

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America )
v. )
Shamorcus Brandan Nesbitt, and )
England Alexander Wilson )

Case No. 8:14M.11400 TBM

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 May 20, 2014 in the county of Hillsborough in the Middle District of Florida, the defendant(s) violated:

Table with 2 columns: Code Section (18 U.S.C. § 1951(a), 18 U.S.C. § 1951(a), 18 U.S.C. § 924(c)) and Offense Description (Conspiracy to interfere with commerce by robbery; Interference with commerce by robbery; and brandishing a firearm during and in relation to and in furtherance of a crime of violence, that is, interference with commerce by robbery.)

This criminal complaint is based on these facts:

See attached Affidavit.

[X] Continued on the attached sheet.

Handwritten signature of Walton D. Lanier
Complainant's signature
Walton D. Lanier, Special Agent, ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: 5-20-14

Handwritten signature of Thomas B. McCoun III
Judge's signature

City and state: Tampa, Florida

THOMAS B. MCCOUN III, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Special Agent Walton D. Lanier of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being duly sworn, depose and state as follows:

1. I am a sworn federal law enforcement officer of the United States of America and thus am charged with the duty of enforcing the laws of the United States and possess the authority to request, obtain, and execute orders of the United States Courts.

2. I have been a Special Agent with ATF for over twelve years. I have twenty-five years of law enforcement training and experience consisting of, but not limited to, the earning of a Bachelor of Science Degree in the field of Criminal Justice from Armstrong Atlantic State University; the successful completion of the Georgia State Patrol's Trooper School and subsequent employment as a State Trooper in which I achieved the rank of Trooper First Class; the successful completion of the Georgia Bureau of Investigations' Special Agent Program, and subsequent employment as a criminal investigator in which I achieved the position of Special Agent Principal; the successful completion of the Federal Law Enforcement Training Centers Criminal Investigator Training Program (CITP); and the successful completion of the ATF New Professional Training Program (NPT). While employed in these positions, I received substantial additional training in subject matters specific to each position's requirements and challenges encountered in furtherance of law enforcement duties. In connection with my official duties, I investigate a variety of criminal violations of federal laws, including the investigation of violent crimes and other firearms-related offenses such as armed robberies and crimes involving gangs.

3. I submit only those facts believed to be relevant in the determination of probable cause, and this affidavit should not be construed as a complete statement of all the facts in this investigation. I derived the following pertinent facts through consultation with other law enforcement officers, a review of reports, and my personal investigative efforts and personal knowledge, as well as my experience and background.

5. This investigation involves a series of nineteen (19) commercial armed robberies that have occurred throughout the Middle District of Florida, including in Citrus, Hernando, Pasco, and Hillsborough counties, between December 2013 and May 20, 2014. The investigation concerns violations of 18 U.S.C. §§ 1951(a) (interference with interstate commerce by robbery and conspiracy to commit the same) and 924(c) (brandishing a firearm in furtherance of a crime of violence, namely, robbery). As more fully described below, the investigation has identified two individuals, SHAMORCUS BRANDAN NESBITT and ENGLAND ALEXANDER WILSON, believed to be responsible for the aforementioned violations.

6. Based on facts set forth below, on May 1, 2014, United States Magistrate Judge Elizabeth A. Jenkins authorized the installation of a tracking device for a red 2013 Dodge Journey vehicle, registered to Linda Green Godwin and NESBITT, case number 8:14-mj-1303-T-EAJ. Also based on the facts set forth below, on May 6, 2014, United States Magistrate Judge Anthony E. Porcelli authorized the installation of a tracking device for a grey/green 2002 Nissan Altima vehicle, registered to Kamey Elice Nesbitt, case number 8:14-mj-1330-T-AEP. These warrants were issued based on probable cause that NESBITT and/or ENGLAND, who reside in the Middle District of Florida, utilized the vehicles

to plan for and carry out armed robberies of commercial establishments, and that the installation and use of the tracking devices would lead to evidence, fruits, and instrumentalities of the aforementioned crimes as well as to the identification of individuals who are engaged in the commission of those and related crimes.

