

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED

Mar 23 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES OF AMERICA,
V.

- (1) JESSIE ALEXANDER RUSH,
a/k/a "Grizzly Actual,"
(2) ROBERT JESUS BLANCAS,
a/k/a "MuskOx," a/k/a "Orgotloth,"
(3) SIMON SAGE YBARRA,
a/k/a "Shepard," and
(4) KENNY MATTHEW MIKSCH,
a/k/a "Senpai," a/k/a "Not ATF,"

DEFENDANT(S).

CR 21-0121 JD

INDICTMENT

18 U.S.C. § 1512(k) – Conspiracy to Destroy Records in Official Proceedings;
18 U.S.C. § 1512(c)(1) – Destruction of Records in Official Proceedings;
18 U.S.C. § 1512(c)(2) – Obstruction of Official Proceedings

A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 23rd day of March 2021

Melinda K. Lock



Clerk

Sallie Kim

Bail, \$ _____ No Process as to Blancas;
No-Bail Warrants for other defendants

Magistrate Judge Sallie Kim

1 STEPHANIE M. HINDS (CABN 154284)
Acting United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11	UNITED STATES OF AMERICA,)	CASE NO. CR 21-0121 JD
12	Plaintiff,)	<u>VIOLATIONS:</u>
13	v.)	18 U.S.C. § 1512(k) – Conspiracy to Destroy
14	(1) JESSIE ALEXANDER RUSH,)	Records in Official Proceedings;
	a/k/a “Grizzly Actual”,)	18 U.S.C. § 1512(c)(1) – Destruction of Records in
15	(2) ROBERT JESUS BLANCAS,)	Official Proceedings;
	a/k/a “MuskOx”,)	18 U.S.C. § 1512(c)(2) – Obstruction of Official
16	a/k/a “Orgotloth”,)	Proceedings
17	(3) SIMON SAGE YBARRA,)	SAN FRANCISCO VENUE
	a/k/a “Shepard”, and)	
18	(4) KENNY MATTHEW MIKSCH,)	
	a/k/a “Senpai”,)	
19	a/k/a “Not ATF”,)	
20	Defendants.)	

21 INDICTMENT

22 The Grand Jury charges:

23 Introductory Allegations

24 At all times relevant to this Indictment, except where otherwise stated:

25 1. The “1st Detachment, 1st California Grizzly Scouts” (hereafter “Grizzly Scouts”) was a
26 militia group based in Northern California.

27 2. Defendant Jessie Alexander RUSH, a/k/a “Grizzly Actual,” was a resident of Turlock,
28 California in Stanislaus County. In or about March or April 2020, RUSH founded the Grizzly Scouts.

INDICTMENT

1 As “Commanding Officer” of the Grizzly Scouts, he held the rank of “Major.”

2 3. Defendant Robert Jesus BLANCAS, a/k/a “MuskOx,” a/k/a “Orgotloth,” was a transient
3 resident of Castro Valley, California in Alameda County, the City and County of San Francisco, and
4 elsewhere in the San Francisco Bay Area. He held the rank of “1st Lieutenant” in the Grizzly Scouts
5 and his responsibilities included security and intelligence.

6 4. Defendant Simon Sage YBARRA, a/k/a “Shepard,” was a resident of Los Gatos,
7 California in Santa Clara County. He held the rank of “Corporal” in the Grizzly Scouts and his
8 responsibilities included recruitment.

9 5. Defendant Kenny Matthew MIKSCH, a/k/a “Senpai,” a/k/a “Not ATF,” was a resident of
10 San Lorenzo, California in Alameda County. He held the rank of “1st Lieutenant” in the Grizzly Scouts
11 and his responsibilities included training and firearms instruction for the group.

12 6. Steven Carrillo, a/k/a “Armadillo,” a/k/a “Dillo,” was a resident of Ben Lomond,
13 California in Santa Cruz County. He was a member of the Grizzly Scouts and held the rank of “Staff
14 Sergeant.”

15 7. WhatsApp was a communications application that allowed users to send text messages,
16 photos, audio and video files and internet links to each other, and which also allowed users to form
17 groups. Facebook was a social networking platform that allowed users to, among other things, join one
18 or more networks to connect and interact with other people, post messages for their contacts to see, and
19 update their personal profile to notify contacts about themselves.

