

UNITED STATES DISTRICT COURT **FILED**

for the
Northern District of Texas

February 22, 2021

**KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT**

United States of America)
v.)
JENNIFER LYNNE FAITH)
)
)
)
)
)
)

Case No. 3:21-MJ-167-BK

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 January 10, 2021 in the county of Dallas in the
Northern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1519	Obstruction of Justice – Destruction and Concealment of a Tangible Object with the Intent To Obstruct a Federal Investigation

This criminal complaint is based on these facts:

See Attached Affidavit of ATF TFO Eric Barnes

Continued on the attached sheet.

Eric Barnes

Complainant's signature

Eric Barnes - ATF TFO

Printed name and title

Via reliable electronic means, as authorized by Fed. R. Crim. P. 4.1, on February 22, 2021, the agent confirmed under oath the validity of his facsimile signature, his knowledge of the contents herein, and the veracity of the same.

Date: February 22, 2021



Judge's signature

City and state: Dallas, Texas

RENÉE HARRIS TOLIVER, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Eric Barnes (Affiant), a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Dallas, Texas, being duly sworn, state:

INTRODUCTION

I am a Task Force Officer with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives and have been so assigned to that position since February 2016. I have been employed as a certified peace officer commissioned by the Dallas Police Department for approximately 14 years. I have been assigned to the Homicide Unit since December 2012. Prior to being assigned to the Homicide Unit, I was a detective working in the Organized Crime Unit for approximately two years specifically targeting gang members, narcotic traffickers, or any other group committing serial offenses throughout the City of Dallas. Since 2007, I have been a liaison with the Dallas Police Gang Unit. I am currently a member of the Texas Violent Gang Task Force and the Texas Gang Investigator's Association. Annually, I receive approximately 40 hours of specialized training in gang identification, gang documentation and advanced gang investigation techniques from experts across the country. I am commonly utilized by the Dallas District Attorney's office to provide expert testimony on street level gangs operating within the City of Dallas. I hold a master peace officer's license from the Texas Commission on Law Enforcement (TCOLE). I have experience investigating Capital Murder, Murder, Aggravated Assault, Aggravated Robbery, violations of the Texas Health and Safety Code, including but not limited to, the procurement and

execution of search warrants, federal firearm investigations, interviewing and working confidential informants, the detection and identification of various narcotics and other dangerous drugs and the review of taped conversations obtained from wire intercepts. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs and firearms are transported, stored, distributed, and the methods of payments for such.

PURPOSE OF AFFIDAVIT

This affidavit is made in support of a criminal complaint against **Jennifer Lynne Faith** (W/F 04/26/1972) for violations of 18 U.S.C. §1519 (Obstruction of Justice – Destruction and Concealment of a Tangible Object with the Intent To Obstruct a Federal Investigation), in Dallas, Texas, in the Northern District of Texas.

INVESTIGATION BACKGROUND

Because this affidavit is being submitted for the limited purpose of establishing probable cause for the requested criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause of a violation of a federal criminal offense, specifically 18 U.S.C. §1519 (obstruction of justice). I have included information in this affidavit that was provided to me by other law enforcement agents investigating this case.

PROBABLE CAUSE

On October 9, 2020, at approximately 7:35 am, Dallas Police patrol officers responded to a shooting call at 1002 S. Waverly Drive, Dallas, Texas 75208. Upon arrival, officers observed complainant James Faith lying on the ground suffering from

what appeared to be multiple gunshot wounds. Dallas Fire Rescue arrived at the scene and pronounced the complainant deceased. The murder occurred the morning after the victim and his wife celebrated their 15th anniversary.

During the investigation, your Affiant learned that the victim left his residence with his wife, Jennifer Faith, to walk their dog. While walking their dog an unknown suspect approached them and shot the victim with a firearm, causing his death. Your Affiant has learned that the victim was killed by a .45 caliber handgun. Shell casings from the murder weapon were recovered from the scene. The victim was shot a total of seven times ---- three times in the head, three times in the chest and one time in the groin. Witnesses, in the immediate area of the shooting heard shots and observed the suspect enter a black Nissan pickup truck and flee the location immediately after the shooting. Detectives were able to retrieve several surveillance videos documenting the suspect vehicle and its route leaving from the crime scene.

The vehicle used by the suspected shooter was a black, older model Nissan Titan pickup truck, with a distinctive white "T" sticker/ decal on the lower left (driver's side) portion of the back window (see still photo below taken on the morning of the murder). Detectives were not able to make out any details from the license plate on the truck.



(Photo taken October 9, 2020)

Dallas homicide detective Chris Walton, who is the lead detective in the murder investigation, interviewed the victim's wife Jennifer Faith on the day of the murder. Jennifer Faith told Detective Walton that she and the victim left their residence that morning to walk their dog. Jennifer Faith exited out of her residence with their dog first and her husband (the victim) followed behind her. Jennifer Faith stated she heard the sound of footsteps coming up behind them and turned around to observe an unknown assailant pointing a gun at her husband. The suspect shot the victim multiple times causing him to fall on the ground. Jennifer Faith stated the suspect attacked her, placed duct tape around her hands and began striking her with the palm of his hand while she was on the ground. Jennifer Faith stated she then screamed for help and the suspect fled the location. Nothing was taken from James Faith or Jennifer Faith. Jennifer Faith advised Detective Walton that the suspect was a medium built man. She advised that he was wearing a blue face mask and the suspect's eyes appeared black. Jennifer Faith did not provide any description of the vehicle used by the shooter. The description of the truck came from witnesses at the scene. During the interview, Jennifer Faith gave written

consent to Detective Walton for a cell phone extraction of her cell phone.

An analysis of the contents of Jennifer Faith’s cell phone revealed that she and her husband were having marital problems at the time of his death. Based on text messages reviewed by investigators, Jennifer Faith was involved in a lengthy “emotional affair” with an individual identified as Darrin Ruben Lopez (w/m, 6/7/1972). Detectives researched data from Jennifer Faith’s cell phone and located a telephone number for Lopez, his birthdate, email address and his current address, 1285 Sweet Home Road, Cumberland Furnace, Tennessee (See below).



