
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

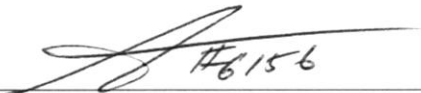
UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
 :
 v. : Honorable Steven C. Mannion
 :
 JOSEPH RUBINO : Mag. No. 19-6293

I, Thomas A. Gilbride, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

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

SEE ATTACHMENT B


Thomas A. Gilbride, Special Agent
Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Sworn to before me and subscribed in my presence,
August 9, 2019, Essex County, New Jersey

Honorable Steven C. Mannion
United States Magistrate Judge


Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Possession with Intent to Distribute Methamphetamine)

From on or about July 24, 2019 through on or about July 25, 2019, in the District of New Jersey and elsewhere, the defendant,

JOSEPH RUBINO,

knowingly and intentionally possessed with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

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

COUNT TWO
(Possession of a Firearm in Furtherance of a Drug-Trafficking Crime)

From on or about July 24, 2019 through on or about July 25, 2019, in the District of New Jersey and elsewhere, the defendant,

JOSEPH RUBINO,

during and in relation to a drug-trafficking crime for which he may be prosecuted in a court of the United States, specifically, possession with intent to distribute over a kilogram of marijuana, did knowingly possess a firearm in furtherance of such crime.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.

COUNT THREE
(Possession of a Firearm by a Convicted Felon)

From on or about July 24, 2019 through on or about July 25, 2019, in the District of New Jersey and elsewhere, the defendant,

JOSEPH RUBINO,

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Sussex County, did knowingly possess in and affecting interstate commerce a loaded firearm.

In violation of Title 18, United States Code, Section 922(g)(1).

ATTACHMENT B

I, Thomas A. Gilbride, am a Special Agent with ATF. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and photographs of the evidence. Where statements of others are related herein, they are related in substance and part. Because 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.

1. On or about July 24, 2019, members of the New Jersey State Police responded to the scene of a motor vehicle accident involving RUBINO, who was the driver of the motor vehicle. In the process of extracting RUBINO from the motor vehicle in order to render medical treatment, law enforcement observed, among other things, various firearms and ammunition inside RUBINO's vehicle.

2. Law enforcement subsequently obtained a search warrant authorizing the search of RUBINO's vehicle. This search revealed, among other things, the following items:

- a. An Intratec Arms Model TEC-DC9 semi-automatic assault handgun, bearing serial number D062728, with threaded barrel attachment;
- b. A Cobray Arms Mac-11 9mm semi-automatic assault pistol, bearing serial number 89-0057884, with a high capacity magazine;
- c. A loaded Smith & Wesson M&P pistol, bearing serial number HLJ4405;
- d. Two (2) sawed-off double-barrel shotgun barrels;
- e. An assault rifle sight;
- f. A stripped AR-15 bolt carrier;
- g. Various ammunition including, but not limited to: a high-capacity magazine with twelve (12) 9mm solid point cartridges, a 9mm hollow point cartridge; a 7.62mm rifle cartridge, an FC 9mm Luger cartridge, four (4) 9mm solid point cartridges, and two (2) 9mm luger hollow point cartridges;
- h. A set of brass knuckles;

- i. A wooden ax handle, a wooden baseball bat, and a wooden club;
and

3. Law enforcement subsequently executed a court-authorized search warrant at Rubino's residence which revealed, among other things, the following items:

- a. A Keltec CMR30 .22 caliber semi-automatic rifle, bearing serial number Y3Z02, loaded with sixteen (16) .22 caliber hollow-point cartridges;
- b. A Keltiec PF9 9mm semi-automatic handgun, bearing serial number SZ968;
- c. A High Standard Derringer .22 caliber double-barrel handgun, bearing serial number 2038167;
- d. A Polymer 80 9mm semi-automatic handgun, bearing serial number STS00147;
- e. An RG .22 caliber revolver, bearing serial number 176542;
- f. An Ithaca M-66 20-gauge single shotgun, bearing serial number 660037422;
- g. A Remington Model 700 .223 caliber bolt action rifle with scope, bearing serial number G7017868;
- h. A Thompson Center .50 caliber muzzle-loading rifle with scope, bearing serial number 110545;
- i. A Remington Model 870 Wingmaster 12-gauge pump shotgun, bearing serial number S031228V;
- j. A New England Firearms 20-gauge single shot shotgun, bearing serial number NH247500;
- k. A Remington Model 760 .300 Savage pump rifle, bearing serial number 217690;
- l. A Glenfield Mod 60 .22 LR caliber semi-automatic rifle, bearing serial number 23434391;
- m. An assault rifle of unknown make/model;
- n. A handgun of unknown make/model;
- o. Approximately 4 high-capacity magazines;

- p. Approximately sixty (60) silencer tubes and baffles;
- q. Various additional ammunition and firearms parts;
- r. An East Coast Machine and Tool grenade launcher;
- s. A ballistic vest;
- t. Approximately 200 cannabis vape cartridges and numerous THC edibles;
- u. Approximately three (3) kilograms of marijuana; and
- v. Approximately seventy (70) grams of suspected methamphetamine;

4. The marijuana and methamphetamine were recovered in the same “safe” area as several of the weapons and ammunition described above.

5. In addition, during the lawful search of RUBINO’s vehicle and residence, law enforcement recovered the following items: (1) a box containing clothing and bumper stickers with, among other things, “SS Bolts,” which are common white supremacist and neo-Nazi symbols that are sometimes used by outlaw motorcycle gang members; (2) a document entitled “N****r Owner’s Manual,” containing racist material and purporting to be an instruction manual for owning a slave.

6. On or about September 20, 1999, RUBINO was convicted in the Superior Court of New Jersey of Sussex County, in violation of N.J.S.A. 2C:21-5C(3), a crime punishable by a term of imprisonment of one year or more. Many of the firearms and ammunition recovered inside RUBINO’s vehicle and residence were manufactured outside the State of New Jersey and therefore traveled in interstate commerce.