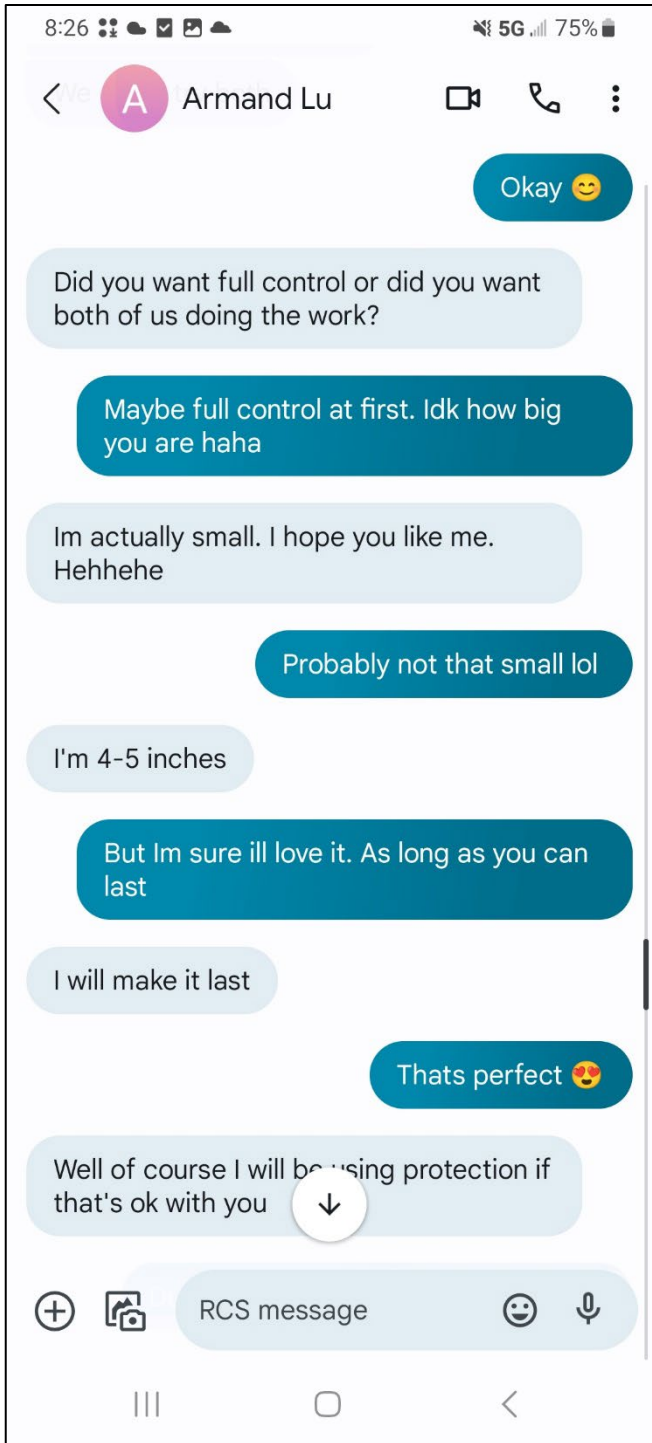
n. LU described that he ejaculated while talking to the UC. He stated, “Omg I just came... I made a mess... I came a lot.” He said he did not have the energy to change underwear after he ejaculated and would wait until the next day to change them.

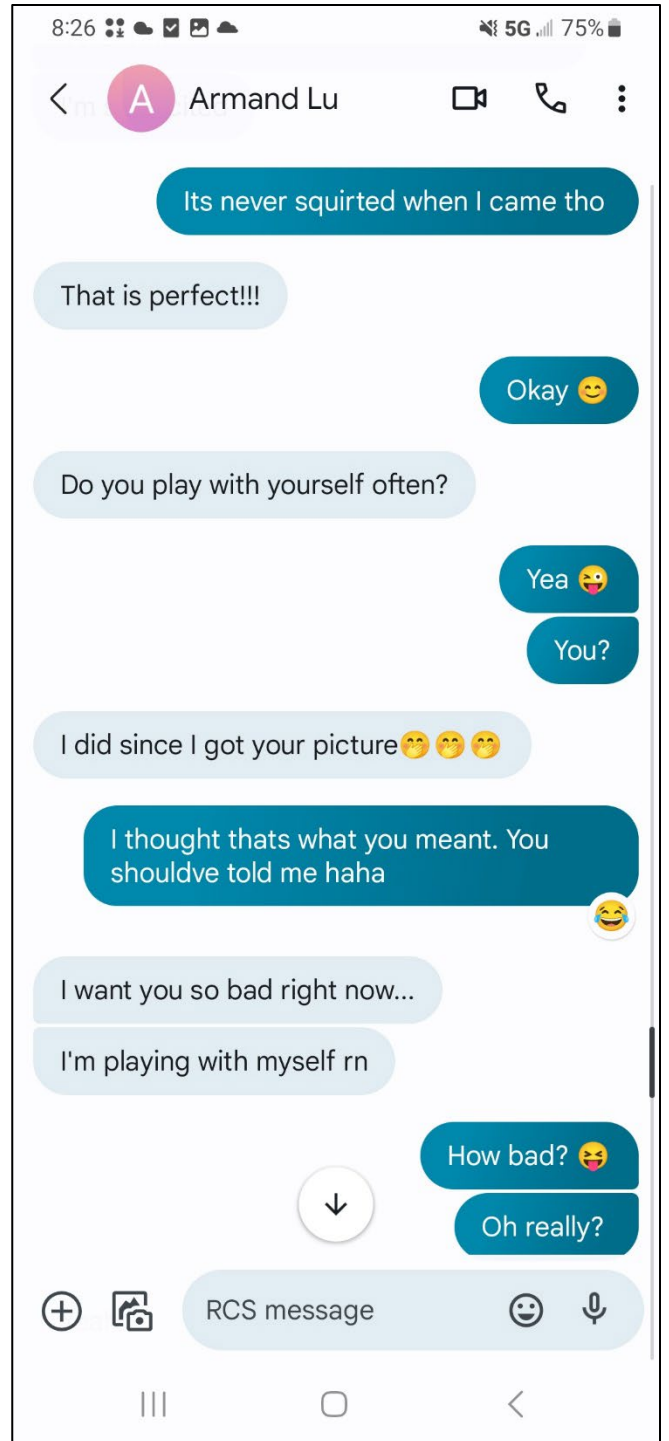
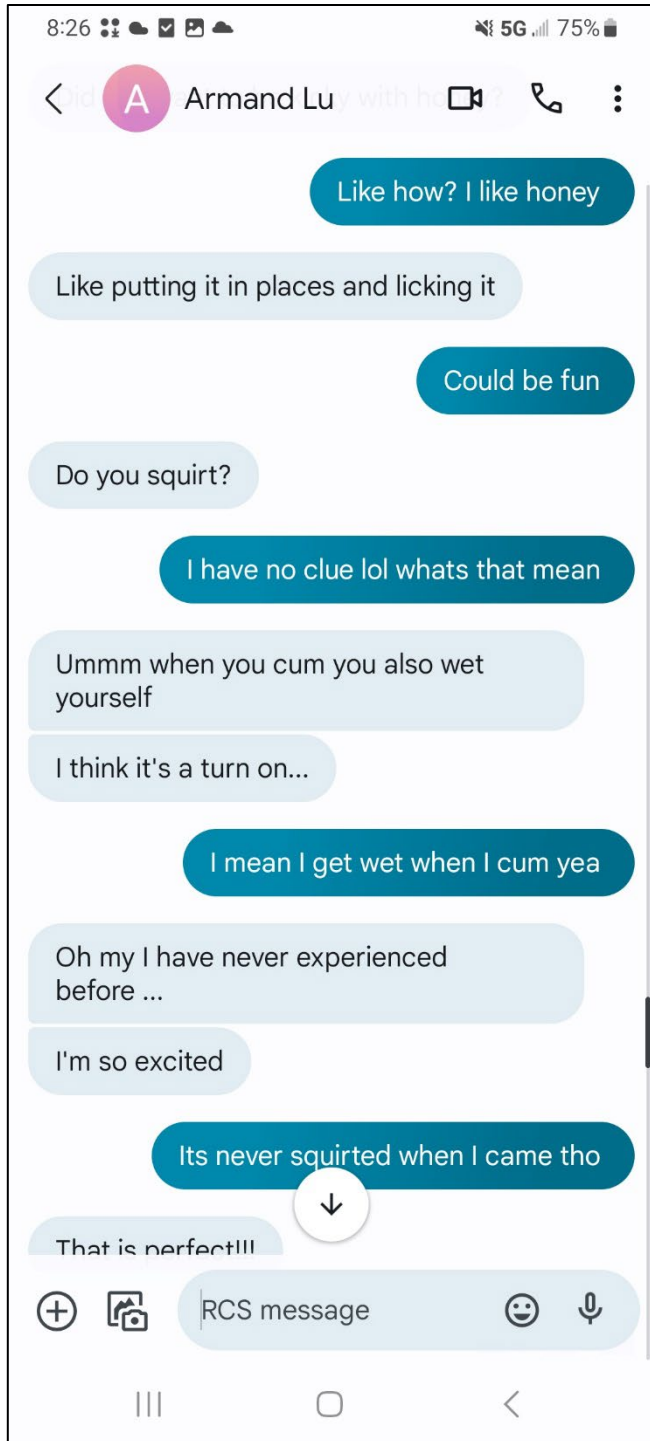
o. LU asked the UC if she enjoyed talking like they did and if she wanted to talk like that every day. He stated, “I like it a lot.”

