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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : Hon. Mark Falk  
v. : MAG. NO. 05-3529  
JED SMURDA : CRIMINAL COMPLAINT

I, Shawn Manson, being duly sworn state the following is true and correct to the best of my knowledge and belief. From on or about November 4, 2004 to on or about February 12, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant, JED SMURDA did:

SEE ATTACHMENT A

contrary to title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D), in violation of title 18, United States Code, Section 371.

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

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Shawn Manson, Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in presence,

February 17, 2005, at Newark, New Jersey

HONORABLE MARK FALK  
UNITED STATES MAGISTRATE JUDGE

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Signature of Judicial Officer

## ATTACHMENT A

From on or about November 4, 2004 to on or about February 12, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant, JED SMURDA knowingly and wilfully did conspire and agree with others to willfully engage in the business of dealing in firearms without having a license to do so, contrary to title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

### OVERT ACTS

In furtherance of the conspiracy and to effect its objects, the following overt acts were committed in the District of New Jersey and elsewhere:

1. On or about December 10, 2004, defendant JED SMURDA purchased four Izmash, Saiga 7.62 x 39 mm rifles in Brenningsville, Pennsylvania. These rifles contained serial numbers H03600414, H03600022, H04103235 and H04101429.
2. In or about December 2004, defendant transferred the four Izmash, Saiga 7.62 x 39 mm rifles described above to a co-conspirator ("Co-conspirator #1").
3. On or about December 14, 2004, in Irvington, New Jersey, Co-conspirator #1 sold two Izmash, Saiga 7.62 x 39 mm rifles bearing serial numbers H03600414 and H03600022, to a confidential cooperating witness (the "CW") for approximately \$3,600.
4. On or about January 7, 2005, in Irvington, New Jersey, Co-conspirator #1 sold two Izmash, Saiga 7.62 x 39 mm rifles bearing serial numbers H04103235 and H04101429, to the CW for approximately \$3,200.

All in violation of Title 18, United States Code, Section 371.

ATTACHMENT B

I, Shawn Manson, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon my investigation, review of reports and discussions with other law enforcement personnel and others:

1. On or about March 27, 2003, defendant JED SMURDA purchased an Izmash, Saiga 7.62 x 39 mm rifle bearing serial number H03100323, in Brenningsville, Pennsylvania.

2. On or about November 4, 2004, a co-conspirator of defendant JED SMURDA (“Co-conspirator #1”) sold the Izmash, Saiga 7.62 x 39 mm rifle bearing serial number H03100323, to an undercover FBI agent (“UC”), from a for approximately \$2,000. At the time of the sale, the Izmash, Saiga 7.62 x 39 mm rifle was still in the original box, bearing serial number H03100323. The UC then asked Co-conspirator #1 if he could obtain additional rifles and Co-conspirator #1 told the UC, in substance and in part, that he just called his supplier and that his supplier was supposed to bring Co-conspirator #1 more firearms next week. Telephone records reveal that Co-conspirator #1 called a telephone number for the residence of defendant JED SMURDA earlier that day.

3. On or about December 5, 2004, the UC and a confidential cooperating witness (“CW”) met with Co-conspirator #1. During that meeting, Co-conspirator #1 stated, in substance and part, that his source for the rifles was marrying Co-conspirator #1’s sister and that his source and his sister currently lived together in Pennsylvania. Co-conspirator #1 further stated, in substance and part, that his source was going to be coming to New Jersey the next Sunday (i.e. December 12, 2004).

4. According to the Firearms Transaction Record defendant JED SMURDA filled out

when purchasing the Izmash, Saiga 7.62 x 39 mm rifles on December 10, 2004, defendant SMURDA lives at 1825 West Union Blvd., Bethlehem, Pennsylvania. According to property records, Co-conspirator #1's sister owns the residence located at 1825 West Union Blvd., Bethlehem, Pennsylvania. Co-conspirator #1's sister has a Pennsylvania Driver's Licences that lists her addresses as 1825 West Union Blvd., Bethlehem, Pennsylvania.

5. On or about December 10, 2004, defendant JED SMURDA purchased four Izmash, Saiga 7.62 x 39 mm rifles in Brenningsville, Pennsylvania. These rifles contained serial numbers H03600414, H03600022, H04103235 and H04101429.

6. On or about December 14, 2004, Co-conspirator #1 sold two Izmash, Saiga 7.62 x 39 mm rifles bearing serial numbers H03600414 and H03600022, both in their original boxes, to the CW for approximately \$3,600. The CW then gave Co-conspirator #1 an additional approximate \$400 in cash as a deposit for the future purchase of two additional Izmash, Saiga 7.62 x 39 mm rifles.

7. On or about January 7, 2005, Co-conspirator #1 sold two Izmash, Saiga 7.62 x 39 mm rifles bearing serial numbers H04103235 and H04101429, both in their original boxes, to the CW for approximately \$3,200.

8. Neither defendant JED SMURDA nor Co-conspirator #1 is a licenced firearms dealer.