As referenced above, investigators began reviewing text messages on Jennifer Faith’s cell phone. In the text messages to one of her contacts, Jennifer Faith described her relationship with Lopez. On April 20, 2020, at approximately 7:51 pm, Jennifer Faith began sending a series of text messages to one of her contacts identified as “Spreng Tina”:

2:51 PM- *“So, I have no idea when I am going to be able to talk to you over the phone, but I am pretty much having a full-blown emotional affair.”*

2:52 PM- *“and Jamie (James Faith) knows it.”*

2:53 PM- *“This guy I dated in high school and college, we broke up because I was finishing school and after he got out of basic training, he was deployed to south Korea.”*

2:53 PM- *“He ended up going Special Forces and served 26 years.”*

2:53 PM- *“Just retired and found me.”*

2:53 PM- *“We were going to get married at the time.”*

2:53 PM- *“Then I met Amber’s bio dad.”*

2:54 PM- *“Right after he Left.”*

3:17 PM- *“Spreng Tina” texts “Jamie knows” and “How does he feel?”*

3:21 PM- *“Scared and sad” is what he said*

3:27 pm- *“Spreng Tina” asks Jennifer Faith “Where does the other guy live?”*

3:28 PM- *“He was stationed out of TN and bought a house there with 20 acres, so he’s there now.”*

Jennifer Faith continued the text message conversation and informed “Spreng Tina” that she and her husband had not had sex in four years. Faith also informed “Spreng Tina” that the name of her ex-boyfriend is “Darrin” and she is in constant contact with “Darrin” all day every day. On May 2, 2020, at approximately 12:31 am, Jennifer Faith stated to “Spreng Tina” in a text message:

12:31 AM- *“He’s already a) planning on me being there and b) you coming to visit me”.*

12:31 AM- *“He says he has a 5-year plan to get me there.”*

Your Affiant believes that Jennifer Faith is referring to Darrin Lopez in the above

referenced text messages.

On August 6, 2020, at approximately 10:30 am, “Spreng Tina” sent a text message to Jennifer Faith asking:

“You still talking to that guy?” Jennifer Faith responded: “I put the brakes on him”, “Jamie was so hurt and internalizing everything”, “I just couldn’t do it to him.”

Your Affiant believes that this conversation is regarding the status of Jennifer Faith’s emotional affair with Lopez and the emotional toll it had taken on her husband.

During a subject check of Lopez, your Affiant learned that he owns a black Nissan Titan truck matching the description of the vehicle used by the suspect that shot and killed James Faith on October 9, 2020. A Dallas County District Judge signed a search warrant for Lopez's cell phone records. A review of records from Verizon revealed Lopez uses a Samsung Galaxy cell phone, cell number 615-630-3046 IMSI # 31148052. The phone is subscribed in Lopez’s name and shows a listed address of 1285 Sweet Home Road, Cumberland Furnace, Tennessee. Because the evidence indicated that a suspect in the murder may have come from out of state to commit the murder, the Dallas Police Department and the Bureau of Alcohol Tobacco and Firearms (ATF) began a joint state and federal investigation into the murder of James Faith. In November 2020, a federal grand jury investigation was initiated in the United States District Court Northern District of Texas and grand jury subpoenas were issued.

Darrin Lopez Cell Phone Records

Law enforcement officials have analyzed Darrin Lopez’s cell phone records and his cell phone has been in contact with Jennifer Faith’s cell phone thousands of times

during the months leading up to and following the murder. For example, between November 25, 2020 and December 6, 2020 Lopez's cell phone and Jennifer Faith's cell phone had over 5700 incidents of phone contacts (calls, texts) during just that twelve-day period. The records corroborate the text message Jennifer Faith sent to "Spreng Tina" months before the murder advising that she (Jennifer Faith) is in constant contact with "Darrin" (Darrin Lopez) all day every day.

On October 5, 2020, Lopez's cell phone and Jennifer Faith's cell phone communicated by text message approximately 667 times. On October 6, 2020, the two phones communicated by text message approximately 419 times. Lopez's cell phone records show that two days before James Faith's murder (October 7, 2020), Lopez's cell phone and Jennifer Faith's cell phone were in contact approximately 640 times. The day following the murder (October 10, 2020), the phones were in contact approximately 270 times. The following day (October 11, 2020) the phones were in contact approximately 381 times. On October 12, 2020, Lopez's cell phone and Jennifer Faith's cell phone communicated approximately 285 times.¹

However, a review of Lopez's cell phone records on October 8, 2020 and October 9, 2020, shows a highly inconsistent pattern of contact between the two cell phones. Your Affiant knows after reviewing Lopez's cell phone records that the last cell phone number Lopez texted on October 8, 2020, prior to leaving Tennessee was Jennifer Faith's cell

¹ ATF investigative analysts utilized PLX Penlink as an analytic tool to review Verizon cell records. PLX is a collection and analysis tool utilized by ATF to examine digital information. It generates reports based on the raw data to create an intelligence product. Your Affiant reviewed the PLX report created after Lopez's Verizon cell records were entered into PLX Penlink.

phone. That text message occurred at approximately 1:07 pm while Lopez was in Dixon, Tennessee. Prior to that 1:07 pm text there were 133 other text messages between the two phones on that day. Following that text message however, the two phones suddenly stopped communicating with each other for a period of over twenty-eight hours. Records reflect Lopez's cell phone was turned off during a substantial portion of that time.

After the murder of James Faith on October 9, 2020, Jennifer Faith met with Dallas Police investigators throughout the morning. The interviews concluded in the afternoon on the day of the murder when Jennifer Faith had a medical episode. Your Affiant knows after reviewing Lopez's cell phone records that the first call or text Lopez made from his cell phone following the murder of James Faith was to Jennifer Faith's cell phone. Lopez's cell phone sent a text message to Jennifer Faith's cell phone at 5:18 pm ---- over nine hours after the murder. Following that text message, Lopez's cell phone received an incoming text from Jennifer Faith's cell phone at 5:41 pm. Over the next several hours, phone records reflect approximately 50 incoming and outgoing texts between the two cell phones. Cell phone records also show that in the days following James Faith murder (October 9, 2020 to November 25, 2020), Jennifer Faith's cell phone sent 13,644 text messages (SMS) to Lopez's cell phone. Jennifer Faith's cell phone and Lopez's cell phone were in contact almost 24,000 times --- an average of over 500 times per day. In addition to those text messages (SMS), the two sent or received from each other an additional 3373 messages that included content (photos/videos or third party) (MMS) messages during that same period of time.