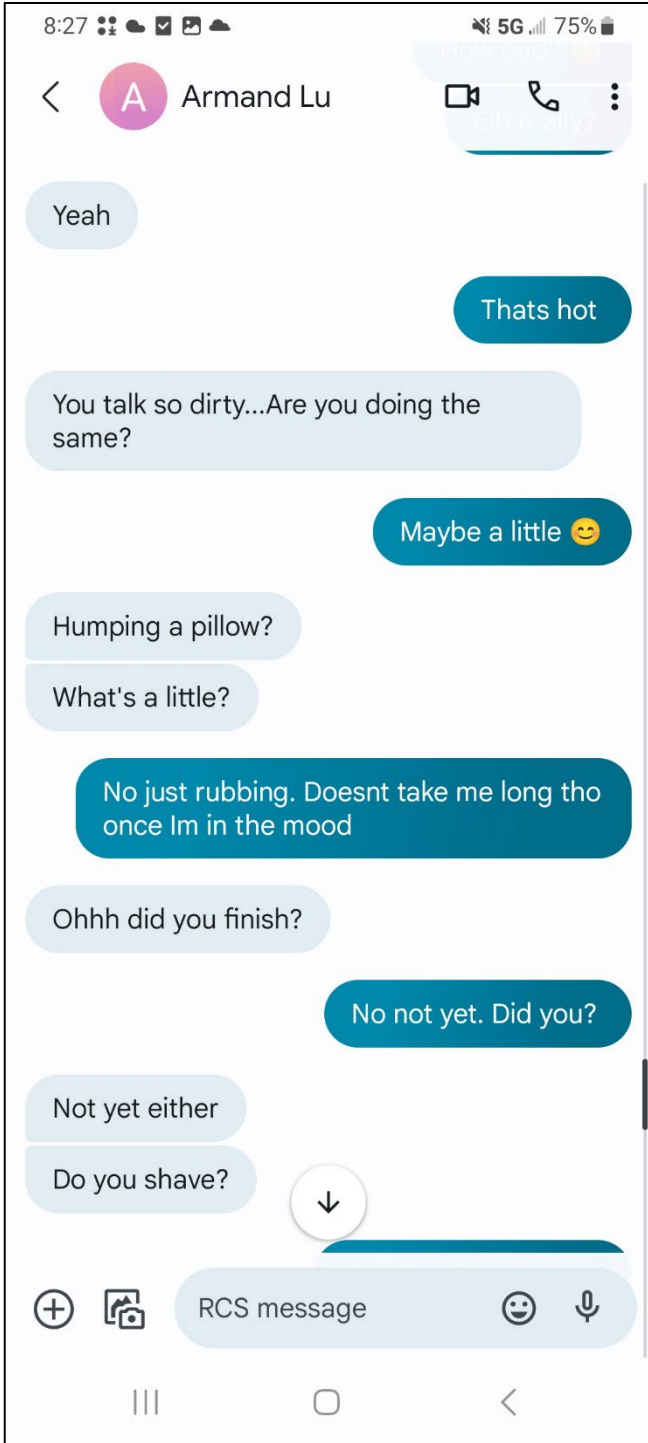
21. The following are a selection of screenshots taken from LU’s communications with the UC persona on March 26, 2024. Messages from LU appear positioned on the left in lighter colors whereas messages from the UC appear positioned on the right in darker colors.

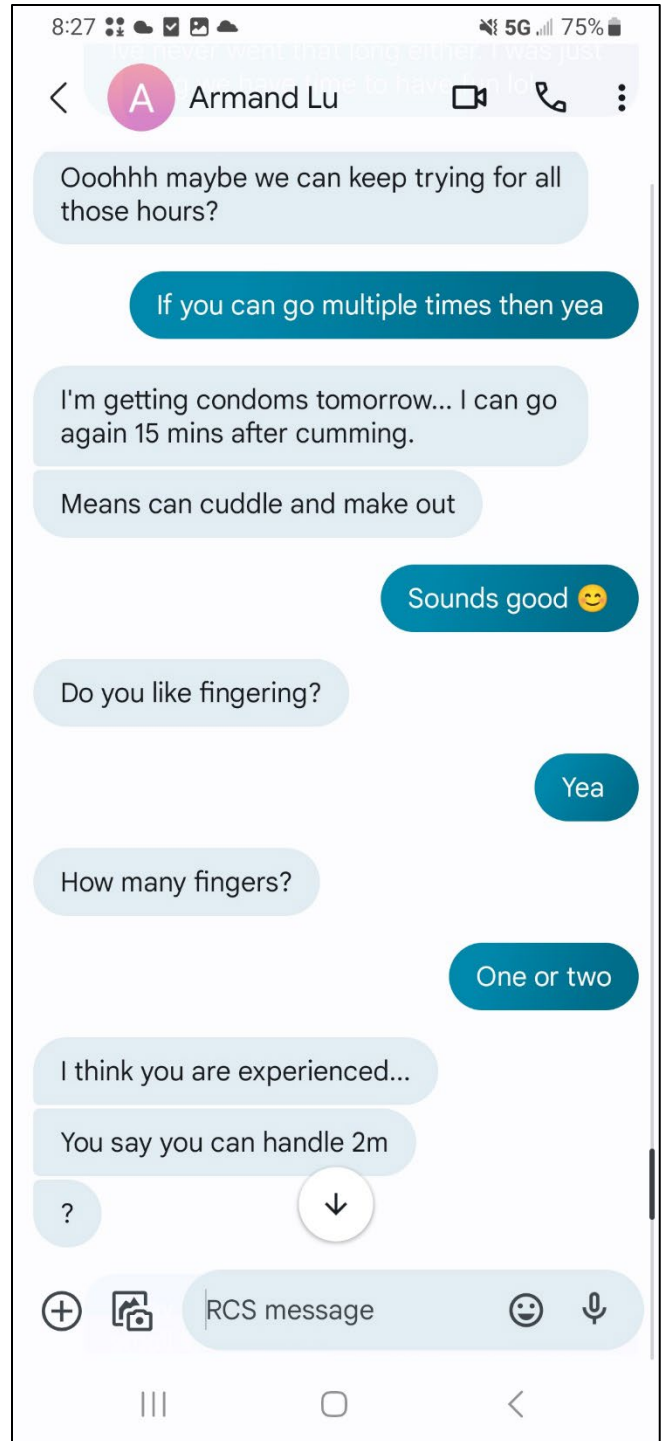
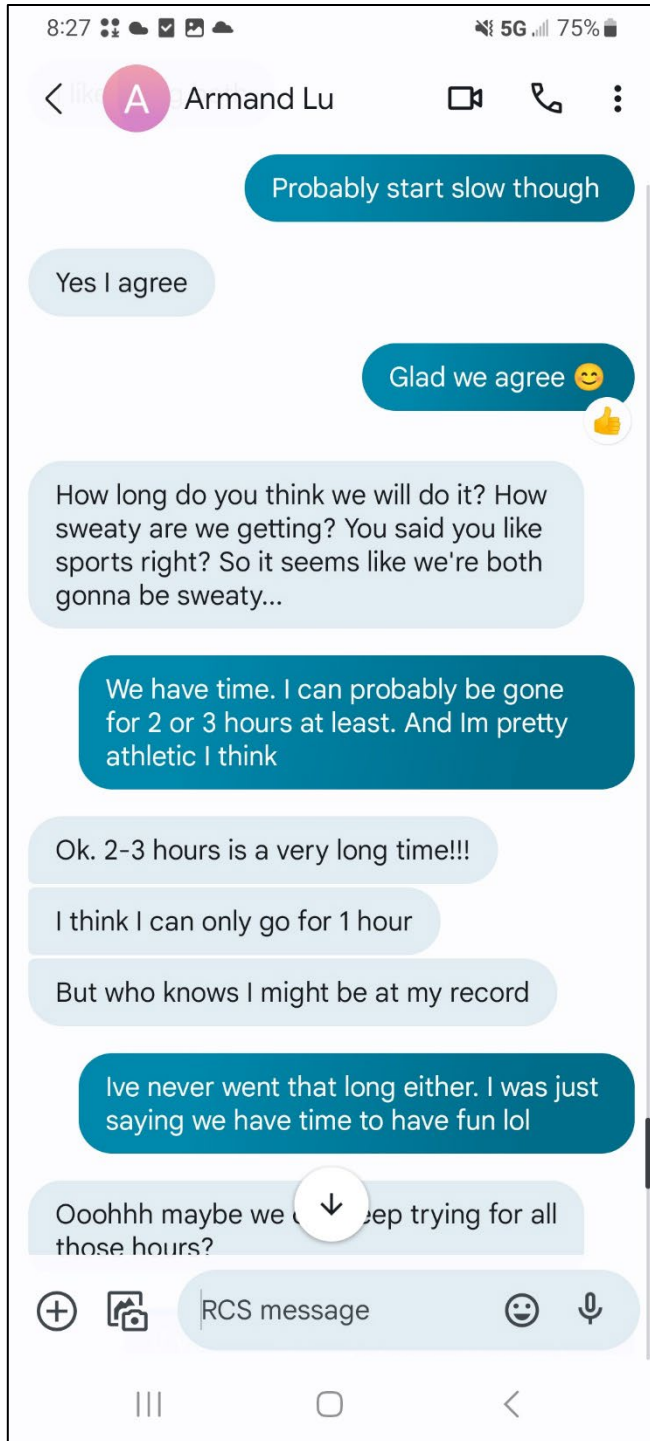


