
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
v. :
MARK DAVIS, a/k/a "Dos," : Mag. No. 06-2013 (JBR)
JAMES BAKER, a/k/a "Big Man" :

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 30, 2006, in Camden County, in the District of New Jersey and elsewhere, defendants Mark Davis and James Baker did:

SEE ATTACHMENT A

violation of Title 21, United States Code, Section 846.

I further state that I am a Special Agent of the Drug Enforcement Administration, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

—
Ken Welsh, Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

February 1, 2006, at Camden, New Jersey

HONORABLE JOEL B. ROSEN

UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: _____
JASON M. RICHARDSON, AUSA

Date: February 1, 2006

Attachment A

Knowingly and intentionally conspire and agree with each other and others to distribute and possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of cocaine base, namely, crack cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a) & (b)(1)(A), in violation of Title 21, United States Code, Section 846.

Attachment B

I, Ken Welsh, am a Special Agent of the Drug Enforcement Administration (“DEA”). Following an investigation, I am aware of the following facts, although I have not included all of the facts known to me in this affidavit, just those facts which I believe necessary to establish probable cause:

1. On January 28, 2006, at approximately 9:10 p.m., a Cooperating Source of Information (“CS”) received a telephone call from defendant **Mark Davis** where **Davis** told the CS that he was outside. The CS did not see **Davis**. Several minutes later, **Davis** again called the CS and this time told the CS to come to 249 Ablett Village.
2. Law Enforcement observed the CS walk to 249 Ablett Village and enter the apartment. Upon entering the 249 Ablett Village, the CS observed several males including **Davis**. When the CS entered the kitchen area, the CS observed **Davis** retrieve an AK-47 assault rifle from a box that was located on the kitchen table. The CS also observed three handguns, a .22cal, .380cal, and a 9mm semi-automatic handgun, on the table. The CS stated that there was a large sum of money (approximately \$10,000) in the kitchen. During the negotiations, the CS stated that **Davis** was dry firing the weapons in the kitchen. (Law enforcement officers reviewed the recording device and heard what sounded like the dry firing of the weapons).
3. At approximately 9:38pm, law enforcement observed a tan Chevy pickup truck in the vicinity of 249 Ablett Village being operated by defendant **James Baker**.
4. When defendant **Baker** arrived at **249 Ablett Village** he entered the apartment. The CS, defendants **Baker**, and **Davis** then had a conversation in the living room area. During the conversation, **Baker** retrieved a clear plastic bag containing an off white rock like substance, from his (**Baker**'s) left pocket and handed it to **Davis**. **Davis** then handed the clear plastic bag containing an off white rock like substance to the CS. The CS, **Davis**, and **Baker** confirmed that the bag contained a “Joe.” (A “Joe” is a street term for 4 and ½ ounces of crack cocaine). The CS then gave \$4,500 buy money to **Davis**.
5. Prior to meeting with **Davis** and **Baker**, law enforcement officers searched CS and the CS's vehicle for contraband with negative results. The CS was equipped with a concealed recorder with instructions to activate the recorder when in the presence of **Davis**. The CS was also given \$4,500 to pay for the crack cocaine.
6. At approximately 10:00pm, the CS exited **249 Ablett Village** and met with law enforcement at a predetermined location. The CS turned over a clear plastic bag containing an off white rock like substance and the recorder. The CS was again searched for additional contraband with negative results. The substance turned over by the CS was

field tested and tested positive for the presence of cocaine with a net weight of approximately 125 grams.