Your Affiant knows that it is approximately a 650-mile drive from Dallas, Texas

to Cumberland Furnace, Tennessee. I-30 out of Texas to I-40 into Tennessee is the most common route a person would take to make that drive. Cell tower data shows that Lopez's cell phone signal bounced off a cell tower on I-40 when he placed a cell phone call at approximately 4:32 pm (approximately nine hours after the murder). The cell tower used is located approximately 62 miles west of Lopez's residence on I-40. A second cell tower hit was recorded 39 minutes later at 5:11 pm. That cell tower is located approximately 47 miles east of the first tower hit and approximately 20 miles from Lopez's residence. The cell tower hits are consistent with a person traveling east away from Texas and the timeline matches where Lopez would be if he left Dallas, Texas in route to his home shortly after the time of the murder.

As referenced above, Jennifer Faith gave written consent to Detective Walton for a cell phone extraction of her cell phone shortly after the murder. Despite Lopez's cell phone records showing thousands of communications between the two phones in the months before James Faith's murder, most of those communications were not present on the phone. Your Affiant believes that the communications with Lopez's cell phone were intentionally deleted from Jennifer Faith's cell phone prior to the phone being given to detectives.

Darrin Lopez Finances/Life Insurance/GoFundMe Account

Credit reports reviewed following James Faith's murder reflect that Darrin Lopez was having financial problems. According to his payment history for the property located at 1285 Sweet Home Road, Cumberland Furnace, Tennessee, Lopez is at least 120 days past due on mortgage payments. Carrington Mortgage reported that Lopez's account is

“foreclosure initiated” with \$38,157.00 being “past due.” According to utility records, Lopez’s water account to his residence at 1285 Sweet Home Road, Cumberland Furnace, Tennessee was shut off due to nonpayment in October 2020.

In November 2020, a representative of MetLife Insurance Co. contacted Detective Walton. Detective Walton was informed that the victim, James Faith, had a life insurance policy worth in excess of \$600,000 upon his death and that the beneficiary was attempting to collect on the policy. Your Affiant has learned that Jennifer Faith is the beneficiary of the life insurance policy.

Your Affiant also learned that on October 10, 2020, a GoFundMe campaign entitled “Support for Jennifer Faith” was created. GoFundMe is a crowdfunding platform that allows people to make donations to benefit others dealing with challenging circumstances in their lives. Over \$60,000 in donations was raised in the “Support Jennifer Faith” fund. Jennifer Faith was named as the sole beneficiary. GoFundMe records reflect that on October 13, 2020, \$30,307.71 was withdrawn from the account. The following day an additional \$7,649.61 was withdrawn. On October 15, 2020, an additional \$6,082.92 was withdrawn. By December 3, 2020, Jennifer Faith had withdrawn all the remaining funds.

Darrin Lopez Debit Card

Your Affiant learned that Darrin Lopez has a checking account through USAA (Account #36417XXX). A debit card is linked to that bank account. Your Affiant has reviewed the transaction history on that debit card in the days leading up to the murder.

On October 7, 2020, Lopez used his debit card at Valvoline Instant Oil Change in

Dickson, Tennessee. The total charge was \$133.69. Your Affiant has reviewed the receipt from this transaction, and it reflects that Lopez had the oil and air filter changed and had a “vehicle light replaced” on his 2004 Nissan Titan pickup truck VIN #1N6AA07B74N592785. The receipt also reflects Lopez’s address as 1285 Sweet Home Road, Cumberland Furnace, TN, 37051. Your Affiant believes this work on Lopez’s vehicle was done in preparation for his drive to Texas the following day.

On October 8, 2020, the day before James Faith’s murder, Lopez’s debit card was used to make two transactions (1:42 pm and 1:44 pm) at Huck’s Food and Fuel Store in Dickson, Tennessee in the amount of \$100 and \$21.75. Dickson, Tennessee is approximately 14 miles south of Lopez’s residence in Cumberland Furnace, Tennessee. Your Affiant knows Lopez would pass through Dickson, Tennessee if traveling to I-40.

Also, on October 8, 2020, at 4:51 pm, Lopez’s debit card was used at a Pilot Travel Centers (#60700) truck stop located at 3400 Service Loop Road, West Memphis, Arkansas. Your Affiant has learned Lopez’s debit card was used to purchase \$19.45 worth of gas. The debit card was also used in a separate transaction to purchase two DVD movies, Red Bull canned drinks and some food. Your Affiant knows that Red Bulls are energy drinks that are commonly used by people to stay awake. Security cameras at the truck stop captured images of Lopez and his 2004 Nissan Titan pickup truck, VIN #1N6AA07B74N592785 during this transaction. Security cameras captured Lopez inside and outside the truck stop. The images of Lopez captured inside the Pilot truck stop match Jennifer Faith’s description of the shooter (medium build male wearing a blue mask) (See images below).



(Lopez outside Pilot Travel Centers (#60700) truck stop located at 3400 Service Loop Road, West Memphis, Arkansas on October 8, 2020)



(Lopez inside Pilot Travel Centers (#60700) truck stop located at 3400 Service Loop Road, West Memphis, Arkansas on October 8, 2020)



(Lopez's vehicle departing Pilot Travel Centers (#60700) truck stop located at 3400 Service Loop Road, West Memphis, Arkansas on October 8, 2020)

At 5:02 pm on October 8, 2020, Lopez made an ATM withdraw using his debit card in West Memphis, Arkansas in the amount of \$100 (plus a \$3.95 service charge). Seven minutes later (5:09 pm), Lopez's debit card was used at a Flying J Truck Stop in

West Memphis, Arkansas in the amount of \$51.00. Your Affiant knows that West Memphis, Arkansas is approximately 185 miles west of Dickson, Tennessee and 200 miles southwest of Lopez's residence via I-40. The location of charges on Lopez's debit card on October 8, 2020 indicate Lopez was traveling west on I-40 the day before the murder. Your Affiant believes that at the time these purchases were made, Lopez was in route to Dallas, Texas from Tennessee.

Financial records reflect that Lopez used his debit card multiple times on October 5th, October 6th, October 7th and October 8th, 2020. However, similar to his call patterns with Jennifer Faith, his use of his debit card stopped for approximately 29 hours between the purchase at the Flying J in West Memphis, Arkansas (October 8, 2020 at 5:10 pm) and the next time the card was used --- at 10:27 pm on October 9, 2020 back at Huck's Food and Fuel Stop in Dickson, Tennessee. This transaction was approximately 15 hours after the murder of James Faith. Your Affiant believes that Lopez's ATM debit card transaction (\$100) in West Memphis, Arkansas on October 8th provided him with the cash necessary to make additional purchases of food and gas on his drive to Dallas, Texas and back home to Tennessee without leaving a record on his USAA bank account that could be used to track his location.

2004 Nissan Titan Pickup Truck

On November 6, 2020, ATF Special Agent Benjamin Colkmire contacted Assistant Special Agent in Charge Patrick Looney with the Aviation Unit at the Tennessee Bureau of Investigation to request aerial surveillance support. Special Agent Colkmire requested aerial photographs and video footage of the structures and vehicles

located at 1285 Sweet Home Road, Cumberland Furnace, Tennessee.

On November 24, 2020, Special Agent Colkmire reviewed the aerial footage and observed a vehicle believed to be an older model, black Nissan Titan truck parked on the property. The vehicle also had a distinctive white “T” decal on the lower left side (driver’s side) of the rear window, which matches the suspect vehicle used in the murder of James Faith (see photo below).



On December 2, 2020, Jennifer Faith was interviewed by WFAA in Dallas, Texas and made a direct reference to the murder suspect’s truck. During the interview, Jennifer Faith was quoted as saying the following: “Somebody has got to know whose truck this is. It’s a black Nissan Titan extended cab. It has a Texas Rangers sticker (“T”) in the back window. So it was very distinctive from that point.” The WFAA article was published online. Your Affiant knows that on December 3, 2020, the day after the

interview, Jennifer Faith texted a link to the WFAA article to Lopez.

On December 4, 2020, ATF Special Agent Colkmire was conducting surveillance in the area of 1285 Sweet Home Road, Cumberland Furnace, Tennessee. At approximately 10:09 a.m., Special Agent Colkmire observed the 2004 Nissan Titan pickup truck, Tennessee License Plate Number #PH6698 at the intersection of Daniel Lane and Sweet Home Road. Special Agent Colkmire took several photographs of the Nissan Titan as it passed by him (see photo below). This vehicle matches the witness descriptions and the recorded images of the vehicle used by the suspect in the murder of James Faith including the white “T” sticker on the driver’s side back window of the truck. When you compare this photograph to the one taken at the Pilot Truck Stop in West Memphis, Arkansas on October 8, 2020, and the image of the vehicle at the murder scene on October 9th, it is clear that someone has added a white emblem or decal to the left side of Lopez’s truck tailgate. The new decal was not present on October 8th and 9th but was present at the time Special Agent Colkmire took the photograph.



(Photo taken December 4, 2020)

On December 8, 2020, approximately six days after Jennifer Faith's interview with WFAA, a pole camera captured the image of Lopez's vehicle traveling on the roadway near 1285 Sweet Home Road. The distinctive "T" sticker that had been on the back-driver's side window of the vehicle at the time of the murder and was present in the photograph taken on December 4, 2020 by Special Agent Colkmire and in the security video taken October 8, 2020 at the Pilot Truck Stop had been removed. (See pole camera image below). Your Affiant has learned that Lopez removed the "T" sticker from the back-driver's side window of his truck to change the appearance of his truck and avoid suspicion by law enforcement. Your Affiant has further learned that Lopez took the steps to remove the "T" sticker from his truck's rear window because he was told to do so by

Jennifer Faith in December 2020 (discussed below).



(Photo taken December 8, 2020)

Lopez's Android Cell Phone / Google Precision Location History

Your Affiant knows that Google collects and retains data about the location at which Google Account services are accessed from any mobile device, as well as the periodic location of Android devices while they are in use. This location data can derive from a range of sources, including GPS data, Wi-Fi access points, cell-site locations, geolocation of IP addresses, sensor data, user searches, and Bluetooth beacons within range of the device. According to Google, this location data may be associated with the Google Account signed-in or registered to the device when Location Services are activated on the device and the user has enabled certain global settings for their Google

Account, such as Location History or Web & App Activity tracking. The data retained may be both precision location data, like latitude and longitude coordinates derived from GPS, and inferential location data, such as the inference that a Google Account is in Dallas, Texas because it conducts a series of searches about places to eat in Dallas and directions from one Dallas location to another. Precision location data is typically stored by Google in an account's Location History and is assigned a latitude-longitude coordinate with a meter radius margin of error. Inferential data is stored with an account's Web & App Activity. Google maintains these records indefinitely for accounts created before June 2020, unless the user deletes it or opts to automatically delete their Location History and Web & App Activity after three or eighteen months. Accounts created after June 2020 auto-delete Location History and Web & App Activity after eighteen months unless the user affirmatively changes the retention setting to indefinite retention or auto-deletion at three months.

As noted, your Affiant has identified an Android cell phone subscribed to Darrin Lopez, 1285 Sweet Home Road, Cumberland Furnace, Tennessee (Samsung Galaxy cell phone, cell number 615-630-3046 IMSI # 31148052). Based on a review of cell phone records, your Affiant believes Lopez was intermittently using this cell phone the day before and the day of James Faith's murder.

Your Affiant has also identified a Google Account used by Darrin Lopez (*Google Account ID: 21390611XXXX, Name: Darrin Lopez, email: drlp575@gmail.com*). Your Affiant also knows that Darrin Lopez utilizes a Hotmail email account that is similar to his Gmail account (drlp75@hotmail.com) (this email address was found in Jennifer

Faith's cell phone). Based on a review of Lopez's Google account records, your Affiant is aware that on the day before James Faith's murder (October 8, 2020), at 2:01 pm, while in Dixon, Tennessee, Lopez used his Google navigation app on his cell phone to get directions from his home address in Cumberland Furnace, Tennessee to take him directly to the victim's home in Dallas, Texas (926 S. Waverly Drive, Dallas, Texas 75208).

As previously noted, on October 8, 2020, at 4:51 pm, Lopez was traveling west on I-40 and used his debit card at a Pilot Travel Centers truck stop in West Memphis, Arkansas. Video surveillance captured Lopez both inside and outside the truck stop. Lopez was driving a truck that matches the description of the vehicle used by the individual that murdered James Faith. At 5:14 pm, the Google GPS precision data from Lopez's Google account place his Android cell phone at 3476 Service Loop Road, West Memphis, Arkansas 72301 --- in close proximity to the Pilot Travel Centers truck stop located at 3400 Service Loop Road, West Memphis, Arkansas where he was recorded by surveillance cameras. Lopez's Google precision location data coupled with the Pilot truck stop surveillance video confirms that Lopez was traveling west on I-40 out of Tennessee and was in possession of his Android cell phone on October 8, 2020.

