

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

v.

FERNANDO ACEVEDO-FITZ (a/k/a  
Fernando Acevedo),  
LUIS GAMBINO (a/k/a Luis Gambino- Briseno),  
FNU LNU a/k/a GRENAS,  
EDNA FELICIANO (a/k/a Anna),  
GONZALO RODRIGUEZ (a/k/a Salud Avila,  
Gonzalo Rodriguez-Mendoza, Taco) and  
JAVON JOHNSON  
(a/k/a James, Edward Johnson, Jabaar Johnson, Psycho)

CRIMINAL COMPLAINT II  
**CASE NUMBER:**

**UNDER SEAL**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

**Count One:** Beginning no later than in or about March 2010, and continuing until in or about December 2010, FERNANDO ACEVEDO-FITZ and LUIS GAMBINO, conspired with each other, and with others known and unknown, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

**Count Two:** On or about March 8 2011, FERNANDO ACEVEDO-FITZ, FNU LNU a/k/a GRENAS and EDNA FELICIANO (a/k/a Anna) conspired with each other, and with others known and unknown, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

**Count Three:** Beginning no later than in or about August 2010, and continuing until in or about October 2010, LUIS GAMBINO and GONZALO RODRIGUEZ (a/k/a Salud Avila, Gonzalo Rodriguez-Mendoza, Taco) conspired with each other, and with others known and unknown, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

**Count Four:** On or about August 19, 2010, JAVON JOHNSON (a/k/a James, Edward Johnson, Jabaar Johnson, Psycho) did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of mixtures and substances containing a detectable quantity of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

**Count Five:** On or about August 27, 2010, JAVON JOHNSON (a/k/a James, Edward Johnson, Jabaar Johnson, Psycho) did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of mixtures and substances containing a detectable quantity of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).





conversations; (f) physical surveillance conducted by law enforcement agents and officers, which I have either participated in or have been reported to me either directly or indirectly; (g) my review and analyses of telephone toll records, pen register and trap and trace data and cell site information; (h) my review of information derived from law enforcement and commercial database records; (i) my review of information derived from criminal history records maintained by the Chicago Police Department (“CPD”), Illinois State Police and National Crime Information Center (“NCIC”); (j) my review of review of drivers' license and automobile registration records from various states, including records of the Illinois Secretary of State (“SOS”); (k) my review of information provided by cooperating sources, witnesses and other individuals; and (l) laboratory analysis reports.

3. This Affidavit is made in support of a Criminal Complaint charging the following offenses::

a. Beginning no later than on or about March 2010, and continuing until in or about December 2010, FERNANDO ACEVEDO-FITZ and LUIS GAMBINO, conspired with each other, and with others known and unknown, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

b. On or about March 8, 2011, FERNANDO ACEVEDO-FITZ, FNU LNU a/k/a GRENAS and EDNA FELICIANO (a/k/a Anna) conspired with each other, and with others known and unknown, including Fernando Acevedo-Marchan, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and

substances containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

c. Beginning no later than on or about August 19, 2010, and continuing until on or about October 23, 2010, LUIS GAMBINO (a/k/a Luis Gambino-Briseno) and GONZALO RODRIGUEZ (a/k/a Salud Avila, Gonzalo Rodriguez-Mendoza, Taco) conspired with each other, and with others known and unknown, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

d. On certain dates, namely August 19, 2010, August 27, 2010 and October 23, 2010, JAVON JOHNSON (a/k/a James, Edward Johnson, Jabaar Johnson, Psycho) did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of mixtures and substances containing a detectable quantity of cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

4. This Affidavit is also made for the purpose of establishing probable cause in support of warrants to search the locations listed below, which are further described in ¶¶160-171 below and in the Attachment A for each requested search warrant), and to seize evidence relating to the commission of the violations of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 846, as further described in Attachment B for each requested search warrant.

5. In particular, the residences sought to be searched are the following:

a.. the third-floor unit of 2049 North Kostner Avenue, Chicago, Illinois (hereinafter, “**the 2049 North Kostner Residence**”); and

b. the garden-level unit of 3557 West Shakespeare Avenue, Chicago, Illinois (hereinafter “**the 3557 West Shakespeare Residence**”).

6. The recitation of facts contained in this Affidavit is not meant to be a complete narrative of all that has occurred in connection with this investigation, but is only a summary of facts necessary to establish probable cause in support of the requested criminal complaint, search warrants and seizure warrants. Therefore, this affidavit contains only a summary of relevant facts, and I have not included each and every fact known to me concerning the individuals, events and matters described herein.

## **II. BACKGROUND OF THE INVESTIGATION**

7. Since approximately March of 2010, DEA and CPD have been conducting a joint investigation into a drug trafficking organization which distributes heroin and cocaine in Chicago, and elsewhere. Through this investigation, which has included court-authorized wire interceptions, extensive surveillance and seizures of narcotics and drug proceeds, law enforcement officers have learned that the defendants, and others, are involved in the distribution of multi-kilogram quantities of heroin in Chicago, Illinois and elsewhere.

8. At various times between July 2010, and the present, pursuant to court orders issued by the United States District Court for the Northern District of Illinois, conversations over the following cellular phones were intercepted:<sup>1</sup>

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<sup>1</sup>The call summaries in this Affidavit that include a call or session number refer to telephone calls that were intercepted pursuant to one of the above-referenced court orders. At various points in the Affidavit, I will offer my interpretations in brackets and otherwise, of certain intercepted conversations, and also of consensually recorded conversations. My interpretations of these conversations are based on

Phone Number	Target Phone	User
(773) 678-4933	1	Domingo Blount
(773) 430-1939	2	Luis GAMBINO
(513) 254-3646	3	Domingo Blount
(773) 678-1341	4	Fernando Acevedo-Marchan
(773) 299-4737	5	Arturo Flores
(773) 655-2599	6	Fernando Acevedo-Marchan
(773) 619-9310	7	Arturo Flores
(773) 798-3025	8	Angel Hernandez
(773) 565-5450	9	Arturo Flores
(773) 596-4629	10	Angel Hernandez
(773) 367-2493	11	Gerardo Hernandez
(773) 367-1211	12	Arturo Flores
(773) 302-7425	13	Arturo Flores
(773) 798-3400	14	Angel Hernandez
(773) 220-2185	15	Fernando Acevedo-Marchan
(773) 565-5024	16	Arturo FLORES

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my and other officers' knowledge of the investigation to date, a review of the contents and context of the conversations, prior and subsequent conversations, the results of physical surveillance, conversations with other officers and agents and my and other officers' experience and familiarity with narcotics trafficking organizations generally. Some of these summaries do not include references to all topics covered during the course of the conversations. In addition, the summaries do not necessarily include references to all statements made by the speakers on the topics that are mentioned. For some of these recordings which occurred in the Spanish language, I have at times relied on draft – not final – English translations of conversations in Spanish done by DEA agents and/or interpreters contracted by DEA. For others, I have relied on draft – not final – transcripts of conversations done by DEA agents and members of CPD. Italicized words appearing in summaries of Spanish conversations were spoken in English. All listed times are approximate.

9. This Affidavit is organized as follows: (a) Section III sets forth an overview of the conspiracies underlying this complaint, along with a brief description of each defendant's role(s) in the conspiracies and individual counts charged; (b) Section IV sets forth citations to the particular paragraphs within this Affidavit that discuss the evidence against each particular defendant; (c) Section V sets forth specific evidence in the investigation as it relates to each defendant both for the conspiracies charged and for the individual counts charged; and (d) Section VI describes probable cause for the requested search warrants.

### **III. OVERVIEW OF THE CONSPIRACIES AND EACH DEFENDANT'S ROLE(S)**

10. Since approximately March of 2010, DEA and CPD have been conducting a joint investigation into the narcotics trafficking activities of Domingo Blount ("Blount") and Gabriel Bridges ("Bridges") (together referred to as the "Blount-Bridges DTO"). Through this investigation, which has included heroin purchases by a CPD undercover officer (hereinafter the "UC") from Domingo Blount, court-authorized wire interceptions, extensive surveillance and seizures of narcotics and drug proceeds, law enforcement officers have learned that Blount and Bridges, and others, are involved in the distribution of multi-kilogram quantities of heroin in Chicago, Illinois; Cincinnati, Ohio; New York, New York; and elsewhere.<sup>2</sup> The Blount-Bridges DTO purchased heroin from a variety of sources, including the ACEVEDO-FITZ HEROIN DTO and also purchased cocaine from the ACEVEDO-FITZ COCAINE DTO.

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<sup>2</sup>Blount and Bridges are both charged in a separate federal criminal complaint, filed the same day as this complaint. Fernando Acevedo-Marchan, also referred to in this complaint, is also charged in a separate federal criminal complaint, filed the same day as this complaint.

## **ACEVEDO-FITZ HEROIN DTO**

11. The investigation has determined that, since at least 2010, the ACEVEDO-FITZ HEROIN Drug Trafficking Organization (“ACEVEDO-FITZ HEROIN DTO”), run by FERNANDO ACEVEDO-FITZ, has been responsible for the distribution of multi-kilograms of heroin in the Chicago, Illinois area, and also distributes cocaine in the Chicago, Illinois area. The ACEVEDO-FITZ HEROIN DTO has primarily distributed to the BLOUNT-Bridges DTO, as well as other customers. The individuals involved in the ACEVEDO-FITZ HEROIN DTO are as follows:

a. FERNANDO ACEVEDO-FITZ (hereinafter, “ACEVEDO-FITZ”) distributes large quantities of heroin in the Chicago, Illinois area, directly and through the use of LUIS GAMBINO (hereinafter “GAMBINO”) as a broker.

b. GAMBINO is a broker who arranges narcotics transactions on behalf of ACEVEDO-FITZ, involving the distribution of large quantities of heroin to various customers in the Chicago, Illinois area. GAMBINO negotiates the quantity and price directly with the customer, relaying information to and from ACEVEDO-FITZ, and then GAMBINO delivers the heroin or accompanies ACEVEDO-FITZ in delivering the heroin to the customer. Generally, ACEVEDO-FITZ pays a fee to GAMBINO for arranging these narcotics transactions.

### **The ACEVEDO-FITZ COCAINE Conspiracy**

12. The investigation has determined that, since at least 2011, the ACEVEDO-FITZ Cocaine Drug Trafficking Organization (“ACEVEDO-FITZ Cocaine DTO”), run by FERNANDO ACEVEDO-FITZ, distributes cocaine in the Chicago, Illinois area. The ACEVEDO-FITZ COCAINE DTO has distributed to the Blount-Bridges DTO and others. ACEVEDO-FITZ has used Acevedo-Marchan as a broker to arrange a cocaine transaction on behalf of ACEVEDO-FITZ,

involving distribution of cocaine to the Blount-Bridges DTO. FNU LNU, a/k/a GRENAS (“GRENAS”) and Edna FELICIANO (hereinafter, “FELICIANO”) have assisted in arranging the sale with ACEVEDO-FITZ, Acevedo-Marchan and Bridges. GRENAS also assisted in storing and transporting the drugs. FELICIANO communicated the terms between Acevedo-Marchan and ACEVEDO-FITZ for supplying the cocaine, then Acevedo-Marchan negotiated the quantity and price of the cocaine directly with the customer. Acevedo-Marchan and FELICIANO arranged for the cocaine to be delivered to Bridges.

**The GAMBINO-RODRIGUEZ Conspiracy**

13. GAMBINO has brokered cocaine deals on behalf of GONZALO RODRIGUEZ (hereinafter, “RODRIGUEZ”), in which GAMBINO has acted as a broker for RODRIGUEZ, with RODRIGUEZ fronting cocaine for GAMBINO to sell to wholesale customers in the Chicago, Illinois, area, including JAVON JOHNSON (a/k/a James, Edward Johnson, Jabaar Johnson, Psycho) (hereinafter, “JOHNSON”).

**IV. SUMMARY INDEX OF THE EVIDENCE AGAINST EACH DEFENDANT**

14. The following is a list of those individuals charged in the criminal complaint and the specific paragraphs of this Affidavit relating to those individuals:

<b>Defendant</b>	<b>Paragraphs</b>
FERNANDO ACEVEDO-FITZ	16-122
EDNA FELICIANO	100-122
LUIS GAMBINO	16-99; 123-159
FNU LNU a/k/a GRENAS	100-122
JAVON JOHNSON	144-159
GONZALO RODRIGUEZ	123-143

15. The following is a list of larger quantity narcotics distributions and seizures charged in the criminal complaint and the specific paragraphs of this Affidavit relating to those transactions:

<b>HEROIN DEALS</b>				
<b>Date</b>	<b>Quantity</b>	<b>From</b>	<b>To</b>	<b>Paragraph Nos.</b>
8/21/2010	250 grams	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶16-31
9/10/2010	1 kilo	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶32-50
9/20/2010	1 kilo	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶51-61
9/22/2010	500 grams	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶62-67
11/16/2010	500 grams	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶68-76
11/21/2010	500 grams	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶77-86
12/3/2010	1 kilo	Acevedo-Fitz/Gambino	Blount-Bridges	¶¶87-99

<b>COCAINE DEALS</b>				
<b>Date</b>	<b>Quantity</b>	<b>From</b>	<b>To</b>	
8/19/2010	4.5 oz	Rodriguez-Gambino	Johnson	¶¶123-133
8/24/2010	4.5 oz	Rodriguez	Gambino	¶¶134-143
8/27/2010	4.5 oz.	Gambino	Johnson	¶¶144-149
10/23/2010	4.5 oz	Rodriguez	Gambino	¶¶150-159
10/23/2010	4.5 oz	Gambino	Johnson	¶¶150-159
3/8/11	Undetermined	Acevedo-Fitz, Feliciano, Grenas	Bridges	¶¶100-122

**V. THE EVIDENCE**

### ***A. The ACEVEDO-FITZ HEROIN DTO***

#### ***1. ACEVEDO-FITZ HEROIN DTO, using GAMBINO as the Broker, Distributes 250 Grams of Heroin to The Blount-Bridges DTO on August 21, 2010***

16. Based on the intercepted calls and surveillance described below, and my knowledge of the investigation overall, I believe that, on August 21, 2010, ACEVEDO-FITZ, in a deal brokered by GAMBINO, distributed 250 grams of heroin to Blount and Bridges. GAMBINO brokered the transaction for 250 grams of heroin between ACEVEDO-FITZ and Bridges, and ACEVEDO-FITZ provided 240 grams of the agreed-upon quantity of heroin to Bridges. GAMBINO promised that he and ACEVEDO-FITZ would provide the missing 10 grams to Bridges on the next deal.

17. On August 17, 2010, at approximately 5:59 p.m., GAMBINO,<sup>3</sup> using Target Phone 2, received an incoming call (Call #678) from ACEVEDO-FITZ.<sup>4</sup> During this call, ACEVEDO-

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<sup>3</sup>The identification of GAMBINO and his voice in this Affidavit is based in part on the following: During an intercepted call (Call #2016) over Target Phone 2, GAMBINO confirmed that his first name is "Luis," he stated his last name as "Gambino," and also confirmed his address at "5340 South Rockwell Street, Apt. 2, Chicago, Illinois." During another intercepted call (Call #2519) over Target Phone 2, GAMBINO stated, "Hi, my name is Luis Gambino." Later in the call, GAMBINO stated, "Please call me at this number, 773-430-1939 [Target Phone 2]." From August to December 2010, based on intercepted calls over Target Phone 2 arranging narcotics transactions, surveillance on several occasions and observed Gambino at the locations where these narcotics transactions subsequently occurred. Finally, on March 15, 2011, GAMBINO was arrested by ICE on a complaint charging him with illegal reentry filed in the Northern District of Illinois, in case no. 11 CR 200; in that case, GAMBINO admitted his identity. In the summaries of the intercepted calls in this Affidavit in which GAMBINO is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to GAMBINO in each of these summaries is the same.

<sup>4</sup>The identification of ACEVEDO-FITZ and his voice in this Affidavit is based in part on the following: After intercepting telephone conversations over Target Phone 2 from telephone number (773) 837-9589, law enforcement officers conducted a law enforcement inquiry of telephone number (773) 837-9589; this inquiry revealed that telephone number (773) 837-9589 was utilized by Fernando ACEVEDO-FITZ during a separate DEA investigation, which occurred from 2008 until June 2010. In September 2008, a DEA undercover officer ("UC-2") participated in recorded drug-related conversations with ACEVEDO-FITZ, who was using telephone number (773) 837-9589, and also met with ACEVEDO-FITZ on at least two occasions. In August 2010, UC-2 compared the 2008 recorded telephone conversations with intercepted calls involving telephone number (773) 837-9589 over Target Phone 2.

FITZ asked, "What happened?" GAMBINO replied, "I have another black guy [another heroin customer]. He doesn't buy it whole [does not purchase kilogram quantities of heroin]. You don't sell it [heroin] in pieces [smaller quantities], right?" ACEVEDO-FITZ advised, "No." GAMBINO responded, "Okay. I have one [customer] but I told him the situation and how it is [that the DTO does not break up kilogram quantities of heroin]. He [customer] told me he doesn't have that much [money] to buy an entire one [one kilogram of heroin]." ACEVEDO-FITZ stated, "Half [ACEVEDO-FITZ would sell one-half kilogram of heroin]." GAMBINO stated, "I called the black guy [Blount], but he didn't answer. Hopefully, he'll call later." ACEVEDO-FITZ responded, "Tell him half [one-half kilogram of heroin]." GAMBINO stated, "Whatever happens, I'll let you know."

18. On August 18, 2010, at approximately 1:17 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #889) from ACEVEDO-FITZ. During this call, GAMBINO stated, "Hey, I was talking to these guys [Bridges and Blount] last night. They said times are tough and they can't buy what he had agreed on [kilogram quantities of heroin]. They [Bridges and Blount] said they can buy 250 [250 grams of heroin] . . . 250 will be every third day [Bridges told GAMBINO that he would purchase 250 grams of heroin from GAMBINO and ACEVEDO-FITZ every three days], so that means that they would purchase the whole one [one kilogram of heroin]

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UC-2 concluded that the voices were the same, belonging to ACEVEDO-FITZ. Since August of 2010, law enforcement officers have also intercepted telephone conversations over Target Phone 2, Target Phone 4 and Target Phone 6 involving telephone numbers (773) 799-5622, (773) 698-3204, (773) 704-8525, (773) 747-2808, (773) 816-2219 and (773) 501-7342 from telephone number (773) 799-5622. Spanish linguists contracted by DEA compared the voice of the user of telephone number (773) 837-9589, identified as ACEVEDO-FITZ, with the other telephone numbers listed above, and concluded that all of the telephones are used by ACEVEDO-FITZ. Law enforcement also has compared a known booking photograph of ACEVEDO-FITZ, identified by the UC as photos of ACEVEDO-FITZ, with surveillance photos taken in this case, and determined that they are the same person. In the summaries of the intercepted calls in this Affidavit in which ACEVEDO-FITZ is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to ACEVEDO-FITZ in each of these summaries is the same.

in less than a week, understand?” ACEVEDO-FITZ replied, “It’s [heroin] going to be more expensive [higher price] if it’s little by little [in smaller quantities].” GAMBINO responded, “Okay. Tell me how much [money] you want for the 250 [250 grams of heroin]?” ACEVEDO-FITZ stated, “Tell him [Bridges] that I’m going to leave it for 65 [\$16,500 for 250 grams of heroin].” GAMBINO replied, “65 [\$16,500] for . . . okay. I’ll call you back if he [Bridges] likes the number [price].” ACEVEDO-FITZ responded, “Look, you tell him [Bridges] your number [price].” GAMBINO asked, “Oh, this [\$16,500] is for me [the price for GAMBINO, without a profit for GAMBINO built in]?” ACEVEDO-FITZ explained, “Look . . . tell him [Bridges] around 66 [\$16,600], that way, you can make something [profit for brokering the heroin transaction].” GAMBINO asked, “How much [price] for me?” ACEVEDO-FITZ advised, “64 [ACEVEDO-FITZ stated that he would sell the heroin to GAMBINO for \$16,400].” GAMBINO replied, “Okay, I’ll tell him [Bridges] 65 [\$16,500] so I can make 100 bucks [profit].” ACEVEDO-FITZ stated, “Tell him [Bridges] 66 [\$16,600] because they sell it [heroin] for over 100 [\$100 per gram of heroin] . . . and they still add some shit [add cutting agents to the heroin to increase volume and therefore profit] to it [heroin].” GAMBINO remarked, “Okay.”

