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FILED
Yolo Superior Court
April 3, 2026
AGantt

7
8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF YOLO

10
11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

Case No. CR2026-1424

INDICTMENT

13
14 Plaintiff,

15 vs.

16 KENNETH KIN CHEE (04/27/1977),
17 GARY Y. CHAN JR. (09/29/1982),
18 JACK Y. LEE (08/10/1960),
19 DOUGLAS MICHAEL TOLLEFSEN
20 (02/27/1971),
21 CRAIG ALLEN CUTRIGHT
22 (03/22/1965),
23 RONALD JOHN BOTELHO III
24 (03/22/1996)
25 SAMUEL ELMO MACHADO (07/07/1980)
26 Defendant(s)

1 A Grand Jury of the County of Yolo, State of California,
2 hereby accuses by this Indictment, the following defendants of
3 committing, in the County of Yolo, the following crimes:
4

5 **COUNT 1**

6 **[MURDER]**

7 Count 1: On or about July 1, 2025, KENNETH KIN CHEE and
8 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
9 and SAMUEL ELMO MACHADO did commit a FELONY, namely, a violation
10 of Section 187(a) of the California Penal Code, MURDER, in that
11 KENNETH KIN CHEE and GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS
12 MICHAEL TOLLEFSEN and SAMUEL ELMO MACHADO did willfully and
13 unlawfully kill a human being, to wit, N.L., with malice
14 aforethought.

15 **COUNT 2**

16 **[MURDER]**

17 Count 2: On or about July 1, 2025, KENNETH KIN CHEE and
18 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
19 and SAMUEL ELMO MACHADO did commit a FELONY, namely, a violation
20 of Section 187(a) of the California Penal Code, MURDER, in that
21 KENNETH KIN CHEE and GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS
22 MICHAEL TOLLEFSEN and SAMUEL ELMO MACHADO did willfully and
23 unlawfully kill a human being, to wit, C.B., with malice
24 aforethought.

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1 unlawfully kill a human being, to wit, A.V., with malice
2 aforethought.

3 **COUNT 6**

4 **[MURDER]**

5 Count 6 : On or about July 1, 2025, KENNETH KIN CHEE and
6 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
7 and SAMUEL ELMO MACHADO did commit a FELONY, namely, a violation
8 of Section 187(a) of the California Penal Code, MURDER, in that
9 KENNETH KIN CHEE and GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS
10 MICHAEL TOLLEFSEN and SAMUEL ELMO MACHADO did willfully and
11 unlawfully kill a human being, to wit, J.J.M., with malice
12 aforethought.

13 **COUNT 7**

14 **[MURDER]**

15 Count 7 : On or about July 1, 2025, KENNETH KIN CHEE
16 and GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL
17 TOLLEFSEN and SAMUEL ELMO MACHADO did commit a FELONY, namely, a
18 violation of Section 187(a) of the California Penal Code,
19 MURDER, in that KENNETH KIN CHEE and GARY Y. CHAN JR and JACK Y.
20 LEE and DOUGLAS MICHAEL TOLLEFSEN and SAMUEL ELMO MACHADO did
21 willfully and unlawfully kill a human being, to wit, J.M.R.,
22 with malice aforethought.

23 **COUNT 8**

24 **[CONSPIRACY - POSSESSION OF EXPLOSIVES]**

25 Count 8 : On or about July 1, 2025, KENNETH KIN CHEE and
26 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
27 and CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL
28 ELMO MACHADO did commit a FELONY, namely, a violation of Section

1 182(a) (1) of the California Penal Code, CONSPIRACY TO COMMIT A
2 FELONY, in that KENNETH KIN CHEE and GARY Y. CHAN JR and JACK Y.
3 LEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN CUTRIGHT and
4 SAMUEL ELMO MACHADO did willfully and unlawfully conspire with
5 another or others to commit a felony violation of California
6 Health and Safety Code Section 12305 - Possession of Explosive
7 Device, and there did occur in furtherance of said conspiracy
8 the following OVERT ACT(S):

- 9 1. One or more Co-Conspirators formed a commercial
10 enterprise doing business, in part, in Esparto, CA, as
11 "Devastating Pyrotechnics" for the import, possession,
12 manufacture, sale, and/or use of explosives; destructive
13 devices; and/or materials to make explosives and/or
14 destructive devices.
- 15 2. In or about 2009, KENNETH KIN CHEE applied to the U.S.
16 Bureau of Alcohol, Tobacco, Firearms, and Explosives
17 (ATF) for "relief from disabilities" under the Federal
18 Explosives Laws, which application the ATF rejected on or
19 about March 9, 2009, due to KENNETH CHEE's disabling
20 convictions and other factors.
- 21 3. In or about January 2011, JACK Y. LEE, using the trade
22 name Devastating Pyro, obtained ATF Federal Explosives
23 Licenses (FELs) for the Import/Export and Manufacture of
24 Explosives, permitting storage of Display Fireworks in
25 five (5) magazines authorized for Display Fireworks
26 storage on the property located at 18080 County Road 86A,
27 Esparto CA.

