

FILED

Dec 11 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
for the
Northern District of California

FILED UNDER SEAL

United States of America)
v.)
David Leveren Quinn)
)
)
)
)
)

Case No. 4:20-mj-71829-MAG

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 September 19, 2020 in the county of Alameda in the
Northern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1951(a)	Robbery Affecting Interstate Commerce
	Maximum penalties: 20 years prison; fine that is the greater of \$250,000, twice the gross pecuniary gain to the defendant, or twice the gross pecuniary loss inflicted on another; 3 years of supervised release; \$100 mandatory special assessment

This criminal complaint is based on these facts:

See attached affidavit of Postal Inspector Sandra Alvarez.

Continued on the attached sheet.

Approved as to form /s/ Noah Stern
AUSA Noah Stern

/s/ Sandra Y. Alvarez

Complainant's signature

Sandra Y. Alvarez, USPIS Postal Inspector

Printed name and title

Sworn to before me by telephone.

Date: 12/11/2020

Kandis Westmore
Judge's signature

City and state: Oakland, California

Hon. Kandis A. Westmore, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Sandra Y. Alvarez, Postal Inspector with the U.S. Postal Inspection Service (“USPIS”), being duly sworn, state:

I. INTRODUCTION

1. I submit this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant authorizing the arrest of David Leveren Quinn (“QUINN”) for robbery affecting interstate commerce in violation of Title 18, United States Code, Section 1951(a), committed on or about September 19, 2020 in the Northern District of California.

II. SOURCES OF INFORMATION

2. This affidavit is submitted for the limited purpose of a securing a criminal complaint and arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that violations of the federal law identified above have occurred.

3. I have based my statements in this affidavit on my training and experience, personal knowledge of the facts and circumstances obtained through my participation in this investigation, information provided by other agents and law enforcement officers, including officers from the Oakland Police Department (“OPD”), information provided by reports prepared by other agents and law enforcement officers, and information provided by records and databases. Where I refer to conversations and events, I often refer to them in substance and in relevant part rather than in their entirety or verbatim, unless otherwise noted. This affidavit also reflects my current understanding of facts relating to this investigation, but my understanding may change in the future as the investigation proceeds.

III. AFFIANT BACKGROUND

4. I am a United States Postal Inspector assigned to the San Francisco Division of USPIS, and have been so employed since August 2018. I am currently assigned to the External Crimes Team in Oakland, CA. The External Crimes Team investigates postal related crimes

including the theft of United States Mail, and the related crimes of identity theft, check fraud, credit card and bank fraud as well as burglaries and robberies.

5. As a Postal Inspector I received federal law enforcement training in the areas of narcotics, firearms, child exploitation, mail theft, mail fraud, identity theft and credit card fraud at the Inspection Service Career Development Unit training academy. During my employment with the Inspection Service, I have participated in investigations involving burglaries, robberies, the theft of mail, and the related crimes of identity theft and check and credit card fraud. I have interviewed witnesses and cooperating individuals regarding mail theft and identity theft. I have also read official reports of other law enforcement officers and postal inspectors.

IV. APPLICABLE STATUTES

6. Title 18, United States Code, Section 1951(a) provides: “Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.”

7. The elements of 18 U.S.C. § 1951(a) are as follows: (1) the defendant knowingly obtained money or property from or in the presence of a victim, (2) the defendant did so by means of robbery, (3) the defendant believed that the victim parted with the money or property because of the robbery, and (4) the robbery affected interstate commerce.

V. FACTS SUPPORTING PROBABLE CAUSE

A. Overview

8. Between August 11, 2020 and September 25, 2020, David Leveren QUINN committed at least six robberies or attempted robberies of United States Postal Service (“USPS”) letter carriers in East Oakland with one or more unknown conspirators. Although the exact circumstances of the robberies vary as described below, in most of the robberies, QUINN,

accompanied by one other person, surveilled a USPS letter carrier and then parked near the letter carrier's mail truck. QUINN and/or his co-conspirator then got out of their vehicle, confronted the letter carrier, and took or attempted to take trays of mail and/or packages from the mail truck. In many of the robberies, QUINN and/or his co-conspirator carried, showed, or pointed a suspected firearm at the letter carrier during the perpetration of the robbery.