19. On August 19, 2010, at approximately 1:40 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #895) to Bridges<sup>5</sup>. During this call, GAMBINO stated, “Look, I

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<sup>5</sup>The identification of Bridges and his voice in this Affidavit is based in part on the following: On July 15, 2010, pursuant to intercepted calls over Target Phone 1, law enforcement officers conducted surveillance at 5320 South Wood Street, Chicago, Illinois. During one intercepted call (Call #1060), Blount and Bridges, using (773) 641-6828, agreed to meet at “Woods” [5320 South Wood Street]. Approximately one hour later, law enforcement officers observed Blount and Bridges depart 5320 South Wood Street, in tandem vehicles, en route to a meeting with Gambino on the north side of Chicago. Surveillance then observed Blount and Bridges meet at a Marathon Gas Station, located at the intersection of Armitage Avenue and Pulaski Road, Chicago, Illinois. A law enforcement officer who observed this meeting later viewed a known Illinois driver’s license photograph of Bridges and positively identified Bridges as the individual who met with Blount in the gas station parking lot. Bridges also was identified

talked to the old man [ACEVEDO-FITZ]. He wants to work [distribute heroin] with you, okay? He's gonna break it down, but he's gonna break it down to 250 [GAMBINO explained that ACEVEDO-FITZ agreed to break down one kilogram of heroin and sell Bridges 250 grams of heroin]. The price for the 250 [250 grams of heroin] is gonna be six, nine [\$16,900]." Bridges replied, "Six, nine [\$16,900]! Damn!" GAMBINO responded, "Yeah, he [ACEVEDO-FITZ] even told me it's [heroin] going to be more expensive because he's breaking it down [distributing the heroin in smaller quantities]." Bridges explained, "Okay. I'm a come see you. I'm a call you in about an hour. I'm a come see you."

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as the user of telephone numbers (773) 749-8708, (773) 408-8654 and (773) 367-2210 through voice comparisons conducted by DEA agents with intercepted calls involving Bridges's use of telephone number (773) 641-6828, where Bridges had been identified through surveillance. Also, during intercepted telephone calls, Blount and others have referred to the user of telephone numbers (773) 641-6828, (773) 749-8708, (773) 408-8654 and (773) 367-2210 as "Gabe," short for Bridges's first name. Finally, on several occasions during the course of this investigation, law enforcement personnel telephone calls were intercepted involving Bridges's use of telephone numbers (773) 641-6828, (773) 408-8654 and (773) 367-2210, where Bridges and others agreed to meet in furtherance of narcotics transactions. During these several occasions, law enforcement officers subsequently observed Bridges arrive at pre-arranged locations where the drug transactions occurred. In the summaries of the intercepted calls in this Affidavit in which Bridges is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to Bridges in each of these summaries is the same.

20. On August 19, 2010, at approximately 4:43 p.m., Blount,<sup>6</sup> using Target Phone 1, placed an outgoing call (Call #30610) to Bridges. During this call, Bridges stated, "I'm a fittin' to go see Amigo [GAMBINO]." Later in the call, Bridges stated that "He [GAMBINO] talking crazy, adding his shit in [Bridges advised that GAMBINO raised the price of the heroin to increase his profit]." Later in the call, Bridges stated, "He [ACEVEDO-FITZ] gonna do it for me [sell heroin to Bridges], but you know Amigo [GAMBINO] came with this ridic-, with this ticulous [meaning ridiculous] number . . . Talking 'bout, talking about, umm. Yeah, he [ACEVEDO-FITZ] gonna do it for you man, and, but, he said, umm, sixteen-nine [\$16,900 for 250 grams of heroin]. Come on, Amigo [GAMBINO]." Blount later asked, "So wait, he tell you sixteen-nine [\$16,900]?" Bridges replied, "It [heroin] really supposed to, it really supposed to be like fifteen-two [\$15,200]. That's what it [heroin] really supposed to be, and then whatever he gets [plus GAMBINO's profit]." Blount advised, "No, he gonna get 65 [either \$65 per gram of heroin or \$65,000 per kilogram of

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<sup>6</sup>The identification of Blount and his voice in this Affidavit is based in part on the following: From March 25, 2010, to June 24, 2010, the UC contacted Target Phone 1 to arrange for the purchase of heroin on five occasions. During these five transactions, the UC spoke with the same individual over Target Phone 1 each time. On four of these five occasions, after the telephone conversations arranging for the purchase of heroin, the UC met with Blount and obtained the heroin. Blount was identified as the individual who supplied the UC with heroin after the UC and multiple other law enforcement officers viewed an known Illinois driver's license photograph of Blount. Furthermore, during intercepted calls over Target Phone 1, several individuals have referred to the user of Target Phone 1 as "Mingo," a nickname used by Blount, and others have also referred to the user of Target Phone 1 as "Domingo." Blount was also identified as the user of Target Phone 3, as well as the user of telephone number (773) 793-2206 and telephone number (404) 901-6015, through voice comparisons conducted by DEA agents with the UC's recorded conversations with Blount over Target Phone 1, as well as continued references to the user of these phones as "Mingo" and "Domingo." Finally, on several occasions during this investigation, law enforcement personnel intercepted telephone calls involving Blount's use of Target Phone 1, Target Phone 3, telephone number (773) 793-2206 and (404) 901-6015, where Blount and others agreed to meet in furtherance of narcotics transactions. On these occasions, law enforcement officers subsequently observed Blount arrive at pre-arranged locations where the drug transactions occurred. In the summaries of the intercepted calls in this Affidavit in which Blount is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to Blount in each of these summaries is the same.

heroin] for each one. That's all . . . he [GAMBINO] gonna take his [profit] out the sixteen-five [\$16,500].”

21. On August 20, 2010, at approximately 3:46 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1012) from ACEVEDO-FITZ. During this call, GAMBINO stated, “Listen, we’re [GAMBINO and Bridges] going to do the two, five, zero [250 grams of heroin] tomorrow morning.” ACEVEDO-FITZ asked, “Two, five, zero [250 grams of heroin]?” GAMBINO advised, “Yes, for tomorrow morning and, and . . . that’s [250 grams of heroin] going to be done every third day [GAMBINO explained that Bridges would purchase 250 grams of heroin every three days].” ACEVEDO-FITZ remarked, “Call me early.”

22. Less than five minutes later, GAMBINO, using Target Phone 2, placed an outgoing call (Call #1013) to Bridges. During this call, GAMBINO stated, “Okay, I talked to the old man [ACEVEDO-FITZ]. We’ll be ready [to conduct the heroin transaction] for tomorrow morning.” Bridges replied, “Okay, I’m a call you.” GAMBINO responded, “Okay. We’re set for tomorrow morning then”.

23. On August 20, 2010, at approximately 7:10 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #1036) to ACEVEDO-FITZ. During this call:

(a) GAMBINO asked, “Listen, I was going to ask you. How are we going to do it [heroin transaction] tomorrow? You’re going to give it [heroin] to me at 64 [\$64 per gram of heroin], right?” ACEVEDO-FITZ answered in the affirmative. GAMBINO later asked, “Okay. For the 250 [250 grams of heroin], right?” ACEVEDO-FITZ replied, “Uh, huh. For the 250 [250 grams of heroin].”

(b) GAMBINO then asked, "Okay . . . okay, so, then how much [price] should I give it [heroin] to him [Bridges] for?" ACEVEDO-FITZ replied, "Well, I don't know. You tell him [Bridges]. You know this [heroin] is good [quality], so we ask for good money." GAMBINO stated, "I don't want to be on bad terms with him [Bridges] nor with you, you know what I mean? I don't want to go overboard [with the price]." ACEVEDO-FITZ explained, "Well, whatever is fair [price]. At least . . . 66 [\$66 per gram of heroin], no?" GAMBINO responded, "Okay. It's because I don't know. I'm a be honest with you. I don't know how much [price] I should give it [heroin] to him [Bridges] for . . . you know what I mean?" ACEVEDO-FITZ remarked, "Uh, huh." GAMBINO asked, "So, the 64 [\$64 per gram] for me, right?" ACEVEDO-FITZ remarked, "Uh, huh." GAMBINO asked, "Okay, then from there, you're going to give me something [money], right?" ACEVEDO-FITZ stated, "No. That's why I'm telling you. You tell him [Bridges]." GAMBINO remarked, "Uh, huh." ACEVEDO-FITZ replied, "You tell him [Bridges] so you can get some [money]. . ."

(c) After explaining that the heroin was of high quality, ACEVEDO-FITZ further stated, "When it's [heroin] fewer [less quantity], it comes more expensive [money] . . . so then, at least 66 [\$66 per gram] . . . so then, you can make something [money]." GAMBINO asked, "At least, right?" ACEVEDO-FITZ stated, "Yes . . . you tell them what you want. Tell them if they don't want it [heroin], it's fine. Don't feel bad. Look, it's better to give quality [heroin] and give a good price than to give crap. I always say that. You're not going to sell it [heroin] high [price] and give some crap. We give good stuff [high quality heroin] and the price is the price we're giving them because it's [heroin] quality . . . we're going to give quality [heroin] not crap stuff [heroin] . . . tell him [Bridges] that you're going to give him good quality [heroin]. It's guaranteed. If they

don't want that, there's no problem. We'll return their money and they'll return that [heroin] . . . We'll give them that guarantee.”

24. On August 21, 2010, at approximately 3:20 p.m., surveillance observed GAMBINO in the green Dodge Caravan and Bridges in a silver Cadillac sports utility vehicle meet at a Marathon gas station located at the intersection of Armitage Avenue and Pulaski Road in Chicago, Illinois. At approximately 3:24 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #1225) to ACEVEDO-FITZ. During this call, GAMBINO asked, “Where are you?” ACEVEDO-FITZ replied, “I'm here fixing that [heroin] up. I'm . . . you know, measuring it [weighing the heroin].” ACEVEDO-FITZ advised, “Wait for me on the corner of Belden and Keeler. I'll come by to pick you up.”

25. On August 21, 2010, beginning at approximately 3:58 p.m., surveillance observed the following: (a) ACEVEDO-FITZ entered the front passenger seat of GAMBINO's green Dodge Caravan in the 1900 block of North Keeler, and departed the area; (b) a short time later, the green Dodge Caravan entered the Marathon gas station parking lot at the intersection of Armitage Avenue and Pulaski Road in Chicago, Illinois, with GAMBINO in the driver's seat and ACEVEDO-FITZ in the passenger seat; (c) Bridges, already sitting in the gas station parking lot, exited the silver Cadillac sports utility vehicle and walked up to the front driver's side of the green Dodge Caravan, and participated in a short conversation with ACEVEDO-FITZ; (d) Bridges then entered the rear seat of the green Dodge Caravan, and the green Dodge Caravan exited the Marathon gas station parking lot; (e) the green Dodge Caravan drove to the intersection of Belden Avenue and Keeler Avenue in Chicago, Illinois, where ACEVEDO-FITZ exited the green Dodge Caravan and return on foot to his residence located at **the 2049 North Kostner Residence**); (f) the green Dodge

Caravan then returned to the intersection near the Marathon gas station, where Bridges exited the vehicle and returned to the silver Cadillac sports utility vehicle, and both cars then left the area. A short time later, surveillance observed the green Dodge Caravan parked near the intersection of Belden Avenue and Keeler Avenue. Based on my knowledge of the investigation, the intercepted calls and the surveillance, I believe that during this meeting, Bridges, ACEVEDO-FITZ and GAMBINO negotiated terms of the heroin transaction, but did not complete the transaction.

26. On August 21, 2010, at approximately 4:28 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #1261) to ACEVEDO-FITZ. During this call, GAMBINO asked, "Are you ready [to deliver the heroin]?" ACEVEDO-FITZ replied, "Yes, hold on. I'm measuring it [weighing the heroin]. It [heroin] only measures [weighs] in . . ." GAMBINO remarked, "I'm outside." Immediately following this call, GAMBINO, using Target Phone 2, then placed an outgoing call (Call #1262) to Bridges. During this call, GAMBINO stated, "Let's give him [ACEVEDO-FITZ] 10 minutes. He's doing his thing [ACEVEDO-FITZ was weighing and packaging the heroin]. Just give him a couple of minutes, alright?"

27. A short time later, surveillance observed a black Nissan Sentra exit the garage of **the 2049 North Kostner Residence**, with Individual A in the driver's seat and ACEVEDO-FITZ in the front passenger seat.

28. On August 21, 2010, beginning at approximately 4:27 p.m., surveillance observed the following: (a) the green Dodge Caravan park near the intersection of Belden Avenue and Keeler Avenue; (b) Bridges' silver Cadillac was already parked near this intersection; (c) Bridges exited the front passenger door of GAMBINO's Dodge Caravan, entered the silver Cadillac and departed the area; (d) the green Dodge Caravan departed the area; and (e) ACEVEDO-FITZ was standing

outside where the green Dodge Caravan had been parked, and then he entered 2304 North Keeler Avenue, Chicago, Illinois. Based on my knowledge of the investigation, the intercepted calls and the surveillance, I believe that at this time, ACEVEDO-FITZ and GAMBINO delivered the 250 grams of heroin to Bridges.

29. On August 21, 2010, at approximately 5:27 p.m., Blount, using Target Phone 1, placed an outgoing call (Call #32129) to Bridges. During this call, Bridges stated, “I at the crib. I, uh, I went and took care of that business [picked up heroin from ACEVEDO-FITZ and GAMBINO].” Later in the call, Bridges stated, “Yeah, the old man [ACEVEDO-FITZ]. You know they [ACEVEDO-FITZ and GAMBINO] in a different spot now [changed houses].” Later in the call, Bridges stated, “Yeah, and uh, this shit [heroin] they got, god damn it is a mother fucker. It ain’t the, it ain’t the scorpion, it’s a bird [Bridges explained that the heroin he received from ACEVEDO-FITZ and GAMBINO was either a different type of heroin or had a different stamp/trademark].” Blount responded, “Man, scorpions, bird, well, you should have a, man, you should have called me, maybe they may have given another hundred [100 grams of heroin], you know what I’m saying.” Bridges explained, “Yeah, shit, I go back, I’m a just gonna put this up though [Bridges was going to store the 250 grams of heroin at his residence], and uh, I’m gonna just put this one [heroin] up. But, when you get here, I show it [heroin] to you.”

30. On August 21, 2010, at approximately 9:44 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1351) from Bridges. During this call, Bridges stated, “Tell the old man [ACEVEDO-FITZ] that it [heroin] was 240 [240 grams of heroin]. He said that he was three short [three grams of heroin], but it was 240 [Bridges stated that the heroin only weighed 240 grams].” GAMBINO asked, “240 [240 grams of heroin]?” Bridges remarked, “Yeah.” GAMBINO

asked, “So, he missing 10 [10 grams of heroin]?” Bridges replied, “Yeah, he [ACEVEDO-FITZ] was short 10 [10 grams of heroin].” GAMBINO explained, “Next time we do this [heroin transaction] again, I’ll throw another 10 there [GAMBINO and ACEVEDO-FITZ would give Bridges 260 grams of heroin during the next transaction]. I’ll let him know.”

31. On August 22, 2010, at approximately 10:38 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1395) from ACEVEDO-FITZ. During this call, ACEVEDO-FITZ asked, “Look, did you ask the black guy [Bridges] how that [heroin] was?” GAMBINO replied, “No, he hasn’t called me. He [Bridges] just called me last night to say he was missing some [the heroin weight was short 10 grams].” ACEVEDO-FITZ responded, “Yes, but when he called yesterday to say he was missing some [heroin], you should have asked him how that material [heroin] was.” GAMBINO explained, “I think that it [heroin] was good [quality] because he didn’t complain about it [heroin quality].” ACEVEDO-FITZ replied, “Yeah, it’s [heroin] fucking good. I’m only giving him [Bridges] good stuff [high quality heroin]. I was just calling to let you know that I have his done already [Bridges next purchase of heroin was ready]. Let him [Bridges] know that I have it fixed [packaged] already.” GAMBINO remarked, “Okay.” ACEVEDO-FITZ asked, “It’ll be about two or three days, right?” GAMBINO replied, “Yes. I’m guessing that in about two days [GAMBINO advised that Bridges would purchase 250 more grams of heroin in about two days].”

***2. The ACEVEDO-FITZ HEROIN DTO, using GAMBINO as the Broker, Distributes a Kilogram of Heroin to The Blount-Bridges DTO on September 10, 2010***

32. Based on the calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that, on September 10, 2010, ACEVEDO-FITZ, in a deal brokered

by GAMBINO, distributed a kilogram of heroin to Blount and Bridges. However, the purchase money for the kilogram of heroin was short \$2,800, leading to GAMBINO to meet again with Blount to collect the remaining \$2,800. ACEVEDO-FITZ then drove to GAMBINO's house to pick up the money.

33. On September 9, 2010, at approximately 4:18 p.m., Blount, who was using Target Phone 3, called GAMBINO (Call #3325). During this call, Blount stated, "Man, Joe, uh, I want three of those [three kilograms of heroin] . . . three all the way." GAMBINO stated, "Okay . . . let me give you a call back like in 30 minutes, yeah, cause I'm kind of in the middle of something right now." Blount responded, "Man, call the man [ACEVEDO-FITZ] though, cause these people [heroin customers] around me, man. They [source of supply] gonna take five dollars off [lower the price of the heroin], right? Call me right back."

34. On September 9, 2010, at approximately 4:29 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #3327) to ACEVEDO-FITZ. During this call, GAMBINO stated, "The black guy [Blount] already called me. He is ready. Are you ready [to conduct a heroin transaction]?" ACEVEDO-FITZ replied, "Yeah. I'm waiting for you." GAMBINO responded, "Okay. The 300 [300 grams of heroin] that were missing yesterday [from a previous heroin transaction on September 8, 2010], okay?" ACEVEDO-FITZ remarked, "Yes." GAMBINO stated, "Okay. Have them [300 grams of heroin] ready. I'll go over there right now."

