

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ANTHONY GALVAN aka "Ant"

CASE NUMBER:

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about January 14, 2014, through on or about February 20, 2014, at Harvey, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendants violated:

*Code Section**Offense Description*

Count One:
Title 18, United States Code, Section
922(a)(1)(A)

Willfully engaging in the dealing of firearms without a
license

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

THOMAS A. BEEBE

Special Agent, Bureau of Alcohol, Tobacco, Firearms
& Explosives (ATF)

Sworn to before me and signed in my presence.

Date: July 7, 2014

Judge's signature

City and state: Chicago, Illinois

MARY M. ROWLAND, U.S. Magistrate Judge

Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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AFFIDAVIT

I, THOMAS A. BEEBE, being duly sworn, state as follows:

1. I am a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and have been so employed for 6 years. My current responsibilities include the investigation of criminal violations of the federal firearms laws.

2. This affidavit is submitted in support of a criminal complaint alleging that Anthony GALVAN aka "Ant" has violated Title 18, United States Code, Sections 922(a)(1)(A). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging defendant with willfully engaging in the business of dealing firearms without a license, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendants committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, witness interviews, my experience and training, and the experience of other agents.

Introduction

4. Between January 14, 2014 and February 20, 2014, a Chicago Police Department undercover officer (“UC”) purchased six firearms and approximately 12 grams of cocaine from defendant Anthony GALVAN¹ during the course of five transactions all conducted in a vehicle parked directly in front of a residence in Harvey, Illinois, where GALVAN is believed to reside (“Galvan’s residence”). During each of the transactions, the UC was wearing an audio recording device² that captured GALVAN’s voice. In addition, on each occasion, the UC was under constant watch and protected by surveillance officers.

5. On or about June 20, 2014, a query of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Federal Licensing System (FLS) was conducted by ATF personnel. The purpose of the query was to determine if GALVAN is, or has ever been, a Federal Firearms Licensee (FFL). After accessing the FLS, no records were found for GALVAN, which means that GALVAN has never been licensed to deal firearms.

GALVAN sold a .380 pistol to UC on January 14, 2014

6. On January 14, 2014, a UC drove with another individual to GALVAN’s residence so the UC could meet with and purchase a firearm from

¹ The UC identified GALVAN by reviewing a CPD I-Clear booking photo of GALVAN.

² The recorded conversations described throughout this Affidavit have been summarized, and parentheses have been placed around language that represent my or other agents’ understanding of what is being said during the recordings, based on their content and context, and based on my and other law enforcement officers’ experience. In addition, language that is quoted from the recorded conversations throughout this Affidavit is based upon agents’ review of the recorded conversations, and are not intended to be a final transcript of the audio recordings from which the quotes are taken.

GALVAN. The UC and the other individual waited outside of GALVAN's residence. After emerging from the residence, GALVAN got into the vehicle with the UC and the other individual, and immediately introduced himself to the UC by shaking hands and saying "Ant." In return, the UC then introduced himself. GALVAN, who had a pistol with him, told the UC, "I cleaned this for you." The UC acknowledged, saying "thanks" and asked "that's a 380 [.380 caliber pistol], right?" GALVAN replied "yeah, 380 works good." The UC said, "you being straight with me, this thing works right?" GALVAN replied "hell yeah, let's go down the street and you can shoot it." The UC replied, "no, you all good, I trust you, bro."

7. GALVAN then handed a Bryco Arms, Model 38, .380 caliber pistol, bearing serial number 1293583, to the UC and told the UC, "Man I gave you an extra magazine along with the one that is fully loaded." In exchange, the UC gave GALVAN \$325. During this meeting, GALVAN asked the UC about his interest in purchasing cocaine. The UC told GALVAN that he usually purchases a couple of grams of cocaine per week for approximately \$80 per gram. GALVAN replied, "Oh man, come out here bro, I will give it to you for \$50 a gram and I got good shit."

