
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

ANDRE KELLY,
a/k/a "Duke"

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Hon. Joseph A. Dickson

Mag No. 11-6500

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief. On or about November 3, 2010, in Union County, in the District of New Jersey and elsewhere, defendant Andre Kelly, a/k/a "Duke," did:

knowingly and intentionally distribute and possess with intent to distribute 28 grams or more of a mixture or substance which contained cocaine base, that is "crack" cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a) & (b)(1)(B), and Title 18, United States Code, Section 2.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Sandra Sanchez, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
January _, 2011, at Newark, New Jersey

HONORABLE JOSEPH A. DICKSON
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

Attachment A

I, Sandra Sanchez, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon my investigation, review of reports and discussions with other law enforcement personnel and others. All statements herein are set forth in substance and in part:

1. On or about November 3, 2010, a confidential informant ("CI"), with a proven record of reliability and credibility, acting under the direction and supervision of law enforcement, exchanged a series of telephone calls with defendant ANDRE KELLY, a/k/a "Duke," to purchase a quantity of crack cocaine. The telephone calls were consensually monitored and recorded by law enforcement.

2. On or about that same day defendant ANDRE KELLY, a/k/a "Duke," met with the CI at a prearranged location in Plainfield, New Jersey. At that location, the CI handed defendant KELLY approximately \$1,640.00, and defendant KELLY, in turn, handed the CI two clear, plastic baggies each containing a white rock-like substance. This transaction was consensually video and audio-recorded.

3. The white-rock like substance in each bag field-tested positive for the presence of cocaine and collectively weighed approximately 67.7 grams. Subsequent laboratory tests indicate that the collective white-rock like substance contained a net weight of 39.9 grams of cocaine base.