

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

MICHAEL WHITING,  
and (see attached list)

Case Number

Under Seal

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

**Count One**

Beginning no later than in or around September 2012, and continuing to in or around April 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendants MICHAEL WHITING, CHARLES JAMES, ANTONIO WHITING, MICHAEL COLEMAN, COREY MINNIFIELD did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

**Count Two**

On or about February 5, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant VONZAYE DAVIS did knowingly and intentionally possess with intent to distribute a controlled substance, namely a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

**Count Three**

On or about February 8, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant RICHARD HICKS, aka "Unc," did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

#### **Count Four**

On or about February 8, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant JIMMY SERRANO did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

#### **Count Five**

On or about January 15, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant CHARLES JAMES did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

#### **Count Six**

On or about January 15, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant EDUARDO RIVERA did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

#### **Count Seven**

On or about January 15, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendants MICHAEL STARNES and MISHEELA BELCHER did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

#### **Count Eight**

On or about January 21, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant JAMESON HAMLIN did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Nine**

On or about April 18, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant JAMESON HAMLIN did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Ten**

On or about January 22, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant LADELL SMITH did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Eleven**

On or about April 3, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant CORY GRIFFIN did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Twelve**

On or about January 21, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant MALCOLM HARRIS did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Thirteen**

On or about April 18, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant MALCOLM HARRIS did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Fourteen**

Beginning no later than in or around January 2013, and continuing to in or around June 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendants DANIEL VAZQUEZ, FRANCISCO MIRELES, aka "Pops," ANWER SHAHBAZ, aka "BZ," aka "Baz," ANGEL PEREZ, aka "Hellboy," aka "HB," aka "Fatboy," did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846.

### **Count Fifteen**

On or about April 15, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant ERIC PASKON, aka "E" did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Sixteen**

On or about April 15, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant BRANDON ELSING did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Seventeen**

On or about April 3, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant NEFTALI FREYTES, aka "Lucky," did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **Count Eighteen**

On or about April 3, 2013, in Cook County, in the Northern District of Illinois and elsewhere, defendant NICOLAS FRANCO did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

I further state that I am a(n) Special Agent, Drug Enforcement Administration and that this complaint is based on the following facts:

**See affidavit attached to complaint.**

Continued on the attached sheet and made a part hereof:  Yes       No

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Special Agent Daniel Hoormann  
Drug Enforcement Administration  
Signature of Complainant

Sworn to before me and subscribed in my presence,

June 19, 2013  
Date

at Chicago, Illinois  
City and State

Maria Valdez  
United States Magistrate Judge  
Name & Title of Judicial Officer

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Signature of Judicial Officer

Attachment

1. MICHAEL WHITING
2. CHARLES JAMES, aka "Chuck"
3. ANTONIO WHITING
4. MICHAEL COLEMAN
5. COREY MINNIFIELD
6. VONZAYE DAVIS
7. RICHARD HICKS, aka "Unc"
8. JIMMY SERRANO
9. EDUARDO RIVERA
10. MICHAEL STARNES
11. MISHEELA BELCHER
12. JAMESON HAMLIN
13. LADELL SMITH
14. CORY GRIFFIN
15. MALCOLM HARRIS
16. DANIEL VAZQUEZ
17. FRANCISCO MIRELES, aka "Pops"
18. ANWER SHAHBAZ, aka "BZ," aka "Baz"
19. ANGEL PEREZ, aka "Hellboy," aka "HB," aka "Fatboy"
20. ERIC PASKON, aka "E"
21. BRANDON ELSING
22. NEFTALI FREYTES, aka "Lucky"
23. NICOLAS FRANCO

COUNTY OF COOK    )  
                                  )        SS  
STATE OF ILLINOIS )

I, Daniel Hoormann, being duly sworn, state as follows:

**I.    PRELIMINARY MATTERS**

1.    I am a Special Agent with the United States Drug Enforcement Administration (“DEA”), United States Department of Justice.

2.    I have been employed by the DEA as a Special Agent since May 2012 and I am currently assigned to the DEA Chicago Field Division, Chicago, Illinois. I previously served seven years as a Police Officer with the St. Peters, Missouri Police Department. During that time I spent a year and a half assigned as a Detective to the St. Charles County Regional Drug Task Force and an additional two years as a Task Force Officer with DEA in St. Louis, Missouri. My current official duties as a Special Agent with DEA include investigating criminal violations of the federal narcotics laws, including, but not limited to, conspiracy and attempt to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846; possession with intent to distribute and distribution of controlled substances, in violation of Title 21, United States Code, Section 841(a)(1); and use of communication facilities to facilitate drug trafficking offenses, in violation of Title 21, United States Code, Section 843(b). I have received special training in the enforcement

of laws concerning controlled substances as found in Title 21 of the United States Code. I have experience with a wide range of investigative techniques, including various types of electronic surveillance, the interception of wire communications, and the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, the laundering and concealing of proceeds from drug trafficking, and the street gangs who participate in these illegal activities.

3. Because this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint and the issuance of arrest warrants against the proposed defendants, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit. This Affidavit is made in support of a complaint that charges that:

a. MICHAEL WHITING, CHARLES JAMES, ANTONIO WHITING, MICHAEL COLEMAN, COREY MINNIFIELD did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code,

Section 846 (*see* paragraphs 19-53; 54-85; 86-109; 168-178; 191-221; and 222-258);

b. VONZAYE DAVIS did knowingly and intentionally possess with intent to distribute a controlled substance, namely a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 19-53; and 168-178);

c. RICHARD HICKS, aka “Unc,” did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 222-258);

d. JIMMY SERRANO did knowingly and intentionally possess with intent to distribute a controlled substance, namely 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 191-221; and 222-258);

e. CHARLES JAMES did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II

Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 110-167; and 290-388);

f. EDUARDO RIVERA did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 110-167; and 290-388);

g. MICHAEL STARNES and MISHEELA BELCHER did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846 (*see* paragraphs 110-167);

h. JAMESON HAMLIN did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of

Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 259-289; and 439-448);

i. LADELL SMITH did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 259-289);

j. CORY GRIFFIN did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 290-388);

k. MALCOLM HARRIS did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 259-289; and 439-448);

1. DANIEL VAZQUEZ, FRANCISCO MIRELES, aka “Pops,” ANWER SHAHBAZ, aka “BZ,” aka “Baz,” ANGEL PEREZ, aka “Hellboy,” aka “Fatboy,” did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 21, United States Code, Section 846 (*see* paragraphs 290-438; and 449-466);

m. ERIC PASKON, aka “E,” did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 290-438; and 449-466);

n. BRANDON ELSING, did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 389-438);

o. NEFTALI FREYTES, aka “Lucky,” did knowingly and intentionally possess with intent to distribute a controlled substance, namely

500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 290-388; and 459-462); and

p. NICOLAS FRANCO did knowingly and intentionally possess with intent to distribute a controlled substance, namely 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (*see* paragraphs 290-388).

4. This Affidavit is also made for the purpose of establishing probable cause in support of search warrants for the residences and vehicles listed below for evidence of the commission of conspiracy to possess a controlled substance with intent to distribute and distribute controlled substances, in violation of Title 21, United States Code, Section 846, and possession of a controlled substance with the intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1):

a. 216 W. 31st Street, 2nd Floor Apartment, Chicago, Illinois (MICHAEL WHITING's apartment);

b. 2457 W. Adams Street, 2nd floor apt. Chicago, Illinois (CHARLES JAMES's stash house);

- c. 43 W. 44th Street Apt 2, Chicago, Illinois (CHARLES JAMES'S residence);
- d. 5327 W. Congress, 2nd floor apt. Chicago, Illinois (JAMESON HAMLIN'S residence);
- e. 5517 N. Luna Street, Chicago, Illinois (EDUARDO RIVERA'S residence);
- f. 2735 W. LeMoyne, Apt. 3, Chicago, Illinois (ERIC PASKON'S residence);
- g. 3130 N. Lake Shore Drive West, Apt. 1904, Chicago, Illinois (DANIEL VAZQUEZ'S stash house);
- h. 6111 W. Higgins, 2nd floor, Chicago, Illinois (DANIEL VAZQUEZ'S residence);
- i. 6414 W. Belmont, Apt. 2nd Floor Rear, North Apartment, Chicago, Illinois (NEFTALI FREYTES'S residence);
- j. 2002 beige Honda Odyssey Van, VIN 2HKRL18952H554373, with license plate R199154 (VAZQUEZ'S delivery vehicle); and
- k. 2002 maroon GMC Yukon, VIN 1GKEK13Z02R245706, with license plate R196062 (VAZQUEZ'S delivery vehicle).

5. The statements contained in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided by other

federal law enforcement officers and Chicago Police Department (“CPD”); (c) review of conversations intercepted pursuant to court orders authorizing the interception of wire and electronic communications; (d) laboratory analysis reports; (e) surveillance reports; (f) criminal history records maintained by CPD; and (g) my training and experience and the training and experience of other law enforcement agents.

## **II. OVERVIEW OF THE INVESTIGATION**

6. The complaint is based on a CPD and DEA investigation into the drug trafficking activities involving MICHAEL WHITING, CHARLES JAMES, JAMESON HAMLIN, JIMMY SERRANO, DANIEL VAZQUEZ, ERIC PASKON, and their associates.

7. The investigation included the use of court-authorized interceptions of conversations over various cellular telephones used by MICHAEL WHITING (Target Phone 35), MICHAEL COLEMAN (Target Phone 36), CHARLES JAMES (Target Phones 38 and 39), EDUARDO RIVERA (Target Phone 40); JAMESON HAMLIN (Target Phones 41 and 44); DANIEL VAZQUEZ (Target Phones 42 and 45); and ERIC PASKON (Target Phone 46 and 50).<sup>1</sup>

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<sup>1</sup> Specifically, Chief Judge James F. Holderman or an Acting Chief Judge authorized thirty day interception periods for each of the Target Phones for various periods from September 2012 through June 2013:

- (312) 402-7342 (“Target Phone 35”);
- (708) 548-4381 (“Target Phone 36”);

## **WHITING Heroin distribution organization**

8. As described in more depth below, the investigation into MICHAEL WHITING and his associates began in or about September 2012. During the investigation, law enforcement determined that MICHAEL WHITING was a wholesale supplier of heroin, working with his brother ANTONIO WHITING, MICHAEL COLEMAN, COREY MINNIFIELD, and CHARLES JAMES to distribute heroin in the Chicago area.

a. The information concerning MICHAEL WHITING, wholesale heroin distributor, are detailed in paragraphs 19-53; 54-85; 86-109; 168-178; 191-221; and 222-258, below.

b. The information concerning ANTONIO WHITING, worker for MICHAEL WHITING and wholesale heroin distributor, are detailed in paragraphs 54-85; and 191-221, below.

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- (312) 388-5586 (“Target Phone 38”);
  - (773) 557-8898 (“Target Phone 39”);
  - (773) 698-4875 (“Target Phone 40”);
  - (312) 731-0259 (“Target Phone 41”);
  - (773) 541-0696 (“Target Phone 42”);
  - (773) 641-0510 (“Target Phone 44”);
  - (872) 233-0102 (“Target Phone 45”);
  - (312) 890-7267 (“Target Phone 49”); and
  - (312) 848-9094 (“Target Phone 50”).

c. The information concerning MICHAEL COLEMAN, another worker for MICHAEL WHITING distributing heroin, are detailed in paragraphs 19-53, below.

d. The information concerning COREY MINNIFIELD, another worker for MICHAEL WHITING, are detailed in paragraphs 19-53, below.

### **WHITING's Supplier**

9. During the investigation, law enforcement learned that WHITING was supplied heroin by JIMMY SERRANO. Information concerning SERRANO's heroin distribution efforts are detailed in paragraphs 191-221; and 222-258, below.

### **WHITING's Customers**

10. WHITING sold heroin to customers such as: VONZAYE DAVIS; RICHARD HICKS; and Ollie Jones.

a. Information concerning VONZAYE DAVIS's heroin activities are detailed in paragraphs 19-53; and 168-178, below.

11. In addition, law enforcement learned that WHITING also shared stash house space for his narcotics transactions with CHARLES JAMES at 2437 W. Adams Street in Chicago.

## COCAINE

12. The investigation also revealed that CHARLES JAMES was a wholesale supplier of cocaine in the Chicago area. Law enforcement learned that JAMES was supplied by JAMESON HAMLIN, EDUARDO RIVERA, DANIEL VAZQUEZ, and LADELL SMITH.

a. Information concerning CHARLES JAMES's wholesale cocaine distribution efforts are detailed in paragraphs 110-167; 259-388; and 290-388, below.

b. Information concerning JAMESON HAMLIN's wholesale cocaine and heroin distribution efforts are detailed in paragraphs 259-289; 439-448, below.

c. Information concerning EDUARDO RIVERA's wholesale cocaine distribution efforts are detailed in paragraphs 110-167; and 290-388, below.

d. Information concerning LADELL SMITH's wholesale cocaine distribution efforts are detailed in paragraphs 259-289, below.

13. CHARLES JAMES supplied cocaine to customers in wholesale quantities, including MICHAEL STARNES and MISHEELA BELCHER; and MALCOLM HARRIS.

a. Information concerning MICHAEL STARNES and MISHEELA BELCHER's wholesale cocaine distribution efforts are detailed in paragraphs 110-167 below.

b. Information concerning MALCOLM HARRIS's wholesale cocaine and heroin distribution efforts are detailed in paragraphs 259-289; and 439-448, below.

14. The investigation also revealed that DANIEL VAZQUEZ ran his own wholesale cocaine distribution operation, employing three other workers involved in his cocaine distribution efforts: FRANCISCO MIRELES, aka "Pops," ANWER SHAHBAZ, aka "Baz," aka "BZ," and ANGEL PEREZ, aka "Hellboy," aka "Fatboy." Investigators determined that VAZQUEZ and his crew of distributors maintained a stash house for their narcotics operation within an apartment at the 3130 N. Lake Shore Drive West Building, Apt. 1904, in Chicago, Illinois. Information concerning the VAZQUEZ cocaine operation's distribution efforts are detailed in paragraphs 290-438; and 449-466, below.

15. ERIC PASKON was VAZQUEZ's supplier for wholesale amounts of cocaine, and operated his cocaine distribution out of his residence at 2735 N. LeMoyné, Apt. 3, Chicago, Illinois. Information detailing PASKON's cocaine distribution efforts are detailed in paragraphs 290-438; and 449-466, below.

16. VAZQUEZ supplied multiple customers with wholesale amounts of cocaine, including: BRANDON ELSING; NEFTALI FREYTES, aka “Lucky;” and NICOLAS FRANCO.

a. Information concerning BRANDON ELSING’s wholesale cocaine distribution efforts are detailed in paragraphs 389-438, below.

b. Information concerning NEFTALI FREYTES’s wholesale cocaine distribution efforts are detailed in paragraphs 290-388; 459-462, below.

c. Information concerning NICOLAS FRANCO’s wholesale cocaine distribution efforts are detailed in paragraphs 290-388, below.

### **III. PROBABLE CAUSE**

17. The probable cause section of this affidavit sets forth a chronological detail of some of the narcotics distribution efforts of the defendants involved, and includes detailed information concerning the following seizures of narcotics in Section A:

- (1) A November 3, 2012, seizure of 129 grams of heroin from COREY MINNIFIELD, involving MICHAEL WHITING, MICHAEL COLEMAN, CHARLES JAMES, and VONZAYE DAVIS (paragraphs 19-53);
- (2) An November 7 and 8, 2012, controlled buy in which MICHAEL WHITING and ANTONIO WHITING supplied 115 grams of heroin to a cooperating witness and an undercover agent (paragraphs 54-85);

- (3) A December 5, 2012, seizure of 49.3 grams of heroin from Ollie Jones, supplied by MICHAEL WHITING (paragraphs 86-109);
- (4) A January 15, 2013, seizure of 535 grams cocaine of from MISHEELA BELCHER, given to her by MICHAEL STARNES and supplied by DANIEL VAZQUEZ, EDUARDO RIVERA, and CHARLES JAMES (paragraphs 110-167);
- (5) A February 4, 2013, seizure of 55 grams of heroin from VONZAYE DAVIS, supplied to him by MICHAEL WHITING (paragraphs 168-178);
- (6) A February 7, 2013, controlled buy of 100 grams of heroin from MICHAEL WHITING and ANTONIO WHITING made by a cooperating witness and an undercover officer (paragraphs 191-221);
- (7) A February 8, 2013, seizure of 134 grams of heroin from RICHARD HICKS, supplied to him by MICHAEL WHITING, who received the heroin from JIMMY SERRANO (paragraphs 222-258);
- (8) The February 22, 2013, recovery of over 1,267 grams of cocaine and 764 grams of heroin from the car of LADELL SMITH (paragraphs 259-289);
- (9) An April 3, 2013, seizure of over 700 grams of cocaine from CORY GRIFFIN, supplied to him by EDUARDO RIVERA and CHARLES JAMES, which they received from DANIEL VAZQUEZ (paragraphs 290-388); and
- (10) An April 15, 2013, seizure of 1,457 grams of cocaine from BRANDON ELSING in Wisconsin, supplied to him by DANIEL VAZQUEZ and his crew, which VAZQUEZ received from ERIC PASKON (paragraphs 389-438).

18. Section B of the probable cause portion of this Affidavit sets out additional information regarding the residences and automobiles for which law enforcement is requesting search warrants.

**A. Narcotics Activity**

**i. On November 1 and 2, 2013, MICHAEL COLEMAN arranged for COLEMAN and MICHAEL WHITING to supply VONZAYE DAVIS with 100 grams of heroin.**

19. On November 1, 2012, at approximately 2:23 p.m., MICHAEL COLEMAN, using Target Phone 36 (Call # 12282),<sup>2</sup> spoke with VONZAYE DAVIS, who was using (414) 467-6691.<sup>3</sup> During this call, DAVIS asked if COLEMAN could come and see DAVIS. COLEMAN replied, “Yeah.” DAVIS informed COLEMAN he would call him back when he was ready.

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<sup>2</sup> The identification of MICHAEL COLEMAN and his voice was based on the following: MICHAEL COLEMAN was identified as the user of (708) 548-4381 (“Target Phone 36”) during an August 1, 2012, traffic stop during which he was arrested. When COLEMAN presented no driver’s license, officers involved in the stop transported COLEMAN to Chicago Police Department’s Eleventh District to verify his identity. During a search incident to the stop and identification, COLEMAN produced his cell phone number and identified it as (708) 548-4381. Surveillance officers identified him through comparison to a photograph available of COLEMAN from the stop.

<sup>3</sup> VONZAYE DAVIS was identified as the speaker on (414)467-6691 through his traffic stop and arrest following the observations of surveillance in conjunction with the intercepted calls detailed below in paragraphs 168-178 on February 4 and 5, 2013.

20. On November 1, 2012, at approximately 8:04 p.m., COLEMAN, using Target Phone 36 (Call # 12413), spoke with DAVIS, who was using (414) 467-6691 (“DAVIS Phone A”). During the conversation, DAVIS stated, “I’m ah hit you in the morning just get, matter of fact just give me a minute I’m ah hit you back tonight [DAVIS would contact COLEMAN the next morning or that night].”<sup>4</sup> COLEMAN replied, “Alright, let me know where we got to go [how much narcotics DAVIS wanted].”

21. On November 2, 2012, at approximately 1:38 p.m., COLEMAN, using Target Phone 36 (Call # 12591), spoke with DAVIS, who was using DAVIS Phone A. During the call, DAVIS stated, “I probably you know, have to wait till tomorrow Joe, cause forgot that shit, I had to pay my rent and shit so, I want to

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<sup>4</sup> Some of the consensually-recorded and intercepted conversations (hereinafter “recorded conversations”) have been summarized in this Affidavit. The language that is quoted from the recorded conversations throughout this Affidavit is based upon a preliminary review of the recorded conversations, and not on final transcripts of the recorded conversations

The times listed for the recorded conversations are approximate. The summaries do not include all statements or topics covered during the course of the recorded conversations.

At various points in the Affidavit I have included in brackets my interpretation of words and phrases used in the recorded conversations. My interpretations are based on information received from CS1, the contents and context of the recorded conversations, events occurring before and after the conversations, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other law enforcement agents in this investigation.

take care of dude with the, the rest I owe him so I'm ah wait for another day. Yeah, probably till tomorrow or later today. Depending on how this phone go [DAVIS would not be ready to pick up narcotics until tomorrow or later that day]." COLEMAN replied, "Alright."

22. On November 3, 2012, at approximately 1:08 p.m., COLEMAN, using Target Phone 36 (Call # 13080), spoke with DAVIS, who was using DAVIS Phone A. During the call, COLEMAN asked, "We going to the hundreds [100 grams of heroin]?" DAVIS responded, "Yeah, that's why I say gimme a couple more minutes cause it's uh, I'll probably want you to meet another guy (unintelligible) like on 120th [DAVIS might need an additional 20 grams for one of his narcotics associates, for a total order of 120 grams]. Let me see, give me about fifteen more minutes to get home." COLEMAN stated, "Alright."

23. On November 3, 2012, at approximately 1:42 p.m., COLEMAN, who was using Target Phone 36 (Call # 13099), spoke with DAVIS, who was using DAVIS Phone A. During the conversation, DAVIS said, "Yeah, you can just, you can come on [DAVIS was ready for COLEMAN to deliver narcotics to him]." COLEMAN replied, "Alright. You ain't never say where uh, where we was going [COLEMAN wanted to know how much heroin DAVIS wanted]." DAVIS responded, "Just like we did last time. Just, just uh, just uh, the hundred normal [DAVIS wanted 100 grams of heroin]." COLEMAN asked, "Huh?" DAVIS

replied, “Just bring the dollar [100 grams of heroin].” COLEMAN replied, “Alright.”

- ii. **On November 3, 2012, CHARLES JAMES, MICHAEL WHITING, ANTONIO WHITING, MICHAEL COLEMAN and COREY MINNIFIELD attempted to supply VONZAYE DAVIS with almost 100 grams of heroin, but law enforcement seized it from MINNIFIELD during a traffic stop.**

24. As described in the conversations and law enforcement activity below, on November 3, 2012, MICHAEL COLEMAN arranged to supply heroin to VONZAYE DAVIS. MICHAEL WHITING, CHARLES JAMES and ANTONIO WHITING were involved in providing the heroin. COLEMAN solicited COREY MINNIFIELD to help him drive the heroin to Milwaukee, where DAVIS lived and would sell it. Law enforcement intercepted COLEMAN and MINNIFIELD and seized the heroin from them before they could deliver it to DAVIS.

25. On November 3, 2012, at approximately 2:40 p.m., COLEMAN, who was using Target Phone 36 (Call # 13103), spoke with DAVIS, who was using DAVIS Phone A. During the call, DAVIS stated, “Make sure it’s the real deal before you come all the way down here [DAVIS wanted COLEMAN to check the quality of the heroin before delivering it to Milwaukee].” COLEMAN replied, “All right, you know I am. Uh, where am I gonna come to, Unc?” DAVIS replied, “Twenty seven [27th Street].” COLEMAN responded, “Alright.” DAVIS stated,

“Omega [Omega Restaurant, located at 3473 S. 27th Street, Milwaukee, Wisconsin].” COLEMAN replied, “I’m gonna hit [call] you. Alright.”

26. At approximately 2:53 p.m., surveillance observed a silver Chevy Captiva parked at 2703 W. Division St. in Chicago. Surveillance observed MICHAEL WHITING sitting in the front passenger seat of the vehicle. The driver of the Captiva was not identified during this time.

27. On November 3, 2012, at approximately 2:59 p.m., COLEMAN, using Target Phone 36 (Call # 13107), spoke with MICHAEL WHITING, who was using Target Phone 35.<sup>5</sup> During this call, MICHAEL WHITING asked, “Where you gotta meet him [DAVIS] at?” COLEMAN responded, “I gotta . . . he [DAVIS] want me to come down there [COLEMAN had previously arranged to drive to Milwaukee and take DAVIS the narcotics].”

28. On November 3, 2012, at approximately 3:21 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 15041), spoke with ANTONIO

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<sup>5</sup> The identification of MICHAEL WHITING and his voice was based on the following: the email address listed as the subscriber email for (312) 402-7342 (“Target Phone 35”) is “mikewhiting37@yahoo.com,” and the registered user of the phone, Dajonae Wooten, is believed to be WHITING’s girlfriend as surveillance has observed her with WHITING on numerous occasions in the course of this investigation. Additionally, as detailed throughout this affidavit, WHITING has been observed on surveillance numerous times communicating his location over Target Phone 35, and then being observed by surveillance in that area, as documented throughout this affidavit.

WHITING, using 312-504-1267 (ANTONIO Phone A”).<sup>6</sup> During the call, MICHAEL WHITING told ANTONIO WHITING to meet him at “[Individual A’s residence at 4932 W. Ferdinand, Chicago].”

29. On November 3, 2012, at approximately 3:28 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 15042), spoke with CHARLES JAMES, who was using Target Phone 38.<sup>7</sup> During the call, MICHAEL

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<sup>6</sup> The identification of ANTONIO WHITING and his voice was based on the following: surveillance observed ANTONIO WHITING following phone conversations arranging for his delivery of heroin to CW6 and UC-1 on November 7, 2012, and February 7, 2013. During the consensually-recorded calls, CW6 identified the number he dialed on the recorded call, but ANTONIO WHITING’s use of the number CW6 reported was subsequently confirmed when ANTONIO WHITING contacted MICHAEL WHITING to order the 110 grams of heroin to be delivered using the same telephone number, 312-504-1267, and was intercepted in conversation with MICHAEL WHITING in paragraph 57 below.

<sup>7</sup> The identification of CHARLES JAMES and his voice was based on the following: Chicago Police Department records show on July 1, 2011, JAMES was released from the Illinois Department of Corrections. At the time of his release, James supplied an address of 6134 S. Campbell and telephone number (773) 557-8898 (“Target Phone 39”). During the course of this investigation, monitors recognized the voice of the user on Target Phone 39, CHARLES JAMES, to be the same voice as the user of Target Phone 38. Surveillance which identified JAMES in the course of the investigation did so by reference to the photograph available in the CPD records.

Additionally, on October 5, 2012, MICHAEL WHITING, using Target Phone 35, had a telephone conversation (Call # 6090), with an individual who asked for “Chuck’s” phone number. WHITING supplied the number for Target Phone 38, (312) 388- 5586. On October 23, 2012, MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 11389), with JAMES, who WHITING identified as “Chuck.” During the conversation, JAMES agreed to pick up WHITING at his residence at 216 W. 31st. Later in the conversation, JAMES told WHITING he was downstairs. At the same time, surveillance observed JAMES, who surveillance recognized from the picture of CHARLES JAMES in the CPD file, seated in a gold Chevrolet van outside WHITING’s residence. Approximately eight minutes later, surveillance observed WHITING leave

WHITING asked, "Hey why don't you call what's his name and ask if he can do that for me again [MICHAEL WHITING wanted JAMES to call HAMLIN to see if HAMLIN could supply him with heroin]." JAMES responded, "You say what?" MICHAEL WHITING stated, "Uh dollar [100 grams of heroin]." JAMES replied, "Alright that's him on the other line now, let me see."

30. On November 3, 2012, at approximately 3:30 p.m., surveillance observed the Captiva arrive and park near 4932 W. Ferdinand. MICHAEL WHITING exited the vehicle and entered the residence located at 4932 W. Ferdinand.

31. On November 3, 2012, at approximately 4:35 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 15065) spoke with JAMES, who was using Target Phone 38. During the call, JAMES stated, "What's his name say he could do it for seventy though [JAMES's associate could get the 100 grams of heroin for MICHAEL WHITING but it would cost \$7,000]." MICHAEL WHITING asked, "Who?" JAMES replied, "Your fat homie by your grandma's house." MICHAEL WHITING replied, "Oh, uh Keith?" JAMES stated, "Yeah." MICHAEL WHITING stated, "Alright, hey uh tell him." JAMES cut MICHAEL WHITING off and stated, "Just slide over there so you could holler at him yourself." MICHAEL WHITING asked where JAMES was and then asked if

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his residence and enter the gold Chevrolet which then drove from the area.

JAMES could grab it [the narcotics]. JAMES replied, "Aight, aight I'm finna tell him to do it."

32. On November 3, 2012, at approximately 4:48 p.m., COLEMAN, using Target Phone 36 (Call # 13141), spoke with WHITING, who was using Target Phone 35. During the conversation, WHITING asked COLEMAN if he was ready. COLEMAN said yes.

33. On November 3, 2012, at approximately 5:00 p.m., surveillance observed the Captiva double park in front of Master's Barber Shop, 642 N. Cicero, Chicago. A brief time later, surveillance observed COLEMAN exit the barber shop and enter the Captiva which drove away with surveillance following in traffic. At approximately 5:20 p.m, surveillance observed the Captiva park at approximately 2206 S. Millard. At this point, surveillance identified the driver of the vehicle as ANTONIO WHITING. At approximately 5:23 p.m., surveillance observed ANTONIO WHITING re-enter the Captiva and drive away.

34. On November 3, 2012, at approximately 5:25 p.m., COLEMAN, using Target Phone 36, had a telephone conversation (Call # 13168) with JAMES, who was using Target Phone 38. During the call, JAMES stated, "Why don't you pull right there on uh, Ferdinand by bro." COLEMAN asked, "Ferdinand and what?" JAMES replied, "Ridgeway. And call me when you are downstairs." COLEMAN appeared confused and asked, "You say who?" JAMES

replied, “Tonight bro [JAMES let COLEMAN know that’s where he needed to go to get the heroin he was to deliver tonight.]” COLEMAN stated, “Oh, all right.”

35. On November 3, 2012, at approximately 5:31 p.m., COLEMAN, using Target Phone 36 (Call # 13171), spoke with COREY MINNIFIELD, who was using (312) 434-5141.<sup>8</sup> During the call, COLEMAN asked, “You want to take this little ride [COLEMAN asked MINNIFIELD to come with him to Wisconsin]?” MINNIFIELD replied, “Yeah, you already know bro, I told you, we got to get our thang, thang on man [MINNIFIELD agreed to help COLEMAN transport the heroin to Wisconsin].” COLEMAN stated, “Alright shit. Come...why don’t you meet me at Bird house [Individual A’s house, located 4932 W. Ferdinand, Chicago].” MINNIFIELD agreed to meet COLEMAN.

36. On November 3, 2012, at approximately 6:12 p.m., COLEMAN, using Target Phone 36 (Call # 13199), spoke with JAMES, who was using Target Phone 38. During the call, COLEMAN stated, “Shit, hit uh, buddy and them and see if they made it yet, it wasn’t even there. He was just showing me something

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<sup>8</sup> The identification of COREY MINNIFIELD and his voice was based on the following: surveillance observations in conjunction with pen data for Target Phone 35 on August 22, 2012, and a reference to a photograph held by CPD in relation to his criminal history. Additionally, the telephone number is registered to “Individual B,” who is registered co-owner with MINNIFIELD of the Chrysler 300M officers observed him driving on August 22, 2012, and November 3, 2012. MINNIFIELD’s use of (312) 434-5141 was confirmed by his subsequent arrest on November 3, 2012, as described below.

[COLEMAN wanted JAMES to check if JAMES's associate had arrived with the heroin]." JAMES replied, "Man, what the...alright, hold on man. I'm finna call him right now man." COLEMAN added, "Talking about, he just tried to show me how it looked and stuff. But I told him it all had to be hard, can't be no shake [COLEMAN wanted the heroin to be of good quality as instructed by DAVIS]." JAMES replied, "Alright let me call him, right quick."

37. On November 3, 2012, at approximately 6:17 p.m., COLEMAN, using Target Phone 36 (Call # 13202), spoke with JAMES, who was using Target Phone 38. During the call, JAMES called to tell COLEMAN he took care of the problem. JAMES said, "Go on pull up there bro." COLEMAN responded, "Alright, I finna pull up, over there."

38. At approximately 6:25 p.m., surveillance observed the Captiva arrive and park at 4932 W. Ferdinand. Surveillance observed COLEMAN and ANTONIO WHITING exit the Captiva and enter the front door of 4932 W. Ferdinand.

39. On November 3, 2012, at approximately 6:28 p.m., COLEMAN, using Target Phone 36 (Call # 13219), spoke with MINNIFIELD, who was using (312) 434-5141. During the call, COLEMAN advised MINNIFIELD that ANTONIO WHITING was going to take the Chevy Captiva and that COLEMAN

would wait for MINNIFIELD on Ferdinand. MINNIFIELD informed Coleman he would pass by and pick him up.

40. At approximately 6:35 p.m., surveillance observed MINNIFIELD's silver Chrysler 300, bearing Illinois license plate P721865, arrive and double park in front of 4932 W. Ferdinand.<sup>9</sup> COLEMAN exited the residence and entered the Chrysler. MINNIFIELD proceeded to drive away with surveillance following in traffic.

41. At approximately 6:43 p.m., surveillance observed the Chrysler 300, driven by MINNIFIELD, arrive and park at 515 N. Ridgeway. COLEMAN exited the Chrysler 300 and entered the courtyard of 515 N. Ridgeway.

42. At approximately 6:51 p.m., surveillance observed COLEMAN exit the courtyard of 515 N. Ridgeway and walk toward the Chrysler. Surveillance observed that as COLEMAN walked toward the vehicle, his right arm was not swaying freely, and was clutched to his side as he entered the vehicle. Based upon these observations, and the information set forth in paragraphs 43-44 below, I believe COLEMAN picked up approximately 100 grams of heroin at 515 N. Ridgeway. After leaving 515 N. Ridgeway, MINNIFIELD and COLEMAN drove away from the area and proceeded to enter the Interstate-290 westbound.

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<sup>9</sup> Illinois license plate P721865 is registered to MINNIFIELD and his wife "Individual B."

43. On November 3, 2012, at approximately 7:23 p.m., COLEMAN, using Target Phone 36 (Call # 13259), spoke with DAVIS, who was using DAVIS Phone A. During the call, COLEMAN informed DAVIS he was on his way. COLEMAN stated, "I'm gonna call you when I get a little closer." DAVIS replied, "Alright, we going to Omega [Omega Restaurant] though." COLEMAN asked, "They still open, Unc?" DAVIS replied, "That's why I wanted you to hurry up." COLEMAN stated, "Alright I'm coming, I'm coming."

44. Law enforcement officers associated with this investigation alerted the Illinois State Police to the likely presence of narcotics in the 2006 Chrysler 300M. At approximately 7:32 p.m., an ISP officer observed the 2006 Chrysler 300M with MINNIFIELD driving and COLEMAN in the passenger seat. The 2006 Chrysler 300M subsequently traveled in excess of the posted speed limit, and the ISP officer made a traffic stop of that vehicle. During that stop, as the ISP officer asked MINNIFIELD for his license and registration, the ISP officer detected a strong smell of marijuana coming from the interior of the vehicle. The ISP officer asked MINNIFIELD and COLEMAN to step out of the vehicle and requested that a drug sniffing K-9 dog come to the scene. After the dog arrived at the scene, the dog alerted to the front passenger side of the vehicle (indicating that narcotics were present or had recently been present). An ISP officer informed MINNIFIELD about the dog's indication on the passenger side of the

vehicle, at which time MINNIFIELD became agitated. MINNIFIELD then attempted to distract the ISP officer who was watching him by saying things such as “What are they doing to my car?” As MINNIFIELD made that statement, MINNIFIELD threw his arms out to the side. When MINNIFIELD threw his arms out to the side, two baggies flew out of MINNIFIELD’s left hand. An ISP officer recovered both baggies, one of which contained marijuana, and the other of which contained approximately 100 grams of suspect heroin. MINNIFIELD and COLEMAN were both arrested by ISP officers.

45. On November 3, 2012, at approximately 9:16 p.m. (after COLEMAN and MINNIFIELD were arrested), WHITING, using Target Phone 35 (Call #15140), spoke with JAMES, who was using Target Phone 38. During this call, JAMES asked WHITING, “Bro came back yet [JAMES wanted to know whether COLEMAN had returned from delivering heroin to DAVIS in Wisconsin]?” WHITING replied, “Call him, man. Call his phone.” JAMES then asked, “What you, what you want me to bump up with him or bump up with you [JAMES asked if he should collect the money for the heroin supplied to DAVIS from WHITING or from COLEMAN]?” WHITING replied, “Oh, you finna slide on me? Your homie ain’t got back, yet, though [WHITING told JAMES that COLEMAN had not returned from delivering the heroin to DAVIS]. He didn’t call me.” JAMES responded, “(Unintelligible) alright.”

46. On November 3, 2012, at approximately 9:50 p.m., COLEMAN was released from ISP custody. At approximately 9:55 p.m., COLEMAN, using Target Phone 36 (Call # 13397) sent a text message. The text message read, “We got bumped bra. [COLEMAN informed Individual C that they were stopped by the police].”

47. On November 3, 2012, at approximately 9:57 p.m., COLEMAN, using Target Phone 36 (Call # 13402), spoke with Individual C. During the call, COLEMAN described his arrest. COLEMAN stated, “I’m at Lincolnshire Police Station. This shit crazy man.” Individual C responded, “Man, y’all was supposed to take the rental and everything. Y’all tweaking like a mother fucker. [Individual C inquired if they took COLEMAN’s rental car and if they were high.]” COLEMAN replied, “I don’t know what, they finna book Minnie [MINNIFIELD]. I don’t know what they put on Minnie man. They was talking about weed but we gotta see man [COLEMAN was unsure what MINNIFIELD was charged with].” Individual C asked, “What you all were blowing [smoking cannabis]?” COLEMAN stated, “No, he had the weed on him bro, it was weed too [MINNIFIELD had marijuana on him in addition to the heroin for delivery to DAVIS].”