28 / / /

- 1 4. On or about April 16, 2012, KENNETH KIN CHEE applied to
2 the California Office of the State Fire Marshal (Cal-
3 Fire) for a Fireworks License for the Import/Export of
4 Fireworks, which application identified the "firm name"
5 Devastating Pyrotechnics.
- 6 5. In or about June 2013, KENNETH KIN CHEE caused to be
7 registered with the California Secretary of State the
8 entity Devastating Pyrotechnics, LLC.
- 9 6. In or about September 2014, JACK Y. LEE requested
10 transfer of the ATF FELs held in his name to GARY Y.
11 CHAN, trade name Devastating Pyro Displays.
- 12 7. On or about September 10, 2014, GARY Y. CHAN, using trade
13 name Devastating Pyro Displays, obtained from the ATF a
14 Type 50-Manufacturer FEL, and a Type 51-Importer/Exporter
15 FEL, which licenses identified seven (7) magazines
16 authorized for storage of Display Fireworks on the
17 property located at 18080 County Road 86A, Esparto CA.
- 18 8. Starting in or about 2015, SAMUEL ELMO MACHADO authorized
19 KENNETH KIN CHEE to conduct operations of Devastating
20 Pyrotechnics on the MACHADO property located at 26450
21 County Road 23 in Esparto, CA.
- 22 9. On or about June 30, 2015, SAMUEL ELMO MACHADO provided
23 to KENNETH KIN CHEE three (3) written documents
24 purporting to be agreements for Devastating Pyrotechnics
25 to lease storage space, to wit, seven (7) magazines for
26 Display Fireworks on the property located at 18080 County
27 Road 86A; 13 Storage Containers for Display Fireworks on
28 the MACHADO property; and indoor storage space for

1 display equipment within the "Yellow Shop" on the MACHADO
2 property.

3 10. One or more Co-Conspirators used the seven (7)
4 magazines located at 18080 County Road 86A; and the
5 Storage Containers and "Yellow Shop" storage on the
6 MACHADO property, in furtherance of the illegal
7 possession, storage, manufacture, and/or sale of
8 explosives, destructive devices, and materials for making
9 explosives and/or destructive devices.

10 11. One or more Co-Conspirators stored on the 18080 County
11 Road 86A and MACHADO properties explosives that were
12 labeled as products classified by the United States
13 Department of Transportation as 1.4g or 1.3g fireworks.

14 12. One or more Co-Conspirators used the ATF FELs issued
15 to JACK Y. LEE and GARY Y. CHAN to import explosives
16 labeled as fireworks; store the imported devices on the
17 MACHADO property; and sell the imported devices to one or
18 more Co-Conspirators and others not lawfully able to
19 possess such devices.

20 13. KENNETH KIN CHEE caused to be imported explosives
21 branded as "Bean Day Ho" fireworks, and stored,
22 possessed, and sold or arranged for sale such devices on
23 the MACHADO property.

24 14. DOUGLAS MICHAEL TOLLEFSEN caused to be imported
25 explosives branded as "For the Streets" or "FTS"
26 fireworks, and stored, possessed, and sold or arranged
27 for sale such devices on the MACHADO property.

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1 15. RONALD JOHN BOTELHO III caused to be imported
2 explosives branded as "Big Bully" fireworks, and stored,
3 possessed, and sold or arranged for sale such devices on
4 the MACHADO property.

5 16. CRAIG ALLEN CUTRIGHT caused to be imported explosives
6 branded as "Double OG" fireworks, and stored, possessed,
7 and sold or arranged for sale such devices on the Machado
8 property.

9 17. On or about September 2, 2017, SAMUEL ELMO MACHADO
10 provided to KENNETH KIN CHEE three (3) written documents
11 purporting to be agreements for Devastating Pyrotechnics
12 to lease storage space, to wit, seven (7) magazines for
13 Display Fireworks on the property located at 18080 County
14 Road 86A; 17 Storage Containers for Display Fireworks on
15 the MACHADO property; and 4,328 square feet of storage
16 space for display equipment in the "Yellow Shop" on the
17 MACHADO property.

18 18. In or about August and September 2017, GARY Y. CHAN
19 informed the ATF that Devastating Pyro Displays leased
20 seven (7) magazines for Display Fireworks on the property
21 located at 18080 County Road 86A, Esparto CA.

22 19. In or about August and September 2017, GARY Y. CHAN
23 informed the ATF in writing that Devastating Pyro
24 Displays had no affiliation with KENNETH CHEE or
25 DEVASTATING PYROTECHNICS, LLC.

26 20. On or about October 23, 2019, KENNETH KIN CHEE
27 communicated to SAMUEL ELMO MACHADO that CHEE may need
28 revised lease agreements for the prior three (3) years

1 with GARY Y. CHAN's name, because the ATF licenses were
2 issued to GARY Y. CHAN.

3 21. On or about October 23, 2019, KENNETH KIN CHEE
4 provided to SAMUEL ELMO MACHADO copies of the ATF
5 licenses held by GARY Y. CHAN of Devastating Pyro
6 Displays.

7 22. In or about October 2019, SAMUEL ELMO MACHADO caused
8 to be created written documents purporting to be
9 agreements from 2017, 2018, and 2019 for GARY Y. CHAN of
10 Devastating Pyro Displays to lease storage space, to wit,
11 seven (7) magazines for Display Fireworks on the property
12 located at 18080 County Road 86A.

13 23. On or about October 29, 2019, GARY Y. CHAN caused to
14 be filed with the Yolo County Clerk/Recorder a Fictitious
15 Business Name Statement for Devastating Pyro Displays.

16 24. In or around 2021, SAMUEL ELMO MACHADO, CRAIG ALLEN
17 CUTRIGHT, and KENNETH KIN CHEE agreed to pursue
18 construction of a new warehouse ("Warehouse") on the
19 MACHADO property to facilitate expansion of Devastating
20 Pyrotechnics operations.

21 25. SAMUEL ELMO MACHADO and CRAIG ALLEN CUTRIGHT made
22 and/or caused to be made false statements to local and
23 county government officials about the Warehouse on the
24 MACHADO property.

25 26. On or about November 17, 2021, SAMUEL ELMO MACHADO
26 signed, under penalty of perjury, an application to the
27 Yolo County Department of Community Services for a
28 building permit exemption for the proposed Warehouse

1 structure, stating the structure could and would only be
2 used as an Agricultural Building.

3 27. On or about December 9, 2021, CRAIG ALLEN CUTRIGHT
4 provided to SAMUEL ELMO MACHADO and KENNETH KIN CHEE a
5 summary of their plan to expand the Devastating
6 Pyrotechnics operations on the MACHADO property, which
7 included growing the wholesale business, and generating
8 rental revenue from 80-100 new 40-foot containers.

9 28. On or about March 9, 2022, CRAIG ALLEN CUTRIGHT sent
10 to SAMUEL ELMO MACHADO and KENNETH KIN CHEE an image
11 depicting storage on the MACHADO property of the
12 following: "1.3g warehouse" in the "Yellow Shop"; "1.4g
13 warehouse" in the "Warehouse"; and 40 additional storage
14 containers parallel to the Warehouse.

15 29. On or about July 26, 2022, SAMUEL ELMO MACHADO and
16 CRAIG ALLEN CUTRIGHT signed written documents purporting
17 to be agreements for Devastating Pyrotechnics to lease 50
18 Storage Containers for Display Fireworks on the MACHADO
19 property, and 4,328 square feet of storage space in the
20 "Yellow Shop" on the MACHADO property.

21 30. One or more Co-Conspirators, including KENNETH KIN
22 CHEE and DOUGLAS MICHAEL TOLLEFSEN and JACK Y. LEE and
23 CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III, used
24 Storage Containers on the MACHADO property for the
25 possession, storage, manufacture, and/or illegal sale of
26 explosives, destructive devices, and/or materials for
27 making explosives and destructive devices.

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1 31. One or more Co-Conspirators, including KENNETH KIN
2 CHEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN
3 CUTRIGHT and RONALD JOHN BOTELHO III, used the storage
4 space within the "Yellow Shop" for possession and storage
5 of explosives and/or destructive devices, and/or
6 materials for making explosives and destructive devices.

7 32. On or about July 2, 2023, SAMUEL ELMO MACHADO sent to
8 KENNETH KIN CHEE an email regarding consolidation of the
9 fireworks operations in the "Storage Yard" to provide
10 CHEE the freedom to add and organize the space as CHEE
11 saw fit, and a request to meet to discuss mutually
12 beneficial ideas.

13 33. On or about July 24, 2023, SAMUEL ELMO MACHADO
14 provided to KENNETH KIN CHEE written documents purporting
15 to be agreements for Devastating Pyrotechnics to lease a
16 "Storage Yard" of 83,000 square feet, including the 5,000
17 square foot building (Warehouse), on the MACHADO
18 property.

19 34. One or more Co-Conspirators, including KENNETH KIN
20 CHEE and DOUGLAS MICHAEL TOLLEFSEN and RONALD JOHN
21 BOTELHO III used the "Storage Yard" for the possession,
22 storage, manufacture, and/or illegal sale of explosives,
23 destructive devices, and/or materials for making
24 explosives and/or destructive devices.

25 35. One or more Co-Conspirators, including SAMUEL ELMO
26 MACHADO and KENNETH KIN CHEE entered into an agreement to
27 transact in cash.

28 / / /

1 36. One or more Co-Conspirators, including SAMUEL ELMO
2 MACHADO and CRAIG ALLEN CUTRIGHT, falsely identified the
3 operations of Devastating Pyrotechnics in Esparto, CA as
4 licensed, legal, and/or inspected, including by making
5 such false statements to local, state, and/or federal
6 government officials, including to law enforcement and
7 other first responders.

8 37. From on or about June 1, 2015 until July 1, 2025, one
9 or more Co-Conspirators caused to be imported by
10 Devastating Pyrotechnics, including to Esparto, CA, more
11 than eleven million (11,000,000) pounds of products
12 purporting to be fireworks, and/or materials to make
13 fireworks.

14 38. On or about July 1, 2025, one or more Co-Conspirators
15 possessed one million (1,000,000) or more pounds of
16 products purporting to be fireworks, and/or materials to
17 material to make fireworks on the property of SAMUEL ELMO
18 MACHADO.

19 **COUNT 9**

20 **[POSSESSION OF EXPLOSIVE]**

21 Count 9 : On or about July 1, 2025, KENNETH KIN CHEE and
22 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
23 and CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL
24 ELMO MACHADO did commit a FELONY, namely a violation of Section
25 12305 of the California Health and Safety Code, POSSESSION OF
26 EXPLOSIVE, in that KENNETH KIN CHEE and GARY Y. CHAN JR and JACK
27 Y. LEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN CUTRIGHT
28 and RONALD JOHN BOTELHO III and SAMUEL ELMO MACHADO did

1 convictions and other factors.

2 3. In or about January 2011, JACK Y. LEE, using the trade
3 name Devastating Pyro, obtained ATF Federal Explosives
4 Licenses (FELs) for the Import/Export and Manufacture of
5 Explosives, permitting storage of Display Fireworks in
6 five (5) magazines authorized for Display Fireworks
7 storage on the property located at 18080 County Road 86A,
8 Esparto CA.

9 4. On or about April 16, 2012, KENNETH KIN CHEE applied to
10 the California Office of the State Fire Marshal (Cal-
11 Fire) for a Fireworks License for the Import/Export of
12 Fireworks, which application identified the "firm name"
13 Devastating Pyrotechnics.

14 5. In or about June 2013, KENNETH KIN CHEE caused to be
15 registered with the California Secretary of State the
16 entity Devastating Pyrotechnics, LLC.

17 6. In or about September 2014, JACK Y. LEE requested
18 transfer of the ATF FELs held in his name to GARY Y.
19 CHAN, trade name Devastating Pyro Displays.

20 7. On or about September 10, 2014, GARY Y. CHAN, using trade
21 name Devastating Pyro Displays, obtained from the ATF a
22 Type 50-Manufacturer FEL, and a Type 51-Importer/Exporter
23 FEL, which licenses identified seven (7) magazines
24 authorized for storage of Display Fireworks on the
25 property located at 18080 County Road 86A, Esparto CA.

26 8. Starting in or about 2015, SAMUEL ELMO MACHADO authorized
27 KENNETH KIN CHEE to conduct operations of Devastating
28 Pyrotechnics on the MACHADO property located at 26450

1 County Road 23 in Esparto, CA.

2 9. On or about June 30, 2015, SAMUEL ELMO MACHADO provided
3 to KENNETH KIN CHEE three (3) written documents
4 purporting to be agreements for Devastating Pyrotechnics
5 to lease storage space, to wit, seven (7) magazines for
6 Display Fireworks on the property located at 18080 County
7 Road 86A; 13 Storage Containers for Display Fireworks on
8 the MACHADO property; and indoor storage space for
9 display equipment within the "Yellow Shop" on the MACHADO
10 property.

11 10. One or more Co-Conspirators used the seven (7)
12 magazines located at 18080 County Road 86A; and the
13 Storage Containers and "Yellow Shop" storage on the
14 MACHADO property, in furtherance of the illegal
15 possession, storage, manufacture, and/or sale of
16 explosives, destructive devices, and materials for making
17 explosives and/or destructive devices.

18 11. In or about May 2016, KENNETH KIN CHEE caused to be
19 imported approximately 22.5 metric tons (20,490
20 kilograms) of potassium perchlorate, in 360 drums.

21 12. On or about September 2, 2017, SAMUEL ELMO MACHADO
22 provided to KENNETH KIN CHEE three (3) written documents
23 purporting to be agreements for Devastating Pyrotechnics
24 to lease storage space, to wit, seven (7) magazines for
25 Display Fireworks on the property located at 18080 County
26 Road 86A; 17 Storage Containers for Display Fireworks on
27 the MACHADO property; and 4,328 square feet of storage
28 space for display equipment in the "Yellow Shop" on the

1 MACHADO property.

2 13. In or about August and September 2017, GARY Y. CHAN
3 informed the ATF that Devastating Pyro Displays leased
4 seven (7) magazines for Display Fireworks on the property
5 located at 18080 County Road 86A, Esparto CA.

6 14. In or about August and September 2017, GARY Y. CHAN
7 informed the ATF in writing that Devastating Pyro
8 Displays had no affiliation with KENNETH CHEE or
9 DEVASTATING PYROTECHNICS, LLC.

10 15. On or about October 23, 2019, KENNETH KIN CHEE
11 communicated to SAMUEL ELMO MACHADO that CHEE may need
12 revised lease agreements for the prior three (3) years
13 with GARY Y. CHAN's name, because the ATF licenses were
14 issued to GARY Y. CHAN.

15 16. On or about October 23, 2019, KENNETH KIN CHEE
16 provided to SAMUEL ELMO MACHADO copies of the ATF
17 licenses held by GARY Y. CHAN of Devastating Pyro
18 Displays.

19 17. In or about October 2019, SAMUEL ELMO MACHADO caused
20 to be created written documents purporting to be
21 agreements from 2017, 2018, and 2019 for GARY Y. CHAN of
22 Devastating Pyro Displays to lease storage space, to wit,
23 seven (7) magazines for Display Fireworks on the property
24 located at 18080 County Road 86A.

25 18. On or about October 29, 2019, GARY Y. CHAN caused to
26 be filed with the Yolo County Clerk/Recorder a Fictitious
27 Business Name Statement for Devastating Pyro Displays.

28 / / /

1 19. In or about May 2020, one or more Co-Conspirators,
2 including KENNETH KIN CHEE, caused to be imported
3 approximately 7.55 metric tons (15,104.25 pounds) of
4 aluminum powder, grade pyro 100, in 120 packages.

5 20. In or about November 2020, one or more Co-
6 Conspirators, including KENNETH KIN CHEE, caused to be
7 imported approximately 21.8 metric tons (approximately
8 19,865 kilograms of potassium perchlorate, in 375
9 packages.

10 21. In or about December 2020, one or more Co-
11 Conspirators, including KENNETH KIN CHEE, caused to be
12 imported approximately 21.8 metric tons (19,865
13 kilograms) of potassium perchlorate in 375 packages.

14 22. In or around 2021, SAMUEL ELMO MACHADO, CRAIG ALLEN
15 CUTRIGHT, and KENNETH KIN CHEE agreed to pursue
16 construction of a new warehouse ("Warehouse") on the
17 MACHADO property to facilitate expansion of Devastating
18 Pyrotechnics operations.

19 23. SAMUEL ELMO MACHADO and CRAIG ALLEN CUTRIGHT made
20 and/or caused to be made false statements to local and
21 county government officials about the Warehouse on the
22 MACHADO property.

23 24. On or about November 17, 2021, SAMUEL ELMO MACHADO
24 signed, under penalty of perjury, an application to the
25 Yolo County Department of Community Services for a
26 building permit exemption for the proposed Warehouse
27 structure, stating the structure could and would only be
28 used as an Agricultural Building.

- 1 25. On or about December 9, 2021, CRAIG ALLEN CUTRIGHT
2 provided to SAMUEL ELMO MACHADO and KENNETH KIN CHEE a
3 summary of their plan to expand the Devastating
4 Pyrotechnics operations on the MACHADO property, which
5 included growing the wholesale business, and generating
6 rental revenue from 80-100 new 40-foot containers.
- 7 26. On or about March 9, 2022, CRAIG ALLEN CUTRIGHT sent
8 to SAMUEL ELMO MACHADO and KENNETH KIN CHEE an image
9 depicting storage on the MACHADO property of the
10 following: "1.3g warehouse" in the "Yellow Shop"; "1.4g
11 warehouse" in the "Warehouse"; and 40 additional storage
12 containers.
- 13 27. On or about July 26, 2022, SAMUEL ELMO MACHADO and
14 CRAIG ALLEN CUTRIGHT signed written documents purporting
15 to be agreements for Devastating Pyrotechnics to lease 50
16 Storage Containers for Display Fireworks on the MACHADO
17 property, and 4,328 square feet of storage space in the
18 "Yellow Shop" on the MACHADO property.
- 19 28. One or more Co-Conspirators, including KENNETH KIN
20 CHEE and DOUGLAS MICHAEL TOLLEFSEN and JACK Y. LEE and
21 CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III, used
22 Storage Containers on the MACHADO property for the
23 possession, storage, manufacture, and/or illegal sale of
24 explosives, destructive devices, and/or materials for
25 making explosives and destructive devices.
- 26 29. One or more Co-Conspirators, including KENNETH KIN
27 CHEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN
28 CUTRIGHT and RONALD JOHN BOTELHO III, used the storage

1 space within the "Yellow Shop" for possession and storage
2 of explosives and/or destructive devices, and/or
3 materials for making explosives and destructive devices.

4 30. On or about July 2, 2023, SAMUEL ELMO MACHADO sent to
5 KENNETH KIN CHEE an email regarding consolidation of the
6 fireworks operations in the "Storage Yard" to provide
7 CHEE the freedom to add and organize the space as CHEE
8 saw fit, and a request to meet to discuss mutually
9 beneficial ideas.

10 31. On or about July 24, 2023, SAMUEL ELMO MACHADO
11 provided to KENNETH KIN CHEE written documents purporting
12 to be agreements for Devastating Pyrotechnics to lease a
13 "Storage Yard" of 83,000 square feet, including the 5,000
14 square foot building (Warehouse), on the MACHADO
15 property.

16 32. One or more Co-Conspirators, including KENNETH KIN
17 CHEE and DOUGLAS MICHAEL TOLLEFSEN and RONALD JOHN
18 BOTELHO III used the "Storage Yard" for the possession,
19 storage, manufacture, and/or illegal sale of explosives,
20 destructive devices, and/or materials for making
21 explosives and/or destructive devices.

22 33. One or more Co-Conspirators, including SAMUEL ELMO
23 MACHADO and KENNETH KIN CHEE entered into an agreement to
24 transact in cash.

25 34. One or more Co-Conspirators, including SAMUEL ELMO
26 MACHADO and CRAIG ALLEN CUTRIGHT, falsely identified the
27 operations of Devastating Pyrotechnics in Esparto, CA as
28 licensed, legal, and/or inspected, including by making

1 such false statements to local, state, and/or federal
2 government officials, including to law enforcement and
3 other first responders.

4 35. From on or about June 1, 2015 until July 1, 2025, one
5 or more Co-Conspirators caused to be imported by
6 Devastating Pyrotechnics, including to Esparto, CA, more
7 than eleven million (11,000,000) pounds of products
8 purporting to be fireworks, and/or materials to make
9 fireworks.

10 36. On or about July 1, 2025, one or more Co-Conspirators
11 possessed one million (1,000,000) or more pounds of
12 products purporting to be fireworks, and/or materials to
13 material to make fireworks on the property of SAMUEL ELMO
14 MACHADO.

15 **COUNT 11**

16 **[POSSESSION OF MATERIALS WITH INTENT TO MAKE EXPLOSIVES OR**
17 **DESTRUCTIVE DEVICES]**

18 Count 11 : On or about July 1, 2025, KENNETH KIN CHEE and
19 JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN
20 CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL ELMO MACHADO did
21 commit a FELONY, namely, a violation of Section 18720 of the
22 California Penal Code, POSSESSION OF MATERIALS WITH INTENT TO
23 MAKE EXPLOSIVES OR DESTRUCTIVE DEVICES, in that KENNETH KIN CHEE
24 and DOUGLAS MICHAEL TOLLEFSEN did willfully and unlawfully
25 possess any substance, material, and any combination of
26 substances and materials, with the intent to make any
27 destructive device and any explosive, without first obtaining a
28 permit to make such destructive device and/or explosive.

- 1 1. One or more Co-Conspirators formed a commercial
2 enterprise doing business, in part, in Esparto, CA, as
3 "Devastating Pyrotechnics" for the import, possession,
4 manufacture, sale, and/or use of explosives; destructive
5 devices; and/or materials to make explosives and/or
6 destructive devices.
- 7 2. In or about 2009, KENNETH KIN CHEE applied to the U.S.
8 Bureau of Alcohol, Tobacco, Firearms, and Explosives
9 (ATF) for "relief from disabilities" under the Federal
10 Explosives Laws, which application the ATF rejected on or
11 about March 9, 2009, due to KENNETH CHEE's disabling
12 convictions and other factors.
- 13 3. In or about January 2011, JACK Y. LEE, using the trade
14 name Devastating Pyro, obtained ATF Federal Explosives
15 Licenses (FELs) for the Import/Export and Manufacture of
16 Explosives, permitting storage of Display Fireworks in
17 five (5) magazines authorized for Display Fireworks
18 storage on the property located at 18080 County Road 86A,
19 Esparto CA.
- 20 4. On or about April 16, 2012, KENNETH KIN CHEE applied to
21 the California Office of the State Fire Marshal (Cal-
22 Fire) for a Fireworks License for the Import/Export of
23 Fireworks, which application identified the "firm name"
24 Devastating Pyrotechnics.
- 25 5. In or about June 2013, KENNETH KIN CHEE caused to be
26 registered with the California Secretary of State the
27 entity Devastating Pyrotechnics, LLC.

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- 1 6. In or about September 2014, JACK Y. LEE requested
2 transfer of the ATF FELs held in his name to GARY Y.
3 CHAN, trade name Devastating Pyro Displays.
- 4 7. On or about September 10, 2014, GARY Y. CHAN, using trade
5 name Devastating Pyro Displays, obtained from the ATF a
6 Type 50-Manufacturer FEL, and a Type 51-Importer/Exporter
7 FEL, which licenses identified seven (7) magazines
8 authorized for storage of Display Fireworks on the
9 property located at 18080 County Road 86A, Esparto CA.
- 10 8. Starting in or about 2015, SAMUEL ELMO MACHADO authorized
11 KENNETH KIN CHEE to conduct operations of Devastating
12 Pyrotechnics on the MACHADO property located at 26450
13 County Road 23 in Esparto, CA.
- 14 9. On or about June 30, 2015, SAMUEL ELMO MACHADO provided
15 to KENNETH KIN CHEE three (3) written documents
16 purporting to be agreements for Devastating Pyrotechnics
17 to lease storage space, to wit, seven (7) magazines for
18 Display Fireworks on the property located at 18080 County
19 Road 86A; 13 Storage Containers for Display Fireworks on
20 the MACHADO property; and indoor storage space for
21 display equipment within the "Yellow Shop" on the MACHADO
22 property.
- 23 10. One or more Co-Conspirators used the seven (7)
24 magazines located at 18080 County Road 86A; and the
25 Storage Containers and "Yellow Shop" storage on the
26 MACHADO property, in furtherance of the illegal
27 possession, storage, manufacture, and/or sale of
28 explosives, destructive devices, and materials for making

1 explosives and/or destructive devices.

2 11. One or more Co-Conspirators stored on the 18080 County
3 Road 86A and MACHADO properties explosives that were
4 labeled as products classified by the United States
5 Department of Transportation as 1.4g or 1.3g fireworks.

6 12. One or more Co-Conspirators used the ATF FELs issued
7 to JACK Y. LEE and GARY Y. CHAN to import explosives
8 labeled as fireworks; store the imported devices on the
9 MACHADO property; and sell the imported devices to one or
10 more Co-Conspirators and others not lawfully able to
11 possess such devices.

12 13. KENNETH KIN CHEE caused to be imported explosives
13 branded as "Bean Day Ho" fireworks, and stored,
14 possessed, and sold or arranged for sale such devices on
15 the MACHADO property.

16 14. DOUGLAS MICHAEL TOLLEFSEN caused to be imported
17 explosives branded as "For the Streets" or "FTS"
18 fireworks, and stored, possessed, and sold or arranged
19 for sale such devices on the MACHADO property.

20 15. RONALD JOHN BOTELHO III caused to be imported
21 explosives branded as "Big Bully" fireworks, and stored,
22 possessed, and sold or arranged for sale such devices on
23 the MACHADO property.

24 16. CRAIG ALLEN CUTRIGHT caused to be imported explosives
25 branded as "Double OG" fireworks, and stored, possessed,
26 and sold or arranged for sale such devices on the Machado
27 property.

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1 17. On or about September 2, 2017, SAMUEL ELMO MACHADO
2 provided to KENNETH KIN CHEE three (3) written documents
3 purporting to be agreements for Devastating Pyrotechnics
4 to lease storage space, to wit, seven (7) magazines for
5 Display Fireworks on the property located at 18080 County
6 Road 86A; 17 Storage Containers for Display Fireworks on
7 the MACHADO property; and 4,328 square feet of storage
8 space for display equipment in the "Yellow Shop" on the
9 MACHADO property.

10 18. In or about August and September 2017, GARY Y. CHAN
11 informed the ATF that Devastating Pyro Displays leased
12 seven (7) magazines for Display Fireworks on the property
13 located at 18080 County Road 86A, Esparto CA.

14 19. In or about August and September 2017, GARY Y. CHAN
15 informed the ATF in writing that Devastating Pyro
16 Displays had no affiliation with KENNETH CHEE or
17 DEVASTATING PYROTECHNICS, LLC.

18 20. On or about October 23, 2019, KENNETH KIN CHEE
19 communicated to SAMUEL ELMO MACHADO that CHEE may need
20 revised lease agreements for the prior three (3) years
21 with GARY Y. CHAN's name, because the ATF licenses were
22 issued to GARY Y. CHAN.

23 21. On or about October 23, 2019, KENNETH KIN CHEE
24 provided to SAMUEL ELMO MACHADO copies of the ATF
25 licenses held by GARY Y. CHAN of Devastating Pyro
26 Displays.

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- 1 22. In or about October 2019, SAMUEL ELMO MACHADO caused
2 to be created written documents purporting to be
3 agreements from 2017, 2018, and 2019 for GARY Y. CHAN of
4 Devastating Pyro Displays to lease storage space, to wit,
5 seven (7) magazines for Display Fireworks on the property
6 located at 18080 County Road 86A.
- 7 23. On or about October 29, 2019, GARY Y. CHAN caused to
8 be filed with the Yolo County Clerk/Recorder a Fictitious
9 Business Name Statement for Devastating Pyro Displays.
- 10 24. In or around 2021, SAMUEL ELMO MACHADO, CRAIG ALLEN
11 CUTRIGHT, and KENNETH KIN CHEE agreed to pursue
12 construction of a new warehouse ("Warehouse") on the
13 MACHADO property to facilitate expansion of Devastating
14 Pyrotechnics operations.
- 15 25. SAMUEL ELMO MACHADO and CRAIG ALLEN CUTRIGHT made
16 and/or caused to be made false statements to local and
17 county government officials about the Warehouse on the
18 MACHADO property.
- 19 26. On or about November 17, 2021, SAMUEL ELMO MACHADO
20 signed, under penalty of perjury, an application to the
21 Yolo County Department of Community Services for a
22 building permit exemption for the proposed Warehouse
23 structure, stating the structure could and would only be
24 used as an Agricultural Building.
- 25 27. On or about December 9, 2021, CRAIG ALLEN CUTRIGHT
26 provided to SAMUEL ELMO MACHADO and KENNETH KIN CHEE a
27 summary of their plan to expand the Devastating
28 Pyrotechnics operations on the MACHADO property, which

1 included growing the wholesale business, and generating
2 rental revenue from 80-100 new 40-foot containers.

3 28. On or about March 9, 2022, CRAIG ALLEN CUTRIGHT sent
4 to SAMUEL ELMO MACHADO and KENNETH KIN CHEE an image
5 depicting storage on the MACHADO property of the
6 following: "1.3g warehouse" in the "Yellow Shop"; "1.4g
7 warehouse" in the "Warehouse"; and 40 additional storage
8 containers.

9 29. On or about July 26, 2022, SAMUEL ELMO MACHADO and
10 CRAIG ALLEN CUTRIGHT signed written documents purporting
11 to be agreements for Devastating Pyrotechnics to lease 50
12 Storage Containers for Display Fireworks on the MACHADO
13 property, and 4,328 square feet of storage space in the
14 "Yellow Shop" on the MACHADO property.

15 30. One or more Co-Conspirators, including KENNETH KIN
16 CHEE and DOUGLAS MICHAEL TOLLEFSEN and JACK Y. LEE and
17 CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III, used
18 Storage Containers on the MACHADO property for the
19 possession, storage, manufacture, and/or illegal sale of
20 explosives, destructive devices, and/or materials for
21 making explosives and destructive devices.

22 31. One or more Co-Conspirators, including KENNETH KIN
23 CHEE and DOUGLAS MICHAEL TOLLEFSEN and CRAIG ALLEN
24 CUTRIGHT and RONALD JOHN BOTELHO III, used the storage
25 space within the "Yellow Shop" for possession and storage
26 of explosives and/or destructive devices, and/or
27 materials for making explosives and destructive devices.

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1 32. On or about July 2, 2023, SAMUEL ELMO MACHADO sent to
2 KENNETH KIN CHEE an email regarding consolidation of the
3 fireworks operations in the "Storage Yard" to provide
4 CHEE the freedom to add and organize the space as CHEE
5 saw fit, and a request to meet to discuss mutually
6 beneficial ideas.

7 33. On or about July 24, 2023, SAMUEL ELMO MACHADO
8 provided to KENNETH KIN CHEE written documents purporting
9 to be agreements for Devastating Pyrotechnics to lease a
10 "Storage Yard" of 83,000 square feet, including the 5,000
11 square foot building (Warehouse), on the MACHADO
12 property.

13 34. One or more Co-Conspirators, including KENNETH KIN
14 CHEE and DOUGLAS MICHAEL TOLLEFSEN and RONALD JOHN
15 BOTELHO III used the "Storage Yard" for the possession,
16 storage, manufacture, and/or illegal sale of explosives,
17 destructive devices, and/or materials for making
18 explosives and/or destructive devices.

19 35. One or more Co-Conspirators, including SAMUEL ELMO
20 MACHADO and KENNETH KIN CHEE entered into an agreement to
21 transact in cash.

22 36. One or more Co-Conspirators, including SAMUEL ELMO
23 MACHADO and CRAIG ALLEN CUTRIGHT, falsely identified the
24 operations of Devastating Pyrotechnics in Esparto, CA as
25 licensed, legal, and/or inspected, including by making
26 such false statements to local, state, and/or federal
27 government officials, including to law enforcement and
28 other first responders.

1 37. From on or about June 1, 2015 until July 1, 2025, one
2 or more Co-Conspirators caused to be imported by
3 Devastating Pyrotechnics, including to Esparto, CA, more
4 than eleven million (11,000,000) pounds of products
5 purporting to be fireworks, and/or materials to make
6 fireworks.

7 38. On or about July 1, 2025, one or more Co-Conspirators
8 possessed one million (1,000,000) or more pounds of
9 products purporting to be fireworks, and/or materials to
10 material to make fireworks on the property of SAMUEL ELMO
11 MACHADO.

12 **COUNT 14**

13 **[TRANSPORTATION OF EXPLOSIVES OR DESTRUCTIVE DEVICES]**

14 Count 14: On or about July 1, 2025, KENNETH KIN CHEE and
15 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
16 and CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL
17 ELMO MACHADO did commit a FELONY, namely, a violation of Section
18 18725 of the California Penal Code - Transportation of an
19 Explosive or Destructive Device, in that KENNETH KIN CHEE and
20 GARY Y. CHAN JR and JACK Y. LEE and DOUGLAS MICHAEL TOLLEFSEN
21 and CRAIG ALLEN CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL
22 ELMO MACHADO willfully carry any destructive device or any
23 explosive on any vessel, aircraft, car, or other vehicle that
24 transports passengers for hire.

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1 assault weapon as defined in Section 30510/30515 of the
2 California Penal Code: to Wit Heckler and Koch, HK91, .308
3 Caliber, Semi-Automatic Rifle, S/N A026317.

4 **COUNT 20**

5 **[POSSESSION OF ASSAULT WEAPON]**

6 Count 20 : On or about July 1, 2025, SAMUEL ELMO MACHADO
7 did commit a FELONY, namely, a violation of Section 30605(a) of
8 the California Penal Code, POSSESSION OF ASSAULT WEAPON, in that
9 SAMUEL ELMO MACHADO did willfully and unlawfully possess an
10 assault weapon as defined in Section 30510/30515 of the
11 California Penal Code: to wit Norinco, Model MAK 90 Sporter,
12 7.62 x 39mm Caliber, Semi-Automatic, Rifle S/N 9445329.

13 **COUNT 21**

14 **[POSSESSION OF ASSAULT WEAPON]**

15 Count 21 : On or about July 1, 2025, SAMUEL ELMO MACHADO
16 did commit a FELONY, namely, a violation of Section 30605(a) of
17 the California Penal Code, POSSESSION OF ASSAULT WEAPON, in that
18 SAMUEL ELMO MACHADO did willfully and unlawfully possess an
19 assault weapon as defined in Section 30510/30515 of the
20 California Penal Code, Century Arms Inc, Model L1A1 Sporter,
21 .308 Caliber, Semi-Automatic Rifle, S/N 108678.

