UNITED STATES DISTRICT COURT

for the

District of New Jersey

ORIGINAL FILED
OCT 17 2011
WILLIAM T. WALSH, CLERK

United States of America v. Isiah Ruffin	)))))	Case No. 11-2067 (JS)

Defendant

CRIMINAL COMPLAINT

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

On or about the date of _____ in the county of Atlantic in the _____ District of New Jersey, the defendant violated _____ U. S. C. § _____, an offense described as follows:

See Attachment A

This criminal complaint is based on these facts:

See Attachment B

☑ Continued on the attached sheet.

Complainant's signature

Daniel Garrabrant, Federal Bureau of Investigation

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/17/2011

Judge's signature

City and state: Camden, New Jersey

Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: _____
JASON M. RICHARDSON, AUSA

Date: October 17, 2011

Attachment A

Count 1

On or about March 26, 2011, in Atlantic County, in the District of New Jersey, and elsewhere, defendants

SHAMERRIA SMITH,
AZIZ SANDERS, and
DESHAWN HICKS

did obstruct, delay, and affect commerce and the movement of any articles or commodities in commerce by robbery, in that, defendants SMITH, SANDERS and HICKS and others, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of drug proceeds belonging to Victim #4, and Victim #1 from the person or in the presence of Victim #1, Victim #2, Victim #3, Victim #4, and Nadirah Ruffin, against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, that is, by using physical force, brandishing a firearm, unlawful restraint and otherwise threatening them.

In violation of Title 18, United States Code, Section 1951(a), and Title 18, United States Code, Section 2.

Count 2

On or about March 26, 2011, in Atlantic County, in the District of New Jersey, and elsewhere, defendants

SHAMERRIA SMITH,
AZIZ SANDERS, and
DESHAWN HICKS

did willfully and unlawfully kidnap, abduct, seize and carry away, Nadirah Ruffin, and transport the victim in interstate commerce from New Jersey to Pennsylvania, for ransom, reward or otherwise and Nadirah Ruffin's death resulted.

In violation of Title 18, United States Code, Section 1201(a)(1), and Title 18, United States Code, Section 2.

Count 3

On or about March 26, 2011, in the District of New Jersey and elsewhere, defendants

SHAMERIA SMITH,
AZIZ SANDERS, and
DESHAWN HICKS

did knowingly and willfully use, carry, and brandish a firearm, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, Hobbs Act robbery, contrary to Title 18, United States Code, Section 1951(a) and kidnaping, contrary to Title 18, United States Code, Section 1201.

In violation of Title 18, United States Code, Sections 924(c)(1)(A), and Title 18, United States Code, Section 2.

Count 4

On or about April 12 and 29, 2011, in Atlantic County, in the District of New Jersey, and elsewhere, defendant

ISIAH RUFFIN

in a matter within the jurisdiction of the executive branch of the Government of the Untied States, namely the investigation into the Hobbs Act robbery, kidnaping and murder of Nadirah Ruffin, defendant RUFFIN did knowingly and willfully make materially false, fictitious, and fraudulent statements and representations.

In violation of Title 18, United States Code, Section 1001.

Count 5

On or about July 30, 2011, in Atlantic County, in the District of New Jersey, and elsewhere, defendants

HENRY RUFFIN, and
RONNIE RUFFIN

used and attempted to use physical force and the threat of physical force against Isiah Ruffin by grabbing him by the neck and lifting him off the ground, with the intent to prevent the communication to a law enforcement officer, that is, the Federal Bureau of Investigation, of information relating to the commission of a Federal offense, that is kidnapping, contrary to Title 18, United States Code, Section 1201.

In violation of Title 18, United States Code, Section 1512(a)(2)(C), and Title 18, United States Code, Section 2.

ATTACHMENT B

COMPLAINT AFFIDAVIT

I, Daniel Garrabrant, Special Agent with the Federal Bureau of Investigation ("FBI"), have knowledge of the following facts based on my own investigation and upon conversations with other individuals involved in this investigation. I have not included all of the facts known to me in this Affidavit, just those facts which I believe are necessary to establish probable cause. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part:

1. I am a special agent of the Federal Bureau Investigation ("FBI") and have been employed by the FBI for 13 years. I am currently assigned to the Atlantic City Resident Agency, where I investigate crimes against children, violent crimes, including homicides, the use of interstate commerce facilities in the commission of murder-for-hire, narcotics trafficking, money laundering and firearms trafficking. I have received specialized training in forensic analysis as it pertains to homicide investigations and have taught courses on this subject to numerous other law enforcement officers, both in the United States and in several foreign countries.

