

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ss

AFFIDAVIT

I, Timothy Merges, being duly sworn, state as follows:

Background of Affiant

1. I am a Special Agent with the United States Postal Service Office of Inspector General (“Postal OIG”) and have been so employed since approximately 2008. Before that, I was a Postal Inspector with the United States Postal Inspection Service (“USPIS”) for approximately 12 years. I am currently assigned to the Great Lakes Area Field Office, Chicago Division. My responsibilities include the investigation of Mail Theft crimes.

Basis and Purpose of Affidavit

2. This affidavit is submitted in support of a criminal complaint alleging that ZAPHRONIA WHEELER has violated Title 18, United States Code, Section 1709.

3. This affidavit is also made in support of an application for a warrant to search a US Express Mail Parcel with Tracking Number EG602381745US, described further in Attachment A (the “**Subject Parcel**”), for evidence, instrumentalities, fruits, and contraband described further in Attachment B, concerning theft of mail and narcotics offenses, in violation of Title 18, United States Code, Section 1709, and Title 21, United States Code, Sections 841(a)(1) and 843(b).

4. The information set forth in this affidavit is based on my own personal observations and knowledge; my participation in this investigation; my review of documents and reports related to this investigation; my review of audio and video recordings made during this investigation, including consensually recorded conversations; and information conveyed to me by other local, state, and federal law enforcement officers.

5. Because this affidavit is being submitted for the limited purpose of showing there is probable cause for the foregoing complaint and search warrant for the **Subject Parcel**, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable cause to believe that evidence, instrumentalities, fruits, and contraband of violations of Title 18, United States Code, Section 1709, and Title 21, United States Code, Sections 841(a)(1) and 843(b), are located within the **Subject Parcel**. I have also set forth facts I believe are sufficient to establish probable cause that ZAPHRONSIA WHEELER has violated Title 18, United States Code, Section 1709.

FACTS IN SUPPORT OF PROBABLE CAUSE

Overview of the Investigation

6. Beginning in January 2015, the Postal OIG and the U.S. Postal Inspection Service (“USPIS”) have been investigating allegations that Postal Service employees at the International Service Center located at O’Hare Airport, Chicago, Illinois (“International Service Center”) have been opening and stealing the

contents of Express Mail and Priority Mail parcels. As discussed below, these rifled Express and Priority Mail parcels fit the general profile for parcels which contain narcotics, in that they are often sent from narcotics source states, and/or from fictitious senders or to fictitious recipients, and narcotics sniffing canines alert to the parcels. The circumstances of the investigation suggested that the Postal Service employees are stealing narcotics from the parcels.

7. Based on information obtained by surveillance and other sources, the USPIS and Postal OIG have identified ARAMIS BROWN (“BROWN”) and ZAPHRONSLIA WHEELER (“WHEELER”) as Postal Service employees who have been stealing narcotics out of Express and Priority Mail parcels. The USPIS’s and Postal OIG’s investigation has shown that BROWN and WHEELER have stolen the contents of at least 16 pieces of mail since April 7, 2015. WHEELER is employed by the Postal Service as a Mailhandler Assistant at the International Service Center. BROWN is employed by the Postal Service as a Mailhandler at the International Service Center.

On February 12, 2015, the USPIS Intercepted Two Parcels of Unequal Weight Containing Cannabis and Conducted A Controlled Delivery of the Parcels. The Person Who Accepted the Parcels Later Told Law Enforcement that He Expected Both Parcels to Contain The Same Amount of Marijuana.

8. On February 11, 2015, Postal Inspectors intercepted two Priority Mail Express parcels at the International Service Center that were both sent from the same sender and destined to the same recipient. After a narcotics sniffing dog alerted to the parcels, Postal Inspectors obtained search warrants from United

States Magistrate Judge Daniel G. Martin for each parcel, opened them, and observed that one parcel contained approximately 7 pounds of marijuana while the other parcel contained approximately 2.32 pounds of marijuana. The Postal Inspectors also observed that the lighter parcel appeared to be missing packaging material and the tape on the exterior of the box had been cut and additional tape was added. Further the shipping label for each parcel indicated that each parcel, when mailed, weighed approximately 17 pounds. This weight included not only the marijuana, but also the packaging material.