9. Further, QUINN appears to have committed the robberies at least in part to engage in identity theft, including by stealing unemployment benefits issued during the COVID-19 global pandemic. USPIS identified QUINN after an inspector stopped a robbery in progress on or about September 25, 2020, and the perpetrator fled in a white color Cadillac SUV. The same SUV was located later in the day. During a subsequent unsuccessful police pursuit, an iPhone likely belonging to QUINN fell out of the Cadillac (hereafter, "QUINN's iPhone").¹ Evidence from QUINN's iPhone, QUINN's Instagram account, and the abandoned Cadillac, which was found a few days later, all link QUINN to the spree of robberies. Further, USPIS obtained video surveillance footage linking QUINN to multiple robberies described below. USPIS also obtained bank records for prepaid debit cards that appear to have been stolen during the robberies, and other business records, that also link QUINN to the robberies.

B. August 11, 2020 Robbery

10. On or about August 11, 2020, QUINN and at least one co-conspirator robbed a letter carrier on 34th Avenue in Oakland, California.² Based on the account of the letter carrier

¹ Evidence developed during the investigation shows QUINN purchased the Cadillac on or about September 20, 2020.

² Prior to on or about August 11, 2020, two similar robberies were committed on letter carriers in East Oakland. I believe these robberies were committed by QUINN and a co-conspirator. First, on or about June 26, 2020, two men robbed a letter carrier of all the mail trays she had in her vehicle around midday on 103rd Avenue. Roughly contemporaneous video surveillance footage from nearby shows a suspected black Acura MDX appearing to surveil the letter carrier. Relatedly, a receipt for a purchase made by QUINN at AutoZone on or about September 20, 2020 shows that he purchased a part for a 2017 Acura MDX.

On or about July 31, 2020, around midday, a different letter carrier was robbed of mail trays by a man driving a Honda Civic. Similarly, video surveillance footage shows this vehicle appears to surveil the letter carrier and then parked in front of the letter carrier's vehicle. When Alvarez Aff. ISO Criminal Compl.

and surveillance footage obtained from nearby, the following events unfolded: Early in the afternoon, a black sedan parked directly in front of the letter carrier's mail truck on 34th Street. QUINN got out of the sedan and walked past the mail truck, before returning to the sedan. Then a second man got out of the sedan and QUINN and the other man approached the letter carrier from behind. QUINN began to pull mail trays out of the vehicle while the other man tapped the letter carrier on the shoulder to get his attention. The letter carrier turned to look at the other man and saw a suspected firearm in the man's waistline. The man told the letter carrier to "stay away" and took the satchel the letter carrier had on his shoulder. Upon taking the satchel, QUINN's co-conspirator appeared to realize it was empty and threw it into the mail truck. Next, QUINN and the other man took several trays of mail from the mail truck, put them in their sedan, and fled at a high rate of speed. Screenshots from the surveillance footage showing QUINN's initial walk-by of the letter carrier are shown below and red arrows are used to highlight distinctive items worn repeatedly by QUINN:



the letter carrier questioned the man, the man showed the letter carrier a suspected firearm in the man's waistband and told the letter carrier not to move or else he would "blow him." The letter carrier understood this comment to be a threat that the man would shoot the carrier.

11. In the course of the investigation, agents discovered photographs depicting QUINN wearing the same style blue-colored baseball hat and the same distinctive white and black shoes were later found by USPIS on QUINN's iPhone and posted on an Instagram account suspected to belong to QUINN.³ For example, QUINN posted the photograph copied below to his Instagram account on or about September 10, 2020:



A nearly identical photograph was set as the wallpaper on QUINN's iPhone. Further, a video found on the iPhone that, according to the metadata, was filmed on or about September 13, 2020 shows both QUINN's face and the shoes he is wearing while filming the video, which match the shoes worn by QUINN during the robbery occurring on or about August 11, 2020. Screenshots from the video found on QUINN's iPhone are copied on the following page:

³ QUINN's iPhone was seized by USPIS after it fell out of QUINN's Cadillac SUV during its flight from postal inspectors on or about September 25, 2020. The wallpaper of the iPhone was set as a photograph of QUINN's face and the contents of the iPhone were consistent with QUINN's ownership of it.

