

Approved: MS  
MATTHEW L. SCHWARTZ  
Assistant United States Attorney

Before: GABRIEL W. GORENSTEIN  
United States Magistrate Judge  
Southern District of New York

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		<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	Violations of 21 U.S.C.
-v.-	:	§ 846
JIN YUN CHEN, and	:	
JIA LIN,	:	
a/k/a "Ronnie,"	:	COUNTY OF OFFENSE:
Defendants	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

KEEN PEI, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations ("HSI") and charges as follows:

COUNT ONE  
(Narcotics Conspiracy)

1. From at least in or about 2010, up to and including on or about September 20, 2012, in the Southern District of New York and elsewhere, JIN YUN CHEN and JIA LIN, a/k/a "Ronnie," the defendants, and others known and unknown, knowingly and willfully 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 JIN YUN CHEN and JIA LIN, a/k/a "Ronnie," the defendants, would and did distribute, and possess with the intent to distribute, a controlled substance, in violation of 21 U.S.C. §§ 812 and 841(a) (1).

3. The controlled substances involved in the offense were (1) mixtures and substances containing a detectable amount of 3,4-methylenedioxymethamphetamine, commonly referred to as MDMA or Ecstasy; and (2) mixtures and substances containing a

detectable amount of ketamine, all in violation of Title 21, United States Code, Section 841(b)(1)(C).

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

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

4. I am a Special Agent with HSI, and I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with 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.

5. Since 2010, HSI and other law enforcement agencies have been investigating a criminal organization operating in the New York City area, especially in the Chinatown section of Brooklyn. Members of the Organization are believed to be involved in offenses relating to narcotics trafficking, as well as alien smuggling, home invasion robberies, credit card fraud, illegal gambling, interstate transportation of stolen goods, and trafficking in contraband cigarettes.

6. The Government's investigation has included, among other things, court-authorized wiretaps. I have reviewed draft translations of conversations intercepted pursuant to wiretap orders, and based on those conversations, among other things, I believe Yu Lin, a/k/a "Yu Zai," along with JIN YUN CHEN and JIA LIN, a/k/a "Ronnie," the defendants, to be involved in distributing controlled substances, including ketamine and ecstasy. For example, on September 20, 2011, at approximately 9:51 PM, a co-conspirator named Hong Fen Lin, a/k/a "Bus," a/k/a "Peter," asked Yu Zai to come to 39th Street and said "Can you give me 5 pieces? (I'll) give it to you in a day or two, right?" Yu Zai said that he is doing something and he would go down there and call Bus later. At approximately 10:04 PM, Bus called Yu Zai and asked him, "Are you coming over?" Yu Zai said "Almost. I am driving." At approximately 10:17 PM, Yu Zai called Bus and said "Wait for me at the door."

7. In addition to intercepting Yu Zai himself on the wiretap, law enforcement intercepted other co-conspirators discussing Yu Zai in a way that suggests that Yu Zai is a well-known source of ketamine supply in the Brooklyn Chinatown

community. For example, in a call intercepted on January 4, 2012, a co-conspirator named Zhen Qiang Wang, a/k/a "Yi Qiang," asked Bus who he got a shipment of ketamine ("sniffing stuff") from, because it was "not very good." Yi Qiang continued, "it's not as good as Yu Zai's. . . . Yu Zai got the good stuff."

8. In August 2012, law enforcement was able to make a series of controlled purchases of illegal drugs from the Organization.<sup>1</sup> For example, on August 14, 2012, a confidential source to HSI (the "CS")<sup>2</sup> arranged to purchase ketamine and "bath salts"<sup>3</sup> from JIN YUN CHEN, the defendant, who is believed to be

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<sup>1</sup> Law enforcement has made numerous undercover purchases from members of the Organization throughout the course of the investigation. For example, on or about September 6, 2011, a confidential source and an undercover agent obtained approximately 6 pounds of marijuana from Bus, and another approximately 1 pound of marijuana from a co-conspirator named Ze Yu Zhu, a/k/a "Jie Yu." That marijuana was in partial payment for a shipment of illegal Chinese aliens that the source had purported to smuggle into the United States for Bus, Jie Yu, and others, and which the source had delivered to Bus and others at a hotel in midtown Manhattan in August 2011.

Likewise, law enforcement has conducted physical surveillance of what appeared to be drug deliveries by other members of the Organization. For example, on or about February 14, 2012, agents conducted surveillance of a co-conspirator named Yong Biao Li, a/k/a "Elder Cousin," who left his home in Brooklyn carrying a bag. "Elder Cousin" traveled to the vicinity of Worth Street and Chatham Square in Manhattan and entered a liquor store with the bag; he left moments later without it. Throughout February 2012, law enforcement conducted judicially-authorized wiretapping of Elder Cousin's phones, which confirmed that he was involved in drug trafficking at this time. Earlier this morning, Elder Cousin was arrested by law enforcement in connection with the narcotics conspiracy charged herein, see note 4 below, and after being read his Miranda rights admitted that he and other members of the Organization had imported wholesale quantities of drugs, especially ketamine, from mainland China to the United States, and had wired money from Manhattan and elsewhere to China in payment for the drugs.

<sup>2</sup> The CS has worked with HSI for a number of years, and has provided reliable information in the past. The CS works for HSI in exchange for monetary consideration.

