

FILED**2/18/2022****THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MANUEL GARCIA,
also known as "Chuy"

CASE NUMBER: 22CR95

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 July 8, 2021, at Forest Park, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant violated:

Code Section

Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2

Offense Description

knowingly and intentionally distributed a controlled substance, namely, 50 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, and 40 grams or more of fentanyl (N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II Controlled Substance.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

/s/ Hailey Evans

HAILEY EVANS

Task Force Officer, Drug Enforcement Administration (DEA)

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

Date: February 18, 2022 11:35am
Judge's signatureCity and state: Chicago, IllinoisJEFFREY COLE, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, HAILEY EVANS, being duly sworn, state as follows:

1. I have been employed by the Village of Lisle Police Department since approximately September 2016, first as a Police Officer and currently as a Detective. Since approximately March 2019, I have been assigned as a Task Force Officer with Drug Enforcement Administration (“DEA”) Chicago High Intensity Drug Trafficking Agency (“HIDTA”) Group 43 located in Chicago, Illinois.

2. I have received training in and have experience investigating violations of federal narcotics laws including, but not limited to, Title 21, United States Code, Sections 841, 843, and 846. I have participated in numerous investigations involving a variety of investigative techniques, including physical and electronic surveillance; controlled purchases and deliveries of narcotics; the analysis of a wide variety of records and data, including cellular phone location data and social media accounts; and the debriefing of defendants, informants, and witnesses, as well as others who have knowledge of the distribution, transportation, storage, and importation of controlled substances. Through my involvement in prior investigations, my training and experience, and conversations with other law enforcement officers, I have become familiar with the methods used by narcotics traffickers to distribute, transport, store, and import illegal narcotics.

3. I have received training in the area of narcotics investigations, money laundering, financial investigations and various methods which drug dealers use in an effort to conceal and launder the proceeds of their illicit drug trafficking enterprises. I have participated in numerous investigations involving violations of narcotics laws.

4. This affidavit is submitted in support of a criminal complaint alleging that Manuel "Chuy" GARCIA distributed 50 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, and 40 grams or more of fentanyl (N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging GARCIA with distribution of methamphetamine and fentanyl, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

5. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, my review of audio/video evidence, and interviews with witnesses.

I. FACTS SUPPORTING PROBABLE CAUSE

Background

6. As detailed below, between June 24, 2021, and July 14, 2021, a confidential law enforcement source (“CS-3”)¹ arranged with GARCIA—an inmate at the Eyman Arizona State Prison Complex—to purchase methamphetamine and fentanyl from GARCIA for delivery to Illinois. GARCIA coordinated the transaction using a phone he had smuggled into the correctional facility. GARCIA and CS-3 ultimately agreed that GARCIA would send CS-3 a pound (453 grams) of crystal methamphetamine and 1,000 fentanyl pills via a package addressed to “Carlos Medrano” at “207 Airport Drive Joliet, IL 60431.” On or about July 8, 2021, law enforcement intercepted said package at the U.S. Postal facility at 7500 W. Roosevelt Road, in Forest Park, Illinois. Inside the package, law enforcement recovered what was later confirmed by testing to be approximately 444.3 grams of methamphetamine (actual) and 902 pills containing 101.8 grams of fentanyl. In the days that followed, CS-3 arranged with GARCIA to pay a third party on GARCIA’s behalf for the fentanyl and methamphetamine. That transaction occurred on July 14, 2021, when CS-3 met

¹ CS-3 has criminal convictions for narcotics offenses and arson. Law enforcement arrested CS-3 for a narcotics and firearms offense in May of 2021, and CS-3 began cooperating shortly thereafter. CS-3 is currently cooperating in hopes of receiving a more lenient sentence for that offense, although law enforcement has not made CS-3 any promises as to what CS-3’s ultimate sentence may be. Information provided by CS-3 has been corroborated based on surveillance, recorded communications, and narcotics seizures. As such, law enforcement believes CS-3 is a reliable source of information.

with an individual (“Individual A”) in a parking lot at O’Hare Airport and provided \$11,100 as payment to GARCIA for the narcotics.