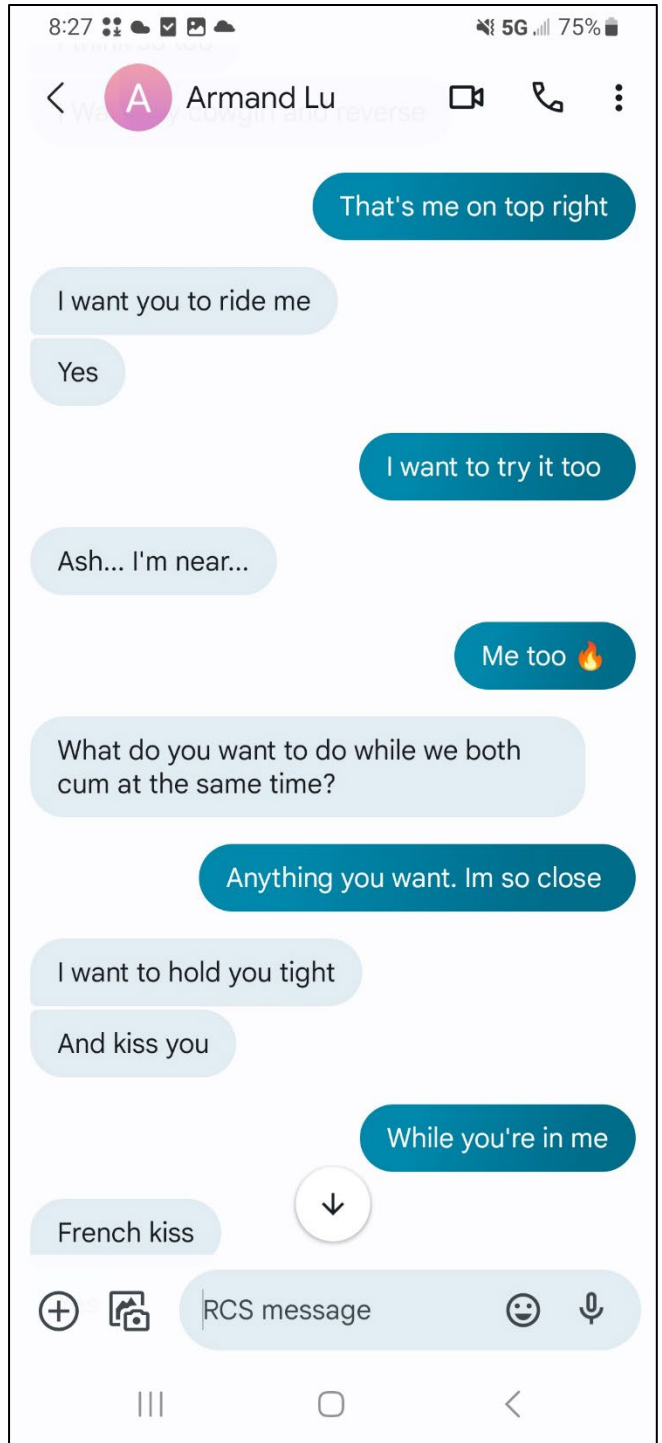
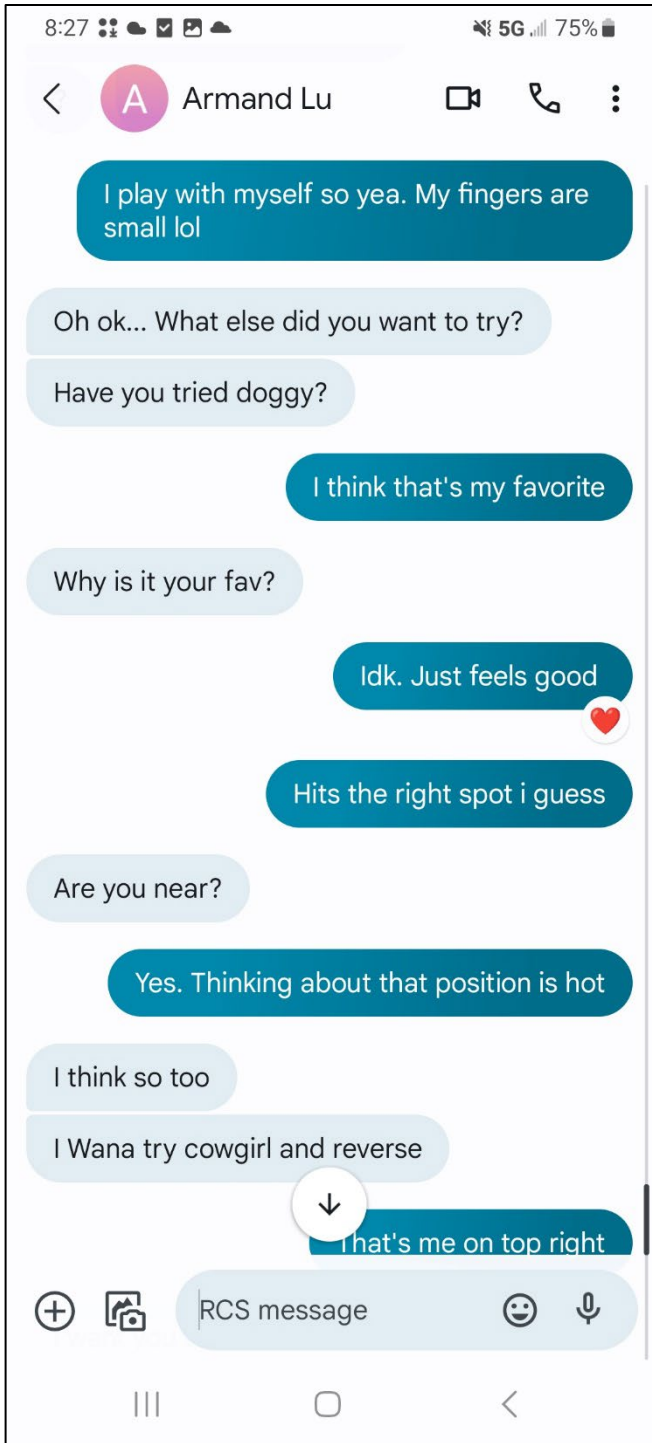