8. GALVAN and the UC spoke about the UC buying more firearms from GALVAN. GALVAN showed the UC a photograph taken on his cell phone of a 22 caliber firearm that was available for sale by one of GALVAN's associates. GALVAN told the other individual in the car to give the UC his telephone number and told the UC to call him about the additional firearm and cocaine.

GALVAN sold a .25 pistol to UC on January 16, 2014

9. On January 16, 2014 the UC spoke with GALVAN by telephone about purchasing a firearm and cocaine. GALVAN informed the UC that he was ready and agreed to meet again in front of GALVAN's residence. Later that day, the UC, who was under law enforcement surveillance, arrived at GALVAN's residence. The UC observed GALVAN come out of GALVAN's residence clutching an object in his black sweatshirt pocket while entering the UC vehicle.

10. GALVAN said "What's up, What's up" and immediately handed the UC two (2) plastic bags containing a white substance, which was later identified as approximately 2 grams of cocaine GALVAN told the UC "It's some good shit." GALVAN then handed the UC a Raven Arms, Model MP25, .25 caliber pistol, bearing serial number 1467045 and a magazine containing six (6) live rounds of .25 caliber ammunition.

11. GALVAN and the UC discussed transactions involving the future sale of additional firearms and ammunition. The UC told GALVAN that he attempted to apply for "one of them cards to buy some pistols [Illinois Firearms Owner's Identification Cards or "FOID" cards]," but that his application was denied. In response, GALVAN stated, "My sister in laws got a [FOID] card . . . She buys bullets, she goes in there but don't know about guns. I be like, go get me, and they ask her." GALVAN told the UC that they don't do background checks for firearms purchases at Indiana gun shows. The UC asked GALVAN, "They don't check?" GALVAN replied, "No background no nothing. The guns out there are cheap.

GALVAN then pointed to the Raven Arms, MP25 and stated, “you could probably get that for like \$150.00.”

12. The UC and GALVAN agreed to talk again in a couple of days. Before leaving, GALVAN told the UC that he has a “32 guy with a derringer.” GALVAN then made a telephone call in the presence of the UC. GALVAN spoke Spanish to the person on the other line and told the UC, “120.00” [meaning the price of the .32 caliber firearm would be \$120]. The UC told GALVAN, “Let me think about it for the next time I come out. You know I’m good for the money.”

13. After the conversation, GALVAN exited the UC vehicle and returned to his residence. During the transaction, the UC gave GALVAN \$275 for the purchase of the Raven .25 caliber pistol and \$100 for the cocaine.

GALVAN Sold Two Pistols to UC on January 22, 2014

14. On January 22, 2014 the UC spoke with GALVAN by telephone in regards to purchasing a firearm. GALVAN informed the UC that he was ready for the UC to stop by the residence. Later that day, the UC, who was under law enforcement surveillance, arrived at the GALVAN’s residence. The UC observed GALVAN exit the residence with two unknown individuals, who entered a separate vehicle which was parked directly in front of the UC’s vehicle. GALVAN then entered the UC’s vehicle and stated that he had recently been shot and that the two

individuals were his security.³ GALVAN handed the UC a Taurus, Model PT99, 9mm caliber pistol, bearing serial number TPD78596.

15. After examining the firearm, the UC and GALVAN spoke about the condition of the firearm. Based on the visual and physical inspection of the firearm, the UC had concern about the firearm's functionality and asked GALVAN, "This one fucked up bro?" GALVAN replied, "Nah, it ain't fucked up." The UC then negotiated the price of the firearm by telling GALVAN, "This one's gonna have to be a big discount or something bro, this ain't looking too good. I can get another magazine I guess if I go." GALVAN replied, "I can get it for you too, but damn man that's low. He wanted \$500." The UC stated, "But I don't even know if it's gonna work" to which GALVAN replied "It's gonna work. We shot it. It's gonna work. That's what I'm saying we were upstairs just playing with it, cleaning, cleaning. We was just cleaning the motherfucker up. Magazine. We was cleaning everything because my friend cleaned the fingerprints, can you feel me? I'm not gonna sell it to nobody a gun with my fingerprints on it."

