

AO 91 (Rev. 11/11), Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America
v.
Darius Jaques Garrett

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Case No.
6:22-mj- 1678

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 May 27, 2022 in the county of Orange in the
Middle District of District, the defendant(s) violated:

Code Section
18 U.S.C. § 922(g)(1)

Offense Description
Possession of a firearm by a convicted felon.

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

Complainant's signature

Raymond Allen, Special Agent

Printed name and title

Sworn to before me and ^{by Zoom} signed in my presence.

Date: 6/30/2022

City and state: Orlando, FL

Judge's signature

Embry J. Kidd, U.S. Magistrate Judge

Printed name and title



STATE OF FLORIDA

CASE NO. 6:22-mj-1678

COUNTY OF ORANGE

AFFIDAVIT IN SUPPORT OF THE
ISSUANCE OF A CRIMINAL COMPLAINT

I, Raymond Allen, being duly sworn, deposes and states:

1. I am employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been employed in this capacity since September 2015. I am currently assigned to the Orlando Group III Field Office, under the Tampa Field Division. In the course of my duties, I am charged with the investigation and enforcement of violations of federal firearms, alcohol, tobacco, arson and explosives laws. Prior to my employment with ATF, I was employed by the Orange County Sheriff's Office (OCSO) in the State of Florida for approximately 13 years. During my employment with the OCSO, I was assigned to various units investigating crimes related to violence, criminal gangs, narcotics and firearm related activity. I have a bachelor's degree from Columbia College in criminal justice. I am a graduate of the Criminal Investigator Training Program and the ATF National Academy, both located at the Federal Law Enforcement Training Center in Glynco, Georgia.
2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. This affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

PROBABLE CAUSE

4. I respectfully submit this affidavit in support of a criminal complaint against Darrius Jaques Garrett (GARRETT) for violating 18 U.S.C. § 922(g)(1), possession of a firearm and ammunition affecting commerce by a convicted felon.

5. On or about May 27, 2022, at approximately 4:00 p.m., the OCSO responded to the area of 2200 Americana Boulevard, in Orlando, Florida, in reference to an Aggravated Battery with a Firearm. OCSO deputies made contact the victim, who suffered gunshot wounds to the abdomen / torso area. The victim was transported to the Orlando Regional Medial Center for medial treatment. OCSO reviewed the surveillance footage and an unknown female wearing what appears to be a white shirt, shorts, and white sneakers walked to a dark colored Dodge Charger (SUBJECT VEHICLE). The unknown female opens the rear driver's side door of the SUBJECT VEHICLE and looks in the direction of the gas pumps (where the victim was located). The unknown female takes a few steps towards the gas pumps, crossed her arms and stared in the direction of the gas pumps as if looking for someone or

something. After a short time, a black male (subsequently identified as GARRETT) exited the front driver's seat of the SUBJECT VEHICLE, wearing a dark colored shirt with a design on the front. The female walks in the direction of the gas pumps and after a short time, GARRETT motions with his hand for the unknown female to move.

6. GARRETT continues to look over his shoulders as if he is looking for someone or something. The unknown female appears on the security footage running from the area of the gas pumps, out of the line of GARRETT's sight. GARRETT continues to look in the direction of the gas pumps and then begins to fire several rounds from a pistol in that direction, striking the victim.



GARRETT firing the pistol in the direction of the victim while citizens walk/drive by.

7. After the shooting occurred, GARRETT entered the driver's seat of the SUBJECT VEHICLE, and the unknown female entered the front passenger seat.

They both fled the scene in the Dodge Charger.

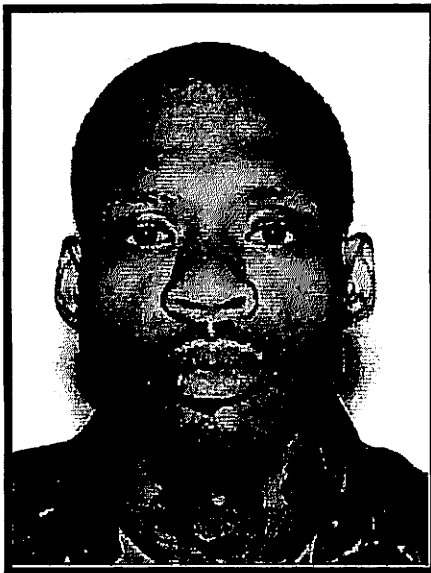


GARRETT entering the Dodge Charger after the shooting.

8. When OCSO responded to the scene, they spoke with an eyewitness to the shooting who personally knew the shooter as "Drop." Law enforcement records reveal that GARRETT is known to use that alias.

9. Four days after the shooting, the victim positively identified the shooter, who he personally knows. The victim has known GARRETT for approximately two years and has interacted with GARRETT approximately three times a week. OCSO

Detective Crane showed the victim a single photo of GARRETT and the victim confirmed GARRETT is the person who shot him on May 27, 2022. The victim confirmed GARRETT is always seen driving the SUBJECT VEHICLE.



A photograph of GARRETT from his Florida driver's license.

10. During the crime scene processing, several .22 caliber spent cartridge cases were collected from the area where GARRETT was observed shooting from in the surveillance footage.

11. On June 1, 2022, five days after the shooting, GARRETT was observed in the same area of the shooting by OCSO deputies. GARRETT was arrested on the outstanding warrant for his arrest related to the shooting. The SUBJECT VEHICLE was towed from the scene and later searched pursuant to a state search warrant. Inside the SUBJECT VEHICLE under the driver's seat, officers recovered a loaded Glock, model 44, .22 caliber pistol, bearing serial number AEEU757. That firearm

was compared to the .22 caliber casings recovered from the shooting on May 27, 2022. On June 16, 2022, the Florida Department of Law Enforcement issued a laboratory report concluding that three of the casings found at the shooting were identified as having been fired from the Glock pistol in GARRETT's vehicle.

12. The .22 caliber casings from the shooting and the Glock pistol were all examined by ATF SA Nestor Vazquez (an interstate nexus expert). The .22 caliber casings from the shooting were manufactured by Winchester in Illinois. The Glock pistol was manufactured and/or assembled in Georgia. Therefore, the ammunition from the shooting on May 27, 2022, and the firearm recovered from GARRETT's vehicle on June 1, 2022, all traveled in and therefore affected interstate commerce.

13. I conducted a National Crime Information Center (NCIC) query on GARRETT. The query resulted that GARRETT was adjudicated guilty for the listed felony offenses:

1. Possession of Oxycodone, on or about December 09, 2021;
2. Burglary of a Dwelling, Grand Theft, on or about May 12, 2010;
3. Battery Law Enforcement Officer, Burglary of a Dwelling, on or about May 12, 2010 (confinement 2 years and 5 months);
4. Possession of a Controlled Substance, on or about October 27, 2008 (confinement 1 year and 1 day).

14. GARRETT has been previously convicted in any court of a crime punishable by imprisonment for a term exceeding one year as listed above. As a result, GARRETT is a prohibited person from possessing a firearm or ammunition that affected interstate or foreign commerce, in violation of 18 U.S.C. § 922(g)(1).

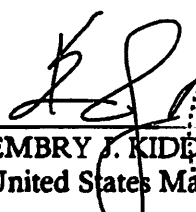
CONCLUSION

15. Based upon the foregoing, I respectfully submit that there is probable cause to believe that Darrius Jaques GARRETT was in violation of 18 U.S.C. § 922(g)(1), having been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.



Raymond Allen
Special Agent
Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Affidavit submitted by email and attested to me as true and accurate by Zoom conference consistent with Fed. R. Crim. P. 4.1 and 41(d)(3) this 30 day of June, 2022.



EMBRY J. KIDD
United States Magistrate Judge