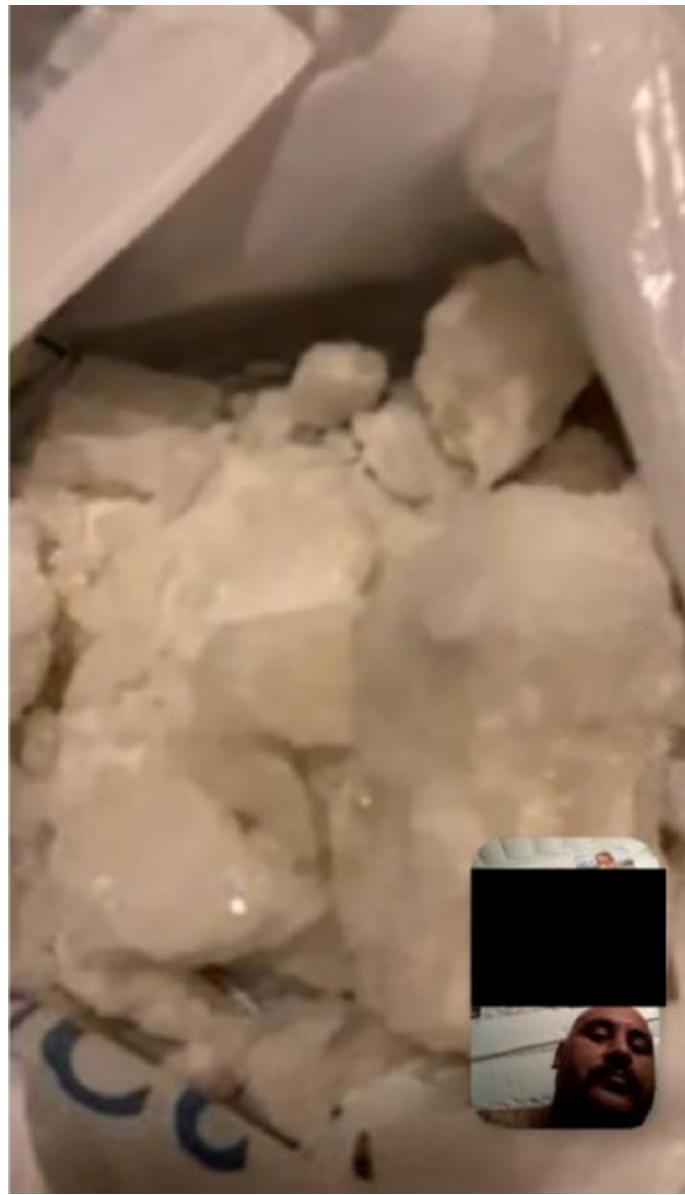
7. In particular, on or about June 26, 2021, law enforcement spoke with CS-3 regarding the narcotics trafficking activities of an individual known to CS-3 as “Chuy,” who, as described below, was subsequently identified by law enforcement as GARCIA.

8. According to CS-3, Chuy was imprisoned at an Arizona correctional facility and was utilizing smuggled cell phones to coordinate narcotics deals, including for cocaine, methamphetamine, fentanyl, and heroin. CS-3 explained that Chuy utilizes multiple phone numbers, including a number ending in 8532 (“GARCIA Phone 1”). CS-3 said that CS-3 knew Chuy through a mutual acquaintance incarcerated at the same Arizona facility. According to CS-3, CS-3 had previously purchased narcotics from Chuy while Chuy was incarcerated at the correctional facility in Arizona. CS-3 explained that on these prior occasions, CS-3 made the arrangements with Chuy over the phone and the narcotics were subsequently delivered by associates of Chuy.