I. Summary

2. Based on the investigation discussed below, there is probable cause to believe that SHAMERRIA SMITH, AZIZ SANDERS, DESHAWN HICKS and others, were involved in the planning and/or participation of the home invasion robbery that occurred at a residence located in Atlantic City, New Jersey (hereinafter referred to as Location #1) on March 26, 2011. During the robbery, the defendants assaulted the residents of Location #1 and stole money and drugs. The defendants then kidnapped Nadirah Ruffin from the residence. After leaving the house, Nadirah Ruffin was not seen alive again. Her body was recovered from the Schuylkill River in Philadelphia, Pennsylvania, on April 19, 2011. An Assistant Philadelphia County Medical

Examiner examined Nadirah Ruffin's remains and determined that the cause of death was a gunshot wound to the head and the manner of death was homicide. The home invasion appears to have been in retaliation for an assault on ISIAH RUFFIN, which occurred on March 23, 2011.

3. The investigation has further revealed that SHAMERRIA SMITH, AZIZ SANDERS, and ISIAH RUFFIN are all first cousins as their parents are siblings. HENRY RUFFIN and RONNIE RUFFIN are brothers. RONNIE RUFFIN is SHAMERRIA SMITH's father. I am unaware of any familial relationship between Nadirah Ruffin and any of the defendants.

II. Investigation

A. Assault of Isiah Ruffin

4. Multiple eye witnesses advised that they observed and heard a physical altercation on Wednesday, March 23, 2011, between T.W. and ISIAH RUFFIN, who were involved in a romantic relationship, in the North Maryland Avenue area of Atlantic City, New Jersey which is also known as "Back Maryland." The fight occurred as a result of ISIAH RUFFIN's alleged romantic involvement with another woman. During the course of this altercation, T.W. struck ISIAH RUFFIN. T.W. also struck Nadirah Ruffin (no relation to ISIAH RUFFIN), who was also present. Based upon what they heard of the altercation the witnesses concluded that T.W. believed that the woman with whom ISIAH RUFFIN was involved was Nadirah Ruffin.

5. After learning that Nadirah Ruffin was hit, Victim #1, who was a friend of Nadirah Ruffin and the person who rented Location #1 advised that she went to T.W.'s residence and confronted T.W. When Victim #1 confronted T.W. about slapping Nadirah Ruffin, Victim #1 also told T.W. that ISIAH RUFFIN had grabbed her buttocks and made sexual innuendoes to

her.

6. Victim #1 advised that she subsequently contacted D.H., a/k/a "Goldie," who is the father of her child. Victim #1 told D.H. about the incident and also stated that ISIAH RUFFIN was disrespectful to her by touching her buttocks in a suggestive manner.

7. According to Cooperating Witness #1 (hereinafter CW-1)[1] and Cooperating Witness #3 (hereinafter CW-3),[2] persons familiar with the incident, they observed ISIAH RUFFIN meet D.H. in the courtyard area of the housing complex on N. Maryland Avenue in the afternoon of March 23, 2011. After a brief discussion, D.H. assaulted ISIAH RUFFIN, striking him in the face repeatedly. ISIAH RUFFIN was knocked unconscious and robbed of United States currency. When ISIAH RUFFIN regained consciousness he walked toward D.H. and D.H. again assaulted ISIAH RUFFIN. On March 23, 2011, ISIAH RUFFIN was transported by ambulance to Atlantic City Medical Center, City Division. He told emergency personnel that he had been knocked unconscious and suffered facial contusions.

8. Following the assault, ISIAH RUFFIN told investigators on April 12, 2011 that he was unconscious when he arrived at the at hospital and woke up there. ISIAH RUFFIN also advised FBI agents that he had no idea who assaulted him or robbed him. Even after being advised that lying to a Federal Agent is a violation of 18 U.S.C. § 1001, ISIAH RUFFIN again

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[1] CW-1 has been convicted of two disorderly theft offenses. I am aware of no pending criminal charges against CW-1. CW-1 has furnished information pertaining to this case which has been corroborated by the victims, other witnesses and information from other informants.

