

The Honorable Brian A. Tsuchida

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

UNITED STATES OF AMERICA,
Plaintiff,
v.
CAIDEN JAMES CHARLTON,
Defendant.

NO. MJ23-319
COMPLAINT FOR VIOLATION
Title 18, United States Code, Section
1951(a)

Before the Honorable Brian A. Tsuchida, United States Magistrate Judge, U.S.
Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1
(Robbery)

On or about May 30, 2023, in King County, in the Western District of
Washington, CAIDEN JAMES CHARLTON did unlawfully obstruct, delay, and affect
commerce and the movement of any article and commodity in commerce, by robbery,
that is, the knowing and intentional taking and obtaining of personal property,
specifically marijuana, products containing marijuana, and United States currency that is
the proceeds from marijuana distribution, from the person and in the presence of another,
specifically A.R. and J.F., employees of Herb’s House, against their will, by means of

1 actual and threatened force, violence, and fear of injury, immediate and future, to their
2 persons and other persons in their company at the time of the taking and obtaining.

3 All in violation of Title 18, United States Code, Section 1951(a), (b)(1) and
4 Section 2.

5 **COUNT 2**

6 **(Robbery)**

7 On or about May 30, 2023, in King County, Washington, in the Western District
8 of Washington, CAIDEN JAMES CHARLTON did unlawfully obstruct, delay, and
9 affect commerce and the movement of any article and commodity in commerce, by
10 robbery, that is, the knowing and intentional taking and obtaining of personal property,
11 specifically marijuana and products containing marijuana, and United States currency
12 that is the proceeds from marijuana distribution, from the person and in the presence of
13 another, specifically M.C., R.L., K.K., and J.P., employees of Hashtag Cannabis, against
14 their will, by means of actual and threatened force, violence, and fear of injury,
15 immediate and future, to their persons and other persons in their company at the time of
16 the taking and obtaining.

17 All in violation of Title 18, United States Code, Section 1951(a), (b)(1) and
18 Section 2.

19 **COUNT 3**

20 **(Robbery)**

21 On or about June 10, 2023, in King County, Washington, in the Western District
22 of Washington, CAIDEN JAMES CHARLTON did unlawfully obstruct, delay, and
23 affect commerce and the movement of any article and commodity in commerce, by
24 robbery, that is, the knowing and intentional taking and obtaining of personal property,
25 specifically marijuana and products containing marijuana, and United States currency
26 that is the proceeds from marijuana distribution, from the person and in the presence of
27 another, specifically M.M., T.H., and A.P., employees of Oz Cannabis, against their will,
28 by means of actual and threatened force, violence, and fear of injury, immediate and

1 future, to their persons and other persons in their company at the time of the taking and
2 obtaining.

3 All in violation of Title 18, United States Code, Section 1951(a), (b)(1) and
4 Section 2.

5
6 And the complainant states that this Complaint is based on the following
7 information:

8
9 I, Emily Moore, a Special Agent with the Federal Bureau of Investigation, Seattle,
10 Washington, being first duly sworn, hereby depose and state as follows:

11 **I. INTRODUCTION AND AGENT BACKGROUND**

12 1. I am employed as a Special Agent (SA) with the Federal Bureau of
13 Investigation (FBI) and have been employed with the FBI since October 2019. I am
14 currently assigned to the Seattle Field Division where I am a member of the Violent
15 Crime, Gang, and Transnational Organized Crime – Western Hemisphere squad. Prior to
16 becoming a Special Agent with the FBI, I was a sworn Law Enforcement Officer with the
17 Orlando Police Department in Orlando, Florida from 2016 to 2019. During this time, I
18 served as a Patrol Officer where I participated in numerous narcotics and violent crime
19 investigations as the primary investigator or in a subsidiary role. I have encountered and
20 have become familiar with various tools, methods, trends, and related articles utilized by
21 various individuals in their efforts to conceal criminal activity, while enforcing state laws
22 in that capacity. I also hold a Master of Science degree in Criminal Justice from the
23 University of Central Florida.

24 2. In my role as a Special Agent for the FBI, I have responded to bank
25 robberies and have worked with county and municipal agencies on these investigations. I
26 have been involved in the service of federal and state search warrants and have become
27 familiar with the manner in which criminals plan and conduct their unlawful operations.
28

1 3. I am an investigative law enforcement officer of the United States within
2 the meaning of 18 U.S.C. § 2510(7). As such, I am empowered to conduct investigations
3 of, and to make arrests for, violations of Title 18, United States Code, Section 1951, and
4 related offenses.

