

20 CR 474

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JOHN GARCIA,
also known as "John Adams," "John
Adamino," and "Michael Chapman"

CASE NUMBER:
UNDER SEAL

FILED
8/7/2020
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about February 5, 2020 to on or about August 6, 2020, at Lansing, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant(s) violated:

Code Section

Title 18, United States Code, Section
1343

Offense Description

knowingly devised, intended to devise, and participated in a scheme to defraud and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts and, for the purpose of executing the above-described scheme, knowingly caused to be transmitted by means of a wire communication in interstate commerce certain writings, signs, and signals, in violation of Title 18, United States Code, Section 1343.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.



STEVEN MAFFUCCI
Special Agent, Federal Bureau of Investigation
(FBI)

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: August 7, 2020

Judge's signature

City and state: Chicago, Illinois

YOUNG B. KIM, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, STEVEN MAFFUCCI, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed since January 2019. My current responsibilities include the investigation of white collar crime, including mail, wire, and bank fraud.

2. This affidavit is submitted in support of (1) a criminal complaint alleging that John GARCIA, also known as John Adams, John Adamino, and Michael Chapman, has violated Title 18, United States Code, Section 1343; (2) an application for a warrant to search storage unit 2155 (**Subject Premises A**) at "Storage Mart" public storage facility at 10700 W. 159th Street in Orland Park, Illinois, further described in Attachment A1; and (3) an application for a warrant to search storage unit 2106 (**Subject Premises B**) at "Storage Mart" public storage facility at 10700 W. 159th Street in Orland Park, Illinois, further described in Attachment A2.

3. The statements in this affidavit are based on my personal knowledge, and on information I have received from other law enforcement personnel and from persons with knowledge regarding relevant facts. Because this affidavit is being submitted for the limited purpose of supporting a complaint and securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable

cause to believe that GARCIA has violated Title 18, United States Code, Section 1343 and that evidence, fruits, instrumentalities of that crime are located in **Subject Premises A and B.**

4. More specifically, as set forth below, the FBI has been investigating a scheme in which Individual E and John Garcia, aka Michael Chapman, aka John Adams ("GARCIA"), sold stolen art and other high value items after falsely representing to the buyers that they owned the items.

5. Between February and May 2020, GARCIA, Individual E and Victim A all leased storage units at a public storage facility in Deerfield, Illinois. GARCIA stole at least approximately 159 items from a storage unit used by Victim A and worked with Individual E to sell them after falsely representing to the buyers that they owned the items.

6. As discussed below, subsequently, GARCIA stored some of the items stolen from Victim A at Individual E's residence and brokered the sale of the stolen items to several dealers in art, antiques and collectibles, including Individuals A and B. On three occasions, including May 23, 2020, Individual E met with Individual A and B to exchange the items for cash and checks. GARCIA and Individual E represented that the items, stolen from Victim A, belonged to Individual E's family.

7. As discussed below, Individual E was approached by law enforcement, and admitted that a man later identified as GARCIA brought the items to her and instructed her to state that the items belonged to her father.

8. As discussed below, Individual D, an employee of the public storage facility in Deerfield, stated that he/she acted as a lookout for GARCIA, who had stolen items from Victim A's unit during March and April 2020. Surveillance camera footage from the public storage facility on several dates during that time period shows a man matching GARCIA's description moving numerous large and heavy items into the elevator on the same floor as Victim A's unit, exiting the elevator on the first floor and exiting the storage facility with those items.

9. As discussed below, GARCIA leases two storages unit at Storage Facility B, a public storage facility in Orland Park, Illinois. On August 5, 2020, agents viewed items in plain view inside both **Subject Premises A** and **B**, and the items inside **Subject Premises A** appeared consistent with items stolen from Victim A.

I. **FACTS SUPPORTING PROBABLE CAUSE TO SEARCH**

The Stolen Items

10. According to Victim A, Victim A is the owner of numerous items of art, sculpture, artifacts and other items of historical significance and/or high monetary value. Victim A stored these items in two large storage units at Storage Facility A, located in Deerfield, Illinois. Victim A visited the storage unit on May 11, 2020¹, and found at least approximately 159 of the items were missing. Victim A had not given anyone else access to the storage unit or permission to take or move the items from the unit. Victim A reported the items missing to the FBI and later stated that

¹ All dates and times in this affidavit are approximate.

a padlock on one of the doors to each of Victim A's two storage units had been changed or replaced. Victim A provided FBI with a descriptive inventory and photographs of each of the approximately 159 stolen items. According to information provided by Storage Facility A, the last time Victim A had accessed the facility prior to May 11, 2020 was February 14, 2020.