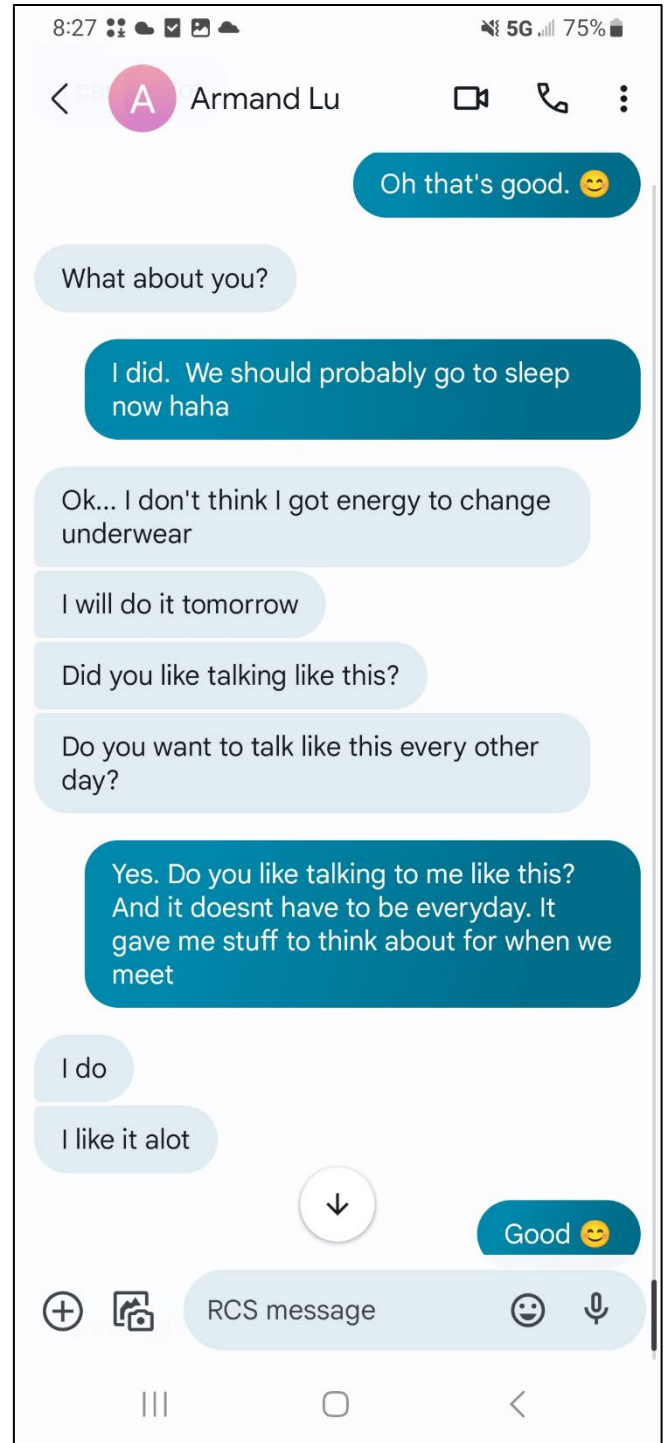
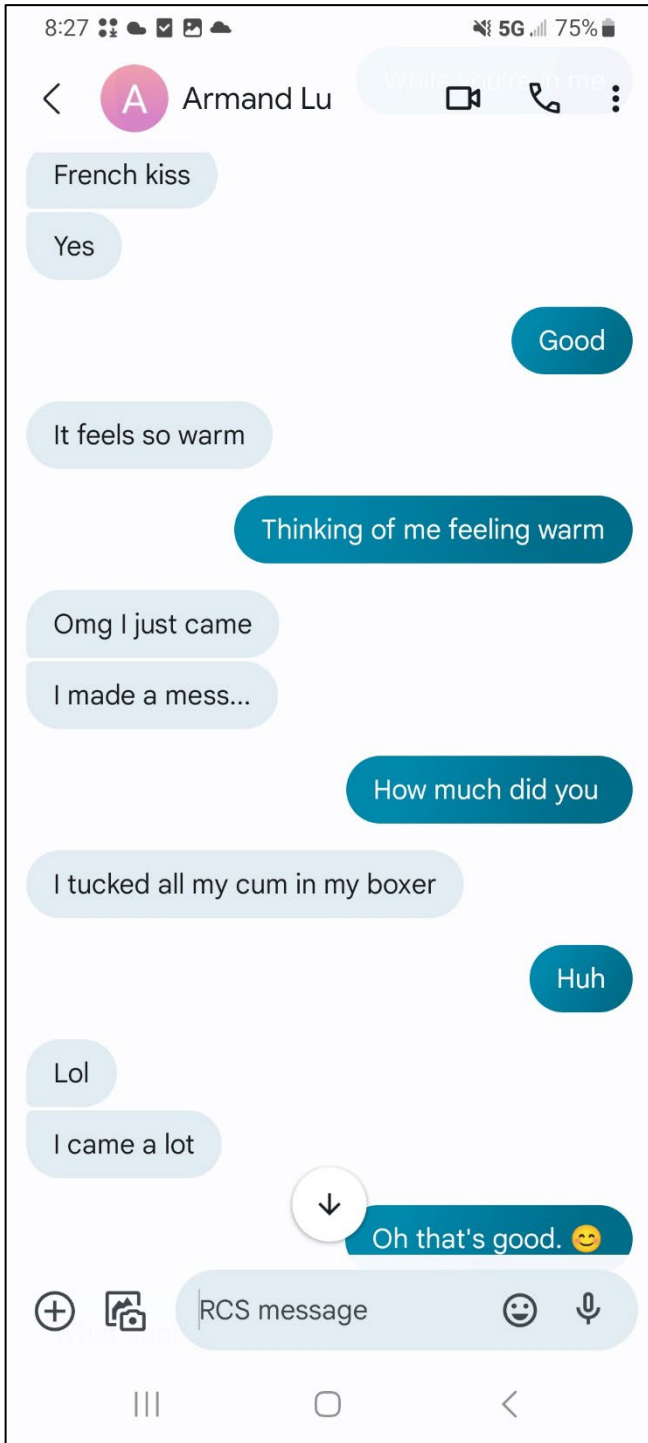