5 4. The facts set forth in this Affidavit are based on my own personal
6 knowledge; knowledge obtained from other individuals during my participation in this
7 investigation, including other law enforcement personnel; review of documents and
8 records related to this investigation; communications with others who have personal
9 knowledge of the events and circumstances described herein; and information gained
10 through my training and experience. Because this Affidavit is submitted for the purpose
11 of establishing probable cause for this Complaint, it does not include each and every fact
12 known to me concerning this investigation.

13 **II. PURPOSE OF AFFIDAVIT**

14 5. This Affidavit is made in support of a Complaint against CAIDEN
15 CHARLTON for one count of *Robbery* in violation of Title 18, United States Code,
16 Sections 1951(a).

17 **III. SUMMARY OF PROBABLE CAUSE**

18 6. A series of at least ten armed marijuana dispensary robberies have occurred
19 in King and Snohomish Counties, in the Western District of Washington, since May 30,
20 2023. Investigators believe they were committed by the same group. This certification
21 outlines probable cause that CHARLTON committed at least three of these armed
22 robberies within the City of Seattle. Additional cases are pending with Bellevue Police,
23 Edmonds Police, and the King County Sheriff's Office.

24 **Armed Robbery of "Herb's House"**

25 7. On May 30, 2023, at approximately 5:19 p.m., two individuals committed
26 an armed robbery at Herb's House marijuana dispensary located at 716 Northwest 65th
27 Street, Seattle, Washington. The robbery was investigated by the Seattle Police
28 Department (SPD 2023-149620). Multiple victims and witnesses called 911 and reported

1 that the business was robbed by two black males with guns wearing black hoodies and
2 masks; they also said that employees were on the floor with hands on their heads. Two
3 black males were seen running from the store carrying several bags in their hands and
4 entering a white, four-door Hyundai Kona with Washington license plate BWF4900,
5 which was driven by a third black male. The Hyundai Kona then sped away from the
6 robbery southbound on 7th Avenue Northwest. A witness who was parked on 7th Avenue
7 Northwest was approximately five feet from the robbers when they were fleeing the store
8 and reported one of the males briefly pulled his mask down. The witness observed a
9 distinctive cross tattoo under his right eye.

10 8. SPD officers responded and conducted an initial investigation. Officers
11 determined that the Hyundai Kona was an unverified stolen vehicle out of Kent,
12 Washington, on May 27, 2023 (Kent PD 23-6827).

13 9. Officers reviewed and collected security video of the robbery from inside
14 the business. Officer Lupastean documented his observations in his report: “After
15 watching the video, I concluded the following: At approximately 1717 hours, two 18–30-
16 year-old thin black males are seen entering the store. Both males were wearing black
17 sweatshirts with their hoods up, black pants and white shoes. The suspect seen holding a
18 black handgun appeared to have a white design on the front of his black sweatshirt and
19 appeared to be wearing all white shoes. The second suspect was seen wearing white
20 Nikes shoes with red soles. The suspect with the black handgun walked toward a manned
21 cash register and pointed the gun at the employee. The employee responded by lying face
22 down on the ground. The suspect is then seen jumping over the store counter, making his
23 way to a small safe that was attached to the floor. The suspect is seen kicking the safe
24 multiple times, until it’s finally dislodged from the floor. The suspect is then seen picking
25 the safe up off the ground and exiting the store with suspect #2. While suspect #1 worked
26 on dislodging the safe from the floor, suspect #2 is seen going around the dispensary
27 counter and removing multiple marijuana packages from store shelves. The marijuana
28

1 packages are placed in a red bag before both suspects exit the store at approximately
2 1718 hours.”

3 10. Robbery detectives also reviewed security video from the robbery. The
4 suspect with the firearm, who Officer Lupastean referred to as Suspect #1, was wearing a
5 yellow glove and a blue glove, black pants, white shoes, a surgical mask, and a hoodie
6 with a white cartoon caricature of “Cinderella” on the front of it. Suspect #2, who was
7 later identified as CHARLTON as discussed below, was wearing gloves, a black hoodie,
8 black pants, a surgical mask, and white shoes with red soles. A silver bracelet was visible
9 on his left hand. A photograph of Suspect #2 taken from the security video is below:



20 11. Two victim employees described the robbery to responding officers. One
21 stated he observed a male with a gun raised up yelling, “Where’s the fucking safe! ...
22 What do you mean, it won’t open!” The other victim employee who was working at the
23 front counter, was still visibly shaken when speaking to officers and at one point nearly
24 broke into tears while recounting the incident. The witness reported seeing a suspect
25 point a gun at another employee and heard him yell, “Give me the money!” and “Don’t
26 fucking move or I’ll shoot you!”
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28

1 12. After conducting their inventory, Herb’s House reported to SPD robbery
2 detectives that the robbers stole \$809.75 in cash, and marijuana product with a retail
3 value of \$2,019.00.

4 13. Shortly after the robbery at Herb’s House, at approximately 6:00 p.m. on
5 May 30, 2023, two individuals robbed the West Seattle Marijuana store located at 10825
6 Myers Way South, Seattle, Washington. The robbery is being investigated by the King
7 County Sherriff’s Office (C23017919), and is noted here because of time, proximity,
8 modus operandi, and video footage of the same robbers and vehicle. King County
9 published a law enforcement information bulletin on June 6, 2023, that contained clear
10 images of the robbers from the robbery, who were still wearing the same clothing from
11 the robbery at Herb’s House in Seattle. Photos of the robbers were later compared to a
12 June 5, 2023, jail booking photo of CHARLTON from Pierce County, Washington.
13 CHARLTON’s distinctive eyebrows and pronounced Adam’s apple are visible in the
14 King County photo and are a match to the booking photo. They also used the same stolen
15 Hyundai Kona in the King County robbery.





Recovered - BWF4900 White Hyundai Kona

Armed Robbery of “Hashtag Cannabis”

14. Later that evening on May 30, 2023, at approximately 10:24 p.m., two individuals robbed Hashtag Cannabis located at 224 Nickerson Street, Seattle, Washington (SPD 2023-149869). The victim manager called 911 to report the business had been robbed at gunpoint and the robbers left in an unknown silver colored vehicle. The robbers took money that was embedded with GPS tracking devices, the locations of which were broadcast to responding officers by SPD dispatch.

15. SPD officers and robbery detectives responded and conducted an initial investigation. Officers interviewed victim employees and reviewed security video and determined the robbers fled in a getaway car that appeared to be a white, four-door Hyundai Kona. There were four employees working at the time of the robbery, including the manager. According to witness statements and a review of the store surveillance video, two robbers came in through the front door and immediately jumped over the business counter. One of them, later identified as CHARLTON, immediately started loading a white bag with cash and marijuana product. He did not appear to have a gun. The second robber was pointing a black handgun at victim employees while telling them to go to the back of the store to open the safe. The employees informed the second robber that the safe was time delayed. Upon hearing this, the second robber gave up on the safe and went back to the counter to load bags with money and marijuana product. Both

1 robbers eventually left the store. The robbers left with an estimated \$8,000.00 -
2 \$10,000.00 worth of cash and marijuana product.

3 16. Security video corroborates the victim's accounts of the robbery. The
4 robbers were wearing the same clothing as they did at the robberies earlier that day at
5 Herb's House and West Seattle Marijuana. In particular, CHARLTON was wearing the
6 same clothing including white shoes with red soles from the earlier robberies at Herb's
7 House and West Seattle Marijuana. His black jacket was unzipped, revealing a black
8 hooded sweatshirt with a circular white logo on the left breast. A distinctive silver, chain-
9 linked bracelet is visible on his left wrist.



19 17. The four stolen GPS trackers appear to have been discovered by the robbers
20 and discarded. One tracker was recovered at Warren Avenue North and Nickerson Street
21 (approximately two blocks from the location), and another was recovered in the middle of
22 the street near the 2700 block of Westlake Avenue North. Two other trackers were
23 discarded nearby and never recovered.

24 **CHARLTON's Arrest**

25 18. On June 5, 2023, CHARLTON was arrested by Tacoma Police Department
26 and booked into Pierce County jail for possessing a stolen firearm, unlawful possession
27 of a firearm, obstructing a law enforcement officer, and concealing a pistol without a
28 license. CHARLTON was released from jail on June 9, 2023. At the time of his arrest, he

1 was wearing dark blue and black shoes with white soles that would later be worn in
2 armed dispensary robberies in Seattle on June 10, 2023, Bellevue on June 11, 2023, and
3 Edmonds on June 12, 2023. He was also wearing the same silver and diamond chain-link
4 bracelet he wore in previous robberies, and a black “Cookies” brand sweatshirt with a
5 white circle logo identical to the sweatshirt seen in the Hashtag Cannabis robbery on May
6 30, 2023. His arrest was captured on Tacoma police body-worn video.



