

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

Sergio Alvarado,
a/k/a Sergio Alvarado-Ochoa,
a/k/a Parajo, a/k/a Scrappy

Case No. 20-mj-1134

Defendant(s)

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(s) of October 31, 2020 in the county of Davidson in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

Title 18, United States Code,
Sections 922(g)(1) and 924

Offense Description

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See Attached Affidavit

* Continued on the attached sheet.

David Raissi - Signed Electronically

Complainant's signature

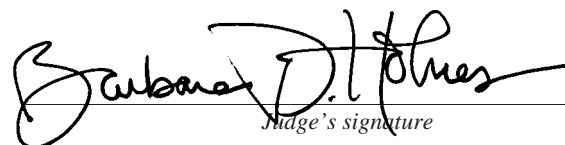
David Raissi, ATF Special Agent

Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: November 3, 2020

City and state: Nashville, Tennessee


Judge's signature



Barbara D. Holmes, U.S. Magistrate Judge

Printed name and title

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, David Raissi, being first duly sworn on oath, state as follows:

Introduction

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since 2020. I am currently assigned to the Nashville Field Division. Prior to being employed by the ATF I was employed by the Cobb County, Georgia, Police Department, beginning in 2007. While with the Cobb County, GA Police Department, I worked in uniform patrol for approximately four years. After my assignment in uniformed patrol, I work in various capacities as an investigator, in Cobb County's multi-jurisdictional narcotics unit, the Cobb County Police Department's Crimes Against Persons Division (Robbery/Homicide) and finally as a federally deputized Task Force Officer (TFO) for the ATF in the Atlanta Field Division.

2. In my law enforcement career I have participated in numerous criminal investigations, including those that fall under the investigative jurisdiction of ATF, including, but not limited to, violations involving the unlawful manufacture, sale, and possession of firearms and controlled substances.

3. The following information contained in this Affidavit is based on my training and experience, as well as information provided to me by other law enforcement officials (hereafter collectively referred to as "Agents"), and my review of investigative documents and other materials. I have not included all of the facts of the investigation and have only included the facts that are necessary to establish probable cause for the requested Criminal Complaint and arrest warrant. Any conversations contained herein are not verbatim and are only related in substance and part, except where a conversation includes quotations.

4. This Affidavit is submitted in support of a Criminal Complaint for the arrest of Sergio ALVARADO, a/k/a “Sergio Alvarado-Ochoa,” a/k/a “Parajo,” a/k/a “Scrappy,” for Felon in Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

Probable Cause

5. On or about October 31, 2020, at approximately 4:00 a.m. an Officer with the Metropolitan-Nashville Police Department (“MNPD”) was in the area of Antioch Pike and Richards Road in South Nashville, Tennessee, near the Club Miami nightclub. The Officer heard several gunshots coming from the nightclub’s direction and proceeded towards the nightclub. When the Officer exited his vehicle on the roadway near the nightclub, he heard a large volley of gunshots and took cover behind a trailer. Two cars sped out of the parking lot. The Officer then identified a person in the parking lot suffering from a gunshot wound.

6. An additional Officer arrived on the scene, and individuals at the nightclub directed the officers to a car containing individuals suspected to be involved in the shooting. As the Officers approached this car, the Officers observed ALVARADO, who was running towards the back of the nightclub parking lot. The Officers saw ALVARADO run towards several dumpsters and a black waste container in the back of the nightclub parking lot. ALVARADO was the only person running towards and in the vicinity of these dumpsters and the container. The Officers ran towards the dumpsters in order to detain ALVARADO, but ALVARADO ran from behind the dumpsters and away from the Officers. The Officers yelled for ALVARADO to stop; however, ALVARADO ran around another building, jumped over a guardrail, and enter a wooded area. Officers

subsequently detained ALVARADO near the wooded area. Officers retraced ALVARADO's flight path and discovered two firearms (an FNP-9 9mm-caliber pistol and a Cobra .380-caliber pistol) behind the black waste container near the dumpsters, where they originally saw ALVARADO run. ALVARADO denied possession of the firearms and told the Officers he was running for his life at the time.

7. An ATF Firearms Nexus Expert examined photographs of the aforementioned pistols and determined that they were firearms within the meaning of Title 18, United States Code, Section, 921(a)(3). The Firearms Nexus Expert also determined that these firearms were not manufactured in the State of Tennessee. Thus, these firearms traveled in and affecting interstate commerce.

8. At the time ALVARADO possessed these firearms, he was a prohibited person and knew he was prohibited from possessing these firearms, based on his status as a felon. A background check on ALVARADO reveals that he has the following felony convictions:

- a. On or about December 15, 2016, ALVARADO was convicted in Davidson County Criminal Court in Nashville, Tennessee of Facilitation of Aggravated Robbery and sentenced to a six-year custodial sentence; and
- b. On or about September 19, 2017, ALVARADO was convicted in the United States District Court for Middle District of Tennessee of four counts of Possession with Intent to Distribute and Distribution of Cocaine and one count of being a Felon in Possession of a Firearm. (MD/TN Case No. 3:17-0009). ALVARADO received a 30-month custodial sentence followed by a three-year term of supervised release. ALVARADO has since

violated the terms of his supervision and has a revocation hearing scheduled for November 23, 2020.

Conclusion

9. Based upon the foregoing facts, I believe there is probable cause to believe that ALVARADO unlawfully possessed firearms after previously being convicted of a felony offense, in the Middle District of Tennessee, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.