7. I submit this affidavit in support of a criminal complaint for the arrest of **SHAMORCUS BRANDAN NESBITT and ENGLAND ALEXANDER WILSON**, for violations of Title 18, United States Code, Sections 1951(a) and 924(c), and specifically for the armed robbery of a Little Caesar's Pizza commercial establishment on May 20, 2014, as further detailed below. This affidavit merely sets forth facts needed to establish probable cause in support of the request for the criminal complaint and does not set forth all facts known to me about the investigation.

#### **Background of Investigation**

8. In the fall of 2012, I participated, along with the Hillsborough County Sheriff's Office, the Hernando County Sheriff's Office, the Tampa Police Department, and several other agencies in the investigation of a series of commercial armed robberies in the Middle District of Florida beginning in September 2012 and continuing through November 2012. These armed robberies were unique in the means and manner in which they were committed. Specifically, the offender or offenders would conceal their identity and gain access into these occupied stores by throwing a brick, rock or similar item through a glass door or window in the front of the business. One or more of the offenders would enter the store brandishing a handgun and demanding money. The armed robberies occurred at or around closing time of the stores, when only one or two employees would be in the store,

the doors would generally be locked, and the employee was counting the money to make the store's deposit. The robberies generally occurred on Sunday, Tuesday, and Thursday nights, and were of fast-food type establishments with the most being pizza stores like Papa John's, Domino's, or Pizza Hut. At least one of the Pizza Hut stores was victimized twice by the same robber(s).

9. As the investigation progressed, Demetrius Renaldo BOWERS was identified as a suspect through DNA analysis conducted on a cap that was recovered near the scene of one of the armed robberies. "Tower hit" analysis of BOWERS' mobile phone records also revealed his presence at or near the scenes of the armed robberies. On several of these armed robberies, BOWERS was assisted by at least one co-conspirator, as depicted on surveillance video from the robberies. BOWERS was charged federally with eight armed robberies in case number 8:12-cr-550-T-35TGW, proceeded to trial, and was convicted at the conclusion of a jury trial in the U.S. District Court for the Middle District of Florida in June 2013. BOWERS was recently sentenced to 193 years' imprisonment. Law enforcement was unable to positively identify, and BOWERS never identified, his co-conspirator(s) in the armed robberies.

10. However, during the investigation, through BOWERS' cellular phone records and witness interviews, law enforcement suspected Shamorcus Brandan NESBITT as one of BOWERS' co-conspirators. NESBITT is the brother of Kamey Nesbitt, who is the mother of BOWERS' child (and the owner of the Nissan vehicle subject to the tracking warrant authorized by Judge Porcelli, and the girlfriend of England Alexander WILSON). One of the armed robberies committed by BOWERS (and believed to be committed by another co-

conspirator as well) occurred at the Domino's Pizza in Spring Hill, Hernando County, Florida, near Kamey Nesbitt's residence. BOWERS was residing with Kamey Nesbitt in Spring Hill with her and Shamorcus NESBITT's mother at the time of the robbery. Shamorcus NESBITT was also placed at the residence during the same time frame. Shamorcus NESBITT had prior felony arrests and convictions for theft, burglary, and aggravated assault with a firearm. Further, with regard to at least four of the BOWERS armed robberies, BOWERS called a Metro PCS mobile number registered in the name of Shamorcus NESBITT multiple times within a short period of time before the armed robberies, with no calls occurring immediately before or during the armed robberies, followed by one or more calls to NESBITT after BOWERS had fled the scene. Based on my training and experience, I recognized this pattern as consistent with the theory that BOWERS and NESBITT were conspiring during the multiple calls prior to the armed robberies. There was no reason for any further calls to be made between BOWERS and NESBITT just prior to and during the armed robberies, as they would have been together. I believe that following the armed robberies, the call or calls occurred after they had parted company and were concluding their criminal activity.