[2] CW-3 has been adjudicated delinquent as a juvenile and convicted of two disorderly theft offenses. I am aware of no pending criminal charges against CW-3. CW-3 has furnished information pertaining to this case which has been corroborated by the victims, other witnesses and information from other informants.

insisted that he was rendered unconscious until he woke up in the hospital and he had no idea who struck him in the face. He did, however, acknowledge that several hundred dollars was taken from him during the assault.

9. Cooperating Witness #2 (hereinafter CW-2)[3] and CW-3 advised that, after being released from the hospital, ISIAH RUFFIN told numerous people, including SHAMERRIA SMITH, his first cousin, that D.H. assaulted him.

10. ISIAH RUFFIN was interviewed again by the FBI on April 29, 2011. During the interview, ISIAH RUFFIN advised that the first time he learned who assaulted and robbed him was from the Atlantic City Police Department ("ACPD") Officers when they interviewed him on March 27, 2011, after Nadirah Ruffin was kidnapped. However, he advised that he had no idea "Goldie" (D.H.) had anything to do with the assault and robbery.

B. Interview of D.H. a/k/a "Goldie"[4]

11. On June 15, 2011, D.H. was interviewed and stated that in March 2011, he was contacted by Victim #1, the mother of his child, who told him that ISIAH RUFFIN "was grabbing her ass." Based on that conversation, D.H. attempted to locate ISIAH RUFFIN and called ISIAH RUFFIN's mother and his girlfriend, T.W. Eventually, D.H. obtained ISIAH RUFFIN's telephone number and called him. During the call, D.H. asked ISIAH RUFFIN about

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[3] CW-2 has been convicted of theft and possession of a controlled dangerous substance. CW-2 has furnished information pertaining to this case which has been corroborated by the victims, other witnesses and information from other informants. CW-2 has provided other information that has led to the arrest of individuals in other cases. CW-2 has received financial remuneration as a result of his cooperation.

[4] D.H. has been convicted of multiple offenses, including possession of a handgun and possession of narcotics. He is currently on probation.

the incident with Victim #1 and then asked to meet with ISIAH RUFFIN somewhere in Back Maryland. When D.H. and ISIAH RUFFIN met in Back Maryland he confronted ISIAH RUFFIN about the incident with Victim #1. According to D.H., ISIAH RUFFIN responded by saying something to the effect of "we ain't about to argue over some bitches." D.H. stated he did not like ISIAH RUFFIN's response and punched him in the face and knocked him to the ground. After ISIAH RUFFIN was on the ground, D.H. acknowledged stomping him repeatedly. As he was stomping ISIAH RUFFIN, D.H. heard T.W. screaming his (D.H.'s) name. D.H. then stopped assaulting ISIAH RUFFIN and left the area. D.H. stated that he has known ISIAH RUFFIN for several years because ISIAH RUFFIN is a good friend of his cousin, J.A.

C. The Planning of the Home Invasion

12. According to CW-1, SHAMERRIA SMITH, ISIAH RUFFIN's first cousin, was extremely upset about ISIAH RUFFIN being assaulted and robbed by D.H. CW-1 advised that SMITH was adamant that she wanted to retaliate against D.H. by doing a home invasion at Victim #1's residence and assault Victim #1. CW-1 further advised that SMITH blamed Victim #1 because Victim #1 told D.H. that ISIAH RUFFIN had touched her buttocks which then led to D.H. assaulting ISIAH RUFFIN. CW-1 also stated that SMITH was getting information on the layout of Victim #1's residence and an estimate of the amount of drugs Victim #1 sold from the residence in preparation for carrying out a robbery. It was common knowledge of the residents who live in the area of Location #1 that Victim #1 sold an illicit/illegal street narcotic called "woki," which is embalming fluid that is applied to cigarettes or marijuana and then smoked.

