

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

JOHN C. MIXON

UNDER SEAL

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about February 18, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, JOHN C. MIXON, defendant herein:

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). I further state that I am a Special Agent with the Drug Enforcement Administration, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant
TIMOTHY L. LESSNER
Special Agent, Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

June 20, 2011 at Chicago, Illinois
Date City and State

Susan E. Cox, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. The statements contained in this Affidavit are based on: (a) my personal participation in this investigation; (b) information provided to me by other federal, state, and local law enforcement officers; (c) my training and experience and the training and experience of other law enforcement agents with whom I have spoken; (d) 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; (e) my review of information derived from the court-authorized interception of wire communications; and (f) laboratory analysis reports.

4. Since approximately March of 2010, DEA and the Chicago Police Department (“CPD”) have been conducting a joint investigation into Domingo Blount’s and Gabriel Bridges’ Drug Trafficking Organization (“DTO”).¹ Through this investigation, which has included narcotics purchases by a CPD undercover officer from Domingo Blount, court-authorized wire interceptions, extensive surveillance and seizures of narcotics and drug proceeds, law enforcement officers have learned that Domingo Blount and Gabriel Bridges (“Bridges”), and others, are involved in the distribution of significant quantities of controlled substances, including heroin and cocaine, in Chicago, Illinois; Cincinnati, Ohio; New York, New York; and elsewhere. Through this investigation, law enforcement officers have also

¹ Domingo Blount and Gabriel Bridges, among others, have been charged in a separate federal criminal complaint.

identified Arturo Flores (“Flores”) and Fernando Acevedo-Marchan (“Acevedo-Marchan”) as sources of supply of controlled substances trafficked by the DTO.²

5. 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 multiple cellular telephones were intercepted.³ The cellular telephones over which court-authorized interception occurred include the telephone assigned number (773) 655-2599, used by Acevedo-Marchan and referred to as Target Phone 6, and the telephone assigned number (773) 565-5450, used by Flores and referred to as Target Phone 9.

6. During the investigation described in the preceding paragraphs, law enforcement officers determined that the residence located at 7922 South Carpenter Street, Chicago, Illinois (“the 7922 South Carpenter Residence”), believed to belong to Bridges, was being used by the DTO to engage in narcotics trafficking. As a result, law enforcement

² Arturo Flores and Fernando Acevedo-Marchan, among others, have been charged in a separate federal criminal complaint.

³The 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 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.

officers conducted surveillance of the 7922 South Carpenter Residence, as well as those individuals entering and exiting the residence.

7. Based on the calls, surveillance, and interview described below, as well as my knowledge of the investigation overall, I believe that, on February 17, 2011, Bridges ordered multiple kilograms of cocaine from Acevedo-Marchan, which Bridges intended to distribute to his customers, including MIXON. I believe that Acevedo-Marchan then was in contact with Flores, who was to supply the cocaine that would be delivered to Bridges in the transaction brokered by Acevedo-Marchan. I believe that, on February 18, 2011, MIXON traveled to the 7922 South Carpenter Residence, met with Bridges, and provided Bridges \$15,000 for a half kilogram of cocaine. I believe that Flores and Acevedo-Marchan then arrived at the 7922 South Carpenter Residence and delivered a half kilogram of cocaine to Bridges in MIXON's presence, which Bridges then provided to MIXON to complete the transaction.

8. On February 17, 2011, at approximately 11:40 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3258) from Bridges. During this call, Acevedo-Marchan stated, "Hey, I'm set [Acevedo-Marchan has narcotics to distribute]." Bridges replied, "Good. On both [heroin and cocaine]?" Acevedo-Marchan responded, "On the white girls [kilograms of cocaine] . . . I got a bunch of them [kilograms of cocaine]. One, two or three [kilograms of cocaine]." Bridges asked, "A whole one [one kilogram of cocaine]?" Acevedo-Marchan confirmed, "Yeah." Bridges and Acevedo-Marchan then discussed whether Acevedo-Marchan would have heroin available for Bridges to purchase

at a future date. Later in the conversation, Acevedo-Marchan said, “Yeah, but on the white girls [kilograms of cocaine]. I already got them [kilograms of cocaine].”

9. On February 17, 2011, at approximately 12:08 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3262) from Bridges. During this call, Bridges stated, “I might need like two and a half [2 ½ kilograms of cocaine].” Acevedo-Marchan replied, “Okay. How much [cocaine]?” Bridges confirmed, “Two whole ones [two kilograms of cocaine] and a half [½ kilogram of cocaine].” Bridges also asked, “They’re [kilograms of cocaine] 28 [\$28,000], right?” Acevedo-Marchan confirmed the price. Based on my experience, the price is consistent with the price for a kilogram of cocaine.

