
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Mark Falk
 :
 v. : Mag. No. 12-3617
 :
 DAUDA FOFANAH and :
 MOHAMED FOFANA : CRIMINAL COMPLAINT

I, Sean C. Larmon, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with Immigration and Customs Enforcement, Homeland Security Investigations, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Sean C. Larmon, Special Agent
ICE/HSI

Sworn to before me, and
subscribed in my presence

May ²¹18, 2012 at
Newark, New Jersey

HONORABLE MARK FALK
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

From June 1, 2011, through at least on or about August 29, 2011, in Essex County, in the District of New Jersey and elsewhere, the defendants,

**DAUDA FOFANAH and
MOHAMED FOFANA**

did transport in interstate and foreign commerce a 2009 Lexus RX 350 motor vehicle, a 2008 Toyota Highlander motor vehicle, and a 2008 Audi Q7 motor vehicle knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2312 and Section 2

ATTACHMENT B

I, Sean C. Larmon, am a Special Agent with Immigration and Customs Enforcement, Homeland Security Investigations ("HSI"), assigned to the Newark Division. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation.

1. This investigation has revealed that DAUDA FOFANAH and MOHAMED FOFANA were responsible for exporting stolen luxury motor vehicles through the Port of Elizabeth. Beginning in June 2011, a confidential source (CS) was asked by DAUDA FOFANAH and MOHAMED FOFANA assist them in exporting three stolen vehicles. The CS was aware that DAUDA FOFANAH and MOHAMED FOFANA were shipping stolen motor vehicles out of the United States and had been doing so for some period of time prior to June, 2011. After an initial meeting with DAUDA FOFANA in New York City on June 1, 2011 the CS, DAUDA FOFANA and MOHAMED FOFANAH engaged in a course of conduct which led to the three stolen vehicles being exported from New Jersey to Banjul, Gambia on August 29, 2011.
2. The CS had previously been asked to ship stolen motor vehicles for MOHAMED FOFANAH. In or around December, 2010 MOHAMED FOFANA asked the CS to help him ship a stolen 2004 Porsche Cayenne overseas. That Porsche was at a parking garage in Jersey City, New Jersey along with several other stolen vehicles awaiting shipment by MOHAMED FOFANA and others. According to the CS, those vehicles were located by the Jersey City Police Department and towed before they could be shipped.

The Jersey City Police Department confirmed that on December 2, 2010 twenty four stolen luxury vehicles were recovered from adjacent parking lots in Jersey City. One of those vehicles was a 2004 Porsche Cayenne that had been carjacked from Newark, New Jersey in September, 2010. That Porsche was the specific vehicle that MOHAMED FOFANA asked the CS to ship on his behalf.

3. In early 2011, the CS was asked by MOHAMED FOFANA to help him export a 2006 Land Rover. MOHAMED FOFANA instructed the CS to pick up the car from a parking spot on the street in New York City. MOHAMED FOFANA left the keys and a fraudulent title for the Land Rover inside the vehicle so that the CS could take the car and arrange the shipment. The Land Rover was seized by law enforcement officers during a border search as the vehicle was about to be shipped to Nigeria. Subsequent investigation revealed that the Land Rover had been carjacked at gunpoint in Newark, New Jersey in December, 2010.

4. On June 1, 2011, the CS met with DAUDA FOFANAH in New York City. During the course of that meeting DAUDA FOFANAH and the CS discussed having the CS load shipping containers with stolen vehicles for shipment overseas.
5. On July 25, 2011, a 2009 Lexus RX 350 was towed to a warehouse in Newark, New Jersey that was being monitored by law enforcement. That Lexus was delivered to the warehouse by a towing service from Bronx, New York. A short time later, an unknown male driver delivered a 2008 Toyota Highlander to the warehouse.
6. On July 26, 2011, law enforcement went into the warehouse and examined both vehicles. Law enforcement observed that both vehicles had altered Vehicle Identification Numbers (VIN) attached to them. Law enforcement was also able to obtain the true VIN for each vehicle during the course of the examination. Utilizing that information, law enforcement was able to confirm that the Lexus had been stolen in Newark, New Jersey on September 29, 2010 and that the Toyota Highlander had been stolen in New York City on February 11, 2011.
7. On July 27, 2011, the CS and DAUDA FOFANAH had a recorded telephone conversation in which DAUDA FOFANAH discussed the fact that the cars that had been dropped off on July 26, "were from 'MOHAMED'...two of them are from MOHAMED and one is for one of his friends...Salefu." The CS responded that he/she needed to know the consignee who would be receiving the shipment so that he/she could prepare the necessary shipping documents. DAUDA FOFANAH told the CS that DAUDA FOFANAH, would "...tell him to call you."
8. On July 29, 2011, a white Audi Q7 automobile was delivered to the warehouse by an unknown person. The unknown person parked the car on the street, left a key for the vehicle on the front left tire and walked away.
9. Several minutes later, CS and DAUDA FOFANAH had a recorded telephone call in which the CS told DAUDA FOFANAH that he was at "the shipping place" and that "the third car came in. The..Q..." CS2 told DAUDA FOFANAH that he was looking for the key in order to bring it into the warehouse. DAUDA FOFANAH responded that, "I think the key is supposed to be inside." That key was located and the car was moved inside the warehouse.
10. Law enforcement was able to enter the warehouse to inspect the Audi Q7. During the examination, law enforcement found that the Audi also had an altered VIN attached to it. Again law enforcement was able to locate the true VIN for the Audi. Using the true VIN law enforcement determined that the 2008 Audi Q7 had been stolen from Elmwood Park, New Jersey on July 20, 2011.
11. On August 3, 2011, CS2 and MOHAMED FOFANA had a recorded telephone call in which MOHAMED FOFANA introduced himself as "Mohamed from Banjul." MOHAMED FOFANA went on to tell the CS, "Those two that my brother gave you, you

supposed to ship them to me...the other one is for Salefu, for my friend. (referring to the three vehicles delivered to the warehouse as described above)." The CS then told MOHAMED FOFANA that the shipping cost was going to be \$6,000. MOHAMED FOFANA replied that he needed the "information so I put the money there." The "information" referred to by MOHAMED FOFANA was for the account information needed so that the payments to the CS for shipping the vehicles could be directly deposited into an account.

12. Later that same day, CS and MOHAMED FOFANA had another recorded telephone call in which MOHAMED FOFANA told the CS that there were "two for me" and "one for 'Salefu.'" The CS then asked MOHAMED FOFANA for the "consignee information." MOHAMED FOFANA told the CS that the cars were to be shipped to his cousin "G.A." at an address in Banjul, Gambia, and that G.A. was going to "pull them for me." The term "pull them for me" in this context is a reference to the fact that a third party was going to take custody of the vehicles once they reached their destination in Gambia.
13. On August 22, 2011, an empty container arrived at the warehouse referenced above. Once the CS received payments for the shipment and the shipping documents were completed, the CS loaded the three stolen vehicles referenced in paragraphs 5 through 10 onto the container. That container was then brought back to Port Elizabeth for shipment overseas.
14. Neither DAUDA FOFANAH nor MOHAMED FOFANA had provided any title for the three vehicles to be shipped in that container to Banjul, Gambia. All legal shipments of vehicles by way of container ships must be accompanied by title documents.
15. On August 29, 2011, the three aforementioned vehicles were exported from the Port of Elizabeth, New Jersey to Banjul, Gambia in the shipping container referenced above. The overseas consignee listed on the shipping documents for that container was "G.A." of Banjul, Gambia.