11. I recently learned that approximately 18 armed robberies and/or attempted armed robberies, most committed in the same unique manner as the BOWERS robberies (i.e., the smashing of glass with a brick or rock to gain access, brandishing a handgun, and committing the offense around closing time) had occurred beginning in December 2013 and continuing until April 29, 2014. Several of these victim stores, including the previously described Domino's Pizza store in Spring Hill, Hernando County, were the same stores

where BOWERS had previously committed armed robberies. In addition to the restaurant-type stores, Dollar General Stores and gas stations have also been victimized. Hernando County Sheriff's Office Detectives advised me that Shamorcus NESBITT's mother, and possibly NESBITT himself, had at one time resided close to the location of the first Dollar General Store that was robbed. The armed robberies have been serial in nature—with robberies having occurred as recently as April 23, April 28, two on April 29, and what appeared to be an attempt on April 30, 2014, as further described below.

12. The 18 armed robberies have all been committed in a consistent manner with one or two offenders. The offender(s)' general appearances were consistent from robbery to robbery in the available surveillance videos. In most of the robberies, the perpetrator(s) are described as black male(s), 5'6" to 5'8", 150-170 pounds, thin to medium build, age range in their 20s or 30s, wearing black hoodie, jeans, face covered by a ski mask or other face covering such as a bandana or shirt, armed with a small silver revolver, and utilizing a rock or piece of concrete to gain entry through glass. On multiple occasions the revolver has been observed in the suspect's left hand, and NESBITT is left-handed. Thus, based on the consistent manner in which all of these offenses were committed, combined with the consistent appearances of the offenders depicted in the surveillance videos, (although their identities were concealed), I believe that the same person or person(s) are responsible for most, if not all, of these armed robberies and attempted armed robberies.

13. Based on the pattern of the numerous robberies, on the evening of Wednesday, April 23, 2014, into the early morning hours of the following day, Hernando County Sheriff's Office Detectives conducted covert surveillance on a Domino's Pizza store

in anticipation of another armed robbery. Sometime after midnight, Detectives observed a Red Dodge Journey with Florida Tag # CDUI24 driving around the store in a suspicious manner. At one point, the driver of the vehicle maneuvered the headlight illumination in a manner that made the Detectives believe they had been observed conducting surveillance. The Dodge then promptly left the area, but was briefly detained away from the area by a uniformed Hernando County Sheriff's Office Patrol Deputy based on a routine traffic violation for failure to maintain a lane. The Deputy confirmed the vehicle registration along with the identities of the driver and passenger. The vehicle identification number (VIN) was confirmed as 3C4PDCAB1DT647259 and was registered in the name of Linda Green Godwin and Shamorcus Brandan NESBITT. It was later learned that Godwin is the mother of NESBITT's girlfriend. The driver of the Dodge was Shamorcus Brandan NESBITT and the passenger was England Alexander WILSON. (I also found that WILSON has an extensive felony criminal history listing such offenses as battery, larceny, aggravated assault with a weapon, firing a weapon and domestic violence as well as other traffic and drug related offenses). The deputy also observed from his position outside of the vehicle two duffle bags on the back seat of the Dodge. The deputy described the shoes worn by NESBITT as black sneakers with bright colored laces. I observed that in the armed robbery on Tuesday, April 15, 2014, at the Mobil Mart in Spring Hill, it was reported one of the suspects was wearing black sneakers with red shoe laces. The deputy requested consent to search the Dodge and its contents, but was denied by NESBITT. The deputy warned NESBITT for the traffic violation and released them.



14. Hillsborough County Sheriff's Office and Tampa Police Department Detectives identified NESBITT's residence through Florida Department of Corrections probation records. In conducting surveillance, detectives observed the Dodge parked in front of this residence in the downtown Tampa area. As a result, license plate readers were setup near this residence at the most likely route for departing and arriving at this residence, as stationary surveillance points to detect movement of this vehicle.

15. On Monday, April 28, 2014, at approximately 12:26AM, one of the 18 armed robberies occurred at a Pizza Hut in Tampa. The license plate reader indicated reading the tag for the Dodge at 6:53PM and 6:56PM on Sunday, April 27, 2014, followed by additional readings at 2:49AM and 3:14AM on Monday, April 28, 2014. Thus, the license plate reader detected movement of the Dodge at those times but no time in between. Thus, this indicated that the Dodge was mobile during the evening hours leading up to the armed robbery and still mobile during the early morning hours following the time of the armed robbery, and therefore could have also been in use at the time of the armed robbery.