11. Later in May, FBI received information from Individual C that one of the items stolen from Victim A had been sold, without Victim A's permission, to Individual A.

GARCIA and Individual E Sold Victim A's Items to Individuals A and B on April 29 and May 2, 2020

12. Individual A owns a jewelry store located on the 18000 block of Torrence Avenue in Lansing, Illinois ("the Lansing jewelry store"). Individual B is a professional acquaintance of Individual A and owns an auction house. On two occasions (April 29, 2020, and May 2, 2020), Individual A and Individual B purchased from GARCIA and Individual E several items that were later identified by agents as items stolen from Victim A's storage unit. According to Individual A, Individual E represented that she and her father owned the items and Individuals A and B were unaware that the items were stolen.

13. According to Individual A, in April 2020, an individual by the name of Michael Chapman, who was later identified as GARCIA, contacted Individual A,

using a telephone number ending in -9971² ("Garcia Phone 1"), and offered to sell certain valuable items to Individual A and Individual B. During these conversations, according to Individual A, GARCIA represented that his girlfriend and her father owned the valuables. Prior to each transaction with Individual A and B, GARCIA used Garcia Phone 1 to contact Individual A to negotiate and arrange the transaction.

14. According to Individual A, both transactions took place at the Lansing jewelry store and, while GARCIA negotiated the transactions over the phone, Individual E arrived in person to conduct the transaction that GARCIA had arranged with Individual A and B. According to Individual A, during both transactions, Individual E spoke on the phone with an individual that he/she believed to be GARCIA about the price that Individual E should charge for the items. Individual A stated that he/she never met GARCIA in person.

15. According to Individual A, during the first transaction, on or about April 29, 2020, Individual A paid Individual E approximately \$6,500 in cash and approximately \$25,000 by check, in exchange for the items, which agents later identified as among the items stolen from Victim A. During this same transaction, Individual B paid around \$50,000 in cash for certain other items, which agents also identified as belonging to Victim A.

² According to information provided by AT&T, Garcia Phone 1 is subscribed to "prepaid customer" at 504 York Road, Schererville, Indiana. According to information provided by Storage Facility A, GARCIA used this address to lease a storage unit there.

16. According to Individual A, during the second transaction, on or about May 2, 2020, Individual A paid for the items received on this date in cash. According to a receipt signed by Individual E on May 23, 2020, provided to agents by Individual A, Individual B paid Individual E \$56,000 in cash and \$6,000 by check, for the items Individual B received from Individual E on May 2, 2020.

17. Based on my training and experience, the deposit or cashing of a check causes electronic wire communications to take place, both between the two banks and, at least in some occasions, within each individual bank's electronic record systems as the transaction is processed. In many instances, this can involve a server located in a state other than the state where the check was physically deposited.

18. According to information provided by AT&T, GARCIA used Garcia Phone 1 to contact Individual A on numerous occasions in April and May 2020, including April 28, 29, and 30, and May 1, 2, 19, 21, 22, and 23, 2020.

The May 23, 2020 Transaction

19. In the days leading up to May 23, 2020, GARCIA, using Garcia Phone 1, had a series of telephone conversations and text messages with Individual A, during which he arranged to sell several of the stolen items to Individual A and B and discussed the value and price of those items.³ For example, on May 22, 2020, GARCIA sent a text message to Individual A containing a photograph of a statute identified by agents as belonging to Victim A and stating, "this guy is Saint Michael

³ These conversations were not recorded, but Individual A has provided screenshots of some of the text message conversations to agents.

and is over 600 years old . not cheap". In another text message on the same day, GARCIA asked, "did you have a chance to speak with your money guy today?" and then stated, "I think if he can manage \$50 to \$70 grand in cash he will be a happy man." During the course of these conversations, GARCIA arranged for Individual E to meet Individual A at the jewelry store at noon on May 23, 2020, to sell certain items to Individual A and B.

20. On or about May 23, 2020, at approximately 9:30 a.m., agents met with Individual A and equipped Individual A with a concealed audio recording device. Agents also established surveillance behind a one-way glass window inside the jewelry store.