Lopez's Google account GPS coordinate records reflect that in the early morning hours of October 9, 2020, Lopez's cell phone was in Texas. Specifically, at 2:19 am, GPS precision location coordinates from Lopez's Google account place his Android cell phone at 883 S. Waverly Drive, Dallas, Texas 75208 (32.73681, -96.8491524). This location is within one block of the victim's address (926 S. Waverly Drive, Dallas, Texas) and is

approximately five hours before James Faith's murder.

Your Affiant is also aware that homicide detectives reviewed the Google Chrome search history associated with Lopez's Google account. Since October 9, 2020, Lopez's cell phone was used to search multiple articles related to the James Faith's murder. The first article was viewed on October 9th, 2020, the day of the murder, at approximately 10:37 pm after Lopez had returned to Tennessee.

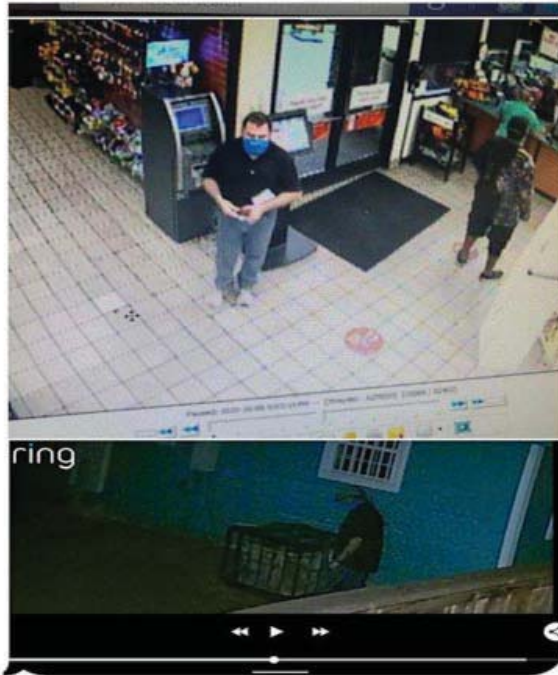
James Faith's Ring Security Camera

Your Affiant is aware that James Faith's residence was equipped with a Ring motion-activated security camera positioned at the back of his residence on the day of the murder. At night, the Ring device uses infrared technology to detect movement and begin recording. By default, images/recordings are stored to its cloud and kept for approximately six months. Anything older than six months is automatically deleted.

Your Affiant is also aware that a vacant blue in color house sits next-door to the victim's residence on Waverly Drive. Your Affiant has reviewed police bodycam footage from October 9, 2020 and knows that James Faith was shot and killed directly in front of this blue house that is next door to the victim's residence.

At approximately 2:30 am on the morning of the murder, the victim's Ring security camera in his backyard was activated and recorded the image of a man matching the description of Darrin Lopez in the backyard of the vacant blue house next to James Faith's residence. The clothes the subject in the video is wearing match the clothes that Darrin Lopez was wearing when he was recorded at the Pilot truck stop in West Memphis, Arkansas a few hours earlier. Your Affiant has reviewed the Ring surveillance

video. The subject in the video is also wearing a blue mask just like the one Darrin Lopez was wearing while inside the Pilot truck stop and the mask matches the description Jennifer Faith gave of the mask the shooter was wearing at the time James Faith was killed. (See images below).



(The top photo was taken at approximately 4:50 pm on October 8, 2020 at the Pilot Travel Centers truck stop in West Memphis, Arkansas. The bottom photo was captured by the victim's Ring security camera at approximately 2:30 am on October 9, 2020)

Based on a review of the Google records and other evidence gathered during this investigation, your Affiant believes, Lopez, while in possession of his Android cell phone, departed Tennessee during the afternoon of October 8, 2020. He communicated with Jennifer Faith via text one final time that day at 1:07 pm. His calls and texts then ended for over 24-hours. Lopez used a Google app on his cell phone to obtain directions directly to the victim's home. Lopez drove through the night and arrived within one block

of James Faith's home by 2:19 am on the morning of the murder. After arriving, he went into the backyard of the adjacent home next to the victim's home and he waited for the opportunity to ambush James Faith. At approximately 7:35 am, Lopez approached James Faith from behind on the sidewalk in front of that vacant house and shot him multiple times with a .45 caliber handgun causing Faith's death. Lopez then fled the location in his black 2004 Nissan pickup truck that had a "T" decal on the back window. Lopez used his cell phone to text Jennifer Faith at 5:18 pm when he arrived back in Tennessee. Jennifer Faith replied to the text a few minutes later.

Arrest of Darrin Lopez

On January 11, 2021, ATF Special Agents (SA) were conducting surveillance on Hwy. 48 in Dickson County, Tennessee, in an attempt to locate and arrest Lopez on the outstanding murder warrant. While conducting surveillance, Agents observed a silver 2006 Toyota Scion, Tennessee License Plate Number # M25U, traveling southbound towards Dickson, Tennessee.

During the course of the investigation, Agents knew the Toyota Scion to be frequently operated or occupied by Lopez. Agents observed a white female, later identified as Lopez's daughter, Mackenzie Lopez, operating the vehicle. Agents identified Lopez as the front seat passenger inside the vehicle. Agents followed the Toyota Scion to 217 Church St, Dickson, Tennessee. At this time, Agents observed Lopez exit the front passenger's seat of the Toyota Scion.

ATF SA Jason Reeves made contact with Lopez to affect the arrest. As SA Reeves was placing Lopez into custody, SA Reeves asked Lopez if he (Lopez) had any weapons

on his person. Lopez stated there were no weapons on his person, but there was a .45 caliber pistol concealed in a bag inside the Toyota Scion. Lopez stated the firearm was loaded with a bullet in the chamber. Your Affiant knows that James Faith was killed by a .45 caliber handgun. Agents obtained a federal search warrant in the United States District Court in the Middle District of Tennessee and searched the Toyota Scion.

