

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIFFANY JANIS,

Defendant.

5:18-mj-20
Filed Under Seal

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CRIMINAL
COMPLAINT AND ARREST
WARRANT

I, Matt Weber, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and am assigned to the Rapid City Resident Agency, Rapid City, South Dakota. I have approximately eight years of law enforcement experience with the FBI as a Special Agent. During that time, I have investigated federal crimes occurring within Indian country, including violations of 18 U.S.C. §§ 1153 and 1111(a), Second Degree Murder.

2. The facts set forth in this affidavit are based on my personal knowledge, knowledge obtained from other individuals, including other law enforcement officers, interviews of persons with knowledge, my review of documents, interview reports and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. This affidavit contains information necessary to support probable

cause for this application and does not contain every material fact that I have learned during the course of this investigation; however, no information known to me that would tend to negate probable cause has been withheld from this affidavit.

PROBABLE CAUSE

3. Shortly after 4:00 a.m. Tiffany Janis (Tiffany) called Oglala Sioux Tribe Department of Public Safety reporting that she shot her husband, Brian Garrett (Garrett).

4. Law enforcement arrived on scene and observed Garrett with one gunshot wound to his upper left nipple. Garrett was transported to the Kyle Clinic, in Kyle, South Dakota. Garrett passed away shortly thereafter.

5. At the time tribal law enforcement officers arrived on scene, they observed two minor children, an adult female named Emily Janis and Tiffany. Tiffany and Emily are cousins. Emily and Tiffany were arrested for intoxication and transported to the Medicine Root Detention Center in Kyle. Among other charges, Tiffany was arrested for domestic violence.

6. At approximately 8:30 a.m. Federal Bureau of Investigation Special Agent Matt Weber and Bureau of Indian Affairs Molanna Clifford interviewed Tiffany after she waived her rights.

7. Tiffany told agents that she was kicked out of the house by Garrett and that she went outside, started her truck and retrieved her gun. Tiffany stated

that she started to ask herself, "why should I leave?" Tiffany grabbed her gun that was located inside the truck, chambered a round and attempted to enter the house.

8. Tiffany told agents that the front door was locked so she went around the back door of the house. Tiffany told agents that the back door was unlocked, so she entered. Tiffany observed Emily and Garrett on a mattress having sex.

9. Tiffany told agents that Garrett got up and asked her why she was still in the home. Tiffany told agents that Garrett walked towards her and Tiffany fell to the floor. Tiffany told agents that she believed Garrett saw the gun and Garrett told Tiffany, "oh, Tiff, no!" Tiffany then fired one round at Garrett.

10. Tiffany told agents that she reported it to the police and performed CPR on Garrett.

11. Emily was interviewed by SA Weber and SA Clifford after Tiffany was interviewed. During her first interview, Emily eventually told agents that she observed Tiffany and Garrett fighting in the living room and that she went to the bathroom and that when she came back, she observed Garrett on the floor and he was dead. During her second interview, Emily told SA Weber that she and Garrett were having sex when Tiffany came in the back door.

12. Tiffany was interviewed a second time by SA Weber and SA Clifford in Pine Ridge at the Adult Offenders Facility on February 12, 2018.

13. Tiffany admitted that there was an ongoing sexual history between

herself, Emily and Garrett. Tiffany stated that there was an argument between her and Garrett and that she was pushed out of the house.

14. Tiffany advised your affiant that after she was pushed out of the home she got in her truck, started it up and backed out. Tiffany advised your affiant that while she was in the truck, she decided that she was going to shoot Garrett. Tiffany went to the back door, opened it and then shut it. Tiffany told agents she had "second thoughts." Tiffany decided to enter the home and observed Garrett and Emily having sex. Garrett got up and confronted Tiffany. Tiffany told agents that Garrett "roughed her up" by "squeezing" her arms. Tiffany then retrieved her gun from her coat pocket and shot Garrett once in the chest.

15. Tiffany is an enrolled member of the Oglala Sioux Tribe. The offense occurred within the exterior boundaries of the Pine Ridge Reservation.

REQUEST FOR SEALING

16. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be permanently sealed in that the search warrant is part of an ongoing criminal investigation. Accordingly, there is good cause to seal these documents because their disclosure may seriously jeopardize the investigation.

CONCLUSION

17. Your affiant believes there is probable cause to arrest Tiffany Janis for the charge of Second Degree Murder, in violation of 18 U.S.C. §§ 1111(a) and 1153.

Dated: 2/12/2018



Matt Weber
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN via video conferencing on February 12, 2018.



Daneta Wollmann
United States Magistrate Court Judge
District of South Dakota