16. After the conversation about the condition of the Taurus pistol, GALVAN stated, "this is the other one I told you about" and handed the UC a Phoenix Arms, Model HP25A, .25 caliber pistol, bearing serial number 4400562. GALVAN told the UC, "I had to buy this one on my own." The UC then asked GALVAN, "How much did you pay for this?" GALVAN replied, "Four [\$400]." The

³ On January 18, 2014, Harvey Police officers went to Ingalls Hospital in Harvey, Illinois, in response to a report that an individual had suffered a gun-shot wound. They met with GALVAN who told them that he had been shot by someone who tried to rob him.

UC then asked, "So you gonna sell me this? . . . I gotta have something new." GALVAN told the UC, "You gotta, you gotta. That's some high tech shit too. It's got like three safeties. There's a safety up there too."

17. As the UC handled the firearm, GALVAN stated, "I don't know how to demonstrate it to you cause I only got one fucking hand, but I ordered two." The UC asked, "This was in the box?" GALVAN replied, "....Naah I didn't get it in the box but they got it in the box. But man how they gonna come from out of town in boxes...they stash them." The UC asked, "So how much you gonna give me this one for?" GALVAN replied, "Man, I really just, I was really just trying to sell that one." The UC replied, "How much bro? I gotta have something new like this." GALVAN stated, "Man, I sell it to you. You get both of them though man."

18. GALVAN then explained the safety features of the firearm to the UC. GALVAN also talked about being shot over the weekend and explained that he had an argument with a Mexican guy and that GALVAN shot at the Mexican guy first but the Mexican guy had people with him who shot back and hit GALVAN. The UC asked GALVAN about a distinctive tattoo over GALVAN's left eye which read "H.P.D.K." According to GALVAN the tattoo stood for "Harvey Police Department Killer" and GALVAN told the UC that he didn't like the Harvey Police Department.⁴

19. The UC and GALVAN negotiated the price of the firearms and agreed upon a price of \$925 for both firearms. The UC then counted out money and told

⁴ A Harvey Police Department Booking record from June 11, 2014 includes a photo of GALVAN in which this tattoo is visible over his left eyebrow.

GALVAN that he would pay \$920 for both firearms until GALVAN was able to produce a second firearm magazine for the Taurus 9mm caliber pistol. GALVAN agreed to the terms and the UC paid GALVAN \$920 for the firearms [\$450 for the Taurus, and \$470 for the Phoenix Arms].

20. GALVAN and the UC also talked about cocaine with GALVAN stating that an ounce of cocaine would cost \$1250.00, but that if the UC wanted two ounces it could be cheaper. GALVAN then exited the UC vehicle and entered his residence.

GALVAN Sold an FIE Revolver to UC on January 30, 2014

21. On January 30, 2014, the UC purchased a FIE revolver from GALVAN. This firearm transaction was arranged through text messages sent between the UC and GALVAN.⁵

22. On January 26, 2014 the UC and GALVAN exchanged a series of text messages. At approximately 5:58pm, the UC received a text message from GALVAN which read, "Got sum decent small for 400\$ right now."

23. On January 27, 2014, between 2:34pm and 4:18pm, the following text message exchange took place during which the UC expressed interest in purchasing two firearms from GALVAN and agreed to meet the next day:

⁵ The text messages were sent to and from the UC's cell phone from a phone using the number 708-543-5237. This was the phone number that the UC used to talk to GALVAN on prior occasions. During those phone conversations, the UC recognized GALVAN's voice from the conversations the UC had with GALVAN in person. Also, the content and context of the text messages to GALVAN's phone were consistent with content and context of other conversations UC had with GALVAN. Based on this, I believe GALVAN was the person sending and receiving the text messages.

UC: Bro u gotta save that 4 me u know im gd 4 the cash

Galvan: they said 800 for both

UC: U said u had 1 what u talkn bout 2 for 800

GALVAN: I got both of them right now

UC: I have 2 get back in2 this meetn u didn't even tell me
what they r, U dobt trust me 2 have cash 2moro

GALVAN: .38

UC: Both? They new?