35. On September 9, 2010, at approximately 4:30 p.m., Blount, using Target Phone 3, placed an outgoing call (Call #3328) to GAMBINO, who was using Target Phone 2. During this call, GAMBINO asked, "Hey, Charlie, are you ready?" Blount stated, "Let me call my cousin right now. I'm a grab that money [to purchase the heroin]." GAMBINO replied, "Alright . . . call your

cousin and have everything [money] ready. Okay?" Blount asked, "Is he [ACEVEDO-FITZ] gonna be ready for the whole three [three kilograms of heroin] or what did he say? One at a time [one kilogram of heroin for three different transactions] or what?" GAMBINO responded, "No, for the three, the ones that we missed yesterday [300 grams of heroin]." Blount advised, "I'm talking about the three whole ones [three kilograms of heroin]. No, man, no, like the whole thing [kilograms of heroin], all the way." GAMBINO asked, "The whole thing [kilograms of heroin]?" Blount stated, "Yeah. What he [ACEVEDO-FITZ] want me to do? One at a time [one kilogram of heroin in three different transactions]? If he [ACEVEDO-FITZ] want me to do one at a time, I'll come, put the money for one [one kilogram of heroin], then I'll come back with the money for the next one [money for an additional kilogram of heroin], you know what I'm saying?" GAMBINO replied, "Yeah. You know what? Why don't you send your nephew [Bridges] over here to my house, then." Blount responded, "Man, I'm fittin' to come to your house, man. I'm right here on 63rd and uh . . ."

GAMBINO stated, "Come to my house. Hurry up."

36. On September 9, 2010, at approximately 4:50 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #3331) to ACEVEDO-FITZ. During this call, GAMBINO stated, "The guy [Blount] is here with me right now and he says he wants three whole ones [three kilograms of heroin]." ACEVEDO-FITZ asked, "Who?" GAMBINO stated, "The black guy [Blount] from yesterday." ACEVEDO-FITZ asked, "Three whole ones [three kilograms of heroin]?" GAMBINO confirmed, "Yes." ACEVEDO-FITZ asked, "For when?" GAMBINO replied, "Right now, he's [Blount] going to let me know . . . he's going to let me know, but he wants three whole ones [three kilograms of heroin]. Okay?" ACEVEDO-FITZ asked, "But he's coming right now for the others [300 grams of heroin], right?" GAMBINO stated, "Hold on a bit. Don't hang up. He's [Blount]

making a call." In the background of GAMBINO's phone, Blount is heard stating, "You ready, man? Cause I'm with him [GAMBINO] now. We just got done talking to the old man [ACEVEDO-FITZ]." Later in the call intercepted on Target Phone 2, ACEVEDO-FITZ told GAMBINO, "Right now, I only have the 300 [grams of heroin]." GAMBINO asked, "You think you can grab a whole one [one kilogram of heroin] right now?" after which the call was disconnected.

37. On September 9, 2010, at approximately 4:57 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #3332) to ACEVEDO-FITZ. During this call, GAMBINO stated, "One whole one [one kilogram of heroin] for today." ACEVEDO-FITZ advised, "There is only one [kilogram of heroin] for today." GAMBINO replied, "Just one [kilogram of heroin] for today, and tomorrow another one [additional kilogram of heroin], and then tomorrow, another one [a third kilogram of heroin]." ACEVEDO-FITZ stated, "Alright, then. Tell him [Blount] to come."

38. On September 9, 2010, at approximately 6:11 p.m., Blount, who was using Target Phone 3, placed an outgoing call (Call #3339) to GAMBINO, who was using Target Phone 2. During this call, Blount stated, "This mother fucker [the customer, Spann]<sup>7</sup> got me sitting here, Amigo. I'm waiting on him [for the purchase money] . . . you know me, I get irritated." In a subsequent telephone call intercepted over Target Phone 2 (Call #3348), Blount and GAMBINO agreed that they would complete the heroin transaction the next day. GAMBINO then spoke with ACEVEDO-FITZ and told him that Blount would be ready the next day (Call ##3349, 3355, 3362, 3367).

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<sup>7</sup>Spann has been charged in a separate federal criminal complaint, filed the same day as this complaint.

39. On September 10, 2010, beginning at approximately 3:42 p.m., surveillance observed the following: (a) Blount, driving a white Chevrolet Impala (hereinafter "**Chevrolet Impala**"), exited the detached garage at ACEVEDO-FITZ's residence, at **the 2049 North Kostner Residence**; (b) at approximately 3:47 p.m., Blount arrived at Kentucky Fried Chicken, located at 4715 West Fullerton Avenue, Chicago, Illinois; (c) moments later, the green Dodge Caravan, driven by GAMBINO, exited the Kentucky Fried Chicken parking lot; (d) a black Chrysler 300 parked next to Blount's white **Chevrolet Impala** in the Kentucky Fried Chicken parking lot; (e) at approximately 3:49 p.m., the white **Chevrolet Impala** and the black Chrysler 300 departed the Kentucky Fried Chicken parking lot in tandem. Law enforcement officers subsequently observed Spann<sup>8</sup> as the driver of the black Chrysler 300. Based on my knowledge of the investigation, the intercepted calls and the surveillance, I believe that Blount had picked up the kilogram of heroin in the **Chevrolet Impala** at **the 2049 North Kostner Residence**, and then delivered the heroin to his customer, Spann, in the parking lot of the Kentucky Fried Chicken.

40. On September 10, 2010, at approximately 5:34 p.m., approximately two hours after the meetings summarized in the preceding paragraph, GAMBINO, using Target Phone 2, received an incoming call (Call #3378) from ACEVEDO-FITZ. During this call, GAMBINO asked, "What happened?" ACEVEDO-FITZ told GAMBINO, "There was some [money] missing man. My guy

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<sup>8</sup>The identification of Spann and his voice in this Affidavit is based in part on the following: On September 10, 2010, after following Blount from **the 2049 North Kostner Residence**, surveillance observed Blount, driving his white Chevrolet Impala, and a black Chrysler 300, bearing Illinois license plate 8553921, exit the Kentucky Fried Chicken parking lot, located at 4715 West Fullerton, Chicago, Illinois, in tandem. A law enforcement database inquiry revealed that license plate 8553921 is registered to Louis Spann, 13256 South Saint Lawrence, Chicago, Illinois. Law enforcement and commercial database inquiries revealed that Jerry Spann was associated with Louis Spann and 13256 South Saint Lawrence; Jerry Spann also provided that address in connection with a 2000 arrest. Surveillance followed the Chrysler 300 on September 10 and observed the driver, and later identified the driver as Spann from an Illinois driver's license photograph of Spann.

[supplier] just came to see me and . . . I went to help him count over there . . . the blocks [stacks of money] . . . and there were some [money] missing." GAMBINO asked, "How many [money] were missing?" ACEVEDO-FITZ explained, "In all the boxes it [money] came in . . . they were all missing two [\$200], missing five [\$500], and there were some with eight [\$800] . . . it didn't even come with the 1,000 [\$1,000] . . . there was 2,500 [\$2,500] missing." GAMBINO responded, "We'll settle things [get the \$2500 that was missing] with the black guy [Blount] tomorrow. I'll call the black guy [Blount] right now and I'll call you right back." ACEVEDO-FITZ replied, "Yeah, because I even put what was mine [ACEVEDO-FITZ's profit from the sale of heroin] in there . . . with the guy [heroin source of supply] . . . it's fucking worth shit. I got screwed." GAMBINO responded, "I'm a call the black guy [Blount] right now and I'll call you right back."

41. On September 10, 2010, at approximately 6:09 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #3380) from ACEVEDO-FITZ. ACEVEDO-FITZ told GAMBINO, "How is he [Blount] going to ask us for more [heroin] when he is trying to pull a fast one [not pay the full amount] on us? We have been straight [honest] with him." GAMBINO replied, "So it's [the payment for the narcotics] 2800 [\$2800 short] right?" ACEVEDO-FITZ acknowledged and GAMBINO told ACEVEDO-FITZ he would call him back.

42. On September 10, 2010, at approximately 6:20 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #3382) to Blount, who was using Target Phone 3. During this call, GAMBINO stated, "Listen to what I'm going to tell you man. You guys were short 28 [\$2,800], man." Blount asked, "28 [\$2,800]?" GAMBINO remarked, "Yeah, man." Blount stated, "I'm going to call you right back." GAMBINO advised, "The old man [ACEVEDO-FITZ] is upset at me, man."

43. On September 10, 2010, at approximately 6:57 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #3388) from Blount, who was using Target Phone 3. During this call, Blount stated, "Hey man, he's [Spann] fittin' to grab that [money] man. Did he [ACEVEDO-FITZ] count it, if it's [money] short, right? You said 28 [\$2,800]?" GAMBINO replied, "Yeah, 28 [\$2,800] it was short, man." Blount subsequently advised, "I told him [Spann], 'you make the old man [ACEVEDO-FITZ] mad at me, man, I don't want to fuck up my connect cause of you. Man, you need to bring me that mother fucking money.'" GAMBINO stated, "Yeah man, my old man [ACEVEDO-FITZ], old man called me right now, man. He like, 'man, what kind of trust do we have right there,' you know what I'm saying?" Blount stated, "Man, listen. You know . . . when I grabbed the money from him [Spann], I didn't get a chance to count it, you know what I'm saying?" Blount further stated, "Tell him [ACEVEDO-FITZ] I'm on it, tell him I'm on it. I'm just waiting on him [Spann] to call me. He fittin' to meet me, you know what I'm saying. . . Just tell that old man [ACEVEDO-FITZ] he [Spann] got that [money], calm down."

44. On September 11, 2010, at approximately 3:03 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #3466) from ACEVEDO-FITZ. During this call, ACEVEDO-FITZ asked, "What did he [Blount] tell you?" GAMBINO replied, "I'm going to talk to him right now. I'll call you back and let you know." ACEVEDO-FITZ asked, "I thought he wanted another piece [more heroin]?" GAMBINO responded, "He is going to want that piece [heroin]. So, how much [money] was he [Blount] missing?" ACEVEDO-FITZ advised, "I already told you, \$2,800." GAMBINO stated, "Let me call this guy and I'll call you right back."

45. On September 11, 2010, at approximately 8:11 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #3514) from ACEVEDO-FITZ. During this call,

ACEVEDO-FITZ asked, "He [Blount] hasn't answered you?" GAMBINO replied, "No, the fucking black guy [Blount] doesn't answer." ACEVEDO-FITZ stated, "When he [Blount] calls, you tell him there isn't anything, that I just have a half [500 grams of heroin] that I'm saving for him. If he wants it [heroin]. If not, I'll take it [heroin] somewhere else [to another customer]." GAMBINO advised, "Okay, you do what you have to do." ACEVEDO-FITZ replied, "I'll wait until tomorrow, otherwise, I'll give it [heroin] to another guy."

46. On September 11, 2010, at approximately 10:11 p.m., Blount, using Target Phone 3, received an incoming call (Call #856) from GAMBINO, who was using Target Phone 2. During this call, Blount stated, "I got it [money], you know what I'm saying? I'm gonna take it out of my shit [Blount's profit for brokering the heroin transaction with Spann] cause this nigga [Spann] ain't, he ain't never show up, but I'm gonna pay for it though, you know what I'm saying? I got him. We ain't even gonna worry about that [missing \$2,800]."

47. On September 12, 2010, at approximately 12:49 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #3572) from Blount, who was using Target Phone 3. During this call, Blount asked, "You know how to come to Washington Park?" GAMBINO asked, "Where's it at?" Blount replied, "It's like by 55th and King Drive." GAMBINO stated, "I'll be over there right now. I'm headed that way right now."

48. A few minutes later, GAMBINO, using Target Phone 2, placed an outgoing call (Call #3574) to ACEVEDO-FITZ. During this call, GAMBINO stated, "I spoke to him [Blount] already. I'm going to go talk to him at his house right now, okay?" ACEVEDO-FITZ replied, "Okay. Tell him that I only have the 'micha' [meaning half and is a reference to 500 grams of heroin] left."

GAMBINO responded, "Okay. I'm going to go talk to the black guy [Blount] right now, okay? I'm going to go talk to him at his house, because I didn't like what he did [shorting the money]."

49. On September 12, 2010, beginning at approximately 1:36 p.m., surveillance observed the following: (a) GAMBINO's green Dodge Caravan parked next to Blount's purple and yellow Chevrolet Tahoe at Washington Park, located in the area of 55th Street and King Drive, Chicago, Illinois; (b) GAMBINO exited the green Dodge Caravan and met with Blount; (c) Blount gave money to GAMBINO, which GAMBINO counted, before both departed the area. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that at this time, Blount gave GAMBINO the remaining \$2,800 owed for the kilogram of heroin.

50. On September 12, 2010, at approximately 3:14 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #3582) to ACEVEDO-FITZ. During this call, ACEVEDO-FITZ asked, "What happened?" GAMBINO stated, "I went to go pick up what was pending [\$2,800] with the black guy [Blount]. You want to come and pick it [\$2,800] up?" ACEVEDO-FITZ asked, "Where at?" GAMBINO replied, "53rd and Rockwell. Take Western all the way down." Approximately an hour later, GAMBINO, using Target Phone 2, placed an outgoing call (Call #3586) to ACEVEDO-FITZ. During this call, GAMBINO asked, "Where are you at?" ACEVEDO-FITZ stated, "I'm here on 53<sup>rd</sup> [street, close to GAMBINO's residence]." GAMBINO replied, "Okay, come down all 53<sup>rd</sup> [street], you'll see me at Rockwell [street], you'll see a school, don't hang up, stay on the phone." Later, GAMBINO stated, "Rockwell, keep on 53<sup>rd</sup>, you see the school, right?" ACEVEDO-FITZ responded, "Yes, I see the school, on Talman, right? The school is on Talman [street], right?" GAMBINO advised, "Yes, keep coming and when you pass the school on your right." Later in the call, ACEVEDO-FITZ stated, "Oh, here it is [GAMBINO's house]." At

the same time, law enforcement officers conducting surveillance observed Individual A driving a white 2006 Chrysler PT Cruiser on the street where GAMBINO's residence is located, with ACEVEDO-FITZ in the passenger seat. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that at this time, ACEVEDO-FITZ and Individual A picked up from GAMBINO the \$2,800 still owed for the heroin delivered on September 10, 2010.<sup>9</sup>

***3. The ACEVEDO-FITZ Heroin DTO Distributes a Kilogram of Heroin to The Blount-Bridges DTO on September 20, 2010***

51. Based on the calls described below, as well as my knowledge of the investigation overall, I believe that, on September 20, 2010, ACEVEDO-FITZ, in a deal brokered by GAMBINO, distributed a kilogram of heroin to the Blount-Bridges DTO. GAMBINO negotiated the deal with Blount, and Bridges picked up the heroin from GAMBINO and ACEVEDO-FITZ at ACEVEDO-FITZ's residence.

52. On September 16, 2010, at approximately 10:25 a.m, GAMBINO, using Target Phone 2, received an incoming call (Call #3912) from Blount, who was using Target Phone 3.

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<sup>9</sup>On September 29, 2010, at approximately 1:33 p.m., surveillance at **the 2049 North Kostner Residence** observed Individual A again with Acevedo-Fitz, as they exited the rear yard of the residence and walked in opposite directions. At approximately 2:50 p.m., surveillance observed Individual A walk toward and into the rear yard of **the 2049 North Kostner Residence**, carrying a blue satchel bag over his shoulder, which appeared to be empty. At approximately 3:30 p.m., surveillance observed Individual A exit the rear yard of **the 2049 North Kostner Residence** with the same blue satchel bag, which now appeared to be full. A few moments later, Individual A walked past an officer who noticed that the bag appeared to be heavy. CPD officers in uniform approached Individual A and conducted a field interview, during which Individual A advised the officers that he had a lot of money in the bag, but Individual A could not explain where he obtained the substantial amount of cash in his possession. One of the officers viewed the contents of the bag, and observed that the bag was filled with money. Subsequently, a K-9 dog trained to detect narcotics gave a positive alert on the bag for the presence of narcotics. Based upon the information obtained from intercepted calls, previous surveillance, the positive alert by the K-9 and Individual A's statements, law enforcement officers seized the money, which amounted to \$122,120 in suspected narcotics proceeds. Individual A also signed a Disclaimer of Ownership for the money.

Blount asked GAMBINO why GAMBINO had not called him back. GAMBINO replied, "The old man [ACEVEDO-FITZ] was busy. We're gonna do it [the narcotic transaction] today, though. So, he [ACEVEDO-FITZ] said he's gonna be ready [to conduct the narcotics transaction] by today. You [Blount] want the half [ $\frac{1}{2}$  kilogram of heroin], right?" Blount responded, "I'm getting stuff [money] together, it's gonna be a whole one [1 kilogram of heroin]." GAMBINO told Blount that he would call him back.

53. On September 20, 2010, at approximately 9:02 a.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4328) to Blount, who was using Target Phone 3. GAMBINO told Blount, "We're [GAMBINO and ACEVEDO-FITZ] ready [to complete the narcotics transaction]. Are you ready [to complete the transaction]?" Blount responded, "Alright, let me get over here and get the money [for the narcotics transaction] and shit." Blount said that he would be there in "thirty minutes."

54. On September 20, 2010, at approximately 9:36 a.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4332) to ACEVEDO-FITZ. GAMBINO asked ACEVEDO-FITZ if he was ready and ACEVEDO-FITZ responded, "Yes, did that guy [Blount] get here already?" GAMBINO responded, "He's [Blount] on his way. Should I wait outside or come in?" ACEVEDO-FITZ instructed GAMBINO to come to his house, walk through the alley and enter through the garage.

55. On September 20, 2010, at approximately 10:15 a.m., surveillance observed GAMBINO, driving a green Dodge Caravan, arrive at **the 2049 North Kostner Residence**, the residence of ACEVEDO-FITZ. At approximately 11:07 a.m., while monitoring a pole camera in

the vicinity of ACEVEDO-FITZ's residence, agents observed GAMBINO enter the residence through a rear gate accessible from the alley.

56. On September 20, 2010, at approximately 12:31 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #4355) from Blount, who was using Target Phone 3. Blount told GAMBINO that Blount would be ready to complete the narcotics transaction at 4:00 p.m.. A minute later, GAMBINO, using Target Phone 2, made an outgoing call (Call #4356) to ACEVEDO-FITZ, and informed ACEVEDO-FITZ that he had received a call from Blount, and that Blount would be ready to complete the narcotics transaction at 4:00 p.m..

57. On September 20, 2010, at approximately 5:08 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4356) to ACEVEDO-FITZ. GAMBINO told ACEVEDO-FITZ, "I'm here already, but, I'm waiting for this fucker [Blount]." ACEVEDO-FITZ asked GAMBINO if he was coming into the residence and GAMBINO stated, "If you want. If not, I could wait out here. Yeah, it would be better if I come inside."

58. On September 20, 2010, at approximately 5:12 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4394) to Blount, who was using Target Phone 3. Blount told GAMBINO that he was still waiting for his customers.

59. On September 20, 2010, at approximately 5:45 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #4396) from Blount, who was using Target Phone 3. Blount told GAMBINO, "Tell him [ACEVEDO-FITZ], could he get a whole one [one kilogram of heroin] and extra hundred?" GAMBINO responded, "Oh, I don't know about that. I got to ask him [ACEVEDO-FITZ]." Blount stated, "You said you're right there [with ACEVEDO-FITZ]. Ask him [ACEVEDO-FITZ] so I know to send this money [for the extra 100 grams of heroin] or not." The

call went silent for a few moments and then GAMBINO stated, "Hey, he [ACEVEDO-FITZ] said you could only take the one [the kilogram of heroin], the whole one, [the kilogram of heroin] for today because he's been waiting [to complete the transaction] on you. Okay?" Blount responded, "All right. Here he [Bridges] comes. He's [Bridges] on his way. I'm going to send my uncle [Bridges]."