21. Before the transaction, on two occasions, GARCIA called Individual A using Garcia Phone 1.⁴ Individual A put the call on speakerphone to allow agents to listen. The calls were not recorded. During the calls, agents heard GARCIA discuss the items he wished to sell and their prices and informed Individual A that he had a competing buyer. Agents also heard GARCIA say that "Marilyn" was going to bring the items to the store.

⁴ Agents viewed Individual A's call log to confirm that Individual A had been speaking with the user of Garcia Phone 1. Individual A and B never met GARCIA in person. As described below, GARCIA was identified as the user of Garcia Phone 1 based on the following: (1) Individual E was shown a driver's license photograph of GARCIA and identified him as the person who had given her these items to sell and who was assisting her in the May 23, 2020 transaction; (2) in these conversations with Individual A overheard by agents, the user of Garcia Phone 1 referred to "Marilyn" and referred to items and prices consistent with and showing knowledge of the in-person transaction; and (3) agents subsequently conversed by text message with the user of Garcia Phone 1, who identified himself as "Michael Chapman," and admitted assisting Individual E in selling the items.

22. Later the same day, shortly before noon, agents observed Individual E meet with Individual A and Individual B at the Lansing jewelry store. During the meeting, Individual E sold them approximately 45 separate items. Individual E represented the items belonged to her and her father. During the meeting, Individual A and B inspected the items and negotiated final prices for them. On several occasions, as partially captured by the recording, and as I observed, both Individual E and Individual A had phone conversations with GARCIA,⁵ during which GARCIA instructed Individual E on what prices to charge. After one such conversation, based on review of the bodywire recording, agents heard Individual E tell Individual A that GARCIA had said to tell Individual A that GARCIA had additional items to sell to them in the future.

23. Once they agreed to prices for the items, Individual E provided the items to Individual A and B and signed receipts for these items, as well as for some of the items Individual E had sold in the prior transaction. The receipts signed by Individual E stated, among other things, "I guarantee, warrant, and represent to [the Lansing jewelry store] that the items being sold to [the Lansing jewelry store] are either my own sole property or that I have the legal authority to sell and transfer that property to [the Lansing jewelry store]." According to Individual A and

⁵ I was able to overhear portions of these conversations, which occurred over speakerphone, when reviewing the bodywire recording. I compared the voice of the user of Garcia Phone 1 in the conversations overheard in real time before the transaction with the voice of the speaker on the bodywire recording of the transaction and believe them to be the same individual.

as reflected by the recording, Individual E also verbally affirmed that she owned the items before signing the receipts.

24. In all three transactions between GARCIA and Individual E and Individuals A and B, agents recovered a total of approximately 65 of the stolen items. Many of the items are very large paintings, rugs and sculptures measuring several feet in length or width.

Interview of Individual E

25. During the May 23, 2020 transaction, shortly after she signed receipts for the items, agents approached Individual E and identified themselves as law enforcement. Individual E agreed to speak with agents at the Lansing jewelry store.

26. During the interview, Individual E stated that the items she had sold to Individual A and B had originally belonged to her father and that she had his permission to sell them. Later during the interview, however, Individual E stated that a male friend had brought the items to her within the past two to three months. Individual E also stated that she resided at a residence on the 1000 block of Cavell in Highland Park Illinois ("Rothschild Residence") alone, and that her male friend occasionally stayed at her residence. Individual E stated that her male friend, later identified as GARCIA, was assisting her in the May 23 transaction. Individual E also stated that GARCIA had told her to say that the items they were selling to Individual A and B belonged to her father.

27. Individual E also admitted to participating in the prior two transactions with Individual A and B and stated that she had received both cash

and checks as payment at previous transactions. Individual E further stated that she deposited the check into her bank account and withdrew the funds shortly thereafter. Individual E signed a written consent to search her residence and her phone.

Search of Rothschild Residence

28. On May 23, 2020, at approximately 3:30 p.m., based on Individual E's written consent, agents executed a search of the Rothschild Residence. Individual E was present for a portion of the search. Agents recovered two additional items that they were able to identify as belonging to Victim A, and as stolen from Victim A's storage unit, based on information provided by Victim A.

29. Additionally, during the search, agents also recovered copies of four rental agreements (only one of which was presently in effect) between Victim A and Storage Facility A.