9. The next day, February 12, 2015, Postal Inspectors and Chicago Police conducted a controlled delivery of the aforementioned parcels to an address in Chicago, Illinois and arrested Individual A after he accepted delivery of the parcels. After his arrest, Individual A stated that he expected each parcel to contain marijuana and he was expecting the same amount of marijuana in each parcel.

On April 7, 2015, BROWN Opened and Stole the Contents of Several Mail Parcels.

10. On April 7, 2015, Postal OIG and the USPIS were conducting surveillance at the International Service Center when, during a shift when BROWN was working as a Mailhandler, they observed BROWN transport a cart containing outbound international mail parcels from a sorting station to the International Express Mail sort area of the workroom floor. Postal OIG agents then observed BROWN remove several parcels from this cart and rifle them out of view of myself and the other observing agents, before returning what appeared to be the same parcels to his cart. Postal OIG agents then observed BROWN return this cart to its

original sorting station, where the cart was transported by another Postal employee to a local Express Mail sorting area. Postal Inspectors responded within three minutes and observed that the parcels on this cart had been sorted for local delivery. Postal Inspectors searched this area and recovered two parcels which appeared to have been opened in that the tape on the exterior of each box had been cut and resealed with new tape.

11. Postal Inspectors received consent to open one parcel, which contained approximately 1.51 pounds of cannabis. At the time of the search, this parcel weighed approximately 5 pound 3 ounces, including marijuana and packing materials. However, Postal Inspectors reviewed the parcel's mailing label which indicated that it weighed approximately 10 pounds 2 ounces at the time of mailing.

12. After a narcotics sniffing dog alerted to the second parcel, Postal Inspector Alexander Lupiani obtained a search warrant from United States Magistrate Judge Jeffery Cole for this parcel, opened it, and observed that it contained approximately 2.31 pounds of marijuana. PI Lupiani also observed that the mailing label for this parcel indicated that, when it was mailed, it weighed approximately 9 pounds and 6 ounces. However, at the time of the search it only weighed approximately 6 pounds and 12 ounces.

On April 8, 2015, BROWN and WHEELER Worked Together to Mis-Sort and Steal the Contents of Several Mail Parcels.

13. On April 8, 2015, Postal OIG and the USPIS were conducting surveillance at the International Service Center when Postal OIG Special Agent

Lisa Crayton observed WHEELER take several parcels and place them in a cart designated for International Express mail. I later observed BROWN take this cart and transport it to the International Express Mail sort area of the workroom floor. Postal OIG agents observed BROWN open at least one parcel on this cart before returning the cart back to its original sort location.

14. Postal OIG agents also observed BROWN enter the employee locker room numerous times during his shift. After BROWN and WHEELER's shift ended PI Lupiani entered the employee locker room and recovered an empty plastic tub with tape completely surrounding the lid from the locker-room trash. In my training and experience, this tub appeared to be the type of tub used by drug traffickers to send vacuum sealed bags of marijuana through the mail. The seams of these tubs are often taped shut to mask the odors from inside tub.

15. Later that day, Postal Inspectors observed BROWN exit the International Service Center at the end of his shift carrying a backpack which appeared bulky and full. Postal Inspectors observed BROWN place this backpack into his vehicle before driving away from the employee lot.

On April 9, 2015, the USPIS and Postal OIG Observed BROWN Steal the Contents of Several Mail Parcels.

16. On April 9, 2015, Postal OIG and the USPIS again conducted surveillance at the International Service Center when I observed BROWN transport a cart to the International Express sort area of the workroom floor. I observed BROWN remove parcels from this cart, open them, and remove their contents, and

place their contents in a backpack. Postal OIG agents then observed BROWN enter the employee locker room carrying this backpack and that he exited a few minutes later without the backpack. I then observed BROWN return to the parcels, remove two stuffed animals from the parcels and again enter the employee locker room, exiting a short time later without the animals. Postal OIG agents then observed BROWN return this cart to its original location.