I believe that QUINN's Instagram account corresponds with Instagram user "hemiwett" because the man in the account profile photograph appears to be the same man depicted in QUINN's booking photograph for a recent arrest. Further, the same man is the central focus of many of the photos and videos posted to the account. The name "hemiwett" also is connected to or used by QUINN frequently, including as the subscriber name for telephone numbers belonging to QUINN, and for email accounts found on QUINN's iPhone.

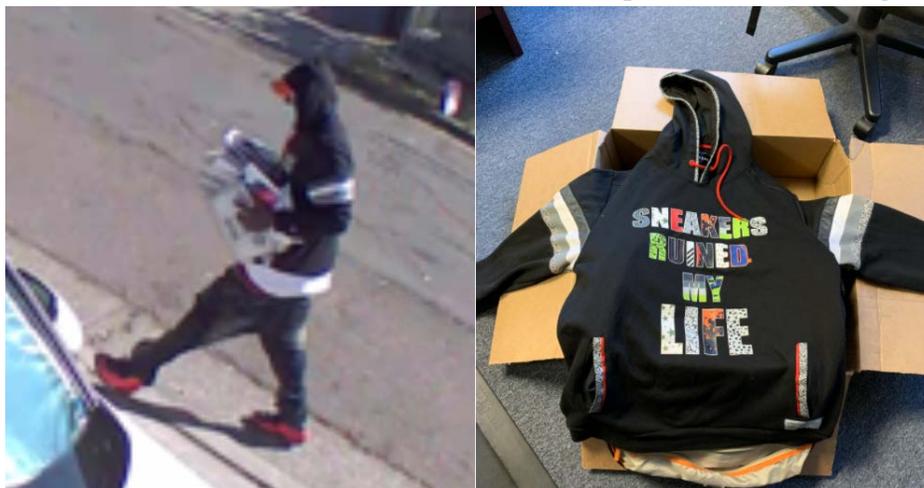


C. August 15, 2020 Robbery

12. On or about August 15, 2020 in the mid-morning, QUINN robbed a letter carrier on Hillside Street near 77th Avenue in Oakland, California. The letter carrier stated that she was gathering items from the back of her mail truck when she noticed a black male adult walk past her. Moments later, the same man approached her from behind and she told him to stay at least six feet away due to the COVID-19 pandemic. The man pulled a suspected firearm from the area of his waistline and pointed it at her stomach. The man told her to stay out of the way. She complied and the man then put the suspected firearm into the pocket of his hooded sweater, and grabbed trays of mail. The man then demanded that the letter carrier place the mail she had in her hands on top of the trays he was carrying, which she did, and then he walked away towards 77th Avenue.

13. USPIS obtained surveillance footage from two different cameras nearby. The surveillance footage shows a black sedan appear to surveil the letter carrier before parking on 77th Avenue near Hillside Street. One of the cameras shows a man leave the sedan and return shortly afterwards carrying items, get into the passenger seat of the vehicle, and the vehicle drive away. The other camera shows the man wearing a hooded sweater with distinctive markings on the sleeves carrying mail trays. A hooded sweater with the same distinctive markings was found in QUINN's abandoned white Cadillac—which was involved in later robberies as described below—on or about September 29, 2020. A screenshot from the surveillance footage showing

the man in the distinctive hooded sweater is copied below on the left and a photograph of the hooded sweater found in QUINN's abandoned Cadillac is copied below on the right:



D. August 28, 2020 Robbery

14. On or about August 28, 2020, QUINN and a co-conspirator robbed a letter carrier on Seminary Avenue in Oakland, California.⁴ Based on the account of the letter carrier and surveillance footage obtained from nearby, the following events unfolded: After delivering mail around midday, a letter carrier returned to his mail truck which was parked on Seminary Avenue near Fortune Way. The letter carrier opened the back door of the mail truck and then two men who had just parked their white Infiniti sedan nearby on Fortune Way approached him. One of the men placed his hand under his shirt and indicated he had a firearm by moving his hand under his shirt in an L shape.⁵ The men then took multiple trays of mail, which they put in the white

⁴ Between the robberies on or about August 15 and on or about August 28, a letter carrier was robbed in a similar manner on or about August 20, 2020 on Packard Street in Oakland, California. Around midday, a black vehicle parked next to the letter carrier's mail truck. A black male exited the passenger side of the vehicle, pointed a gun at the letter carrier, and told the letter carrier to walk away. The man then took multiple trays of mail and put them in his vehicle. Based on the similarity between this robbery and others committed by QUINN, I believe it is likely QUINN also committed this robbery.

