

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

FILED ASHEVILLE, N.C. JUN 20 2016 U.S. DISTRICT COURT W. DIST. OF N.C.

United States of America )

v. )

Shira Elizabeth Mattocks, )  
a/k/a/ Shira Elizabeth Raman )

Case No. 1:16-mj-71

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 some time after Nov 14, 2014 in the county of Swain in the Western District of North Carolina, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. 1204	International Parental Kidnapping--J.O.
" "	International Parental Kidnapping--S.O.
" "	International Parental Kidnapping--E.M.

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

*James A. Anderson*  
Complainant's signature

James A. Anderson, Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: June 20, 2016

*Dennis L. Howell*  
Judge's signature

City and state: Asheville, North Carolina

Dennis L. Howell, United States Magistrate Judge

Printed name and title

*Western District of North Carolina*

**AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT**

FILED  
ASHEVILLE, N.C.  
JUN 20 2016  
U.S. DISTRICT COURT  
W. DIST. OF N.C.

I, James A. Anderson, being duly sworn, do hereby state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed since July 20, 1997. I am currently assigned to the Asheville Resident Agency of the Charlotte field office.

2. As a Special Agent, I am a law enforcement officer of the United States as defined by Section 2510(7) of Title 18, United States Code (U.S.C.), that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for offenses enumerated in Section 2516 of Title 18, U.S.C. As a Special Agent, I have conducted and participated in a variety of criminal and national security investigations, including investigations associated with counterterrorism, murder, bank robberies, fugitives, financial crimes, computer crimes, as well as other violent criminal acts.

3. This Affidavit is being submitted in support of a criminal complaint and an arrest warrant for **Shira Elizabeth Mattocks (Shira)**, also known as (aka) **Shira Elizabeth Raman**, for the violation of Title 18, United States Code (U.S.C.), Section 1204, i.e., International Parental Kidnapping Crime Act of 1993.

4. I am aware of information contained in this Affidavit through direct participation in this investigation and information provided to me by other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and

arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts I believe are necessary to support the issuance of a criminal complaint and an arrest warrant.

### **FACTS SUPPORTING PROBABLE CAUSE**

5. On August 29, 2014, Jonathan Reed Mattocks (Jonathan), of Clinton, North Carolina (NC), reported to the Cherokee Indian Police Department (CIPD) that his former wife, **Shira**, had been routinely preventing him from seeing their newborn child, E.M. Jonathan advised that he had been involved in an ongoing child custody dispute with **Shira**.

6. On November 20, 2014, Donald James Owle (Donald), of Bryson City, NC, reported to the FBI and CIPD that his former girlfriend, **Shira**, had failed to comply with their shared custody agreement wherein a court order from the Eastern Band of the Cherokee Indians (EBCI) had stipulated they share custody of their two children, J.O. and S.O. Owle claimed that on November 14, 2014, in accordance with their custody agreement, he (Donald) and his current wife Alissa Owle (Alissa), dropped off J.O. and S.O. to their grandmother, Teresa Arneach Arreaga (Teresa), aka Teresa Lovins, of Cherokee, NC. That was the last time Donald ever saw his children. In accordance with the custody agreement, they were supposed to retrieve the J.O. and S.O. the upcoming Sunday (November 16, 2014); but neither Teresa nor **Shira** showed-up.

7. The initial complaint on November 20, 2014, by Donald and Alissa consisted of a report about J.O. and S.O., but they also claimed that **Shira** and Teresa had also taken Jonathan's child – E.M. Regarding their shared efforts to see their children, Jonathan and Donald have since become friends and have routinely communicated since their initial reports to the CIPD.

8. In response to the aforementioned complaints by Donald and Jonathan, on November 20, 2014, CIPD officers initiated an investigation. Since then, CIPD officers attempted to make contact with **Shira** and her family to determine the whereabouts and welfare of J.O., S.O., and E.M. The CIPD investigation determined that as part of the ongoing civil child custody case, Donald and his civil attorney had prepared to serve **Shira** a court order, signed by a EBCI tribal judge, requiring **Shira** to make J.O. and S.O. available to Donald. Efforts by CIPD officers as well as civil agents failed to locate **Shira**; so, the court order was never delivered. Follow-up civil legal processes eventually prepared an emergency court order awarding Donald full custody of J.O. and S.O., while taking away **Shira's** custodial rights. As **Shira** was still unable to be found, the court order was not served and therefore not legally binding for a period of time. However, it was later determined that the court order was "served via publication" in the local Cherokee newspaper.

9. Since the initiation of the CIPD case, officers have made contact with various family members of **Shira** in Western North Carolina in an effort to determine the whereabouts of **Shira** and the missing children. According to CIPD Detectives, those family members indicated they knew where **Shira** and the missing children were, but they (family members) were confrontational and not helpful. The CIPD investigation began to yield indicators that **Shira** and Teresa fled the United States (U.S.) to Mexico in an effort to evade **Shira's** child custody responsibilities and avoid contact with law enforcement officers.

10. Donald and Jonathan both have expressed great concern to CIPD investigators about their children being unlawfully taken and cared for by **Shira** – who they described as an unstable person who suffers from an ongoing drug abuse problem. Donald and Jonathan, along with their civil attorneys, facilitated the filing of official tribal charges against **Shira** – for her

efforts to obstruct them from exercising their lawful parental rights and for unlawfully removing their children from the United States. Related tribal charges were filed against Teresa for her assistance to **Shira**.

11. On May 27, 2015, CIPD officers located and arrested Teresa at **Shira's** residence in Cherokee. Teresa was charged with numerous "aiding and abetting" and "conspiracy" charges related to the child custody case and the missing children. Ultimately, in 2016, all of the charges against Teresa were "dismissed with leave" pending the "ability to revert" and file again upon **Shira's** arrest and/or additional evidence. Nevertheless, upon Teresa's arrest, her (Teresa's) cellular telephone was seized by CIPD officers. A tribal search warrant was obtained and certain data was exploited from the phone which further validated CIPD officers' belief that **Shira** had fled to Mexico. According to CIPD Detectives who reviewed the phone, there were text messages reflecting communications via a phone number which appeared to be a number from Mexico. The text messages indicated **Shira** was near Tamazula, Mexico.

13. In June 2015, CIPD officers requested the assistance of the FBI in locating **Shira** and the missing children. Pursuant to that request, on July 2, 2015, the Asheville office of the FBI initiated an international parental kidnapping case.

14. On September 16, 2015, Affiant interviewed Donald Owle regarding his missing children, J.O. and S.O., and his relationship with their mother **Shira**. Donald reaffirmed the information that he previously provided to the FBI on November 20, 2014, regarding **Shira** and her efforts to unlawfully keep him from seeing J.O. and S.O. Donald reaffirmed his strong belief that **Shira** has been deemed to be an irresponsible and dangerous mother as she has had a history of drug abuse. Donald stated that **Shira** has claimed that both Donald and Jonathan had

physically abused her during their relationships. Donald denied ever hitting **Shira** or physically abusing her in anyway. Based on conversations with CIPD officers, Donald believes **Shira** fled to Mexico and is hiding there with the children. Donald believes **Shira** is being supported by various members of her family living in the Cherokee area.

16. On October 6, 2015, a Charlotte Division FBI Special Agent interviewed Jonathan Mattocks (Jonathan), **Shira's** ex-husband, at his residence in Clinton, NC. Jonathan advised that in July 2014, **Shira** was struggling with an addiction to opiate pain killers which had been going on for months. At that time, **Shira** was pregnant with Jonathan's baby. The baby, E.M., was born on August 24, 2014. As **Shira's** struggle with the pain killers continued, she and Jonathan parted ways. Jonathan obtained an emergency court order from the EBCI tribal court which granted him (Jonathan) full custody of E.M. However, the police were never able to serve the court order as **Shira** was unable to be found. As a result, the court order was eventually "served through publication" in the local newspaper in Cherokee.

17. Jonathan is aware that Teresa's ex-husband is a man by the name Jose Luis Arias (Arias) who is originally from Mexico. Jonathan believes Arias' family has been involved in hiding and supporting **Shira**. Jonathan explained that Arias' daughter, Lusita Arreaga (Lusita), who lives in Guadalajara, Mexico, is one of Arias' family members who has been helping **Shira** and supporting her there.

18. On October 29, 2015, Affiant interviewed Laura Jane Smith (Smith), a resident of Cherokee. Smith advised that she dated Jose Arias during recent years. Smith advised that **Shira's** mother Teresa used to be married to Arias. While getting to know Arias, Smith learned about the ongoing child custody dispute and marital problems that existed between **Shira** and her

ex-partners, Donald and Jonathan. Smith also stated that Arias' daughter, Lusita Arreaga, who currently lives in Mexico, may have also been helping **Shira**. Smith provided some helpful identifying and contact data relevant to her (Lusita) and Maria, including their address in Mexico – Revolucion N:19, CP 49650, Soyatlán de Afuera, Tamazula, Jalisco, Mexico.

19. On October 29, 2015, Affiant interviewed Maria Arias Negrete (Maria), Jose Arias' mother. Maria was temporarily visiting Arias in Cherokee. Maria was visiting Arias from Mexico where she lives. Maria confirmed that Arias used to be married to **Shira's** mother – Teresa. After they parted ways, Arias began dating a woman by the name Janie Smith, later determined to be Laura Jane Smith. At some point around the middle of 2015, Maria stated that she (Maria) learned from Arias that **Shira** had entered Mexico from the U.S. in an effort to get away from her ex-husbands. At some point, around the middle of 2015, Maria personally observed **Shira** and her three children temporarily residing in the area of Maria's home residence – Revolucion N:19, CP 49650, Soyatlán de Afuera, Tamazula, Jalisco, Mexico. While there, **Shira** was living with Maria's grandson, David Villa Rivera (Rivera), with whom **Shira** had developed some type of intimate relationship. Rivera was also born and raised in Mexico.