Inside the vehicle, agents recovered a bag. Inside was a .45 caliber handgun and ammunition as well as military patches belonging to Lopez. Agents also located what appeared to be credit cards in Jennifer Faith's name, a blue face mask matching the facemask used by the subject recorded the morning of the murder by the Ring security camera and Lopez's Samsung Galaxy cell phone, cell number 615-630-3046 IMSI # 31148052. (See below). Law enforcement agents have transported the evidence to the Northern District of Texas.





Search of Darrin Lopez's Residence

On January 7, 2021, a United States Magistrate Judge in the Middle District of Tennessee signed a warrant authorizing the search of Lopez's residence located at 1285

Sweet Home Road, Cumberland Furnace, Tennessee. Following Lopez's arrest on January 11, 2021, ATF agents executed the search warrant. As agents approached the property, a large FEDEX box was observed on the front porch of the residence. The box was addressed from Jennifer Faith to Darrin Lopez and your Affiant learned that the box at one time contained a large screen Samsung television that was subsequently found unopened in the living room of the residence (see below).



(FEDEX Box on porch of 1285 Sweet Home Road, Cumberland Furnace, Tennessee on January 11, 2021)



(Living Room of 1285 Sweet Home Road, Cumberland Furnace, Tennessee on January 11, 2021)

Agents conducting the search of Lopez's residence located a tan colored satchel. Inside the satchel agents found a Smith and Wesson Model 4506 .45 caliber handgun bearing serial number VAS0598. Also located in the bag, agents recovered an unopened can of Red Bull energy drink and two DVDs (see below). Your Affiant believes the Red Bull and DVDs were purchased by Lopez on October 8, 2020 at Pilot Travel Centers truck stop located at 3400 Service Loop Road, West Memphis, Arkansas while he was in route to Dallas, Texas.



(Photo taken January 11, 2021 inside 1285 Sweet Home Road, Cumberland Furnace, Tennessee)



Your Affiant knows that after the Smith and Wesson Model 4506 .45 caliber handgun bearing serial number VAS0598 was brought back to Dallas, agents used the

National Integrated Ballistic Information Network (NIBIN) to confirm that the firearm found inside Lopez's residence on January 11, 2021 was the murder weapon used to kill James Faith on October 9, 2020. Your Affiant has also reviewed the ATF Firearms Trace Summary of the murder weapon and it reveals that the Smith and Wesson Model 4506 .45 caliber handgun bearing serial number VAS0598 was traced to a foreign firearms dealer (ETS. JACQUES NICOLAY 64 Chaussee De Chatelet 64, Gilly B-6060 Belgium).

On or about January 22, 2021, Darrin Ruben Lopez was charged in the Northern District of Texas by criminal complaint with violating 18 U.S.C. §924(b) (transporting a firearm in interstate or foreign commerce with the intent to commit a felony offense (murder)). Lopez was extradited from Tennessee to Dallas, Texas on Friday, February 5, 2021 on the Dallas County murder warrant. He is currently in the custody of the Dallas County Sherriff's Office.

Jennifer Faith's Text Messages

As noted, Detective Walton took possession of Jennifer Faith's cell phone (cell number 602-531-4240) on October 9, 2020 following the murder of James Faith. A review of the contents of that cell phone revealed that she was involved in an "emotional affair" with Darrin Lopez and that most of the text messages sent and received as of October 9, 2020 between Jennifer Faith's cell phone and Darrin Lopez's cell phone had been deleted prior to the cell phone being given to Detective Walton.

On January 11, 2021, an interview was scheduled with Jennifer Faith at Dallas Police Department Headquarters. The meeting was scheduled to take place on the same

day that ATF agents were executing search warrants and arresting Darrin Lopez in Cumberland Furnace, Tennessee. Present at the interview was Detective Walton and ATF Special Agent Paul Williams. An Assistant United States Attorney watched a live feed of the interview over a television in a separate area of the office. During the meeting, after being asked about Darrin Lopez by Detective Walton, Jennifer Faith acknowledged that she communicated with Lopez daily on his cell phone with her cell phone. However, she denied any inappropriate or intimate relationship with Lopez.

As noted, on January 11, 2021, Darrin Lopez's Samsung Galaxy cell phone (cell number 615-630-3046) was recovered by ATF agents from the Toyota Scion that he was traveling in at the time of his arrest. The cell phone was brought back to the Northern District of Texas and a federal search warrant was obtained authorizing a search of the phone on January 14, 2021. On or about January 21, 2021, agents with the Department of Homeland Security (HSI) Dallas Forensics utilized a Cellebrite Physical Analyzer to process and analyze the cell phone.

Numerous incoming and outgoing text messages between Jennifer Faith's cell phone and Lopez's cell phone were extracted. Included in those text exchanges were conversations related to deleting old text messages between Jennifer Faith and Darrin Lopez. For example, on November 30, 2020, the following text message exchange took place:

6:00 P.M. – Darrin Lopez to Jennifer Faith: “Ok reset my phone deleted old texts...I would erase and they would pop back up. Looks like they are erased now, not sure what is going on.”

7:13 PM – Jennifer Faith to Darrin Lopez: “Big smile over here at that”

Many of the text messages recovered on Lopez's cell phone related to Jennifer Faith's ongoing "emotional affair" with Darrin Lopez. For example, on November 30, 2020, the following text exchange occurred between Jennifer Faith's cell phone and Darrin Lopez's cell phone:

7:15 P.M. – Darrin Lopez to Jennifer Faith: *"Ooooo I so NEED TO FILL YOU WITH HOT CUM"*

7:15 PM – Jennifer Faith to Darrin Lopez: *"Oh god YES"*

(12/2/2020) 12:01 AM -- Jennifer Faith to Darrin Lopez: *"I am so in love with you"*

(12/15/2020) 6:03 AM -- Jennifer Faith to Darrin Lopez: *"I truly can't be without you at this point"*

Other text messages recovered relate to the ongoing criminal investigation into James Faith's murder. For example, on December 3, 2020, the following text exchange occurred between Jennifer Faith's cell phone and Darrin Lopez's cell phone regarding what should be said to detectives about Jennifer Faith's relationship with her husband prior to his death:

9:28 PM – Jennifer Faith to Darrin Lopez: *"If for some reason the detective ever questioned you and asked you about my relationship with Jamie [James Faith], you would tell them it was good as far as you know, right?"*

9:29 PM – Jennifer Faith to Darrin Lopez: *"Just want to make sure you would never say anything that would stick out"*

9:29 PM --- Darrin Lopez to Jennifer Faith: *"Exactly...nope won't say anything contrary to that"*

9:29 PM --- Jennifer Faith to Darrin Lopez: *"Cool"*

Additional text messages recovered from Darrin Lopez's cell phone relate to online news articles and internet posts that discussed the James Faith murder

investigation. For example, on December 29, 2020 the following text exchange occurred between Jennifer Faith's cell phone and Darrin Lopez's cell phone:

11:18 PM – Jennifer Faith to Darrin Lopez: “Did you read through any of that stupid “Websleuths” thread I sent you”

11:18 PM --- Darrin Lopez to Jennifer Faith: “I should have never read it”

Your Affiant knows that “Websleuths” is an internet community that focuses on unsolved crimes and missing persons. Registered users discuss information related to the cases and they try to solve them. The thread Jennifer Faith is referencing in the text is a forum that specifically posts about James Faith's murder.