30. During the search, agents showed Individual E a driver's license photograph obtained from the Indiana Secretary of State of GARCIA, and Individual E identified the person depicted in the photograph as the "male friend" who had brought her the items she sold to Individual A and B, and whom she knew as "John Adams." Individual E also stated that GARCIA had told her that the items GARCIA had brought into her home, including the items they had sold Individual A and B and the additional items belonging to Victim A recovered during the search, were given to him by someone.

*Surveillance of GARCIA at the Rothschild Residence prior to the May 23
Transaction and attempt to interview GARCIA*

31. On May 23, 2020, at approximately 10:04 a.m., surveillance agents located near the Rothschild Residence observed an individual, whom they later identified as GARCIA based on review of the same Indiana driver's license photograph shown to Individual E, move a Cadillac sedan from the driveway of the residence to the street.

32. At approximately 10:45 a.m., agents observed GARCIA helping Individual E and another male load items into a Cadillac SUV which belonged to a professional courier service,⁶ and which was later observed transporting Individual E to the transaction at the Lansing jewelry store later that day.

33. At approximately 11:03 a.m., agents observed GARCIA enter the Cadillac sedan, depart the area, and return to the residence at approximately 12:11 p.m.

34. Later that afternoon, agents attempted to call GARCIA at Garcia Phone 1 but GARCIA did not answer. An agent then texted GARCIA, identifying herself as an agent. GARCIA identified himself as "Michael Chapman" and responded that he was "close to Iowa" and stated, "I have not been around Marilyn since last night." GARCIA also stated, "I know she purchased a bunch of artwork from a guy in Chicago." Agents have not been able to interview GARCIA.

35. Based on Individual E's consent, agents searched Individual E's cell phone on May 28, 2020 date. Agents recovered a text message sent from Individual

⁶ During the May 23 transaction, agents interviewed the driver of the Cadillac SUV and learned that he worked for a professional courier service.

E to Garcia Phone 1 on May 26, 2020, at approximately 7:24 p.m., stating, "I will return caddy today please and clear storage tomorrow please".

Search of GARCIA and Individual E's Storage Units at Storage Facility A

36. According to an employee of Storage Facility A, the storage facility maintains and leases access to storage units on 3 floors. Customers of Public Storage receive unique access codes which they use to access the premises and to use the elevators. Storage Facility A maintains records of when the access codes are used. Individual units are secured by padlocks and access to them is not recorded.

37. The storage unit rented by Individual E is a small, approximately 5' by 5' unit located on the second floor, directly across from one of Victim A's units. GARCIA's unit is a small, approximately 5' by 5' unit located on the third floor. Victim A's units were large units located on the second floor with three doors accessing each unit. According to records from Public Storage, Individual E's access code was used on March 27 and at least 100 times (often multiple times in one day) between March 27, 2020 and May 10, 2020. Individual E's access code was used four times on April 28, the day before the first transaction with Individual A and B at the jewelry store.

38. Agents obtained footage from the surveillance cameras on several dates between March and May 2020, including April 13-20, 23, 24, and 27, 2020. The footage shows a man matching GARCIA's build and physical description moving numerous large, odd-sized and heavy items into the elevator on the same

floor as Victim A's unit, exiting the elevator on the first floor, and exiting the facility with the items.

39. On or about May 29, 2020, agents obtained and executed a search warrant (20 M 275) at GARCIA and Individual E's units at Storage Facility A. Agents did not recover any items belonging to or stolen from Victim A.

40. On the same day, while executing the search warrant, agents were approached by two individuals who worked at a moving company and stated that he/she had been engaged to move the contents of GARCIA's unit to another storage unit in Lake Forest, Illinois. According to the owner of the moving company, a man identifying himself as "John Adams," the same name GARCIA used with Individual E, used telephone number ending in -0777 ("Garcia Phone 2")⁷ to arrange for the company to move the items. According to records provided by AT&T, GARCIA started service to Garcia Phone 2 on May 25, 2020, 2 days after being contacted by law enforcement.

GARCIA's Use of Subject Premises A and B

41. According to information provided by Storage Facility B, a public storage facility located in Orland Park, Illinois, GARCIA also rents two storage units at this location. GARCIA has rented unit 2106, **Subject Premises B**, since approximately May 27, 2020. On or about July 11, 2020, an employee of Storage Facility B stated that GARCIA had opened a second unit, Unit 2155, **Subject**

⁷ According to information provided by AT&T, Garcia Phone 2 is subscribed to "John Adamino" at the Rothschild Residence.

