

UNITED STATES DISTRICT COURT

for the District of Rhode Island

FILED NOV 22 2013 U.S. DISTRICT COURT DISTRICT OF RHODE ISLAND

United States of America v. DARREN MONTEIRO, DOB: 1987, PROVIDENCE, RI Defendant

Case No. 1:13 MJ 414 A

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (name of person to be arrested) DARREN MONTEIRO, a/k/a DARREN MONTERIO, DOB: 1987, PROVIDENCE, RI, who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

- one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c); and one count of being a felon in possession, in violation of 18 U.S.C. § 922(g)(1). As well as the following offenses on the below specified dates: four counts of heroin distribution, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) - (11/8/2013, 11/11/2013, 11/12/2013 and 11/19/2013); and one count of possession with intent to distribute heroin, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) - (11/21/2013).

Date: 11/22/13

Issuing officer's signature

City and state: Providence, RI

LINCOLN D. ALMOND, U.S. MAGISTRATE JUDGE Printed name and title

Return This warrant was received on (date) , and the person was arrested on (date) at (city and state) Date: Arresting officer's signature Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Rhode Island

United States of America

v.

DARREN MONTEIRO, a/k/a DARREN MONTERIO,
DOB: 1987, PROVIDENCE, RI

Defendant

Case No.

1:13MJ414A

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 of 11/21/2013 in the county of Providence in the District of Rhode Island, the defendant violated 21 U.S.C. § 841a1b1C, an offense described as follows:

- one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c); and
• one count of being a felon in possession, in violation of 18 U.S.C. § 922(g)(1). As well as the following offenses on the below specified dates:
• four counts of heroin distribution, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) - (11/8/2013, 11/11/2013, 11/12/2013 and 11/19/2013); and
• one count of possession with intent to distribute heroin, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) - (11/21/2013).

This criminal complaint is based on these facts:

See attached Affidavit of Christian Jardin, Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives

Continued on the attached sheet.

Christian Jardin
Complainant's signature

Christian Jardin, Special Agent - ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/22/13

Lincoln D. Almond
Judge's signature

City and state: Providence, Rhode Island

Lincoln D. Almond, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Christian Jardin, being duly sworn, depose and say:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"). I am assigned to ATF's Providence office. I have been a Special Agent with ATF since 2001. Based on my training and experience as an ATF Special Agent, I am familiar with federal firearms and narcotics laws. As an ATF Special Agent, I have been involved, either as lead agent or as a member of an investigative team, in numerous investigations of firearms offenses and narcotics offenses. I have also been involved in multiple Hobbes Act robbery investigations.

2. This Affidavit is submitted in support of an arrest warrant and criminal complaint charging Darren Monteiro ("Monteiro") - who was born in July 1987, who resides at 55 Zone Street in Providence, Rhode Island, and who is also known as "Darren Monterio" - with the following offenses:

- four counts of heroin distribution, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C),
- one count of possession with intent to distribute heroin, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C),
- one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), and
- one count of being a felon in possession, in violation of 18 U.S.C. § 922(g)(1).

3. The facts contained in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement agents and other persons. This affidavit does not set forth all of the information known to me or other law enforcement agents about this matter.

INVESTIGATION

First Heroin Purchase

4. During the morning of November 8, 2013, Detective John Black of the Providence Police Department, while acting in an undercover capacity, telephoned a male and made

arrangements to purchase \$40 worth of heroin. Detective Black later determined, after having met and spoken to Monteiro, that the male on the other end of the line was Monteiro.

5. At approximately 11:45 am, Detective Black again telephoned the male, Monteiro, and per his instruction proceeded to Violet Street in Providence. Violet Street is a one-block street that runs north-south between Chalkstone Avenue and Orms Street. Once on Violet Street, a white sedan containing multiple people pulled near Detective Black's car, and one of the sedan's occupants, later identified as Monteiro, stepped out and instructed Detective Black to move his car to another location about half a block away. Detective Black proceeded to the intersection of Violet and Chalkstone, turned left onto Chalkstone, turned right onto Young Street, and parked along the curb.