13. According to CW-2, a person familiar with the incident and not facing criminal charges, on March 26, 2011, SHAMERRIA SMITH, AZIZ SANDERS, and DESHAWN HICKS

(SANDERS' friend) were present at a residence on North Maryland Avenue, Atlantic City, New Jersey. I have been to the North Maryland Avenue residence. I would estimate the distance between that residence and Location #1 is less than 100 yards. According to CW-2 and CW-3, SMITH, SANDERS and HICKS were all dressed in dark colored clothing, wearing hooded sweatshirts, at least one was wearing a mask and one or more were wearing gloves. CW-2 and CW-3 heard SMITH say that she wanted Victim#1's face to look like ISIAH's face. CW-2 and CW-3 advised that they left the residence on North Maryland Avenue at approximately 22:00 hours and that SMITH, SANDERS, HICKS, T.W. and ISIAH RUFFIN were all still in that residence.

D. The Home Invasion

14. On Saturday, March 26, 2011, at approximately 23:39 hours, the ACPD received a 911 call at its communication center reporting a home invasion. The location of the incident was Location #1, Atlantic City, New Jersey. During the investigation, based on interviews with the victims, law enforcement officials learned that at approximately 23:00 hours, a group of individuals wearing masks and dark hooded sweatshirts and armed with handguns entered Victim #1's residence at Location #1. At the time of the home invasion, Victim #1 was renting the property and living there with her minor child. The minor child was not present during the home invasion. When the assailants entered the property, there were five adult women in the house, including Nadirah Ruffin. During the course of the home invasion, Victim #1 was pistol whipped about the face with a handgun and duct tape was placed over her head, eyes and wrists. Victim #2 was staying at the residence and was a friend of Victim #1. When the assailants entered the residence Victim #2 was near the front door and pistol whipped so hard that she was

knocked off balance and landed several feet away. Victim #2 had her head, eyes and wrists duct taped. Victim #3 was visiting the residence and is a family friend of Victim #1. Victim #3 had her head, eyes and wrists duct taped. Victim #4 was visiting the residence and is a family friend of Victim #1. Victim #4's head and eyes were duct taped. The fifth victim was Nadirah Ruffin, who was living at the residence with her four year old son. Her son was not present at the time of the home invasion. During the home invasion, at least one intruder punched and kicked Nadirah Ruffin.

15. Victims #1 through #4 advised that of the assailants that entered the property, at least one was a female, who I believe, based on the averments set forth in this Affidavit, was SHAMERRIA SMITH. The other assailants appeared to be males, two of whom I believe, based on the averments set forth in this Affidavit, were AZIZ SANDERS and DESHAWN HICKS. According to the Victims, the female appeared to be in charge of the group. Upon entering the residence the masked female began pistol whipping the occupants and knocking them to the ground. As the female assailant was giving directions, the other assailants duct taped the occupants of the residence. All but one of the victims had duct tape placed on their eyes and wrists. Victim #4 only had her head and face duct taped. Once the victims were bound, the suspects ransacked the home, including the attic. The suspects appeared to be looking for drugs and money. Several of the victims were robbed of cash from their persons or pocketbooks. According to Victim #1, some of the currency was earned from the sale of woki. Victim #1 advised that she obtained her woki in Philadelphia. Victim #4 advised that she had

approximately 50 bags of marijuana stolen from her purse.[5]

16. According to the Victims, during the course of the home invasion the intruders searched the attic area, which was accessed through a small hatch in the master bedroom closet. The assailants appeared to be familiar with the layout of the residence.

17. The Victims advised that through comments that were made during the home invasion, the assailants appeared to be aware that none of the children were in the residence at the time. One of the male suspects also appeared to know the identities of some of the women in the house. This male suspect identified Victim #1 as the occupant/renter of the residence.

18. During the home invasion the assailants smashed and disabled Nadirah Ruffin's cellular telephone and placed it in a sink full of water. The additional victims also had their cellular telephones thrown in a sink full of water, disabling them.

19. During the course of the home invasion, Victim #2 and Victim #4 heard Nadirah Ruffin state, in sum and substance: "Shamerria why are you doing this to me." Ruffin repeated the name, "Shamerria" and told "Shamerria" that "you know me." In response "SHAMERRIA" said, "Now we got to take the bitch" and "now we have to kill the bitch."