⁵ According to the letter carrier, the man who indicated he had a firearm approached him first and then called the other man, who was sitting in what the letter carrier described as a white Lexus, to come over. The surveillance footage appears to show both men out of the car and one of the men approach the letter carrier first, followed shortly afterwards by the other man. Based on my review of the surveillance footage, I believe the vehicle was an Infinity, not a Lexus. While the manufacturer's logo is not clearly visible in the surveillance footage, I believe the Alvarez Aff. ISO Criminal Compl.

Infinity and then drove off at a high rate of speed.

15. Based on data obtained from QUINN's iPhone, on or about August 31, 2020, QUINN sent a text message to another individual stating that he was in a white Infinity. According to an Alameda County Sheriff's Office ("ACSO") report, on September 1, 2020, an ACSO deputy made contact with QUINN at an inn in San Leandro, California. Deputies observed a white Infinity sedan parked in the hotel parking lot with no license plate. The deputies observed a man they would later identify to be QUINN in the driver's seat of the vehicle. After QUINN provided his name to the deputies, they conducted a records check and discovered that he had two active warrants for his arrest. The deputies instructed QUINN to exit the vehicle. QUINN refused, started the white Infinity sedan's ignition, and fled the scene at a high rate of speed. ACSO deputies did not pursue QUINN.

E. September 19, 2020 Robbery

16. On or about September 19, 2020, QUINN and a co-conspirator robbed a letter carrier near the corner of 66th Avenue and Avenal Avenue in Oakland, California. Based on the account of the letter carrier and surveillance footage obtained from nearby, the following events unfolded: Around three in the afternoon, a silver Infinity drove around in the vicinity of the letter carrier. It parked and the driver got out and removed the front license plate before driving off again. The letter carrier parked his mail truck on Avenal Avenue near 66th Avenue, got out, walked to the back of the vehicle, and began retrieving mail. The silver Infinity sedan drove past the mail truck, took a right onto 66th Avenue, and parked nearby. QUINN, who was wearing black pants with distinctive markings, got out of the Infinity sedan and approached the letter carrier, who was still at the rear of the USPS vehicle. QUINN placed a suspected firearm next to the letter carrier's right side and told him not to move. QUINN was followed shortly

vehicle is an Infinity based on the design of the lights on the front and rear of the vehicle, as well as the design of the vehicle's bumpers, along with my research and conversations with other agents

A similar photograph found on QUINN’s iPhone shows that the vehicle he is in the driver’s seat of has an Infinity logo on the steering wheel.

18. Photos were found on QUINN’s iPhone that, according to the metadata, were taken after the robbery on or about September 19, 2020, and depict the screen of another smartphone. The photographs depict the other phone’s web browser displaying a website with a web address beginning with ssn24.me, which based on my research is a website that can be used to search for personal identifying information, including social security numbers, of other individuals. The photographs appear to depict searches for the name of an identity theft victim who will be referred to herein as Victim 1. The search appears to show Victim 1’s name, address, social security number, and date of birth.

19. According to data from QUINN’s iPhone, a few minutes later, a web browser on the iPhone was used to search for “EDD activate card.”

20. Shortly afterwards, surveillance footage from an ATM in Oakland shows QUINN getting out of the driver’s seat of a silver Infinity sedan with no front plates. QUINN used a California Employment and Development Department (“EDD”) prepaid debit card issued to Victim 1, which was mailed to an address on the mail route of the letter carrier robbed on or about September 19, to withdraw \$1,000. In the images, he also appears to be wearing the same distinctive pants captured during the robbery described above and highlighted with the red arrow, below. Screenshots from the surveillance footage are shown below:



21. USPIS also found a photograph on QUINN’s iPhone that, according to the metadata, was taken after the robbery on or about September 19, 2020 and depicts the outside of an EDD mailing addressed to a different individual, who will be referred to herein as Victim 2. The mailing address for Victim 2 is on the mail route that QUINN robbed on or about September 19, 2020. On or about September 20, 2020, multiple searches were conducted on QUINN’s iPhone for Victim 2’s names on the websites beenverified.com and peoplefinder.com, which I know can provide the type of personal identifying information needed to activate EDD cards.