18 19. The stolen white Hyundai Kona described above was recovered in
19 Lakewood, Washington, on June 1, 2023, and processed for fingerprints by King County;
20 results are pending. Investigators found a receipt from the Fairwood McDonalds at 14120
21 South East Petrovitsky Road, Renton, Washington, inside the vehicle. The store provided
22 surveillance footage of the time frame when the receipt was printed (May 31, 2023, at
23 about 4:49 p.m.). The video shows a man that appears to me to be CHARLTON, based
24 on my review of his booking photo and police video of his arrest. In the McDonalds
25 video, CHARLTON is wearing a turquoise hoodie with colorful markings and a large
26 silver bracelet. He also appears to have a tattoo on the exterior webbing of his left hand.
27 CHARLTON’s National Crime Information Center criminal history report indicates he
28 has a tattoo in that location.

Arrest of CHARLTON's Accomplice

20. On June 5, 2023, two additional armed robberies occurred at an “Oz Cannabis” in Seattle and “Higher Leaf Marijuana dispensary” in Bellevue, Washington. CHARLTON does not appear to be one of the robbers. Bellevue Police arrested Juvenile J.M. after following stolen money trackers to his location. He was later charged in King County Juvenile court with these two robberies. Juvenile J.M. was the male who wore the black sweatshirt with a Cinderella logo discussed above. He was an accomplice to CHARLTON during the May 30, 2023, robberies of Herb’s House, West Seattle Marijuana, and Hashtag Cannabis. Investigators know this because the juvenile’s height, build, and race match J.M.’s and his face is fully visible in one robbery and partially visible in the others. When Bellevue Police searched the vehicle used in the June 5, 2023, robberies they found the same turquoise hoodie with colorful markings worn by CHARLTON in the McDonalds surveillance video. Below are images from McDonalds depicting CHARLTON on the left and an image of the sweatshirt recovered from the car used in the June 5, 2023, robberies committed by Juvenile J.M. on the right:



21. In addition, law enforcement databases indicate CHARLTON and Juvenile J.M. had previous police contacts together.

Armed Robbery of “Oz Cannabis”

22. On June 10, 2023—the day after CHARLTON’s release from the Pierce County Jail—at approximately 4:37 p.m., two individuals robbed Oz Cannabis located at 3831 Stone Way North, Seattle, Washington. (This is not the same Oz Cannabis that was robbed on June 5, 2023, by Juvenile J.M. and others.) This robbery was investigated under SPD 2023-161504. An employee tripped the business’s audible duress alarm during the robbery, and employees called 911 to report the robbery at 4:40 p.m.. Seattle police officers responded within minutes and conducted the initial investigation.

23. Officers interviewed three employees that were working at the time of the robbery and three customers in the store. SPD Officer Ladd stated in his report: “The following is a summary of the events that occurred according to the statements of the witnesses and surveillance footage of the incident. The suspects entered the building and stood near the doors momentarily. One suspect pulled out a black handgun, pointed it at the employees, and began moving towards the counter. V/[M.M.] was able to hit the panic alarm with his foot at that time. The two suspects then jumped over the counter and ordered the employees to empty the cash registers. They then started emptying product from the shelves into trash bags. The suspect with the gun grabbed V/[M.M.] by the shirt and pushed him to the back of the store where the safe was while pointing the gun at him. [M.M.] told him that he didn’t have access to the safe with cash in it and all he could give him was product so the suspect took more product from a safe left open and the two left shortly after. V/[M.M.] stated that the suspect pushed the gun up to his neck causing him to fear for his life. The robbers took the money from all three cash registers totaling about six hundred to one-thousand dollars.” Ladd also wrote in his report that the robber with the gun was described as having a “tear shaped tattoo near one of his eyes.” As depicted above in his booking photo, CHARLTON has a tear-shaped tattoo under his left eye.

24. Robbery detectives later reviewed video and identified CHARLTON as one of the robbers. He was wearing a red Nike hoodie and gray sweatpants, as well as the blue and black shoes and silver and diamond chain link bracelet he wore at the time of his

1 arrest on June 5, 2023. The extremely clear video footage also shows a bracelet with
 2 large black beads, which can be seen in his arrest video as well. CHARLTON carried a
 3 firearm that appeared to have an illegal fully-automatic Glock switch attached.



14 25. Officers identified residential exterior security footage at 1313 North 39th
 15 Street, Seattle, Washington. The video shows a red four-door Hyundai Elantra parking on
 16 North 39th Street at 4:34 p.m. The video from the motion-activated camera then skips to
 17 4:38 p.m. and shows CHARLTON wearing a red Nike hoodie and carrying a garbage
 18 bag. He ran to the Hyundai Elantra and jumped into the backseat. The car then fled
 19 westbound on North 39th Street.