48. On November 3, 2012, at approximately 10:01 p.m., COLEMAN, using Target Phone 36 (Call # 13414) sent a text message to Individual C. The

text message read, “Minny took da weight but I don’t kno if dey charged him wit weed or if dey found dem grillys minny had thru [MINNIFIELD was charged and didn’t tell the officers that COLEMAN was involved. COLEMAN wasn’t sure if the police found the quantity of heroin MINNIFIELD threw had thrown away after MINNIFIELD and COLEMAN had been arrested by the Illinois State Police].”

49. On November 3, 2012, at approximately 10:08 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 15160), spoke with JAMES, who was using Target Phone 38. During the conversation, JAMES stated, “He [COLEMAN] ain’t answered the phone, man.” MICHAEL WHITING replied, “Man, I’m talking to him, man. They done got bumped [arrested], down there, man.” JAMES stated, “They been calling the shit out of me, man.” MICHAEL WHITING replied, “Man, give me, give me like, five minutes, bro.” JAMES replied, “Alright.”

50. On November 3, 2012, at approximately 10:14 p.m., COLEMAN, using Target Phone 36 (Call # 13439), spoke with Individual C. During the call, COLEMAN gave a detailed account of how the stop and arrests occurred. Specifically, COLEMAN stated, “This shit is crazy as hell man. I don’t know if they found that shit, they ain’t telling me nothing. I’m finna send Venus and one of these girls in there to see if they can find out [whether or not the arresting

officers found the heroin].” Individual C replied, “You know you can’t go in that mother fucker. You can’t go in that mother fucker [police station] man. What the fuck you all doing in his car anyway, you know you all can’t ride that fucking tint [Individual C said that COLEMAN shouldn’t be in a vehicle with a tinted window].” COLEMAN stated, “I kept telling Minnie [MINNIFIELD] man, just do the speed limit bro. When buddy done pulled us over, they was like you know that you were speeding? And Minnie said, yeah I was like doing 58. He [the ISP trooper] said 60 in the 55 and that was only five miles, you know what I’m saying? And they had the car pulled over and he running names or whatever. Then he come back like, step out, I guess he smelled the weed or whatever. Then you see cars coming from everywhere. So I guess Minnie was trying to...I don’t know, he throwed the shit [MINNIFIELD tried to discard the heroin]. I don’t know man.” Individual C asked, “Was he driving like that?” COLEMAN replied, “Yeah Minnie driving, he like shit, no, he had it under his balls. Well he like bro, give it to me, woo, woo, woo. So I was like fuck it, cause I was finna bail out [COLEMAN was planning to run]. I’m like Minnie pull up a little more and give me a little lead. I’m gonna go through them woods man and I’m gonna do whatever I gotta do [to escape]. He’s like, give it to me bro, they ain’t on shit, they ain’t gonna pull us out the car or nothing, I got a license and insurance. Shit, they pulled us out that mother fucker. And then shit they was...what was

gonna happen, they kept searching us, they kept searching us. They kept trying to grab Minnie nuts and he wouldn't let them. So finally when they sat him back down I guess he jumped...Something buddy said to him and they slapped the cuffs on me and I saw them roughing Minnie up a little bit. Minnie was like, what? I ain't throw nothing, whoo , whoo, whoo. I guess they grabbed some weed or whatever. But I don't know if they found that shit [heroin], but I think they did man. I don't know man."

51. On November 3, 2012, at approximately 10:42 p.m., COLEMAN, using Target Phone 36 (Call # 13478), spoke with DAVIS, who was using DAVIS Phone A. During the call, COLEMAN stated, "My bad Unc, man, we got stretched out like a mother fucker man [COLEMAN explained that he was unable to make the delivery because of the traffic stop and his arrest]." DAVIS asked, "Hey Joe, you say in the morning, you say [DAVIS sought to confirm that COLEMAN would deliver the heroin the next morning]?" COLEMAN answered, "Hell yeah, it got to be Unc. I don't know if they had... I don't know if they charged my homie [with the heroin] or what man. They locked my homie up shit."

52. The suspected heroin recovered from MINNIFIELD at the time of his arrest was tested by the DEA North Central Laboratory (the "DEA Lab") and found to be heroin with a net weight of 98.5 grams.

53. Based on the foregoing, I believe that CHARLES JAMES, MICHAEL WHITING, ANTONIO WHITING, MICHAEL COLEMAN, and COREY MINNIFIELD intended to supply VONZAYE DAVIS with 98.5 grams of heroin on November 3, 2012.

**iii. On November 7, 2012, ANTONIO WHITING delivered 95 grams of heroin, which he obtained from MICHAEL WHITING, to a cooperating witness and an undercover officer.**

54. From November 5, 2012, through November 7, 2012, a cooperating witness working with investigators (“CW6”)<sup>10</sup> arranged for the purchase of 110

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<sup>10</sup> CW6 began cooperating with ATF in approximately 2004, and has also cooperated on cases with the CPD since approximately 2003. To date, the CW6 has received approximately \$45,575 for his/her cooperation in ATF investigations. In or around 2003, CW6 was arrested by the Chicago Police Department and charged in state court with possession of cocaine. This charge was dismissed, in part, because of the CW6's cooperation with CPD. A substantial portion of the information provided by CW6 has been corroborated by further investigation, including consensually recorded telephonic and in-person conversations, text messages, and surveillance.

CW6 has previously cooperated in ATF investigations wherein he/she purchased firearms in consensually monitored meetings with targets, using funds provided to him/her by ATF. Two of the defendants charged as a result of the CW6's cooperation in the investigation informed the government that CW6 had unrecorded telephone contacts and a meeting with these targets after the controlled firearms transactions had concluded. Telephone records corroborate that the unrecorded telephone contacts occurred. Both of these defendants stated that CW6 stated to them that he had overpaid by \$2,000 of the funds used to purchase the firearms at issue in the controlled transactions and that they repaid \$2,000. CW6 has admitted that he/she had unrecorded telephone contacts with these defendants but denies seeking or obtaining any funds from them.

grams of heroin from ANTONIO WHITING. ANTONIO WHITING sought supply of the heroin from MICHAEL WHITING and delivered 95 grams of heroin to CW6 and an undercover agent (“UC”) which was seized by law enforcement.

55. On November 5, 2012, at approximately 4:00 p.m., CW6 placed a consensually-recorded call<sup>11</sup> to ANTONIO WHITING, using ANTONIO Phone A, and spoke about purchasing 110 grams of heroin. During the call, ANTONIO WHITING stated that he was at the hospital but that ANTONIO WHITING would be good to do the deal tomorrow. CW6 and Antonio WHITING confirmed that the deal would be for 110 grams of heroin at \$65 per gram.

56. On November 6, 2012, at approximately 10:00 a.m., CW6 placed a consensually-recorded call to ANTONIO WHITING, using A. WHITING Phone A. During the call, ANTONIO WHITING confirmed that the deal was for 110 grams. ANTONIO WHITING asked where CW6 would like to meet and they agreed to meet at the Burger King located at Chicago and Western Avenue, Chicago, Illinois. CW6 told ANTONIO WHITING that CW6 would call Antonio WHITING when CW6 was heading out.

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<sup>11</sup> All consensually-recorded calls placed by CW6 were simultaneously monitored by an ATF agent unless otherwise noted.

57. On November 6, 2012, at approximately 12:33 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16283) with ANTONIO WHITING, using ANTONIO Phone A. During the conversation, ANTONIO stated, "Yeah. Hey, my bus leaves in an hour [ANTONIO explained he was to deliver 100 grams of heroin to a customer in one hour], bro." MICHAEL WHITING replied, "Okay." Later in the conversation, MICHAEL WHITING asked, "Is he coming up here or you gotta go there?" ANTONIO WHITING replied, "Uh, my uh, my cab [heroin customer] gonna meet me on uh Roosevelt and Kedzie. By the McDonalds." Michael WHITING; stated, "Huh?" Antonio WHITING stated, "I said, my cab [heroin customer] gonna meet me at Roosevelt and Kedzie. Right, right there at that McDonalds. I told him, I'll be there in an hour. I'll be ready." MICHAEL WHITING replied, "Alright."

58. On November 6, 2012, at approximately 1:25 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16310) with CHARLES JAMES at Target Phone 38. During the conversation, JAMES stated, "Yeah, what's up?" WHITING stated, "What up fool? Why don't you call and see where he at." JAMES stated, "He's right here with me, we on Western." WHITING stated, "I'm finna' pull up." JAMES stated, "Alright." The call switched over and MICHAEL WHITING, using Target Phone 35, spoke with ANTONIO WHITING at ANTONIO Phone A (Call # 16312). During that

conversation, MICHAEL WHITING stated, "Yeah. Gimme about ten, fifteen more minutes [Michael WHITING needed more time to obtain the heroin required for the pending delivery], bro." ANTONIO WHITING replied, "Alright."

59. On November 06, 2012, at approximately 2:00 p.m., CW6 and UC-1 arrived at the Burger King parking lot and parked where surveillance observed them.

60. On November 6, 2012, at approximately 3:17 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16352) with ANTONIO WHITING, using ANTONIO Phone A. During the conversation, MICHAEL WHITING stated, "Yeah, tell that nigger [heroin customer] man, shoot, we pay for a room, you got two whores for him and everything, man [MICHAEL WHITING informed ANTONIO WHITING that ANTONIO needed to explain to his customer that there was a delay in obtaining the required amount of heroin]." ANTONIO WHITING replied, "Mmm hmm, alright." MICHAEL WHITING stated, "Yeah, tell him shit man you on the red light [delay in obtaining heroin]. So, I'd tell him, you know, what you told him and shit. Shit just took a little longer. Quit acting like you gotta bite your tongue, man. Tell that mother fucker what it is [Explain the delay to the heroin customer]." ANTONIO WHITING replied, "Alright."

61. On November 6, 2012, at approximately 3:30 p.m., CW6 placed a consensually-recorded call to ANTONIO WHITING, using ANTONIO Phone A, and told ANTONIO WHITING that CW6 would be leaving the meet location because the delivery of heroin was taking too long. ANTONIO WHITING told CW6 that he was close by but then hung up. After the phone call, CW6 and the undercover officer with him left the parking lot of the Burger King.

62. On November 6, 2012, at approximately 3:40 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16376) with ANTONIO WHITING, using ANTONIO Phone A. During the conversation, MICHAEL WHITING stated, "You ain't never call me back and tell me, though." ANTONIO WHITING responded, "Shit, he [heroin customer] talking about he going to leave in five minutes, man." MICHAEL WHITING stated, "He's going to leave in five minutes?" ANTONIO WHITING replied, "He talking about going to leave in five minutes."

63. On November 6, 2012, at approximately 5:15 p.m., CW6 placed a consensually-recorded call to ANTONIO WHITING at ANTONIO Phone A. During the conversation, ANTONIO WHITING asked what time CW6 got off work and inquired about whether ANTONIO could come to CW6 to deliver the 110 grams of heroin that evening. CW6 stated that ANTONIO could not, because CW6's partner (a narcotics agent posing as CW6's drug partner "UC-1")

had half the money and was not available. CW6 told ANTONIO WHITING that CW6 and his partner would be available the following day around lunch and they could meet ANTONIO then. ANTONIO WHITING advised CW6 that ANTONIO had the heroin in his possession now and CW6 told ANTONIO WHITING that CW6 would call him the next morning.

64. On November 7, 2012, at approximately 8:59 a.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16542) with ANTONIO WHITING, using ANTONIO Phone A. During the conversation, ANTONIO WHITING stated, "Alright shit, uh, you know what I'm calling you for [ANTONIO WHITING needed heroin to deliver to the customer], boy?" MICHAEL WHITING replied, "I know." ANTONIO WHITING responded, "Oh, alright." MICHAEL WHITING asked, "Where you at?" ANTONIO WHITING replied, "Over here, by grandma's house. Do you want me to start that way?" Later in the conversation, MICHAEL WHITING stated, "I need you to slide by Chuck's crib [CHARLES JAMES's stash house at 2457 W. Adams] and grab that bag [heroin] and uh, grab that other thing that I had left over there." ANTONIO WHITING replied, "Alright."

65. On November 7, 2012, at approximately 9:16 a.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16544) with ANTONIO WHITING, at ANTONIO Phone A. During the conversation,

MICHAEL WHITING stated, "How long you finna' to be?" ANTONIO WHITING stated, "I'm waiting on, uhh Chuck to call me [ANTONIO was waiting on a call from CHARLES JAMES]. He said he was gonna call me." MICHAEL WHITING stated, "Alright."

66. On November 7, 2012, at approximately 11:01 a.m. CW6 placed a recorded call to ANTONIO WHITING, at ANTONIO Phone A, and asked ANTONIO WHITING if they could meet closer to where CW6 was working. ANTONIO WHITING suggested that they meet at the Target store located at Racine Avenue and Van Buren Street in Chicago, Illinois. They agreed to meet at 1:30 p.m. at the Target.

67. On November 7, 2012, at approximately 12:36 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call # 16595) with ANTONIO WHITING, using ANTONIO Phone A. During the conversation, ANTONIO WHITING asked, "Yeah, what happened?" MICHAEL WHITING stated, "Yeah, I'm at the crib, slide on me [MICHAEL WHITING instructed ANTONIO WHITING to come to his residence to pick up the heroin to be delivered]." ANTONIO WHITING replied, "Alright."

68. On November 7, 2012, at approximately 1:28 p.m., CW6 placed a recorded call to ANTONIO WHITING, at ANTONIO Phone A, and told him that

CW6 would be ready to meet in 15 minutes at the Target store located on Van Buren. ANTONIO WHITING stated that he was on his way to the location.

69. On November 7, 2012, at approximately 1:45 p.m., CW6 and UC-1 drove to the Target parking lot. They were in possession of \$7,150 in cash for the purchase of the agreed 110 grams of heroin and were outfitted with audio/video recording equipment. At approximately 2:00 p.m., UC-1 and surveillance observed ANTONIO WHITING get out of the black Grand Prix and enter the Target garage. UC-1 stepped out of CW6's vehicle so that ANTONIO WHITING would see him, and then UC-1 reentered CW6's vehicle in the back seat. ANTONIO WHITING entered the front passenger seat of CW6's car. As detailed on the recordings and according to UC-1, while in the car ANTONIO WHITING turned and handed UC-1 a clear plastic bag containing heroin. UC-1 handed ANTONIO WHITING the \$7150 in cash. ANTONIO WHITING asked what was in the bundle and UC-1 responded, "\$7150." ANTONIO WHITING turned to CW6 and asked, "That's D [the undercover nickname for UC-1 given to WHITING in negotiating the deal for 110 grams of heroin]?" CW6 responded that it was. ANTONIO WHITING did not count the money but stated if it wasn't all there he'd be calling to which UC-1 stated they would do the same if all the heroin was not there. Following the exchange, WHITING left the

undercover vehicle and walked over to a black Pontiac Grand Prix, entered the front passenger seat and then left the area.

70. Following receipt of the heroin, agents weighed the amount and found it to be approximately 95 grams, 15 grams less than the 110 gram negotiated amount.

71. On November 7, 2012, at approximately 2:23 p.m., CW6 had a consensually-recorded phone call with ANTONIO WHITING, at ANTONIO Phone A, in which CW6 advised ANTONIO WHITING that there was only 95 grams of heroin in the amount delivered. ANTONIO WHITING stated, "I told his ass [MICHAEL WHITING the supplier of the heroin] that it was 110." ANTONIO WHITING then stated that he could bring CW6 the remaining 15 grams and that ANTONIO WHITING had just brought it the way he had received it. CW6 told ANTONIO WHITING that he would call him back.

72. On November 7, 2012, at approximately 3:14 p.m., CW6 had a consensually-recorded phone call with ANTONIO WHITING, at ANTONIO Phone A, in which CW6 asked if ANTONIO WHITING could meet CW6 at 3:45 p.m. to drop off the other 15 grams of heroin. ANTONIO WHITING stated that he would call his guy and call CW6 back if WHITING would not be able to make it.

73. On November 7, 2012, at approximately 3:30 p.m., CW6 had a recorded phone call with ANTONIO WHITING, at ANTONIO Phone A, in which ANTONIO WHITING stated that he needed a few more minutes to get the 15 grams of heroin so CW6 should go do what CW6 needed to do. ANTONIO WHITING stated that he didn't like this situation because it was "fucking" with his money. ANTONIO stated that he doesn't play these games and that he was on top of it just like the heroin was his own. ANTONIO stated that his supplier [MICHAEL WHITING] had never done that to him before. ANTONIO admitted that he never "grabbed no calculator [scale] and threw it [the heroin] on there." ANTONIO stated that the discrepancy was ANTONIO's fault because he should have taken the initiative and "threw it on the calculator" before he went to meet CW6. ANTONIO told CW6 not to worry because ANTONIO was on top of it.

74. On November 7, 2012, at approximately 5:30 p.m., CW6 received a non-recorded phone call from ANTONIO WHITING, at ANTONIO Phone A, in which CW6 reported that ANTONIO WHITING said he had the heroin but that CW6 told ANTONIO they would have to meet for the delivery the following day.

75. Agents delivered the suspected heroin received by UC-1 from ANTONIO WHITING to the DEA Lab for analysis and it was found to contain approximately 93.3 grams of heroin.

76. Based on the foregoing, I believe that MICHAEL WHITING and ANTONIO WHITING supplied UC-1 with 93.3 grams of heroin on November 7, 2012.

**iv. On November 8, 2012, ANTONIO WHITING delivered the remaining 15 grams of the 110 gram heroin order.**

77. On November 8, 2012, through a series of calls, ANTONIO WHITING arranged to deliver the remaining 15 grams of the previous days order to CW6, which ANTONIO WHITING did that day.

78. On November 8, 2012, at approximately 9:12 a.m., CW6 had a consensually-recorded phone call with ANTONIO WHITING, at ANTONIO Phone A, in which CW6 advised ANTONIO WHITING that CW6 could meet up with ANTONIO at around 11:00 a.m. ANTONIO WHITING stated that he was at the hospital with his girl who was having his baby and that ANTONIO WHITING would not be able to deliver the heroin until later in the afternoon. ANTONIO WHITING stated that he had the heroin but that he would have to run to the crib and get it. CW6 and ANTONIO WHITING agreed to talk later.

79. On November 8, 2012, at approximately 1:45 p.m., CW6 had a recorded phone call with ANTONIO WHITING, at ANTONIO Phone A, in which ANTONIO WHITING stated that his girl had just had the baby. ANTONIO WHITING asked if CW6 was still downtown. ANTONIO WHITING asked if

CW6 could come and pick ANTONIO up at the hospital and drive ANTONIO to pick up the heroin. CW6 agreed.

80. Following the phone call, agents searched CW6 and CW6's vehicle for contraband and found none. Agents then equipped CW6 with electronic audio/video recording equipment.