20 8. Between dates unknown to the Grand Jury, but at least as early as on or about April 4,
21 2020 and through at least June 6, 2020, RUSH, BLANCAS, YBARRA, MIKSCH, and other members
22 of the Grizzly Scouts connected via a Facebook group named “/K/alifornia Kommando,” periodically
23 met in person for firearms training and other purposes, and discussed committing acts of violence
24 against law enforcement using WhatsApp and other messaging applications. The Facebook group’s
25 description stated, “they say the west won’t boog,” and that “were [sic] here to gather like minded
26 Californians who can network and establish local goon squads.” The term “boog” was a shortened
27 reference to the so-called “boogaloo” movement. “Boogaloo” is a term sometimes used by certain
28 militia extremists to reference an impending politically-motivated civil war or uprising against the

1 government. The “boogaloo” is not a single cohesive group, but rather a loose concept, which has
2 become a rallying point for some extremists.

3 9. On May 29, 2020 at about 9:44 p.m., a passenger inside of a white van opened fire and
4 shot two federal Protective Security Officers (“PSOs”) at the Ronald V. Dellums Federal Building and
5 United States Courthouse in Oakland, California. One of the PSOs died of his gunshot wounds; the
6 other sustained serious injuries that required surgery. Carrillo is charged with murder and attempted
7 murder as the shooter in *United States v. Steven Carrillo and Robert Alvin Justus, Jr.*, Case No. 20-CR-
8 0265 YGR (N.D. Cal.).

9 10. The Grizzly Scouts used a WhatsApp group labeled “209 Goon HQ” beginning on a date
10 unknown to the Grand Jury but no later than June 1, 2020, and the discussions continued through June 6,
11 2020. RUSH created that group. RUSH, BLANCAS, YBARRA, MIKSCH, and Carrillo were all
12 members of that group. On June 1 and 2, 2020, discussions in the WhatsApp group among members of
13 the Grizzly Scouts, including RUSH, BLANCAS, YBARRA, MIKSCH, and Carrillo, repeatedly
14 referenced “boog” and discussed tactics involving killing of police officers and other law enforcement.

15 11. On June 6, 2020 at about 2:00 p.m., deputies of the Santa Cruz County Sheriff’s Office
16 responded to an address in Ben Lomond, California associated with an abandoned white van. At about
17 2:26 p.m., someone opened fire on the deputies as they approached the property. Two deputies were
18 shot. One died from his injuries. Santa Cruz County Sheriff’s deputies arrested Carrillo nearby, a short
19 time after that shooting. Carrillo is charged with murder, attempted murder, and other offenses arising
20 out of that incident in *People of the State of California v. Steven Carrillo*, Case No. 20CR02599 (Santa
21 Cruz Super. Ct.). Carrillo appears to have used his own blood to write phrases on a car. Police also
22 seized from Carrillo’s property a ballistic vest. The federal complaint in *United States v. Steven Carrillo*
23 *and Robert Alvin Justus, Jr.*, Case No. 20-CR-0265 YGR (N.D. Cal.) alleges that the phrases Carrillo
24 wrote in blood, and a patch on his ballistic vest, were consistent with his adherence to the “boogaloo”
25 movement.

26 12. On August 6, 2020, agents from the Federal Bureau of Investigation (“FBI”) executed
27 federal search warrants on locations associated with RUSH, BLANCAS, YBARRA, and MIKSCH in
28 the Northern and Eastern Districts of California. In the course of searching these locations, agents

1 located and seized, among other things, assault rifles, pistols, and other weapons; body armor and other
2 tactical equipment; magazines and ammunition; materials concerning the Grizzly Scouts; and electronic
3 devices from RUSH, BLANCAS, YBARRA, and MIKSCH. The seized electronic devices contained no
4 records of the aforementioned “209 Goon HQ” WhatsApp group communications.

5 The Scheme to Obstruct Justice

6 13. On June 6, 2020, minutes before the shooting in Ben Lomond, Carrillo exchanged
7 messages on WhatsApp with the Grizzly Scouts, including on the WhatsApp group labeled “209 Goon
8 HQ.” During the communications on June 6, 2020, Carrillo told the group that he was preparing to
9 engage in a shoot-out with law enforcement. Carrillo asked the other Grizzly Scouts to come to his aid
10 saying: “Kit up and get here. Theres inly one road in/out. Take them out when theyre coming in. . . .
11 Police are here fkr me . . . Theyre waiting for reenforcements im listening to them.” Carrillo also
12 admitted to the “209 Goon HQ” group, “Dudes i offed a fed.”

13 14. RUSH immediately instructed Carrillo on the WhatsApp group to “factory reset” his
14 phone, which would have had the effect of deleting and destroying any evidence on it, including any
15 stored communications.

16 15. RUSH, BLANCAS, YBARRA, and MIKSCH each, at a time unknown to the Grand Jury
17 but no later than August 6, 2020, deleted records of the “209 Goon HQ” WhatsApp group from their
18 phones, including the prior discussions regarding violence against law enforcement and Carrillo’s
19 message to the group—“Dudes i offed a fed”—indicating that he had killed a federal law enforcement
20 officer.

21 16. Less than an hour after the shooting in Ben Lomond, BLANCAS deleted twenty files
22 from a Dropbox account. Of the twenty files deleted, nearly all were relevant to the Grizzly Scouts
23 based on a comparison of their filenames to other recoverable artifacts from Dropbox. The deleted files
24 regarding the Grizzly Scouts appeared to include, for example, files concerning the rank structure of the
25 Grizzly Scouts, a non-disclosure agreement requiring members of the Grizzly Scouts to maintain the
26 confidentiality of the group’s materials, a liability release waiver, descriptions of Grizzly Scouts
27 uniforms, and a scorecard to assess members of the Grizzly Scouts with respect to combat, firearms,
28 medical, and other training.

1 COUNT TWO: (18 U.S.C. § 1512(c)(1) – Destruction of Records in Official Proceedings)

2 21. Paragraphs 1 through 18 of this Indictment are re-alleged and incorporated herein.

3 22. On or about June 6, 2020, in the Northern District of California and elsewhere, the
4 defendants,

5 JESSIE ALEXANDER RUSH,
6 ROBERT JESUS BLANCAS,
7 SIMON SAGE YBARRA, and
8 KENNY MATTHEW MIKSCH,

9 did corruptly alter, destroy, and conceal records, documents, and other objects, to wit, WhatsApp
10 messages from a group labeled “209 Goon HQ” from June 1, 2020 to June 6, 2020 associated with the
11 “1st Detachment, 1st California Grizzly Scouts” militia group of which Steven Carrillo was a member,
12 or attempt to do so, with the intent to impair their integrity and availability for use in an official
13 proceeding, to wit, the federal grand jury investigation involving the May 29, 2020 murder of a federal
14 PSO and attempted murder of another federal PSO in Oakland, California and the criminal proceedings
15 before a district court of the United States regarding the same, in violation of Title 18, United States
16 Code, Section 1512(c)(1).

17 COUNT THREE: (18 U.S.C. § 1512(c)(2) – Obstruction of Official Proceedings)

18 23. On or about June 6, 2020, in the Northern District of California and elsewhere, the
19 defendant,

20 JESSIE ALEXANDER RUSH,

21 did corruptly obstruct and impede, or attempt to obstruct and impede, an official proceeding, to wit, the
22 federal grand jury investigation involving the May 29, 2020 murder of a federal PSO and attempted
23 murder of another federal PSO in Oakland, California and the criminal proceedings before a district
24 court of the United States regarding the same, by instructing Steven Carrillo to destroy evidence on his
25 phone, in violation of Title 18, United States Code, Section 1512(c)(2).

26
27 COUNT FOUR: (18 U.S.C. § 1512(c)(1) – Destruction of Records in Official Proceedings)

28 24. On or about June 6, 2020, in the Northern District of California and elsewhere, the

1 defendant,

2 ROBERT JESUS BLANCAS,

3 did corruptly alter, destroy, and conceal records, documents, and other objects, to wit, files regarding the
4 “1st Detachment, 1st California Grizzly Scouts” militia group stored on Dropbox and elsewhere, or
5 attempt to do so, with the intent to impair their integrity and availability for use in an official
6 proceeding, to wit, the federal grand jury investigation involving the May 29, 2020 murder of a federal
7 PSO and attempted murder of another federal PSO in Oakland, California and the criminal proceedings
8 before a district court of the United States regarding the same, in violation of Title 18, United States
9 Code, Section 1512(c)(1).

10
11 DATED: March 23, 2021

A TRUE BILL.

12
13 /s/
FOREPERSON

14 STEPHANIE M. HINDS
15 Acting United States Attorney

16 /s/ Eric Cheng & Frank Riebli
17 ERIC CHENG
FRANK RIEBLI
18 Assistant United States Attorneys