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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA                   :     **CRIMINAL COMPLAINT**  
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WAYNE LEWIS                                   :     Mag. No. 11-7016

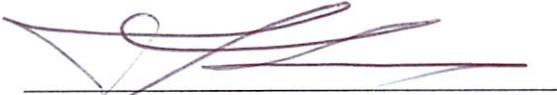
I, Jason Carley, being duly sworn state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.

  
\_\_\_\_\_  
Jason Carley, Special Agent  
Federal Bureau of Investigation

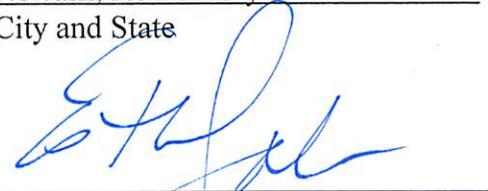
Sworn to before me and subscribed in my presence,

January 26, 2011  
Date

at

Newark, New Jersey  
City and State

Honorable Esther Salas  
United States Magistrate Judge  
Name and Title of Judicial Officer

  
\_\_\_\_\_  
Signature of Judicial Officer

ATTACHMENT A

On or about December 30, 2010, in Essex County, in the District of New Jersey, defendant WAYNE LEWIS, having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Law Division, Essex County, did knowingly possess, in and affecting commerce, ammunition and a firearm, to wit, a .32 caliber Smith & Wesson revolver, bearing serial number 85380, which was loaded with six live .32 caliber bullets.

In violation of Title 18, United States Code, Section 922(g)(1).

## ATTACHMENT B

I, JASON CARLEY, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On December 30, 2010, at or around 7:30 a.m., law enforcement from the Newark Police Department arrived at an apartment complex located on Franklin Avenue in Newark, Essex County, New Jersey to execute an arrest warrant on an unrelated charge upon defendant WAYNE LEWIS (hereinafter "LEWIS"). Upon arriving at LEWIS's residence, officers knocked on the door and LEWIS answered. The officers entered the home with LEWIS. As they walked back into the house through the living room, LEWIS attempted to push an object underneath a couch with his foot. LEWIS was placed under arrest. After placing LEWIS under arrest, officers returned to the living room and saw a gun protruding out from underneath the couch. Officers received consent to search the home from another individual and the firearm was recovered and secured.

2. After law enforcement officers discovered the firearm, LEWIS stated, in substance and in part, that the firearm belonged to him.

3. Law enforcement officers transported LEWIS to police headquarters and advised LEWIS of his Miranda rights. LEWIS signed a waiver of rights form and agreed to be interviewed. During the interview, LEWIS admitted, in substance and in part, that the firearm recovered in his home belonged to him.

4. The recovered firearm was determined to be a Smith & Wesson .32 Caliber Revolver bearing serial number 85380. The revolver was loaded with six live .32 caliber bullets. This revolver is a firearm within the meaning of Title 18, United States Code, Section 921(a)(3) and was not manufactured in New Jersey. The recovered six .32 caliber bullets were also not manufactured in New Jersey.

5. A review of criminal history records conducted after LEWIS was arrested revealed that prior to December 30, 2010, LEWIS was convicted of a felony offense punishable by a term of imprisonment greater than one year in the Superior Court of New Jersey, Essex County.

6. According to the New Jersey Criminal History Record, on or about March 31, 2008, LEWIS was convicted in the Superior Court of New Jersey, Law Division, Essex County, of unlawful possession of a handgun, in violation of *N.J.S.A. 2C:39-5(b)*, and unlawful possession of certain bullets, in violation of *N.J.S.A. 2C:39-3(f)*, and sentenced to three years imprisonment. Those crimes are felonies punishable by imprisonment in excess of one year.