81. On November 8, 2012, at approximately 1:54 p.m., surveillance observed CW6 leave to pick up ANTONIO WHITING at Northwestern Hospital. At approximately 2:07 p.m., surveillance observed ANTONIO WHITING walking westbound on the south side of Chicago Avenue, in the area of Northwestern Hospital in Chicago, Illinois. Surveillance observed, and the audio/video recording confirmed, ANTONIO WHITING entered the passenger side of CW6's vehicle. Surveillance maintained observation of CW6's vehicle as it traveled with ANTONIO WHITING to the area of Lockwood Street and Harrison Boulevard, in Chicago, Illinois.

82. While in the car, according to CW6 and as confirmed in the recording, ANTONIO WHITING stated that his guy gave him the wrong heroin package, which explained why it had been light. ANTONIO WHITING also discussed delivering heroin to Missouri. CW6 and WHITING also discussed doing more business in the future.

83. At approximately 2:24 p.m., surveillance observed CW6 park on Lockwood Street. CW6 reported that ANTONIO WHITING walked into a building on the east side of Lockwood Street through the door closest to the alley and then returned with the package of suspect heroin. At approximately 2:26 p.m., surveillance observed CW6 pull away from the parking space and drive to a predetermined location to meet with agents in the investigation.

84. Upon arrival at the location, CW6 surrendered the suspect heroin to the investigating agents. Agents secured and weighed the package and found it to weigh approximately 16 grams. Agents delivered the suspected heroin received by CW6 from ANTONIO WHITING to the DEA Lab for analysis and it was found to contain approximately 15 grams of heroin.

85. Based on the foregoing, I believe that MICHAEL WHITING and ANTONIO WHITING supplied CW6 with 15 grams of heroin on November 8, 2012.

**v. On December 5, 2012, MICHAEL WHITING and ANTONIO WHITING delivered 49.3 grams of heroin to Ollie Jones which was seized by law enforcement.**

86. On December 5, 2012, Ollie Jones ordered heroin from MICHAEL WHITING, which WHITING supplied to him, and which law enforcement later seized during a traffic stop of Jones.

87. December 5, 2012, at approximately 11:18 a.m., MICHAEL WHITING, using Target Phone 35 (Call # 18683), spoke with Ollie Jones, who was using cellular telephone number (815) 299-3122 (“Jones Phone A”).<sup>12</sup> During the call, WHITING asked, “What’s up, what’s up bro?” Jones replied, “Not much, seeing if everything everything [Jones called to find out if WHITING had a supply of heroin on hand].” WHITING answered, “Yup yup.” Jones stated, “All right, I’m about to jump down [Jones was coming to meet WHITING].” WHITING asked, “The same way [WHITING wanted to know if Jones wanted the same amount of heroin Jones normally received]?” Jones answered, “Uh huh.”

88. On December 5, 2012, at approximately 11:39 a.m., MICHAEL WHITING, using Target Phone 35 (Call # 18696), spoke with ANTONIO WHITING, who was using cellular telephone number (312) 504-1267. During the conversation, WHITING asked, “Where you at fool?” ANTONIO WHITING replied, “Down here at the hospital.” MICHAEL WHITING stated, “Call me, I gotta go ahead and search for something that I had left in your car. [MICHAEL WHITING asked ANTONIO WHITING where he was because MICHAEL

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<sup>12</sup> Ollie Jones was identified as the speaker on (815) 299-3122 through his subsequent arrest on December 5, 2012, as detailed below. Jones was charged and convicted of his conduct in Winnebago County, Illinois, Circuit Court.

WHITING needed to get the supply of heroin Ollie Jones wanted.]” ANTONIO WHITING replied, “All right.”

89. On December 5, 2012, at approximately 12:30 p.m., WHITING, using Target Phone 35 (Call # 18707), spoke with Ollie Jones, who was using Jones Phone A. During the conversation, Jones informed WHITING he was on his way to meet WHITING. Jones stated, “Hey uh I’m right here by uh Mannheim.” WHITING replied, “Aight, I need like 30 minutes. I’m finna run girlfriend downtown. I’ll call you [WHITING needed additional time to get the heroin for Jones from ANTONIO WHITING].” Jones stated, “Aight.”

90. On December 5, 2012, at approximately 12:32 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 18710), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. During the conversation, MICHAEL WHITING asked, “Yeah, where you at fool?” ANTONIO WHITING replied, “I’m still down here but I’m on the bus.” MICHAEL WHITING stated, “Damn man, where I got to go, what you call it [MICHAEL WHITING wanted to know where he had to go to get the heroin]?” ANTONIO WHITING, replied, “Up there [ANTONIO WHITING’s residence at 3608 W. Shakespeare Ave., Chicago].”

91. On December 5, 2012, at approximately 1:50 p.m., surveillance observed MICHAEL WHITING enter the driver’s seat of a beige Chevy Captiva

which was parked near 4932 W. Ferdinand, Chicago, Illinois. Surveillance observed WHITING drive away from the area after talking to an unknown male on the street.

92. On December 5, 2012, at approximately 1:54 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 18746), spoke with Ollie Jones, who was using Jones Phone A. Jones asked, "Yeah, what's going on?" WHITING answered, "No, I ain't out there bro, I gotta pick up my little brother, he just had a baby and shit. Going back and forth to the hospital he got the keys to the crib. I get that from the hospital, then slide on you [MICHAEL WHITING told Jones that he was not ready yet. MICHAEL WHITING told Jones that he had to get the heroin from his little brother, ANTONIO WHITING, and that the heroin was stored at ANTONIO WHITING's residence (3608 W. Shakespeare Ave., Chicago)]." Jones asked, "How long it's gonna take you to shoot back?" WHITING answered, "Another 20 minutes, 30 minutes at the longest bro and then you can meet me over there." Jones replied, "All right."

93. On December 5, 2012, at approximately 2:08 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 18752), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. MICHAEL WHITING asked, "Where you at boy?" ANTONIO WHITING replied, "I'm right, I just got off the

bus on Laramie and Chicago Avenue.” MICHAEL WHITING stated, “All right stay right there, I’m finna come pick you up.”

94. On December 5, 2012, at approximately 2:11 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 18753), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. MICHAEL WHITING asked, “Yeah, where you at boy?” ANTONIO WHITING answered, “I’m right here at Mc Donald’s... I see you.”

95. At approximately 2:14 p.m., surveillance observed ANTONIO WHITING and an unknown female exit the McDonald’s restaurant located at 5153 W. Chicago Ave. and enter the Chevy Captiva that MICHAEL WHITING was driving. Surveillance followed the Captiva in traffic to 509 S. Lockwood where the female passenger of the vehicle exited and entered the residence. Surveillance observed both MICHAEL and ANTONIO WHITING leave the area in the Captiva.

96. On December 5, 2012, at approximately 2:23 p.m., MICHAEL WHITING placed an outgoing text message (Call # 18754) from Target Phone 35 to Ollie Jones, who was using Jones Phone A. The text message read, “Meet me where I met u last time.”

97. On December 5, 2012, at approximately 2:35 p.m., MICHAEL WHITING placed an outgoing text message (Call # 18758) from Target Phone

35 to Ollie Jones, who was using Jones Phone A. The text message read, “Yo [WHITING wanted to know if Jones made it to the predetermined location].”

98. On December 5, 2012, at approximately 2:37 p.m., surveillance observed MICHAEL WHITING drive into the alley of the 3600 block of West Shakespeare Ave. and then park the Captiva behind ANTONIO WHITING’s residence located at 3608 W. Shakespeare Avenue. A short period later, MICHAEL WHITING and ANTONIO WHITING drove away from the area and proceeded to drive to a parking lot on the corner of Central Park and Fullerton Avenue. MICHAEL WHITING exited the vehicle and greeted an unknown female who was standing in the parking lot. Surveillance kept MICHAEL WHITING in view during this entire meet and did not see an exchange conducted with the unknown female.

99. On December 5, 2012, at approximately 2:41 p.m., MICHAEL WHITING received an incoming text message (Call # 18760) on Target Phone 35 from Ollie Jones, who was using Jones Phone A. The text message read, “Pulling up now [Jones had arrived at the meet location].”

100. On December 5, 2012, at approximately 2:50 p.m., MICHAEL WHITING entered the Captiva and drove away from the parking lot. Surveillance followed the Captiva, containing MICHAEL WHITING and ANTONIO WHITING, back to 3608 W. Shakespeare Avenue. Surveillance

observed ANTONIO WHITING exit the Captiva and run quickly to the door of the residence and then enter it. After a short period of time, ANTONIO WHITING exited 3608 West Shakespeare Avenue and re-entered the Captiva.

101. On December 5, 2012, at approximately 2:55 p.m., MICHAEL WHITING placed an outgoing text message (Call # 18764) from Target Phone 35 to Ollie Jones, who was using Jones Phone A. The text message read, "Aight ten min."

102. On December 5, 2012, at approximately 3:15 p.m., surveillance observed the Captiva, containing MICHAEL WHITING and ANTONIO WHITING, arrive in the area of 1250 South Union Avenue, Chicago, Illinois. Surveillance observed MICHAEL WHITING double park and lower his window and engage in conversation with an unknown male, later identified as Ollie Jones. Jones was the sole occupant and driver of a Chevy Impala. After the brief conversation, MICHAEL WHITING began driving away from the area with Jones following him in traffic.

103. On December 5, 2012, at approximately 3:20 p.m., surveillance observed Jones and WHITING arrive and enter the parking lot of Ferro's Restaurant, located at 200 West 31st Street, Chicago. MICHAEL WHITING parked the Captiva next to Ollie Jones's Impala. While seated in their own vehicles, MICHAEL WHITING and Jones held a brief conversation through

their open vehicle windows. After a short period of time, WHITING drove out of the parking lot and parked behind his residence at 216 West 31st Street, Chicago. Surveillance observed Jones then exit his vehicle and enter Ferro's Restaurant.

104. On December 5, 2012, at approximately 3:29 p.m., surveillance observed the Captiva containing MICHAEL WHITING and ANTONIO WHITING return to the Ferro's parking lot. Jones entered the rear seat of the Captiva and MICHAEL WHITING drove away.

105. At approximately 3:31 p.m., surveillance observed MICHAEL WHITING, ANTONIO WHITING and Ollie Jones return in the Captiva to the parking lot. Surveillance observed Jones exit the Captiva and re-enter his Impala. Surveillance then observed MICHAEL WHITING drive out of the parking lot and away from the area.

106. Surveillance followed Jones in traffic. Surveillance observed Jones enter the Interstate-90 West Expressway. Investigators requested assistance from the Rockford Police Department in a traffic stop, based upon independent probable cause, of Ollie Jones.

107. At approximately 5:01 p.m., an officer of the Rockford Police Department stopped Ollie Jones's vehicle for a traffic violation near the intersection of North Perryville Road and Colosseum Drive in Rockford, Illinois.

During the stop, the officer walked a drug-detecting dog around the exterior of Jones's Impala. The dog alerted to the presence of narcotics inside. During a subsequent search of the vehicle, officers found a clear plastic bag wrapped in a white piece of thin paper. The bag contained a white powdery substance that field-tested positive for the presence of heroin. The bag had a gross weight of 50.7 grams.

108. The substance recovered from Ollie Jones on December 5, 2012, was later tested by the Illinois State Police Rockford Forensic Science Laboratory and found to be heroin, with a net weight of 49.3 grams.

109. Based on the foregoing, I believe that MICHAEL WHITING and ANTONIO WHITING supplied Ollie Jones with 49.3 grams of heroin on December 5, 2012.

**vi. From January 7 to January 10, 2013, CHALES JAMES and MICHAEL STARNES discussed a possible ½ kilogram cocaine deal to be supplied by EDUARDO RIVERA.**

110. From January 7 to January 10, 2013, CHARLES JAMES negotiates a deal for ½ kilogram of cocaine with his customer MICHAEL STARNES. JAMES also reached out to EDUARDO RIVERA to supply the cocaine.

111. January 7, 2013, at approximately 3:18 p.m., JAMES, using Target Phone 38, had a conversation (Call# 1714) with MICHAEL STARNES,<sup>13</sup> who was using (260) 246-8757. During the conversation, STARNES stated, “This line decent, I know, your shit cool [STARNES verified that he could speak freely on JAMES’s phone]?” JAMES replied, “Yeah.” STARNES stated, “I want to try to step it up a little bit man. I want to see what we can do [STARNES requested a substantially larger amount of cocaine than he typically would request]. You know what I’m saying? See, if I say something like, nineteen-five [\$19,500.00, a typical price for a half kilogram of cocaine].” JAMES replied, “I can see right now, if that’s what you want to do.” STARNES replied, “Yep, yep, you still be cool on something? On that [STARNES asked if JAMES would agree to that price]?” JAMES replied, “I don’t know, I’m gonna see, but that’s a nice step-up [increase in weight], though. So, I’m gonna see, shit.” STARNES replied, “Call this number back. We’re gonna use this number [phone number], today.”

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<sup>13</sup> The identification of MICHAEL STARNES and his voice was based on the following: as detailed in the following paragraphs 110-167, surveillance coupled with interceptions in which STARNES arranged to meet with JAMES on January 13, 2013, for the purpose of receiving cocaine. Additionally, STARNES identified himself as Mike in call number 1944 intercepted over JAMES’s Target Phone 38. Finally, surveillance observed STARNES again meet with JAMES and RIVERA on January 17, 2013, at approximately 1:35 p.m. again at JAMES’s stash house located at 2457 W. Adams, in Chicago, Illinois. After STARNES left the house, surveillance followed him until he was stopped by an Indiana State Trooper and positively identified at approximately 2:34 p.m. STARNES can be overheard informing JAMES of this traffic stop in call number 2393, on Target Phone 38, at the same time. During the call, the State Trooper can be heard in the background asking STARNES for his driver’s license.

JAMES replied, “Alright, let me hit this nigger up, real quick [JAMES was going to call his source].”

112. On January 7, 2013, at approximately 3:27 p.m., less than ten minutes after STARNES call to JAMES above, JAMES, using Target Phone 38, had a conversation (Call # 1716) with EDUARDO RIVERA,<sup>14</sup> who was using Target Phone 40. During the conversation, JAMES asked, “Yeah, how much to go half way [JAMES asked the price for one half kilogram of cocaine]?” RIVERA replied, “Half way over?” JAMES replied, “Yeah.” RIVERA stated, “Man, probably, the only thing dude got what, what the shit we, uh, that we had [RIVERA related his source only had poor quality cocaine]. That small thing? Man, I don’t know if you want to fuck with that [RIVERA did not recommend trying to deliver the poor quality cocaine].” JAMES replied, “Uh, damn.” RIVERA stated, “I’ll make a call. I know another guy [RIVERA had a different source for cocaine] who got it.” JAMES replied, “Alright. Hit me back.”

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<sup>14</sup> The identification of EDUARDO RIVERA and his voice was based on the following: as detailed in the following paragraphs 119 -129, surveillance coupled with interceptions identified RIVERA as he arranged to meet and then met with JAMES on January 11, 2013, for the purpose of discussing the delivery a half-kilogram of cocaine to JAMES for distribution to STARNES. Surveillance observed RIVERA at JAMES stash house at 2437 W. Adams as he called JAMES, as detailed in paragraph 128, and asked to have the door opened. Surveillance then observed RIVERA, recognized through his driver’s license photograph, as he went inside.

113. On January 7, 2013, at approximately 5:03 p.m., JAMES, using Target Phone 38, had a conversation (Call # 1728) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, "Shit, I'm trying to get that together for you, man." JAMES replied, "I'm just... you know, shit, that's 'cause, my people OT [JAMES's customer STARNES was from out of town], anyway." RIVERA asked, "For what?" JAMES replied, "My peoples is coming from out of town. Shit, so, I got time to do it. I just wanted to make sure I could be able to do it, before I tell him to come, though." RIVERA replied, "What was I gonna say? Yeah, I'll be able to grab it. Man, but the ticket is like an eleven [RIVERA explained the price would be \$11,000.00 per quarter kilogram of cocaine]. Each one, B." JAMES stated, "Shit, let me do the math on that, real quick." RIVERA replied, "But uh, it's uh... Hey, it's from our original guy [the same source previously used by RIVERA]. Remember, our original guy, that we were doing good with, like, two, three months ago? It's from him. And it's [cocaine] fucking awesome. I just seen it, dude." JAMES stated, "Alright, shit. Let me, let me hit him back, real quick." RIVERA replied, "I don't know, you know, this is the stuff that we could really get going, again. So, let's do it." JAMES stated, "Let me call him and see if he want to go [JAMES would speak with STARNES and see if he would agree to the price] and then I'm gonna hit you, right back." RIVERA replied, "Let's do this shit."

114. On January 7, 2013, at approximately 5:23 p.m., JAMES, using Target Phone 38, had a conversation (Call #1732) with STARNES at (260) 246-8757. During the conversation, JAMES stated, "I'm waiting on this nigger to hit me back, (unintelligible), he is acting like he can't do it [supply the half kilogram of cocaine]." JAMES further stated, "I'm waiting to see if Marty man can do it for me, I'm waiting on [him to] hit me back." STARNES replied, "Ok, ok, let me give you a call back, a little later."

115. On January 7, 2013, at approximately 5:35 p.m., JAMES using Target Phone 38, had a conversation (Call #1736) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA asked, "What your people say?" JAMES replied, "Shit, he [STARNES] said, he'll call me back, later on, man." RIVERA replied, "Ok, I'm gonna, hey, I'm gonna meet up with dude [Cocaine source]. He's gonna give us another picture of something new [sample of cocaine]." JAMES replied, "Alright." RIVERA stated, "So, we can do what we did last time, remember, same thing."

116. On January 8, 2013, at approximately 7:05 p.m., JAMES, using Target Phone 38, had a conversation (Call # 1830) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, "Man, I just got some good news, dude. Fucking, I went over, I went over there, and talked to Buddy [unknown cocaine source], he gave me some good news, he gave me a

cheaper ticket [lower price for cocaine], and then, he threw me, he threw me a, he threw me something on the green side too [RIVERA's source gave him marijuana in addition to the cocaine]." JAMES asked, "Do you want to hook up in the morning?" RIVERA replied, "Yeah, I got, I want to give you something." JAMES stated, "Alright."

117. On January 9, 2013, at approximately 9:32 p.m., JAMES, using Target Phone 38, had a conversation (Call # 1944) with STARNES, who was using (205) 261-3424. During the conversation, STARNES stated, "This Mike." JAMES replied, "Oh, what up, what up boy?" STARNES replied, "Shit, shit, checking what's up with you." JAMES stated, "Shit, I was calling to tell you man, shit, this nigger [cocaine source], he ain't want to go down, with shit [price of cocaine]. I, was gonna tell you, shit, I just do like a nickel [JAMES claimed he will only make a \$500.00 profit from delivering the half kilogram], bro. I don't be on shit, man." STARNES replied, "Right, right." JAMES stated, "He gonna, he gonna, want the dub [\$20,000 for a half kilogram], you feel me?" STARNES stated, "Right, right, umm...., I'm in your area, you gonna be busy tomorrow?" JAMES stated, "Yeah, I got to go see my PO [Parole officer], tomorrow." STARNES stated, "Just give me a call." JAMES stated, "Alright, which one [Cellular phone number] you want me to hit? This one, or the other one?" STARNES replied, "Hit the other one."