Premises A, and stated that GARCIA stated that he needed the additional space to spread the items out in order to have them appraised.

42. On or about August 5, 2020, agents visited **Subject Premises A** and observed, through the open top of the unit, in plain view, several rugs, framed pieces of art and other items that appeared to be consistent with items stolen from Victim A. Photographs of the items were shown to Victim A, who identified the rugs as amongst the items stolen from Victim A's unit at Storage Facility A. On the same day, agents observed that **Subject Premises B** also contained numerous items but were unable to determine from their vantage whether any of the items had been stolen from Victim A.

43. According to information provided by Storage Facility B, GARCIA used the name "John Adamino" (the same name to which Garcia Phone 2 is subscribed) to rent **Subject Premises A**.

44. Based on my training and experience, individuals who possess and traffic stolen goods often store those goods in private areas accessible to them, including in residences and in storage units such as storage lockers and garages.

Interview of Individual D

45. On or about June 12, 2020, agents interviewed Individual D, an employee of Storage Facility A during the months that Victim A's items were stolen. During the interview, Individual D identified a known photograph of Individual E as Individual E. Individual D also identified the Indiana Secretary of State photograph of GARCIA (the same photograph identified by Individual E as "John

Adams”) as “John Garcia.” Individual D stated that GARCIA maintained a unit on the third floor, and Individual E maintained a unit on the second floor of the facility, and that GARCIA opened Individual E’s unit for her and stated that he was helping Individual E sell items that belonged to her father.

46. During the interview, Individual D stated that he first heard that Victim A’s items were stolen from the FBI. Later, however, Individual D stated that he/she believed that GARCIA had stolen the items from Victim A’s unit based on multiple conversations with GARCIA during March and April 2020. Individual D further stated, among other things, that:

- GARCIA had a “grinder” which could open locks such as the locks on the doors of the storage units;
- GARCIA had sent Individual D photographs of items that Individual D believed had been inside Victim A’s unit; and
- On several dates, while GARCIA moved Victim A’s belongings out of Victim A’s unit, Individual D acted as a lookout for GARCIA, who would call Individual D to ask whether anyone else was coming, before moving the items out of the facility.

During the June 12 interview, Individual D stated that he was not paid for acting as a lookout. During subsequent interviews, Individual D recalled that he/she received approximately four cash payments from GARCIA, and that he/she believed that at least two of the payments were in return for acting as a lookout. During an interview on June 18, 2020, Individual D stated that GARCIA had multiple

conversations with him/her during April 2020, during which he discussed the items he (GARCIA) had stolen from Victim A's units and his plans to sell them.

CONCLUSION

47. Based on the foregoing, I respectfully submit that there is probable cause to believe that:

- a. Beginning in or about February 5, 2020, and continuing to in or about August 6, 2020, in the Northern District of Illinois, and elsewhere, GARCIA knowingly devised, intended to devise, and participated in a scheme to defraud and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts and, for the purpose of executing the above-described scheme, knowingly caused to be transmitted by means of a wire communication in interstate commerce certain writings, signs, and signals, in violation of Title 18, United States Code, Section 1343; and
- b. Evidence, instrumentalities, and fruits relating to violations of Title 18, United States Code, Section 1343, as further described in Attachment B1, will be found in **Subject Premises A**, as further described in Attachment A1. I therefore respectfully request that this Court issue a search warrant for the storage unit 2155 located at 10700 West 159th Street, Orland Park, Illinois, more particularly

described in Attachment A1, authorizing the seizure of the items described in Attachment B1; and

- c. Evidence, instrumentalities, and fruits relating to violations of Title 18, United States Code, Section 1343, as further described in Attachment B1, will be found in **Subject Premises B**, as further described in Attachment A2. I therefore respectfully request that this Court issue a search warrant for the storage unit 2106 located at 10700 West 159th Street, Orland Park, Illinois, more particularly described in Attachment A2, authorizing the seizure of the items described in Attachment B2.

FURTHER AFFIANT SAYETH NOT.



STEVEN MAFFUCCI
Special Agent, Federal Bureau of
Investigation

SUBSCRIBED AND SWORN to telephonically on August 7, 2020.

Honorable YOUNG B. KIM
United States Magistrate Judge