

*United States District Court
District of New Jersey*

ORIGINAL FILED

JUN 11 2007

MADELINE COX ARLEO
U.S. MAG. JUDGE

UNITED STATES OF AMERICA

:

CRIMINAL COMPLAINT

v.

:

DOUG BATEMAN, and
WILLIAM GARCIA, a/k/a "Papo"

:

Magistrate No. 07-8067

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From on or about July 18, 2006 through on or about July 27, 2006, and on or about January 9, 2007, in the District of New Jersey and elsewhere, defendants DOUG BATEMAN and WILLIAM GARCIA, a/k/a "Papo," did

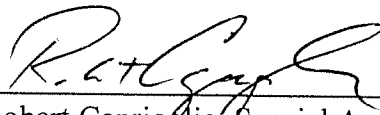
SEE ATTACHMENT A

in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Sections 922(g)(1) and 2.

I further state that I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF") and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.


Robert Caprioglio, Special Agent ATF

Sworn to before me and subscribed in my presence,

June 11, 2007
Date

Newark, New Jersey
City and State


HON. MADELINE COX ARLEO
United States Magistrate Judge

ATTACHMENT A

Count I

From on or about July 18, 2006 through on or about July 27, 2006, at Newark, in Essex County, in the District of New Jersey and elsewhere, the defendants, DOUG BATEMAN and WILLIAM GARCIA, a/k/a "Papo," did knowingly and intentionally combine, conspire, confederate and agree with each other and others, to distribute and possess with intent to distribute a quantity of a mixture or substance which contains cocaine base, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), in violation of Title 21, United States Code, Section 846.

Count II

On or about January 9, 2007, at Newark, in Essex County, in the District of New Jersey and elsewhere, the defendant, DOUG BATEMAN, having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm, namely a .380 caliber Hi-Point semi-automatic pistol, serial number P706252, in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

ATTACHMENT B

I, Robert Caprioglio, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF"), and have been involved with this long term investigation of the 9-3 set of the Bloods street gang operating in parts of Newark, New Jersey. I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since 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.

Count I

July 27, 2006, Sale of 54 grams of Cocaine Base

1. On or about July 18, 2006, a cooperating witness (hereinafter "CW-1") called defendant DOUG BATEMAN to arrange a face to face meeting for the purpose of arranging a future drug sale. During the telephone conversation, it was agreed that the CW-1 would pick defendant DOUG BATEMAN up near his residence at 17 Wakeman Avenue, Newark, New Jersey.
2. On or about July 18, 2006, at approximately 2:17 p.m., CW-1 drove to the corner of 2nd Avenue and Summer Avenue in Newark, New Jersey and picked up defendant DOUG BATEMAN. They then drove to Branch Brook Park in Newark where they exited the CW-1's vehicle and sat on a park bench. CW-1 and defendant DOUG BATEMAN discussed the defendant supplying in the near future CW-1 with a quantity of cocaine base. While seated on the park bench, the defendant gave CW-1 a free sample vial containing crack cocaine.
3. CW-1 provided the single crack cocaine vial to members of the DEA immediately after the meeting. A laboratory test confirmed the presence of cocaine base and a net weight of approximately 0.08 grams.
4. On or about July 27, 2006, CW-1 called defendant DOUG BATEMAN and inquired whether the defendant was ready to commence the sale of a quantity of cocaine base. Defendant DOUG BATEMAN told CW-1 that he needed to call defendant WILLIAM GARCIA, a/k/a "Papo," who was going to introduce CW-1 to the source of supply, and make sure that defendant WILLIAM GARCIA was ready. Defendant BATEMAN said that he would call CW-1 back. Several minutes later, defendant BATEMAN called CW-1 and said he was ready and wanted CW-1 to pick him up at his house. They agreed to meet at the corner of 2nd Avenue and Summer Avenue in Newark, New Jersey in five minutes.
5. On or about July 27, 2006, CW-1 and an undercover police officer (hereinafter "UC") drove to the corner of 2nd Avenue and Summer Avenue in Newark, New Jersey and picked up defendant DOUG BATEMAN. From there, at the direction of defendant BATEMAN, the UC