<sup>3</sup> "Bath salts" is the common name for a designer drug, which typically contains alpha-Pyrrolidinopentiophenone, which is

Yu Zai's girlfriend. At approximately 2:22 PM, the CS, after being unable to reach CHEN, called Yu Zai and asked him to tell CHEN to "bring down the stuff" that they had agreed upon. Yu Zai told the CS to come to "850 57th Street," which is two doors down from a building that other confidential sources had previously identified as a "stash house" used by Yu Zai (the "Apartment"). Approximately 20 minutes later, the CS drove to that address and parked in front. CHEN got into the CS's car, and provided the CS with six ziploc bags, each containing what CHEN had represented to be 10 ecstasy pills, for a total of 60 pills. (These pills later field-tested positive for the presence of MDMA).

9. Likewise, on August 16, 2012, the CS and CHEN engaged in a transaction for approximately 24 grams of ketamine and 170 grams of "bath salts," which took place in the CS's car, parked next door to the Apartment. On that occasion, law enforcement was able to observe CHEN exit the Apartment, get into the CS's car to do the deal, and then return to the Apartment.

10. And on August 24, 2012, the CS and CHEN again engaged in a transaction for approximately 26 grams of ketamine, and four packages containing approximately 177 grams of bath salts. On this occasion, the CS's car was parked directly in front of the Apartment.

11. In addition, law enforcement has conducted surveillance of others in and around the Apartment who appear to be involved in the Organization's drug trafficking activities. For example, on June 18, 2012, agents of the Drug Enforcement Administration ("DEA") observed an unknown male exit the Apartment and walk directly to an internet café located at 811 57th Street, which is on the same block as the Apartment but closer to 8th Avenue. The man was observed handing what appeared to be a small white object to a person behind the counter at the café, and then returning to the Apartment. Likewise, on July 27, 2012, DEA agents observed a man later identified as JIA LIN, a/k/a "Ronnie," the defendant, exit the Apartment and get into a car. LIN drove approximately four blocks, to 61st Street between Eighth and Ninth Avenues, where officers of the New York City Police Department arrested LIN for criminal possession of a controlled substance after discovering approximately 9-10 bottles of ketamine on LIN's person. The DEA has also conducted physical surveillance of Yu Zai himself leaving the Apartment, as recently as earlier this month.

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a Schedule I controlled substance analogue, as defined in 21 U.S.C. § 802(32). Bath salts seized by law enforcement in connection with its investigation of the Organization have field-tested positive for other controlled substances, as well.

12. Earlier this morning, September 20, 2012, law enforcement went to the Apartment in order to execute an arrest warrant for Yu Zai.<sup>4</sup> Yu Zai was not home, but CHEN and LIN were. CHEN and LIN each gave consent to law enforcement to enter the Apartment. Upon entering the Apartment's common area, law enforcement observed what appeared to be equipment to "cook" ketamine in the kitchen.

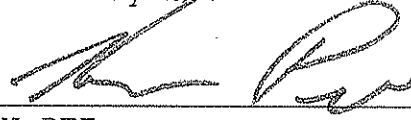
13. A search of CHEN's bedroom revealed approximately 180 vials of what appeared to be powder ketamine, approximately 20 bottles of what appeared to be liquid ketamine, several dozen bags of "bath salts," various pills, packaging material such as baggies and empty cigarette packs (which are used to package the ketamine vials), and approximately \$8,000 in United States currency wrapped in rubber bands, intermingled with the drugs, in a manner that I believe is consistent with the storage and bundling of drug proceeds. CHEN also agreed, after being read her Miranda rights, to talk to law enforcement. She stated, in substance and in part, that she sold and delivered drugs on behalf of Yu Zai, and was aware that Yu Zai had several other people that sold and/or delivered drugs on his behalf, including LIN. CHEN admitted, specifically, that she had sold ketamine, "pills," and "milk tea," which I believe is another name for "bath salts."

14. A search of LIN's bedroom revealed approximately 5 vials of what appeared to be powder ketamine, approximately 2 bottles of what appeared to be liquid ketamine, approximately 1 bag of bath salts, various pills, and approximately \$2,300 in United States currency, all in one cardboard box. After being read his Miranda rights, LIN agreed to speak with law enforcement and, with respect to the contents of the cardboard box, admitted that the money was his, and that the drugs belonged to "Yu," i.e., Yu Zai. LIN said, in substance and in part, that he had been selling and/or delivering ketamine on Yu Zai's behalf since at least March 2012,

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<sup>4</sup> Yu Lin, a/k/a "Yu Zai," Zhen Qiang Wang, a/k/a "Yi Qiang," Hong Feng Lin, a/k/a "Bus," a/k/a "Peter," Yong Biao Li, a/k/a "Elder Cousin," and Ze Yu Zhu, a/k/a "Jie Yu," were charged - along with 22 other defendants - in Indictment 12 Cr. 707 (LAK). Among other things, that indictment charged Yu Zai, Bus, Yi Qiang, Elder Cousin, Jie Yu, and 15 others with conspiring to violate the narcotics laws. As set forth herein, JIN YUN CHEN and JIA LIN, a/k/a "Ronnie," the defendants, are members of that same conspiracy.

WHEREFORE, deponent respectfully requests that JIN YUN CHEN and JIA LIN, a/k/a "Ronnie," the defendants, be arrested and imprisoned, or bailed, as the case may be.



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KEEN PEI  
Special Agent  
Homeland Security Investigations

Sworn to before me this  
20th day of September, 2012



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HONORABLE GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK