
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Mark Falk
v. : Magistrate No. 11-3682
RICKIE JOE RAKES, JR. : **CRIMINAL COMPLAINT**
a/k/a "Joseph A. Miller" :

I, Thomas A. Greco, 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 Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Thomas A. Greco, Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me, and
subscribed in my presence,
July 21, 2011, at
Newark, New Jersey

HONORABLE MARK FALK
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

Count 1

(Dealing in Firearms Without a License)

From on or about June 27, 2011 through on or about July 20, 2011, in Middlesex County, in the District of New Jersey and elsewhere, defendant

RICKIE JOE RAKES, JR.,
a/k/a "Joseph A. Miller,"

did knowingly and willfully engage in the business of dealing in firearms without having a license to do so, and in the course of such business, shipped, transported, and received firearms in interstate and foreign commerce.

In violation to Title 18, United States Code, Sections 922(a)(1)(A) and Section 2.

Count 2

(Possession of a Firearm by a Previously Convicted Felon)

On or about June 27, 2011, in Middlesex County, in the District of New Jersey and elsewhere, defendant

RICKIE JOE RAKES, JR.,
a/k/a "Joseph A. Miller,"

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Middlesex County, did knowingly possess in and affecting commerce, a firearm, namely, a Savage 12 gauge shotgun bearing serial number XZ514.

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

ATTACHMENT B

I, Thomas A. Greco, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. 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. From on or about June 27, 2011 through on or about July 20, 2011, a cooperating witness (the "CW"), at the direction and under the supervision of law enforcement, purchased firearms from defendant RICKIE JOE RAKES, JR. in Middlesex County, in the District of New Jersey.

2. On or about June 27, 2011, ATF agents met with the CW and provided the CW with a sum of money to be used to purchase firearms from defendant RICKIE JOE RAKES, JR. On or about June 27, 2011, the CW, at the direction and under the supervision of law enforcement, met with defendant RICKIE JOE RAKES, JR., who sold the CW five firearms that defendant RICKIE JOE RAKES, JR. brought into New Jersey from outside the state. In exchange, the CW paid defendant RICKIE JOE RAKES, JR. a sum of money for the five firearms. After the sale, the CW met with law enforcement officers, who took possession of the five firearms, which were identified subsequently as: (1) a Harrington and Richardson American .32 caliber pistol bearing serial number 214; (2) a Fie Titan .25 caliber pistol with an obliterated serial number; (3) a Bryco Arms model 38 .380 caliber pistol bearing serial number 1194962; (4) a Savage 12 gauge shotgun bearing serial number XZ514; and (5) a 12 gauge shotgun from an unidentified manufacturer bearing serial number 71172NF.

3. On or about June 28, 2011, ATF agents met with the CW and provided the CW with a sum of money to use to purchase firearms from defendant RICKIE JOE RAKES, JR. On or about June 28, 2011, the CW, at the direction and under the supervision of law enforcement, met with defendant RICKIE JOE RAKES, JR., who sold the CW eight firearms that defendant RICKIE JOE RAKES, JR. brought into New Jersey from outside the state. In exchange, the CW paid defendant RICKIE JOE RAKES, JR. a sum of money for the eight firearms. After the sale, the CW met with law enforcement officers, who took possession of the eight firearms, which were identified subsequently as: (1) a Tanfoglio E15 .22 caliber revolver bearing serial number J008139; (2) a Clerke Technicorp Clerke 1st .32 caliber revolver bearing serial number 877999; (3) a Colt Python .357 revolver with an obliterated serial number; (4) a RG Industries RG23 .22 caliber revolver bearing serial number T609158; (5) a Harrington and Richardson .22 caliber revolver bearing serial number 601758; (6) an I.A.G. Galesi .25 caliber pistol bearing serial number 302344; (7) a Davis Industries D32 .32 caliber derringer bearing serial number 126665; and (8) an Armscor of the Philippines M116 .22 caliber rifle bearing serial number A321648.