Identification of “Chuy” as Manuel Garcia

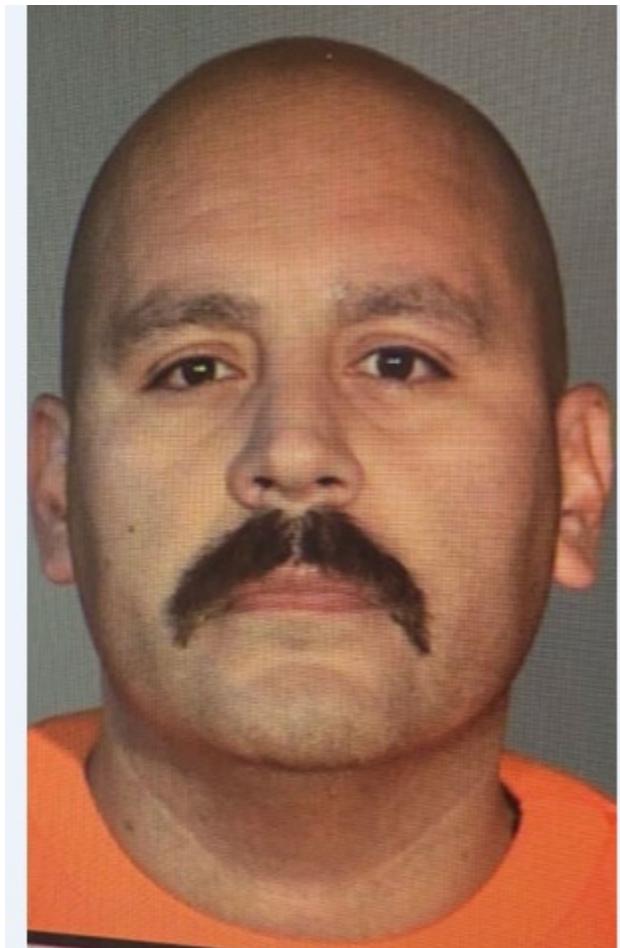
9. Law enforcement has identified the individual “Chuy” with whom CS-3 was in communication as Manuel GARCIA. In particular, on or about June 27, 2021, CS-3 provided law enforcement with a screen capture of a WhatsApp message that CS-3 indicated was sent to CS-3 by Chuy that day. According to CS-3, Chuy sent the message to confirm for CS-3 that Chuy was communicating with Chuy’s source of

methamphetamine supply. The photo, depicted below,² shows the face of GARCIA in front of a concrete wall in what appears to be a communication with another individual who is showing GARCIA a large amount of methamphetamine on their video chat.



² Certain graphic images depicted on the wall behind GARCIA have been redacted.

10. Law enforcement compared the above image of GARCIA to a photo of GARCIA on record with the Arizona Department of Corrections, below, and confirmed that they are the same individual. GARCIA is currently incarcerated in the Arizona Department of Corrections serving concurrent sentences narcotics and fraud offenses. GARCIA has been incarcerated for these offenses since 2010 and is set to be released on February 23, 2022.



11. Moreover, law enforcement conducted a voice comparison between the recorded voice of the user of GARCIA Phone 1, as described below, with the voice of

GARCIA, based on recorded jail calls made by GARCIA at the Arizona Correctional Facility where he is confined, and confirmed that they are the same individual.

12. Additionally, as detailed below, on June 29, 2021, during recorded communications over WhatsApp on Garcia Phone 1, GARCIA made reference to being in Arizona and being incarcerated.

Arranging the July 2021 Narcotics Delivery

13. On or about July 24, 2021, at approximately 9:03 p.m.,³ GARCIA, using GARCIA Phone 1, sent a WhatsApp audio message to CS-3 in which GARCIA stated, “Hey, hey, hey, it’s your boy Chuy. What’s going on? How are you?”⁴ At approximately 9:03 p.m., CS-3 replied via audio message, “How are you brother? We’re here man you know how it is working hard there’s no other way.” Approximately one minute later, GARCIA sent two photos to CS-3 along with an audio message asking, “They don’t ask you for this over there?”⁵ CS-3 replied, “What is that? Fentanyl? What is that?” GARCIA replied via audio message, “It’s fentanyl,

³ Law enforcement obtained the WhatsApp communications referenced in the affidavit by exporting them from CS-3’s phone.

⁴ Some of the recorded conversations described in this Affidavit have been translated from Spanish and summarized. The summaries of the recorded conversations do not include all statements made or topics covered during the course of the recorded conversations. I based the summaries and the language quoted from the recorded conversations on draft transcripts prepared by DEA personnel. At various points in the Affidavit, I also have indicated (sometimes in brackets) my interpretation of words and phrases used in the recorded conversations. My summaries and interpretations also are based on the context of the recorded conversations, events occurring before or after the recorded conversations, information received from confidential sources, my knowledge of the investigation as a whole, my training and experience, and the training and experience of other law enforcement officers involved in this investigation.

⁵ Due to a technical error, DEA did not preserve copies of these photographs from WhatsApp.

it's fentanyl. It sells by brand name, this is Channel, potency of 300." CS-3 asked, via audio message, "Is that what they cut heroin with? That stuff that they sniff?" GARCIA answered via audio message, "No this stuff [this fentanyl] is more potent. See there are the blue pills, but these are more potent than the pills, understand? It's more potent and it sells more up there by you, over here in Phoenix it doesn't sell." [GARCIA explained to CS-3 that the fentanyl in the photos he sent was stronger than other pressed fentanyl pills.] Later, GARCIA continued, "Here in Phoenix I have it for 17.5 [\$17,500 per kilogram], but up there it's worth more money, the blacks sell it a lot." CS-3 asked, "No for sure yeah brother over here there are clients for that [fentanyl], but how much do you charge to ship it here and how much do you charge over there?" GARCIA replied, "Where you're at [Illinois] I haven't sent it. I've only sent it to New York, but I haven't sent it your way yet." Approximately 30 minute later, GARCIA sent an audio message to CS-3 stating, "Over by you, I investigated and found out it's at 34 [\$34,000 per kilogram]."

14. On or about June 25, 2021, at approximately 10:56 a.m., CS-3 sent a WhatsApp text message to GARCIA at GARCIA Phone 1 asking, "How much did you say the cri cri [crystal methamphetamine] was a friend is asking." At approximately 9:26 p.m., GARCIA responded, via text messages, "Here [Arizona]? . . . Or over there [Illinois]?" [GARCIA asked whether CS-3 wanted to know the price to purchase methamphetamine in Arizona, or the price to have the methamphetamine shipped to Illinois.] CS-3 responded via an audio message, "What about the price for the both of them, to see what suits me?" GARCIA replied via text, "Here, in the sun [Arizona] I'll

give them to you for 1600 [\$1,600 per pound of crystal methamphetamine]." CS-3 asked what the price would be in Illinois. GARCIA replied via a WhatsApp text message, "And up there, 3600 [\$3,600 per pound of crystal methamphetamine]." Later, GARCIA asked the CS, via WhatsApp audio message, "But how much would he [CS-3's friend] want?" CS-3 replied, via WhatsApp text message, "Let me ask him correctly first." GARCIA replied with a series of WhatsApp text messages, "It's done, if he comes over here, 1600 [\$1,600 per pound of crystal methamphetamine] "I'll let it go [I'll sell it for that]." At approximately 9:40 p.m., CS-3 replied, via audio message, "That's it, let me tell these guys what's up, I'll give them my number and then they'll let me know how much they want, or whatever and I'll see if they're interested. How much did you say for the pills [Fentanyl pills] so I can let them know about that too?" GARCIA replied, via audio message, stating, "The [fentanyl] pills here in Phoenix, I'll sell them/let them go for 160 [\$1.60 per pill] here."⁶ At approximately 9:42 p.m., GARCIA sent audio messages relating, "Right now, last night I got 20, 20 something thousand delivered [20,000 fentanyl pills]. Those sell fast because I sell them to some black guys and they take them up there I think . . . That price is for those who buy 1,000 [1,000 fentanyl pills] and up you know 2,000/3,000 up to 9,000. Those guys I charge 160 [\$1.60 per pill] but they buy from 5 to 6 [5,000 to 6,000 fentanyl pills]. I have a white girl that I sell to for 150 but she buys 10,000 [10,000 fentanyl pills]."

⁶ During this audio message sent by GARCIA, background noise is audible with echoing voices consistent with a jail setting.

15. On or about June 27, 2021, at approximately 11:31 a.m., GARCIA sent four photos to CS-3 along with a WhatsApp text message stating, "This is the cricri [crystal methamphetamine]."⁷

16. On or about June 29, 2021, at approximately 6:52 p.m., GARCIA sent an audio WhatsApp message to CS-3 stating, "We're here in a maximum [prison], it's called the Central here in the maximum [I'm housed in the Central Unit of the maximum security facility of the Arizona Department of Corrections]."

17. On or about July 1, 2021, at approximately 9:23 a.m., CS-3 sent a WhatsApp message to GARCIA, at GARCIA Phone 1, stating, "Good morning brother, how's it going? Hey, I wanted to say we're good and ready [ready to purchase the narcotics]. I wanted to talk to you so we can agree on everything. I wanted to get what we talked about the other day. I wanted to get a pound of those things [a pound of crystal methamphetamine] and 1,000 for the blue ones [1,000 fentanyl pills]. Can you give me a good price for both and once it gets here and it's good quality my friend will keep buying from you he said. Let's see if you give a good price. Just communicate with me and we can agree on how we can do this." At approximately 7:57 p.m., GARCIA, using GARCIA Phone 1, replied via an audio message, "Yeah we can do it, we can do it. I have the blue ones [fentanyl pills], 1,000 is all he needed that's it and a notebook [one pound of crystal methamphetamine]." GARCIA continued, "The blue ones [fentanyl pills] I'll let them go for what I told you, I thought you were going to get more. \$7 each, \$7 for the blue ones [\$7 per fentanyl pill]. And

⁷ Due to a technical error, DEA did not preserve copies of these photographs from WhatsApp.

the cri cr [crystal methamphetamine] 3600 [\$3,600 per pound].” Approximately four minutes later, GARCIA sent a WhatsApp text message stating, “Let me know so we can get ready.”

18. On or about July 2, 2021, at approximately 7:30 p.m., CS-3 sent an audio WhatsApp message to GARCIA, at GARCIA Phone 1, stating, “My friend finally answered. He said he can have the money but to send him the tracking number. He doesn’t seem too confident. I talked to him and let him know how we work. But he said just to give him the tracking number and he’ll deposit the money. He wants the pound and the pills that we told him about. Can we do it like that?” GARCIA, using GARCIA Phone 1, replied via an audio message WhatsApp message, “Yeah it can done that way. That’s why I said send me half now and half after when it gets there. Because I have to pay the person here that sends it and that’s why I always ask for half first. Once I send the tracking number I have all those expenses, I [] take money out and pay for all that.” At approximately 8:04 p.m., GARCIA, using GARCIA Phone 1, sent CS-3 WhatsApp text messages stating, “Send me the address . . . to send it [the narcotics].”

19. At approximately 8:26 p.m., CS-3 sent GARCIA a WhatsApp text message stating, “207 Airport Drive Joliet, IL 60431,” and “That’s the address.”

20. On or about July 3, 2021, at approximately 2:47 p.m., GARCIA sent a WhatsApp text message to CS-3 asking, “No middle name [for the addressee on the package]?” CS-3 replied, “Put whatever middle name but let me know what name you use so I can keep an eye out.”

21. On or about July 6, 2021, at approximately 6:27 p.m., GARCIA sent WhatsApp text messages to CS-3 stating, “There, I sent you the ticket [the narcotics] . . . The mail, The post office . . . Its addressed to Carlos Medrano, Maria Gomez is who sent it.”

July 8, 2021 Seizure of Narcotics Shipment Sent by GARCIA

22. On or about July 8, 2021, at approximately 10:42 a.m., a Postal Inspector at 7500 W. Roosevelt Road, Forest Park, Illinois obtained a USPS Package with a delivery address of “Carlos Medrano, 207 Airport Drive, Joliet, Illinois, 60451,” and a return address of “Maria Gomez, 3014 W. Granoda Road, Phoenix, Arizona, 85009.”

23. Later that day, law enforcement opened the package and found inside what was later confirmed by DEA lab testing to be 902 tablets containing approximately 101.8 grams of a mixture containing fentanyl, as well as 443.3 grams of methamphetamine (actual).

24. On or about July 9, 2021, at approximately 12:14 p.m., GARCIA, using GARCIA Phone 1, sent an audio message to CS-3 stating, “the package is about to get there.” At approximately 4:35 p.m., GARCIA sent an audio message stating, “Hey the gift [package of narcotics] arrived.”

July 14, 2021 Payment of Narcotics Proceeds to Individual A

25. Over the course of numerous WhatsApp communications in the days that followed, CS-3 arranged with GARCIA to pay a third party (“Individual A”) for the narcotics on GARCIA’s behalf. In particular, on or about July 10, 2021, at approximately 8:47 p.m., GARCIA, using GARCIA Phone 1, told CS-3 via a WhatsApp

text message, "I'll send someone on Tuesday." On or about July 12, 2021, at approximately 1:57 p.m., GARCIA told CS-3 via a WhatsApp text message, "Tomorrow he [Individual A] leaves to head over there so you can pick him up." In subsequent communications, CS-3 agreed to meet Individual A at O'Hare airport to provide him with the narcotics payment for GARCIA. During the course of these communications, CS-3 also communicated with Individual A to coordinate the meet, using telephone number provided to CS-3 by GARCIA over WhatsApp.

26. On or about July 14, 2021, at approximately 4:00 a.m., law enforcement met with CS-3 at a prearranged meeting area, at which time CS-3 was searched for contraband or excess currency with none found. CS-3 was equipped with audio/video recording equipment as well as \$11,100 in DEA funds as payment for the narcotics. CS-3 then departed for O'Hare airport.

27. At approximately 6:13 a.m., as observed by surveillance, CS-3, accompanied by an undercover officer, met with Individual A at a location in a parking lot at O'Hare airport, at which time CS-3 provided Individual A with the \$11,100 payment before departing the area. CS-3 subsequently met with law enforcement at a prearranged meet location where the covert recording equipment was removed and CS-3 was searched for contraband or excess currency with none found.

28. At approximately 6:54 a.m., CS-3 informed GARCIA, via a WhatsApp audio message, "I made the payment." At approximately 10:30 a.m., GARCIA, using

GARCIA Phone 1, responded via an audio message, "Thank you very much you know we're here with whatever you need."

Conclusion

29. Based on the foregoing, I believe there is probable cause to believe that, on or about July 8, 2021, GARCIA distributed 50 grams or more of methamphetamine (actual), a Schedule II Controlled Substance, and 40 grams or more of fentanyl (N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

FURTHER AFFIANT SAYETH NOT.

/s/ *Hailey Evans*
HAILEY EVANS
Task Force Officer, Drug Enforcement
Administration

SWORN TO AND AFFIRMED by telephone February 18, 2022.



Honorable JEFFREY COLE
United States Magistrate Judge