60. At approximately 6:32 p.m., surveillance monitoring the pole camera at **the 2049 North Kostner Residence** observed the Cadillac Escalade pull into the garage of the residence, and, then, at approximately 6:49 p.m., observed the Cadillac Escalade exit the garage of the residence. Surveillance initiated on the Cadillac Escalade observed Bridges as the driver. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that at this time, Bridges picked up the kilogram of heroin from ACEVEDO-FITZ and GAMBINO.

61. On September 20, 2010, at approximately 8:05 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #4432) from Blount, who was using Target Phone 3. Blount told GAMBINO, "This [the heroin] was 15 [grams] off [short]." GAMBINO asked, "15 [grams] off [short]?" Blount responded, "Yes, 15 [grams]. I'm saying, he'd [ACEVEDO-FITZ] be crying about his little money. Shit, he [ACEVEDO-FITZ] be giving me ten [grams] and fifteen [grams] short every rip [narcotics transaction]." GAMBINO replied, "Okay, I'm going to talk [about the 15 grams shortage] to him [ACEVEDO-FITZ] tomorrow because right now he's busy. I'll call him tomorrow first thing in the morning. I'll be on your shit [check into the shortage] right now. I'll talk to him [ACEVEDO-FITZ] tomorrow morning. Don't worry. I got you."

***4. The ACEVEDO-FITZ HEROIN DTO Distributes a Half Kilogram of Heroin to the Blount-Bridges DTO on September 22, 2010***

62. Based on the calls described below, as well as my knowledge of the investigation overall, I believe that, on September 22, 2010, ACEVEDO-FITZ, in a deal brokered by GAMBINO, distributed a half kilogram of heroin to the Blount-Bridges DTO. Bridges picked up the heroin from ACEVEDO-FITZ and GAMBINO at **the 2049 North Kostner Residence**, where they counted the money. GAMBINO subsequently complained to Blount that some of the money paid for the heroin was missing.

63. On September 22, 2010, at approximately 1:23 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call # 4668) to Blount, who was using Target Phone 3. During this call, GAMBINO asked, "What's up, man? What we gonna do?" Blount responded, "I said 2:30 man, I'm a be ready at 2:30, okay?" GAMBINO agreed. GAMBINO asked, "What you wanna get, the five [5 kilograms of heroin]?" Blount responded, "That's the only thing you said I get, I have to go all the way to the five at least, right?" GAMBINO then stated, "You want the five, right?" Blount responded, "Man, what fucking part you didn't understand I said, man . . . The five, the five, the five-zero-zero. 5-0-0 [500 grams of heroin] . . . What he [ACEVEDO-FITZ] say about my 15 [15 grams that was shorted on a previous deal] though?" GAMBINO responded, "Okay, You'll have your 15. It was 15 [grams of heroin] short?" Blount responded, "I want the 500 [grams of heroin] and tell him I'm 15 [grams of heroin] short on the last one [narcotic transaction]." GAMBINO responded, "Okay, 500 and 15 short. Alright then, let me call the old man [ACEVEDO-FITZ], okay . . . and I'll call you back."

64. On September 22, 2010, at approximately 1:25 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4671) to ACEVEDO-FITZ. GAMBINO told ACEVEDO-FITZ, "I spoke to this guy [Blount] already. He [Blount] said he wants the 5-0-0 [500 grams of heroin]." ACEVEDO-FITZ responded, "5-0-0 [500 grams of heroin]? He [Blount] doesn't want a whole one [one kilogram of heroin]? Ask him if he wants a whole one." GAMBINO stated, "No, he [Blount] said he only wants the 5-0-0 [500 grams of heroin]. He's asking for what he was missing." ACEVEDO-FITZ responded, "Tell him [Blount] that I don't have that [the 15 grams of heroin]. We'll deduct it [reduce the price for the 500 grams to compensate for the 15 gram shortage] from there, okay? GAMBINO replied, "Okay then. I'll see you there at 2:30."

65. On September 22, 2010, at approximately 4:51 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4671) to ACEVEDO-FITZ. During this call, GAMBINO told ACEVEDO-FITZ to "open the door [to ACEVEDO-FITZ's residence]." Shortly thereafter, surveillance viewing a pole camera in the area of **the 2049 North Kostner Residence**, observed GAMBINO approach the back gate of ACEVEDO-FITZ's residence and enter the backyard. One minute later, GAMBINO received an incoming call on Target Phone 2 (Call #4736) from Bridges. Bridges told GAMBINO, "I'll be turning in [to ACEVEDO-FITZ's residence] in about 3 minutes." GAMBINO responded, "Alright, I'm gonna open the garage [at ACEVEDO-FITZ's residence] for you." At approximately 4:57 p.m., surveillance, while viewing a pole camera near **the 2049 North Kostner Residence**, observed the Cadillac Escalade enter the garage at ACEVEDO-FITZ's residence. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that, at this time, Bridges picked up and paid for the 500 grams of heroin from ACEVEDO-FITZ.

66. On September 22, 2010, at approximately 5:18 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #4740) to Blount. GAMBINO told Blount, "You're short two, two g's [\$2000], man." Blount responded, "The big stack [currency], right? With like them fifties (50's) and hundreds (100's). What that come out [when counted] to?" GAMBINO stated, "We [GAMBINO and ACEVEDO-FITZ] counted them [the money] in front of you [Bridges] . . . it's on him [Bridges], you know? We [ACEVEDO-FITZ and GAMBINO] counted everything [all the money]." During the call, Bridges got on the phone with Blount. Blount told Bridges, ". . . suppose to have thirty one [\$31,000 for the narcotics]." Bridges responded, ". . . that's fucked up. It was twenty nine [\$29,000]." Bridges explained to Blount that ACEVEDO-FITZ and GAMBINO where the ones counting the different stacks of money and Blount asked Bridges, "You said the old man [ACEVEDO-FITZ], what did his [stack of money] come out to [when counted]?" Bridges replied, "The old man [ACEVEDO-FITZ]? After he [ACEVEDO-FITZ] got through counting, he [ACEVEDO-FITZ] said . . . he looked up at Amigo [GAMBINO] and said he needed two [\$2000] more. That's what Amigo [GAMBINO] told me. The old man [ACEVEDO-FITZ] had all of the one hundreds, all of the hundreds and the . . . thick one [bundle of money] that we [Bridges and Blount] had, the rubber band . . . Amigo [GAMBINO] had [counted] that one [bundle of money]."

67. On September 22, 2010, at approximately 5:48 p.m., surveillance agents, while monitoring the pole camera near ACEVEDO-FITZ's residence, observed the Cadillac Escalade exit the garage and depart the area. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that, at this time, Bridges returned **the 2049 North Kostner Residence** with the heroin.

**5. *The ACEVEDO-FITZ HEROIN DTO Distributes A Half Kilogram of Heroin to the Blount-Bridges DTO on November 16, 2010***

68. Based on the calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that, on November 16, 2010, the ACEVEDO-FITZ HEROIN DTO, in a deal brokered by GAMBINO, distributed a half kilogram (500 grams) of heroin to the Blount-Bridges DTO. Blount and Bridges picked up the heroin from GAMBINO and ACEVEDO-FITZ at ACEVEDO-FITZ's residence.

69. On November 15, 2010, at approximately 7:39 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #9826) to ACEVEDO-FITZ. GAMBINO told ACEVEDO-FITZ, "Hey I just talked to this guy [Blount]. He [Blount] wants to know if you could do 5, 0, 0 [500 grams of heroin] only. What do you think?" ACEVEDO-FITZ replied, "Uh-huh." GAMBINO asked, "You can cut it [divide the kilogram of heroin]?" ACEVEDO-FITZ replied, "Uh-huh." GAMBINO continued, "So then let's leave it [the heroin deal] for tomorrow early in the morning." ACEVEDO-FITZ agreed.

70. On November 15, 2010, at approximately 7:45 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #9830) to Blount, who was using Target Phone 3. During this call, GAMBINO asked, "Yeah, I talked to the old man [ACEVEDO-FITZ] and he said we'll be able to do this [heroin transaction] in the morning, what time in the morning?" Blount replied that he would be up early and would be ready to complete the heroin transaction.

71. On November 16, 2010, at approximately 9:33 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #9857) from Blount, who was using Target Phone 3. GAMBINO told Blount, "Start heading that way. You know where, to the same place, with the old man

[ACEVEDO-FITZ]." Blount asked, "Is he [ACEVEDO-FITZ] ready?" GAMBINO replied, "Yeah, he's [ACEVEDO-FITZ] ready [to complete the heroin transaction]. I'm gonna start heading that way right now."

72. On November 16, 2010, at approximately 10:51 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #9867) from ACEVEDO-FITZ. GAMBINO told ACEVEDO-FITZ that he was on his way and ACEVEDO-FITZ said, "Tell him [Blount] that the chain for the garage door broke. Have him park in front of the garage door and come in through the side."

73. On November 16, 2010, at approximately 1:21 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #9898) from Blount, who was using Target Phone 3. Blount asked GAMBINO, "I'm turning on Kostner [Avenue] right?" GAMBINO replied, "Yeah, on Kostner. What are you driving?" Blount responded, "A grey minivan." GAMBINO replied, "Okay, I should see you right here. I'm over here on Kostner and Dickens [Chicago, Illinois]."

74. On November 16, 2010, at approximately 1:22 p.m., GAMBINO using Target Phone 2, made an outgoing call (Call #9899) to ACEVEDO-FITZ. ACEVEDO-FITZ asked GAMBINO if Blount was nearby and GAMBINO responded, "He's [Blount] turning on Kostner." ACEVEDO-FITZ replied, "Stop him there. Tell him that we're going to count that [money]. I already have that [heroin]. I took it [heroin] from the guy [ACEVEDO-FITZ's source of heroin]." GAMBINO agreed. Minutes later, GAMBINO, using Target Phone 2, received an incoming call (Call #9900) from ACEVEDO-FITZ. GAMBINO stated, "I'm here with him [Blount]. He's asking me if you have 100 [grams of heroin] more?" ACEVEDO-FITZ responded, "No, tell him [Blount] I only have 500 [grams of heroin]. I can't be cutting it [breaking the heroin down even further]."

75. On November 16, 2010, beginning at approximately 1:28 p.m., based on physical surveillance and through the pole camera in the vicinity of **the 2049 North Kostner Residence**, the residence of ACEVEDO-FITZ, the following was observed: (a) the silver Dodge Caravan and the Cadillac Escalade arrived in the area of **the 2049 North Kostner Residence**; (b) ACEVEDO-FITZ and GAMBINO entered the silver Dodge Caravan near the intersection of Shakespeare and Kostner streets, Chicago, Illinois, and the silver Dodge Caravan then parked in front of the garage of **the 2049 North Kostner Residence**; (c) ACEVEDO-FITZ exited the silver Dodge Caravan carrying a bag, and entered the back gate of the residence; (d) ACEVEDO-FITZ re-entered the silver Dodge Caravan, and then shortly thereafter, ACEVEDO-FITZ exited the silver Dodge Caravan and re-entered the back gate of **the 2049 North Kostner Residence**; (e) the silver Dodge Caravan traveled westbound down the alley adjacent to the garage of the residence, where GAMBINO exited the silver Dodge Caravan and entered a black Ford F-150 parked nearby; and (f) the silver Dodge Caravan, the Cadillac Escalade, and the black Ford F-150 pickup, left the area. I believe that when ACEVEDO-FITZ first entered the Dodge Caravan, Blount and Bridges gave ACEVEDO-FITZ the money for the heroin, which ACEVEDO-FITZ carried in the bag into **the 2049 North Kostner Residence**, and then ACEVEDO-FITZ returned to the Dodge Caravan and delivered the heroin to Blount and Bridges.

76. On November 16, 2010, at approximately 4:30 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #9910) from ACEVEDO-FITZ. During the call, GAMBINO asked ACEVEDO-FITZ, "How much [money] were you missing?" ACEVEDO-FITZ replied, "Thousand, five-hundred [\$1,500]." GAMBINO asked, "When we were there [at the transaction], did we tell him [Blount] or not? Now I got mixed up. How much were you missing?"

ACEVEDO-FITZ replied, "Well, from here, a thousand five-hundred [\$1,500] are missing but that's where I'm going to pay you [GAMBINO] from. Either way, tell him [Blount] that he has to give it [\$1,500] to you, he [Blount] knows he didn't give us the whole thing [full payment for the heroin] . . ." GAMBINO told ACEVEDO-FITZ that he would call Blount later.

**6. *The ACEVEDO-FITZ HEROIN DTO Distributes A Half Kilogram of Heroin to the Blount-Bridges DTO On November 21, 2010***

77. Based on the calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that, on November 21, 2010, the ACEVEDO-FITZ HEROIN DTO, in a deal brokered by GAMBINO distributed 500 grams of heroin to the Blount-Bridges DTO. On November 21, 2010, Blount and Bridges picked up the heroin from GAMBINO and ACEVEDO-FITZ at **the 2049 North Kostner Residence**.

78. On November 20, 2010, at approximately 1:36 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #10259) to Blount, who was using Target Phone 3. During the call, Blount told GAMBINO, "I need 600 [600 grams of heroin]." GAMBINO replied, "You ready [to do the heroin transaction]?" Blount replied, "Yeah." GAMBINO told Blount, "Let me call the old man [ACEVEDO-FITZ] and see what's up. I'll call you right back."

79. Approximately a minute later, GAMBINO, using Target Phone 2, made an outgoing call (Call #10260) to ACEVEDO-FITZ. GAMBINO told ACEVEDO-FITZ, "I talked to this guy [Blount] and he wants 600 [600 grams of heroin]." ACEVEDO-FITZ replied, "Tell him [Blount] that I only have 500 [grams of heroin]." GAMBINO asked, "How much is it [heroin] going to be?" ACEVEDO-FITZ replied, "Well it's half [ $\frac{1}{2}$  kilogram of heroin]. You should already know, don't ask me. He [Blount] should know that it's 31 [the price is \$31,000] plus what he [Blount] owes us

[\$1,500 from the prior heroin transaction], makes it 32,500 [\$32,500]." GAMBINO told ACEVEDO-FITZ that he would call him back.

80. Immediately following that telephone call, GAMBINO, using Target Phone 2, made an outgoing call (Call #10261) to Blount, who was using Target Phone 3. GAMBINO told Blount, "He [ACEVEDO-FITZ] only has 5 [500 grams of heroin]." Blount responded, "Man, tell him that I need the whole 6 [600 grams of heroin]." GAMBINO replied, "He [ACEVEDO-FITZ] doesn't have anything else [heroin], do you want to take the 5 [500 grams of heroin] or not?" Blount responded, "Yes, I'll take them [heroin]." GAMBINO told Blount, "Alright, you know you were short [payment] last time [transaction], right?" Blount responded, "I know all of that."

81. Following these calls, telephone calls intercepted over Target Phone 2 discussed rescheduling the heroin transaction for the following day. On November 21, 2010, at approximately 12:53 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #10410) to ACEVEDO-FITZ, and announced, "Old man, I'm outside [ACEVEDO-FITZ's residence], you want me to go inside?" ACEVEDO-FITZ replied, "Go inside the garage, it's open." Shortly after this conversation, at approximately 12:55 p.m, an agent monitoring the pole camera located near ACEVEDO-FITZ's residence, located at **the 2049 North Kostner Residence**, observed GAMBINO walking westbound in the alley from the garage and towards the front of the residence at **the 2049 North Kostner Residence**.

82. On November 21, 2010, at approximately 12:56 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #10411) from Blount, who was using Target Phone 3. Blount asked GAMBINO, "He's [ACEVEDO-FITZ] gonna do the whole 6 [provide 600 grams of heroin] or just the 5 [500 grams of heroin]?" GAMBINO is heard in the background repeating the

question to ACEVEDO-FITZ and then GAMBINO responded to Blount, "He [ACEVEDO-FITZ] said he only got 5 [500 grams of heroin] man on him." Blount stated that he was on his way.

83. On November 21, 2010, at approximately 1:30 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #10418) from Blount, who was using Target Phone 3. Blount asked GAMBINO, "I'm gonna be coming up, is the garage [at ACEVEDO-FITZ's residence] open?" GAMBINO responded, "Yeah, I don't see you. I'm in the front of the house." Blount told GAMBINO, "Okay. I'm just asking, I'm gonna pull up right now."

84. Shortly after this conversation, beginning at approximately 1:37 p.m, an agent monitoring the pole camera located near ACEVEDO-FITZ's residence observed the gold Cadillac Escalade driven by members of the Blount-Bridges DTO during previous heroin transactions enter the garage at ACEVEDO-FITZ's residence; after the vehicle entered the garage, the garage door closed; approximately 1 minute later, a silver Dodge Caravan, also driven by members of the Blount-Bridges DTO during previous heroin transactions, parked in front of the garage door. The agent then observed Blount walking in the alley towards the garage of ACEVEDO-FITZ's residence, and then out of sight of the pole camera.

85. At approximately 1:46 p.m., an agent monitoring the pole camera located near ACEVEDO-FITZ's residence observed the following: Blount exited ACEVEDO-FITZ's residence carrying a black plastic bag and walk westbound towards Kostner Avenue; at approximately the same time, the Dodge Caravan departed the alley, and the gold Cadillac Escalade exited the garage and left the area. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that at this time, Blount and Bridges picked up the 500 grams of heroin, which Blount carried in the black plastic bag, from ACEVEDO-FITZ and GAMBINO.

86. On November 21, 2010, at approximately 2:01 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #10427) to Blount, who was using Target Phone 3. GAMBINO stated, "Charlie, it [money] was short on me." Blount asked what he meant and GAMBINO continued, "Yeah, man. Mine was 15 [\$1500], bro." Blount responded, "I just told you I'm a get [pay] you, man. I'm a give it [money] to you, calm the fuck down." GAMBINO responded, "Alright, cool."

***7. The ACEVEDO-FITZ HEROIN DTO Distributes a Kilogram of Heroin to the Blount-Bridges DTO on December 3, 2010***

87. Based on the calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that, on December 3, 2010, the ACEVEDO-FITZ HEROIN DTO, in a deal brokered by GAMBINO, distributed a kilogram of heroin to the Blount-Bridges DTO. On the morning of December 3, 2010, surveillance observed a vehicle arrive at **the 2049 North Kostner Residence** and pull into the garage in what appeared to be the delivery of the kilogram of heroin. After the vehicle departed the residence, law enforcement officers effectuated a stop on the vehicle, and discovered \$37,000 in suspect narcotics proceeds, which law enforcement seized. That afternoon, a vehicle previously driven by Blount during narcotics transactions, arrived at the residence of ACEVEDO-FITZ, and conducted what appeared to be a narcotics transaction in the garage. After the vehicle departed from the residence, law enforcement officers stopped the vehicle, determined that the driver was Richard Hopkins ("Hopkins")<sup>10</sup>, a courier for the Blount-Bridges DTO, and discovered a kilogram of heroin in the vehicle, which law enforcement seized.

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<sup>10</sup>Hopkins has been charged in a separate federal criminal complaint, filed the same day as this complaint.

