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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

AFFIDAVIT

I, Michael Sutton, hereinafter referred to as the Affiant, a Special Agent of the Federal Bureau of Investigation (FBI), being duly sworn, state and depose as follows:

(1) I have been a Special Agent with the Federal Bureau of Investigation (FBI) since 2001. I am currently assigned to the Raleigh-Durham Area Safe Streets and Gang Task Force. Prior to my employment with the FBI, I served with the Durham County, North Carolina Sheriff's Office for five years and with the Durham, North Carolina Police Department for six years. My investigative assignments have included a variety of counterterrorism, white collar, violent crime, public corruption and fugitive matters.

(2) The information contained in this Affidavit is based on investigations conducted by the Federal Bureau of Investigation (FBI), the Durham, North Carolina Police Department and other agencies.

(3) I make this affidavit in support of an application for a criminal complaint and arrest warrant for ALLISON LEE QUETS.

(4) Because the purpose of this affidavit is to set forth only the facts necessary to establish probable cause for the issuance of an arrest warrant, I have not described all of the relevant facts and circumstances of

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which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

BACKGROUND

(5) In approximately 2004, ALLISON LEE QUETS, became pregnant by *invitro* fertilization. After learning that two fetus were developing, one male and one female, QUETS sought individuals to adopt the male child. Contact was made between QUETS and Kevin and Diane Needham, to adopt the male child upon birth. Sometime during the pregnancy, QUETS determined that she was incapable of raising any child and sought to have both children adopted by the Needhams.

(6) Later in the pregnancy, QUETS notified the Needhams that if they wanted to adopt the children, they would have to pay QUETS' expenses. Due to the significant payment QUETS was seeking, the Needhams were unable to continue with the adoption. QUETS located another couple to adopt the children, but upon the birth of the children, and based on the fact the new couple would not allow visitation, QUETS decided not to allow the adoption.

(7) QUETS reestablished contact with the Needhams, asking them to reconsider adopting the children with the agreement to pay some expenses. QUETS also contacted the Needhams because they agreed to allow visitation.

(8) The children were born on July 6, 2005, in Orlando, Florida. On August 16, 2005, QUETS signed a consent for adoption that allowed a family judge to terminate her parental rights. Also on that date, custody of the children

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was transferred to Shorstein and Kelly, PA, with physical custody going the Needhams.

(9) On or about August 17, 2006, QUETS contacted the Needhams, informed them that she "may have made a mistake" and asked the Needhams to "tear up the court documents." The Needhams declined and QUETS filed suit in Florida for custody of the two children.

(10) On or about June 29, 2006, the Circuit Court, Fourth Judicial Circuit, in and for Duval County, Florida, issued a Final Judgment Terminating Parental Rights Pending Adoption, a Order Denying Petition for Writ of Habeas Corpus, and a Order for Denying Second Amended Motion for Revocation Consent, in short, terminating all parental rights of QUETS and ordering full custody to the Needhams. The court also terminated any and all rights QUETS had to visitation. QUETS filed an appeal and the court authorized unsupervised visitation in vicinity of the Needhams' North Carolina home. QUETS, who resided in Orlando, Florida, obtained an apartment in Durham, North Carolina, in order to abide by the court's ruling. QUETS was authorized visitation every third weekend from Friday at 6pm to Sunday at 6pm.

(11) Sometime prior to December 22, 2006, the Needhams noticed that QUETS' behavior became more erratic, anxious, verbally abusive and she took action not allowed by the order of the court. Specifically, QUETS took the children to a physician, claimed that she was their legal guardian, provided false medical history and attempted to

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have the children's medical records transferred from their current physician to a new physician. The actions by QUETS led the Needhams to believe that QUETS may flee with the children. During an interview of a close associate of QUETS by the FBI, the associate reported that QUETS had discussed taking the children to another country that would not allow extradition.

(12) In a July 19, 2006, order of the Circuit Court, Fourth Judicial Circuit, in and for Duval County, Florida, authorizing unsupervised visits for QUETS, the court ordered that the visits be in the general vicinity of the Needham's home.

(13) A check with the Department of State, revealed that QUETS obtained passports for the children on August 24, 2006. Further checks revealed that December 2, 2006, QUETS and one child, traveled to Ontario, Canada.

(14) On or about December 21, 2006, the Needhams received a letter via Federal Express from QUETS, mailed to the Needhams home in Apex, North Carolina. The letter confirmed that QUETS would be at Southpoint Mall, Durham, NC, to take charge of the children for visitation from December 22, 2006, to December 24, 2006. Never before had QUETS sent a letter confirming a visitation or the location for pick up.

(15) On December 22, 2006, Kevin Needham and his mother, Denaze Needham, met QUETS at Southpoint Mall, Durham, NC, and turned over the children. During the meeting she was agitated and anxious.

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AUSA JS Bauer

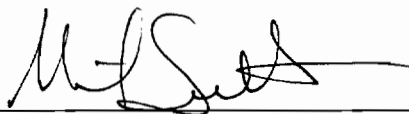
(16) On December 24, 2006, Kevin Needham and Sue Deleonardis arrived at Southpoint Mall at approximately 6:00pm, the scheduled pick time. Neither QUETS nor the children were present. At approximately 6:30pm, Kevin Needham called QUETS' cellular phone, she answered, the children were heard in the background and when Kevin Needham spoke, QUETS immediately disconnected.

(17) A source, who has provided credible information in the past, provided information that on December 22, 2006, at approximately 10:00pm, QUETS was in the Richmond, Virginia area. On December 23, 2006, at approximately 8:00am, QUETS was in Syracuse, New York.

(18) On December 27, 2006, the close associate, as referenced in paragraph 11, received a phone call from QUETS. During the call, QUETS informed the associate that the children were with her. The caller identification listed the phone number's area code as 613. This is an area code in Ontario, Canada.

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(19) Upon information and belief, Affiant avers that on or about December 23, 2006, ALLISON LEE QUETS, removed children from the United States and retained these children, who had been in the United States, outside the United States with intent to obstruct the lawful exercise of parental rights, in violation of Title 18, United States Code, and Section 1204(a). FURTHER AFFIANT SAYETH NOT.



Michael Sutton
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 20th day of December, 2006.



James E. Gates
United States Magistrate Judge