

Approved: Peter Skinner
PETER SKINNER
Assistant United States Attorney

Before: THE HONORABLE RONALD L. ELLIS
United States Magistrate Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	SEALED
	:	<u>COMPLAINT</u>
- v. -	:	
	:	Violation of 21 U.S.C.
HOSSEIN AMINNIA,	:	§ 846
	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

SCOTT JOSEPH URBEN, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, and charges as follows:

COUNT ONE

1. From at least in or about August 2011, up to and including at least on or about January 9, 2012, in the Southern District of New York and elsewhere, HOSSEIN AMINNIA, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that HOSSEIN AMINNIA, the defendant, and others known and unknown, would and did possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of opium, in violation of 21 U.S.C. § 841(b)(1)(C).

Overt Act

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about January 9, 2011, a co-conspirator not named as a defendant herein ("CC-1") was arrested in New York, New York, while traveling to deliver opium to HOSSEIN AMINNIA, the defendant. At the time of his arrest, CC-1 was carrying roughly 430 grams of a substance that field-tested positive for opiates.

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge, are, in part, as follows:

5. I am a Special Agent with the Federal Bureau of Investigation, and I have been personally involved in the investigation of this matter. This affidavit is based upon my own observations, my conversations with other law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my conversations with other law enforcement officers, I learned that in or about August 2011, a cooperating witness (the "CW")¹ informed law enforcement agents, in substance and in part, the following:

a. The CW knew individuals born in Iran who resided in New York, California, Turkey, Germany and Iran who were involved in the smuggling of opium into the United States. Those individuals hid opium in Persian rugs that originated in Iran, were transported to Germany, and were then sent from Germany to the United States.

¹ The CW has pleaded guilty to a narcotics offense and is awaiting sentencing in connection with that offense. The CW is cooperating with the Government in the hope of receiving a benefit at sentencing. Information that the CW has provided has proven reliable and has been corroborated by independent law enforcement investigation, including the investigation described below.

b. The CW identified CC-1 as a source of supply for opium and Persian rugs. The CW stated that CC-1 had told the CW that CC-1 obtained opium and Persian rugs from Iran in the following manner:

i. A co-conspirator not named as a defendant herein ("CC-2") was a rug repairer and opium dealer located in Mashad, Iran, who obtained opium from nomads residing in the border region between Iran and Afghanistan.

ii. CC-2 hid opium in Persian rugs and drove the rugs and opium from Iran to Hamburg, Germany, where he/she maintained a residence.

iii. CC-2 sent the opium from Hamburg to CC-1 in New York by shipping Persian rugs to New York and hiding the opium in those rugs.

iv. CC-1 sold opium that he/she received from CC-2 and from others to rug merchants in New York, Los Angeles, Washington, D.C., and elsewhere.

7. Based on my conversations with other law enforcement officers, I learned that from on or about August 19, 2011 until on or about September 28, 2011, the CW made three purchases of substances that tested positive for opiates from CC-1. CC-1 accepted payment in New York, New York for the substances containing opiates. The total weight of the substances was approximately 235 grams.

8. On or about October 18, 2011, a United States District Judge in the Southern District of New York signed an Order authorizing the interception of wire communications over a telephone ("Cellphone-1") used by CC-1. The following calls were intercepted pursuant to that interception Order²:

² The descriptions of phone calls set forth in this Affidavit are based upon my review of logs and summaries completed by the agents monitoring the intercepted phone calls. To the extent that the descriptions include quotations, those quotations are based on preliminary translations of the conversations, many of which occurred in Farsi or Azari, and are subject to revision upon further review of the conversations. Based on my training, experience and investigation of this case, I have also included interpretations of certain terms and phrases, as well as the content of certain of the calls. These interpretations are preliminary, and are subject to revision upon receipt of the full transcripts of the conversations, and as new information is

a. On or about October 25, 2011, at approximately 4:40 p.m., CC-1 used Cellphone-1 to place a call to another co-conspirator not named as a defendant herein ("CC-3"), who was using a telephone with call number XXX-XXX-7325 ("Cellphone-2"). At the end of the call, CC-1 told CC-3 that "there are a few requests." CC-3 responded, "Hassan has nothing, but there is this guy who is the friend of Ali, and I do not want to discuss any matter with you on the phone." CC-1 and CC-3 then agreed to meet the following day. Based on my experience, training, and investigation of this matter, I believe CC-1 was telling CC-3 that he/she had requests for opium, and CC-3 responded that one of CC-3's sources of supply did not have any opium, but that he/she may be able to get opium from an alternative source of supply.

b. On or about October 27, 2011, at approximately 5:37 p.m., CC-3 used Cellphone-2 to call CC-1, who was using Cellphone-1. CC-3 told CC-1 that "the guy" was "going to be here on Sunday," and that "he says he is not going to sell it for less than \$35 a foot." Based on my experience, training, and investigation of this matter, I believe CC-3 was telling CC-1 in this call that CC-3 had an opium supplier who was willing to sell opium at a rate of \$35,000 per kilogram. In the course of this investigation, I have learned that CC-3 and other co-conspirators are involved in the importation of Persian rugs from Iran, and I believe that CC-3 and the other co-conspirators often use codes, such as "carpet," to refer to opium, and lengths, such as "meters" or "feet," to refer to weights of opium.

9. On or about December 23, 2011, a United States District Judge in the Southern District of New York signed an Order authorizing the continued interception of wire communications over Cellphone-1. The following calls were intercepted pursuant to that interception Order:

a. On or about December 27, 2011, at approximately 5:09 p.m., CC-1 received a voicemail on Cellphone-1 from a telephone with call number XXX-XXX-1118 ("Cellphone-3"). The user of Cellphone-3 identified himself as "Hossein" and asked CC-1 to call him back.

b. On or about December 27, 2011, at approximately 5:11 p.m., CC-1 used Cellphone-1 to call "Hossein" on Cellphone-3. CC-1 told "Hossein" that he/she was "near the terminal" and that after he/she "passed through the tunnel"

gathered in the course of the investigation.

he/she would "call." "Hossein" said that he had spoken to "the guys" and that "they want it." "Hossein" added that CC-1 should "call" in order to "make plans." Based on my experience, training, and investigation of this matter, I believe CC-1 was near the Port Authority bus station in New York, New York, at the time of this call. I further believe that "Hossein" was contacting CC-1 to purchase opium ("it") that he intended to distribute to others.

c. On or about December 29, 2011, at approximately 11:17 a.m., CC-1 received a call on Cellphone-1 from "Hossein," who was using Cellphone-3. "Hossein" asked whether he should "come to New York tomorrow." CC-1 responded affirmatively. Later that day, at approximately 7:55 p.m., CC-1 used Cellphone-1 to call "Hossein" on Cellphone-3 and asked whether "Hossein" was "coming tomorrow." "Hossein" responded that he was waiting "for the guys to call him." Later in the call, "Hossein" stated that he was "waiting for the guy to call because he [was] supposed to bring the money." Based on my experience, training, and investigation of this matter, I believe CC-1 and "Hossein" were discussing a trip "Hossein" was planning to make to New York, New York to purchase opium from CC-1, but that "Hossein" could not commit to making the trip because he did not yet have a commitment from the customer to whom he intended to sell the opium that he planned to receive from CC-1.

d. On or about January 4, 2012, at approximately 11:40 a.m., CC-1 received a call on Cellphone-1 from "Hossein," who was using Cellphone-3. CC-1 complained that he/she had called "Hossein" multiple times, but that "Hossein" had not returned CC-1's calls. "Hossein" explained that his wife had been in the hospital and that he had been unable to call as a result. CC-1 then told "Hossein" that "the carpets" were in CC-1's "hands" and had not been "sold." "Hossein" answered that his "friends" only wanted "small amounts," but that he would "get the total amount wanted" and "somehow come up." Based on my experience, training, and investigation of this matter, I believe CC-1 was telling "Hossein" in this call that, despite "Hossein's" failure to call CC-1 back, CC-1 still had opium that he/she could sell to "Hossein." "Hossein" responded that he could not re-sell a large amount of opium at that time, but that he would call his customers to determine the total amount he could buy and would then travel to New York to meet CC-1.

e. On or about January 5, 2012, at approximately 7:07 p.m., CC-1 received a call on Cellphone-1 from "Hossein," who was using Cellphone-3. "Hossein" told CC-1 that his "friend" wanted "three of the one hundred silk." "Hossein" further said that he

was "busy" and asked if CC-1 could travel to meet "Hossein." CC-1 responded that he/she "cannot drive for more than three hours." "Hossein" then asked CC-1 to "think seriously" about making the trip by train. Based on my experience, training, and investigation of this matter, I believe "Hossein" was telling CC-1 that he wanted to buy three hundred grams of opium from CC-1. I further believe that "Hossein" asked CC-1 to travel to "Hossein's" location because "Hossein" was too busy to travel to New York.

f. On or about January 7, 2012 (a Saturday), at approximately 7:48 p.m., CC-1 used Cellphone-1 to call "Hossein" on Cellphone-3. CC-1 told "Hossein" that he/she would "be in Washington on Monday at 2:00." CC-1 further told "Hossein" that he/she would see "Hossein" at the "bus terminal." "Hossein" then asked CC-1 to tell "Massoud" where CC-1 would be coming because "Hossein" was "not familiar with the bus station." "Massoud" then got on the phone and discussed the logistics of CC-1's planned trip with CC-1. "Hossein" then got back on the phone and, after some addition discussion, told CC-1 to be "sure not come empty handed." CC-1 stated that he/she would "not come empty handed." Based on my experience, training, and investigation of this matter, I believe CC-1 agreed to bring opium by bus from New York, New York to Washington, D.C., and that CC-1 planned to deliver the opium to "Hossein" at a bus station in or around Washington, D.C.

g. On or about January 9, 2012 (a Monday), at approximately 10:38 a.m., "Hossein" used Cellphone-3 to call CC-1 on Cellphone-1. CC-1 did not answer, and "Hossein" left a voicemail in which he asked CC-1 to call him to let him know where CC-1 was and when CC-1 would arrive. "Hossein" added that he was "waiting to hear" from CC-1.

10. On or about January 9, 2012, at approximately 10:00 a.m., I and other agents arrested CC-1 in the vicinity of the Port Authority bus terminal located in New York, New York. CC-1 was carrying a briefcase that contained two boxes of what appeared to be individually-wrapped pieces of chocolate. A photograph of the chocolate boxes and their contents is attached as Exhibit A. The substance contained in the chocolate boxes field tested positive for opiates and weighed approximately 430 grams in aggregate.

11. On or about January 5, 2012, a United States District Judge in the Southern District of New York signed an Order authorizing the continued interception of wire communications

over Cellphone-2. The following calls were intercepted pursuant to that interception Order:

a. On or about January 9, 2012, at approximately 2:09 p.m., CC-3 used Cellphone-2 to call a co-conspirator not named as a defendant herein ("CC-4") who was using a telephone with call number XXX-XXX-0405 ("Cellphone-4"). CC-4 told CC-3 that the "four foot color one" was "ready" and to "come pick up the ones like." CC-3 told CC-4 that he/she would need "a half hour to find out how many [CC-3] needs." CC-3 added that he/she "understands two hundred grams guaranteed" was needed and that he/she would need "ten minutes to place some calls" to find out whether he/she needed anything else. Based on my experience, training and investigation of this matter, I believe CC-4 was supplying CC-3 with opium that CC-3 planned to resell to others. I further believe that in this call, CC-4 was telling CC-3 that CC-4 had four hundred grams of opium (the "four foot color one") ready for CC-3, and CC-3 responded that he/she needed to check with the people to whom he/she was selling the opium to find out how much they needed, though CC-3 knew they needed at least two hundred grams.

b. On or about January 9, 2012, at approximately 2:29 p.m., CC-3 used Cellphone-2 to call Cellphone-3. The user of Cellphone-3 did not answer, and CC-3 left a voicemail for a person CC-3 identified as "Hossein." CC-3 asked "Hossein" to call CC-3 because "Hossein's" "friend was sitting next to [CC-3] right now." Based on my experience, training and investigation of this matter, I believe "Hossein" was the person to whom CC-3 planned to sell the opium that CC-3 was going to receive from CC-4 and that CC-3 used code to tell "Hossein" that the opium was ready.

c. On or about January 9, 2012, at approximately 2:53 p.m., CC-3 received a call on Cellphone-2 from Cellphone-3. During the call, CC-3 identified the user of Cellphone-3 as "Hossein." "Hossein" stated that he had "got the message" and asked if "the guy is the same one" and when CC-3 "would be going." CC-3 responded, the "day after tomorrow." "Hossein" said that "all the guys are waiting for [CC-3]" and that CC-3 should let "Hossein" know when CC-3 was "in the vicinity" and he would gather "the guys" at a restaurant called "Yekta" in "Rockville." "Hossein" further told CC-3 to bring "at least five of one hundred ones." CC-3 said he would "do so." Based on my experience, training and investigation of this matter, I believe "Hossein" agreed to purchase five hundred grams of opium from CC-3. I further believe that "Hossein" was coordinating the purchase on behalf of multiple other people. Based on open

source information, I know the area code for Cellphone-3 is the area code for Rockville, Maryland. I further know from open source information that there is a restaurant in Rockville, Maryland called "Yekta." I therefore believe that CC-3 planned to meet "Hossein" in Rockville, Maryland to complete the opium transaction.

d. On or about January 9, 2012, at approximately 8:16 p.m., CC-3 used Cellphone-2 to call CC-4 on Cellphone-4. CC-3 told CC-4 that "one of ours is ready, one is not, but I am saying I should come early in the morning together and take care of our business on that side" CC-4 responded, "Whatever you think it should be done, we will do so." CC-3 said, "You know what I mean? We leave early in the morning, we will go over there and take care of business there and then we will come back here." CC-4 answered, "Okay." CC-3 said, "That is what I think. So what do you think? Will you be ready by 10:00, 9:30 or 10:00?" CC-4 answered, "If you could come even earlier than that it will be much better." CC-3 and CC-4 then continued to plan the logistics for their trip. Based on my experience, training and investigation of this matter, I believe CC-3 and CC-4 had agreed to travel together to Rockville, Maryland to deliver opium to "Hossein" and others.

e. On or about January 10, 2012, at approximately 11:36 a.m., "Hossein" used Cellphone-3 to call CC-3. CC-3 said he/she was "smoking to get high" before he/she got "on the road." "Hossein" said that he was "badly in need" and that CC-3 should "not disappoint." CC-3 responded that he/she would "be there by 3:30 today." "Hossein" said "the big guy may need three one hundred ones" and asked whether CC-3 would "have enough supply." "Hossein" then stated that he would "call the guys and tell them to get the money ready." CC-3 responded that "Hossein" should "go ahead and do it" and that he/she would "be there by 3:30 for sure." Based on my experience, training and investigation of this matter, I believe CC-3 and "Hossein" agreed in this call that CC-3 would travel to Rockville, Maryland to deliver opium to "Hossein" and that CC-3 stated he/she would be there by 3:30 p.m.

12. Based on my conversations with other agents, I learned, in sum and substance, the following:

a. On or about January 10, 2012, agents conducting surveillance of CC-3 observed CC-3 leave a residence in Queens, New York, and drive in a minivan through Bronx, New York, to a residence in New Jersey. The agents observed CC-3 park the minivan in the driveway of the residence and enter the residence.

b. After CC-3 entered the residence, an unknown male ("UM-1") exited the house. The male was carrying a white plastic bag. The bag appeared to contain something. UM-1 placed the bag inside the driver's side sliding rear door of the minivan. UM-1 then returned to the residence.

c. CC-3 then exited the residence, approached the minivan, opened both the driver's side sliding rear door and the front driver's side door. CC-3 was observed moving back and forth between the two sides of the car.

d. CC-3 then got into the driver's side front seat of the minivan. Shortly thereafter, an individual subsequently identified as CC-4 got into the passenger side front seat of the minivan. CC-3 and CC-4 then drove away from the residence together.

e. The agents pulled the minivan over and placed CC-3 and CC-4 under arrest.

f. Following CC-3's arrest, the agents searched CC-3 and found a cellular telephone. The agents dialed the number for Cellphone-2, and the cellphone rang.

g. Following CC-4's arrest, the agents searched CC-4 and found a cellular telephone. The agents dialed the number for Cellphone-4, and the cellphone rang.

h. The agents further searched the minivan. Under the front driver's seat, the agents found a ziplock bag containing a black substance shaped in a roughly five inch by eight inch brick. The substance weighed roughly 540 grams. The agents believe, based on their training and experience, that the substance found in CC-3's car was opium. The substance field tested positive for opiates.

i. The agents found a number of Persian rugs in the back of CC-3's minivan. A photograph of the rugs in the minivan is attached as Exhibit B. Inside one of the rugs, an agent found approximately 746 grams of a substance that appeared, based on the agent's training and experience, to be opium. The substance field tested positive for opiates. A photograph of the rug and the opium found inside the rug is attached as Exhibit C.

13. Based on information I received from the service provider for Cellphone-~~2~~³, I learned that Cellphone-~~2~~³ is subscribed to "Nahal Aminnia" at an address in Rockville, Maryland (the "Rockville Address").

PJH

14. Based on my review of a passport application that HOSSEIN AMINNIA, the defendant, submitted to the State Department on or about April 21, 2006, I learned that AMINNIA listed his work telephone number as the number for Cellphone-~~2~~.³ I further learned that AMINNIA identified his home address as the Rockville Address. pg 4

WHEREFORE, the deponent prays that a warrant be issued for the arrest of HOSSEIN AMINNIA, the defendant, and that he be imprisoned, or bailed, as the case may be.


SCOTT JOSEPH URBEN
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

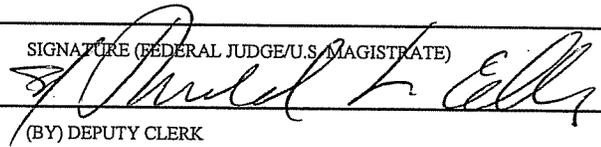
Sworn to before me this
___ day of March, 2012.


THE HONORABLE RONALD L. ELLIS
United States Magistrate Judge

MAR 07 2012

CR 12 (Rev. 5/03)

WARRANT FOR ARREST

United States District Court		DISTRICT SOUTHERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA v. HOSSEIN AMINNIA		DOCKET NO. 12 MAG	MAGISTRATE CASE NO. 624
		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED HOSSEIN AMINNIA	
WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Order of Court <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input checked="" type="checkbox"/> Complaint		DISTRICT OF ARREST	
TO: UNITED STATES MARSHAL OR ANY OTHER AUTHORIZED OFFICER		CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES			
Conspiracy to Violate of the Narcotics Laws of the United States			
IN VIOLATION OF	UNITED STATES CODE TITLE 21	SECTION 846	
BAIL	OTHER CONDITIONS OF RELEASE		
ORDERED BY RONALD L. ELLIS United States Magistrate Judge Southern District of New York CLERK OF COURT	SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE)  (BY) DEPUTY CLERK		DATE ORDERED MAR 07 2012 DATE ISSUED
RETURN			
This warrant was received and executed with the arrest of the above-named person.			
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER	
DATE EXECUTED			

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.

EXHIBIT A



TRADITION EXPERIENCE
SAVRSKO ZADGOVILSTVO
TRADICIONALNO DOBRO
LENTO
KUPITI

SAVRSKO ZADGOVILSTVO
SAVRSKO ZADGOVILSTVO
SAVRSKO ZADGOVILSTVO

TRADITION EXPERIENCE
SAVRSKO ZADGOVILSTVO
TRADICIONALNO DOBRO
LENTO
KUPITI

SAVRSKO ZADGOVILSTVO
SAVRSKO ZADGOVILSTVO
SAVRSKO ZADGOVILSTVO

SAVRSKO ZADGOVILSTVO
SAVRSKO ZADGOVILSTVO

EXHIBIT B



EXHIBIT C

