ATTACHMENT B
AFFIDAVIT OF UNITED STATES MARSHALS SERVICE
DEPUTY MARSHAL DAVID BALL

I, David Ball, being first duly sworn, do hereby depose and state the following:

1. Your affiant is a Deputy United States Marshal ("DUSM") stationed in Springfield, Missouri. I have served in that capacity with the United States Marshals Service ("USMS") since 2022. As a DUSM, I have received extensive training on the conduct of fugitive investigations and investigations into alleged violations of federal law. Specifically, I am authorized to conduct investigations into violations of Title 18, United States Code, Sections 751(1) and 4082(a) (Escape). This complaint is based on the following facts, which are known to me as a result of my personal participation in this investigation, and from reports made by other law enforcement agents.

2. This affidavit is submitted for the limited purpose of establishing probable cause that TIMOTHY R. DAY, the defendant herein, committed a violation of Title 18, United States Code, Sections 751(a) and 4082(a), escape from custody after conviction of a felony. Consequently, this affidavit does not include every fact known to me.

3. On December 14, 2017, DAY pleaded guilty to Count 1 of an Information charging him with mailing a threatening communication, in violation of 18 U.S.C. § 876(c), in case number 15-00032-01-CR-W-GAF in the Western District of Missouri. On May 17, 2018, DAY was sentenced to 34 months in the custody of the Federal Bureau of Prisons ("BOP"), to be followed by a three-year term of supervised release.

4. On May 22, 2025, DAY arrived at the Alpha House Residential Reentry Center ("Alpha House RRC") located at 2300 East Division Street, Springfield, Missouri, 65803.

5. Prior to entering Alpha House RRC, DAY signed the following acknowledgement in relation to escape:

> "Failure to follow accountability procedures may result in a reprimand, loss of pass time, an Alpha House restriction, or negative termination/program failure. Remember that unauthorized absences may be considered ESCAPE and you may be terminated from the program and returned to the custody of your referring agency. If it is determined you have escaped, you may be prosecuted for that offense and receive additional time."

6. On August 28, 2025, DAY left the Alpha House RRC without an authorized leave pass and, as he was leaving, told Alpha House RRC staff that he was not coming back. Later that day, Alpha House RRC staff found DAY's GPS monitor at a nearby business, where he had presumably removed and left it. DAY was subsequently placed on escape status.

7. On August 28, 2025, at approximately 11:05 am, the USMS was notified of DAY's escape.

8. Several attempts to contact DAY have been made by the USMS and Alpha House RRC staff, all of which have been unsuccessful.

9. In summary, on August 28, 2025, DAY willfully escaped from custody via the BOP ordered Alpha House RRC confinement, from a facility in which he was lawfully confined at the direction of the Attorney General and by virtue of a judgement and commitment for the commission of the felony offense of mailing a threatening communication, in violation of 18 U.S.C. § 876(c).

10. Based on the above facts, your Affiant believes DAY has committed the federal offense of Escape from Custody outlined in Title 18, United States Code, Sections 751(a) and 4082(a).

Further your affiant sayeth naught.

DAVID BAL Digitally signed by DAVID BA Date: 2025.09.26 14:51:39 -05'00'

David Ball
Deputy United States Marshal
United States Marshals Service

Sworn to and subscribed to before me in my presence via telephone on this 26th day of September 2025, in the Western District of Missouri.

HONORABLE WILLIE J. EPPS, JR.
Chief United States Magistrate Judge
Western District of Missouri