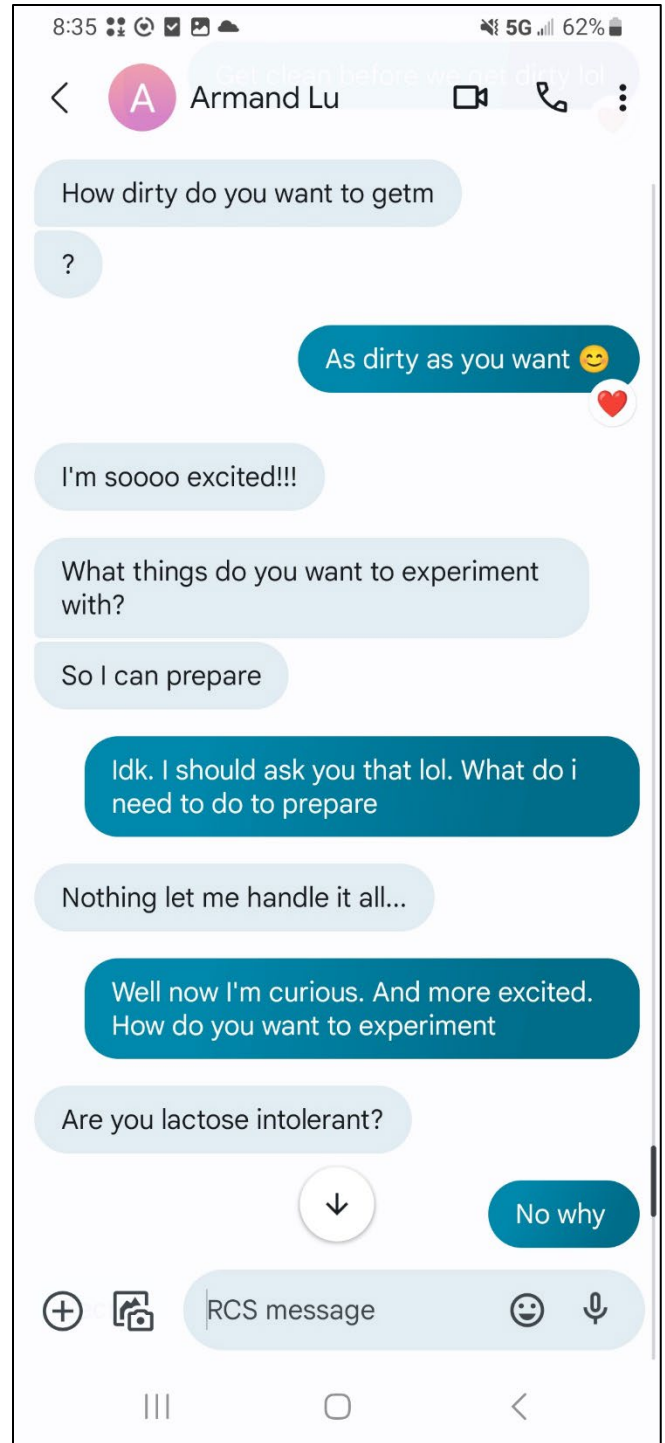
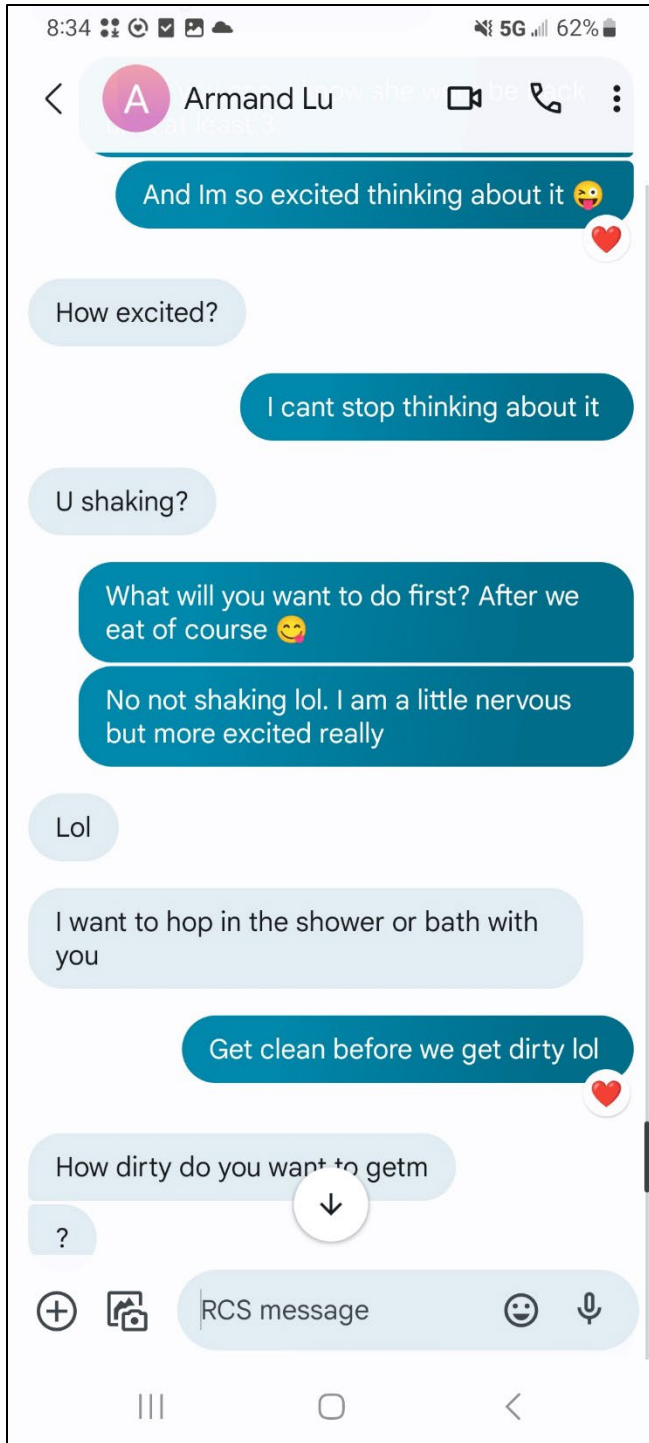


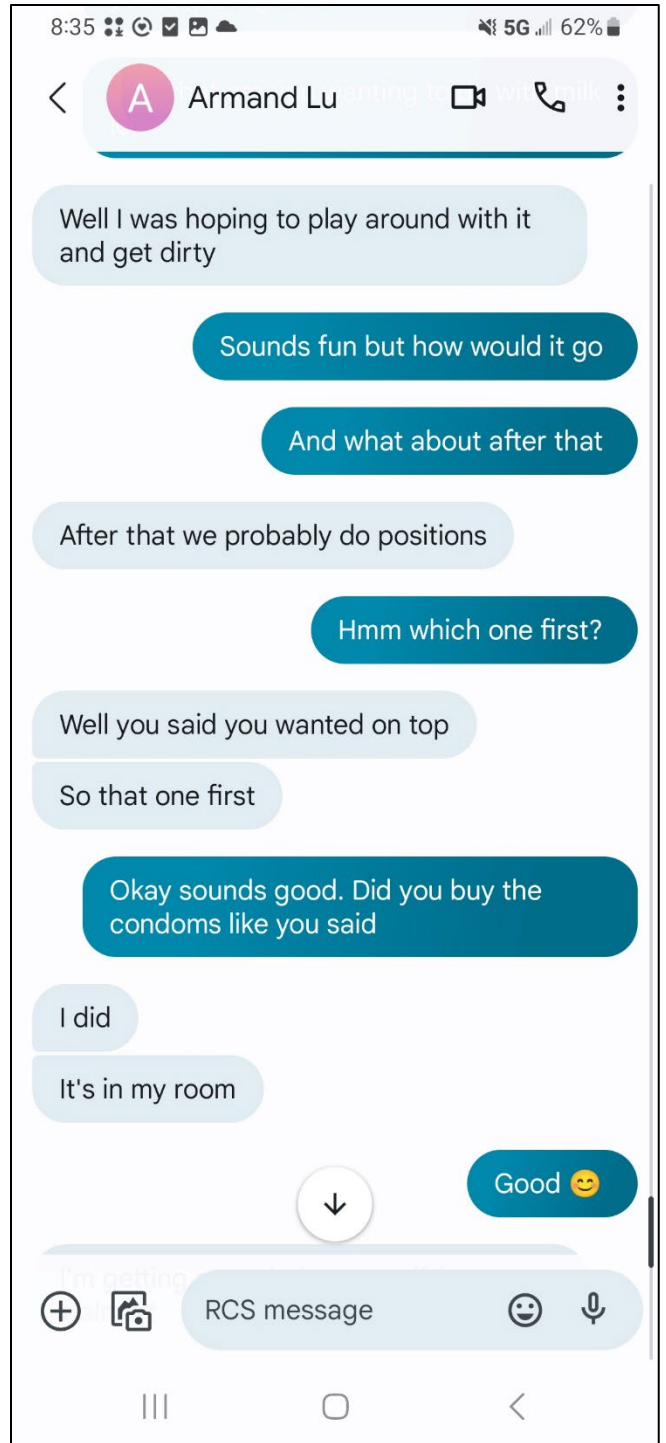
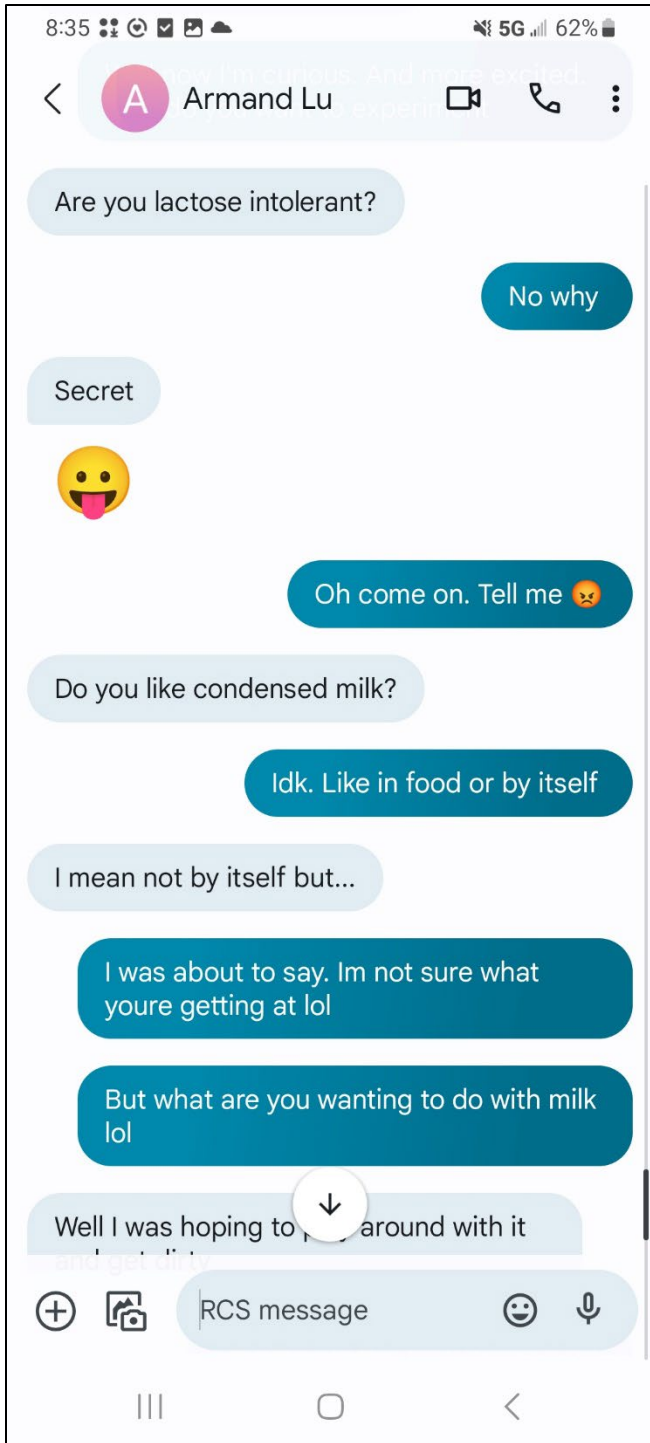
22. From March 28, 2024, through March 30, 2024, LU and the UC persona discussed meeting in person at 10 am on Tuesday, April 2, 2024, which was a day the UC persona told LU that the UC persona's mother was at work. LU offered to pick her up lunch on the way and agreed to buy her chicken tenders and a strawberry monster energy drink from Royal Farms prior to picking her up.