20 26. Law enforcement reports indicate that a red, 2017 four-door Hyundai
 21 Elantra bearing Washington license plate BLG4153 was stolen in Pierce County earlier
 22 that day, June 10, 2023. The rear driver's side window was broken out prior to the
 23 vehicle being stolen. The red Hyundai Elantra that CHARLTON fled in on June 10,
 24 2023, appears to be this vehicle. Although no one recorded the plate of the car, a
 25 neighbor of Oz Cannabis had security video, which showed that the fleeing red Hyundai
 26 also had a broken out rear driver's side window. The red Hyundai Elantra bearing
 27 Washington license plate BLG4153 was later recovered by the Bellevue Police
 28

1 Department after it was abandoned. Bellevue detectives located a garbage bag full of
2 empty marijuana containers in the trunk.

3 27. Subsequent armed dispensary robberies occurred on June 11, 2023, in
4 Bellevue, Washington, and June 12, 2023, in Edmonds, Washington. Video footage
5 shows CHARLTON wearing the same blue and black shoes at both robberies.

6 CHARLTON is a convicted felon, most recently for Robbery in the Second Degree.

7 **Summary of Evidence Identifying CHARLTON as One of the Robbers**

8 28. Based on the totality of the investigation, I believe CHARLTON committed
9 the May 30, 2023, robberies of Herb's House and Hashtag Cannabis (as well as the West
10 Seattle Marijuana robbery the same day), and the June 10, 2023, robbery of Oz Cannabis.
11 I believe this based on the following:

12 • Based on security video from the three May 30, 2023, robberies, the same two
13 individuals committed all three robberies and used the same car, a white Hyundai
14 Kona, in all three robberies.

15 • At his arrest on June 5, 2023, CHARLTON was wearing the silver bracelet that
16 was depicted in the video from the May 30 Herb's House and Hashtag robberies,
17 as well as the later Oz Cannabis robbery and the visit to McDonalds on May 31,
18 2023.

19 • At his arrest on June 5, 2023, CHARLTON was wearing the distinctive black
20 "Cookies" sweatshirt that was depicted in the video from the May 30, 2023, West
21 Seattle Marijuana robbery.

22 • At his arrest on June 5, 2023, CHARLTON was wearing a bracelet with large
23 black beads; he later wore this same bracelet when committing the Oz Cannabis
24 robbery on June 10, 2023, the day after he was released from custody.

25 • At his arrest on June 5, 2023, CHARLTON was wearing blue and black sneakers
26 with white soles; he later wore these same shoes when committing the Oz
27 Cannabis robbery on June 10, 2023, the day after he was released from custody.
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1 • A witness from the Herb's House robbery described one of the robbers as having
2 a cross tattoo under his right eye. CHARLTON has a cross tattoo near his right
3 eye.

4 • A witness from the Oz Cannabis robbery described one of the robbers as having
5 a tear-shaped tattoo near one of his eyes. CHARLTON has such a tattoo near his
6 left eye.

7 • When the white Hyundai Kona used in the May 30 robberies was recovered, it
8 contained a receipt from a McDonalds outlet. Video from the McDonalds at the
9 time of the receipt depicts a person I believe to be CHARLTON in the restaurant,
10 wearing a turquoise-colored sweatshirt with a bright pattern.

11 • Juvenile J.M. was arrested on June 5, 2023, after committing two similar
12 robberies. Juvenile J.M. has been connected to CHARLTON before. Further, a
13 search of the car associated with the June 5 robberies turned up the unique
14 turquoise-colored sweatshirt CHARLTON was wearing at McDonalds on May 31,
15 2023.

16 • Finally, I have reviewed the surveillance videos from the three May 30 robberies,
17 the June 10 robbery, and other later robberies not fully described here. In each
18 case, I believe that one of the robbers depicted is CHARLTON, based on my
19 review of his booking photos and the police video from his arrest and my
20 comparison of these to the surveillance videos of the robberies.


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IV. CONCLUSION


29. Based on the above facts I respectfully submit that there is probable cause to believe that CAIDEN JAMES CHARLTON did knowingly and intentionally commit the crime of *Robbery* in violation of Title 18, United States Code, Section 1951(a).



Emily Moore, Complainant
Special Agent, FBI

Based on the Complaint and Affidavit, to which the above-named agent 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 22nd day of June, 2023.



The Honorable Brian A. Tsuchida
United States Magistrate Judge