6. Monteiro stepped into the car, handed Detective Black a clear plastic bag containing material consistent in appearance with heroin, and Detective Black gave Monteiro \$40. Later field testing of the material indicated the presence of heroin.

7. I know based on my training and experience that \$40 tends to buy less than 1 gram of heroin in street transactions in Providence.

8. After collecting the \$40, Monteiro stepped out of the Detective Black's car and returned to the white sedan. Officers conducting surveillance followed the sedan to a Burger King restaurant and then to 104 Alverson Street, where all of the sedan's occupants, including Monteiro, stepped out of the sedan and entered a multi-family house at 104 Alverson Street through a rear door.

Second Heroin Purchase

9. On November 11, 2013, Detective Black and Monteiro spoke by telephone and arranged another heroin transaction. Shortly after 3 pm, Detective Black drove to Violet Street per Monteiro's instruction. There Monteiro stepped into the car at the corner of Violet Street and Chalkstone Avenue and handed Detective Black a clear plastic bag containing material consistent in appearance with heroin, and Detective Black gave Monteiro \$40. Later field testing of the material indicated the presence of heroin.

10. After collecting the \$40, Monteiro stepped out of Detective Black's car. Officers conducting surveillance followed Monteiro and watched him walk directly to the multi-story house at 55 Zone Street and entered through the front door. 55 Zone Street is less than one block from where the heroin transaction had just occurred.

Third Heroin Purchase

11. On November 12, 2013, the undercover officer and Monteiro spoke by telephone and arranged another heroin transaction. Shortly after 9 pm, per Monteiro's instruction, Detective Black drove to Plainfield Street in Providence and turned onto Alverson Avenue. There he saw Monteiro and pulled to the side of the road. Monteiro entered the car and handed Detective Black a clear plastic bag containing material consistent in appearance with heroin, and Detective Black gave Monteiro \$40. Later field testing of the material indicated the presence of heroin.

12. After collecting the \$40, Monteiro stepped out of Detective Black's car, proceeded directly to the multi-family house at 104 Alverson, and entered through a rear door.

Fourth Heroin Purchase

13. On November 19, 2013, the undercover officer and Monteiro spoke by telephone and arranged another heroin transaction. Shortly after 9:25 am, per Monteiro's instruction, Detective Black drove to Violet Street. Officers conducting surveillance watched Monteiro step out of the rear door of the house at 55 Zone Street and walk over to and step into the undercover officer's car, which was less than one block from the house. In the car, Monteiro handed Detective Black a clear plastic bag containing material consistent in appearance with heroin, and Detective Black gave Monteiro \$40. Later field testing of the material indicated the presence of heroin.

14. After the transaction, at Monteiro's request, Detective Black began driving toward Potters Avenue. In route, Monteiro asked to return to his house, and Detective Black drove back to Violet Street. In the course of the drive, Monteiro asked to borrow \$400 and said he needed the money to get his driver's license back. Detective Black responded that he did not

have \$400 but knew someone who wanted to buy a gun. As they approached Violet Street, Monteiro asked whether he could get a gun from Detective Black. Monteiro indicated that with a gun he could do a robbery and get \$400 quickly. Detective Black indicated that he would find out whether he could get Monteiro a gun. Monteiro and Detective Black arranged to meet later that day.

15. When Detective Black returned he was outfitted with an audio recording device. Monteiro stepped in Detective Black's car near the corner of Violet Street and Chalkstone Avenue. Inside the car, the two discussed a transaction for a gun. Detective Black told Monteiro that a gun would cost \$100 and some heroin but that payment could be made after the robbery. Monteiro indicated that he was interested in getting the gun under those terms. Monteiro further asked Detective Black whether he could get a gun for himself to help Monteiro conduct a robbery. Detective Black said he would help.

Gun Transaction

16. On November 21, 2013, at approximately 9:45 ^{am} ~~pm~~, Detective Black and Monteiro spoke by telephone. The two planned to meet so that Detective Black could give Monteiro a gun. Prior to this meeting, Detective Black had obtained a warrant to search 55 Zone Street, and police planned to conduct the search after the gun transaction.