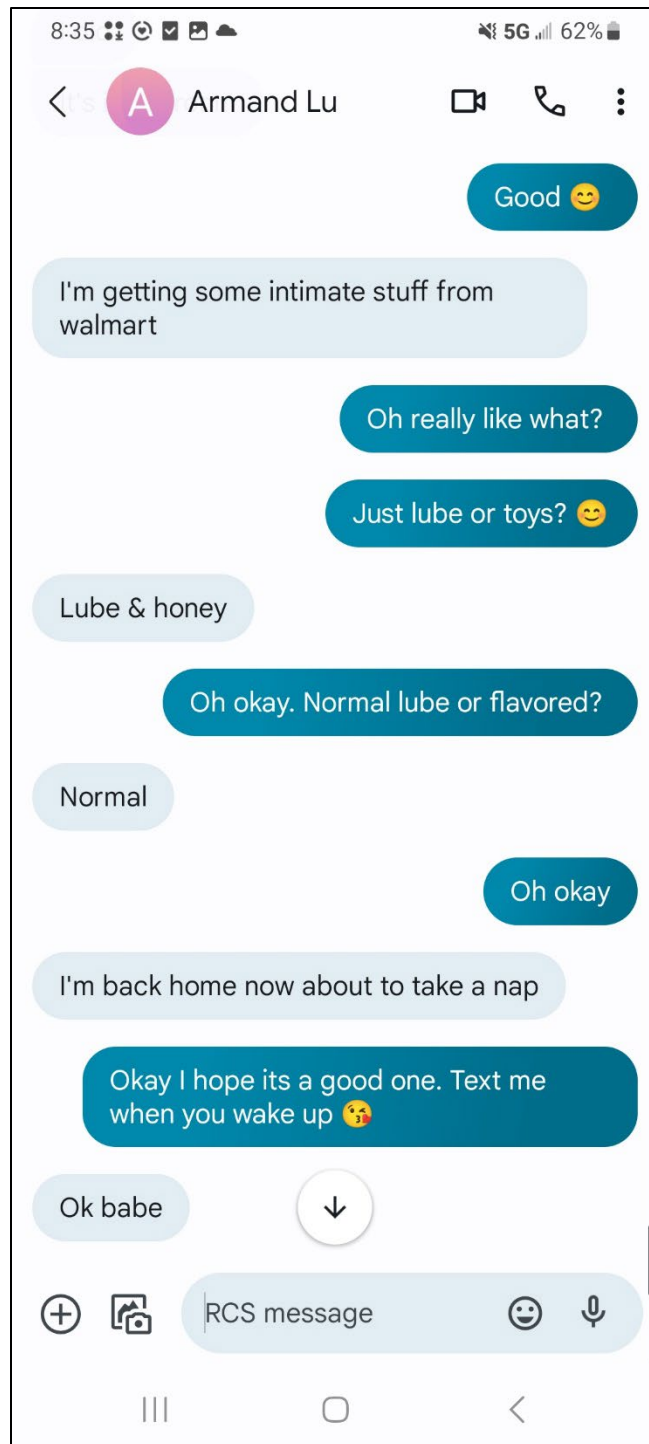
23. After planning the meetup, LU continued to communicate with the UC persona and state his sexual interest in her. For example, on or about March 31, 2024, LU said that after eating lunch once they met up, he wanted to start with a bath or shower together. He said he wanted to "get dirty" and "play around" with condensed milk. Afterwards, LU said, "After that we probably do positions" and "Well you said you wanted on top," "So that one first." LU also said he went to Walmart to purchase "intimate stuff," which he later clarified to be lubrication and honey. He said he changed his sheets and cleaned the house in preparation for the UC persona to come over.

24. On or about April 1, 2024, LU told the UC persona that his military leave was approved and he "took the entire day off tomorrow for us."

25. The following are a selection of screenshots taken from LU's communications with the UC persona on March 31, 2024. Messages from LU appear positioned on the left in lighter colors whereas messages from the UC appear positioned on the right in darker colors.





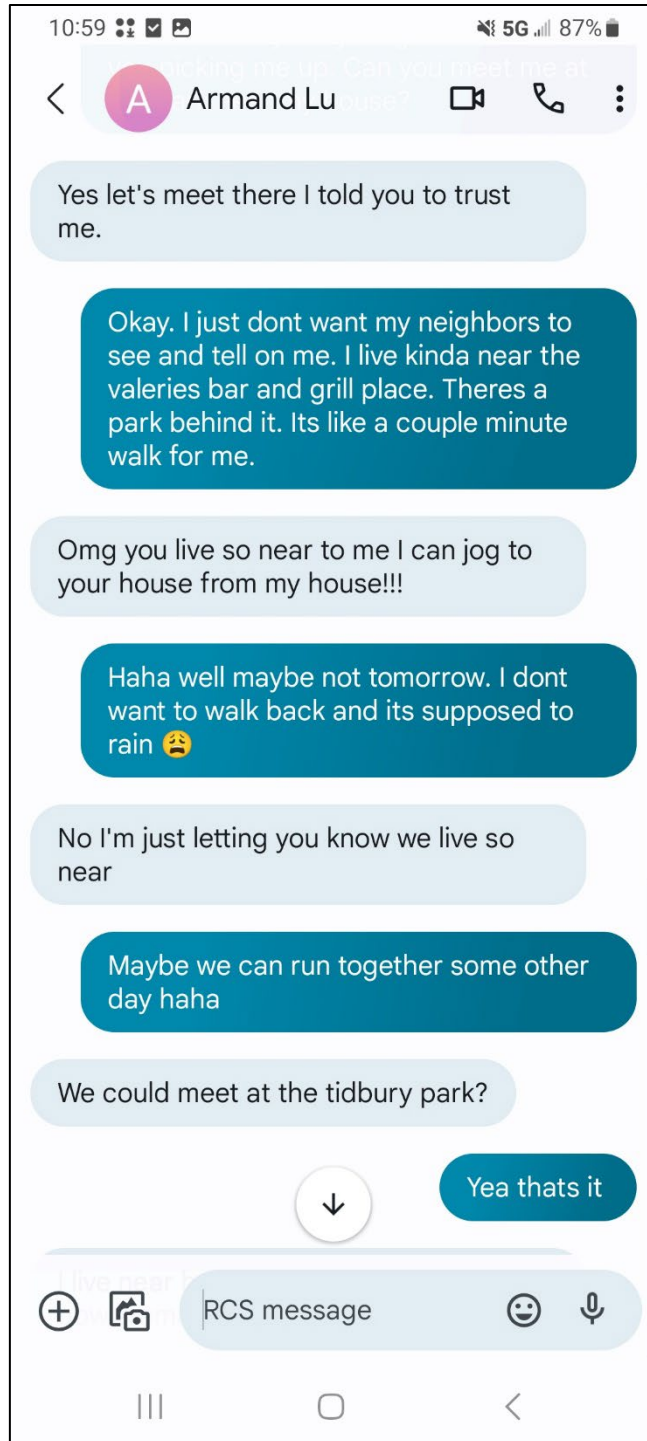


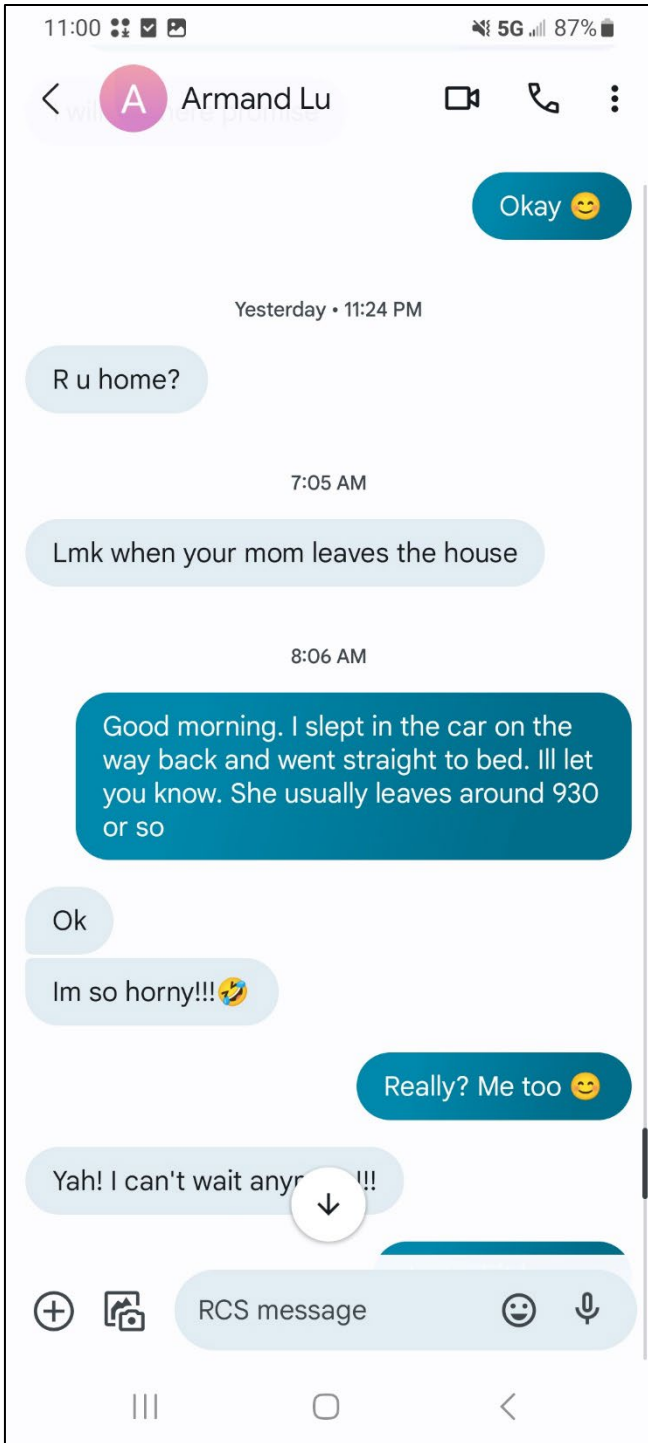
26. On or about April 1, 2024, LU and the UC persona discussed meeting at a park near the UC persona's house so that her neighbors did not see her leave with LU. LU stated, "Yes let's meet there I told you to trust me" and "We could meet at Tidbury Park?" The UC persona also

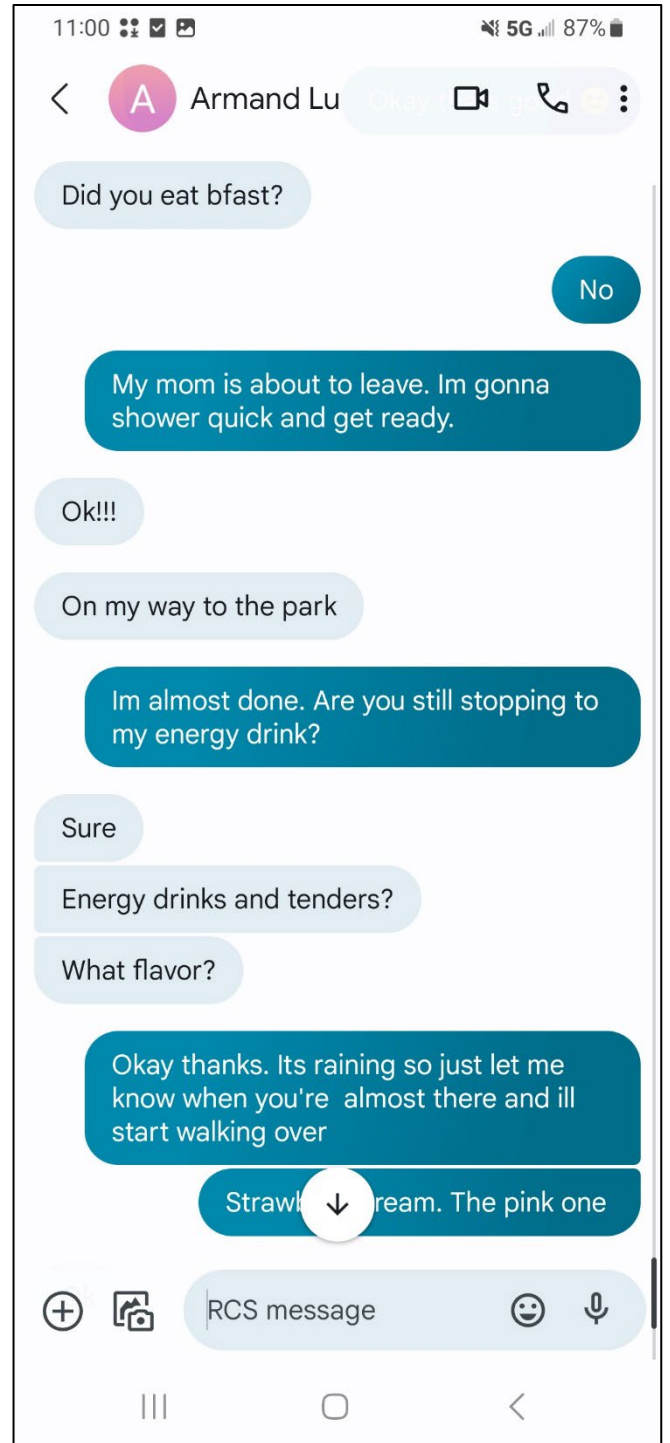
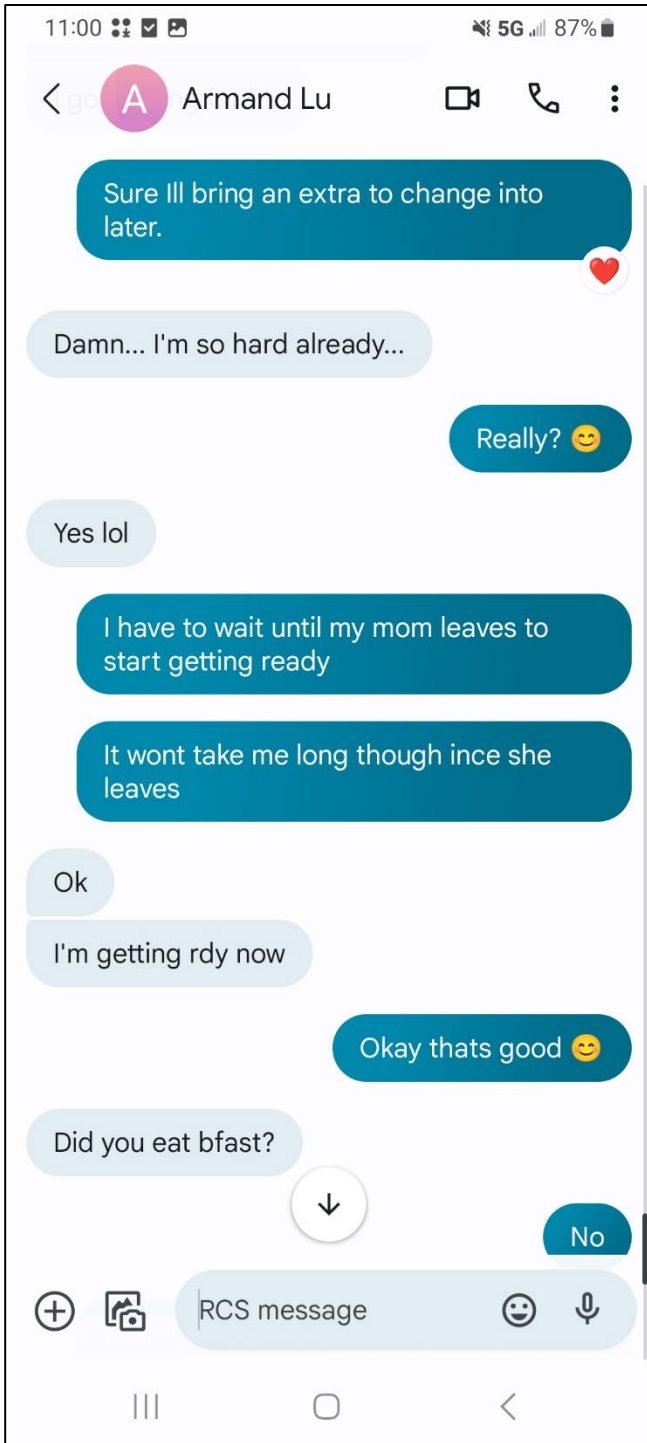
stated, “But if you change your mind ill [sic] understand. Just let me know either way.” LU replied, “I will be there promise.”