20. According to the remaining Victims, after finishing their search for the unspecified items, "SHAMERRIA" told the victims not to move for several minutes or they would be killed. The assailants then forced Nadirah Ruffin to leave the house with them. The Victims reported that the assailants went out of the rear of the residence, out of the sliding glass

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[5] Based on my training and experience, and discussion with other law enforcement officers, I am aware that almost all of the illegal drugs sold in Atlantic City, including marijuana, come from outside the state of New Jersey.

door. The Victims waited to ensure that the assailants had left the area, and then went to a neighboring residence to call 911. During the investigation, the Victims provided a physical description of Nadirah Ruffin as well as a description of her clothing that she was wearing when she was kidnapped.

D. After the Home Invasion

21. One or two days after the home invasion, SHAMERRIA SMITH admitted to CW-1 that Nadirah Ruffin recognized SMITH's voice during the home invasion and Nadirah Ruffin would not stop talking. According to SMITH, she and her co-conspirators believed Nadirah Ruffin would "snitch." (At the time of this conversation, Nadirah Ruffin was still missing and had not been heard from after having been kidnapped from Location #1). SMITH also said that when Nadirah Ruffin was located she would no longer be talking.

E. Recovery of Nadirah Ruffin's Remains

22. On Tuesday, April 19, 2011 at approximately 10:35 a.m., the Philadelphia Police Department received a 911 call reporting the discovery of a human body in the Schuylkill River in the area of Martin Luther King Drive and Black Road. The body was removed by the Philadelphia Police Department Marine Unit. The female body had a handcuff on the left ankle and a piece of clothing wrapped around her head. Duct tape was wrapped in layers over the khaki colored piece of clothing all around her head and down to her neck. On April 20, 2011, an Assistant Philadelphia County Medical Examiner examined the body recovered in the Schuylkill River and determined that it was Nadirah Ruffin's remains. Nadirah Ruffin appeared to be dressed in the same clothing that she was wearing when taken from the residence in Atlantic City as described by the Victims when they were interviewed by law enforcement prior to the

recovery of the body. The Assistant Medical Examiner then determined that the cause of death was a penetrating gunshot wound to the head. The Assistant Medical Examiner opined that the projectile traveled from right to left, back to front and downward. The Medical Examiner ruled that the manner of death was homicide.

23. During the autopsy of Nadirah Ruffin, pieces of the projectile that killed her were recovered. The bullet fragments were sent to the FBI Laboratory. On May 21, 2011, an examiner with the FBI's Firearms and Toolmarks Section made the following findings after examining the projectile recovered from Nadirah Ruffin's head. The examiner determined that the fragments were from a .38 caliber (which includes 9mm/.380 auto caliber rounds), copper jacketed hollow point bullet.

F. Interview of Shamerria Smith

24. On April 7, 2011, the ACPD detectives interviewed SHAMERRIA SMITH. During the interview, SMITH claimed that she had no information relating to the home invasion and kidnapping of Nadirah Ruffin. She identified her father as RONNIE RUFFIN (no relation to the victim, Nadirah Ruffin), who resides in Lindenwold, New Jersey and her mother as D.S., who resides in the Back Maryland area. As to Nadirah Ruffin, SMITH advised that she first met her in June 2010 but did not recall seeing Nadirah Ruffin since March 10, 2011. However, SMITH was aware that Nadirah Ruffin smoked marijuana and "woki." She was also aware that Victim #1 sold "woki" from her apartment. During the interview SMITH identified ISIAH RUFFIN as her first cousin. On the night of the March 26, 2011 home invasion SMITH stated she was at home with "female" issues with the father of her child. SMITH said she had wanted to go to the Nicki Minaj show but was too sick. She stated that she had not been out of the house much and

was just starting to feel better. She stated that she was staying at her father's address in Lindenwold, New Jersey since April 3, 2011.