88. On December 2, 2010, at approximately 9:44 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #11570) from Blount. During this call, Blount asked, "Talk to the old man [ACEVEDO-FITZ] or what?" GAMBINO replied, "Yeah, I talked to the old man [ACEVEDO-FITZ]. What's up?" Blount responded, "I'm trying to see what we're doing. I'm gonna need the whole one [one kilogram of heroin]." GAMBINO stated, "You need a whole one [one kilogram of heroin]? Okay, let me call the old man [ACEVEDO-FITZ]. I'll call you back in 10 minutes."

89. Approximately two minutes later, GAMBINO, using Target Phone 2, placed an outgoing call (Call #11571) to ACEVEDO-FITZ. During this call, GAMBINO stated, "The guy [Blount] called me and he said he wants a whole one [one kilogram of heroin]." ACEVEDO-FITZ replied, "Tell him [Blount] I can't right now, man, because that guy [source of supply] got mad yesterday because no one called. Tell him [Blount] early tomorrow [for the heroin transaction]."

90. On December 3, 2010, at approximately 6:52 a.m., surveillance observed a vehicle enter the garage of **the 2049 North Kostner Residence**, the garage door closed, and a short time later, the garage door opened and the vehicle departed. Law enforcement officers followed the vehicle and conducted an investigative stop on the vehicle, identifying the driver as Individual B. During the stop, Individual B could not produce a valid driver's license. Individual B subsequently provided law enforcement officers with consent to search the vehicle and, after a positive indication for the presence of narcotics on the vehicle by a CPD K-9, Pantera, Individual B and the vehicle were transported to a nearby police facility.<sup>11</sup> At the police facility, law enforcement officers

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<sup>11</sup>Pantera is trained to sniff buildings, vehicles, money and wrapped parcels to detect the odors of heroin, cocaine, marijuana, and other narcotics/controlled substances which could be contained therein. Pantera is also trained to indicate the presence of such substances or their scents by biting and scratching the item being sniffed. Pantera was initially certified as fully trained to detect narcotics in October 2009,

searched the vehicle, which resulted in the discovery of a concealed compartment containing \$37,000 United States Currency in suspected narcotics proceeds, and led to the seizure of the money. Based on my knowledge of the investigation, the intercepted calls and the surveillance, I believe that Individual B had delivered the kilogram of heroin to ACEVEDO-FITZ, and taken the \$37,000 as partial payment for the heroin.

91. On December 3, 2010, at approximately 8:42 a.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #11629) to ACEVEDO-FITZ. During this call, ACEVEDO-FITZ stated, "We're set [for the one kilogram heroin transaction], but don't call me too much." GAMBINO replied, "Don't get mad. I just want to make sure that everything [one kilogram of heroin] is good with . . ." ACEVEDO-FITZ responded, "Yes, everything according to what we agreed [price and logistics of the transaction]."

92. On December 3, 2010, at approximately 9:59 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #11639) from Blount. During this call, GAMBINO stated, "Today at 12:00 [for the heroin transaction], man." Blount replied, "I'm calling to make sure, man." GAMBINO responded, "Well, I already talked to him [ACEVEDO-FITZ] and he told me 12:00, but to make sure for us [GAMBINO, Blount and Bridges] to be there [ACEVEDO-FITZ's residence, **the 2049 North Kostner Residence**], at 12:00 over there." GAMBINO instructed, "Everything [heroin] is ready. Just go in and out [of the garage]."

93. On December 3, 2010, at approximately 12:46 p.m., law enforcement officers observed GAMBINO, driving a black Ford F-150 pickup truck, arrive and park in the area of **the**

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attends training on a monthly basis, and was re-certified in June 2010. According to Chicago Police records, Pantera has successfully alerted to controlled substances for a success rate of 97%.

**2049 North Kostner Residence.** A few minutes later, GAMBINO, using Target Phone 2, received an incoming call (Call #11661) from ACEVEDO-FITZ. During this call, GAMBINO stated, "I'm parked . . . [at] Kostner and Dickens [in the area of **the 2049 North Kostner Residence**]." ACEVEDO-FITZ asked, "What about the others [Blount and Bridges]?" GAMBINO advised, "They're on their way." Later in the call, ACEVEDO-FITZ instructed, "Wait there for them [Blount and Bridges]." GAMBINO stated, "Okay, I'll wait for them. I'll call you right away so you can open it [the garage door] for us."

94. On December 3, 2010, at approximately 1:15 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #11664) from Bridges. During this call, GAMBINO asked, "Where are you?" Bridges replied, "I'm going to turn in the alley [alley south of **the 2049 North Kostner Residence**]." GAMBINO replied, "I don't see you. Okay, I see that big truck. Holy shit!"

95. Moments later, surveillance observed the following: (a) Bridges, driving his Cadillac Escalade, parked in front of the garage for **the 2049 North Kostner Residence**; (b) GAMBINO exited the black truck, walked east across Kostner Avenue, and entered the rear passenger seat of the Cadillac Escalade; (c) the garage door of **the 2049 North Kostner Residence** opened and the Cadillac Escalade entered the garage, after which the garage door closed.

96. Beginning at approximately 1:32 p.m., surveillance observed the following: (a) a silver Dodge Caravan arrived at **the 2049 North Kostner Residence** and entered the garage, and the garage door closed; (b) approximately twenty minutes later, ACEVEDO-FITZ, carrying a white bag, exited the residence and entered the garage; (c) at approximately 2:08 p.m., the Cadillac Escalade driven by Bridges and the silver Dodge Caravan driven by Hopkins exited the garage and departed the area. Surveillance followed the silver Dodge Caravan directly from **the 2049 North**

**Kostner Residence** to the area of 200 West 76th Street, Chicago, Illinois, where law enforcement officers then conducted an investigative stop on the vehicle and identified the driver of the vehicle as Hopkins.<sup>12</sup> Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that Hopkins had picked up the kilogram of heroin from ACEVEDO-FITZ at **the 2049 North Kostner Residence**.

97. After Hopkins provided officers with verbal consent to search the vehicle, Hopkins and the silver Dodge Caravan were transported to a nearby police facility. There, a CPD K-9, Pantera, searched the vehicle and gave a positive alert for the likely presence of narcotics in the front passenger seat area of the silver Dodge Caravan. A further search of the vehicle by law enforcement officers resulted in the discovery of a package inside the rear upper headrest of the front passenger seat, that contained a powdery substance. The substance was sent to the Illinois State Police laboratory, where it was analyzed by an expert in forensic chemistry, and determined to consist of 1,005.7 grams of a mixture containing heroin.

98. During the transport of Hopkins to the police station, law enforcement officers read Hopkins his *Miranda* rights, and Hopkins waived his rights and agreed to talk to the law enforcement officers. Hopkins stated that the Dodge Caravan belonged to Blount, and that it was registered in Hopkins's name at the request of Blount. Hopkins claimed not to know Blount's first name. Hopkins claimed that he had borrowed the Dodge Caravan from Blount on December 3, 2010, to use it to visit Hopkins's mother, and that he had picked up the Dodge Caravan, driven straight to his mother's house, located on the 5100 block of West Wabansia, and that he was on his

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<sup>12</sup>During the investigative stop on December 3, 2010, the driver, and sole occupant of the silver Dodge Caravan, provided a driver's license identifying himself as Richard Hopkins.

way home from his mother's house when he was stopped by police. Hopkins's statements described in the preceding paragraph was contrary to the fact that surveillance had stopped Hopkins after following him directly from ACEVEDO-FITZ's residence.

99. On December 4, 2010, at approximately 12:35 p.m., Acevedo-Marchan,<sup>13</sup> using Target Phone 4, placed an outgoing call (Call #44961) to Blount. During this call, Blount asked, "Is your uncle [ACEVEDO-FITZ] hot [being looked at by law enforcement] or something?" Acevedo-Marchan replied, "Yeah. You haven't talked to him [ACEVEDO-FITZ]?" Blount responded, "No, I talked to them [ACEVEDO-FITZ and GAMBINO] but 'Migo [GAMBINO] said, 'Something happened, turn around.' Then the other [seizure of one kilogram of heroin from the Dodge Caravan on December 3, 2010, by law enforcement officers]. Are they [ACEVEDO-FITZ and GAMBINO] hot?" Acevedo-Marchan stated, "No, I don't think so. They [ACEVEDO-FITZ]

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<sup>13</sup>The identification of Acevedo-Marchan and his voice in this Affidavit is based in part on the following: During multiple intercepted calls over Target Phone 2, including Call #5832, Gambino referred to the user of Target Phone 4 as "Fernando." On October 1, 2010, intercepted calls between Target Phone 2 and Target Phone 4 indicated that the user of Target Phone 4 was going to meet with Gambino at Gambino's residence. After viewing a known booking photograph of Acevedo-Marchan from a December 2009 arrest, law enforcement officers positively identified Acevedo-Marchan as one of the individuals meeting with Gambino at his residence. After this meeting, law enforcement officers followed Acevedo-Marchan, who was in a grey Nissan Maxima, back to 1920 North Karlov Avenue, Chicago, Illinois. Acevedo-Marchan has an Illinois Identification Card issued to him at 1920 North Karlov Avenue. Furthermore, through surveillance conducted from October 1 to October 3, 2010, law enforcement officers have photographs and video surveillance footage of Acevedo-Marchan at 1920 North Karlov Avenue around the time of suspected heroin transactions. After intercepted calls over Target Phone 4 and, subsequently, Target Phone 6, arranging narcotics transactions, surveillance repeatedly observed Acevedo-Marchan at 1920 North Karlov Avenue, or other pre-arranged meet locations, meeting with other parties to the narcotics transactions. During certain intercepted calls, multiple individuals, including Blount and Bridges, have referred to the user of Target Phone 6 as "Fernando." Furthermore, Spanish linguists contracted by DEA identified Acevedo-Marchan as the user of Target Phone 6 and Target Phone 15 through voice comparisons conducted with intercepted calls involving Acevedo-Marchan's use of Target Phone 4, concluding that the voices are the same. In the summaries of the intercepted calls in this Affidavit in which Acevedo-Marchan is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to Acevedo-Marchan in each of these summaries is the same.

probably ran out [of heroin]. My friend [other heroin source of supply] got some [heroin]." Blount advised, "No, no, no, when I get time, I'm going to talk to you because a red play [seizure by law enforcement] happened to me. You see what I'm saying?" Acevedo-Marchan remarked, "Uh, huh." Blount stated, "A red play [seizure by law enforcement] happened to me man, and that's why I'm saying, get friend [ACEVEDO-FITZ] and let's try to meet at a bar or something so I can talk to him [ACEVEDO-FITZ] and shit." Acevedo-Marchan replied, "Okay, you want to talk. We meet you somewhere." Blount stated, "Might just get him [ACEVEDO-FITZ] to meet at a bar downtown or something or anything, you know what I'm saying?" Acevedo-Marchan replied, "Okay. Alright, we'll talk over there. I'm cool. It's cool over here [Acevedo-Marchan advised that he has not observed any law enforcement presence near his residence]." Blount advised, "No, no, no, so I can talk to him [ACEVEDO-FITZ]. I need to talk to you."

## **B. The ACEVEDO-FITZ COCAINE Conspiracy**

### ***The ACEVEDO-FITZ COCAINE DTO Supplies 500 Grams of Cocaine to the Blount-Bridges DTO on March 8, 2011***

100. Based upon the intercepted calls and surveillance described below, I believe that on March 8, 2011, the ACEVEDO-FITZ COCAINE DTO supplied 500 grams of cocaine to the Blount-Bridges DTO. In particular, Acevedo-Marchan brokered the purchase of cocaine from ACEVEDO-FITZ to Blount and Bridges; FELICIANO, who was GAMBINO's girlfriend and was using GAMBINO's telephone (Target Phone 2) while GAMBINO was in jail, facilitated the exchange of money and drugs during the transaction. It appeared that Bridges had given the purchase money to FELICIANO, and that she gave the money to Acevedo-Marchan, who planned to give it to ACEVEDO-FITZ when he brought the cocaine to FELICIANO's house. However,

ACEVEDO-FITZ did not go to FELICIANO's house, so FELICIANO and GREÑAS, picked up the money from Acevedo-Marchan at his residence, and then went to **the 2049 North Kostner Residence** to pick up the cocaine. At Acevedo-Marchan's direction, GREÑAS took the cocaine back to his own house for safekeeping.

101. On March 7, 2011, at approximately 2:53 p.m., Acevedo-Marchan, using Target Phone 6, had a telephone call (Call #4816) with a narcotics supplier, Individual C. During this call, Acevedo-Marchan stated, "My friend [Bridges] uh. . . wants . . . talk to him and see what he tells, you, if he wants . . . all . . the half [of a kilogram of cocaine], dude." Individual C asked "What?" and Acevedo-Marchan repeated "The half [of a kilogram of cocaine]. The half . . . of a whole one." Acevedo-Marchan asked, "If you can get a hold of it, give me the price and we'll go for it." Acevedo-Marchan later told Individual C, "Because of me, you're going to get rich dude, like fourteen or fifteen [thousand dollars], around there." Acevedo-Marchan repeated, "fourteen or fifteen. . .thousand." Acevedo-Marchan also stated, "if you don't want to talk on the phone with him, I'll take you to him all the way over there." Individual C responded, "It's better, dude. . . it's better, just take me, dude." Based on my experience and that of other agents, the price that Acevedo-Marchan had suggested was consistent with a half kilogram of cocaine.

102. On March 7, 2011, at approximately 4:01 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4821) to Bridges. During the call, Acevedo-Marchan told Bridges, "That motherfucker [Individual C] is too expensive, man. He [unknown supplier] wants 15 and a half [\$15,500 for 500 grams of cocaine]." Bridges replied, "Yeah, okay. Well fuck him." Acevedo-Marchan replied, "Yeah, I told him to fuck him [no deal] and for a whole [1 kilogram] one [cocaine], 31 [\$31,000 per kilogram], that's a lot."

103. On March 8, 2011, at approximately 9:11 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4861) from Bridges. During this call, Acevedo-Marchan asked Bridges, “You talked to my uncle [ACEVEDO-FITZ] yesterday?” Bridges replied, “I’m gonna see him now.” Acevedo-Marchan replied, “Okay, Let me know when you’re ready [to go see ACEVEDO-FITZ] and I’ll go and I’ll take it [cocaine].” Bridges agreed.

104. On March 8, 2011, at approximately 9:36 a.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4863) to GREÑAS.<sup>14</sup> During the call, Acevedo-Marchan asked GREÑAS where he was at and he replied, “I’m on the street.” Acevedo-Marchan told GREÑAS, “Come over, we’re going to run an errand.”

105. At approximately, 10:38 am, surveillance observed Acevedo-Marchan near his residence at **the 1920 North Karlov Residence**, and depart the area in Acevedo-Marchan’s white Dodge Durango. Beginning at approximately 10:55 am, surveillance observed Bridges park his

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<sup>14</sup>The identification of GREÑAS and his voice in this Affidavit is based in part on the following: During an intercepted call (Call #3222) over Target Phone 6, Acevedo-Marchan addressed the user of telephone number (773) 676-5913 as “GREÑAS.” Also, during an intercepted call over Target Phone 6 on January 30, 2011, at 11:58 a.m. (Call #1523), a caller asked Acevedo-Marchan for GREÑAS’s telephone number, and Acevedo-Marchan provided number (773) 676-5913. On January 28, 2011, prior to conducting a heroin transaction with Bridges on the south side of Chicago, Acevedo-Marchan, using Target Phone 6, called GREÑAS (Call #1291) and instructed him to come over so that they could “travel to the south side.” Later that day, at approximately 12:18 p.m., Acevedo-Marchan picked up the heroin from Bridges due to Bridges’s complaints about the quality, and surveillance observed Acevedo-Marchan and a Hispanic male now known as GREÑAS arrive together at Bridges’s residence. Surveillance then followed them back to a residence located at **the 3557 West Shakespeare Residence**, now identified as GREÑAS’s residence, as set forth below. There, GREÑAS entered **the 3557 West Shakespeare Residence** while Acevedo-Marchan waited in the car outside, and then GREÑAS reemerged from **the 3557 West Shakespeare Residence**, got back into Acevedo-Marchan’s car, and they returned to Acevedo-Marchan’s residence. Also, as described in the paragraphs following this footnote, on March 8, 2011, during the narcotics transaction with Bridges and Feliciano, surveillance observed GREÑAS with Acevedo-Marchan, and then with Feliciano, and then at **the 3557 West Shakespeare Residence**. Attached to the arrest warrant of GREÑAS is a photograph identifying GREÑAS, taken by surveillance on January 28, 2011. Based on this information, law enforcement officers have identified GREÑAS as the individual observed by surveillance on both January 28, 2011 and March 8, 2011, and as the user of telephone number (773) 676-5913, and as a resident of **the 3557 West Shakespeare Residence**.

Cadillac Escalade at the intersection of West Fulton Street and May Street, and soon thereafter, Acevedo-Marchan arrived in his Durango, with GREÑAS still in the car with him. The Cadillac Escalade and the white Dodge Durango then drove in tandem to the area near Fulton Street Lofts, located at 1118 W. Fulton Street, where both vehicles parked.

106. At approximately 11:03 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4869) from Bridges. Bridges told Acevedo-Marchan, “Fernando, go up to the door, you see Amigo’s [GAMBINO’S] girl [FELICIANO]? She should be standing outside the building.” Acevedo-Marchan stated, “I’m gonna tell her [FELICIANO] to come out.” Bridges instructed, “No, I need you to go in.” Acevedo-Marchan responded, “Okay, alright.”

107. Shortly after this call, at approximately 11:05 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4870) from Bridges. Bridges told Acevedo-Marchan, “She’s [FELICIANO] standing out. Get out of the truck and walk in front of the building. There’s a girl [FELICIANO] out there in a red coat. Just tell her [FELICIANO] to give you that [money]. Tell her, go in the building and give you that [money].” Acevedo-Marchan responded, “Yeah, okay. Are you sure, no problem?” Bridges replied, “Just tell her [FELICIANO] to give it [money] to you.” At approximately the same time as this call, surveillance observed FELICIANO standing outside of the Fulton Street Lofts, approach the Durango and briefly converse with Acevedo-Marchan, and then FELICIANO returned to the Fulton Street Loft building, entering by key.<sup>15</sup>

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<sup>15</sup>The identification of Edna FELICIANO and her voice in this affidavit has been based on the following: During an intercepted call (Call #2519) over Target Phone 2, GAMBINO called a potential employer and stated, “Edna [FELICIANO] gave me this number. She works at 1118 West Fulton [address in Chicago, Illinois].” During other intercepted calls over Target Phone 2, GAMBINO referred to the user of telephone number (773) 886-2876 as “Anna.” According to information from T-Mobile, telephone number (773) 886-2876 is subscribed to Edna E. FELICIANO, 5318 South Rockwell Street, Chicago, Illinois and lists her date of birth as December 29, 1962. On January 13, 2011, a female using Target Phone 2, participated in a call (Call #14452) where she identified herself as “Edna” and explained

108. On March 8, at approximately 11:09 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4871) from Bridges. During the call, Bridges asked Acevedo-Marchan, “You got it [money]?” Acevedo-Marchan replied, “No, you want the money?” Bridges replied, “Yeah.” Acevedo-Marchan replied, “Why?” Bridges replied, “You got it [money]? Cause . . . something [surveillance] going on.” Bridges asked Acevedo-Marchan again if he had the money and Acevedo-Marchan replied, “No, I’m gonna get it [money] right now.”