17. Postal OIG Agents and Postal Inspectors maintained surveillance on these parcels until PI Lupiani was able to go to this area and recover three parcels. One of the parcels appeared to be intact and was returned to the mailstream. The other two parcels appeared to be rifled in that the tape on the exterior of the box had been cut and resealed with new tape. After a narcotics sniffing dog alerted to the parcels, PI Lupiani obtained search warrants from United States Magistrate Judge Jeffrey Cole for each parcel, opened them, and found that one contained newspaper and a small white towel and the other contained spray foam and nothing else. PI Lupiani examined the shipping labels for each parcel which indicated that the first parcel weighed approximately 4 pounds and 12 ounces at the time of shipping and yet at the time it was opened this parcel weighed only 1 pound and 8.6 ounces. The shipping label for the second parcel indicated that it weighed approximately 5 pounds and 15 ounces at the time of shipping, yet only weighed 2 pounds 1.5 ounces at the time PI Lupiani opened it. Additionally, this parcel contained only spray foam, which, in my experience, is often used by drug traffickers when sending narcotics through the mail.

18. Later that day, Postal Inspectors observed WHEELER leave the International Service Center and enter the employee parking lot at the end of his shift carrying a backpack which appeared bulky and full. Postal Inspectors observed WHEELER place this backpack into his vehicle before driving away from the employee lot.

On April 15, 2015, BROWN Stole the Contents of Several Mail Parcels.

19. On April 15, 2015, Postal OIG and the USPIS again conducted surveillance at the International Service Center when I observed BROWN transport a cart containing outbound international mail parcels from a sorting station to the International Express Mail sort area of the workroom floor. Postal OIG Special Agent Ryan Petry observed BROWN remove several parcels from this cart and open three parcels and place the opened parcels into a cart. SA Petry then observed BROWN enter the men's locker room and exit a few minutes later carrying a blue backpack. BROWN then went to the cart with the rifled parcels and placed items from the cart inside his backpack. BROWN then returned to the men's locker room carrying the backpack and exited a few minutes later empty handed. SA Petry then observed BROWN reseal the opened parcels and return them to their original location. After BROWN left the area, I examined the area where BROWN left this carts, but was unable to recover any rifled mail.

On April 16, 2015, BROWN and WHEELER Worked Together to Mis-Sort and Steal the Contents of Several Mail Parcels.

20. On April 16, 2015, the USPIS and Postal OIG agents again conducted surveillance at the International Service Center when Postal OIG agents observed BROWN and WHEELER take several parcels and place them in a cart designated for International Express mail. Postal OIG agents later observed BROWN transport this cart to the International Express Mail sort area of the workroom floor. Postal OIG agents observed BROWN remove parcels from this cart, open them, and remove their contents and place some of the contents in a backpack. Postal OIG agents also observed BROWN remove a white Priority mail box from one of the parcels and place it in a bulk mail container. Approximately 30 minutes later, PI Lupiani inspected the local Express Mail sort area and recovered two parcels. Each appeared rifled in that the tape on the exterior of the box had been cut and resealed with new tape.

21. PI Lupiani examined the first parcel and observed that it was addressed to Individual C. PI Lupiani was able to make contact with Individual C, who gave me consent to open her parcel, which was empty. Individual C informed PI Lupiani that, when shipped, her parcel contained a miniature dollhouse worth approximately \$850 which she had shipped to herself for a convention.

22. After a narcotics sniffing dog alerted to the second parcel, PI Lupiani obtained a search warrant from United States Magistrate Judge Susan E. Cox, opened the parcel, and found that it contained empty bubble wrap and an empty

plastic toolbox. PI Lupiani examined the shipping label for this parcel which indicated that this parcel weighed approximately 6 pounds and 11 ounces at the time of mailing and yet at the time he opened this parcel it weighed only 4 pounds and 7.2 ounces.

23. Later that day, Postal Inspectors observed BROWN exit the International Service Center at the end of his shift, enter his vehicle, and drive away. He carried a backpack that appeared to be the same backpack Postal Inspectors observed him carry on previous occasions, and this backpack appeared full and bulky.

24. Additionally, on April 17, 2015, Acting Chief Judge Samuel Der-Yeghiayan authorized the installation of tracking devices on vehicles driven by both BROWN and WHEELER.

On April 29, 2015, BROWN Stole the Contents of Several Mail Parcels.

25. On April 29, 2015, the USPIS and Postal OIG again conducted surveillance at the International Service Center. At approximately 6:30 a.m., I observed BROWN transporting a cart to the International Express Mail sort area of the workroom floor. I then observed BROWN leave this cart, enter the employee locker room, and exit a few minutes later carrying a blue backpack. I then observed BROWN return to the International Express Mail sort area. I then observed BROWN remove a parcel, cut the tape sealing the parcel, and remove turquoise and green plastic bags from this parcel. I then observed BROWN reseal this parcel with

clear tape. BROWN then took the turquoise and green bags to his backpack before moving out of my view.

26. A few seconds later, I observed BROWN carrying the turquoise and green bags, which were now empty, and throwing them into a nearby trash can. I then observed BROWN return to his cart and appear to open a second parcel. After BROWN opened the second parcel, he picked up his backpack and re-entered the employee locker room before exiting a few minutes later and returning to his cart, still carrying the blue backpack. Once at the cart, BROWN placed two more items into the backpack, then resealed the second parcel that he opened, and placed both rifled parcels into his cart. BROWN then reentered the employee locker room carrying the backpack and exited a few minutes later without the backpack. BROWN then transported this cart away from the International Express Mail sort area. I then contacted PI Lupiani who recovered the parcels within 30 minutes of my observations of BROWN. Upon recovering the parcels, investigators observed that each parcel appeared rifled in that the tape on the exterior of the box had been cut and resealed with new tape.

27. At approximately 7:27 a.m., Postal OIG agents observed BROWN and WHEELER enter the employee locker room within three minutes of each other. I then observed WHEELER exit the locker room carrying a black backpack which appeared partially full. WHEELER then clocked out for the end of his shift, entered his vehicle, and drove away from the employee lot. USPIS Inspectors also observed

BROWN leave at the end of his shift carrying a blue backpack which appeared to be partially full.

28. I also later recovered the turquoise and green bags that BROWN threw in the trash.

29. After a narcotics sniffing dog alerted to the each of the parcels investigators recovered, PI Lupiani obtained search warrants from United States Magistrate Judge Mary M. Rowland for the parcels, and opened them, and found that one contained approximately 1.3 pounds of marijuana and the other was empty. PI Lupiani examined the shipping labels for each parcel which indicated that the first parcel, weighed approximately 6 pounds and 3 ounces at the time of shipping and yet at the time he opened this parcel it weighed only 2 pounds and 5.2 ounces. The shipping label for the second parcel indicated that it weighed approximately 3 pounds and 5.9 ounces at the time of shipping, yet only weighed 14.3 ounces at the time PI Lupiani opened it.

On April 30, 2015, BROWN Stole the Contents of Several More Mail Parcels.

30. On April 30, 2015, the USPIS and Postal OIG again conducted surveillance at the International Service Center, when I observed BROWN transporting a cart to the International Express Mail sort area of the workroom floor. I then observed BROWN remove a parcel from this cart, open it, remove two shrink wrapped objects from this parcel, which BROWN then placed into the blue backpack investigators observed on earlier occurrences. In my training and experience, I know that narcotics traffickers package narcotics in shrink wrap in

order to mask odors. I also observed BROWN doing something else with his hands in the cart while his hands were out of the agents' view. I then observed BROWN enter the employee locker room carrying this backpack before exiting a few minutes later, empty handed. I then observed BROWN retape the parcel he opened, place it back on the cart, and transport the cart to the local express mail sort area. I contacted the Postal Inspectors and within 30 minutes PI Lupiani recovered two parcels, one addressed to Individual D with tracking number EK449205235US and one addressed to Individual E with tracking number EK551571120US from this cart. Upon recovering the parcels, investigators observed that each parcel appeared rifled in that the tape on the exterior of the box had been cut and resealed with new tape.

