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AO 91 (Rev. 11/11) Criminal Complaint

United States Courts
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAR 27 2015

David J. Bradley, Clerk of Court

United States of America)

v.)

JOSEPH ALLEN)

Case No. *3:15mj10*

Defendant(s)

CRIMINAL COMPLAINT

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 March 25, 2015 in the county of Galveston in the Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

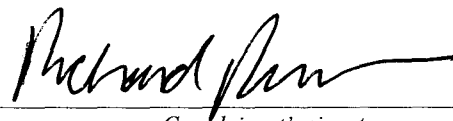
18 U.S.C. Section 113(a)(7)

The defendant, within the special maritime and territorial jurisdiction of the United States, committed an assault resulting in substantial bodily injury to an individual who has not attained the age of 16 years; Title 18, United States Code, Section 113 (a)(7).

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.



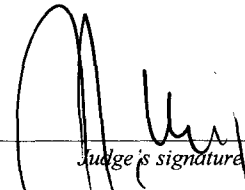
Complainant's signature

Richard Rennison, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/27/2015



Judge's signature

City and state: Houston, Texas

Mary Milloy, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Richard Rennison, being duly sworn, depose and state:

1. I am a Special Agent, employed by the Federal Bureau of Investigation (FBI), and assigned to the Houston Division, Texas City Resident Agency. I have been a Special Agent for over 11 years, and a municipal police officer for over ten year prior to my employment with the FBI. I am charged with the duty of investigating violations of the laws of the United States, collecting evidence in cases in which the United States is or may be a party in interest, and performing other duties imposed by law. During my employment with the FBI, I have investigated many cases involving crimes on the high seas, including aggravated assault cases. During my employment as a police officer, I investigated many cases of family violence assaults. I have also participated in various FBI mandated and volunteer training for the investigation and enforcement of federal laws.
2. This Affidavit is made in support of a criminal complaint charging JOSEPH ALLEN with violating 18 U.S.C. Section 113, which makes it a crime to commit an assault resulting in substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years.
3. I am familiar with the information contained in the Affidavit based upon the investigation I have personally conducted and my conversations with other parties involved in this case.
4. Because the Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation, I have set forth only those facts that I believe are necessary to establish probable cause that evidence of a violation of 18 U.S.C. Section 113 has been committed by JOSEPH ALLEN on or about March 25, 2015. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.

5. On Thursday, March 26, 2015, Carnival Cruise Lines Corporate Security Agent John Butchko contacted Affiant and relayed in incident that occurred on board the Carnival Triumph Cruise Ship. Butchko stated that on the previous day, Wednesday, March 26, 2015, Triumph Security Officers on board the ship were called to a disturbance in cabin 6341 at approximately 3:45 P.M. Upon arrival, security officers made contact with guest ██████████ Allen ██████████ in cabin 6341. Mrs. Allen stated that she and her husband had a loud conversation but everything was fine. While speaking with Mrs. Allen, her husband JOSEPH ALLEN ██████████ arrived at the room and corroborated what his wife said. At that time security personnel left.
6. Approximately 30 minutes later at around 4:15 P.M., the on board nurse got a call on the ship's 911 phone about a fight on deck 6 near the elevators. Security immediately responded to the area near the elevators on deck 6 and observed the victim, a 14 year old male (V1) sitting on the floor. V1 had a laceration below his right eye and was bleeding from his lips. V1 was taken to the ship's doctor, Armando Marin Ramirez, who further observed a broken front tooth. Dr. Ramirez glued the laceration shut and recommended when the ship arrive at the next port, Cozumel, that V1 debark the ship and seek a CT scan of his head.
7. Security personnel questioned V1's mother, Mrs. Allen and learned that her husband (V1's step father) returned to the ship from Progresso, Mexico, and had been drinking alcohol. When they arrived to the room, Mrs. Allen stated that JOSEPH ALLEN called her a bitch, and V1 and her 17 year old son questioned him about him calling her names. JOSEPH ALLEN eventually struck V1 with a door as V1 was walking out of the cabin. After V1 left the room, JOSEPH ALLEN ran after V1 and then she heard V1 screaming and ran to help her son.
8. At this time, Jason Mitchell of cabin 6288 was in the elevator with his wife returning to their room. When the elevator door opened on floor 6, they saw V1 on the floor with JOSEPH ALLEN who had his hands around V1's neck. Cynthia Mitchell corroborated her husband's statement

and added she heard Mrs. Allen yelling, "get off my baby," at which time JOSEPH ALLEN got off V1 and had words with Mrs. Allen.

9. John Butchko E-mailed Affiant photos of V1 taken by the ship's medical staff. Affiant observed the photos and noticed V1 had severe swelling on the right side of his face and the right side of both lips. Affiant also noticed a laceration under V1's right eye. The shirt V1 was wearing had a large stain of what appeared to be blood on the front and numerous smaller stains that appeared to be blood.
10. Affiant then read a statement from JOSPEH ALLEN written by him at the request of on board security. The statement read in full, "I got tired of being disrespected by both boys [REDACTED] and [REDACTED] the end... They came at me and I was not going to let that be the end... I want my money back now."
11. Based upon the information set forth above, I believe that probable causes exists for the issuance of a Criminal Complaint charging JOSEPH ALLEN with a violation of 18 U.S.C. Section 113, which makes it a crime to assault someone resulting in substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years.



Affiant, Richard Rennison

Sign and sworn to before me this the 27th day of March, 2015.



United States Magistrate Judge