25. On April 8, 2011, SHAMERRIA SMITH was again interviewed by detectives from ACPD. During the interview, SMITH advised that she first found out about the kidnapping from J.A., who was a friend of ISIAH RUFFIN who was also dating Nadirah Ruffin. According to SMITH, J.A. called and told her what happened and then her cousin ISIAH RUFFIN also called and told her what had happened. She claimed she did not talk to either J.A. or ISIAH RUFFIN until late Sunday (March 27, 2011). According to SMITH, Nadirah Ruffin should not have been in the residence with that group of girls because of the drug activity that was going on. SMITH stated that she knew Nadirah Ruffin because Nadirah Ruffin used to take her to the grocery store. She also smoked marijuana with Nadirah Ruffin a few times. When asked about the other women at Location #1 on the night of the kidnapping, SMITH stated that she used to go out with Victim #3's step brother. SMITH identified the woman whose house it was, as Victim #1, and said she was known on the street as "that bitch with the woki." She also "knew the door and what her house was about," meaning she knew that Victim #1 was a popular seller of woki; she claimed people would say, "I am gonna get it from 'that Bitch Mo.'" SMITH said she did not know the rest of the women in the house. When asked to account for her whereabouts on Saturday, March 26, 2011, SMITH advised that she wanted to go out, but was hurting badly because of a medical problem. She admitted that she was planning to see her "little cousin" ISIAH RUFFIN who "got beat up." She said he was beaten so badly that she cried when she saw him. ISIAH RUFFIN told SMITH that the guy who beat him up claimed that ISIAH RUFFIN touched his girlfriend's butt. ISIAH RUFFIN told SMITH that when he met the male, the male

just started beating him up. SMITH heard that "Goldie" put ISIAH RUFFIN "to sleep," (meaning he was knocked unconscious) twice and he did it in front of ISIAH RUFFIN's baby's mother (T.W.). According to SMITH, Goldie was trying to disrespect ISIAH RUFFIN and she (SMITH) was angry about this. However, on the night of the home invasion, SMITH claimed that she went to the store and then stayed in the house with her son's father, who came to take care of her. SMITH denied going anywhere other than her house or her mother's house in Back Maryland. SMITH then talked about how she did things and she said, "I do not take no shit, I do not let the guys disrespect me or I will smack them, I have always hung around guys, I'm butch." A few days after the kidnapping she stated she went to her father RONNIE RUFFIN's house in Lindenwold. She again claimed that on Saturday night, the night of the home invasion, she was so sick that she did not even answer the phone when her father was calling. She did not speak with her father until late the next day. RONNIE RUFFIN told her to come stay with him in Lindenwold and she did. She further stated her mother drove her to Lindenwold and she just came back on the train on April 6, 2011.

G. Phone Activity Around the Time of the Murder

26. The investigation has revealed that the home invasion began at approximately 22:50 hours and that it lasted approximately 30 to 40 minutes.

27. The telephone analysis reveals that SHAMERRIA SMITH, DESHAWN HICKS and AZIZ SANDERS's cell phones were in the Atlantic City area during the time immediately prior to the home invasion using cell towers that cover Victim #1's residence. A review of telephone phone records revealed that SMITH, SANDERS and HICKS's phones were off during the time period that the home invasion was occurring. Records further reveal that during the

duration of the home invasion, ISIAH RUFFIN and T.W.'s phones repeatedly attempted to contact SMITH and HICKS. Immediately after the home invasion, SMITH and HICKS's phones became active again and ISIAH RUFFIN's phone communicated with SMITH's phone. There were at least four calls between ISIAH RUFFIN's phone and SMITH's phone. After the last call, ISIAH RUFFIN's phone made a 911 call and requested an ambulance for a sick child.[6] After talking to ISIAH RUFFIN's phone for the last time, SMITH's phone and HENRY RUFFIN's phone were in contact multiple times while SMITH's phone was traveling west in the direction of Philadelphia.[7] As noted earlier, HENRY RUFFIN is the uncle of SMITH, SANDERS and ISIAH RUFFIN. Records also reveal that ISIAH RUFFIN's phone attempted to contact SANDERS' phone approximately nine times but SANDERS's phone remained off.

28. HICKS's cell phone also tracked westward across New Jersey. While HICKS's phone traveled from Atlantic City to Camden County, it communicated with HENRY RUFFIN's phone several times. During the time that HICKS's phone was communicating with HENRY RUFFIN's phone, SMITH's phone was not in contact with HENRY RUFFIN's phone. Based on connection records, at approximately 0:39 hours, HICKS's cell phone was in the same geographic area in Blackwood, New Jersey with HENRY RUFFIN's phone and SMITH's phone.