118. On January 10, 2013, at approximately 5:40 p.m., JAMES, using Target Phone 38, had a conversation (Call # 1988) with STARNES, who was using (205) 261-3424. During the conversation, STARNES asked, "You already handle your business, holler at your peoples [Source]?" JAMES replied, "Yeah, I hollered at them, and shit." Later in the conversation, JAMES stated, "But, I'm gonna check something else out too, see what happen, on a..., next go around." STARNES stated, "Okay, yeah, man, because, man this, it's literarily, it's dead man [STARNES cannot obtain any cocaine]. Yeah, like, yeah my nigger, like, all bullshit aside, like it's [Cocaine], it's in, it's in our area, you know what I'm saying." JAMES replied, "Right." STARNES stated, "Like, that shit in our area, nigger's like, 38 [38,000.00 for a kilogram of cocaine]." JAMES stated, "That's what I was just saying, I just bought that with another mother fucker. And, I ain't never dealt with it, though." Later in the conversation, STARNES stated, "Alright. Well, you just give me a call, man, when you get up and shit [STARNES asked JAMES to call him when JAMES had cocaine to sell]. I'm gonna come down there and holler at you, man. I'm out in the suburbs." JAMES replied, "Alright."

- vii. On January 11, 2013, the following day, JAMES, STARNES and RIVERA had a meeting to discuss the possible cocaine deal.**

119. On January 11, 2013, at approximately 1:03 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2044) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, "Should just come get it [cocaine], at the house." JAMES stated, "What's up man, mother fucker bring it to me?" RIVERA replied, "Man, I'm busy as fuck, right now, dude, I'm trying to do something real quick." JAMES stated, "Shit, I'm gonna try to find me a ride."

120. On January 11, 2013, at approximately 3:12 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2052) with STARNES at (847) 347-3594. During the conversation, STARNES asked, "What up with you, boy?" JAMES replied, "What up with you, dude, my bad, you been calling me?" STARNES replied, "Yeah." JAMES stated, "My bad, shit, I was doing some other shit, phone in the front." STARNES stated, "No doubt, no doubt, what's up? You busy, right now?" JAMES stated, "No, I ain't doing shit, I'm fitting to go pay my mother fucking phone bill. I'm just sitting down here in the crib, chilling, you know what I'm saying." STARNES stated, "Right, right, shit, come down to drink a bottle with you, or something." JAMES stated, "Yep, we all good." STARNES stated, "Alright, give me umm..., probably about an hour, I'll be down there." JAMES stated, "Ok."

121. On January 11, 2013, at approximately 3:16 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2053) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, “Man, I’m uh, shit I’ll probably do that uh..., half way [half kilogram of cocaine], dude we still cool?” RIVERA replied, “Yeah.” JAMES stated, “Alright, I’m really just waiting a hot minute [JAMES wanted to speak with STARNES before committing to the cocaine delivery], shit, I’m gonna call you up, so just keep it, uh.” Later in the conversation, RIVERA stated, “When you’re heading back call me, so I can jump in the car and meet you at Western [JAMES’s 2457 W. Adams stash house], and we’ll just talk, and get everything done over there.” JAMES replied, “Alright.” RIVERA stated, “So, should I put the order in now, or what should I do?” JAMES replied, “No, just wait a minute, I just want to make sure, ‘cause, shit, it gonna be like an hour before the mother fucker [STARNES] get to me.” RIVERA stated, “Ok, I just want to make sure that, you know, that everything goes right.” JAMES replied, “Alright.”

122. On January 11, 2013, at approximately 3:25 p.m., surveillance observed a tan Volkswagen Touareg arrive and park across from 1644 N. Albany, a location law enforcement had observed RIVERA use previously. Surveillance observed RIVERA getting out of the driver’s door of the Volkswagen and enter 1644 N. Albany.

123. On January 11, 2013, at approximately 4:16 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2055) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA asked, "Where you at?" JAMES replied, "I'm at the house, I'm back at the crib." RIVERA stated, "I'm gonna slide over there." JAMES stated, "Alright."

124. On January 11, 2013, at approximately 4:19 p.m., surveillance observed RIVERA come out of the residence of 1644 N. Albany, check the mailbox, enter the tan Volkswagen, and drive eastbound on Wabansia Street.

125. On January 11, 2013, at approximately 4:23 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2056) with STARNES, who was using (847) 347-3594. During the conversation, STARNES asked, "Shit, you up stairs?" JAMES replied, "Shit, I'm fitting to pull up, you right there?" STARNES stated, "Yeah, I'm here." Later in the conversation, JAMES stated, "Alright I'm gonna pull up."

126. On January 11, 2013, at approximately 4:26 p.m., law enforcement surveillance observed a gray Toyota Camry arrive and park at approximately 208 S. Campbell. At approximately 4:27 p.m., surveillance observed JAMES arrive in a tan Chevrolet Venture. The tan Chevrolet parked on the rear slab of 2457 W. Adams. At approximately 4:30 p.m., surveillance observed STARNES get out of the gray Toyota Camry and walk toward the rear of 2457 W. Adams.

127. On January 11, 2013, at approximately 5:21 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2058) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, "Open the back door." JAMES stated, "Alright."

128. At approximately the same time as Call # 2058, surveillance observed a dark green Toyota Camry arrive and park on Campbell. Surveillance further observed RIVERA get out of the green Toyota from the driver's door and walk to the rear of 2457 W. Adams.

129. On January 11, 2013, at approximately 5:25 p.m., surveillance observed RIVERA walk away from 2457 W. Adams and enter the green Toyota Camry. RIVERA drove from the location onto westbound Jackson. Based upon the calls intercepted the prior day, and the seizure from STARNES's courier MISHEELA BELCHER which is described below, I believe that STARNES, JAMES and RIVERA were meeting to discuss the half-kilogram cocaine deal at this time.

130. On January 11, 2013, at approximately 8:16 p.m, surveillance observed STARNES come out of 2457 W. Adams, enter the gray Toyota Camry and drive eastbound on Jackson. Mobile surveillance followed STARNES for approximately one hour before losing sight of STARNES when he pulled into an apartment complex in the 1400 block of Pioneer in Crest Hill, Illinois.

**viii. On January 13, 2013, CHARLES JAMES Arranged a ½ kilogram cocaine deal between DANIEL VAZQUEZ, EDUARDO RIVERA and MICHAEL STARNES which resulted in a law enforcement seizure of 535 grams of cocaine from MISHEELA BELCHER.**

131. Just two days after the meeting between STARNES, JAMES and RIVERA on January 11, 2013, JAMES arranged for the ½ kilogram deal and JAMES and RIVERA reached out to their cocaine supplier DANIEL VAZQUEZ to supply the cocaine. VAZQUEZ delivered the cocaine to JAMES's stash house and STARNES picked it up and gave it to STARNES's courier MISHEELA BELCHER to drive back to Indiana. Law enforcement seized 535 grams of cocaine from BELCHER following a traffic stop.

132. On January 13, 2013, at approximately 11:21 a.m., JAMES, using Target Phone 38, had a conversation (Call # 2099) with STARNES, who was using (260) 246-8757. During the conversation, JAMES stated, "I'm gonna call this nigger [RIVERA], right now." STARNES replied, "Right. Right. If we can, please (unintelligible). Make this happen (unintelligible) as soon as possible [STARNES wanted the half kilogram of cocaine delivered]." JAMES responded, "Huh?" STARNES stated, "If we can, please. Make this happen as soon as

possible.” JAMES replied, “Yeah. I was gonna call his [RIVERA] ass. Send his ass up, shit.” STARNES stated, “Okay. Okay. Give me a call back.”

133. On January 13, 2013, at approximately 11:55 a.m., JAMES, using Target Phone 38, had a conversation (Call # 2107) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, “Shit, man. I got one small problem, man.” RIVERA replied, “What happened? What happened?” JAMES stated, “Fucking uh, my man [STARNES] ready to come, right?” RIVERA replied, “Uh-huh.” JAMES stated, “But, you know, I know you be needing the mother fucking dollars up front and shit.” RIVERA replied, “Uh-huh.” JAMES stated, “I don’t fucking have it, right now.” RIVERA replied, “How much... What did he want to grab?” JAMES stated, “He want for the half [half kilogram]. I told you that already.” RIVERA replied, “Okay.” JAMES stated, “So, all I was gonna tell you was, before I tell... ‘cause, he gonna send (coughing) he gonna send his sister [MISHEELA BELCHER]. And she be with kids and shit. You know what I’m saying? So, she be trying to come in and leave, right back out.” RIVERA replied, “Uh-huh.” JAMES stated, “Now, what I wanted to do was, have you already going to get it from him [JAMES asked if RIVERA had received the cocaine from RIVERA’s source]. And by the time she get here, you’ll be here and we can swap it out. You think he’d do it [JAMES wanted RIVERA to obtain the cocaine from the unknown source, deliver the

cocaine to BELCHER and get the money from STARNES when he arrived]?” RIVERA replied, “Uh, I’ll ask him.” Later in the conversation, JAMES stated, “I know my shit a little fucked up, but I can’t fucking cover it, right now, so.” RIVERA replied, “He’s going half way, right?” JAMES stated, “Yeah. He going half way for sure, man. This ain’t gonna be no bullshit, now.” RIVERA replied, “It’s gonna be the same work I gave you, yesterday.” JAMES stated, “He’s [STARNES] waiting on me to call him back and shit so, she can leave.” Later in the conversation, RIVERA stated, “Well, let me call him [RIVERA’s source], right now and figure it out.” JAMES replied, “Alright, hit me back.” Immediately following this conversation, using Target Phone 40, RIVERA placed an outgoing call to (773) 541-0696, Target Phone 42, used by DANIEL VAZQUEZ.<sup>15</sup>

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<sup>15</sup> The identification of DANIEL VAZWQUEZ and his voice was based on the following: on January 13, 2013, surveillance observed a silver Audi, bearing Illinois license plate L346973, arrive at 2457 W. Adams. The driver of the Audi, subsequently identified as VAZQUEZ, believed to have supplied approximately 500 grams of cocaine which was ultimately recovered during the arrest of MISHEELA BELCHER. A subsequent check of the license plate revealed that the vehicle had been involved in a prior traffic accident with the driver being “Daniel Vazquez” with an address of “3924 W. Altgeld.” Surveillance officers recognized the driver's license photograph of VAZQUEZ to be the same person observed on surveillance on January 13, 2013, and in other listed surveillance. On February 5, 2013, surveillance observed VAZQUEZ while dialing cellular telephone (773) 541-0696 (Target Phone 42). As the phone was ringing, VAZQUEZ reached into his pants pocket, removed a telephone, examined the telephone and returned it to his pocket. Finally, surveillance observed that VAZQUEZ’s residence, prior to the arrest of VAZQUEZ’s customer BRANDON ELSING, was in the apartment building at 330 W. Diversey in Chicago. Building records indicate the occupants of Apartment 503 as “Daniel Vazquez” and “Individual

134. On January 13, 2013, at approximately 12:03 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2108) with RIVERA, who was using Target Phone 40. During the conversation, JAMES answered, "What's up, D?" RIVERA stated, "Yeah, he [RIVERA's source VAZQUEZ] said, to come on." JAMES replied, "Huh?" RIVERA stated, "He said, said to, he said, it's okay." JAMES replied, "Alright. I'm finna call him [STARNES] up, now, so she [BELCHER] could leave out." RIVERA responded, "Okay."

135. On January 13, 2013, at approximately 12:08 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2109) with STARNES, who was using (847) 347-3594. During the conversation, JAMES stated, "Shit, what's the dealio, shit it's all good." STARNES stated, "Alright, I'll be there [2457 W. Adams] in about an hour."

136. On January 13, 2013, at approximately 12:09 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2110) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, "I was calling to see about how long it was gonna take you. I just called him and told him

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D." The same records reflect two vehicles associated with Apartment 503 which maintain full time parking status. The building records reflect that a third vehicle associated with Apartment 503, the red GMC Yukon which surveillance observed VAZQUEZ and his runner ANGEL PEREZ use often in trafficking cocaine, is granted periodic parking privileges. Building management records indicate the red GMC is utilized by "Angel (LNU)."

[STARNES], to come on with it.” RIVERA stated, “I told him [VAZQUEZ], like 2-3 hours, soon as you’re ready. He is just gonna meet me up there.” JAMES replied, “Huh.” RIVERA stated, “I’m, gonna meet up with him. I’m, probably gonna meet up with him on Albany, and then, take care of that [cocaine delivery] from there.” JAMES stated, “Shit, I’m saying, you can go on meet up with him now, though, shit.” RIVERA stated, “He, he told me, he wants to go, with me, ‘cause that [half kilogram of cocaine] is a lot of money. He said, that’s a lot of money, so he wants to meet up with me. He’ll give that to me, then I will run back and give it, though, you know.” JAMES stated, “I told you, bro, it ain’t gonna happen like that. That’s why I just fucking asked you, man.” RIVERA stated, “Listen to me, fucking ass, he’s gonna bring it to me, when they’re around dude, and then I’m gonna take care of you, and I’m gonna go take care of him.” JAMES asked, “He gonna bring it to you, and you gonna come to me?” RIVERA replied, “Yeah.” JAMES stated, “Oh, alright then, shit, come on with it.” RIVERA stated, “Yeah, told you, we’re good.”

137. On January 13, 2013, at approximately 1:25 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2137) with STARNES, who was using (847) 247-3594. During the conversation, STARNES stated, “Coming down Cicero now, bro.” JAMES stated, “Alright, it’s all good.”

138. On January 13, 2013, at approximately 1:41 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2145) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA asked, "How far are they [STARNES and BELCHER]?" JAMES replied, "Shit, he should be pulling in and she should be pulling right behind him. Let me, let me call him. I'm gonna call you, right back. Let me call him, real quick." RIVERA replied, "You have to tell me how long. I think, a half hour so I can start getting this shit together [RIVERA wanted to know the arrival time of STARNES in order to prepare the 500 grams of cocaine]." JAMES stated, "Oh, you might as well go and start getting it together, now. That's what I'm telling you, though." RIVERA replied, "Yeah, I know. But dude [VAZQUEZ], dude is gonna come with me, B. So, I gotta make sure that they're a half hour, half away, a half hour away. So, he could come over here and come with me."

139. On January 13, 2013, at approximately 1:44 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2147) with STARNES, who was using (260) 246-8757. During the conversation, STARNES answered, "What up, my nig?" JAMES asked, "Yeah, shit. About how far out she is? 'Cause, it ain't got to me, yet. I say, about how far she is?" STARNES replied, "Shit. We [STARNES and BELCHER] pulling up, right now." JAMES stated, "Alright. I'm, gonna tell

him to come on, with it [JAMES was going to instruct RIVERA to bring the half kilogram of cocaine].”

140. On January 13, 2013, at approximately 1:45 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2148) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, “Yeah, come on with it [half kilogram of cocaine], bro. They [STARNES and BELCHER], pulling up, already. Shit, I was telling you.” RIVERA stated, “Alright, man.”

141. On January 13, 2013, at approximately 1:46 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2149) with STARNES, who was using (260) 246-8757. During the conversation, JAMES answered, “Hello.” STARNES stated, “You upstairs, right [STARNES asked if JAMES was upstairs at JAMES’s stash house located at 2457 W. Adams]?” JAMES replied, “Huh?” STARNES stated, “You upstairs, right?” JAMES replied, “My man up there, go ahead. I’m gonna pull up. He up there.” STARNES stated, “Alright.” JAMES continued, “I told him to let you in.”

142. On January 13, 2013, at approximately 1:47 p.m, surveillance observed the gray Toyota Camry arrive and park on Campbell in the area of 2457 W. Adams. Surveillance observed STARNES leave the vehicle and walk toward the rear of 2457 W. Adams. Approximately one minute later, surveillance observed a green Pontiac Grand Prix arrive and park on the slab of

2457 W. Adams. Surveillance observed the green Pontiac driven by a woman who was subsequently identified by traffic stop as MISHEELA BELCHER. At approximately 1:59 p.m., surveillance observed JAMES arrive in the tan Chevrolet Venture, park in the rear of 2457 W. Adams, and then enter the residence.

143. On January 13, 2013, at approximately 2:09 p.m., surveillance observed RIVERA arrive at 1644 N. Albany in the gold Volkswagen Touareg. Surveillance observed RIVERA park the Volkswagen in front of 1644 N. Albany and enter the residence.

144. On January 13, 2013, at approximately 2:28 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2160) with RIVERA, who was using Target Phone 40. During the conversation, JAMES asked, "Yeah, where you at, man?" RIVERA replied, "Heading over there, B. I'm waiting for my man [Cocaine source VAZQUEZ] to get here. He should be here in a minute. I'll be right there." JAMES stated, "I've been told you to come, bro." RIVERA stated, "B, you told me two or three hours, I'm on timing dude. He will be here in one second. I'll be right there." JAMES stated, "Alright."

145. Immediately after this call at 2:30 p.m., RIVERA, using Target Phone 40, placed an outgoing call to VAZQUEZ on Target Phone 42, the same

number he called previously (see 133 above) after informing JAMES that RIVERA would contact his source for cocaine.

146. On January 13, 2013, at approximately 3:03 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2171) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, "I will be there in five minutes." JAMES stated, "Alright." RIVERA stated, "Tell them [STARNES and BELCHER] I will be there in five minutes." JAMES stated, "Alright, you said, fifteen minutes, then they [STARNES and BELCHER] got to go. No, matter what." RIVERA stated, "I understand. I'll be there in five minutes, bro. I'm leaving out the house, right now. I'll be right there." JAMES stated, "Alright."

147. On January 13, 2013, at approximately 3:05 p.m., surveillance observed RIVERA come out of the residence at 1644 N. Albany and enter the Volkswagen Touareg. At approximately 3:16 p.m., surveillance observed RIVERA arrive in the area of Western and Adams. Surveillance observed RIVERA drive past 2457 W. Adams and park in front of Adams Food and Liquor located at 221 S. Western. RIVERA left the Volkswagen and entered the store.

148. On January 13, 2013, at approximately 3:17 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2172) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, "They [STARNES and BELCHER] about to pull off, man. Where you at?" RIVERA replied, "Them

boys [police], right there. Just went down your block.” JAMES stated, “Just pull in the lot, mother fucker.” RIVERA stated, “I am, man. I’m just telling you, man, it’s hot, right there, right now.” JAMES stated, “Just pull in the lot.” RIVERA stated, “I’m on Adams and Western.”

