

APS

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ECL

DEPUTY

'08 MJ 3952

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
FREDERICK C. MCLEAN,)
)
Defendant.)

MAGISTRATE CASE NO. '08 MJ 3952

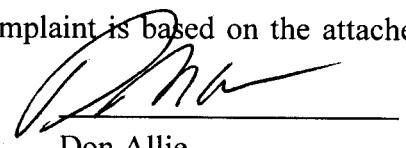
COMPLAINT FOR VIOLATION OF:

Title 18 U.S.C. § 1073-
Flight to Avoid Prosecution

The undersigned Complainant, being duly sworn, states:

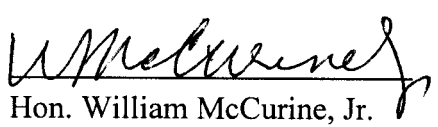
On or about the 20th day of January, 2005, within the Southern District of California, the defendant, FREDERICK C. MCLEAN, did move and travel in interstate and foreign commerce from San Diego, California, to Eugene, Oregon, and elsewhere, with intent to avoid prosecution under the laws of the State of California for a crime, to wit: California Penal Code § 288(a), lewd and lascivious acts with a child under 14 years of age, a felony under the laws of the State of California, in violation of Title 18, United States Code, Section 1073.

And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



Don Allie
Deputy U.S. Marshall

Sworn to me and subscribed in my presence this 29th day of December, 2008.



Hon. William McCurine, Jr.
UNITED STATES MAGISTRATE JUDGE

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STATEMENT OF FACTS

I, Don Allie, am employed as a Deputy Marshal for the United States Marshal's Service. I am currently assigned to the San Diego Regional Fugitive Task Force. I have been a Deputy Marshal for over 10 years. My primary responsibility is to locate and arrest federal and state fugitives.

This affidavit is made in support of criminal complaint and arrest warrant for Frederick C. MCLEAN for violation of Title 18, U.S.C. § 1073- Flight to Avoid Prosecution. The information contained herein is based on conversations I have had with other law enforcement officers, my review of various law enforcement documents, and interviews I conducted.

On 15 May 2004, relatives and church members went to the house of Frederick C. MCLEAN and confronted him with allegation of child molestation. MCLEAN admitted the allegations and said "he knew this day was coming."

As a result of McLean's statements to relatives and others, San Diego County Sheriff's Department, began an investigation. MCLEAN refused to be interviewed in person, as he was afraid of being arrested. On May 24, 2004, MCLEAN made extensive admissions of guilt during a phone interview with the SDSO Detective Baca.

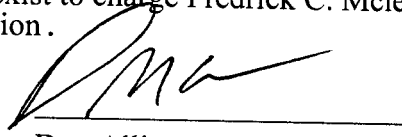
During the summer and fall of 2004, MCLEAN moved away from his family, divorced his wife, and sold all his assets. MCLEAN set up meetings with his wife on the side of the road and in secret to transact their financial business. MCLEAN used different addresses and phones while selling off his assets. MCLEAN secreted a map with his father-in-law, Daniel Theissen. This map says "This mustn't get in the hands of the authorities!!!" The map contains instructions to the McLean's wife to obtain money if McLean's "situation warrants that." This appears to indicate McLean's knowledge of pending charges and his intent to flee.

On January 20, 2005, San Diego County Superior Court issued an arrest warrant for MCLEAN charging him with 1 count of California Penal Code 288(b)(1), lewd and lascivious acts with a child under 14 by force; and 16 counts of California Penal Code 288(a), lewd and lascivious acts with a child under 14.

In March 2005, MCLEAN parked a car trailer at a bank in San Marcos. McLean contacted his brother to retrieve the car trailer. In the trailer was a box with cards and gifts along with McLean's cell phone. McLean told his brother to sell the trailer and give a box to McLean's wife, Nancy. McLean's brother contacted law enforcement after the trailer was sold.

After the state warrant was issued for the child molestation charges, MCLEAN made a phone call to MCLEAN's son, Zach's cell phone, using a pre-paid phone card. The last contact with MCLEAN was package sent to the family postmarked Eugene, Oregon in March 2005.

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2 Leads and tips have come in from all over the United States, along with Mexico, Costa Rica,
3 New Zealand, England and Canada. No solid leads on the whereabouts of MCLEAN have ever been
4 found. Your affiant submits that probable cause exist to charge Fredrick C. Mclean with violation of
5 Title 18, U.S.C. § 1073- Flight to Avoid Prosecution .



Don Allie
Deputy U.S. Marshall



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