drove CW-1 and defendant BATEMAN a short distance to the corner of Delavan Avenue and Summer Avenue where defendant WILLIAM GARCIA, a/k/a "Papo" entered the vehicle. At this point, defendant GARCIA gave directions and the UC drove the four of them to the corner of Lincoln Avenue and Delevan Avenue. At this location, CW-1 and defendants BATEMAN and GARCIA exited the vehicle with the UC remaining in the vehicle. While on the sidewalk, defendant GARCIA used CW-1's cellular telephone to call an unknown female and requested 54 grams of crack cocaine. CW-1 overheard the female inform defendant GARCIA that she only had 30 grams. Defendant GARCIA then stated that he was going to take them to "the man" and again used CW-1's cellular telephone to call "the man."

6. CW-1 and defendants BATEMAN and GARCIA got back into the vehicle and defendant GARCIA instructed the UC to drive to the southwest corner of Chester and Broadway in Newark, New Jersey where CW-1 and defendants BATEMAN and GARCIA got out of the vehicle and walked across Broadway to a grocery store and met "the man," who was the source of supply. The "man" who was previously charged as a co-conspirator (hereinafter CC-1), brought CW-1 and defendant GARCIA up to CC-1's apartment where CC-1, along with another previously charged co-conspirator (hereinafter "CC-2"), provided approximately 54 grams of crack cocaine to CW-1 for \$1,300.00. CW-1 also paid defendant WILLIAM GARCIA \$100 for bringing CW-1 to meet CC-1.

7. CW-1 provided the purchased crack-cocaine to members of the DEA immediately after the purchase. A laboratory test confirmed the presence of cocaine base and a net weight of approximately 53.7 grams.

Count II

January 9, 2007, Sale of One Firearm

1. On or about January 8, 2007, another cooperating witness (hereinafter "CW-2") received information that defendant DOUG BATEMAN had a firearm he was trying to sell. CW-2 arranged to purchase the firearm the next day.

2. On or about January 9, 2007, CW-2 went to defendant DOUG BATEMAN's residence, located at 17 Wakeman Avenue, Newark, New Jersey. When CW-2 arrived at defendant BATEMAN's residence, defendant BATEMAN met CW-2 outside and directed CW-2 to follow him inside the residence. Once inside the residence, CW-2 observed a separately charged co-conspirator (hereinafter "CC-3"). Defendant DOUG BATEMAN then walked into a room and retrieved a firearm from underneath two baby carriages and handed the firearm to CW-2. Defendant BATEMAN told CW-2 that the firearm did not come with magazines or ammunition. CW-2 then gave CC-3 money for the firearm. As CW-2 exited the residence, CC-3 came running out of the residence and stated that CW-2 only gave them \$123, not \$180. CW-2 apologized and stated that he mixed up three \$20.00 bills for three \$1.00 bills. CW-2 then handed CC-3 the additional three \$20.00 bills and left the area.

3. The firearm CW-2 purchased from defendant DOUG BATEMAN and CC-3 on January 9, 2007, was a .380 caliber Hi-Point semi-automatic pistol, serial number P706252. This weapon was manufactured in the United States and sold by a dealer in Bluefield, West Virginia.

4. Based on my knowledge, training, and experience and that of other ATF agents who have worked on this case, it is my opinion that the gun sold by defendant DOUG BATEMAN to CW-2 is a firearm within the meaning of Title 18 U.S.C. Section 921(a)(3).

5. A review of criminal history records revealed that prior to January 9, 2007, defendant DOUG BATEMAN had been convicted of a felony offense punishable by a term of imprisonment exceeding one year in a court in the State of New Jersey. Specifically, on or about April 12, 2005, defendant DOUG BATEMAN was convicted in New Jersey Superior Court, Essex County, of Burglary, in violation of N.J.S.A. Section 2C:18-2.