149. On January 13, 2013, at approximately 3:24 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2173) with RIVERA, who was using Target Phone 40. During the conversation, RIVERA stated, “B, them peoples [police] is on the corner, B.” JAMES replied, “Man, what (unintelligible).” RIVERA stated, “That’s why I haven’t bent [driven] down that block. They’re on Adams, mother fucking, and Western, dude. They’re right around the corner of your block.” JAMES replied, “Where you at? I’m gonna come right to where you at.” RIVERA replied, “(Unintelligible) on Western, I’ll be right there. I just pulled over until they fucking leave. I’m not gonna walk in, out of there, like that, B [RIVERA would not drive to JAMES’s location or exit his vehicle with 500 grams of cocaine when he believed police were in the area]. I ain’t gonna... I ain’t even going.” Later in the conversation, JAMES stated, “There ain’t nobody right there, man. They must have kept going.” RIVERA replied, “I’m telling you, B. They were three deep [Three police officers in the car]. Trust me, I know. They scared the fuck out of me. That’s why I pulled over, real quick.” Later in

the conversation, JAMES stated, "C'mon, man." RIVERA replied, "I'll be right there."

150. At approximately 3:31 p.m., surveillance observed RIVERA leave the store, enter the Volkswagen, and drive westbound on Adams. At approximately 3:32 p.m., RIVERA, using Target Phone 40, received two consecutive incoming calls from VAZQUEZ's Target Phone 42.

151. At approximately 3:32 p.m, surveillance observed RIVERA park behind 2457 W. Adams. At the same time, a silver Audi arrived and parked behind RIVERA's vehicle. Surveillance observed RIVERA leave his vehicle and enter the rear passenger seat of the Audi and retrieve something. Surveillance also observed DANIEL VAZQUEZ driving the silver Audi. RIVERA left the Audi and entered the residence at 2457 W. Adams. Surveillance observed VAZQUEZ seated in the driver's side of the Audi, which remained parked on the street.

152. On January 13, 2013, at approximately 3:33 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2184) with RIVERA, who was using Target Phone 40. During the conversation, JAMES answered, "Hello." RIVERA stated, "Open the door, man. I'm walking in."

153. On January 13, 2013, at approximately 3:39 p.m, surveillance observed RIVERA leave the residence of 2457 W. Adams and enter the rear

passenger seat of the Audi. The Audi, driven by VAZQUEZ, proceeded west bound on Jackson.

154. On January 13, 2013, at approximately 3:39 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2185) with RIVERA, who was using Target Phone 40. During the conversation, JAMES stated, “Yeah, what you got in the car with Buddy [VAZQUEZ]?” RIVERA replied, “Buddy?” JAMES stated, “Huh?” RIVERA replied, “Huh? Yeah.” JAMES stated, “Oh, alright, no. ‘Cause, I was just making sure you had pulled off. I see your damn shit didn’t move [JAMES noticed RIVERA’s car parked and unoccupied near 2457 W. Adams]. Alright?” RIVERA replied, “No. No. I’m good. I’ll be back. I told you, I’ll be back.”

155. Following the phone call, on January 13, 2013, surveillance observed the following:

a. At approximately 3:40 p.m., surveillance observed STARNES walking toward the gray Toyota Camry and enter the vehicle. STARNES remained stationary until the green Pontiac driven by MISHELLA BELCHER pulled away from the area. Surveillance observed both vehicles leaving the area in tandem, east bound on Jackson.

b. Surveillance followed both vehicles and observed them entering Interstate-94 eastbound at approximately 3:43 p.m.

c. At approximately 3:45 p.m., surveillance observed VAZQUEZ's silver Audi return to 2457 W. Adams. Surveillance observed RIVERA get out of the Audi, enter his Volkswagen, and drive from the area.

d. At approximately 4:15 p.m., surveillance observed both the gray Toyota Camry driven by STARNES, and the Green Pontiac driven by BELCHER exit the expressway [Interstate-90 East] at the travel plaza in Portage, Indiana. Both vehicles entered the BP gas station 5105 Travel Plaza Ave. BELCHER driving the green Pontiac pulled up to a gas pump. After fueling, BELCHER appeared to speak briefly with STARNES and then enter the store in the gas station.

e. At approximately 4:23 p.m., surveillance observed BELCHER return to her vehicle and BELCHER and STARNES drove back onto Interstate-90 heading east.

f. At approximately 4:30 p.m., a Indiana State Trooper, working at the request of this investigation, pulled into traffic behind BELCHER and initiated a traffic stop when he determined that she was speeding at approximately the 30 mile marker on Interstate-90 East. A subsequent search of the green Pontiac revealed approximately 535 grams of cocaine inside the car. A field test of the substance revealed it to be cocaine.

156. Based on the foregoing, I believe that DANIEL VAZQUEZ, EDUARDO RIVERA, and CHARLES JAMES supplied MICHAEL STARNES with 535 grams of cocaine which he gave to MISHEELA BELCHER to transport back to Indiana on January 13, 2013.

- ix. On January 16 and January 17, 2013, STARNES explained the seizure of the prior cocaine to JAMES and met with RIVERA and JAMES to receive an unknown amount of cocaine.**

157. On January 16, 2013, at approximately 11:35 a.m., JAMES, using Target Phone 38, had a conversation (Call # 2312) with STARNES, who was using (847) 347-3594. During the conversation, STARNES stated, "I need to holler at you nigger, I need your help, man." JAMES asked, "What happened, bro?" STARNES replied, "Yep. Man uh, lost it all [STARNES referred to the half kilogram of cocaine recovered during the arrest of BELCHER]." JAMES asked, "What you mean?" STARNES replied, "Yeah. The last wap." JAMES asked, "What you mean? How you do that?" STARNES replied, "Man. Man. (Laughter). I be like..." JAMES asked, "It got ugly like that?" STARNES replied, "Huh?" JAMES asked, "I said, it got ugly, like that?" STARNES replied, "Yep, yep, mother fucker just got pennies in his pocket, right now. But it is something to

work with [STARNES had a lesser amount of money to purchase a supply of cocaine], you know what I'm saying? I'm gonna just need you a little bit [STARNES would need JAMES to provide him with a quantity of cocaine on consignment]." JAMES stated, "Right, right." STARNES stated, "You know what I'm saying? I'm about to go up here and uh, holler at dude, right now, though, and shit. He gonna come between one and three. You gonna be busy after that?" JAMES replied, "No. I'll be in the crib, Joe. You know, chilling, right now. So, I'll be there [2457 W. Adams]. Just hit me up." STARNES stated, "Okay. Soon as I get done hollering at him, I'm gonna hit you."

158. On January 16, 2013, at approximately 2:51 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2324) with STARNES at (847) 347-3594. During the conversation, STARNES stated, "Oh, shit, shit, what up bro? I'm about to a....., get on the highway, now. However long it take me to get from here to there [2457 W. Adams]." JAMES stated, "Alright, I'm sitting here."

159. On January 16, 2013, at approximately 3:58 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2328) with STARNES at (847) 347-3594. During the conversation, STARNES stated, "Shit, shit, pulling up. You upstairs?" JAMES replied, "Yeah."

160. On January 16, 2013, at approximately 4:05 p.m., surveillance observed the same gray Toyota Camry previously observed on January 13, 2013, driven by STARNES, parked behind 2457 W. Adams.

161. On January 16, 2013, at approximately 4:40 p.m., surveillance observed RIVERA, driving a gold Volkswagen Touareg, arrive and park on the street near 2457 W. Adams. Surveillance watched RIVERA exit the Volkswagen and entered 2457 W. Adams. Approximately 20 minutes later, RIVERA left the residence, entered the Volkswagen and drove from the area.

162. On January 17, 2013, at approximately 8:45 a.m, surveillance observed the same gray Toyota parked behind 2457 W. Adams.

163. On January 17, 2013, at approximately 12:21 p.m, JAMES using Target Phone 38, had a conversation (Call # 2391) with RIVERA, using Target Phone 40. During the conversation, RIVERA asked, "Where, you at?" JAMES replied, "No, see what it was too, though, right, I wanted you to slide on me. So after we do, what we do [deliver a quantity of cocaine to STARNES], I'll go get the rest of it [money] for you, alright?" RIVERA stated, "Alright, where you at? I'll be down. You going to Western [2457 W. Adams, which is just off Western Avenue]?" JAMES stated, "Yeah, I'm on my way to Western, man. Shit, I'm fitting uh, right there when..." RIVERA stated, "Why don't you go grab that [money] first, after that." JAMES stated, "Alright, just listen to me, bro. I'd

rather go with you [go together to pick up money]." RIVERA asked, "Huh?" JAMES stated, "I said, I'd rather go with you." RIVERA stated, "Alright." JAMES stated, "Alright." RIVERA stated, "Alright, I'll be there."

164. On January 17, 2013, at approximately 1:20 p.m, JAMES, using Target Phone 38, had a conversation (Call # 2392) with RIVERA, using Target Phone 40. During the conversation, RIVERA stated, "You on Western?" JAMES stated, "Yeah, I'm right here. I'm waiting on you." RIVERA stated, "I'll be there, like five minutes, be ready, ok." JAMES stated, "Alright." RIVERA stated, "I'll be right there."

165. On January 17, 2013, at approximately 1:32 p.m., surveillance observed RIVERA arrive in the gold Volkswagen and enter 2457 W. Adams. Approximately four minutes later, RIVERA, JAMES, and STARNES left the residence. STARNES entered the gray Toyota and drove from the area. Surveillance followed STARNES back to Indiana where, at approximately 2:34 p.m., he was stopped by an Indiana State Trooper. During call number 2393 on Target Phone 38, at approximately 2:34 p.m. STARNES informed JAMES that STARNES had been pulled over by the police, and the State Trooper can be heard in the background asking STARNES for his driver's license.

166. On January 17, 2013, at approximately 5:58 p.m., JAMES, using Target Phone 38, had a conversation (Call # 2416) with STARNES at (260)

246-8757. During the conversation, STARNES complained about the quality of the cocaine supplied by JAMES. Specifically, STARNES stated, "Oh, my God. My bro." JAMES replied, "What?" STARNES stated, "Complete bullshit [STARNES was dissatisfied by the quality of cocaine delivered by JAMES]." JAMES replied, "Huh?" STARNES stated, "Complete bullshit." JAMES replied, "Yeah?" STARNES stated, "Bro, that shit is bull... shit. I'm talking about, my nigger, on my son fucking life, my nigger, I just did the two..." JAMES asked, "What did it come back to?" STARNES replied, "Man, it came back to the eighteen [STARNES described how there was considerable loss in the weight of cocaine when STARNES converted it into crack cocaine]. But, I hit it a little bit, how I cook [STARNES added two grams of cocaine to the cocaine he received from JAMES prior to converting into crack cocaine]. You know what 'm saying?" JAMES replied, "Right." STARNES stated, "Just to make sure I get them two extra grams. But it still pitched [dropped considerable weight]. You know what I'm saying? Even still, put the whip on it, just a little bit. And bro, eighteen [STARNES attempted to convert 28 grams of cocaine into crack. Following the conversion process, the final weight was 18 grams], my nigger. Eight, fucking, teen." JAMES stated, "Yeah. Well, I'm gonna call this nigger [RIVERA, who supplied the cocaine], right quick, man." STARNES replied, "Alright, my nigger. I ain't gonna do nothing until you call me back, man."

167. On January 17, 2013, at approximately 6:16 p.m., JAMES, using Target Phone 38, had a conversation (Call #2431) with RIVERA, using Target Phone 40. During the conversation, JAMES informed RIVERA that STARNES was not happy with the quality of the cocaine supplied.

- x. **On February 4, 2013, MICHAEL WHITING supplied VONZAYE DAVIS with 55 grams of heroin, which was seized by law enforcement on February 5, 2013.**

168. On February 4, 2013, MICHAEL WHITING supplied his customer VONZAYE DAVIS with 55 grams of heroin at a motel outside Chicago. Law enforcement seized the heroin from DAVIS the next day during a traffic stop of DAVIS and his driver as they drove back to Wisconsin.

169. February 4, 2013, at approximately 2:24 p.m., MICHAEL WHITING, using Target Phone 35, had a conversation (Call# 34206) with VONZAYE DAVIS, using (414) 467-6691. During the conversation, WHITING asked, “What’s happening, what’s happening?” DAVIS replied, “Shit, just trying to see what’s up with you.” WHITING replied, “Shit, I’m decent [WHITING told DAVIS that he had a supply of heroin on hand].” DAVIS asked, “Back to the regular way [DAVIS asked WHITING if DAVIS could get his usual 75 gram heroin order]?” WHITING asked, “Uhh, the last way one [WHITING was unsure

what DAVIS was ordering and asked if DAVIS meant the same amount as his last heroin order]?” DAVIS stated, “I just want to go back to the regular way, if you, if you can [DAVIS stated that he wanted his usual 75 gram order of heroin and not the amount he ordered during their last deal].” WHITING stated, “Okay. Yeah, uhh, yeah.” DAVIS stated, “Give me a minute and I’m gonna call you.” WHITING stated, “Okay.” DAVIS stated, “Before I’m finna’ take off [DAVIS would call WHITING before he was getting ready to leave and meet WHITING to pick up the heroin].”

170. On February 4, 2013, at approximately 3:57 p.m., WHITING, using Target Phone 35, had a conversation (Call# 34217) with DAVIS, using (414) 467-6691. During the conversation, WHITING asked, “Yeah, hey uhh, same place [WHITING unsure how much heroin DAVIS wanted, asked if DAVIS wanted the same amount of heroin as the last deal]?” DAVIS said, “No. Shit, I’m uhh, I’m gonna go on 75th [DAVIS did not want the same amount of heroin he got in the last deal, but wanted 75 grams of heroin].” WHITING said, “Okay. Alright.” DAVIS stated, “I’m gonna call you in a little bit. When I get ready to leave in a little bit as soon as my ride come.” WHITING said, “Okay.”

171. On February 4, 2013, at approximately 6:39 p.m., WHITING, using Target Phone 35, had a conversation (Call# 34252) with DAVIS, using (414) 467-6691. During the conversation, DAVIS asked, “Hey, would the west end be

better for you [DAVIS asked WHITING if it would be easier to conduct the narcotics transaction in the western suburbs instead of the northern suburb of Skokie where they had recently conducted transactions]?” WHITING replied, “Huh?” DAVIS repeated, “Would west be better for you?” WHITING replied, “Yep.” DAVIS stated, “Alright. I’ll call you in a little bit and let you know where to go.” WHITING replied, “Okay.”

172. On February 4, 2013, at approximately 7:18 p.m., WHITING, using Target Phone 35, had a conversation (Call# 34264) with DAVIS, using (414) 467-6691. During the conversation, WHITING answered, “Hello.” DAVIS replied, “Yeah, you can come on, Joe [DAVIS told WHITING to come and meet him].”

173. On February 4, 2013, at approximately 7:31 p.m., WHITING, using Target Phone 35, had a conversation (Call# 34268) with DAVIS, using (414) 467-6691. During the conversation, WHITING asked, “Yeah, hey which one are you at [WHITING asked DAVIS which hotel DAVIS intended for the heroin delivery]?” DAVIS replied, “Ambi [DAVIS replied the Ambiance Hotel, at 2955 N. Mannheim Road Franklin Park, Illinois, where COLEMAN and DAVIS had conducted a previous transaction on November 4, 2012].” WHITING talked to an unknown person in the background and then asked DAVIS, “What did you say?” DAVIS replied, “I’m at the Ambi.” WHITING stated, “Okay, here I come.”

174. On February 4, 2013, at approximately 7:58 p.m., WHITING, using Target Phone 35, had a conversation (Call# 34277) with DAVIS, using (414) 467-6691. During the conversation, WHITING asked, “Hey, what room [WHITING asked DAVIS what room he was staying in]?” DAVIS replied, “Uhh, 25. All the way at the end down here, 25 [DAVIS told WHITING that he was in Room 25].” WHITING stated, “Alright.”

175. On February 4, 2013, surveillance observed the following activities at the following times:

a. At approximately 8:05 p.m., a silver Dodge Charger drove into the parking lot of the Amibiance Hotel at 2955 N. Mannheim Road Franklin Park, Illinois. Surveillance observed WHITING driving the Charger as the sole occupant of the Charger. WHITING parked the Charger in the lot of the hotel near Room 25. WHITING got out of the Charger and entered Room 25.

b. At approximately 8:14 p.m., surveillance observed WHITING leave Room 25 and re-enter the Charger. WHITING drove the Charger out of the parking lot southbound on Mannheim Road.

c. At approximately 9:00 p.m., surveillance observed a grey Hyundai Elantra drive into the Ambiance Hotel parking lot and park near Room 25. Surveillance observed that Individual E was the driver and only occupant of the Elantra. Individual E got out of the Elantra and entered Room 25.

176. On February 5, 2013, surveillance observed the following activities at the following times:

a. At approximately 7:55 a.m., surveillance observed DAVIS and Individual E leave Room 25 and enter the grey Hyundai Elantra. Individual E got into the driver's seat and DAVIS got into the passenger's seat.

b. The Elantra drove out of the Ambiance Hotel parking lot and entered northbound on Interstate-294 at Irving Park Road.

177. At approximately 9:33 a.m., Wisconsin State Police working at the request of investigators in this investigation conducted a traffic stop of the Elantra for speeding on northbound Interstate-94 at College Avenue when the car failed to slow for a 55 mile per hour limit zone. A Wisconsin State Police Trooper with a trained narcotics-sniffing dog assisted on the traffic stop and deployed the narcotics-sniffing dog for an external check of the Elantra for the presence of narcotics. The dog alerted to the presence of narcotics on the passenger side of the vehicle. Law enforcement searched the vehicle and found the following items within it:

- a. A miniature scale with a 500 gram capacity;
- b. \$2500 in cash;
- c. Approximately 1 gram of marijuana;
- d. Rolling paper;

- e. Two white socks with a grey plastic bag inside;
- f. Within the grey plastic bag, troopers discovered approximately 55 grams of a white powdery substance which field tested positive for heroin; and
- g. A pill bottle with VONZAYE DAVIS's name on it from the suitcase.

178. Based upon the recovery of 55 grams of heroin from DAVIS's suitcase, following the interceptions between DAVIS and WHITING arranging for the delivery of the heroin, and the observations on surveillance of WHITING traveling to the Ambiance Hotel to meet with DAVIS, I believe WHITING supplied DAVIS with 55 grams of heroin on February 4, 2013, which was seized from DAVIS's suitcase by Wisconsin State Troopers on the morning of February 5, 2013.

- xi. On January 24, 2013, JIMMY SERRANO supplied CHARLES JAMES, MICHAEL WHITING and RICHARD HICKS with 100 Grams of Heroin.**

179. On January 24, 2013, RICHARD HICKS, aka "Unc," requested 100 grams of heroin from MICHAEL WHITING. WHITING asked JAMES about a source of supply to fill HICKS's order, and WHITING and JAMES sought the heroin from JIMMY SERRANO. SERRANO supplied the heroin to WHITING on January 24, 2013. On January 25, 2013, WHITING delivered it to HICKS.