20. Maria recalled that **Shira** was temporarily staying with various family members near her (Maria's) home for several months. Maria stated that at some time during mid to late 2015, **Shira** and David fled that area too – as a result of one of **Shira's** husbands finding out they were hiding in Mexico. Maria believed Shira fled with the kids to another small town somewhere in Mexico.

22. On 10/30/2015, Affiant interviewed Jose Luis Arreaga Arias (Arias), a resident of Cherokee. Arias advised that he is the son of Maria Negrete. Arias married **Shira's** mother,

Teresa, in 2000. They divorced in 2008. As a result of Arias' relationship with Teresa, Arias became familiar with the family ordeal that stemmed from the child custody dispute between **Shira** and Donald. During the interview, Arias acknowledged there to be a good possibility **Shira** is currently in Mexico with David Rivera. Rivera is Arias' nephew; and Maria's grandson. Although not familiar with the details, Arias heard rumors that **Shira** and Rivera were intimately involved, and that they had been living together in Mexico. Although not certain, Arias acknowledged there to be a good possibility that Rivera, and other members of Arias' family in Mexico, are aiding **Shira**. Arias admitted that he had heard at some time in the 2014 and 2015, **Shira** had spent a small amount of time with his (Arias') family in the vicinity of Arias' mother's home – Revolucion N:19, CP 49650, Soyatlan.

24. On March 11, 2016, a Confidential Human Source (CHS) operated out of the Guadalajara Legal Attaché (LEGAT), conducted an investigation in Tamazula de Gordiano, Jalisco, Mexico. The CHS performed a variety of investigative techniques and corroborated information provided by Maria Negrete on October 29, 2015, regarding her (Maria's) residential address in Soyatlán de Afuera, Tamazula, Jalisco, Mexico. The CHS went to the civil registry office in the area and acquired a birth certificate and other identifying information for David Villa Rivera. The CHS learned Rivera's mother and father, as well as other family members, are also from Soyatlán de Afuera. The CHS located Maria's home which was located near Rivera's parents' home. The CHS conducted surveillance at both locations but did not observe **Shira** or the kids anywhere in the vicinity.

25. The following day (March 12, 2016), the CHS spoke with Maria Negrete (who had returned to Mexico from Cherokee) who stated that Rivera is her grandson and that he had some problems because he got together with a woman (**Shira**) that was wanted by the U.S.



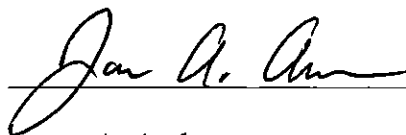
government. Maria advised the CHS that she believed Rivera was in the area and that his parents may be trying to protect him. On May 13, 2016, CHS was able to glean from some other family members of Rivera that they knew Rivera was wanted by authorities, but they did not know the reasons. A neighbor of the family claimed that Rivera's family members had been instructed not to say anything about Rivera. That neighbor stated that Rivera lives somewhere in Tamazula and that he goes sporadically to his parents' house but that nobody knows for sure when he comes and goes.

26. On January 13, 2016, Affiant obtained a copy of an "Order for Arrest" for **Shira Elizabeth Mattocks** from the EBCI – The Cherokee Court, signed by a tribal Magistrate, dated November 25, 2014. The "Statement of Charges" cite "Failure to obey lawful order of the court" – date of offense November 16 – November 20, 2014.

### CONCLUSION

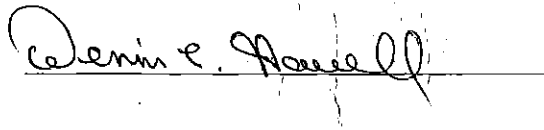
27. Based on my previous investigative experience and the above information, I submit there is probable cause that **Shira Elizabeth Mattocks** violated Title 18, U.S.C., Section 1204, i.e., International Parental Kidnapping Crime Act of 1993 – at some point after November 14, 2014, when she fled to Mexico from the U.S. in an effort to evade her child custody responsibilities.

FURTHER AFFIANT SAYETH NOT.



James A. Anderson  
Special Agent  
Federal Bureau of Investigation

SUBSCRIBED and SWORN before me on June 20, 2016.

A handwritten signature in cursive script, reading "Dennis L. Howell", is written over a horizontal line.

Dennis L. Howell  
United States Magistrate Judge  
Western District of North Carolina