F. QUINN Fraudulently Purchases White Cadillac SUV

22. On or about September 20, 2020, Victim 1’s EDD debit card was used to purchase a Lyft ride from a hotel in Oakland to an auto dealership in San Leandro, California. Shortly afterwards, Victim 1’s card was used to purchase a white Cadillac SUV for over \$8,000 at the auto dealership. Data from QUINN’s iPhone shows that after the Cadillac was purchased, QUINN messaged multiples contacts in his iPhone a picture of the vehicle and informed them of his new purchase. He also posted the image to his Instagram account with a caption suggesting he had “cashed out” and it was the fifth vehicle he had purchased in three months. The post is copied below:



23. USPIS obtained business records from the auto dealership which show that QUINN purchased the Cadillac in his mother's name.

24. Later the same day, surveillance footage from an ATM in San Leandro shows QUINN withdrawing \$1,000 from an ATM using Victim 1's prepaid debit card with the white Cadillac in the background. A screenshot from the surveillance footage is copied below:



G. September 23, 2020 Robbery

25. On or about September 23, 2020, USPIS inspectors received a report that a letter carrier had observed a white Cadillac SUV, with plates that were obstructed with that appeared to be a black piece of paper, repeatedly driving near his mail truck during the morning. The letter carrier reported that he was in the area of Ney Avenue and 76th Avenue in Oakland, California, when he first noticed the white Cadillac. Approximately an hour later, the same letter carrier reported that a green vehicle — possibly a Honda Accord — was driving repeatedly around him and one of the occupants appeared to have similar color clothing and build as one of the occupants he had seen in the white Cadillac SUV. The letter carrier was able to see the first number of the license plate of the green vehicle and it appeared to be a “6.”

26. Shortly after the letter carrier's reports, USPIS Inspectors responded to an armed robbery of a different letter carrier that took place nearby, in the area of 63rd Avenue and Fortune Way in Oakland, California. The letter carrier who had been robbed told USPIS that he parked his mail truck and then was approached by a black male adult who pointed a suspected firearm at him and demanded his keys.⁶ The letter carrier had both his vehicle key and postal

⁶ Postal arrow keys are individually serialized keys used by letter carriers to access neighborhood delivery and collection box unit (NDCBU) cluster box units (CBU), blue Alvarez Aff. ISO Criminal Compl.

arrow key attached to his pants by a gold colored chain. The carrier attempted to remove the keys but was afraid and struggled to undo the chain. The man told the letter carrier, “You’re taking too long,” and kept the suspected firearm pointed in the letter carrier’s direction. When the letter carrier was able to remove the keys from his person, the man took them and walked behind the mail truck towards the street. The letter carrier then noticed a green Honda Accord that had double parked next to his mail truck. The letter carrier saw the Honda Accord drive away and saw the man who had robbed him — based on the individuals’ general build and the color of his clothing — inside the Honda Accord. The letter carrier noted a partial plate when the car made a turn onto Fortune Way. He reported it was a California plate starting with “6JV.”

27. On or about September 29, 2020, USPIS inspectors found the arrow key that was stolen from the letter carrier on or about September 23, which was individually serialized, in QUINN’s abandoned white Cadillac.

H. September 25, 2020 Attempted Robbery

28. On or about September 25, 2020, USPIS Inspectors were conducting surveillance on various letter carriers from Eastmont Post Office in an effort to apprehend the individuals who had been robbing letter carriers. At around mid-morning, a postal inspector observed a white Cadillac SUV, which would later be identified as the Cadillac QUINN purchased, with the license plate obscured by what appeared to be a sheet of gray plastic slid beneath the license plate holder but over the license plate.