4. On or about June 30, 2011, ATF agents met with the CW and provided the CW a sum of money to use to purchase firearms from defendant RICKIE JOE RAKES, JR. On or about June 30, 2011, the CW, at the direction and under the supervision of law enforcement, met with defendant RICKIE JOE RAKES, JR., who sold the CW five firearms that defendant RICKIE JOE RAKES, JR. brought into New Jersey from outside the state. In exchange, the CW paid defendant RICKIE JOE RAKES, JR. a sum of money for the five firearms. After the sale, the CW met with law enforcement officers, who took possession of the five firearms, which were identified subsequently as: (1) a Remington Arms Mohawk 10C .22 caliber rifle bearing serial number 2546629; (2) a Ceska Zbrojovka model M52 7.62 mm rifle bearing serial number S18331; (3) a Romarm/Cugir model WASR-1063/KR 7.62 mm rifle bearing serial number 1971CZ5183; (4) a Hi Point model JCP .40 caliber pistol bearing serial number 7102475; and (5) a Para U.S.A., Inc. model GI Expert .45 caliber pistol bearing serial number G103119.

5. On or about July 12, 2011, the CW introduced an undercover law enforcement officer (the "UC") to defendant RICKIE JOE RAKES, JR. For the purposes of purchasing firearms from defendant RICKIE JOE RAKES, JR. Prior to meeting with defendant RICKIE JOE RAKES, JR., the UC met with the CW and provided the CW with a sum of money to use to purchase firearms from defendant RICKIE JOE RAKES, JR. Subsequently, on or about July 12, 2011, at the direction and under the supervision of law enforcement, the CW and the UC met with defendant RICKIE JOE RAKES, JR., who sold the CW and the UC ten firearms and a quantity of ammunition that defendant RICKIE JOE RAKES, JR. brought into New Jersey from outside the state. In exchange, the CW paid defendant RICKIE JOE RAKES, JR. a sum of money and the UC paid defendant RICKIE JOE RAKES, JR. an additional sum of money for the ten firearms. After the sale, the CW and the UC met with law enforcement officers, who took possession of the ten firearms and ammunition, which were identified subsequently as: (1) a Hi Point model C9 9mm pistol bearing serial number P121094; (2) a Raven Arms model MP25 .25 caliber pistol bearing serial number 1837377; (3) a Raven Arms model MP25 .25 caliber pistol bearing serial number 1845005; (4) a Weihrauch Hermann model EAIR .38 caliber revolver bearing serial number 1082566; (5) a Ruger model SPI01 .357 caliber revolver bearing serial number 57438646; (6) a Lorcin model L25 .25 caliber pistol bearing serial number 311518; (7) a Freedom Arms unspecified model .22 caliber revolver bearing serial number B08113; (8) a Jimenez Arms model J.A. 380 .380 caliber pistol bearing serial number 153820; (9) a Jimenez Arms model J.A. 22 .22 caliber pistol bearing serial number 1148345; (10) a Maverick model 88 12 gauge shotgun bearing serial number MV49917E; (11) 50 rounds of Magtech .25 caliber ammunition; (12) 50 rounds of Remington .22 caliber ammunition; and (13) 5 rounds of Remington 9mm ammunition.

6. The transactions described in paragraphs 2 through 5 above were consensually recorded on audio. On the recordings, defendant RICKIE JOE RAKES, JR., the CW, and the UC discussed, in substance and in part, the sale of firearms by defendant RICKIE JOE RAKES, JR., including the amounts paid to defendant RICKIE JOE RAKES, JR. for the purchase of the firearms described in paragraphs 2 through 5 above.

7. On or about July 20, 2011, an ATF agent queried the ATF National Firearms Licensing Database and determined that defendant RICKIE JOE RAKES, JR. did not possess and had never applied for a Federal Firearms License required to deal in firearms.

8. On or about November 1, 2002, defendant RICKIE JOE RAKES, JR. was convicted in the Superior Court of New Jersey, Middlesex County, of possession of a handgun, in violation of N.J.S.A. § 2C:39-5b, a crime punishable by a term of imprisonment exceeding one year .

9. Each of the firearms described in paragraphs 2 through 5 above are weapons that will, are designed to, or may readily be converted to expel a projectile by the action of an explosive, within the meaning of 18 U.S.C. § 921(a)(3).

10. Each of the firearms and ammunition described in paragraphs 2 through 5 above were not manufactured in the State of New Jersey and thus necessarily traveled through interstate commerce prior to being possessed by defendant RICKIE JOE RAKES, JR. and sold by defendant RICKIE JOE RAKES, JR. to the CW and the UC.