16. According to Hillsborough County Sheriff's Office Detectives, on Tuesday, April 29, 2014, at approximately 3:12AM, another of the 18 armed robberies occurred at a Kangaroo Gas Station in Tampa. Detectives researched "Eye on Crime" camera recordings from a camera estimated to be approximately eight minutes driving time from this victim store. At approximately 3:20AM to 3:22AM, the cameras recorded a red in color SUV appearing to match the description of the Dodge traveling in the direction of an interstate. At approximately 4:24AM, another armed robbery occurred at a Circle K/Shell Gas Station. Traveling via this interstate from the Kangaroo gas station to the Circle K/Shell gas station,

detectives determined that the distance from the first victim store to the second victim store to be approximately 19.8 miles and estimated the driving time be approximately thirty minutes.

17. On Wednesday, April 30, 2014, I, along with Federal Bureau of Investigation (FBI) Special Agent James Bucenell met with Detectives from the Tampa Police Department, Hillsborough County Sheriff's Office, the Pasco County Sheriff's Office, the Hernando County Sheriff's Office and the Citrus County Sheriff's Office to discuss the armed robberies occurring in each of their jurisdictions, and agreed to directly participate in and spearhead this investigation. It was also agreed that the Hillsborough County Sheriff's Office surveillance deputies would conduct continuous surveillance on NESBITT, WILSON and the Dodge.

18. During the late evening hours of April 30, 2014, while conducting surveillance, deputies observed NESBITT driving the Dodge accompanied by an unidentified black male passenger suspected to be WILSON. Deputies observed the Dodge travel directly from NESBITT's residence in the downtown Tampa area to an area in Pasco County and circle a Dollar General Store before turning on to an access road behind the Dollar General Store and backing the vehicle into a wooded area behind the store. While visibility was limited due to the wooded dimly lit area, deputies were able to observe NESBITT and his passenger, whom they suspected to be WILSON, exiting the vehicle as both put on jackets and walked toward the store before deputies briefly lost sight of them. I observed that the temperature outside on the evening of April 30, 2014 was in the 70s and not weather usually requiring a jacket. Upon losing sight of the suspects, deputies immediately set up

surveillance on the Dollar General Store. This store appears to close around 9:00PM. Deputies noted many last minute shoppers going into the store before closing. NESBITT and his passenger were then observed returning to the Dodge. Both entered the vehicle and returned directly to NESBITT's residential area in the downtown Tampa area. Deputies believed that the last minute shoppers entering the store either disrupted the suspects' intentions to rob the store or that the suspects were "casing" the store.

19. Based on the foregoing, there was probable cause to believe that NESBITT and WILSON had committed or were conspiring to commit commercial armed robberies and that the Dodge had been used in furtherance of those crimes. In addition, given the serial nature of the offenses—with robberies having occurred as recently as April 23, April 28, two on April 29, and what appeared to be an attempt on April 30, 2014, I believed that NESBITT and co-conspirator(s) would commit or attempt to commit additional robberies in the near future. Therefore, I sought a court order to install a tracking device on this Dodge vehicle, which was granted by U.S. Magistrate Judge Elizabeth A. Jenkins on May 1, 2014, in case number 8:14-mj-1303-T-EAJ. The tracking device was installed on the Dodge on Friday, May 2, 2014.

20. During the subsequent surveillance of the Dodge and NESBITT's Tampa residence, deputies observed the Nissan vehicle parked at the residence. Also, on several occasions deputies observed NESBITT and WILSON driving the Nissan instead of the Dodge. The investigation showed that the registered owner of the Nissan, NESBITT's sister, Kamey NESBITT, is dating WILSON. Also, according to Florida Department of

Corrections records, WILSON was released from prison on October 29, 2013, and this new spree of uniquely executed armed robberies subsequently began on December 2, 2013.

