

UNITED STATES DISTRICT COURT

MAR 05 2014

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

for the
District of Rhode Island

United States of America)

v.)

Alfredo Balestier-Sanches)

Defendant)

Case No.

1:14 MJ 60 PAS

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) Alfredo Balestier-Sanches

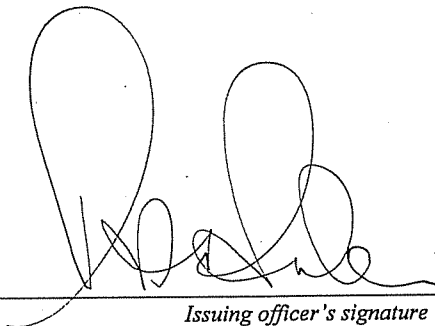
who is accused of an offense or violation based on the following document filed with the court:

- 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:

See Attached Complaint.

Date: March 5, 2014


Issuing officer's signature

City and state: Providence, RI

Patricia A. Sullivan, 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
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v.

Alfredo Balestier-Sanches

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CRIMINAL COMPLAINT

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

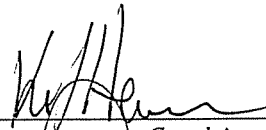
On or about the date of 2/12/14 to 3/4/14 in the county of _____ in the _____ District of
Rhode Island, the defendant violated 21 U. S. C. §⁸⁴¹(a)(1)&(b)(1)(C), an offense described as follows:

See Attached Complaint.

This criminal complaint is based on these facts:

See attached Affidavit of Task Force Officer Kevin L'Heureux of the Drug Enforcement Administration.

Continued on the attached sheet.



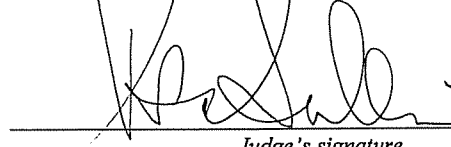
Complainant's signature

Kevin L'Heureux, Task Force Officer - DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: March 5, 2014



Judge's signature

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

V.

Case No.

ALFREDO BALESTIER-SANCHEZ

1:14MJ40 PAS

COMPLAINT

Count 1

On or about February 12, 2014, in the District of Rhode Island, the defendant, ALFREDO BALESTIER-SANCHEZ, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

Count 2

On or about February 15, 2014, in the District of Rhode Island, the defendant, ALFREDO BALESTIER-SANCHEZ, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

Count 3

On or about February 15, 2014, in the District of Rhode Island, the defendant, ALFREDO BALESTIER-SANCHEZ, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

Count 4

On or about February 20, 2014, in the District of Rhode Island, the defendant, ALFREDO BALESTIER-SANCHEZ, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

Count 5

On or about March 4, 2014, in the District of Rhode Island, the defendant, ALFREDO BALESTIER-SANCHEZ, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

AFFIDAVIT

I, Kevin L'Heureux, do under oath depose and say:

1. I am a Task Force Officer with the Drug Enforcement Administration. I am also a member of the Woonsocket Rhode Island Police Department, and have been employed in that capacity since 2003. During the last two years, I have been assigned to the Detective Division Vice/ Narcotics Unit. I have worked on numerous investigations involving the distribution of cocaine, crack cocaine, heroin, marijuana, and a variety of other controlled substances. Since November 2014, I have served as a Task Force Officer on the U.S. Drug Enforcement Administration (DEA) Taskforce. My duties include, but are not limited to, the investigation of violations of the Controlled Substances Act, 21 U.S.C. § 841, et seq. Based upon my training and experience, I have observed numerous types of controlled substances and I am familiar with the packaging, paraphernalia, pricing structure, distribution methods, and street jargon associated with the sale and use of controlled substances.

2. This affidavit is submitted in support of an arrest warrant and criminal complaint against Alfredo Balestier-Sanchez, aka Negro, of Woonsocket, Rhode Island, born in 1981, for distribution and possess with intent to distribute fentanyl and heroin violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

3. Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known regarding the instant investigation. More specifically, I have set forth only the pertinent facts that I believe are necessary to establish probable cause.

PROBABLE CAUSE

4. During the month of February, 2014, the Drug Enforcement Administration and Woonsocket Police Department Vice Unit conducted an investigation into the distribution of heroin and fentanyl within the District of Rhode Island, specifically the City of Woonsocket. The target of the investigation was Alfredo Balestier-Sanchez (DOB: 1981), (BALESTIER-SANCHEZ) a/k/a "Negro." Information received by the Vice Unit indicated that BALESTIER-SANCHEZ was distributing heroin.

5. On February 12, 2014, a controlled purchase of narcotics was conducted utilizing a confidential informant (CI). To date, the CI has never provided information proven to be false. The CI further indicated that BALESTIER-SANCHEZ was utilizing telephone number [REDACTED] to distribute illegal narcotics.

6. The CI placed a call to [REDACTED] and spoke with BALESTIER-SANCHEZ. During the phone conversation, the CI arranged to meet BALESTIER-SANCHEZ to purchase "the good stuff." The CI was searched for contraband by Vice Unit detectives with negative results. Thereafter the CI was provided with official Woonsocket Police funds. Surveillance units located on Earle Street in Woonsocket, observed a black Lexus, with Rhode Island registration 417373, leave the area and travel to the meet location. Surveillance units at the meet location observed the same black Lexus arrive at the meet location. BALESTIER-SANCHEZ exited the black Lexus and entered the meet location. Inside, the CI engaged in the drug transaction with BALESTIER-SANCHEZ.

