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FILED.

DATED: 1:04 pm, November 20, 2020

U.S. MAGISTRATE JUDGE

6
7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

CRIMINAL COMPLAINT

9 Plaintiff,

Case No. 2:20-mj- 1002-DJA

10 v.

VIOLATIONS

11 FRANCISCO LUIS MCARTHUR,

Possession of Stolen Mail
(18 U.S.C. § 1708)

12 Defendant.

Possession of 15 or More Unauthorized
Access Devices (18 U.S.C. § 1029(a)(3))

13
14 BEFORE the Honorable Daniel J. Albregts, United States Magistrate Judge, Las
15 Vegas, Nevada, the undersigned Complainant, being duly sworn, deposes and states:

16 **COUNT ONE**
Possession of Stolen Mail
17 **(18 U.S.C. § 1708)**

18 1. On or about November 2, 2020, in the State and Federal District of Nevada,

19 **FRANCISCO LUIS MCARTHUR,**

20 defendant herein, unlawfully possessed mail matter that had been stolen and taken from the
21 United States Mail, to wit, over one hundred pieces of mail, including two Clark County
22 Election Department Official Absent Voter Ballots addressed to victims E.J.G. and M.S.C.,
23 and at that time and place defendant McArthur knew that said mail matter was stolen, all in
24 violation of Title 18, United States Code, Section 1708.

1 **COUNT TWO**
2 *Possession of 15 or More Counterfeit and Unauthorized Access Devices*
3 **(18 U.S.C. § 1029(a)(3))**

4 2. On or about November 2, 2020, in the State and Federal District of Nevada,
5 **FRANCISCO LUIS MCARTHUR,**
6 defendant herein, knowingly and with intent to defraud, did possess at least fifteen
7 unauthorized and counterfeit access devices as defined in 18 U.S.C. § 1029(e)(1) and (e)(3),
8 including at least 23 credit and debit card numbers, said possession affecting interstate and
9 foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(3) and
10 (c)(1)(A)(i).

11 **PROBABLE CAUSE**

12 Complainant, Jeff Excell, states the following as and for probable cause:

13 1. I am a United States Postal Inspector assigned to the Phoenix Division of the
14 United States Postal Inspection Service (Inspection Service), and have been so employed
15 since August 2018. I am currently assigned to the External Crimes Team in Las Vegas,
16 Nevada. The External Crimes Team investigates postal related crimes including the theft of
17 United States Mail, United States Postal Service (USPS) related robberies and burglaries,
18 identity theft, check and credit card fraud. These investigations have included the execution
19 of search warrants and arrest warrants.

20 2. I graduated from the United States Postal Inspection Service Federal Law
21 Enforcement Training Academy in November of 2018. I have been a case agent in charge
22 of specific investigations involving robberies and burglaries, theft of mail, identity theft,
23 check fraud and credit card fraud. I have interviewed witnesses and cooperating individuals
24 regarding robberies and burglaries, mail theft, identity theft, check and credit card fraud and
I have read the reports of other Inspectors and Agents. Through these means, I have

1 accumulated knowledge of schemes and designs commonly used to commit violent crimes
2 involving the Postal Service, financial crime as well as the practices that people who commit
3 financial crime employ while attempting to thwart law enforcement's efforts to effectively
4 gather the necessary evidence to lead to convictions. Prior to my employment with the
5 Postal Inspection service, I received a master's degree in accounting from Southern Utah
6 University and worked in the banking industry for over 6 years.

7 3. I respectfully submit that this Affidavit establishes probable cause in support
8 of the issuance of a Criminal Complaint and arrest warrant for Francisco Luis McArthur
9 ("McArthur") for Possession of Stolen Mail in violation of 18 U.S.C. § 1708 and Possession
10 of 15 or More Counterfeit and Unauthorized Access Devices in violation of 18 U.S.C.
11 § 1029(a)(3). The information contained herein is based on my personal knowledge of the
12 investigation, information provided to me by other law enforcement officers, and my review
13 of the documents and reports prepared by other law enforcement agencies in connection
14 with the investigation of this case.

15 4. This Affidavit is submitted solely to establish probable cause in support of this
16 Criminal Complaint and arrest warrant; it does not contain all information known to me
17 regarding this matter.

18 5. On November 2, 2020, LVMPD officer J. Mekeel observed a white Dodge
19 Ram pickup truck bearing CA license plate 33076J1 driving through housing communities
20 and exiting a short time later. A records check on the license revealed that the license plate
21 had expired. Officer Mekeel initiated a traffic stop thereafter. The driver of the truck was
22 identified as Francisco Luis McArthur. Officer Mekeel asked McArthur and a female
23 passenger to step out of the vehicle.

1 6. McArthur consented to a search of the pickup truck. The search revealed that
2 McArthur had in his possession a box containing mail addressed to others, a glass jar
3 containing what appeared to be methamphetamine, credit and debit cards, and a credit card
4 encoder. McArthur was placed under arrest. A further search of his person revealed that
5 McArthur had in his possession a counterfeit United States Postal Service (“USPS”) Arrow
6 key and what appeared to be an authentic USPS Modified Arrow Lock key.¹

7 7. Upon further investigation, the mail in McArthur’s possession included over
8 one hundred pieces of mail not in McArthur’s name, including two Clark County Election
9 Department Official Absent Voter Ballots addressed to victims E.J.G. and M.S.C. Further
10 investigation also revealed that McArthur had at least seven credit or debit cards that had
11 been re-encoded with account numbers on the magnetic strip that did not match the account
12 number printed on the card. McArthur also had in his possession 16 additional credit or
13 debit cards that were in the names of other people, including at least one debit card issued
14 by the Nevada Department of Employment, Training, and Rehabilitation, the state agency
15 that disburses unemployment insurance benefits. Some of the credit and debit cards in the
16 names of other people were issued by banks based outside of the State of Nevada.

17 8. After he was Mirandized, I interviewed McArthur on the scene following his
18 arrest. He stated that he used the USPS keys in his possession to gain access to gated
19 neighborhoods and community mailboxes. He further stated that he took mail from
20

21
22 ¹ When delivering mail, USPS letter carriers use USPS Arrow keys to access business and
23 residential Neighborhood Delivery Collection Box Units (“NDCBUs”). An NDCBU is a
24 centralized unit cluster mailbox mounted in a wall, kiosk, or shelter. A Modified Arrow
Lock key, or “MAL key,” serves the same general purpose as regular arrow keys, except
that MAL keys use a newer technology that is more difficult to counterfeit. Certain
NDCBUs can be opened only by a MAL key.

1 community mailboxes and from dumpsters. McArthur said that he would take the mail to
2 try and find anything of value.

3 9. Based on the above, I believe there is probable cause that, on November 2,
4 2020, McArthur did violate 18 U.S.C. § 1708 (Possession of Stolen Mail) and 18 U.S.C.
5 § 1029(a)(3) (Possession of 15 or More Counterfeit and Unauthorized Access Devices).

6
7 Respectfully submitted,

8 
9 _____
10 Jeff Excell, United States Postal Inspector
11 United States Postal Inspection Service

12 Attested to by the applicant in accordance with the requirements
13 of Fed. R. Crim. P. 4.1 by telephone on November 20, 2020

14 
15 _____
16 HONORABLE DANIEL ALBREGTS
17 UNITED STATES MAGISTRATE JUDGE

