

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Gregory Dulaney

Case: 2:20-mj-30305

Assigned To : Unassigned

Assign. Date : 8/19/2020

CMP: SEALED MATTER (MAW)

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 July 30, 2020, and August 8, 2020, in the county of Wayne in the Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 922(g)	Felon in possession of a firearm
21 USC § 841(a)	Distribution of narcotics

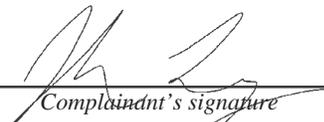
This criminal complaint is based on these facts:
see attached affidavit.

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: August 19, 2020

City and state: Detroit, Michigan



Complainant's signature
 Joshua Loy, Special Agent (ATF)

Printed name and title



Judge's signature
 Hon. Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Joshua Loy, being duly sworn, state the following:

I. Introduction

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF"), and have been so employed since June 2018. I am currently assigned to the Detroit Field Division Group 4, where I am responsible for investigating violations of firearms laws, among other crimes. I graduated from the Federal Law Enforcement Training Center and the ATF Special Agent Basic Training Course.

2. The information contained in this affidavit is based on my personal knowledge and observations during the course of this investigation, law enforcement reports that I have reviewed, communications with others who have personal knowledge of the events and circumstances described in this affidavit, and information gained through my training and experience.

3. This affidavit is in support of a complaint and arrest warrant for Gregory DULANEY (xx/xx/1970) (hereinafter, "DULANEY") for distribution of narcotics, in violation of 21 U.S.C. § 841 (a), and being a

felon in possession of a firearm, in violation of 18 U.S.C. § 922(g). Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation.

II. The Investigation and Probable Cause

4. On July 30, 2020, ATF special agents conducted an undercover operation in which three ATF confidential informants (hereafter referred to as ATF-1, ATF-2, and ATF-3, and collectively the “CIs”) purchased suspected crack cocaine from DULANEY at the Telegraph Motel, located at 16920 Telegraph Road, Detroit, Michigan.

5. Prior to the operation, ATF Special Agent Valles searched the CIs’ persons and CIs’ vehicle for any contraband—they were clean. ATF-1 and ATF-2 were provided a quantity of prerecorded government funds to purchase the crack cocaine. S/A Valles then activated audio and video recording equipment on ATF-1 and ATF-2’s person. At this time, ATF agents maintained constant surveillance of the CIs from the staging area to the target location. The CIs did not make any stops prior to arriving at the Telegraph Motel.

6. Once at the Telegraph Motel, the CI's departed the CI Vehicle and ATF-1 observed DULANEY standing outside of room #10; DULANEY made contact with ATF-1 and ATF-2 prior to entering room #8 of the Telegraph Motel.

7. ATF-1 then observed DULANEY in possession of a handgun in his right pants pocket, which ATF-1 believed to be a Lorcin 9mm semi-automatic pistol (based on my training and experience, I know that this type of handgun looks similar to a Hi-Point 9mm handgun). ATF-1 requested to purchase of a quantity of crack cocaine, and DULANEY provided ATF-1 a clear plastic baggie containing nineteen baggies containing suspected crack cocaine. Subsequently, ATF-1 provided DULANEY a quantity of prerecorded Government funds in exchange for the suspected crack cocaine. After a brief conversation with DULANEY, ATF-1 departed room #8 and this concluded the controlled purchase with DULANEY.

8. On August 8, 2020, Farmington Hills Police Department conducted a traffic stop on a vehicle operated by an individual by the name of Amie MOORE after identifying MOORE had a no-bond warrant out of Genesee County for cocaine possession. The traffic stop occurred in

the Eastern District of Michigan. Prior to pulling the vehicle over, Officer Wafer saw the front seat passenger of the vehicle moving around and observed what appeared to be the passenger placing something on the floorboard or under the seat.

9. During the traffic stop, Officer Wafer asked the front passenger for his identification—the individual identified himself as “James Lee Jackson” (xx/xx/1970). After speaking with the driver of the vehicle, Officer Wafer then asked “Jackson” to step out from the vehicle. Officer Wafer asked if he could search “Jackson’s” person to which he gave permission to do so. Upon searching “Jackson’s” person, Officer Wafer located a glass crack pipe in the left pants pocket of “Jackson” and a plastic bag with two lottery folds. Based on training and experience, Officer Wafer believed these lottery folds to contain narcotics, and asked “Jackson” again if he had anything illegal on him. At this point, “Jackson” said that he had heroin on him.

10. Officers then secured “Jackson” in the rear of Officer Ciesielski’s patrol vehicle, and officers began searching the vehicle. Under the front passenger seat where “Jackson” was seated, Officer Ciesielski located a loaded, Hi-Point, C9, 9mm, handgun, bearing serial number

P1530418, with seven live rounds of 9mm ammunition. Both the narcotics and the firearm were secured in Officer Wafer's vehicle.

11. Officer Wafer again spoke with Moore who denied any knowledge of the firearm. At this time, Officer Wafer spoke with "Jackson" and requested the he give officers his real name. "Jackson" advised he gave a fake name because he is a parole absconder. He then identified himself as DULANEY and admitted that he was on parole for retail fraud. DULANEY denied having knowledge about the firearm recovered under his seat.

12. At this juncture, DULANEY was placed under arrest for possession of heroin and CCW (carrying concealed weapons).

13. I reviewed DULANEY's criminal history; records indicate that he has the following felony convictions:

- A. 1987 – Felony Weapons, Felony Firearm, and Felony Armed Robbery;
- B. 1994 – Felony Larceny from a Motor Vehicle;
- C. 2009 – Felony Retail Fraud, First Degree;
- D. 2014 – Felony Police Officer – Fleeing; and
- E. 2016 – Felony Retail Fraud, First Degree.

14. On August 17, 2020, I contacted ATF Special Agent David Salazar, an expert in the in the interstate nexus of firearms. S/A Salazar

stated the firearm recovered in this case—the Hi-Point 9mm handgun—was manufactured outside the State of Michigan after 1898, and therefore traveled in and affected interstate commerce.

III. Conclusion

15. Based on the aforementioned facts, probable cause exists that, on or about August 8, 2020, Gregory DULANEY (xx/xx/1970), a convicted felon, did knowingly and intentionally possess a firearm, which traveled in and affected interstate commerce, in violation of 18 U.S.C. § 922(g). Probable cause also exists that, on or about July 30, 2020, DULANEY knowingly distributed narcotics in violation of 21 U.S.C. § 841 (a).

Respectfully submitted,



Joshua Loy, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means.



HON. ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE

Date: August 19, 2020