21. Hernando County Sheriff's Office Detectives advised me that during the second armed robbery of the Dollar General located at 399 Broad Street in Brooksville, Hernando County, Florida, an off-duty deputy had seen what he described as a grey or silver 4-door Nissan Altima or Maxima, of possibly mid-2000s year model, parked nearby at a location near the store at the time of the armed robbery. When deputies responded to the armed robbery location, the vehicle was gone. However, a K-9 deputy detected and tracked a suspect trail from the store to the location where it was reported that this vehicle was parked. The Nissan vehicle is a 2002 Nissan Altima, but it is listed on registration as green. However, I have observed a photograph of the Nissan taken in daylight hours and noted that the color appeared to be, or could easily be mistaken for grey, especially if observed during the evening or nighttime areas with lower visibility, as it was observed in the evening hours when seen by the off-duty deputy.

22. The Nissan has been observed often parked at Kamey NESBITT's residence in Spring Hill. Thus, based on their suspicions, Hernando County Sheriff's Office Detectives installed a pole camera in a public area vantage point to aid in surveillance of this residence and the Nissan vehicle. During surveillance of this residence, WILSON has been observed there residing with Kamey NESBITT. During the late night hours of May 4, 2014, and into the early morning hours of May 5, 2014, a black male believed to be WILSON was observed exiting the residence suspiciously carrying a black plastic trash bag across the street and behind an abandoned house. The male was out of camera view briefly before returning to

the house without the black bag. The Nissan was parked at the residence during this time. Detectives searched the area and during the evening hours of May 5, 2014, found the black plastic bag. The bag contained a black hoodie, a blue hoodie, gloves, Nike sneakers, and other items consistent with clothing worn by the perpetrators in many of the 18 armed robberies. In fact, Hernando County Sheriff's Office Detective Chris Kraft immediately recognized the color pattern of the gloves from the surveillance video of the attempted armed robbery on Tuesday, February 4, 2014, at the Dollar General in Brooksville. Also, Detective Kraft noted that the shoe tread appeared to be consistent with a suspect shoe impression recovered from the scene of one of the other armed robberies.

23. At the time of the recovery of these items, the Hillsborough County Sheriff's Office Detectives were conducting surveillance on NESBITT in Hillsborough County, while WILSON remained in Hernando County. I discussed investigative strategies with the agencies involved in this investigation and it was agreed that, among other efforts, surveillance of these suspects should continue with emphasis given to WILSON and the Nissan vehicle as probable cause exists to believe that both the Dodge and the Nissan have been used or are likely to be used in past or future armed robberies or attempted armed robberies.

24. Thus, I sought a tracking warrant for the Nissan which was authorized by U.S. Magistrate Judge Anthony Porcelli in case number 8:14-mj-1330-T-AEP on May 6, 2014. The tracker was subsequently installed on the Nissan vehicle and its movements have been monitored by law enforcement.

25. At approximately 12:40 a.m. on May 20, 2014, an armed robbery occurred at the Little Caesar's Pizza located at 7530 W. Waters Avenue, Tampa, Florida. According to witnesses, two black males shattered the front window with a cinder block and gained entry. One of the robbers was armed with silver over black semi-automatic handgun, holding the gun in his left hand, wearing dark colored clothing with a red hoodie with a red and black design, a mask, and black gloves. The second robber was also wearing dark colored clothing, a mask, gloves, and a dark colored hoodie. The robbers demanded money, took the employees to the back of the store to retrieve the money, held them at gunpoint, and took currency from the store (an official count has not yet been determined). A witness reported that the robber without the gun told them that it was going to be alright. Deputies responded to the scene and during the investigation, a K-9 unit tracked from the store to a location west of the store.

26. Hillsborough County Sheriff's Office made an inquiry with the Hernando County Sheriff's Office as to the tracker currently active on the Nissan vehicle. The tracking data showed that at 12:01 a.m., the Nissan vehicle was located just west of the Little Caesar's at a generic address of 7596 West Waters Avenue, and this was also the area to which the K-9 tracked after the commission of the robbery. The tracking data shows that the vehicle was stationed at this location for approximately 37 minutes, thus at approximately 12:38 a.m. the vehicle started to move. The robbery was called in at 12:40 a.m. At 12:42 a.m., the Nissan vehicle starts to move and travels directly back to the residence of Shamorcus NESBITT, located at 1307 East 127<sup>th</sup> Avenue, Apartment T, Tampa, Florida.