180. January 24, 2013, at approximately 11:04 a.m., WHITING received a text message on Target Phone 35 (Call # 30817), from RICHARD HICKS, a/k/a “Unc,” who was using (773) 738-9970.<sup>16</sup> The text message read: “Get up i need 100 [grams of heroin] come on nef”.

181. On January 24, 2013, at approximately 8:15 p.m., JAMES, using Target Phone 38 (Call # 2966), had a conversation with WHITING, who was using Target Phone 35. During the conversation, WHITING asked, “Where you at, boy?” JAMES replied, “I’m on Western [CHARLES JAMES’s stash house at 2457 W. Adams].” WHITING replied, “I’m gonna slide that way, (unintelligible).” JAMES stated, “Alright.”

182. On January 24, 2013, at approximately 8:17 p.m., JAMES, using Target Phone 38 (Call # 2967), had a conversation with JIMMY SERRANO, who was using (773) 824-7627 (“SERRANO Phone A”).<sup>17</sup> During the conversation,

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<sup>16</sup> The identification of RICHARD HICKS and his voice was based on the following: a Lexis/Nexis database search which tied his name to the phone. Additionally, investigators confirmed this identification when HICKS was arrested on February 8, 2013, with approximately 126 grams of heroin following intercepted conversations in which he was using (773) 738-9970, as detailed below. Following his arrest, HICKS also reported (773) 738-9970 as his telephone number.

<sup>17</sup> The identification of JIMMY SERRANO and his voice was based on the following: on January 6, 2013, JAMES, while using Target Phone 38, had a telephone conversation (Call # 1648) with the user of SERRANO Phone A. During the call, JAMES and the unknown male later identified as SERRANO discussed that they had switched vehicles for the day. Investigators established surveillance of JAMES’s car driven by SERRANO. Surveillance observed the car parked in the rear of 751 S. California. Surveillance observed a 1993 Ford 350 bearing Illinois license, 388P429

JAMES asked, "Where are you at?" SERRANO replied, "The crib. Are you already there?" JAMES responded, "Huh? Yeah." SERRANO repeated, "You right there? Alright." JAMES stated, "Bring my fucking ID too, man."

183. On January 24, 2013, at approximately 8:31 p.m., JAMES, using Target Phone 38 (Call # 2968), had a conversation with SERRANO, who was using SERRANO Phone A. During the conversation, JAMES answered, "Who is it?" SERRANO replied, "Open [SERRANO asked JAMES to open the door at 2457 W. Adams]."

184. On January 24, 2013, at approximately 8:37 p.m., JAMES, using Target Phone 38 (Call # 2969), had a conversation with WHITING at Target Phone 35. During the conversation, JAMES asked, "Where did you go?" WHITING replied, "Uh, shit, I told him [SERRANO] right here. Uh, T and them. I'm right by Division and Laramie." JAMES stated, "What you say?" WHITING

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registered to Jimmy Serrano 2126 S. California, Chicago, IL also parked in the alley. JAMES's car subsequently returned to JAMES's residence at 2457 W. Adams. In Call # 1679 intercepted over Target Phone 38 from SERRANO Phone A, SERRANO informed James he was in back of 2457 W. Adams. Surveillance then observed SERRANO enter the black Ford Explorer with Illinois license R1928344, which he had been observed in previously, and drive from the area. Investigators then reviewed an Illinois driver's license photo of JIMMY SERRANO and recognized him as the individual observed on surveillance on January 6, 2013, and prior, and intercepted using SERRANO Phone A in conjunction with his activities of that date. Investigators identified SERRANO as the speaker on all other phones attributed to him in this affidavit through voice recognition by monitors familiar with his voice and additional surveillance in conjunction with interception of those phones.

replied, “He said, in about an hour, go by uh, Cali [WHITING informed JAMES, he will go to SERRANO’s residence at 751 S. California to obtain 100 grams of heroin to supply to HICKS].”

185. On January 24, 2013, at approximately 9:09 p.m., WHITING, using Target Phone 35, had a conversation (Call # 31018) with HICKS, who was using (773) 738-9970. During the conversation, WHITING stated, “Hey, got another thirty minutes [WHITING related when he would obtain the heroin], Unc.” HICKS replied, “Alright.”

186. On January 24, 2013, at approximately 10:04 p.m., JAMES, using Target Phone 38 (Call # 2977), had a conversation with SERRANO, who was using SERRANO Phone A. During the conversation, SERRANO stated, “Hey, you want to tell him [WHITING] to meet me, right there [751 S. California]? I’ll be there in, like, less than ten minutes.” JAMES replied, “Alright.”

187. On January 24, 2013, at approximately 10:33 p.m., WHITING, using Target Phone 35, had a conversation (Call # 31129) with HICKS, who was using (773) 738-9970. During the conversation, WHITING asked, “Where, where you at, Unc?” HICKS replied, “In the projects.” WHITING stated, “Uh, shit. I’m finna (unintelligible). You gonna take off [deliver 100 grams of heroin to HICKS customer], you gonna take off, now?” HICKS replied, “Uh, shit. In the morning. First thing in the morning. But I need to sit down, so I could, God damn it, have

it checked out [HICKS planned to examine the quality of the heroin prior to delivery to his unknown customer], before I make that ride, shit, shit.” WHITING stated, “Alright. Uh, I’m gonna to call you in, like, thirty minutes. You can slide on me, then.” HICKS replied, “Alright. Just hit me up, Joe. I’m staying in the projects.” WHITING stated, “Alright.” HICKS replied, “Before I do that, I’m going straight to the crib.”

188. On January 25, 2013, at approximately 9:13 a.m., WHITING, using Target Phone 35 (Call # 31187), had a conversation with HICKS at (773) 738-9970. During the conversation HICKS asked, “You still in the same place [WHITING’S residence located at 216 W. 31st St.]?” WHITING replied, “Yeah.” HICKS stated, “Alright. I’m gonna slide on you [HICKS was en route to pick up 100 grams of heroin from WHITING].”

189. Following this phone call on February 25, 2013, surveillance observed the following:

a. At approximately 11:25 a.m., surveillance observed a white Chevrolet station wagon arrive and park in the service station across from WHITING’S residence located at 216 W. 31st St.

b. At approximately 11:32 a.m., WHITING left the front door at 216 W. 31st St. WHITING spoke with the driver of a blue Pontiac Bonneville parked on the street in front of WHITING’S residence. Approximately one

minute later, WHITING walked away from the blue Pontiac and entered the white Chevrolet, in the service station. WHITING left the white Chevrolet, walked across the street and entered the blue Pontiac.

c. Based upon the phone conversations and surveillance above, and the seizure of 126 grams of heroin WHITING supplied to HICKS on February 8, 2013, less than two weeks later, I believe WHITING delivered 100 grams of heroin to HICKS in the white Chevrolet that morning.

d. The white Chevrolet then drove from the area. Agents initiated mobile surveillance on the white Chevrolet.

e. At approximately 12:07 p.m., the white Chevrolet arrived and parked on the street at 6241 N. Claremont. HICKS left the white Chevrolet and entered the front door of the residence located at 6245 N. Claremont [HICKS's residence].

190. Based on the foregoing, I believe that JIMMY SERRANO supplied CHARLES JAMES and MICHAEL WHITING with 100 grams of heroin on February 24, 2013, which WHITING supplied to RICHARD HICKS on February 25, 2013.

**xii. On February 7, 2013, JIMMY SERRANO delivered 93.3 grams of heroin to MICHAEL WHITING and ANTONIO WHITING, who delivered it to CW6 and an undercover agent.**

191. On February 5, 2013, CW6 requested 50 grams of heroin from ANTONIO WHITING. Later, CW6 stated UC-1 was also interested in an additional 50 grams of heroin. ANTONIO WHITING sought the heroin from MICHAEL WHITING. MICHAEL WHITING went to his supplier, JIMMY SERRANO, who delivered the heroin to MICHAEL WHITING on February 7, 2013. Not long after that, MICHAEL gave the heroin to ANTONIO who delivered it to CW6 and UC-1.

192. On February 5, 2013, at approximately 6:13 p.m., CW6 placed a consensually-recorded phone call to ANTONIO WHITING, who was using ANTONIO Phone A. Due to a technical error, the first portion of the call was not recorded. According to CW6, during the portion of the call that was not recorded, CW6 told ANTONIO WHITING that CW6 would need 50 grams of heroin. Later in the call, during the portion that was recorded, CW6 told ANTONIO WHITING that CW6 would need “that fifty [50 grams of heroin]” the following day around two or two-thirty.

193. On February 5, 2013, at approximately 6:18 p.m., ANTONIO WHITING, using ANTONIO Phone A, sent two text messages to CW6. The first text message stated, “We doing 75 right bro [\$75 per gram of heroin]”. The second text message stated, “Or 70 for the first 25 and 75 for the other 25 [\$70

per gram of heroin for the first 25 grams and \$75 per gram of heroin for the second 25 grams]”.

194. On February 5, 2013, at approximately 6:23 p.m., CW6 placed a recorded phone call to ANTONIO WHITING, who was using ANTONIO Phone A. During the call, CW6 asked ANTONIO WHITING if he could set for “seventy [\$70 a gram] for the whole thing [fifty grams of heroin].” ANTONIO WHITING replied that he wasn’t making money “doing the seventy [at \$70 per gram of heroin]” and had lost money “doing the sixty five [at \$65 per gram of heroin, as he did during the November 7, 2012, described in paragraphs 54-85 above]”.

195. On February 6, 2013, at approximately 3:00 p.m., CW6 placed a consensually-recorded telephone call to ANTONIO WHITING, who was using ANTONIO Phone A. During the call, CW6 asked ANTONIO WHITING if he was ready. CW6 then advised that “D [UC-1]” wanted “fifty [50 grams of heroin] too.” ANTONIO WHITING agreed to do the deal the next day around the same time. ANTONIO WHITING stated that they could “do the whole thing for seventy [\$70 a gram].”

196. On February 7, 2013, at approximately 11:00 a.m., CW6 placed a consensually-recorded telephone call to ANTONIO WHITING, who was using ANTONIO Phone A. During the call, CW6 told ANTONIO WHITING that CW6 wanted to meet around 2:30 or 2:00. ANTONIO WHITING told CW6 that he

would be ready. CW6 agreed to meet ANTONIO WHITING at the same Target store they met during the previous deal on November 7, 2013, and told ANTONIO WHITING that CW6 would call around 1:30 p.m. to confirm.

197. On February 7, 2013, at approximately 11:09 a.m., MICHAEL WHITING, using Target Phone 35 (Call # 34882), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. During the call, ANTONIO WHITING asked, "Uh, you ready?" MICHAEL WHITING replied, "Yeah." ANTONIO WHITING stated, "I'm finna slide on you [ANTONIO WHITING was going to meet with MICHAEL WHITING so they could go and get the heroin ANTONIO WHITING was to sell to CW6]."

198. On February 7, 2013, at approximately 11:11 a.m., MICHAEL WHITING, using Target Phone 35 (Call # 34884), spoke with JIMMY SERRANO, who was using SERRANO Phone B. MICHAEL WHITING stated, "Shit, I really need to uh get up with you [WHITING needed to be supplied with a quantity of heroin]." SERRANO asked, "You needing something [heroin]?" WHITING responded, "Yeah." SERRANO asked, "Oh what number [what quantity of heroin]?" WHITING replied, "Uh like fifty dollars [50 grams of heroin]." SERRANO stated, "Alright cool, fuckin' um give me, I'm gonna take my brother to work and then I got you [SERRANO could supply WHITING the 50 grams of heroin]."

199. On February 7, 2013, at approximately 11:15 a.m., MICHAEL WHITING, using Target Phone 35 (Call # 34887), spoke with SERRANO, who was using SERRANO Phone B. During the call, WHITING asked, “Ay you got one did already?” SERRANO replied, “Yeah hey look that’s what I was gonna tell you um, yesterday fuckin’ I had grabbed uh a two hundred and turned it into two fifty [SERRANO had converted 200 grams of heroin into 250 grams of heroin by adding additives].” WHITING responded, “Oh, okay.” SERRANO asked, “So I, you know I don’t know if you want to do it over [SERRANO didn’t know if WHITING would accept the lower quality of heroin].” WHITING replied, “Uh.....just shit, just look out for me shit I’ll, I’ll pop it real quick. Just give me a decent number [WHITING agreed to take the lower quality heroin for a lower price].” SERRANO stated, “Nah, I’ll hollar at you when I see you though [SERRANO and WHITING would discuss it in person].” WHITING replied, “Alright cool.”

200. On February 7, 2013, between the hours of 11:52 a.m. and 12:23 p.m., MICHAEL WHITING, using Target Phone 35, received approximately sixteen text messages (Call nos. 34899, 34903, 34907, 34909, 34913, 34915, 34919, 34932, 34943, 34946, 34957, 34961, 34963, 34965, 34967, and 34969) from SERRANO, who was using SERRANO Phone B. All fifteen messages were

identical, and read, “Im in front [SERRANO was informing WHITING he was in front of his residence].” WHITING never responded to Serrano’s text messages.

201. On February 7, 2013, at approximately 11:53 a.m., surveillance observed a black Ford Explorer arrive and park at 216 W. 31st Street in Chicago, Illinois. Surveillance observed SERRANO in the driver’s seat of the vehicle. At approximately 11:59 a.m., surveillance observed SERRANO exit his vehicle and walk to the front door of MICHAEL WHITING’s residence. After a short period of time, surveillance observed SERRANO return to his vehicle and drive away from the area.

202. On February 7, 2013, at approximately 12:24 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 34974), spoke with SERRANO, who was using SERRANO Phone B. WHITING asked, “Yeah, where you at bro?” SERRANO replied, “Man I pulled off from there, you had me waiting there like a (unintelligible). I went up north um, you want to give a little bit [SERRANO drove away from WHITING’s residence because he did not want to continue to wait there]?” WHITING asked, “Huh?” SERRANO asked, “You want to give me a little bit?” WHITING stated, “Uh shit, about how long?” SERRANO replied, “Like 30 minutes.” WHITING stated, “Uh, okay.” SERRANO asked, “Not unless you want to meet up with me?” WHITING replied, “Yeah uh (unintelligible).” SERRANO stated, “A little up north.” WHITING asked, “Like how far?”

SERRANO replied, "Fullerton and Cicero." WHITING stated, "Okay (unintelligible) Damn, let me let me see where my brother [ANTONIO WHITING] at real quick I'm gonna call you right back." SERRANO replied, "Alright."

203. On February 7, 2013, at approximately 12:26 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 34975), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. MICHAEL WHITING asked, "Yeah where you at now, Tone?" ANTONIO WHITING answered, "Right finna be hitting 18th." Later in the call, MICHAEL WHITING stated, "I was finna have you, I thought he [SERRANO] was still at work but after that he went on Cicero." ANTONIO WHITING stated, "Alright [MICHAEL WHITING was going to have ANTONIO WHITING meet with SERRANO on Cicero]."

204. On February 7, 2013, at approximately 12:46 p.m., surveillance observed ANTONIO WHITING park a black Chrysler Sebring near MICHAEL WHITING's residence at approximately 238 W. 31st St. Surveillance observed ANTONIO WHITING and an unknown black male exit the vehicle and walk toward MICHAEL WHITING's residence.

205. On February 7, 2013, at approximately 1:25 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35018), spoke with SERRANO, who was using SERRANO Phone B. During the call, MICHAEL WHITING asked,

“Yeah, where you at now fool?” SERRANO replied, “Lake and Cicero, I stopped right there in the gas station real quick.” WHITING stated, “Uh...Meet me by Ashland or something like that. Right off the e-way [express way] there, I’m gonna come that way cause I got to hurry up.” SERRANO replied, “Alright cool.” Surveillance then observed MICHAEL WHITING driving away from his residence in a silver Jeep Cherokee.

206. On February 7, 2013, at approximately 1:35 p.m., CW6 placed a consensually-recorded call to ANTONIO WHITING, who was using ANTONIO Phone A. During the call, CW6 asked ANTONIO WHITING if he was ready, and ANTONIO WHITING stated yes. CW6 then told ANTONIO WHITING that CW6 would meet ANTONIO WHITING at 2:00.

207. On February 7, 2013, at approximately 1:36 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35020), spoke with SERRANO, who was using SERRANO Phone B. SERRANO asked, “Yo, where you at?” MICHAEL WHITING stated, “I’m on Halsted and Roosevelt. Coming up Roosevelt.” SERRANO asked, “Hey there ain’t no restaurant around there?” WHITING later stated, “You know where that, you know where that little restaurant, that little Mexican restaurants that are over here by Ash...by Halsted?” SERRANO asked, “Halsted and what?” WHITING responded, “Halsted and Maxwell street. There’s like a little shoe store on the corner.”

SERRANO asked something unintelligible which made WHITING state, “Yeah it’s like a little shoe store on the corner. Nah this like uh this is like 14th.” SERRANO asked, “The Lalo’s is across the street right?” WHITING responded, “Yeah by Lalo’s right there [Lalo’s Restaurant is located at 733 W. Maxwell St., Chicago].”

208. On February 7, 2013, at approximately 1:42 p.m., surveillance observed MICHAEL WHITING’s silver Jeep Cherokee parked at approximately 1329 S. Halsted, near the intersection of Halsted and Maxwell Street. Surveillance observed WHITING get out of his vehicle and enter the Akin shoe store which is located at 1313 S. Halsted, on the northeast corner of Halsted and Maxwell.

209. On February 7, 2013, at approximately 1:45 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35029), spoke with SERRANO, who was using SERRANO Phone B. During the call, SERRANO stated, “Hey I’m by the fuckin’ parking lot.” WHITING replied, “Ok, I’m right here in this shoe store on the corner bro.” SERRANO stated, “Alright cool, I’m uh park in this parking lot and walk there.”

210. On February 7, 2013, at approximately 1:45 p.m., surveillance observed SERRANO drive his black Ford Explorer into a multilevel parking lot located at approximately 705 W. Maxwell St. A short period of time later,

surveillance observed SERRANO walk out of the parking lot and walk westbound on Maxwell Street.

211. On February 7, 2013, at approximately 1:48 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35034), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. During the call, ANTONIO WHITING asked, "Hey, where you at now?" MICHAEL WHITING replied, "I'm, shit, right here on Roosevelt and uh Halsted. I'm finna come back that way now." ANTONIO WHITING stated, "Shit uh, he finna be right at 2 o'clock it's 1:50 now [CW6 was coming at 2:00 p.m. to pick up the heroin]." MICHAEL WHITING replied, "I thought you said 2:30." ANTONIO WHITING stated, "Nah, he just called back and said shit he want to come at 2. I'm leaving...." MICHAEL WHITING replied, "Shit call...come on." ANTONIO WHITING stated, "Aight."