22 **COUNT 22**

23 **[POSSESSION OF ASSAULT WEAPON]**

24 Count 22 : On or about July 1, 2025, SAMUEL ELMO MACHADO
25 did commit a FELONY, namely, a violation of Section 30605(a) of
26 the California Penal Code, POSSESSION OF ASSAULT WEAPON, in that
27 SAMUEL ELMO MACHADO did willfully and unlawfully possess an
28 assault weapon as defined in Section 30510/30515 of the

1 California Penal Code, Heckler & Koch, Model SP89, 9mm, Semi-
2 Automatic Pistol S/N 2118721.

3 **COUNT 23**

4 **[2024 TAX FRAUD]**

5 Count 23 : On or about June 5, 2025, SAMUEL ELMO MACHADO
6 did commit a FELONY, namely, a violation of Section 19705(a)(1)
7 of the California Revenue and Taxation Code, WILLFULLY FALSE
8 RETURN, in that SAMUEL ELMO MACHADO did willfully and unlawfully
9 make and subscribe a return, statement, and other document, that
10 contained and was verified by a written declaration that it was
11 made under penalty of perjury, and which they did not believe to
12 be true and correct as to every material part, for the tax year
13 2024.

14 **COUNT 24**

15 **[2023 TAX FRAUD]**

16 Count 24 : On or about April 14, 2024, SAMUEL ELMO MACHADO
17 did commit a FELONY, namely, a violation of Section 19705(a)(1)
18 of the California Revenue and Taxation Code, WILLFULLY FALSE
19 RETURN, in that SAMUEL ELMO MACHADO did willfully and unlawfully
20 make and subscribe a return, statement, and other document, that
21 contained and was verified by a written declaration that it was
22 made under penalty of perjury, and which they did not believe to
23 be true and correct as to every material part, for the tax year
24 2023.

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COUNT 25

[DANGEROUS WORKPLACE]

Count 25 : On or about July 1, 2025, KENNETH KIN CHEE and DOUGLAS MICHAEL TOLLEFSEN did commit a FELONY, namely, a violation of Section 387 of the California Penal Code, CORPORATIONS OR LIMITED LIABILITY COMPANY AND MANAGER MAINTAINING SERIOUS CONCEALED DANGERS, in that DEVASTATING PYROTECHNICS, INC. and KENNETH KIN CHEE and DOUGLAS MICHAEL TOLLEFSEN managed a place of employment, to wit, the Devastating Pyrotechnics facility in Esparto, CA, and with actual knowledge of serious concealed dangers and imminent risks of great bodily harm or death, willingly failed to inform the California Department of Industrial Relations, Division of Occupational Safety and Health of such risk and failed to warn its affected employees.

COUNT 26

[INSURANCE FRAUD - FALSE FILING]

Count 26 : On or about October 1, 2023 through July 1, 2025, KENNETH KIN CHEE, did commit a FELONY, namely, a violation of Section 2117.5 of the California Unemployment Insurance Code, FALSE OR FRAUDULENT RETURN OR STATEMENT, in that KENNETH KIN CHEE, within the time required by this code, did willfully and unlawfully make, render, sign, and verify any false or fraudulent return, report, and statement and did supply any false or fraudulent information with intent to evade any tax imposed by this code.

1 4. CRAIG ALLEN CUTRIGHT possessed and stored explosives
2 and/or destructive devices, and materials to create
3 explosives and/or destructive devices, in the "Yellow
4 Shop" on the MACHADO property.

5 5. RONALD JOHN BOTELHO III caused to be imported explosives
6 branded as "Bad Dad" fireworks, and stored, possessed,
7 and sold or arranged for sale such devices on the MACHADO
8 property.

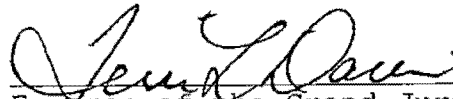
9 6. CRAIG ALLEN CUTRIGHT caused to be imported explosives
10 branded as "Double OG" fireworks, and stored, possessed,
11 and sold or arranged for sale such devices on the MACHADO
12 property.

13 **COUNT 30**

14 **[POSSESSION OF EXPLOSIVES]**

15 Count 30 : On or about July 1, 2025, CRAIG ALLEN CUTRIGHT
16 and RONALD JOHN BOTELHO III and SAMUEL ELMO MACHADO did commit a
17 FELONY, namely, a violation of Section 12305 Of the California
18 Health and Safety Code, POSSESSION OF EXPLOSIVE, in that CRAIG
19 ALLEN CUTRIGHT and RONALD JOHN BOTELHO III and SAMUEL ELMO
20 MACHADO did knowingly possesses any explosive without being in
21 the lawful possess of such explosive.


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23 A TRUE BILL, and with a finding that the requirements of
24 Penal Code section 923(c) have been satisfied.

25 

26 Foreman of the Grand Jury of the

27 County of Yolo, State of California

1 Presented by the foreman of the Grand Jury in the presence
2 of the Grand Jury in the Superior Court of the County of Yolo,
3 State of California, and filed as recorded of said Court the
4 3 day of April, 2026.

5
6 
7 CLERK OF THE SUPERIOR COURT

8 By: Asmergent
9 Deputy

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11
12 NAMES OF WITNESSES EXAMINED BY THE GRAND JURY ON THE FINDING OF
13 THE FOREGOING INDICTMENT:

14 Brent Dawson
15 Nathan Hutson
16 Shad Begley
17 Kenneth Pierce
18 Bryan Gouge
19 Christine LoVette
20 Michael Briw
21 Maria Melendez
22 Maria Soriano
23 Joseph Crocker
24 Julian Voller
25 Salvador Gonzalez
26 Nicholas Schroeder
27 Kelly Kensic
28

- 1 Pete Imsand
- 2 Scott Doolittle
- 3 Stephanie Cormier
- 4 Rebecca Berhens
- 5 Jeremy Hembree
- 6 Russell Fener
- 7 Matthew Martin
- 8 Harpreet Dulai
- 9 Curtis Lawrence
- 10 Monica Lopez
- 11 Brett McNabb
- 12 Tonya Tolentino
- 13 Jennifer Davis
- 14 Kathy King
- 15 Tom McLaughlin .
- 16 Christopher Kumata
- 17 John Sadlowski
- 18
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