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[6] During the 911 call, ISIAH RUFFIN told the 911 operator that his infant daughter would not stop throwing up. According to EMS records, an ambulance was dispatched at 23:55 hours, it arrived at 00:03 hours to pick up T.W. and her daughter and arrived at Atlantic City Medical Center at 00:21 hours. However, according to hospital records, when T.W.'s daughter was evaluated by the ER staff at 00:32 hours, T.W. told the staff that the child's "been coughing and her nose is running." T.W. and her daughter left the ER at approximately 01:42 hours without being seen by a doctor.

[7] As noted earlier, SMITH told investigators that she remained at home in Atlantic City on the night of the robbery and kidnapping of Nadirah Ruffin.

Eventually, HICKS's cell phone and HENRY RUFFIN's cell phone utilized the same cellular towers in the geographic area of I-676 in Camden, New Jersey. HICKS' cell phone then traveled into the Philadelphia area and utilized a cellular tower in the Philadelphia area that overlapped the area in which Nadirah Ruffin's body was recovered from the Schuylkill River. As HICKS's phone was leaving Philadelphia, HICKS's phone placed a call to SMITH's sister's cell phone at March 27, 2011 at 03:36 hours.[8] Thereafter, HICKS and SMITH's phones were utilizing the same cellular tower in Clementon, New Jersey (which is located near RONNIE RUFFIN's residence).[9] As noted earlier, RONNIE RUFFIN is SMITH's father.

29. On March 26, 2011, HICKS's cell phone communicated with ISIAH RUFFIN's phone approximately 11 times, prior to, during and after the home invasion. Between March 24, 2011 and March 31, 2011, HICKS's cell phone communicated with AZIZ SANDERS's phone approximately 54 times. The only time they were not in communication was immediately prior to the home invasion until the afternoon of March 27, 2011.

H. Witness Intimidation/Tampering of Witness

30. According to Cooperating Witness #4 (hereinafter CW-4),[10] who is not facing

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[8] Based on my review of telephone toll records, between on or about March 20, 2011 to September 7, 2011, HICKS's telephone called SMITH's sister's telephone and HENRY RUFFIN's telephone only on the morning of March 27, 2011.

[9] This cellular tower is approximately 1 mile from the address of 98 Oak Lane, Lindenwold, New Jersey and 2012 Arborwood Apartments, Lindenwold, New Jersey addresses associated with HENRY RUFFIN.

[10] I am aware of no prior criminal convictions for CW-4. CW-4 has furnished information pertaining to this case which has been corroborated by other witnesses and information from other informants.

criminal charges, and CW-1, they were both present at T.W.'s house on the evening of July 30, 2011, when HENRY RUFFIN (ISIAH RUFFIN and SHAMERRIA SMITH's uncle) and RONNIE RUFFIN (ISIAH RUFFIN's uncle and SHAMERRIA SMITH's father) entered T.W.'s house, without her consent, through the unlocked front door. As HENRY RUFFIN and RONNIE RUFFIN entered the house, ISIAH RUFFIN stood up from the couch and greeted them in the hallway. At that time, HENRY RUFFIN and RONNIE RUFFIN started yelling at him, saying in sum and substance, "what the fuck are you saying;" "what are you telling the FBI?" RONNIE RUFFIN grabbed ISIAH RUFFIN around the throat and started choking him. RONNIE RUFFIN pushed ISIAH RUFFIN up against the wall and lifted him off the floor by his neck while yelling at ISIAH RUFFIN to keep his mouth shut.

31. HENRY RUFFIN and RONNIE RUFFIN eventually told ISIAH RUFFIN, "You coming with us," at which time, they grabbed ISIAH RUFFIN by his neck and took him out of the back door of the residence. CW-1 advised that ISIAH RUFFIN told CW-1 that HENRY RUFFIN and RONNIE RUFFIN took ISIAH RUFFIN to SHAMERRIA SMITH's house. While they were dragging him, HENRY RUFFIN repeatedly stated that he was going to kill ISIAH RUFFIN. While RONNIE RUFFIN dragged ISIAH RUFFIN, he was hitting him in back of the head. CW-1 reported that ISIAH RUFFIN told him/her that once at SMITH's house RONNIE RUFFIN stated that he heard ISIAH was talking to the FBI and he better stop. HENRY RUFFIN said that if he found out ISIAH RUFFIN talked to the FBI he was going to kill him. HENRY RUFFIN and RONNIE RUFFIN both warned ISIAH RUFFIN that if his name appeared on any discovery down the road they would kill him.