31. The USPIS also conducted surveillance of BROWN and WHEELER as they exited the International Service Center at the end of their shifts. Postal Inspectors observed WHEELER carrying a black backpack which appeared full, which WHEELER placed into his vehicle. BROWN exited the International Service Center carrying the same blue backpack as had previously been observed which appeared full, approached WHEELER's vehicle, and spoke with WHEELER before entering WHEELER's vehicle through the passenger side door. After a few minutes, BROWN exited WHEELER's vehicle and approached his own vehicle, placing the blue backpack inside. Postal Inspectors then observed BROWN approach a Volkswagen sedan, enter in the passenger's side, and remain for a few minutes. While BROWN was in the Volkswagen, a Chevrolet Malibu approached the

Volkswagen. BROWN then exited the Volkswagen, entered the Malibu, and the Malibu drove to a remote area of the employee parking lot. Once there, the driver of the Malibu exited the vehicle and pulled a grocery bag out of the trunk before reentering the vehicle. The men remained in the vehicle for a few minutes before BROWN exited the Malibu and walked towards the Volkswagen, and reentered it. BROWN remained in the Volkswagen for a few minutes before exiting, entering his own vehicle, and driving away from the employee lot.

32. PI Lupiani obtained search warrants from United States Magistrate Judge Mary M. Rowland for the parcels, and opened them, and found each contained only packing peanuts. PI Lupiani examined the shipping labels for each parcel which indicated that the first parcel weighed approximately 6 pounds and 3 ounces at the time of shipping and yet at the time he opened this parcel it weighed only 1 pound and 8.9 ounces. The shipping label for the second parcel indicated that it weighed approximately 4 pounds and 1 ounce at the time of shipping, yet only weighed 1 pound and 15 ounces at the time PI Lupiani opened it.

On May 7, 2015, BROWN Opened and Stole the Contents of an Additional Two Parcels. A Narcotics Sniffing Canine Later Alerted to These Parcels.

33. On May 7, 2015, Postal OIG and the USPIS again conducted surveillance at the International Service Center, when I observed BROWN working in the International Express Mail sort area of the workroom floor. I then observed BROWN remove two parcels from a cart, set them on the floor, and lean over them with his hands out of view of myself and the other observing agents. I then observed

BROWN enter the employee locker room, exit a few minutes later, and return to the International Express Mail sort area carrying the same blue backpack. I then observed BROWN lean over the opened parcels with his hands out of view. I then observed BROWN place his blue backpack in a nearby cart. I then observed BROWN return to the parcels on the floor, reseal one of the parcels, and place the resealed parcel into a nearby cart. I then observed BROWN enter the employee locker room carrying a black backpack and exit a few minutes later empty handed. I then observed BROWN return to the blue backpack, pick it up, and take it into the employee locker room, before exiting a few minutes later empty handed. I then observed BROWN pick up an empty mail tub, return to the parcel on the floor, and then place a padded manila envelope into a Postal tub. BROWN then covered the envelope with a plastic sheet before returning to the opened parcel, resealing the parcel, and placing it into a cart. I then observed BROWN carry the tub into the employee locker room and exit a few minutes later carrying an empty tub. BROWN then took this tub, carried it over to the tub with the envelope, stacked the empty tub over the tub with item, and carried both into the employee locker room. BROWN exited the locker room a few minutes later empty handed.

34. I then alerted a Postal Service supervisor and observed her recover both parcels opened by BROWN. I took possession of the parcels from her, and observed that the two parcels appeared rifled in that the tape on the bottom exterior of the box had been cut and resealed. I then turned these parcels over to PI Lupiani.

35. After a narcotics sniffing dog alerted to the each of the parcels investigators recovered, I obtained search warrants from United States Magistrate Judge Michael T. Mason for the parcels. Investigators opened the parcels and found that one contained bubblewrap and white stuffing and the other contained two empty yellow padded envelopes. PI Lupiani examined the shipping labels for each parcel which indicated that the first parcel weighed approximately 6 pounds and 6 ounces at the time of shipping and yet only weighed 1 pound and 7.8 ounces at the time investigators opened it. The shipping label for the second parcel indicated that it weighed approximately 4 pounds and 4 ounces at the time of shipping, yet only weighed 1 pound and 5.5 ounces at the time investigators opened it.

On May 8, 2015, the USPIS Recovered a Parcel that Appears to Have Been Opened and Resealed by BROWN.

36. On May 8, 2015, the USPIS intercepted one Priority Express Mail parcel at the International Service Center. This parcel was intercepted in the local Express Mail sort area, which is the same area where many parcels opened by BROWN were recovered by the USPIS during this investigation. Postal Inspectors examined this parcel and observed that it appeared rifled in that the tape on the bottom exterior of the box had been cut and resealed with new tape. This is consistent with other parcels recovered that had been opened and resealed by BROWN. Additionally, I have reviewed Postal Service records that show BROWN was working his normal shift at the International Service Center on May 8, 2015, the same day this parcel was intercepted.

37. I later obtained a search warrant from United States Magistrate Judge Michael T. Mason for this parcel. Investigators opened the parcel and found it contained an empty shoebox and a reusable shopping bag. PI Lupiani examined the shipping label for this parcel which indicated that the parcel weighed approximately 4 pounds and 3 ounces at the time of shipping and yet only weighed 1 pound and 11.9 ounces at the time investigators opened it.

38. On May 11, 2015, I also obtained a criminal complaint and arrest warrant for BROWN for theft of mail in violation of Title 18, United States Code, Section 1709.

Subject Parcel: *On May 13, 2015, BROWN and WHEELER Worked Together to Open and Steal the Contents of Several Mail Parcels, Including the Subject Parcel. After They Were Stopped by Investigators, Both BROWN and WHEELER Admitted to the Thefts Described Above.*

39. On May 13, 2015, Postal OIG and the USPIS again conducted surveillance at the International Service Center, when I observed BROWN and WHEELER working in the International Express Mail sort area of the workroom floor. On this day I had prepared 3 test pieces of mail which were similar to previous parcels opened by BROWN. At approximately 4:30 a.m., these test pieces were placed inside a large container containing Local and International Express Mail that was to be sorted by BROWN and WHEELER. Later during their shift, investigators observed BROWN and WHEELER unload this container and place parcels, including the test pieces, into a cart. Investigators then observed this cart be transported to the International Express Mail sort area of the workroom floor.

Investigators observed BROWN approach this cart, open the three test pieces and remove the contents from two of the test pieces and place the contents into a Postal Service tub before resealing the test pieces and placing them back into the cart. BROWN then took the Postal Service tub into the employee locker room and later exited with an empty Postal Service tub. Investigators also observed WHEELER transport the cart back to its original sorting station. Postal Inspectors later recovered the three test pieces from the sorting station and observed that two of the test pieces had contents missing and that one test piece had been opened and resealed, but the contents were intact. Later that shift, investigators observed BROWN open a fourth piece of mail (the “**Subject Parcel**”), remove the contents and place them in a Postal Service tub, which BROWN took into the employee locker room.

40. Investigators later then observed BROWN leave the International Service Center carrying a blue backpack which appeared bulky and full. BROWN placed this bag in the backseat of a white Pontiac Aztec before returning to the International Service Center to finish his shift.

41. Investigators also observed WHEELER exit the International Service Center at the end of his shift carrying the same black backpack that had previously been observed which appeared bulky and full. WHEELER got into his vehicle and drove away from the employee parking lot and was stopped by investigators approximately one mile away. During the stop, a Cook County Sheriff canine officer and his canine partner conducted a narcotics sniff of the vehicle. During the sniff,

WHEELER stated to investigators, "What you are looking for is in under the backseat," as the dog positively alerted for narcotics. Investigators then recovered the black backpack that WHEELER had placed in the vehicle. Inside the backpack was the contents of one of the test pieces of stolen by BROWN. WHEELER was then arrested.

42. Investigators also observed BROWN and Individual F exit the International Service Center at the end of their shift and approach the white Pontiac Aztec. Once there, BROWN moved the blue backpack from the backseat into the rear of the vehicle. Investigators later approached BROWN and arrested him at the Aztec before he could leave the employee parking lot. A Plainfield Police Department canine officer and his canine partner conducted a narcotics sniff of the vehicle, which was positive. Investigators then searched the vehicle and found the blue backpack that BROWN had placed there earlier. Inside the backpack were five vacuum sealed bags that each appeared to contain marijuana. BROWN was then placed under arrest.

43. After his arrest, WHEELER waived his *Garrity* and *Miranda* rights and agreed to speak with investigators. WHEELER stated, in substance, that he had sporadically rifled through packages before BROWN switched shifts on or about April 7, 2015, but after that date, he and BROWN worked together to steal from packages. WHEELER explained that he would intentionally mis-sort parcels that he believed to contain marijuana and that BROWN would open the parcels and steal the contents. WHEELER further explained that he left an empty backpack in

the employee locker room each shift, and if it was full after his shift ended, he knew that BROWN had stolen narcotics from parcels. WHEELER explained to investigators that he made approximately \$13,000 from selling the narcotics that he and BROWN had stolen from the mail.

44. After his arrest, BROWN also waived his *Garrity* and *Miranda* rights and agreed to speak with investigators. BROWN stated, in substance, that he had been stealing from mail since early 2015, and stated that he was a “lone wolf.” BROWN explained that he profiled for narcotics parcels by smell and address and that he was looking for packages containing marijuana. BROWN stated that he rifled parcels approximately once per week, and had taken up to four or five items from rifled parcels. BROWN told investigators that he had taken approximately 50 bags containing marijuana from mail parcels, and that he sold the marijuana for as much as \$800 a bag. BROWN told investigators that he placed items he stole from the mail that day into WHEELER’s backpack before their arrest, but that WHEELER took the backpack from the employee locker room without BROWN’s knowledge.

45. Investigators have inspected the **Subject Parcel** and observed that it was mailed on May 11, 2015, from Miranda, California and is addressed to “Mercedez Irvin, 7435 N Seeley Ave, Floor 3 Chicago, il 60645” with a return address of “Kevin Rowe, 1271 Evergreen Rd #2, Redway CA 95560.” The **Subject Parcel** bears \$75.05 in postage, measures approximately 12 inches by 12 inches by 17.5 inches, and weighs approximately 3 pounds and 3.7 ounces. However, the

mailing label indicates that it weighed approximately 7 pounds and 1 ounce at the time of mailing.

46. Investigators also observed several characteristics about the **Subject Parcel** that, in my training and experience, can be consistent with a parcel containing a controlled substance.

47. First, investigators ran the sender and recipient names and addresses on the **Subject Parcel** through a law enforcement database. This search revealed that, while the sender's address is legitimate, there is no "Kevin Rowe" that is associated with that address. This search also revealed that, while the recipient's address is legitimate, there is no "Mercedez Irvin" associated with that address. Based on my training and experience, fictitious sender or receiver names, or fictitious return addresses, can indicate that the sender or receiver does not want to be associated with the parcel.

48. I also believe that this parcel contains a controlled substance, or evidence of controlled substance possession or theft of mail because BROWN was observed opening the Subject Parcel and stealing its contents, and later BROWN was observed in possession of 5 vacuum sealed bags each containing suspected marijuana. Additionally, BROWN also admitted to targeting parcels that he suspected contained marijuana and stole the contents of those parcels, including that day.

CONCLUSION

49. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on April 30, 2015, ZAPHRONSIA WHEELER, a United States Postal Service employee, namely, a Mailhandler assistant, did embezzle mail and articles and things contained therein entrusted to him and which came into his possession intended to be conveyed by mail, namely, one piece of mail addressed to Individual D with tracking number EK449205235US and one piece of mail addressed to Individual E with tracking number EK551571120US, in violation of Title 18, United States Code, Section 1709.

50. Additionally, based on the above information, I respectfully submit that there is probable cause to believe that theft of mail and narcotics offenses, in violation of Title 18, United States Code, Section 1709 and Title 21, United States Code, Sections 841(a)(1) and 843(b), have been committed, and that evidence, instrumentalities, fruits and contraband relating to this criminal conduct, as further described in Attachment B, will be found in the **Subject Parcel**, as further described in Attachment A. I therefore respectfully request that this Court issue a search warrant for the **Subject Parcel** more particularly described in Attachment A, authorizing the seizure of the items described in Attachment B.

FURTHER AFFIANT SAYETH NOT.

Timothy Merges
Special Agent
United States Postal Service, Office of
Inspector General

Subscribed to and sworn before
me this ____ day of May, 2015

MICHAEL T. MASON
United States Magistrate Judge