29. Later in the morning a postal inspector saw the Cadillac park in the vicinity of a mail truck that was parked on Brann Street in Oakland, California. The inspector then drove out of view of the Cadillac and the mail truck. A different inspector saw a black male adult walking on the sidewalk across from the mail truck. When the carrier opened the rear door of the mail truck, the postal inspector observed the man cross the street, approach the letter carrier, and

collection boxes, buildings call boxes and other types of secure receptacles for the purposes of delivering mail.

begin to interact with the carrier in a manner that caused the inspector to believe the man was robbing the letter carrier. The postal inspector pointed his weapon at the man and ordered the man to put his hands up. The man turned and ran in the direction of the white Cadillac, appeared to get in the Cadillac, and the Cadillac fled at a high rate of speed.⁷ The first inspector returned to the area in time to see the Cadillac flee, but he was not able to successfully pursue the Cadillac.

30. USPIS inspectors subsequently interviewed the letter carrier, who was the same letter carrier that had been robbed by QUINN on or about September 19, 2020. The letter carrier said that the man who attempted to rob him told him, "I have a gun." The letter carrier said that he stepped aside and the man started to stack trays of mail and then asked the letter carrier to hand over his keys. At that point, the postal inspector approached and commanded the man to stop.

31. On the afternoon of the same day, OPD officers located the Cadillac on Ney Avenue in Oakland and notified USPIS. Postal inspectors identified themselves to a man near or in the driver's seat of the Cadillac, and commanded him to get out of the vehicle. The man in the driver's seat ignored the inspectors' commands, closed the driver's door, started the Cadillac, and fled. The Cadillac made a left turn, the passenger door flew open, and an object fell out of the vehicle. A postal inspector stopped and retrieved the item, which was an iPhone 11 Pro referred to herein as QUINN's iPhone. The other inspectors' pursuit of the Cadillac was unsuccessful.

32. On or about September 29, 2020, postal inspectors located QUINN's white Cadillac on 68th Avenue in Oakland. The Cadillac appeared to have been abandoned and inspectors conducted a probable cause search of the vehicle. Inspectors found evidence in the Cadillac that QUINN perpetrated the robberies described above, including but not limited to mail

⁷ Although the inspector did not see the man enter the Cadillac, the inspector thought the subject must have entered the Cadillac as there were no other vehicles next to the Cadillac.

addressed to addresses on the some of the mail routes that were robbed, Victim 1's EDD debit card, the postal arrow key stolen on or about September 23, 2020, a duffel bag including clothing consistent with that worn by the perpetrators of the robberies, and a handgun magazine loaded with 9mm ammunition.

33. On or about October 2, 2020, a forensic analysis of QUINN's Cadillac was conducted by USPIS. QUINN's fingerprints were identified on the exterior of the driver's door, on a business card from the auto dealership that sold the Cadillac, and other locations.

I. Affect on Interstate Commerce

34. Based on my training and experience, I know that thousands of businesses use USPS to engage in interstate commerce, including by sending advertisements and solicitations through the mail, invoices and bills, products purchased, or items, such as credit and debit cards, needed by customers to use a business's services. Based on my experience, many trays of mail in a mail truck contains these types of items. I also know based on my training and experience that when this type of mail is stolen it disrupts interstate commerce in many ways, including but not limited to because stolen mail may never reach its destination, which is likely to cause losses for both customers and businesses. Based on the foregoing, there is probable cause that QUINN's robbery of the letter carrier on or about September 19, 2020 affected interstate commerce.

VI. REQUEST TO SEAL AFFIDAVIT, CRIMINAL COMPLAINT, AND ARREST WARRANT

35. Based on my training and experience, disclosure of the existence of this affidavit, the complaint, the arrest warrants, and related documents may cause the Subjects or other co-conspirators unknown at this time to destroy evidence or conceal on-going criminal activity, jeopardizing the progress of the ongoing investigation. I therefore request that the Court seal this affidavit, the complaint, the arrest warrant, and related documents.

///

///

VII. CONCLUSION

36. On the basis of my participation in this investigation and the information summarized above there is probable cause to believe that on or about September 19, 2020, in the Northern District of California, David Leveren QUINN, knowingly obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), to wit, QUINN committed an armed robbery of a letter carrier engaged in interstate commerce, in violation of Title 18, United States Code, Section 1951(a).

/s/ Sandra Y. Alvarez

SANDRA Y. ALVAREZ
Postal Inspector
United States Postal Inspection Service

Sworn to before me over the telephone and signed by me
pursuant to Fed.R.Crim.P. 4.1 and 4(d) on this 11th day of December 2020.



HONORABLE KANDIS A. WESTMORE
United States Magistrate Judge