GALVAN: they clean decent, let me kno before they sell

UC: I trust u that they r cool. I want both but cant til
2moro. U got to realize my taxes mean cash.Takes me
over a month to get them finalized.

GALVAN: So whe u want them

UC: 2moro reg time 430-530 somewhere n there

GALVAN: Want both?

UC: they both cool

GALVAN: yeaa

UC: K I will hit u up 2moro

GALVAN: ok I'll try keep both til tomorrow

UC: U know im gd 4 the cash

GALVAN: ok

24. Over the next two days, UC and GALVAN exchanged text messages trying to find a time to meet to conduct the firearms transaction. They eventually agreed to meet on January 30, 2014, at 4:00 p.m. outside of GALVAN's residence. UC and GALVAN also exchanged the following series of text messages on January 30, 2014, during which GALVAN promised to get a magazine for the Taurus pistol GALVAN had previously sold to the UC (as described in paragraphs 14-19 above):

UC: Need that thing 4 the Taurus

GALVAN: Brother lost his gun card, but igot u

UC: Cool u gonna b ready at 4

GALVAN: Yea

25. On January 30, 2014, the UC, who was under law enforcement surveillance, arrived at GALVAN's residence. GALVAN came out of the residence and got in the UC's vehicle. During a brief conversation, GALVAN produced a FIE, .38 caliber revolver, bearings serial number ST35533 and handed the firearm to the UC. The UC handed GALVAN \$450.00 as payment for the firearm. The UC asked GALVAN if the gun fires. GALVAN replied, "Yeah it fires. Six shot. It's a rare one. You won't really find a six shot, they was trying to get rid of it."

26. The UC and GALVAN spoke about the possibility of GALVAN acquiring additional firearms for the UC by having someone purchase firearms with a "gun card." GALVAN told the UC that his brother could purchase the magazine the UC wanted by using his FOID card. The UC replied, "I didn't even know your brother had one [FOID card], you told me your sister or something the last time."

GALVAN replied, "Nah, my brother, my brother, my sister, my brother, and that's like a really good price you could get. He'll get you anything, if I give him some money for a nice." The UC asked, "If I give him some money for a nicer gun, would he be willing to get me a nicer one?" GALVAN replied, "Nah, he got his gun card." The UC asked, "He lost it like he doesn't have it, or they took it away?" GALVAN replied, "Nah, he lost it." The UC stated, "Why don't you talk to him about that. I would like to have something for me nice. That I know is going to work 100%." GALVAN replied, "But it's gonna be under his name. You can't have it you can't have it in the store. But I can get you something clean, clean out the store." Based on the context of the investigation and prior conversations with GALVAN, I believe GALVAN is telling the UC that his brother is not willing to purchase a gun for the UC in the brother's name because it could be traced back to him but that GALVAN could obtain a brand new firearm for the UC by other means.

GALVAN sold UC a RG Industries Revolver on February 20, 2014

27. On February 20, 2014 the UC purchased RG Industries .22 caliber revolver and 2 grams of cocaine from GALVAN. This firearm and narcotics transaction was arranged through text messages sent to/from the UC and GALVAN.

28. One of the text message conversations occurred on February 19, 2014, starting at approximately 12:56pm, when the UC and GALVAN exchanged the following series of text messages during which the UC agreed to pay \$430 to purchase two grams of cocaine and a 22 caliber pistol:

UC: Not tryn 2 rush but I did put this cash 2gther and I got a girl who quit this wk cause she says she aint safe. I kno not ur prop

GALVAN: Came across something small

UC: Yea ima tak it. Girl is comn 2moro can u wait til then and I wil get both

GALVAN: Ima see if its still there by tomorrow, 300

UC: What is it?

GALVAN: 22

UC: 2moro and I wil make it 430 4 2 gr and the 22
That work 4u

GALVAN: Yes sir

29. On February 20, 2014, the UC who was under law enforcement surveillance, arrived at GALVAN's residence. GALVAN then exited his residence and entered the UC vehicle.

30. Upon entering the UC vehicle, GALVAN handed the UC six (6) live rounds of .22 caliber ammunition along with a RG Industries, Model RG14, .22 caliber revolver, bearing serial number L748730. The UC told GALVAN, "Oh that's nice looking...its not loaded?" GALVAN replied, "Nah." The UC then pulled the trigger of the firearm to test its functionality and told GALVAN, "Alright cool, what else up? You got a couple of them little things?" GALVAN replied, "Yeah. Two, right?" The UC replied, "Yeah yeah, that's what I brought, you gut you, ah, you been running low on stuff or what? It's good this time?" GALVAN then handed the

UC two plastic bags of a white substance, later confirmed to be cocaine, GALVAN stated “yeah, well it’s the same.”

31. The UC then stated, “ok, alright, no problem. How much? \$430? I told you, I’d give you that right?” GALVAN replied, “Alright...\$430.” The UC handed GALVAN \$430.00. The UC and GALVAN spoke about future firearms transactions. GALVAN stated, “Alright if anything come across I’ll let you know cause these not mines. I’m getting em for you.”

32. The UC told GALVAN, “I put that cash on the side I told you I was gonna be saving up because you guys said you were gonna go to the gun store or the gun show or something.” GALVAN replied, “Well the guy that knows where its at ah, he don’t want to drive up there like take his car so right now we just worried about like, like I said they gonna be looking for spots in Indiana but that’s the closest I think to the border lines so that’s why he said that one but I know it be different days.”

33. The UC and GALVAN continued to talk about gun shows. The UC told GALVAN “Yeah I got that money sitting there waiting because I thought we were gonna be able to get some bigger ones. Some nice ones.” GALVAN stated, “Yeah if you go to this you gonna get some clean ones, you gonna get something nice ones.”

34. The UC then asked GALVAN about the price of firearms at gun shows. GALVAN stated, “It depends on the prices, it depends the gun might be \$650 so if he want to tax you \$200 for a gun then I don’t know how much it’s gonna be.” The UC asked, “Is that a lot for a new one though?” GALVAN replied, “A new one,

you gonna, you gonna get new damn newar out of the box. Not in the box but its off the gun show cause the gun show they gonna show you, you can grab one and look at it like an auction basically, like a gun auction.” GALVAN continued to discuss prices of firearms with the UC by stating, “It depends on what you want to like, if you want a big gun you get it like \$650.” The UC stated, “You guys told me that that what you say best was 44 or 45.” GALVAN replied, “45 or 9, that’s basically around the same \$600-\$650 and those are pretty big.”

35. The UC asked if GALVAN’s firearm supplier would be willing to purchase firearms at a gun store for him. GALVAN stated, “Ah, he gots go cause at a gun show it not registered under his name...You get me? He could just go in there and buy it cause he got his gun card.” The UC replied, “My little guy I was with today, he told me that he, you could just take them numbers off though.” GALVAN replies, “No, no, that’s a felony if you get caught with the police with a gun and its scraped off the serial numbers. That’s a felony, that’s like you taking hide like.” The UC states “That’s an extra charge.” GALVAN replied, “Yeah, that’s an extra charge, so, so all they can off is when they run it back, they gonna run it under his name.” The UC asked, “And what if the numbers are gone?” to which GALVAN replied, “They gone? Then the person with the gun is the one.”

Conclusion

36. Based upon the information set forth above, there is probable cause to believe that from on or about January 14, 2014, through on or about February 20, 2014, GALVAN has willfully engaged in the business of dealing in firearms without

a license, and in the course of such business did ship, transport, or receive, a firearm in interstate commerce.

FURTHER AFFIANT SAYETH NOT.

THOMAS A. BEEBE
Task Force Officer, Bureau of Alcohol,
Tobacco, Firearms & Explosives

SUBSCRIBED AND SWORN to before me on July 7, 2014.

MARY M. ROWLAND
United States Magistrate Judge