10. On February 17, 2011, at approximately 3:25 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3285) from Flores, who was using Target Phone 9. During this call, Flores asked, “And the other [Blount] said four girls [four kilograms of cocaine]?” Acevedo-Marchan replied, “Uh-huh.” Flores stated, “Okay, alright then. I’m here with my friend [cocaine source of supply] right now.” Acevedo-Marchan stated, “Okay. Cut it [mix/dilute the cocaine] well. Grab three [three kilograms of cocaine] to be sure, okay?” Flores responded, “Alright then.”

11. On February 17, 2011, at approximately 4:37 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3294) from Bridges, who told Acevedo-Marchan that Bridges’ customers were still getting their money together. A few minutes later, Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3295) from Flores, who was using Target Phone 9. During this call, Acevedo-Marchan stated, “He [Bridges] already called me right now. He [Bridges] said he’s getting the money [to purchase

cocaine] together. He said to give him half an hour. If he doesn't get it all together in half an hour, we'll do it [deliver the cocaine to Bridges] early tomorrow.”

12. On February 17, 2011, at approximately 10:51 p.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3324) from Bridges. During this call, they agreed to conduct the cocaine transaction the next day, and that Bridges would call when his customers arrived. Acevedo-Marchan asked, “What do you need [how much cocaine]?” Bridges stated, “I don’t know. One guy [customer] said he was still working on something, but I know it’s like one and a half [1 ½ kilograms of cocaine].”

13. On February 18, 2011, at approximately 8:32 a.m., Acevedo-Marchan, using Target Phone 6, received an incoming call (Call #3334) from Bridges. During this call, Bridges advised that he had customers who wanted two kilograms of cocaine, but would not be ready until the afternoon. Bridges further advised, “But the guy [MIXON] that want to borrow [purchase] the \$50 [500 grams of cocaine], he’s ready now.” Acevedo-Marchan asked, “Now?” Bridges confirmed, “He’s ready right now.”

14. On February 18, 2011, at approximately 11:36 a.m., surveillance observed a silver KIA sports utility vehicle (“KIA”) park in front of the 7922 South Carpenter Residence, and, moments later, an individual subsequently identified as MIXON exited the KIA and entered the 7922 South Carpenter Residence. At approximately 11:53 a.m., surveillance observed Flores and Acevedo-Marchan arrive in the area of the 7922 South Carpenter Residence. Surveillance observed that Acevedo-Marchan carried a cereal box in his right hand. Surveillance then observed Flores and Acevedo-Marchan enter the 7922 South Carpenter Residence.

15. At approximately 11:58 a.m., surveillance observed MIXON exit the 7922 South Carpenter Residence and, while MIXON was standing on the front porch of the residence, surveillance observed MIXON place a brown bag in the left pocket of his hooded sweatshirt. Surveillance then observed MIXON re-enter the KIA and depart the area. Mobile surveillance was initiated on the KIA at that time.

16. At approximately 12:05 p.m., surveillance observed the KIA park in the area of 8330 South Kerfoot Avenue, Chicago, Illinois; moments later, MIXON exited the KIA, looked directly at an officer on foot surveillance, and then quickly re-entered the KIA. The KIA then departed at a high rate of speed. A short time later, surveillance initiated an investigative stop on the KIA. After MIXON stopped the KIA, law enforcement officers observed MIXON's right hand at his waistband area. A law enforcement officer instructed MIXON to show his hands, at which time MIXON complied and raised both of his hands in the air. A protective pat down of MIXON revealed a brown bag in MIXON's waistband. Inside the brown bag, law enforcement officers discovered a white powdery substance. The white powdery substance was seized by law enforcement. At that time, MIXON was transported to a CPD facility.

17. On February 18, 2011, at approximately 3:55 p.m., MIXON was advised of his *Miranda* rights and agreed to speak to law enforcement officers. MIXON stated that an individual had provided \$15,000 to MIXON to purchase 500 grams of cocaine. MIXON further stated that he went to Bridges' residence in the area of 7900 South Carpenter, Chicago, Illinois in order to purchase cocaine. MIXON stated that, while inside Bridges'

residence, MIXON gave the \$15,000 he had been provided to Bridges, who then counted the money to verify the amount. MIXON stated that two Hispanic males arrived and entered Gabriel Bridges' residence. MIXON stated that one of the Hispanic males had cocaine hidden in a cereal box, and the Hispanic male gave the cocaine to Bridges, who then provided the cocaine to MIXON. MIXON stated that he then left Bridges' residence after Bridges directed him to do so. MIXON stated that he intended on taking the cocaine to a vacant apartment located at 8330 South Kerfoot, Chicago, Illinois, and that MIXON used the vacant apartment to conduct his drug trafficking activities.

18. Law enforcement officers submitted the white powdery substance recovered from MIXON to a DEA laboratory, where it was analyzed by an expert in forensic chemistry. The white powdery substance was determined to consist of 497.5 grams of a mixture containing cocaine.

FURTHER AFFIANT SAYETH NOT.

TIMOTHY L. LESSNER
Special Agent
Drug Enforcement Administration

SUBSCRIBED AND SWORN to before me on June 20, 2011.

Susan E. Cox
United States Magistrate Judge