

AFFIDAVIT IN SUPPORT OF FEDERAL COMPLAINT
4:20 MJ 218 DDN

Your affiant, Detective Scott McKelvey, being duly sworn, deposes and states the following:

1. I am a Detective with the Saint Louis Metropolitan Police Department, and I have been a police officer since 1988. I am currently assigned to the Intelligence Division. I have received training or have participated in the arrest and criminal investigations of subjects involved in firearms violations, narcotic violations, assaults, robberies, and homicides. In particular, I have substantial training and experience with firearms and am familiar with federal firearms and narcotics laws.

2. I am currently part of a team of experienced law enforcement officers that is investigating criminal violations by TROY JACKSON (DOB XX/XX/1991). This investigation is presently focusing on, among other things, JACKSON being a previously convicted felon in possession of a firearm, possessing controlled substances (*i.e.* fentanyl) with the intent to distribute them, and possessing a firearm in furtherance of a drug trafficking crime—each of which occurred on August 9, 2020.

3. The facts in this affidavit come from my training and experience and information obtained from other enforcement officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the federal complaint and may not set forth all of my knowledge about this matter.

4. Prior to August 9, 2020, JACKSON was convicted of one or more felony crimes punishable by a term of imprisonment exceeding one year. Specifically, JACKSON was convicted of burglary (first) and sentenced to a term of imprisonment of fifteen years in 2013. Based on my review of his criminal history, JACKSON appears to have been subsequently paroled. In fact, on

July 2, 2020, a felony arrest warrant was issued for JACKSON by the State of Missouri Probation and Parole. Therefore, I have no reason to doubt that JACKSON knew he was a convicted felon – *i.e.*, knew he had been convicted of a felony offenses punishable by a term of imprisonment exceeding one year – at the time he possessed the firearm (which is described below) on August 9, 2020.

5. In addition to his arrest warrant for violating his parole, as of August 9, 2020, JACKSON was also wanted for murder (first degree) and armed criminal action in relation to a homicide occurring in June of 2020. Additionally, JACKSON was wanted for assault (second) and assault (third) arising from a separate incident.

6. Investigators began conducting a fugitive investigation into JACKSON. On August 9, 2020, investigators learned through their investigation that JACKSON was likely at the Best Western St. Louis Inn, at 6224 Heimos Industrial Park Drive, St. Louis, Missouri, which is within the Eastern District of Missouri.

7. Upon arriving at the hotel, law enforcement officers working with the United States Marshals Service, spoke with a hotel employee, who was shown a photograph of JACKSON. The employee identified JACKSON and confirmed he was in Room 103 at the hotel. The employee told law enforcement officers JACKSON had used another name when he registered for the room. The employee then gave the officers a key to Room 103.

8. However, the law enforcement officers were unable to open the door with the key and, consequently, breached the door of Room 103.

9. JACKSON was inside Room 103, along with a female occupant. JACKSON was holding the magazine of a gun. A Mossberg 9mm pistol was nearby, on a table in plain view in the room. The magazine that JACKSON was holding appeared (based on the training and

experience of the law enforcement officers apprehending JACKSON) to have been compatible with the 9mm pistol on the table.

10. Notably, a closet in the hotel room was open. Among other items, there were suspected controlled substances and a coffee grinder in plain view in the closet. Additionally, there were empty capsules in a nightstand. Law enforcement officers seized the suspected narcotics and drug paraphernalia, as well as the Mossberg 9mm pistol and magazine described above.

11. JACKSON was arrested and read his *Miranda* rights. JACKSON admitted to possession of the Mossberg 9mm pistol and controlled substances in the hotel room. He also admitted to being a drug dealer.

12. Based on my training and experience (and the training and experience of the officers arresting JACKSON) and the fact that the firearm was a Mossberg 9mm pistol; I believe that the firearm discussed above is a firearm under federal law. I further believe (based on my training and experience) that the firearm discussed above was manufactured outside the State of Missouri; and, therefore, the firearm traveled in interstate commerce prior to August 9, 2020. Based on these facts and circumstances (and the other circumstances discussed above), there is probable cause to believe JACKSON, a convicted felon, knowingly possessed a firearm on August 9, 2020.

13. With regard to the narcotics described above, the suspected controlled substances were submitted to and analyzed by an expert criminalist with the St. Louis Metropolitan Police Department Crime Laboratory. The criminalist confirmed that the suspected controlled substances in the hotel room included over five grams of fentanyl, a Schedule II controlled substance. Based on my training and experience, as well as the presence of other indicia of distribution in the hotel room (*i.e.* a grinder and empty capsules) and Defendant's admissions to drug dealing; the amount

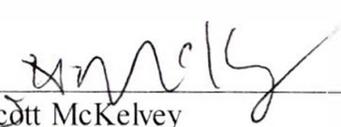
of fentanyl is indicative of Defendant's intent to distribute. In other words, there is probable cause to believe JACKSON possessed controlled substances with the intent to distribute them.

14. Based on my training and experience, the proximity of the firearm to narcotics and other indicia of distribution further indicates that Defendant possessed the Mossberg 9mm pistol in furtherance of his drug trafficking activities. As discussed above, Defendant admitted to both possession of the firearm and to dealing drugs. And, in my training and experience, it is common for those engaging in drug trafficking activities to use firearms to further those activities—including, but not limited to, for the protection of narcotics and drug proceeds. Therefore, there is probable cause to believe JACKSON possessed a firearm in furtherance of his drug trafficking activities.

15. Based on the foregoing, there is probable cause to believe TROY JACKSON violated Title 18, United States Code, Section 922(g)(1); Title 21, United States Code, Section 841(a)(1); and Title 18, United State Code, Section 924(c).

I state under the penalty of perjury that the foregoing is true and correct.

8/13/2020
DATE



Scott McKelvey
Detective
St. Louis Metropolitan Police Department

Sworn to, attested to, or affirmed before me via reliable electronic means pursuant to Federal Rules of Criminal Procedure 4.1 and 41 on this 13th day of August, 2020.

/s/ David D. Noce
HONORABLE DAVID D. NOCE
United States Magistrate Judge
Eastern District of Missouri