7. After this transaction, BALESTIER-SANCHEZ exited the building and left the area in the black Lexus. The CI then met with detectives and provided one plastic baggie containing a brownish-white, powdery substance. The CI was again checked for contraband with negative results. The CI told detectives that the CI purchased the baggie of suspected heroin and/or fentanyl from BALESTIER-SANCHEZ in exchange for the official Woonsocket Police funds. The item was seized by Detective Ronald Marcos and field tested. Two different field tests were used, and both were negative for the presence of heroin. The gross weight was .3 grams. The item was subsequently sent to the Rhode Island Department of Health, and the laboratory results indicated that the substance contained in the baggie was fentanyl, a Schedule II controlled substance. A photo array was shown to the CI who positively identified BALESTIER-SANCHEZ as the person who sold the CI the fentanyl.

8. The black Lexus, with RI registration 417-373, was checked through NCIC/RILETS registered to Isabel J. Aviles Pagan, (Pagan) 425 Providence Street, Woonsocket, Rhode Island. A check of the Woonsocket Police Department records indicate that Pagan previously had a no-contact order with BALESTIER-SANCHEZ. Further research and investigation into Pagan and BALESTIER-SANCHEZ indicated that they reside at 117 Earle Street, Woonsocket, Rhode Island.

9. On February 15, 2014, the CI made another controlled purchase of narcotics from BALESTIER-SANCHEZ. The CI called BALESTIER-SANCHEZ's home telephone, [REDACTED], and spoke to BALESTIER-SANCHEZ briefly. BALESTIER-SANCHEZ then called the CI back and they made arrangements for another purchase

of "the good stuff." The CI was then searched for contraband with negative results. Approximately, ten minutes later surveillance units near the 117 Earle Street, Woonsocket, see BALESTIER-SANCHEZ come from the back of the building and walked south down Earle Street. BALESTIER-SANCHEZ walked to the meet location where the CI was waiting. Surveillance units observed the CI speak with BALESTIER-SANCHEZ and engage in the hand-to-hand transaction.

10. After the drug delivery, both the CI and BALESTIER-SANCHEZ left the location. The CI immediately returned to detectives and turned over one large bag containing several smaller bags of suspected narcotics to Detective Marcos. One of the smaller bags was field tested by Detective Marcos. Two different field tests were again used to test the substance, and both returned negative results for the presence of heroin. The gross weight was 2.4 grams. The item was subsequently sent to the Rhode Island Department of Health and the laboratory results indicated that the substance contained in the baggie was a mixture of fentanyl and heroin. The CI again told investigators that BALESTIER-SANCHEZ was the person who sold the drugs.

11. On February 20, 2014, the CI made another purchase of narcotics from BALESTIER-SANCHEZ. The CI called BALESTIER-SANCHEZ utilizing the home telephone number, [REDACTED] and discussed the purchase narcotics. They arrange to meet later that day. Surveillance units were waiting at the meet location and observed BALESTIER-SANCHEZ walk up to the CI and engage in a brief hand-to-hand transaction.

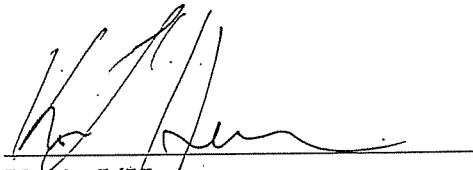
12. After the transaction, BALESTIER-SANCHEZ is observed walking away

from the area and returned to 117 Earle Street in Woonsocket. The CI immediately returned to detectives and was searched for contraband with negative results. The CI turned over one plastic bag containing whitish-brown powdery substance. The CI told detectives that the CI purchased the baggie from BALESTIER-SANCHEZ using Woonsocket Police funds. Detective Marcos utilized two field tests but the substance contained in the bag failed to test positive for the presumptive presence of heroin. The gross weight was .6 grams. Subsequent testing by the Department of Health indicated that the substance contained in the baggie was fentanyl.

13. On February 26, 2014, based upon the investigation, a search warrant for 117 Earle Street, first floor, right, Woonsocket, Rhode Island was authorized by United States Magistrate Judge Lincoln D. Almond. The search warrant was executed on March 4, 2014 by members of the Drug Enforcement Administration and the Woonsocket Police Department. Upon entry into the apartment, detectives located BALESTIER-SANCHEZ in the kitchen and Isabel Aviles Pagan in the living room. In the bedroom detectives located a deodorant stick with a false bottom containing four (4) bags of a brownish-white powdery substance. The deodorant stick was located on top of the dresser. Also located on top of the dresser was a digital scale and BALESTIER-SANCHEZ's Rhode Island identification card. An assortment of paperwork in the name of BALESTIER-SANCHEZ was also located inside the dresser. Men's clothing was also found in the bedroom. In the kitchen, detectives located baggies.

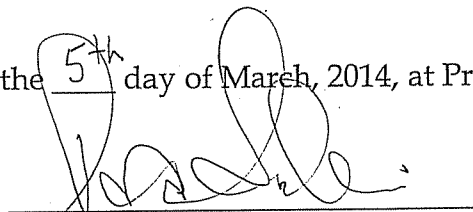
14. A representative sample from one of the baggies seized from the bedroom inside the deodorant stick was field test by DEA Task Force Office Marc Cardin. A field

test of the brownish-white powdery substance field tested positive for the presumptive presence of fentanyl. The items have been submitted to the Department of Health for further analysis.



Kevin L'Heureux
Task Force Officer
U.S. Drug Enforcement Administration

Sworn and subscribed to before me this the 5th day of March, 2014, at Providence, Rhode Island.



PATRICIA A. SULLIVAN
United States Magistrate Judge
District of Rhode Island