

FILED

SEP 09 2013

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Montana

Clerk, U.S. District Court
District Of Montana
Missoula

United States of America)

v.)

Jordan Linn Graham)

Case No. MJ-13-59-M-JCL

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 July 7, 2013 in the county of Flathead in the
District of Montana, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Section 1111,
18 U.S.C. Section 7(3)

MURDER IN THE SECOND DEGREE 18 U.S.C. Section 1111(a) and (b)
Penalty: any term of years up to life imprisonment

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Steven M. Liss

Complainant's signature

Steven Liss, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

9/9/2013

City and state:

Missoula, Montana

Jeremiah C. Lynch

Judge's signature

Jeremiah C. Lynch, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

1. I, Steven Liss, am a Special Agent (SA) for the Federal Bureau of Investigation, being duly sworn, and state that I am a Special Agent of the Federal Bureau of Investigation (FBI). I have been such for over 26 years. Prior to my employment with the FBI, I served as a police officer and detective with the Ocean City, Maryland Police Department for over four continuous years. As part of my duties, I investigate violations of Federal Law, including violent crimes. I investigated allegations of murder against Jordan Linn Graham of Kalispell, Montana. The statements contained in this affidavit are based in part on my own investigation and conversation with other law enforcement officers. Since this affidavit is being submitted for the limited purpose of establishing probable cause in support of this complaint, I have not included each and every known fact in this investigation.

2. I verify, under penalty of perjury, the following facts that I believe establish probable cause that on or about July 7, 2013, within the exterior boundaries of Glacier National Park, in Flathead County, in Montana, Jordan Linn Graham did knowingly and unlawfully kill Cody L. Johnson, with malice aforethought, a violation of Title 18 USC § 1111.

AFFIDAVIT IN SUPPORT OF COMPLAINT

a. On July 8, 2013, Kalispell Police Department (KPD) received a report of a missing person. The missing male was identified as Cody L. Johnson (Johnson) of Kalispell, Montana.

b. On July 9, 2013, law enforcement interviewed Graham, Johnson's wife. Graham provided the following information about the day of Johnson's disappearance: After attending dinner with friends, they drove home. During the drive home, Johnson received a cell phone call that caused him to be upset. When she and Johnson arrived at their home at approximately 2145 hours, she realized her phone was going dead and needed to be charged. Graham then drove by herself from her home to another location to collect her phone charger. Graham said while she was retrieving her cell phone charger, sometime after 2145 hours, she received a cellular text message from Johnson's phone saying he was going for a drive with a friend from out of town. When Graham arrived back at the house she advised she saw a dark colored car pulling out of the driveway. Graham stated she is sure Johnson was in the dark car. In a subsequent interview, Graham advised she and Johnson routinely delete their text messages, thus she was unable to produce the above-referenced text for viewing.

c. On July 11, 2013, K.M. was interviewed by law enforcement. K.M. advised she was a friend of Graham and Johnson. According to K.M., Graham recently informed her she

AFFIDAVIT IN SUPPORT OF COMPLAINT

was having second thoughts about having been married and needed to talk with somebody regarding her issue. Graham informed K.M. she intended to discuss the matter with Johnson on Sunday, July 7, 2013. On July 7, 2013, at 2056 hours, Graham sent K.M. a text message stating, "Oh well, I'm about to talk to him." K.M. responded, "I'll pray for you guys." Graham responded, "But dead serious if u don't hear from me at all again tonight, something happened."

d. On July 11, 2013, at approximately 2030 hours, U.S. Park Ranger S.P. was dispatched to the Lake McDonald Camp Store in Glacier National Park for a visitor reporting a dead body within the exterior boundaries of Glacier National Park. Graham was identified as the reporting party who informed Ranger S.P. she had located a dead body. The body was located below a popular viewpoint and parking area, called the "The Loop". Ranger S.P. commented to Graham he thought it was unusual that she had found the body. Graham replied, "It was a place he wanted to see before he died," and "He would come up here with friends to drive fast when his friends were visiting from out of state."

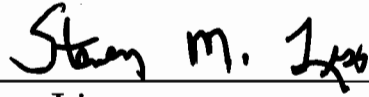
e. On July 13, 2013, at approximately 2003 hours, law enforcement interviewed A.H. at the Glacier National Park Headquarters regarding the decedent. A.H is a close friend of Graham and Johnson. On July 10, 2013, in the evening, A.H. was

AFFIDAVIT IN SUPPORT OF COMPLAINT

at a Faith Baptist Church service. At the church, Graham told A.H. she received an email while at the day care center. The email said Johnson had left with three friends, went hiking, had fallen, was dead, and the search should be called off.

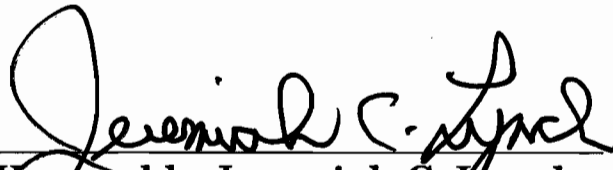
f. On July 16, 2013, Graham was interviewed by law enforcement. During the meeting, Graham was advised of her *Miranda Rights* and agreed to cooperate with the investigating agent and detective and provided the following information: Graham admitted she had lied about the death of her husband and had provided multiple false statements to law enforcement and others regarding Johnson's death. Graham stated on the evening of July 7, 2013, she and Johnson had an argument, were upset and both had decided to travel to Glacier National Park to the Trail Loop area. Once there, they walked on The Loop hiking trail for a while and were arguing. They then walked to the other side of the trail to an area that was very steep and proceed down the rocks near a stump. Graham stated their argument intensified. At one point in time during their arguing, Graham turned and began to walk away. She stated Johnson grabbed her by the arm. Graham turned and removed Johnson's hand from her arm. After removing Johnson's hand from her arm, Graham stated she could have just walked away, but due to her anger, she pushed Johnson with both hands in the back and as a result, he fell face first off the cliff.

AFFIDAVIT IN SUPPORT OF COMPLAINT



Steven Liss
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 9th day of September, 2013, at
Missoula, Montana.



Honorable Jeremiah C. Lynch
United States Magistrate Judge
District of Montana
Missoula, Montana