109. Soon thereafter, surveillance observed the following: (a) FELICIANO appeared from a nearby alley carrying a package wrapped in plastic; (b) FELICIANO approached the Durango and put the package inside the vehicle; and (c) Acevedo-Marchan and Bridges then departed the area in their respective vehicles. I believe that FELICIANO had received the purchase money for the cocaine from Bridges and, at this time, gave the money to Acevedo-Marchan to give to ACEVEDO-FITZ when ACEVEDO-FITZ delivered the cocaine.

110. On March 8, 2011, at approximately 11:22 a.m., Acevedo-Marchan, using Target Phone 6, placed an outgoing call (Call #4879) to FELICIANO. During this call, Acevedo-Marchan

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that she was using the phone because GAMBINO was incarcerated. Spanish linguists contracted by DEA have since conducted a voice comparison between “Anna’s” use of telephone number (773) 886-2876 and intercepted calls over Target Phone 2 when the phone was being used by the individual who identified herself as “Edna.” The Spanish linguists concluded that both voices on the calls were the same individual. Furthermore, on March 8, 2011, pursuant to intercepted calls over Target Phone 6 involving Target Phone 2, law enforcement officers conducted surveillance of Bridges and Acevedo-Marchan in the area of Fulton and May Streets in Chicago. Surveillance observed a Hispanic female, since identified as FELICIANO after law enforcement officers viewed an Illinois driver’s license photograph of FELICIANO, speak with Acevedo-Marchan at his vehicle. Surveillance then observed FELICIANO enter 1118 West Fulton Street, referenced above, using a key. FELICIANO’s Illinois driver’s license photograph is issued at 5318 South Rockwell Street, Chicago, Illinois and lists her date of birth as December 29, 1962, the same information provided for FELICIANO’s cellular telephone, as described above. Based on the above information, law enforcement officers have identified FELICIANO as the user of telephone number (773) 886-2876 and, after GAMBINO’s incarceration, the user of Target Phone 2. In the summaries of the intercepted calls in this Affidavit in which FELICIANO is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to FELICIANO in each of these summaries is the same.

stated, "This guy [Bridges] got scared because he saw a lot of trucks [police]." FELICIANO replied, "What do you mean? This is an industrial area. There's no problems [with the police] here." Later in the call, FELICIANO asked, "Okay, when he [ACEVEDO-FITZ] gets here, should I call you at this number?" Acevedo-Marchan stated, "Take it [cocaine] to your house." FELICIANO asked, "My house?" Acevedo-Marchan stated, "Yeah, I'm close by here. When he [ACEVEDO-FITZ] gets here, tell him that you left the money [for the cocaine] over here and then call me and I'll come [with the money for the cocaine]. I have it [money] all here just like you gave it [money] to me."

111. On March 8, 2011, at approximately 11:25 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4881) from Bridges. Bridges asked Acevedo-Marchan, "How's it [narcotics transaction] looking?" Acevedo-Marchan replied, "I'm just waiting [for ACEVEDO-FITZ to bring the cocaine], man. She [FELICIANO] told me it's gonna be 20 minutes. Soon as he [ACEVEDO-FITZ] gets here, she's gonna . . . I got the money. Don't worry about it." Bridges asked Acevedo-Marchan, "Is your uncle [ACEVEDO-FITZ] gonna fuck [be upset] with you?" Acevedo-Marchan replied, "No, I don't think so. I'm just gonna give the money to the lady [FELICIANO] and I'll tell him [ACEVEDO-FITZ] to not even see me. He's [ACEVEDO-FITZ] on his way, he's a man of his word. As soon as the lady [FELICIANO] gets that shit [cocaine] out, the lady [FELICIANO] is going to come out and give me that shit [cocaine], I'll leave to your house."

112. At approximately 11:49 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4883) from Bridges, in which Bridges stated, "She [FELICIANO] got another 500 [\$500] in her pocket. Get that from her too." Acevedo-Marchan replied, "Yeah, I got it [\$500] too. I got everything [money], don't worry about it, man."

113. On March 8, 2011, at approximately 11:57 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4886) from FELICIANO. FELICIANO told Acevedo-Marchan, “Hey, the uncle [ACEVEDO-FITZ] says that he got a flat tire. He says he can’t come over here because he has no spare.” Acevedo-Marchan replied, “I’ll pick you up, you go for that [cocaine], I’ll drop you off at the factory and then I’ll leave.” FELICIANO agreed. A minute later, Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4888) from Bridges, in which Acevedo-Marchan informed Bridges that, “She [FELICIANO] called me and my uncle [ACEVEDO-FITZ] called that he got a flat right there on Ashland and Grand [Chicago, Illinois]. He probably changed his mind [to complete the deal], right?”

114. At approximately 12:15 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4894) from Blount. During this call, Blount asked Acevedo-Marchan, “What happened [with the narcotic transaction], man? Did you get the money back from that bitch [FELICIANO]?” Acevedo-Marchan replied, “I got everything [money], no problem. My uncle [ACEVEDO-FITZ] told me he got a flat.” Blount responded, “Listen to me. Fuck that. That’s a no go [for the transaction]. They [Bridges] scared the people’s [police] following them. That’s why they [Bridges] got me calling you man.”

115. At approximately 12:40 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4902) to FELICIANO. Acevedo-Marchan told FELICIANO, “Call my uncle [ACEVEDO-FITZ] and we can go over there [to **the 2049 North Kostner Residence**, to pick up the cocaine], if you want. Call him [ACEVEDO-FITZ] and see what he says.” FELICIANO agreed. Two minutes later, Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4903) from FELICIANO. FELICIANO told Acevedo-Marchan, “He [ACEVEDO-FITZ] told me Dickens

and Kostner [Chicago, Illinois], is that where he [ACEVEDO-FITZ] lives?” Acevedo-Marchan responded, “Yeah, I’ll take you there.”

116. Shortly after this call, at approximately 12:44 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4904) to FELICIANO. Acevedo-Marchan told FELICIANO, “This guy [Bridges] says he’s only going to give you 250 [\$250] [for helping facilitate the transaction], because he was going to give you 500 [\$500] right?” FELICIANO agreed and Acevedo-Marchan continued, “He [Bridges] said he’s only going to give you 250 [\$250] and then he’ll [Bridges] call you later and bring you the rest of the money later.”

117. Between approximately 1:26 p.m. and 1:36 p.m., Acevedo-Marchan, using Target Phone 6 (Call ## 4908 and 4910), provided FELICIANO with directions to Acevedo-Marchan’s residence. Beginning at approximately 1:42 pm, surveillance observed FELICIANO exit a bus near the intersection of Armitage and Pulaski in Chicago, walk to the intersection of Armitage and Karlov, where she met GREÑAS, and then FELICIANO and GREÑAS walked together to Acevedo-Marchan’s residence, located at **the 1920 North Karlov Residence**, which they entered. I believe that, at that time, FELICIANO and GREÑAS picked up the money from Acevedo-Marchan, to bring it to ACEVEDO-FITZ in exchange for the cocaine.

118. Beginning shortly after 2:00 p.m., surveillance observed the following: (a) FELICIANO and GREÑAS exit the residence of Acevedo-Marchan and return to the bus stop, where they boarded a bus together; (b) shortly thereafter, FELICIANO approached **the 2049 North Kostner Residence**, and entered the residence, while GREÑAS waited on the street; and (c) several minutes later, FELICIANO exited **the 2049 North Kostner Residence** and rejoined Greñas.

119. At approximately 2:11 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4920) to GREÑAS. Acevedo-Marchan asked GREÑAS, “What happened [with getting the 500 grams of cocaine from ACEVEDO-FITZ]? You have it [cocaine] with you already?” GREÑAS responded, “Uh-huh.” Acevedo-Marchan asked GREÑAS, “Take that [cocaine] over there [GREÑAS’s residence], I’m trusting you with it [cocaine].”

120. At approximately 2:13 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #4923) from Bridges. During the call, Acevedo-Marchan told Bridges, “I got it [cocaine].” Bridges replied, “You got it [cocaine] at home?” Acevedo-Marchan responded, “Yeah, I just was waiting ‘cause this guy [GREÑAS] doesn’t want to give me a ride to the south side [of Chicago, Illinois].” Bridges responded, “No, I don’t want you to come right now. Wait a couple hours and then come. What you do with her [FELICIANO]?” Acevedo-Marchan responded, “She’s gonna take the bus going home.”

121. On March 8, 2011, at approximately 2:30 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (Call #4920) to Greñas. Acevedo-Marchan asked Greñas where he was and GREÑAS replied, “I just got here to the house [GREÑAS’s residence at **3557 West Shakespeare**].” Acevedo-Marchan told GREÑAS, “Hurry up and come. Just leave that [the 500 grams of cocaine] there and come over here.” GREÑAS asked, “Leave that [cocaine] here?” Acevedo-Marchan replied, “Yeah, we’ll go back . . . store it good [hide the cocaine].” GREÑAS replied, “You didn’t give me a key [for a safe/lockbox].” Acevedo-Marchan responded, “I forgot to give it [key] to you. Put it [cocaine] in your dirty clothes or something.” At approximately 2:35 p.m., surveillance observed GREÑAS approach **the 3557 West Shakespeare Residence** and enter the garden-level apartment. Based on my knowledge of the investigation, the intercepted calls, and

surveillance, I believe that, at this time, GREÑAS stored the 500 grams of cocaine obtained from ACEVEDO-FITZ in GREÑAS's residence, **the 3557 West Shakespeare Residence** .

122. At approximately 6:47 p.m., Acevedo-Marchan, using Target Phone 6, made an outgoing call (call #4965) to Bridges. Acevedo-Marchan told Bridges, "Open the door for me." Bridges responded, "Alright." Based on my knowledge of the investigation, the intercepted calls, and surveillance, I believe that, at this time, Acevedo-Marchan delivered to Bridges the 500 grams of cocaine obtained from ACEVEDO-FITZ, through FELICIANO.

### **C. RODRIGUEZ and GAMBINO Conspire to Distribute Cocaine to JOHNSON**

#### ***1. RODRIGUEZ and GAMBINO Supply 4.5 ounces of Cocaine to JOHNSON on August 19, 2010***

123. Based on the intercepted calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that on August 19, 2010, RODRIGUEZ and GAMBINO supplied 4.5 ounces of cocaine to JOHNSON. RODRIGUEZ "fronted" the cocaine to GAMBINO, delivering the cocaine to GAMBINO at his home. After GAMBINO delivered the cocaine to JOHNSON and collected payment for the cocaine from JOHNSON, GAMBINO met with RODRIGUEZ again to deliver the money for the cocaine to RODRIGUEZ.

124. On August 18, 2010, at approximately 2:23 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #767) to RODRIGUEZ.<sup>16</sup> During this call, GAMBINO asked, "I

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<sup>16</sup>The identification of RODRIGUEZ and his voice in this Affidavit is based in part on the following: On August 19, 2010, during an intercepted call (Call #854) over Target Phone 2, GAMBINO called telephone number (773) 691-1671 and an unidentified female answered the phone. When GAMBINO asked to speak with "Taco," in the background, the unidentified female asked for "Gonzalo" to come to the phone. GAMBINO then proceeded to participate in a conversation with "Gonzalo." Later that day, pursuant to intercepted conversations over Target Phone 2, law enforcement officers conducted surveillance of a meeting between GAMBINO and the individual later identified as RODRIGUEZ at GAMBINO's residence, as described below. RODRIGUEZ arrived at this meeting driving a red Ford

was trying to see if we're [GAMBINO and JOHNSON] able to do the same thing [4 ½ ounces of cocaine] as last time, man." RODRIGUEZ replied, "Oh, not until tomorrow [RODRIGUEZ would have the cocaine on August 19, 2010]." RODRIGUEZ further explained, "Yeah, yesterday's thing [4 ½ ounces of cocaine] is gone [has been distributed]." Later in the call, GAMBINO asked, "Nothing can be done right now?" RODRIGUEZ reiterated, "No, not until tomorrow."

125. Approximately a minute later, GAMBINO, using Target Phone 2, made an outgoing call (Call #765) to JOHNSON.<sup>17</sup> GAMBINO asked JOHNSON, "Is it [the amounts of cocaine and

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Windstar van, bearing Illinois license plate H850922, which is registered to Nicolas Rodriguez, 5013 South Kedvale, Chicago, Illinois. Later, surveillance observed GAMBINO and RODRIGUEZ meet again at Sonrisa Lavanderia, 5112 South Kedzie Avenue, Chicago, Illinois. Law enforcement officers took photographs of this meeting and have since compared those photographs with an Illinois driver's license photograph of RODRIGUEZ, and have concluded that they are the same individual. After the meeting between GAMBINO and RODRIGUEZ concluded, surveillance followed the red Ford Windstar, driven by RODRIGUEZ, to 5013 South Kedvale Avenue. Lastly, DEA has received subscriber information for telephone number (773) 691-1671, which is subscribed to Gonzalo Rodriguez, 5013 South Kedvale Avenue, Chicago, Illinois. The subscriber information also lists the date of birth on the account as August 21, 1968, and a social security number ending in 7040, which is the same date of birth and social security number for RODRIGUEZ reflected in criminal and commercial database inquiries. In the summaries of the intercepted calls in this Affidavit in which RODRIGUEZ is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to RODRIGUEZ in each of these summaries is the same.

<sup>17</sup>The identification of JOHNSON and his voice in this Affidavit is based in part on the following: On August 23, 2010, pursuant to intercepted telephone conversations over Target Phone 2 with the user of telephone number (773) 671-3030, as described below, law enforcement officers established surveillance at GAMBINO's residence. During that surveillance, law enforcement officers observed a silver Chevrolet HHR park in front of the garage to GAMBINO's residence. Surveillance then observed the individual now known as JOHNSON exit the passenger seat of the vehicle and meet with GAMBINO, and, approximately 5 minutes later, JOHNSON re-entered the silver Chevrolet HHR and the vehicle departed the area. Surveillance followed the vehicle to the area of 11418 South King Drive, Chicago, Illinois. A commercial database inquiry of 11418 South King Drive revealed that this address is the most recent address for JOHNSON. Furthermore, a criminal database inquiry revealed that JOHNSON listed 11418 South King Drive as his address after his arrest on May 12, 2010. Law enforcement officers subsequently compared surveillance photographs from August 23, 2010, with a known booking photograph of JOHNSON and concluded that JOHNSON was the individual who met with GAMBINO. Likewise, pursuant to intercepted calls over Target Phone 2 with telephone number (773) 671-3030 on August 27, September 4 and October 23, 2010, arranging narcotics transactions, law enforcement officers, through surveillance or pole cameras, observed JOHNSON meeting with GAMBINO. Based on the above information, law enforcement officers have identified JOHNSON as

marijuana] going to be the same, right?” JOHNSON replied, “Yeah. Same [quantities], both of them [marijuana and cocaine].” GAMBINO stated, “Okay. 4 ½ [ounces of cocaine] and the one [pound of marijuana]?” JOHNSON replied affirmatively.

126. The next day, on August 19, 2010, at approximately 11:50 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call #867) from RODRIGUEZ. During this call, GAMBINO stated, “The black guy [JOHNSON] called me and said he’s going to get a ride. He’s [JOHNSON] going to call me once he’s leaving the house. When he is leaving, I’ll call you. That way, we’ll all get there [meet location] at the same time.” RODRIGUEZ asked, “At the same place?” GAMBINO advised, “Yes, same place as before.”

127. On August 19, 2010, at approximately 12:15 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #871) from JOHNSON. JOHNSON stated that he was on his way to meet GAMBINO, and should arrive in about 30 minutes. JOHNSON said, “I just want the white [cocaine].” GAMBINO asked, “You just want the white [cocaine]?” JOHNSON replied, “Yeah.” GAMBINO stated, “That’s fine. No problem, 30 minutes? You’ll be right there [at the meeting location] about 12:45 - 12:50?” JOHNSON replied, “Yeah.”

128. On August 19, 2010, at approximately the same time, GAMBINO, using Target Phone 2, placed an outgoing call (Call #872) to RODRIGUEZ. During this call, GAMBINO stated, “Taco [RODRIGUEZ’s nickname], the guy [JOHNSON] is going to arrive at my house at 12:45.” RODRIGUEZ confirmed, “Okay.” GAMBINO stated, “I’ll see you there.”

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the user of telephone number (773) 671-3030. In the summaries of the intercepted calls in this Affidavit in which JOHNSON is identified as a speaker, monitors have listened to the calls and determined that the voice attributed to JOHNSON in each of these summaries is the same.

129. On August 19, 2010, at approximately 12:33 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #875) to RODRIGUEZ. During this call, GAMBINO stated, "Taco, you think you can sell me a half [½ ounce of cocaine]? For me." RODRIGUEZ replied, "Yeah." GAMBINO advised, "Yeah? But that's [½ ounce of cocaine] for me." RODRIGUEZ repeated, "Yeah." GAMBINO stated, "That way you can bring it together [4 ½ ounces of cocaine and ½ ounce of cocaine] with what you are going to bring me now." RODRIGUEZ asked, "Together or separate?" GAMBINO replied, "No, separate, separate [GAMBINO wanted the 4 ½ ounces of cocaine for JOHNSON separate from the ½ ounce of cocaine for himself]."

130. On August 19, 2010, at approximately 12:42 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #878) to RODRIGUEZ. During this call, GAMBINO stated, "I'm ready [for RODRIGUEZ to deliver the cocaine]. Their people are here." RODRIGUEZ advised, "Okay. I'll be there in about three minutes." Shortly thereafter, surveillance observed a red Ford Windstar registered to RODRIGUEZ's address park in front of garage behind GAMBINO's residence at 5340 South Rockwell Street. Approximately one minute after that, surveillance observed the red Ford Windstar depart the area. Based upon the intercepted calls, surveillance and my knowledge of the investigation as a whole, I believe that RODRIGUEZ delivered the cocaine to GAMBINO at this time.

131. On August 19, 2010, at approximately 12:45 p.m., three minutes after the call summarized in the preceding paragraph, GAMBINO, using Target Phone 2, received an incoming call (Call #877) from JOHNSON. GAMBINO stated, "Yeah, we're ready [to deliver the cocaine]. Where you at?" JOHNSON replied, "I'm gonna pull up." Approximately five minutes later, GAMBINO, using Target Phone 2, placed an outgoing call (Call #880) to JOHNSON. GAMBINO

asked, "Where you at?" JOHNSON replied, "I'm coming through. Where you at?" GAMBINO replied, "Okay. I see you." Based upon the intercepted calls and my knowledge of the investigation as a whole, I believe that GAMBINO delivered the cocaine to JOHNSON at this time, and JOHNSON also paid GAMBINO at this time.

132. On August 19, 2010, at approximately 1:10 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #887) to RODRIGUEZ. During this call, GAMBINO stated, "Come on over [to GAMBINO's house], man." RODRIGUEZ stated, "I came with my girl. She's at the laundromat." GAMBINO replied, "Okay. Call me when you are on your way here." RODRIGUEZ asked, "Can you come out this way [to the laundromat]?" GAMBINO advised, "Yeah, I'll go over there. Where are you?" RODRIGUEZ responded, "At the laundromat I met you last time [GAMBINO was going to the laundromat to give RODRIGUEZ the money for the cocaine]."