27. At this point, the Hillsborough County Sheriff's Office went to NESBITT'S apartment to conduct surveillance, and saw the Nissan vehicle arrive at the residence. Law enforcement saw two black males in dark colored clothing walking from where the Nissan vehicle was parked toward the apartment. Shortly thereafter, the Nissan was observed leaving the apartment with a black female driver and a black male passenger. They drove to a Circle K gas station and then changed seats, with the black male passenger driving. Shortly thereafter, law enforcement stopped the vehicle and identified the driver as England Alexander WILSON. WILSON was taken into custody. I went with the Hillsborough County Sheriff's Office to NESBITT's residence and took NESBITT into custody. Kamey Nesbitt was also present in the residence and voluntarily agreed to come with law enforcement for a voluntary interview.

28. WILSON, NESBITT, and Kamey Nesbitt were all interviewed at the Hillsborough County Sheriff's Office. Kamey Nesbitt confirmed that around 9:00 p.m. on the evening of May 19, 2014, WILSON and her brother NESBITT left NESBITT'S residence in her Nissan vehicle, which is also confirmed by the tag readers outside the residence. Kamey Nesbitt stated that around 1:00 a.m., they both returned to the apartment and woke her up. She went back to sleep and did not know that WILSON had left the apartment again. Kamey Nesbitt advised that WILSON has provided her with money to pay for bills and claimed that it was winnings from the Casino. Kamey Nesbitt also recognized the blue hoodie recovered from the black plastic bag that Hernando County Sheriff's Detectives recovered on May 5, 2014, as her minor son's. Her minor son resides with her in Hernando County at the

residence where WILSON was observed trying to discard the black plastic bag with items of evidentiary value.

29. WILSON was Mirandized and voluntarily agreed to speak with law enforcement. He admitted to his participation in the robbery of the Little Caesar's on May 20, 2014, and agreed that NESBITT was in the Nissan vehicle with him. WILSON also admitted to his participation in numerous other of the aforementioned robberies. (The interview and gathering specific details from him is still ongoing as of the writing of this affidavit). WILSON claimed that he did not have the gun used in the robbery and did not know where it was. It was not recovered on his person. NESBITT did not invoke his rights but did not make any admissions toward law enforcement. The gun was not recovered on his person either. Neither NESBITT nor WILSON had any significant amount of money on their person which they would have gotten in the robbery.

30. The Nissan vehicle was impounded by law enforcement. Pursuant to Hillsborough County Sheriff's Office policy, an initial inventory search was conducted of the vehicle for obvious items of evidentiary value. A red hoodie consistent with the description of one worn during the Little Caesar's robbery was located in the vehicle. A complete search has not yet been conducted pending Crime Scene Technicians' need to process the vehicle. However, no gun was seen in plain view in the vehicle. A search warrant for NESBITT's residence to located evidence of the crime, including the firearm, is being sought simultaneously herewith.


31. I know based on my training and experience that Little Caesar's Pizza is a chain establishment with franchises all over the United States, and that its business affects



interstate commerce. Little Caesar's inability to do business during and after the time of an armed robbery affects interstate and foreign commerce. Additionally, the depletion of Little Caesars' assets through an armed robbery also affects interstate and foreign commerce.

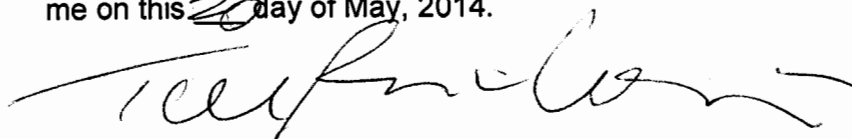
32. WHEREFORE, probable cause exists to believe that SHAMORCUS BRANDAN NESBITT and ENGLAND ALEXANDER WILSON committed the armed robbery of the Little Caesar's Pizza in Tampa, Florida on May 20, 2014, in violation of Title 18, United States Code, Sections 1951(a) and 924(c), and I respectfully request that a criminal complaint be issued for their arrest.

This completes my affidavit.



Walton D. Lanier  
Special Agent, ATF

Sworn to and subscribed before  
me on this 20 day of May, 2014.



THOMAS B. MCCOUN III  
UNITED STATES MAGISTRATE JUDGE