The HSI extraction of Darrin Lopez's cell phone also revealed that text message communications occurred between Jennifer Faith and Darrin Lopez regarding specific evidence that had been made public in the James Faith murder investigation by the media --- specifically the truck used by James Faith's killer that had a distinctive “T” sticker on the back window. On December 3, 2020, the following text message exchange occurred between Darrin Lopez's cell phone and Jennifer Faith's cell phone:

2:56 PM – Jennifer Faith to Darrin Lopez: “So, I woke up in a little bit of a panic.....something is eating away at me telling me you need to take the sticker out of the back window of the truck”

2:57 PM – Jennifer Faith to Darrin Lopez: “It might just be me over thinking or something, but I'll fee[l] a ton better if you take it off and clean the window really well”

3:20 PM – Darrin Lopez to Jennifer Faith: “Good morning Angel....i love you”

3:25 PM – Darrin Lopez to Jennifer Faith: “I have been working on that sticker a little at a time when the truck is here. Trying to get it off looking like it is wearing off. Mac [Lopez's daughter] gave me the sticker so I don't want to just take it off all at once the girls would notice that. But I have been working on it.

3:30 PM – Jennifer Faith to Darrin Lopez: *“Oh ok good. Thank you”*

Your Affiant knows that this conversation took place the day after Jennifer Faith was interviewed by WFAA in Dallas, Texas and made a specific reference to the “T” sticker on the shooter’s truck (*See Page 17*).

The following day, December 4, 2020, the following text message exchange occurred between Darrin Lopez’s cell phone and Jennifer Faith’s cell phone about the removal of the “T” sticker on Darrin Lopez’s truck:

3:53 PM – Jennifer Faith to Darrin Lopez: *“I don’t normally over react like this”*

3:53 PM – Jennifer Faith to Darrin Lopez: *“So, when I feel this way, I listen”*

3:54 PM – Jennifer Faith to Darrin Lopez: *“Ok. Sorry. I know you’re going to think I am crazy, but it’s REALLY nagging at me. I have a bad feeling and I really think you need to get that sticker off ASAP.... like today”*

3:54 PM – Darrin Lopez to Jennifer Faith: *“I believe you...I love you...I will”*

Your Affiant knows that the “sticker” Jennifer Faith is requesting that Lopez remove from his truck is the “T” decal on the back drivers-side window of Lopez’s 2004 Nissan Titan pickup truck that was identified by witnesses on the day of the murder. A photo of the truck with the “T” on the back window was taken on the day of the murder as Lopez fled the scene following the murder of James Faith and this photo was released to the public by the Dallas Police Department shortly after the murder (*See page 4*).

On December 6, 2020, Darrin Lopez cell phone sent a text message to Jennifer Faith’s cell phone advising her that the “T” sticker had been removed as she had requested:

Darrin Lopez to Jennifer Faith: *“Sticker done”*

12:06 PM – Jennifer Faith to Darrin Lopez: *“Oh YAY!!!”*

12:07 PM – Jennifer Faith to Darrin Lopez: *“Thank you!!”*

8:05 PM – Jennifer Faith to Darrin Lopez: *“I feel SOOOOO much better”*

8:06 PM – Darrin Lopez to Jennifer Faith: *“Good”*

8:06 PM – Jennifer Faith to Darrin Lopez: *“Can you tell if anything was ever there”*

8:06 PM – Jennifer Faith to Darrin Lopez: *“?”*

8:07 PM – Darrin Lopez to Jennifer Faith: *“A little if you look close but i[n] 2 days...no you wont...with the dirt from the road it will be all fine”*

As noted, ATF agents observed that the “T” sticker had been removed from Darrin Lopez’s 2004 Nissan Titan pickup truck as of December 8, 2020. After Lopez’s arrest on January 11, 2021, a close inspection of the back window of Lopez’s truck revealed an outline of where the “T” decal used to be prior to Jennifer Faith instructing Darrin Lopez to remove it.

The extraction of Darrin Lopez’s cell phone also revealed that text message communications had occurred between Jennifer Faith and Darrin Lopez regarding the payout of life insurance proceeds. For example, on December 29, 2020, Jennifer Faith and Darrin Lopez discussed via text message the status of when Jennifer Faith might receive the insurance proceeds:

11:13 PM – Jennifer Faith to Darrin Lopez: *“Ok, so life insurance”*

11:14 PM – Jennifer Faith to Darrin Lopez: *“They aren’t processing the claim yet because when they spoke with Detective Walton in November, he told them I couldn’t be ruled out as a suspect”*

11:14 PM – Jennifer Faith to Darrin Lopez: *“So I called him”*

11:14 PM – Jennifer Faith to Darrin Lopez: *“And basically said “wtf?”*”

11:14 PM – Jennifer Faith to Darrin Lopez: *“He said, “oh – no- they must have misinterpreted”*”

11:15 PM – Darrin Lopez to Jennifer Faith: *“Oh no”*

11:15 PM – Jennifer Faith to Darrin Lopez: *“He said they want to know details of the case and he can’t give them details of the case, so they must have taken that as not being able to rule me out”*

11:15 PM – Jennifer Faith to Darrin Lopez: *“which, he’s full of crap, but whatever”*

11:15 PM – Jennifer Faith to Darrin Lopez: *“I said, well, I am not working, so I need this claim paid. What can we do”*

11:16 PM – Darrin Lopez to Jennifer Faith: *“Hmm so now what”*

11:16 PM – Jennifer Faith to Darrin Lopez: *“He said he would call them on Monday and “see what he can do to help me out”*

11:16 PM – Darrin Lopez to Jennifer Faith: *“Ok... he better”*

11:16 PM – Jennifer Faith to Darrin Lopez: *“I asked him about updates and got the same response of “we’re working on everything”*

On January 5, 2021 the following text message exchange took place between

Jennifer Faith’s cell phone and Darrin Lopez’s cell phone:

1:13 AM – Jennifer Faith to Darrin Lopez: *“I started thinking.....if life insurance doesn’t pay out before I start to run out of money, I can always tell people that I am going to move in with you to help with the girls in exchange for room and board.....”*

1:14 AM – Darrin Lopez to Jennifer Faith: *“Oh, GREAT idea”*

5:02 AM – Jennifer Faith to Darrin Lopez: *“I love you so much”*

Your Affiant knows that on Sunday, January 10, 2021, the day before the search warrants and arrest warrant were executed in the Middle District of Tennessee, Detective

Walton called Jennifer Faith and asked her to come to Dallas Police Department Headquarters the following day to be interviewed. The timing of the meeting was scheduled to coincide with the arrest of Darrin Lopez in Tennessee. Following the January 10th call with Detective Walton, the following text message exchange occurred between Jennifer Faith's cell phone and Darrin Lopez's cell phone:

5:50 PM – Jennifer Faith to Darrin Lopez: *“Detective called. He wants me in for an “interview” tomorrow or Tuesday”*

5:50 PM – Jennifer Faith to Darrin Lopez: *“He said he wants to go over the investigation and go through some things to “start moving things forward”*

5:50 PM – Darrin Lopez to Jennifer Faith: *“Hmm ok...he give you a time?”*

5:51 PM – Jennifer Faith to Darrin Lopez: *“He didn't”*

Nine minutes later, Jennifer Faith sent a text message to Darrin Lopez instructing him not to text her the following day (January 11th the day of the police interview) because she planned on wiping down her phone and deleting all text messages.

6:00 PM – Jennifer Faith to Darrin Lopez: *“Don't text me Monday. I am going to factory reset my phone on Sunday night after deleting texts”*

6:15 PM – Jennifer Faith to Darrin Lopez: *“If asked about you, you are an old friend going through a divorce. We talk every night because I am helping/giving support with the girls since you have sole custody. If it ever comes to it, I'll answer the same way about financial also.....divorce killing you financially, so I am helping out where I can”*

6:15 PM – Jennifer Faith to Darrin Lopez: *“Just so you and I have the same explanations”*

6:15 PM – Jennifer Faith to Darrin Lopez: *“We can talk after kids go to bed”*

6:15 PM – Darrin Lopez to Jennifer Faith: *“Good idea...I like it”*

6:15 PM – Jennifer Faith to Darrin Lopez: *“Just thinking in case they [law enforcement] pulled phone records and ask”*

Your Affiant knows that during Jennifer Faith's interview on January 11, 2021 at Dallas Police Headquarters, she lied and followed the script with investigators that she advised Lopez one day earlier that she was going to follow. When asked to describe her relationship with Lopez, Jennifer Faith advised they were just old friends and that Lopez was going through a difficult divorce. When asked to describe the relationship she had with her husband prior to his death she advised they were very happy and had just celebrated being together for 15 years. When asked if she had ever provided money or any financial benefit to Lopez, she responded that she had because Lopez's pending divorce had caused financial hardships on Lopez and his family.

Following the interview, Dallas police investigators downloaded the contents of Jennifer Faith's cell phone and learned that the text messages that were recovered from Lopez's cell phone on January 21, 2021 to and from Jennifer Faith's cell phone (referenced above) had been deleted from Jennifer Faith's cell phone. Your Affiant believes that Jennifer Faith, in preparation for her meeting with Detective Walton and ATF Special Agent Williams on January 11, 2021, did what she told Lopez she was going to do --- *"I am going to factory reset my phone on Sunday night after deleting texts."*

As a result of evidence gathered during this investigation, your Affiant knows that Jennifer Faith's persona in private was very different from the grieving widow she portrayed in public through the media. The recovery of the text messages from Lopez's cell phone proves that on December 2, 2020, the day Jennifer Faith was interviewed by WFAA and requested the public's help locating the truck that had a "T" sticker on the

back window, she knew that the individual that she was having an “emotional affair” with was the person that law enforcement agents were looking for. Shortly after that interview, to protect Darrin Lopez, her husband’s killer, Jennifer Faith instigated the destruction of critically important evidence by asking Lopez via text message to remove the “T” sticker from his truck. Lopez complied and did remove the sticker as Jennifer Faith instructed. On two occasions, both before her husband’s murder and after, Jennifer Faith took steps to destroy text messages so that law enforcement agents could not review them. Jennifer Faith’s conduct was a calculated attempt to obstruct the criminal investigation into the murder of her husband and her actions substantially interfered with the administration of justice.

Based on a review of the evidence in this investigation, your Affiant believes that Jennifer Faith has made repeated attempts to corruptly obstruct justice and impede the state and federal investigations into the death of her husband, James Faith. Jennifer Faith has instructed her husband’s killer, a man she was having an “emotional affair” with, to destroy key evidence in the case that implicates him in James Faith’s murder. She has coached her husband’s killer on how to respond to questions that might be posed by investigators and she has intentionally altered or destroyed the contents of her cell phone so that potentially incriminating evidence cannot not be reviewed by law enforcement agents or prosecutors.

CONCLUSION

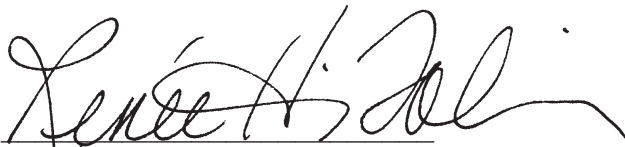
Based on the contents of this affidavit, your Affiant believes there is probable cause to believe that **Jennifer Lynne Faith** did knowingly alter, destroy, conceal, and

cover up the contents of a tangible object, to-wit: a cellular telephone bearing cell number 602-531-4240, with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any agency of the United States in violation of 18 U.S.C. §1519.

Eric Barnes

Eric Barnes, TFO ATF

Via reliable electronic means, as authorized by Fed. R. Crim. P. 4.1, on February 22, 2021, the agent confirmed under oath the validity of his facsimile signature, his knowledge of the contents herein, and the veracity of the same.



RENEE HARRIS TOLIVER
United States Magistrate Judge