133. Beginning approximately five minutes later, surveillance observed the following: (a) GAMBINO's green Dodge Caravan departed 5340 South Rockwell Street, with GAMBINO driving the vehicle; (b) at approximately 1:20 p.m., the green Dodge Caravan arrived at Sonrisa Lavanderia, a laundromat located at 5112 South Kedzie Avenue; (c) the red Ford Windstar, previously seen at GAMBINO's residence, was parked in the laundromat parking lot; (d) a short time later, RODRIGUEZ walked to the driver's side window of GAMBINO's green Dodge Caravan; (e) at approximately 1:24 p.m., RODRIGUEZ entered Sonrisa Lavanderia and GAMBINO departed the area in the green Dodge Caravan. Based upon the intercepted calls, surveillance and my knowledge of the investigation as a whole, I believe that GAMBINO gave RODRIGUEZ the money for the cocaine at this time.

**2. RODRIGUEZ Fronts 4.5 Ounces of Cocaine to GAMBINO On August 24, 2010, Which GAMBINO Sells to JOHNSON on August 27, 2010**

134. Based on the intercepted calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that on August 24, 2010, RODRIGUEZ provided 4 ½ ounces of cocaine to GAMBINO through fronting. GAMBINO tried to sell the cocaine to Individual D, but Individual D returned it due to poor quality. A few days later, GAMBINO sold the cocaine to JOHNSON, and then GAMBINO paid RODRIGUEZ for the cocaine.

135. On August 24, 2010, at approximately 4:59 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1738) from Individual D. During this call, Individual D asked, “Can I go to your house and grab that [cocaine] right now? The four and a half [ounces of cocaine] right now?” GAMBINO asked, “What?” Individual D repeated, “The four and a half [ounces of cocaine]. The girls [cocaine]. I got money right now. I’m with my cousin. I got my kids also. I’m with my cousin. I’ll go over there [to GAMBINO’s residence] with the money for the four and a half [ounces of cocaine]. Can you get it [the cocaine] right now?” GAMBINO asked, “The white [cocaine]?” Individual D answered in the affirmative. GAMBINO then asked, “How much [price for 4 ½ ounces of cocaine] did I tell you?” Individual D stated, “You told me four [\$4,000], man, but I’m going to give you 3,800 [\$3,800] please. 900 [\$3,900].” GAMBINO asked, “How much?” Individual D replied, “You told me four, man, \$4,000, bro. You’re charging me a lot [for the cocaine], Gambino. A lot, man.” Later in the conversation, GAMBINO asked, “Wait, wait. You want the four and a half [4 ½ ounces of cocaine] for four [\$4,000], right?” Individual D replied, “No, for 3,900 [\$3,900] or 3,800 [\$3,800]. I want to get 200 [make a profit of \$200 when Individual

D subsequently distributed it], bro.” Later, GAMBINO stated, “Let me call this guy [cocaine source of supply], man.”

136. Almost immediately, GAMBINO, using Target Phone 2, placed an outgoing call (Call #1741) to RODRIGUEZ. GAMBINO said, “So, then it [the narcotics transaction] will be the four and half [ounces of cocaine].” RODRIGUEZ told GAMBINO that he did not want to do the transaction at GAMBINO’s house, prompting GAMBINO to ask, “How should we do it [the cocaine transaction]? If you want, I’ll go pick it [the cocaine] up at some place, I’ll go back to my house, and then I’ll take you your ‘tickets’ [money for the cocaine] where ever you want.” RODRIGUEZ agreed.

137. On August 24, 2010, at approximately 5:19 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1742) from Individual D. During this call, Individual D stated, “I want to come with nine girls [Individual D wants to purchase nine ounces of cocaine].” GAMBINO stated, “Uh, I already called him [RODRIGUEZ] and told him, man. Just take this four and a half [4 ½ ounces of cocaine], and tomorrow you’ll come back for the other four and a half [ounces of cocaine].” Individual D agreed.

138. On August 24, 2010, at approximately 5:21 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1743), from RODRIGUEZ. GAMBINO stated, “Okay, I’ll call you when I’m ready [to complete the cocaine transaction]. When these guys [Individual D] get to my house. You want me to pick it [cocaine] up first?” RODRIGUEZ replied, “Yes.” GAMBINO asked RODRIGUEZ where he wanted to meet GAMBINO and RODRIGUEZ replied, “At the restaurant [La Quebrada].” GAMBINO asked RODRIGUEZ, “At the Quebrada, right?” RODRIGUEZ replied, “Yeah.”

139. On August 24, 2010, beginning at approximately 5:28 p.m., surveillance observed the following: (a) GAMBINO, driving his green Dodge Caravan described above, pulled into the parking lot of La Quebrada Restaurant, located at 5100 S. California Avenue, Chicago, Illinois; (b) RODRIGUEZ, driving a silver Chevrolet Tahoe, with an unidentified male in the passenger seat, followed GAMBINO's van into the La Quebrada parking lot; (c) the unidentified male exited the Tahoe and walked over to the driver's side window of GAMBINO's van; (d) a short time later, the unidentified male returned to the Tahoe; and (e) the Tahoe and GAMBINO's van departed the parking lot at the same time. I believe that RODRIGUEZ at this time delivered the cocaine to GAMBINO.

140. On August 24, 2010, at approximately 5:52 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #1748) from Individual D. During this call, Individual D stated, "I'm right here parked in front [of GAMBINO's residence]. You said you want me to come around the back?" GAMBINO replied, "Yes, come to the back." Minutes later, surveillance observed: (a) a blue Jeep pull into the alley behind GAMBINO's residence at 5340 S. Rockwell, Chicago, Illinois, with Individual D sitting in the rear passenger seat; and (b) Individual D exit the Jeep, and enter the garage at 5340 S. Rockwell, where GAMBINO was waiting. I believe that, at this time, GAMBINO showed the cocaine to Individual D.

141. At approximately 5:59 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #1750) to RODRIGUEZ. GAMBINO told RODRIGUEZ, "the guy [Individual D] said it [the cocaine] looks like it's been 'stepped on,' [cut has been added to increase volume] man." RODRIGUEZ replied, "Oh, hell no. He can try it [the cocaine] if he wants." In the background, GAMBINO can be heard stating, "He said you can try it." Individual D, heard in the background,

stated, "Give us some work [cocaine] and then let him [RODRIGUEZ] take it back." GAMBINO stated, "Hey man, he said..." Individual D, in the background, stated, "He [Individual D's customer] wants a nine [nine ounces of cocaine], [U/I] quarter [quarter-kilogram of cocaine, equivalent to nine ounces of cocaine]." GAMBINO asked, "He [Individual D] said if he can take a piece of that [cocaine]?" RODRIGUEZ remarked, "Yes." GAMBINO asked, "How much [cocaine] should I give him?" Individual D, in the background, stated, "Just a piece [sample], a small piece [sample of cocaine]." RODRIGUEZ told GAMBINO, "yes, give him the 50 [unknown quantity of cocaine]. He can do it [sample] with that." A short time later, surveillance observed Individual D exit the garage located at 5340 S. Rockwell, carrying a small bag; Individual D entered the rear seat of the Jeep and the Jeep departed the area.

142. On August 24, 2010, at approximately 8:03 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #1775) to Individual D. During this call, Individual D stated, "No, it [the quality of the cocaine sample] is not the best. He [Individual D's cocaine customer] picked it up and it was stuck, bro [the poor quality of the cocaine prevented it from being converted into crack]. It was stuck. Not a lot, but it was stuck. I need the best [cocaine] because he [Individual D's drug customer] wants to stick it [convert the cocaine into crack] also, bro." GAMBINO asked, "So then, he [the drug customer] doesn't want it [the cocaine]?" Individual D replied, "No. If you grab something better [higher-quality cocaine], he [the drug customer] wants it. He wants to buy about nine [nine ounces of cocaine]. He wanted to buy the 4 ½ [ounces of cocaine], but it was stuck [the quality was poor]." GAMBINO responded, "He [Individual D's customer] won't get any better [cocaine], man. For the price I'm giving you, he won't get better. I don't know how much you're giving it to him for." Individual D replied, "\$4,000, Gambino. It was stuck, so..." GAMBINO

stated, "I guess we're not gonna do nothing then [the sale of another 4 ½ ounces of cocaine for the next day was cancelled]."

143. On August 24, 2010, at approximately 8:05 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #1776) to RODRIGUEZ. During this call, GAMBINO stated, "Right now I'm going to return it [4 ½ ounces of cocaine] back." RODRIGUEZ asked, "Alright, what did they [Individual D] say?" GAMBINO replied, "These guys are Latin, man. They are complaining too much [about the quality of the cocaine], man. I'm going to return it [the cocaine]. I told the guy [Individual D] to just forget about it." RODRIGUEZ responded, "Hold it [the cocaine] for a bit, no?" GAMBINO then stated, "About Thursday, he [JOHNSON] is going to want the nine [nine ounces of cocaine]. This guy [JOHNSON] is a black guy. He doesn't make any complaints [about the quality of the cocaine] or anything." RODRIGUEZ replied, "Oh, alright."

144. On August 27, 2010, at approximately 11:59 a.m., GAMBINO, using Target Phone 2, received an incoming call (Call # 1999) from JOHNSON. During this call, GAMBINO asked, "What we gonna do?" JOHNSON replied, "If we could do it [cocaine transaction] later, shit. I can do what I said 'cause I'm waiting on this chump [JOHNSON's cocaine customer] to get out of work." JOHNSON later asked, "He [GAMBINO's cocaine source of supply] uh . . . he tell you how much [price of the cocaine] yet?" GAMBINO responded, "For the 'white one' [cocaine], right?" JOHNSON stated, "Yeah." GAMBINO asked, "You want the 'nine piece' [nine ounces of cocaine]?" JOHNSON responded, "Yeah, how much for that [nine ounces of cocaine]?" GAMBINO stated, "Give me eight-six [\$8,600]. Eight-six [\$8,600] for the 'nine piece' [nine ounces of cocaine]." JOHNSON replied, "God damn! You done went up on [increased the price] me." GAMBINO stated, "No, look, 'cause for the 4 ½ [4 ½ ounces of cocaine] it was at 42 [\$4,200],

right? So 42 [\$4,200] and 42 [\$4,200], that's . . . that's 48 [\$4,800]." JOHNSON stated, "That's 84 [\$8,400]." GAMBINO responded, "Yeah, okay, 84 [\$8,400]. Just give me 84, fuck it. Let's go from there." JOHNSON asked, "Okay, so I bring you 82 [\$8,200] then?" GAMBINO replied, "Yeah, bring me 82 [\$8,200] and you will have the nine [nine ounces of cocaine]." Later in the conversation, GAMBINO stated, "Look, before we jump into something else, I got 4 ½ [4 ½ ounces of cocaine] with me, okay? Let me call my guy [RODRIGUEZ, the cocaine source of supply] and see if he got the other 4 ½ [ounces of cocaine] with him." JOHNSON replied, "Okay, if not I'll just come grab that [4 ½ ounces of cocaine] real quick."

145. On August 27, 2010, at approximately 12:02 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #2000) to RODRIGUEZ. During this call, GAMBINO stated, "Listen, my guy [JOHNSON] wants to take nine [nine ounces of cocaine]. And I have what you left me the other day [4 ½ ounces of cocaine]. I have it there with me still." RODRIGUEZ replied, "There are none [additional ounces of cocaine] right now. I ran out of what I had. I just dropped off the last of it [cocaine]." GAMBINO responded, "Okay, let me give him [JOHNSON] the 4 ½ [ounces of cocaine] and I'll call you when I'm ready to give you what it is [money to purchase the cocaine]." RODRIGUEZ agreed.

146. Shortly after noon, GAMBINO, using Target Phone 2, placed an outgoing call (Call # 2001) to JOHNSON. During this call, GAMBINO stated, "Check it out: I talked to my guy [RODRIGUEZ], and he said he don't got nine [nine ounces of cocaine] on him right now. I guess you're just gonna take the 4 ½ [ounces of cocaine] that I got on me." JOHNSON replied, "Okay, uh . . . I'll be seeing you as soon as you get off work then."

147. On August 27, 2010, at approximately 5:57 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call # 2065) to JOHNSON. During this call, JOHNSON stated, "I'm coming around the corner. Are you ready [to conduct the cocaine transaction]?" GAMBINO replied, "Yes, just go by the alley [behind GAMBINO's house]." JOHNSON replied, "Alright, cause I gotta keep going [JOHNSON is in a hurry]." I believe that, at this time, JOHNSON brought GAMBINO the money for the cocaine, and GAMBINO gave JOHNSON the 4 ½ ounces of cocaine.

148. On August 27, 2010, at approximately 6:05 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #2066) to RODRIGUEZ. During this call, GAMBINO stated, "I have your 'tickets' [money from the sale of 4 ½ ounces of cocaine to JOHNSON] . . . Whenever you want to come pick them [drug proceeds] up." RODRIGUEZ stated, "I'm far right now. I'm on 26<sup>th</sup> running an errand. I'll call in about an hour and a half." GAMBINO responded, "Call me so you can pass by my house."

149. At approximately 7:49 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #2075) from RODRIGUEZ. During this call, RODRIGUEZ stated, "I've been here for a little while already. I'm here outside because there isn't any parking inside." GAMBINO replied, "Okay, I already saw you." RODRIGUEZ then stated, "There is a parking spot in front." GAMBINO responded, "Okay." I believe that, at this time, RODRIGUEZ picked up the money for the cocaine, that GAMBINO had received from JOHNSON.

### ***3. RODRIGUEZ Fronts 4.5 Ounces of Cocaine to GAMBINO On October 23, 2010, Which GAMBINO Sells to JOHNSON***

150. Based on the intercepted calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that on October 23, 2010, RODRIGUEZ provided 4 ½ ounces of cocaine to GAMBINO. GAMBINO then delivered the cocaine to JOHNSON, and obtained the money from JOHNSON. After GAMBINO delivered the cocaine to JOHNSON and obtained the purchase money from JOHNSON, GAMBINO provided payment for the cocaine to RODRIGUEZ,.

151. On October 23, 2010, at approximately 4:57 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #7666) from JOHNSON. JOHNSON asked GAMBINO, "Can you do something [supply narcotics] for me real quick?" GAMBINO responded, "What we got to do?" JOHNSON replied, "4.5 [4.5 ounces of cocaine]." GAMBINO asked, "4.5? In the white [cocaine]? The white thing [cocaine]?" JOHNSON replied, "Yeah." GAMBINO stated, "Okay, let me call my guy [RODRIGUEZ]."

152. Two minutes later, GAMBINO, using Target Phone 2, made an outgoing call (Call #7667) to RODRIGUEZ. GAMBINO asked RODRIGUEZ, "Do you have something [cocaine] over there?" RODRIGUEZ replied, "How much [cocaine] do you need?" GAMBINO replied, "4.5 [4.5 ounces of cocaine]." RODRIGUEZ asked GAMBINO if he wanted to do the deal right away and GAMBINO stated, "That would be best."

153. At approximately 5:00 p.m., GAMBINO, using Target Phone 2, made an outgoing call (Call #7669) to JOHNSON. GAMBINO asked JOHNSON how long it was going to take for JOHNSON to come to GAMBINO's residence and JOHNSON replied, "about 30, 40 minutes." GAMBINO stated, "Alright, because my guy [RODRIGUEZ] is ready [to complete the narcotics

transaction].” JOHNSON asked, “The same old one, the one [RODRIGUEZ] that used to bring it back here?” GAMBINO replied, “Yeah, the same one [RODRIGUEZ].”

154. On October 23, 2010, at approximately 5:16 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #7672) from RODRIGUEZ. RODRIGUEZ asked GAMBINO where he was located and GAMBINO responded, “I’m here at my house. Behind, in the garage.” RODRIGUEZ asked GAMBINO, “Are you in back?” GAMBINO responded, “Yes. Come to the garage in the back.” RODRIGUEZ responded, “Alright, cool.”

155. On October 23, 2010, at approximately 5:21 p.m., law enforcement officers observed through pole camera surveillance a silver Chevrolet pull up in the alley behind GAMBINO’s residence located at 5340 S. Rockwell Street, Chicago, Illinois and stop. Surveillance were unable to determine whether the silver Chevrolet was a Tahoe or Suburban. Surveillance further observed GAMBINO approach the passenger side of the silver vehicle, leaned into the window with his hands reaching inside the silver vehicle. Based on the intercepted calls, surveillance and my knowledge of the investigation as a whole, I believe that RODRIGUEZ delivered the cocaine to GAMBINO at this time.

156. At approximately 5:40 p.m., GAMBINO, using Target Phone 2, placed an outgoing call (Call #7677) to JOHNSON, and asked JOHNSON, “Where you at?” JOHNSON responded, “I’m on 57<sup>th</sup> [street].” GAMBINO replied, “Come and get it [narcotics]. Hurry up . . . Come to the alley [behind GAMBINO’s residence].”

157. Beginning at approximately 5:55 p.m., law enforcement officers observed through pole camera surveillance a silver Chevrolet HHR pull into the alley and park by the garage located behind 5340 S. Rockwell Street, Chicago, Illinois. GAMBINO approached the silver Chevrolet

HHR and opened the front passenger door; JOHNSON exited the Chevrolet HHR, and both JOHNSON and GAMBINO entered the garage behind GAMBINO's residence at 5340 S. Rockwell Street. Minutes later, JOHNSON and GAMBINO exited the garage and returned to the Chevrolet HHR, where JOHNSON entered the Chevrolet HHR and departed the area. Based on the intercepted calls, surveillance and my knowledge of the investigation as a whole, I believe that GAMBINO delivered the cocaine to JOHNSON at this time.

158. On October 23, 2010, at approximately 6:27 p.m., GAMBINO, using Target Phone 2, received an incoming call (Call #7684) from RODRIGUEZ. RODRIGUEZ asked GAMBINO, "Are you ready [to get the money from the cocaine sold to JOHNSON]?" GAMBINO responded, "Yeah, man. How much is it [cocaine]? 3,500 [\$3,500] right?" RODRIGUEZ responded, "3.8 [\$3,800]."

159. Shortly thereafter, GAMBINO, using Target Phone 2, received an incoming call (Call #7685) from RODRIGUEZ. GAMBINO told RODRIGUEZ, "Come to the alley." RODRIGUEZ asked, "In the back?" GAMBINO confirmed. RODRIGUEZ then said, "Alright. On the way." Approximately five minutes later, law enforcement officers viewing a pole camera in the vicinity of 5340 S. Rockwell Street, Chicago, Illinois, observed the silver Chevrolet pull into the alley near the garage at 5340 S. Rockwell Street and stop, GAMBINO approached the driver's side door, and the driver of the silver Chevrolet and GAMBINO made an exchange through the driver's window. Based on the intercepted calls, surveillance and my knowledge of the investigation as a whole, I believe that GAMBINO gave RODRIGUEZ payment for the cocaine at this time.

**VI. PROBABLE CAUSE FOR SEARCH WARRANTS**

160. As set forth in this affidavit, it is believed the facts establish probable cause that the defendants did commit violations of Title 21, United States Code, Section 846.