17. Shortly after 12:20 pm, Detective Black drove to Violet Street and picked up Monteiro. Monteiro said that he was reluctant to get in the car to retrieve the gun because he had previous "felonies." Detective Black showed Monteiro ammunition for the gun. Monteiro said that he had heroin back at his house. As discussion proceeded, Monteiro agreed to ride with Detective Black to retrieve the gun. The two proceeded to a storage facility in Cranston.

18. At the storage facility, Detective Black and Monteiro entered a storage garage or shed, Detective Black retrieved a .380 caliber Bryco semi-automatic pistol from inside the shed and showed it to Monteiro. Detective Black showed Monteiro how to operate the gun, and Monteiro took the gun. Monteiro then asked Detective Black for the ammunition, and Detective Black walked to his car, retrieved the ammunition, and gave it to Monteiro. Monteiro asked

Detective Black for something to wrap the gun and ammunition in. Detective Black retrieved a shirt from inside his car. Monteiro wrapped the gun and ammunition in the shirt and placed them in a bag that he found in the shed. Detective Black and Monteiro returned to the car. Detective Black opened the trunk, and Monteiro placed the bag under the spare tire. Shortly thereafter, Detective Black gave the arrest signal, and law enforcement agents in the area closed in on Monteiro and arrested him.

Search of 55 Zone Street

19. On November 21, 2013, after Monteiro was arrested, officers executed the warrant to search 55 Zone Street. In a bedroom in the first floor apartment, officers found a plastic bag containing material consistent in appearance with heroin. Later field testing of the material indicated the presence of heroin. The officers who found that bag of heroin estimate that the heroin weighed less than 1 gram.

20. Also in that bedroom, officers found a digital scale, bagging materials, and plastic bag corners that had been cut from whole bags. I know from my training and experience, that narcotics traffickers commonly use digital scales and bag corners for the packaging of narcotics for distribution. The scales are used to measure the quantity of narcotics, as narcotics are priced by weight. The bag corners are used to package the measured quantities of narcotics.

Criminal History


21. Based on my review of Defendant's criminal history, he has been convicted on multiple felony offenses over the last fifteen years, including one narcotics trafficking offense in 2010 for which he was sentenced to time in prison as well as a term of probation. He was under that probationary term at the time of the present offenses.

Interstate


22. I know, based on my training and experience and discussions with others at ATF, that Bryco firearms, including the gun Monteiro obtained from Detective Black, are manufactured outside Rhode Island.

Conclusion

23. Based on the foregoing, I believe that there is probable cause to believe that Monteiro committed the offenses specified in paragraph 2 above.


CHRISTIAN JARDIN
Special Agent
Bureau of Alcohol, Tobacco and Firearms

Subscribed and sworn to before
me this 22nd day of November 2013,
at Providence, Rhode Island


LINCOLN D. ALMOND
United States Magistrate Judge

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: INFORMATION INDICTMENT COMPLAINT

CASE NO. _____

Matter Sealed: Juvenile Other than Juvenile

Pre-Indictment Plea Superseding Defendant Added
 Indictment Charges/Counts Added
 Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
 DISTRICT OF RHODE ISLAND Divisional Office

Name and Office of Person Furnishing Information on THIS FORM PETER F. NERONHA
 U.S. Atty Other U.S. Agency
 Phone No. (401) 709-5000

Name of Asst. U.S. Attorney (if assigned) MILIND M. SHAH

USA vs.

Defendant: Darren Monteiro, a/k/a Darren Monterio

Address: 55 Zone Street
Providence, Rhode Island

Interpreter Required Dialect: _____

Birth Date 7/21/1987 Male Alien
 Female (if applicable)

Social Security Number _____

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
Bureau of Alcohol, Tobacco, Firearms and Explosives

person is awaiting trial in another Federal or State Court (give name of court)

this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. Atty Defense

this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.

MAG. JUDGE CASE NO.

Place of offense RHODE ISLAND County

DEFENDANT

Issue: Warrant Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

Currently in Federal Custody

Currently in State Custody

Writ Required

Currently on bond

Fugitive

Defense Counsel (if any): _____

FPD CJA RET'D

Appointed on Target Letter

This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts _____

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor