

COPY

Approved: Ilan Graff
Ilan Graff
Assistant United States Attorney

Before: HONORABLE LISA M. SMITH
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED</u>
	:	<u>COMPLAINT</u>
- v. -	:	
	:	Violation of
PAUL LOCKETT,	:	21 U.S.C. §§ 841(a),
a/k/a "Deuce Broadway,"	:	841(b) (1) (B), 846
a/k/a "Broadway,"	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	WESTCHESTER

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SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSEPH ALTIMARI, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. From at least in or about March 2012, up to and including in or about April 2012, in the Southern District of New York and elsewhere, PAUL LOCKETT, a/k/a "Deuce Broadway," a/k/a "Broadway," 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 PAUL LOCKETT, a/k/a "Deuce Broadway," a/k/a "Broadway," and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a) (1).

3. The controlled substance involved in the offense was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as

"crack," in violation of Title 21, United States Code, Sections 841(a) and 841(b) (1) (B).

OVERT ACTS

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

a. On or about March 29, 2012, PAUL LOCKETT, a/k/a "Deuce Broadway," a/k/a "Broadway," the defendant, sold approximately 17 grams of crack cocaine to a cooperating witness ("CW-1") in or around Peekskill, New York.

b. On or about April 4, 2012, LOCKETT sold approximately 17 grams of crack cocaine to CW-1 in or around Peekskill.

(Title 21, United States Code, Sections 841(a), 841(b) (1) (B),
and 846.)

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

5. I am a Special Agent with the FBI, and I have been involved in the investigation of the above-described offense. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my review of pertinent documents, and from my conversations with fellow law enforcement officers. 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.

The Conspiracy

6. Since in or around January 2011, I have participated in an investigation of PAUL LOCKETT, a/k/a "Deuce Broadway," a/k/a "Broadway," the defendant, and others, known and unknown, concerning several linked narcotics conspiracies operating in and around Peekskill, New York. Members of these conspiracies share common suppliers and pool crack cocaine and other drugs.

The March 29, 2012 Sale

7. On or about March 29, 2012, I and other law enforcement agents met with CW-1 at a particular location in Peekskill, New York.¹ I searched CW-1 and CW-1's car and found neither narcotics nor money. I then provided CW-1 with \$860 to purchase cocaine base, commonly referred to as "crack," from LOCKETT, and outfitted CW-1 with a concealed device that captured and recorded audio and video (the "Device").

8. After outfitting CW-1 with the Device, I got into a law enforcement vehicle and watched as CW-1 drove CW-1's car to a particular location in the vicinity of Decatur Avenue in Peekskill. A short time later, I observed a black male in the passenger seat of CW-1's car. A Peekskill Police Officer ("Officer-1"), who had previously interacted with LOCKETT on multiple occasions, observed CW-1's car from another vehicle. Officer-1 reported to me that he believed that the individual in CW-1's car was LOCKETT.

9. A few minutes later, CW-1 contacted me and informed me that LOCKETT had told CW-1 that LOCKETT needed to retrieve a key to the residence and safe in which LOCKETT stored his crack (the "Crack Stash Key"). CW-1 informed me that CW-1 had dropped LOCKETT off at a particular address on Smith Street and, once LOCKETT returned, the two would be proceeding to a second destination in the area ("Meeting Spot-1"):

10. Approximately twenty minutes later, I observed CW-1's car park at Meeting Spot-1. LOCKETT got out of the car and walked toward a red colored house (the "Red House"). A short time later, LOCKETT walked back to CW-1. As he did so, a silver car (the "Silver Car") pulled out of the Red House's driveway. I pursued the Silver Car, but remained in contact with a Westchester County Police Detective ("Detective-1"), who continued to observe CW-1. According to Detective-1, LOCKETT got into CW-1's car, and CW-1 dropped LOCKETT off at an address a short distance away.

11. Approximately fifteen minutes after CW-1 dropped off LOCKETT, I met with CW-1 at a prearranged meeting spot, where I

¹ CW-1 has been charged with a federal narcotics crime and is cooperating in the hopes of achieving a reduced sentence. Since CW-1 began working with state and federal law enforcement authorities, CW-1's information has proven reliable and has been consistently corroborated by independent evidence.

took possession of a quantity of an off-white rocky substance and the Device.

12. At the prearranged meeting spot, I debriefed CW-1. During our conversation, CW-1 informed me that LOCKETT had told CW-1 that LOCKETT had to retrieve the Crack Stash Key from a particular coconspirator not named herein. CW-1 also informed me that CW-1 believed that LOCKETT had met with the Silver Car's occupants next to the Red House before returning to CW-1. After LOCKETT met with those individuals, LOCKETT exchanged the off-white rocky substance for the currency I had provided CW-1.

13. The off-white rocky substance that CW-1 provided me was sent to the Drug Enforcement Administration laboratory (the "DEA Lab"). I have reviewed the results of the DEA Lab's tests, which report that the off-white rocky substance tested positive for cocaine base and weighed a net total of 17.8 grams.

The April 4, 2012 Sale

14. On or about the afternoon of April 4, 2012, I and other law enforcement agents met with CW-1 at a particular location in Peekskill, New York. I searched CW-1 and CW-1's car and found neither narcotics nor money. I then provided CW-1 with \$860 to purchase cocaine base, commonly referred to as "crack," from LOCKETT, and outfitted CW-1 with the Device.²

15. Based on my conversations with Officer-1, I have learned the following:

a. After being outfitted with the Device, CW-1 proceeded to a particular area in Peekskill ("Meeting Spot-2") and stopped CI's car.

b. A short time after CW-1 reached Meeting Spot-2, LOCKETT arrived in the vicinity of Meeting Spot-2, in a car driven by an unknown woman. LOCKETT got out of the car and entered a residence near Meeting Spot-2. LOCKETT went into the residence and emerged approximately two minutes later. LOCKETT then approached and entered CW-1's car.

² I and other law enforcement agents had initially provided CW-1 with \$860 and the Device earlier that same afternoon. However, when CW-1 was unable to make contact with LOCKETT we retrieved the currency and the Device. Approximately half an hour later, CW-1 made contact with LOCKETT and we resumed the operation.

16. A few minutes later, I received a telephone call from CW-1 informing me that CW-1 had successfully exchanged the currency I had given CW-1 for what CW-1 believed to be crack cocaine.

17. About ten minutes later, I met with CW-1 at a prearranged meeting spot, where I took possession of a quantity of an off-white rocky substance and the Device. At that time, CW-1 told me that after LOCKETT got into CW-1's car, CW-1 had driven LOCKETT around the corner, where CW-1 exchanged the currency I had given CW-1 for the off-white rocky substance. CW-1 further informed me that LOCKETT had told CW-1 to let LOCKETT know whenever CW-1 needed anything. Based on my training and experience, I believe LOCKETT was informing CW-1 that he was available for future narcotics transactions.

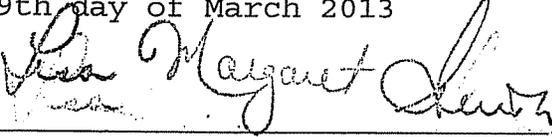
18. The off-white rocky substance that CW-1 provided me was sent to the DEA Lab. I have reviewed the results of the DEA Lab's tests, which report that the substance tested positive for cocaine base and weighed a net total of 17.2 grams.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of PAUL LOCKETT, a/k/a "Deuce Broadway," a/k/a "Broadway," the defendant, and that he be imprisoned or bailed, as the case may be.


FBI SA

JOSEPH ALTIMARI
Special Agent
Federal Bureau of Investigation

Sworn to before me this
19th day of March 2013



HONORABLE LISA M. SMITH
United States Magistrate Judge
Southern District of New York