161. This affidavit is also made for the purpose of establishing probable cause in support of warrants to search two residences, as further described below and in Attachment A for each requested search warrant, to seize the records, documents, and items described in ¶171. The residences are located at:

- a. the third-floor unit of 2049 North Kostner, Chicago, Illinois (residence of ACEVEDO-FITZ) and
- b. the garden-level unit of 3557 West Shakespeare, Chicago, Illinois (residence of GREÑAS)

162. As set forth in this affidavit, it is believed the facts establish probable cause that the records, documents, and items (as further described in paragraph 169) constitute fruits, instrumentalities and/or evidence of violations of Title 21, United States Code, Section 846, and further that a search of the two residences, as further described below and in Attachment A for each requested search warrant, will result in the discovery of such records, documents, and items.

163. As a result of my law enforcement experience and this investigation, I am familiar with the ways in which the members of the narcotics and money laundering organization conduct their business, including, but not limited to, their methods of importing and distributing heroin and cocaine, their use of numerical codes and code words to conduct their transactions in secret, and their methods of laundering the proceeds of their narcotics trafficking. Through my experience and

my discussions with other experienced law enforcement officers, I am familiar with the methods, schemes, and operations used by major heroin traffickers and know:

a. It is common practice for drug traffickers, including persons trafficking in major narcotics, such as heroin and cocaine, to conceal in their residences and/or places of business, secure places to store the contraband, including but not limited to safes, and that once a sizeable load of contraband has been delivered, to repackage and break-down larger quantities of illegal drugs into smaller more easily handled and concealed quantities for distribution; and that paraphernalia related to the packaging, cutting, weighing and distribution of contraband is usually secreted or stored in their residences and/or places of business.

b. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, maintain books, records, receipts, notes, ledgers, airline tickets, money orders, and other papers relating to the purchase, packaging, sale, distribution, and transportation of their product.

c. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, commonly maintain books, papers, and cellular telephones which reflect the names, addresses and/or telephone numbers of their suppliers, couriers, customers, and other associates in the illegal drug trade.

d. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, conceal in their residences and/or places of business the proceeds of their illegal activity, including large amounts of United States currency, financial instruments, precious metals, jewelry, rare coins, works of art, and other items of value, as well as books and records regarding the acquisition, use, and disposition of such items of value.

e. When drug traffickers, including persons trafficking in substances such as heroin and cocaine, amass large proceeds from the sale of controlled substances, they attempt to legitimize these profits through money laundering activities, often accomplishing this goal by using the services of banks, securities brokers, professionals such as attorneys and accountants, casinos, real estate brokers and other financial professionals, shell corporations and business fronts, and otherwise legitimate businesses which generate large quantities of currency.

f. It is common for drug traffickers, including persons trafficking in substances such as heroin and cocaine, to maintain the aforementioned books, papers, and documents in secure places within their residences and/or places of business so that the drug traffickers have ready access to such information.

g. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, often places assets, including real and personal property, such as vehicles, in names other than their own to avoid the detection and forfeiture of such assets by government agencies; and that the drug traffickers continue to use these assets and to exercise dominion and control over them even though the assets are nominally owned by others.

h. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, frequently possess firearms and ammunition to protect their illegal product.

i. Drug traffickers, including persons trafficking in substances such as heroin and cocaine, to frequently keep the records described above on computers, and use personal data assistants (PDAs), telex machines, facsimile machines, currency counting machines and telephone answering machines to generate, transfer, count, record and store information pertaining to their trafficking activity and the proceeds of that activity.

j. Drug traffickers frequently take, or cause to be taken, photographs of themselves, their associates in the drug trade, property acquired from the distribution of drugs, and their product, and such photographs are often kept in their residences and/or places of business.

164. In addition, during the course of residential searches, I and other agents have also found items of personal property that tend to identify the person or persons in residence, occupancy, control, or ownership of the subject premises, including such items as canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bills, or other mail, statements, identification documents and keys.

165. For the foregoing reasons, and for the reasons set forth below in the discussion of probable cause to search, there is probable cause to believe that the two residences described below will contain the items requested to be seized as set forth below in ¶171.

**A. Probable Cause To Search the 2049 North Kostner Residence**

166. Records obtained during the course of the investigation and related surveillance indicate that the third-floor unit of **the 2049 North Kostner Residence** is ACEVEDO-FITZ's primary residence, as summarized below:

a. A search of the Lexis/Nexis computer database indicates that a female with the same last name as ACEVEDO-FITZ is associated with 2049 North Kostner Avenue, Apt. 3, Chicago, Illinois. This database also revealed that this female was previously associated with 2628 North Harding Avenue Chicago, Illinois, which is a location where ACEVEDO-FITZ was arrested by DEA pursuant to the execution of a state search warrant on June 22, 2010.

b. During this investigation, surveillance agents have observed ACEVEDO-FITZ and known vehicles for ACEVEDO-FITZ at **the 2049 North Kostner Residence** on more

than a dozen occasions from approximately August 21, 2010, to as recently as June 3, 2011, at approximately 1:50 p.m., when surveillance officers observed ACEVEDO-FITZ enter **the 2049 North Kostner Residence** through the rear gate.

167. During this investigation, DEA has learned that ACEVEDO-FITZ has used **the 2049 North Kostner Residence** to conduct the drug trafficking activities of the ACEVEDO-FITZ HEROIN DTO and the ACEVEDO-FITZ COCAINE DTO. For example:

a. On September 10, 2010, the BLOUNT-BRIDGES DTO purchased a kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. BLOUNT picked up the heroin at **the 2049 North Kostner Residence**. *See ¶¶ 32-50.*

b. On September 20, 2010, the BLOUNT-BRIDGES DTO purchased a kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. BLOUNT picked up the heroin at **the 2049 North Kostner Residence**. *See ¶¶ 51-61.*

c. On September 22, 2010, the BLOUNT-BRIDGES DTO purchased a kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. BRIDGES picked up the heroin at **the 2049 North Kostner Residence**. *See ¶¶ 62-67.*

d. On November 16, 2010, the BLOUNT-BRIDGES DTO purchased a half-kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. BLOUNT picked up the heroin at **the 2049 North Kostner Residence**. *See ¶¶ 68-76.*

e. On November 21, 2010, the BLOUNT-BRIDGES DTO purchased a half-kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. BLOUNT picked up the heroin at **the 2049 North Kostner Residence**. *See ¶¶ 77-86.*

f. On December 3, 2010, the Blount-Bridges DTO purchased a kilogram of heroin from the ACEVEDO-FITZ HEROIN DTO. Hopkins picked up the heroin at **the 2049 North Kostner Residence**. Law enforcement conducted an investigative stop on Hopkins as they followed him from **the 2049 North Kostner Residence**, and seized the kilogram of heroin. Earlier that day, law enforcement conducted an investigative stop on Individual B after he delivered the kilogram of heroin to **the 2049 North Kostner Residence**, and seized \$37,000 in drug proceeds. *See* ¶¶ 87-99.

g. On March 8, 2011, as described in ¶¶ 100-104, intercepted calls indicated that the Blount-Bridges DTO would be purchasing a half-kilogram of cocaine from the ACEVEDO-FITZ COCAINE DTO, brokered by Acevedo-Marchan with the assistance of FELICIANO. On that day, FELICIANO went to **the 2049 North Kostner Residence** to pick up the cocaine. *See* ¶¶ 105-122.

168. The premises to be search at **the 2049 North Kostner Residence** is the top-floor unit of a three-unit building located at 2049 North Kostner Avenue, Chicago, Illinois. The building has yellow aluminum siding around the entire building and an aluminum fence around the front of the building. The numbers “2049” are in black letters between two doors located at the front of the building. The door on the south side consists of a black iron door with glass, which leads to an interior door. The door on the north side consists of an off-white wood door, which gives access to the top-floor unit. The front of the building has multiple windows located on all three levels of the building. The building also has a detached two-car garage directly east of the residence.

#### **B. Probable Cause To Search the 3557 West Shakespeare Residence**

169. During the course of the investigation, DEA has determined that the garden-level unit of **the 3557 West Shakespeare Residence** is GREÑAS's primary residence and a location where he and Acevedo-Marchan store narcotics, as summarized below:

a. Surveillance has observed GREÑAS enter and/or exit the garden-level unit of **the 3557 West Shakespeare Residence** on several occasions, including as recently as June 1, 2011, at approximately 2:51 p.m., when surveillance observed GREÑAS arrive by bike, retrieve a key from under a floormat, open the door, and enter the residence with his bike.

b. On January 28, 2011, the Blount-Bridges DTO purchased 100 grams of heroin from Fernandez, in a deal brokered by Acevedo-Marchan. This deal is described in ¶¶345-355 of a separate federal criminal complaint filed on the same day as this complaint, referred to as "Complaint I." Acevedo-Marchan obtained the heroin from Fernandez, and brought it to Bridges at his stash house on the south side of Chicago, where Acevedo-Marchan also picked up the money for the heroin from Bridges. A short time later, Bridges complained about the quality of the heroin, and Acevedo-Marchan returned to Bridges's stash house with GREÑAS, where Acevedo-Marchan returned Bridges's money and took back the heroin. As described below, Acevedo-Marchan and GREÑAS then stored the heroin at **the 3557 West Shakespeare Residence**.

i. As described in Complaint I, ¶344, on January 28, 2011, Acevedo-Marchan exited **the 7922 South Carpenter Street Residence** carrying the heroin at approximately 12:23 p.m and entered his white Dodge Durango with GREÑAS. At approximately 1:03 p.m., surveillance observed Acevedo-Marchan and GREÑAS arrive at **the 3557 West Shakespeare Residence**. At this location, surveillance observed GREÑAS exit the Dodge Durango while carrying a black shoulder bag and then enter the residence. Shortly thereafter, surveillance observed

GREÑAS exit **the 3557 West Shakespeare Residence** and re-enter the white Dodge Durango. Surveillance then followed the white Dodge Durango to **the 1920 North Karlov Residence**. Based on my knowledge of the investigation, the intercepted calls and surveillance, I believe that GREÑAS brought the heroin into **the 3557 West Shakespeare Residence** for safekeeping.

ii. On January 28, 2011, at approximately 2:31 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #1361) from Fernandez. During this call, described in Complaint I, ¶345, Acevedo-Marchan informed Fernandez that he had taken back the heroin from Bridges. Later in the call, Fernandez advised, “Uh, tomorrow like at [U/I]. My sister is going to pass [pick up the heroin from Acevedo-Marchan ] to bring me that, okay?” Acevedo-Marchan stated, “Okay, because I don’t have it [heroin] here [**the 1920 North Karlov Residence**]. I have it [heroin] put away in another place [**the 3557 West Shakespeare Residence**, where GREÑAS exited the Dodge Durango with the black bag, as described in the preceding paragraph]. Uh, you tell me when you’re going to come so I can have it [heroin] here for her, because I have it here half a block away.” Later in the call, Fernandez stated, “She [his sister] is going over there [the 1920 North Karlov Residence] in 10 minutes.” Acevedo-Marchan replied, “No, well, I don’t have it [heroin] here. Let me go get it [heroin].” Later in the call, Acevedo-Marchan stated, “Well, she [Fernandez’s sister] can follow me and I can give it [heroin] to her over there [**the 3557 West Shakespeare Residence**] where I have it [heroin], okay?” Later in the call, Fernandez asked, “Where should my sister see you?” Acevedo-Marchan advised, “Why can she meet me at . . . the thing is that I have it [heroin] put away at another house [**the 3557 West Shakespeare Residence**], but either way, I’ll go get it [the heroin], no problem. On Central Park and Armitage [intersection near where **the 3557 West Shakespeare Residence** is located].”

iii. On January 28, 2011, at approximately 3:11 p.m., Acevedo-Marchan, using Target Phone 6, placed an outgoing call (Call #1364) to Fernandez. During this call, Fernandez stated, “My sister is going over there [the 1920 North Karlov Residence] right now.” Acevedo-Marchan replied, “But I need to go bring it [heroin] from Central Park [**the 3557 West Shakespeare Residence**]. That’s where I have it [heroin] stored. Give me some time. Five minutes.” Fernandez remarked, “Cool. Alright.” Later in the call, Acevedo-Marchan stated, “I’ll call you. Give me 15 minutes while I go [pick up the heroin from **the 3557 West Shakespeare Residence**] and come back.” Fernandez remarked, “Alright.”

iv. On January 28, 2011, at approximately 3:24 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #1365) from GREÑAS. During this call, Acevedo-Marchan asked, “I’m going . . . where are you by?” GREÑAS replied, “Here on Avers with my sister. I’m outside.” Acevedo-Marchan responded, “I’ll go over there [**the 3557 West Shakespeare Residence**] right now, then, so I can pass by for you [after Acevedo-Marchan picked up the heroin], right?” GREÑAS stated, “Okay. If you want. However you want.” Later in the call, Acevedo-Marchan stated, “I’m going over there [**the 3557 West Shakespeare Residence**].” GREÑAS remarked, “Alright, then. Okay.”

v. On January 28, 2011, at approximately 3:33 p.m., Acevedo-Marchan, using Target Phone 6, placed an outgoing call (Call #1368) to Fernandez. During this call, Acevedo-Marchan asked, “Is your sister there at the house? Should I pass by and drop it off?” Fernandez replied, “No, she is waiting for you at your house [**the 1920 North Karlov Residence**].” Later in the call, Acevedo-Marchan stated, “Oh, she went to the house already, because I’m still not back yet [from picking up the heroin at **the 3557 West Shakespeare Residence**], but I’ll be there then,

okay?” Based on my knowledge of the investigation and the intercepted calls, I believe that Acevedo-Marchan went to **the 3557 West Shakespeare Residence**], where the heroin was stored, to retrieve the heroin and return it to Fernandez’s sister.

b. On March 8, 2011, the ACEVEDO-FITZ DTO supplied 500 grams of cocaine to the Blount-Bridges DTO. After FELICIANO and GREÑAS picked up the 500 grams of cocaine, GREÑAS, at Acevedo-Marchan’s direction, took the cocaine back to **the 3557 West Shakespeare Residence** for safekeeping. See ¶¶ 100-122, above.

c. Finally, recently intercepted calls indicate that Acevedo-Marchan and GREÑAS continue to use **the 3557 West Shakespeare Residence** to store and re-package narcotics. For example:

i. On April 7, 2011, at approximately 10:14 p.m., Acevedo-Marchan, using Target Phone 6, placed an outgoing call (Call #7790) to GREÑAS. During this call, Acevedo-Marchan asked, “Did you put that [narcotics] over there [**the 3557 West Shakespeare Residence**] already?” GREÑAS confirmed, “Uh, huh.” Acevedo-Marchan replied, “Alright, then. Bring it [narcotics] tomorrow, early morning.” GREÑAS responded, “Alright then, let me know what [quantity] you want me to take you.” Acevedo-Marchan remarked, “Uh, huh. Bye.”

ii. On May 14, 2011, at approximately 5:01 p.m., Acevedo-Marchan, using Target Phone 15, placed an outgoing call (Call #234) to GREÑAS. During this call, Acevedo-Marchan asked, “Hey, where did I leave the scale dude?” GREÑAS stated, “I don’t know.” Acevedo-Marchan asked, “Didn’t I give it [scale] to you last night? Did you put it [scale] away where you had to last night?” GREÑAS replied, “Oh, I just remembered.” Acevedo-Marchan

asked, “Where is it [scale]?” GREÑAS advised, “I have it [scale] at the house [**the 3557 West Shakespeare Residence**].”

iii. On June 6, 2011, at approximately 5:02 p.m., Acevedo-Marchan, using Target Phone 15, placed an outgoing call (Call #2526) to GREÑAS. During this call, Acevedo-Marchan asked, “Where did you leave the scale [to weigh narcotics], dude?” GREÑAS replied, “Oh. It’s [scale] underneath the window. Inside [**the 3557 West Shakespeare Residence**].” Acevedo-Marchan asked, “Underneath the window? Which window?” GREÑAS responded, “The window in the bottom.” Acevedo-Marchan asked, “Inside?” GREÑAS asked, “Do you remember . . . yes. Do you remember where I used to go in [**the 3557 West Shakespeare Residence**]?” Acevedo-Marchan remarked, “Okay. Okay. Okay.” GREÑAS advised, “It’s [scale] there.”

iv. On June 6, 2011, at approximately 6:03 p.m., Acevedo-Marchan, using Target Phone 15, placed an outgoing call (Call #2541) to GREÑAS. During this call, Acevedo-Marchan stated, “Come over here [the 1920 North Karlov Residence] because I want . . . you’re going to [U/I] so you can hold on to something [narcotics] there [**the 3557 West Shakespeare Residence**], dude.” GREÑAS replied, “Okay. I’ll go over there right now.”

170. The premises to be searched at **the 3557 West Shakespeare Residence** is the garden-level unit of a single-family residence located at 3557 West Shakespeare Avenue, Chicago, Illinois. The garden level has white brick on the exterior and the first and second stories have white aluminum siding. The residence has a black iron gate around the front of the building. The residence has a blue, wooden staircase leading to the first floor door of the residence. The numbers "3557" are in gold and are located east of the first floor front door. The garden level has a white

steel door and is covered by an awning. The premises also contains a detached two-car garage located south of the residence.

**C. Items Requested To Be Seized**

171. Based on the foregoing it appears that there is probable cause to seize from the foregoing locations the following items:

- a. Controlled substances;
- b. Paraphernalia for packaging, processing, diluting, weighing, and distributing controlled substances, such as scales, funnels, sifters, grinders, glass panes and mirrors, razor blades, plastic bags, heat-sealing devices, and dilutants; and paraphernalia for packaging cash drug proceeds including heat sealing devices, plastic packaging for cash, rubber bands, and money-counting devices;
- c. Personal books and papers reflecting names, addresses, telephone numbers, and other contact or identification data relating to distribution of controlled substances, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, electronic storage or other related equipment;
- d. Books, records, receipts, notes, ledgers, airline tickets, money orders, wire transfer or money remittance records, and other records related to the receipt, expenditure and concealment or other disposition of income, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, electronic storage or other related equipment, relating to the distribution of controlled substances;

e. Cash, currency, financial instruments, and records relating to controlled substances income and expenditures of proceeds of drug transactions, and evidence of financial transactions relating to obtaining, transferring, secreting, or spending of large sums of money made from engaging, in drug trafficking activities;

f. Pagers, cellular phones, electronic organizers, caller identification, answering machine tapes, and other communication devices and the contents thereof, including names, addresses, telephone numbers and other contact or identification information of participants in drug trafficking activities;

g. Any and all electronic devices which are capable of analyzing, creating, displaying, converting or transmitting electronic or magnetic computer impulses or data. These devices include computers, personal digital assistants (PDAs), computer components, external hard drives, and other computer related electronic devices;

h. Photographs of individuals, associates, their property and their drugs;

i. Records reflecting names, nicknames, addresses, and telephone numbers of both current and past drug associates;

j. Safes, safety-deposit boxes, keys for safety-deposit boxes, hidden compartments and other secure locations, which often contain the proceeds of narcotics-trafficking activity, including large amounts of United States currency, financial instruments, precious metals, jewelry, and other items of value, as well as books and records regarding the acquisition, use, and disposition of such items of value;

k. Canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bills, statements, identification documents and keys; and,

l. Documents related to rental, lease, or ownership of the search sites identified herein.

FURTHER AFFIANT SAYETH NOT.

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Timothy L. Lessner  
Special Agent, DEA

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_ DAY OF JUNE, 2011.

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The Honorable \_\_\_\_\_  
United States Magistrate Judge