
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. James B. Clark, III
 : :
 : Mag. No. 20-12269
 : :
 : :
TEVIN BROWNING : :
 : :
 : **CRIMINAL COMPLAINT**

I, John Gikas, 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 Task Force Officer with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.



John Gikas, Task Force Officer
Federal Bureau of Investigation

Task Force Officer John Gikas attested to this Complaint by telephone pursuant to Federal Rule of Criminal Procedure 4.1(b)(2)(A) on July 16, 2020, in the District of New Jersey

HONORABLE JAMES B. CLARK, III
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A
COUNT ONE
(Conspiracy to Commit Carjacking)

On or about July 9, 2020, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

TEVIN BROWNING,

did knowingly and intentionally conspire and agree with others to commit an offense against the United States, namely, to take from the person and presence of another, by force and violence and by intimidation, with intent to cause death and serious bodily harm, a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2007 Acura MDX, contrary to Title 18, United States Code, Section 2119(2).

In violation of Title 18, United States Code, Section 371.

COUNT TWO
(Attempted Carjacking)

On or about July 9, 2020, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

TEVIN BROWNING,

with the intent to cause death and serious bodily harm, did knowingly attempt to take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2007 Acura MDX, from the person and presence of another, namely, the driver of the 2007 Acura MDX, by force and violence and by intimidation, which resulted in serious bodily injury.

In violation of Title 18, United States Code, Sections 2119(2) and 2.

COUNT THREE
(Discharge of a Firearm During a Crime of Violence)

On or about July 9, 2020, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

TEVIN BROWNING,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States – specifically, the attempted carjacking charged in Count Two of this Complaint – did knowingly use and carry a firearm, which was discharged, and did aid and abet the same.

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

COUNT FOUR
(Possession of a Firearm and Ammunition by a Convicted Felon)

On or about July 9, 2020, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

TEVIN BROWNING,

knowing he had previously been convicted of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm and ammunition, namely, a .45 caliber Hi-Point Model JHP semiautomatic handgun, bearing serial number 406099, and four rounds of ammunition.

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

ATTACHMENT B

I, John Gikas, am a Task Force Officer with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in 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 February 5, 2010, defendant TEVIN BROWNING (“BROWNING”) was convicted in the Superior Court of New Jersey, Hudson County, for Unlawful Possession of a Weapon, in violation of N.J.S.A. 2C:39-5B, a crime punishable by imprisonment for a term exceeding one year.

2. On July 9, 2020 at approximately 6:00 p.m., Jersey City Police officers responded to Bayonne Medical center to speak with an individual (“Victim-1”) who had been shot in the abdomen during an attempted carjacking which occurred approximately one hour earlier.

3. Upon arriving, the officers spoke with Victim-1’s relative (“Victim-2”), who stated that just before the carjacking, they had been near the intersection of Tonnelle and Broadway Avenues in Jersey City. Victim-2 had just purchased beverages from a mini-market and was waiting for Victim-1 to pick him/her up in Victim-1’s 2007 Acura MDX (the “Acura”).

4. Video camera footage from several cameras stationed in the area shows that approximately two minutes before the carjacking, a silver Honda Odyssey (“Odyssey”) pulled in front of the mini-market where Victim-2 had just exited after purchasing beverages. As Victim-2 walked south on Tonnelle Avenue, BROWNING and a male co-conspirator not charged herein (“CC”) exited the Odyssey and began walking south on Tonnelle Avenue, following Victim-2. Defendant TEVIN BROWNING was wearing a long white “doo rag” on his head, a facemask, a black shirt, cargo shorts, pink socks, and Nike slider shoes. As CC exited the Odyssey, he appeared to adjust a handgun in his waistband.

5. BROWNING and CC then walked a short distance as they followed Victim-2 south down the sidewalk. Victim-2 then turned around and began walking north back towards the mini-market. At that point, BROWNING and CC briefly entered a liquor store, purchased two bottles of water, exited the liquor store, and then walked north towards Victim-2, who had stopped in front of the mini-market.

6. BROWNING and CC then walked directly past Victim-2 and continued walking a short distance. At that point, Victim-1 drove up on Tonnel Avenue in the Acura and pulled over to the side of the road, at which point Victim-2 crossed the street and got into the Acura. BROWNING and CC followed Victim-2 towards the Acura and forcibly attempted to enter the vehicle. BROWNING attempted to enter the rear right passenger side of the Acura, and punched Victim-2 in the head. Upon being attacked by BROWNING, Victim-1 quickly attempted to drive the Acura away from the area. As Victim-1 attempted to drive the Acura away, CC attempted to enter the front passenger side of the Acura and held onto the Acura. After a short distance, CC shot Victim-1 in the abdomen, and then fell off the Acura as it continued to drive. As CC slid several feet down the sidewalk, his handgun and its magazine dropped to the ground. CC then got up, grabbed his handgun from the ground, and ran away.

7. Moments later, a grey-colored Dodge Challenger which appeared to display a temporary license plate with a clear cover (the "Challenger") pulled up to the area where CC had fallen to the ground. CC then exited the passenger side of the Challenger, picked up the gun magazine from the sidewalk, and got back into the Challenger. The Challenger then drove away. Shortly thereafter, police officers found a spent .45 caliber shell casing stamped "Blazer .45 Auto" in the area where CC had fallen to the ground.

8. At approximately 8:00 p.m. that evening, Jersey City Police officers observed a grey Dodge Challenger parked and unoccupied on a residential street in Jersey City. The car displayed a temporary license plate with a clear cover. The officers then observed BROWNING, who was wearing a black shirt, cargo pants, and Nike slider shoes, place an unknown item in the trunk of the car and then walk into a nearby residence. The officers then circled around the block and returned to the car, whereupon they observed BROWNING close the trunk of the car for a second time and again walk into the same nearby residence. Shortly thereafter, BROWNING came out of the residence, at which point the officers asked him to come to police headquarters for questioning, which he agreed to voluntarily. At the same time, law enforcement towed the Challenger to a secure location pending an application for a search warrant.

9. Once at police headquarters, BROWNING waived his Miranda rights and provided a recorded statement about his whereabouts that day. During the statement, BROWNING identified a still photograph of the Challenger taken from one of the surveillance videos at the scene of the carjacking. In substance and in part, BROWNING confirmed the Challenger in the surveillance video was the same car that he had previously borrowed and was driving that afternoon. BROWNING stated that earlier that day, two individuals who were driving with him in the vehicle possessed a black semiautomatic handgun that BROWNING later placed in the trunk. BROWNING denied any knowledge of the carjacking.

10. On July 14, 2020, law enforcement executed a search warrant on the Challenger. During the course of the search, law enforcement found, in the trunk of the vehicle, a .45 caliber Hi-Point Model JHP semiautomatic handgun, bearing serial number 406099 (the “Firearm”), which was loaded with four rounds of ammunition (the “Ammunition”). Two of the rounds were stamped “Blazer .45 Auto” on the shell casing.

11. The Firearm and Ammunition were manufactured outside of the State of New Jersey, and thus traveled in interstate commerce prior to BROWNING’s possession of the Firearm and Ammunition in New Jersey on July 9, 2020.

12. The Acura was manufactured outside of the State of New Jersey, and thus moved in and affected interstate commerce prior to July 9, 2020.