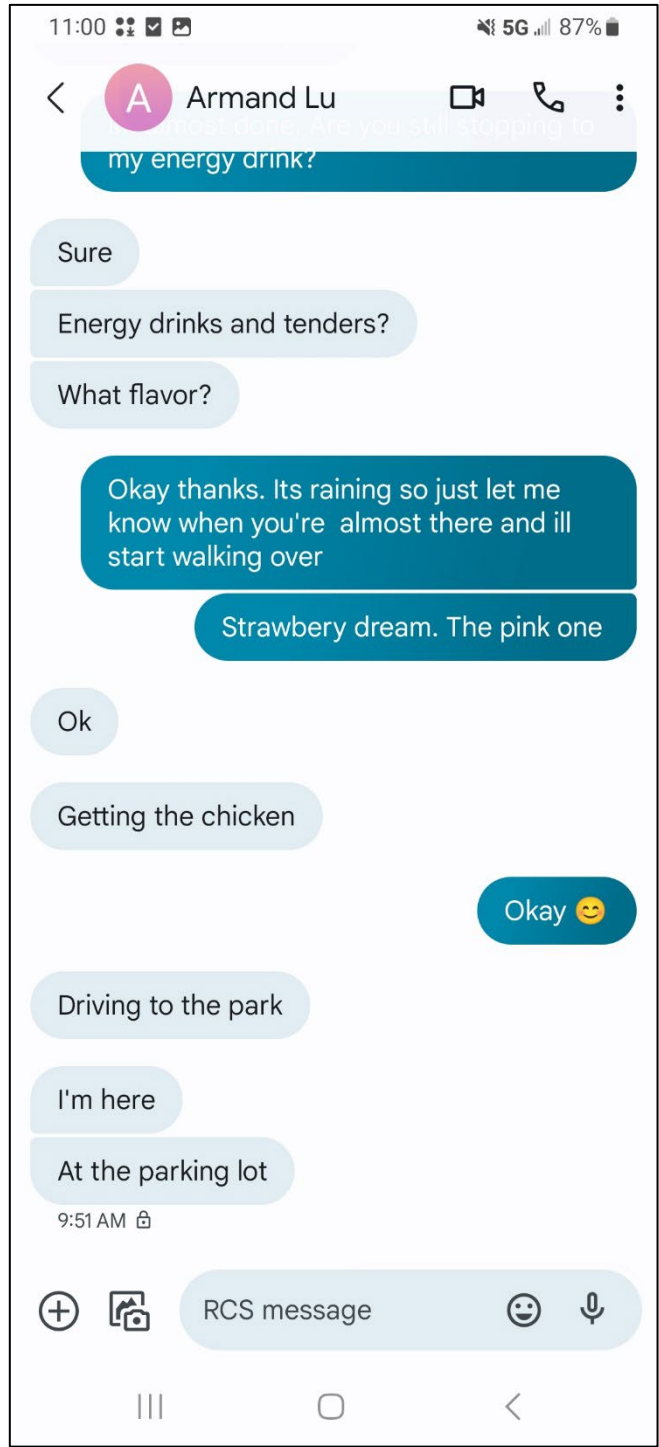
27. On or about April 2, 2024, LU told the UC persona, “Lmk when you mom leaves the house.” [Note: I know that “lmk” commonly stands for “let me know.”] The UC persona told LU that her mother normally leaves around 0930 to which LU replied, “Im [sic] so horny!!!” LU asked for a pair of the UC persona’s used underwear and said, “Damn... I’m so hard already...” The UC persona asked if LU was still buying her energy drinks to which LU replied, “Sure,” “Energy drinks and tenders?” and “What flavor?” The UC persona told LU to buy her the “strawberry dream flavor. The pink one.”

28. The following are a selection of screenshots taken from LU’s communications with the UC persona on April 1, 2024 and April 2, 2024. Messages from LU appear positioned on the left in lighter colors whereas messages from the UC appear positioned on the right in darker colors.









29. On or about April 2, 2024, law enforcement personnel surveilled LU from his residence to the Royal Farms on the corner of Lebanon and S State Street in Dover, Delaware, where he purchased the chicken tenders meal and the pink Monster energy drinks. LU proceeded from the Royal Farms to Tidbury Park (the agreed upon location), and texted the UC persona that, “I’m here” and “At the parking lot.”

30. On or about April 1, 2024, your affiant obtained federal search warrants signed by the Honorable Christopher J. Burke to search LU’s residence, vehicles, and person. On or about April 2, 2024, law enforcement personnel executed the search warrant of LU’s residence. In the bedroom of the residence, law enforcement located condoms, an unopened bottle of lubricant, and a bottle of honey. Additionally, law enforcement located a pink Stanley tumbler mug that LU had previously bought for the UC persona at the UC persona’s request.

CONCLUSION

31. Based upon the foregoing information, I submit there is probable cause to believe that LU engaged in the attempted enticement of a minor in violation of Title 18, United States Code, Section 2422(b) (Coercion and Enticement). I therefore respectfully request that the Court issue a complaint against LU.

Respectfully submitted,

/s/ Randy Mullins
Special Agent Randy Mullins
Air Force Office of Special Investigations

Sworn to me over the telephone and signed by me pursuant to
Fed. R. Crim. P. 4.1 on this 2nd day of April, 2024

Christopher J. Burke
Honorable Christopher J. Burke
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 24-80M
)	
ARMAND NICHOLAS LU,)	
)	
Defendant.)	

MOTION AND ORDER FOR ARREST WARRANT

The United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Claudia L. Pare, Assistant United States Attorney, hereby moves this Honorable Court to direct the Clerk of Court to issue an arrest warrant against the defendant, Armand Nicholas Lu, pursuant to an Indictment returned against him on this date.

Respectfully submitted,

DAVID C. WEISS
United States Attorney

By: /s/ Claudia L. Pare
Claudia L. Pare
Assistant United States Attorney

Dated: 4/2/2024

AND NOW, this 2nd day of April, 2024, based upon the foregoing Motion, **IT IS ORDERED** that the Clerk of Court shall issue a warrant for the arrest and apprehension of Armand Nicholas Lu.

Christopher J. Burke
HONORABLE CHRISTOPHER J. BURKE
United States Magistrate Judge