212. On February 7, 2013, at approximately 1:50 p.m., surveillance observed the following:

- a. SERRANO walked westbound toward the shoe store carrying a black duffel bag.
- b. SERRANO entered the shoe store and greeted MICHAEL WHITING, who was standing inside.
- c. WHITING and SERRANO walked behind a clothing rack and engaged in a brief discussion. After the short discussion, SERRANO

walked out of the store and walked to WHITING's rear passenger side door where he leaned into the backseat area and placed the black duffel into the vehicle.

d. SERRANO manipulated the black duffel bag in the rear of the vehicle. Based upon the phone conversations on this date, the activity observed by surveillance, and the subsequent delivery of 93.3 grams of heroin to CW6 and UC-1 from ANTONIO WHITING, I believe that SERRANO delivered heroin to MICHAEL WHITING in this meeting, and put payment for the heroin into the duffel bag before walking away from WHITING's car.

e. After a short period of time, SERRANO walked away from WHITING's vehicle, with the duffel bag in hand, and proceeded to walk eastbound on Maxwell Street.

213. On February 7, 2013, at approximately 1:59 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35036), spoke with ANTONIO WHITING, who was using ANTONIO Phone A. ANTONIO WHITING asked, "Hey where you at?" MICHAEL WHITING responded, "I'm right here on uh...on Halsted bro." ANTONIO asked, "Halsted and what?" MICHAEL WHITING responded, "Halsted and...Maxwell like 13th next to the Mexican restaurant." ANTONIO WHITING stated, "Aight I'm right here though." MICHAEL WHITING asked, "You right where, where you at?" ANTONIO WHITING stated,

“Right here uh...pulling up at Target [ANTONIO WHITING had arrived to meet with the CS and UC-1 at the Target at 1101 West Jackson Boulevard in Chicago].” MICHAEL WHITING replied, “By Target, alright I’m uh pull right there then [MICHAEL WHITING would meet ANTONIO WHITING at the Target].”

214. On February 7, 2013, at approximately 2:00 p.m., surveillance observed MICHAEL WHITING leave the shoe store, enter his vehicle, and drive away. Surveillance officers followed WHITING in traffic to the Target parking lot located at 1101 West Jackson Boulevard.

215. On February 7, 2013, at approximately 2:08 p.m., surveillance observed ANTONIO WHITING walking toward MICHAEL WHITING’s vehicle. Surveillance observed ANTONIO WHITING reach into MICHAEL WHITING’s vehicle where he accepted an object from MICHAEL WHITING. ANTONIO WHITING then walked to his vehicle and repositioned his vehicle closer to MICHAEL WHITING’s vehicle.

216. On February 7, 2013, at approximately 2:08 p.m., CW6 and UC-1 arrived at the Target. CW6 and UC-1 were previously outfitted with audio/video recording equipment and provided cash for the proposed heroin transaction. CW6 then placed a consensually-recorded phone call to ANTONIO WHITING, who was using ANTONIO Phone A. ANTONIO WHITING directed CW6 to the

vehicle ANTONIO WHITING was driving, a Chrysler Sebring. CW6 parked next to the Sebring. ANTONIO WHITING got out of his vehicle and sat in the front seat of CW6's vehicle. UC-1 sat in the back seat of CW6's vehicle behind ANTONIO WHITING.

217. While inside the vehicle, according to the undercover and the audio/video recording in CW6's car, ANTONIO WHITING produced a clear plastic bag containing the heroin. UC-1 inspected the heroin and then handed ANTONIO WHITING \$7,000. After small talk about a previous deal, ANTONIO WHITING exited the vehicle and returned to the Chrysler Sebring.

218. On February 7, 2013, at approximately 2:11 p.m., CW6 and UC-1 drove from the Target parking lot.

219. Surveillance observed ANTONIO WHITING drive away with MICHAEL WHITING following him in traffic. Surveillance followed both vehicles to the intersection of Racine and Van Buren where they entered a Shell Gas Station. Surveillance observed ANTONIO WHITING get out of his vehicle and enter MICHAEL WHITING's vehicle. After a short period of time, surveillance observed ANTONIO WHITING reenter his vehicle and both vehicles drive away from the area.

220. The suspected heroin delivered to UC-1 by ANTONIO WHITING has since been tested by DEA Lab and found to be heroin with a net weight of 93.3 grams.

221. Based on the intercepted phone calls, surveillance, and the statements of CW6 and UC-1, I believe that on February 7, 2013, MICHAEL WHITING acquired the 93.3 grams of heroin from JIMMY SERRANO, and then delivered the heroin to ANTONIO WHITING, who in turn delivered it to CW6 and UC-1.

**xiii. On February 8, 2013, JIMMY SERRANO supplied MICHAEL WHITING with 126.2 grams of heroin, which WHITING in turn supplied to HICKS.**

222. On February 7, 2013, RICHARD HICKS requested 150 grams of heroin from MICHAEL WHITING. On February 8, 2013, MICHAEL WHITING requested the heroin from JIMMY SERRANO. SERRANO gave WHITING 126.2 grams of heroin, which WHITING delivered to HICKS. Law enforcement seized the 126.2 grams of heroin from HICKS during a traffic stop that evening.

223. February 7, 2013, at approximately 2:40 p.m., MICHAEL WHITING, using Target Phone 35 (Call # 35072), received a text message from RICHARD HICKS, using (773) 738-9970. The text message read: "Nef can we do the 150 4 the 75 thats what he say he got let me no befor he go els where [HICKS

requested 150 grams of heroin for the price of \$7,500 for an unknown customer. HICKS did not want the customer to go to another heroin supplier].”

224. On February 7, 2013, at approximately 2:40 p.m., WHITING, using Target Phone 35 (Call # 35074), sent a text message to HICKS, who was using (773) 738-9970. The text message read: “Yea”.

225. On February 7, 2013, at approximately 3:17 p.m., WHITING, using Target Phone 35 (Call #35078), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, HICKS stated, “You didn’t hit me back. I know you got my text, man.” WHITING replied, “I did text you back.” HICKS stated, “Just now?” WHITING responded, “I ain’t text you?” HICKS stated, “Hell no, you didn’t text me.” WHITING replied, “Yes I did, man. You tripping.” HICKS stated, “Alright. What’s up, man?” WHITING replied, “Uh, shit. Give me a minute. I’m finna call you.” HICKS stated, “What’s a minute, man?” WHITING replied, “Shit, I’m finna go check on ‘em now. I’m finna call you.” HICKS stated, “Alright.”

226. On February 7, 2013, at approximately 8:24 p.m., WHITING, using Target Phone 35 (Call # 35111), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, WHITING stated, “Why don’t you go to (unintelligible), you can take off, first thing.” HICKS replied, “In the morning?” WHITING stated, “Yeah.” HICKS replied, “Alright.”

227. On February 8, 2013, at approximately 10:25 a.m., surveillance was established on the Chevy Caprice wagon known from previous surveillance to be driven by HICKS in the vicinity of 1341 N. Paulina.

228. On February 8, 2013, at approximately 10:30 a.m., surveillance observed an unknown black female exit Jewel and enter the vehicle.

229. On February 8, 2013, at approximately 1:38 p.m., WHITING, using Target Phone 35 (Call # 35275), had a conversation with SERRANO at (773) 803-6099 ("SERRANO Phone C"). During the conversation, WHITING stated, "Oh, man. I'm thinking he [JAMES] somebody else's [telephone] number. I need to uh, bump up with you, too [WHITING realized he was speaking with SERRANO and informed him, he needed a supply of heroin], though. I'm thinking, he's somebody else." Later in the conversation, SERRANO stated, "You need some, some loud [cannabis], you said?" WHITING replied, "No. No. No. Hell no. I need to, uh, bump up with you. I, uh, I did that yesterday [WHITING delivered a quantity of heroin supplied by SERRANO on the previous day]. I need to bump up with you, uh, a mother fucker on a dollar fifty [WHITING requested 150 grams of heroin for HICKS]." SERRANO replied, "Man, I think I got like a dollar ten [110 grams of heroin]." WHITING stated, "(Laughter) Yeah, so... Hey, I got that (unintelligible). I got that from yesterday, though. You don't think uh, we can whatcha-call-em [WHITING suggested SERRANO add

a quantity of additives to the 110 grams to increase the weight to 150 grams] and then grab it.” SERRANO replied, “Yeah. What did you want for it? Like, (unintelligible)?” WHITING stated, “Huh?” SERRANO replied, “What did you want?” WHITING replied, “Uh, a dollar fifty [150 grams].” SERRANO stated, “You don’t want this... Oh, yeah, whatever. I’m gonna see what I got, at the crib. I think I, I think I got like, one twenty, one twenty five [125 grams of heroin]. You want that?” WHITING stated, “Uh, call, call me and let me know. So, I can uh, let this this mother fucker [HICKS] know, real quick.” SERRANO replied, “Alright.”

230. On February 8, 2013, at approximately 1:58 p.m., WHITING, using Target Phone 35 (Call # 35297), received a text message from SERRANO, who was using SERRANO Phone C. The text message read: “Lemme kn0 s0 i kan slide dat way [SERRANO was ready to deliver the heroin order to WHITING and needed to know when WHITING would be ready]”.

231. On February 8, 2013, at approximately 1:59 p.m., WHITING, using Target Phone 35 (Call # 35301), sent a text message to SERRANO, who was using SERRANO Phone C. The text message read: “Ok”.

232. On February 8, 2013, at approximately 2:23 p.m., WHITING using Target Phone 35 (Call # 35311), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, WHITING stated, “Call him and see

if he still want you to slide on him, then [WHITING instructed HICKS to call the unknown customer to determine if WHITING still needed to obtain the 150 grams of heroin].” HICKS replied, “Yeah, he want me to slide. Shit, I’m gonna call and see what’s up. Yeah, hit me up.” WHITING stated, “Alright. Hit me right back, then.”

233. On February 8, 2013, at approximately 3:38 p.m., WHITING, using Target Phone 35 (Call # 35335), had a conversation with SERRANO, who was using SERRANO Phone C. During the conversation, WHITING stated, “I’m just waiting on him to, uh, come this way [when WHITING received confirmation from HICKS, he would then inform SERRANO]. Soon as he come this way, I’m gonna call you.” SERRANO replied, “Do you want me to take that [150 grams of heroin] to you?” WHITING replied, “Uh, yeah, you can. But I don’t, I don’t want you to pull up, here, where I’m at. When I get a car, I’ll meet you somewhere better than right here.” SERRANO replied, “Alright, cool.”

234. On February 8, 2013, at approximately 4:49 p.m., WHITING, using Target Phone 35 (Call # 35363), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, WHITING stated, “I’m finna call you in about 30 minutes... 30-45 minutes, as soon as I come back your way.” HICKS replied, “You know it’s getting late, man.” WHITING replied, “I got you [WHITING assured HICKS he would be able to supply the heroin].”

235. On February 8, 2013, at approximately 5:54 p.m., WHITING, using Target Phone 35 (Call # 35391) had a conversation with SERRANO, who was using SERRANO Phone C. During the conversation, WHITING stated, "Hey, you can meet me by Chuck's [JAMES's stash house at 2457 W. Adams]?" SERRANO responded, "Alright, take that [heroin] with me?" WHITING stated, "Huh? Yeah." SERRANO responded, "Alright, cool." WHITING asked, "About how long do you think?" SERRANO responded, "Twenty minutes." WHITING responded, "Ok."

236. On February 8, 2013, at approximately 5:59 p.m., WHITING, using Target Phone 35 (Call # 35399), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, HICKS stated, "What happening, nef?" WHITING responded, "Hey, meet me on Western [JAMES's stash house at 2457 W. Adams, near the intersection of Adams and Western]." HICKS replied, "Huh?" WHITING stated, "Come on Western." HICKS replied, "Okay. I'm on my way."

237. On February 8, 2013, at approximately 6:08 p.m., surveillance observed HICKS's white Chevy Caprice station wagon traveling northbound on Larrabee from Chicago Ave.

238. On February 8, 2013, at approximately 6:22 p.m., surveillance observed the Chevy Caprice wagon in the McDonald's drive through located at

2005 W. Chicago Ave. Surveillance observed HICKS in the front passenger seat of the vehicle. HICKS was wearing a red skull cap. Surveillance observed an unknown black female in the driver's seat of the vehicle.

239. On February 8, 2013, at approximately 6:29 p.m., WHITING using Target Phone 35 (Call # 35412), received a text message from SERRANO, who was using SERRANO Phone C. The text message read: "Yea chuckz rite [SERRANO sought to confirm that he was to meet WHITING at JAMES's stash house at 2457 W. Adams]?"

240. On February 8, 2013, at approximately 6:31 p.m., WHITING, using Target Phone 35 (Call # 35414), sent a text message to SERRANO, who was using SERRANO Phone C. The text message read: "Yea [WHITING confirmed that the meeting was at JAMES's stash house at 2457 W. Adams]".

241. On February 8, 2013, at approximately 6:35 p.m., surveillance observed a white minivan pulled over at the corner of Campbell and Adams Street. Surveillance observed WHITING get out of the van and walk toward the rear of 2457 W. Adams.

242. On February 8, 2013, at approximately 6:37 p.m., surveillance observed the white Chevy Caprice wagon previously observed with HICKS in the passenger seat enter the gas station at Fulton and Sacramento.

243. On February 8, 2013, at approximately 6:38 p.m., WHITING, using Target Phone 35 (Call # 35417), had a conversation with SERRANO, who was using SERRANO Phone C. During the conversation, SERRANO stated, “Yo, I’m pulling up [SERRANO was arriving at 2457 W. Adams].”

244. On February 8, 2013, at approximately 6:39 p.m., surveillance observed a black Ford Explorer drive southbound on Campbell and park at approximately 220 S. Campbell [near the rear of 2457 West Adams].

245. On February 8, 2013, at approximately 6:40 p.m., WHITING, using Target Phone 35 (Call # 35421), sent a text message to SERRANO, who was using SERRANO Phone C. The text message read: “Come up [to the second floor of 2457 West Adams]”.

246. On February 8, 2013, at approximately 6:41 p.m., WHITING, using Target Phone 35 (Call # 35425), received a text message from SERRANO, who was using SERRANO Phone C. The text message read: “Open da d00r”

247. On February 8, 2013, at approximately 6:41 p.m., surveillance observed SERRANO get out of the Ford Explorer and walk toward the rear of 2457 W. Adams. Surveillance observed SERRANO walk with both of his hands inside his sweatshirt. Based upon the conversations and communications between HICKS and WHITING and WHITING and SERRANO that day, the subsequent seizure of 126.2 grams of heroin from HICKS after HICKS met with

WHITING at the same residence as described below, and the manner in which SERRANO was walking toward the 2457 W. Adams building, I believe SERRANO was carrying heroin with him for delivery to WHITING.

248. On February 8, 2013, at approximately 6:46 p.m., surveillance observed the Chevy Caprice wagon leave the gas station and continue southbound on Sacramento.

249. On February 8, 2013, at approximately 6:47 p.m., surveillance observed the Chevy Caprice arrive at 2907 W. Warren. Surveillance observed HICKS and the unknown female exit the vehicle and enter 2907 W. Warren.

250. On February 8, 2013, at approximately 7:00 p.m., surveillance observed HICKS leave 2907 W. Warren, enter the Chevy Caprice wagon, and drive eastbound on Warren.

251. On February 8, 2013, at approximately 7:05 p.m., WHITING, using Target Phone 35 (Call # 35435), had a conversation with HICKS, who was using (773) 738-9970. During the conversation, HICKS stated, "Nephew, I'm parking, right here [HICKS was arriving at 2457 W. Adams]." WHITING replied, "You what?" HICKS stated, "I'm parking." WHITING replied, "Alright."

252. On February 8, 2013, at approximately 7:05 p.m., surveillance observed HICKS park at approximately 211 S. Campbell. Surveillance observed

HICKS get out of the Chevy Caprice wagon and walk toward the rear of 2457 W. Adams.

253. On February 8, 2013, at approximately 7:11 p.m., surveillance observed HICKS walk from 2457 W. Adams, open the rear passenger side door of the Chevy Caprice wagon, and lean into the vehicle. HICKS closed the door and entered the driver's seat of the vehicle. Surveillance observed HICKS drive north on Campbell and then west on Adams.

254. Surveillance followed HICKS and observed HICKS operating the Chevy Caprice wagon with no headlights on. Surveillance observed HICKS travel north on Maplewood to Wilcox and then south on Campbell. Surveillance then observed HICKS travel westbound on Jackson, still driving the vehicle with no headlights.

255. On February 8, 2013, at approximately 7:15 p.m., enforcement officers were notified as to the location of the Chevy Caprice. Marked enforcement officers observed the white Chevy Caprice wagon traveling westbound on Jackson from California without headlights on despite it being dark. The officer stopped the vehicle in the area of 2900 W. Jackson. An officer asked HICKS, the driver of the vehicle, to produce his driver's license. HICKS stated that his license was suspended. The officer then directed HICKS to step out of the vehicle, at which time, HICKS was placed in custody for operating the

vehicle without a valid driver's license. An officer then searched HICKS and discovered a green plastic bag containing a quantity of suspect heroin in HICKS's right sock.

256. Officers also recovered a cellular telephone from HICKS assigned telephone number (773) 738-9970.

257. The suspect heroin recovered from HICKS was later tested by the DEA Lab, and found to be heroin with a net weight of 126.2 grams.

258. Based on the foregoing, I believe that on February 8, 2013, JIMMY SERRANO supplied MICHAEL WHITING with 126.2 grams of heroin, which WHITING in turn supplied to RICHARD HICKS.

**ixv. On February 21, 2013, JAMESON HAMLIN delivered approximately 500 grams of cocaine he received from LADELL SMITH to MALCOLM HARRIS, which was returned and later seized from SMITH's car on February 22, 2013.**

259. On February 21, 2013, JAMESON HAMLIN arranged to deliver 500 grams of cocaine to his customer MALCOLM HARRIS. HAMLIN sought supply from CHARLES JAMES and LADELL SMITH who accompanied HAMLIN to the delivery of the cocaine to HARRIS. HARRIS returned the cocaine to JAMES and SMITH that evening when HARRIS's customer left before the cocaine could be sold. Law enforcement seized the cocaine from SMITH's car, the same one he

drove to deliver the cocaine to HAMLIN and HARRIS, the following day while executing a search warrant.

260. February 21, 2013, at approximately 6:47 p.m.,<sup>18</sup> JAMESON HAMLIN, using Target Phone 41,<sup>19</sup> had a conversation (Call # 436) with MALCOLM HARRIS, who was using (872) 230-5006.<sup>17</sup> During the conversation,

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<sup>18</sup> Call # 436 was incorrectly recorded in the computer monitoring system as having occurred at 7:47 p.m., when it in fact occurred at 6:47 p.m.

<sup>19</sup> The identification of JAMESON HAMLIN and his voice was based on the following: law enforcement identified as the user of (312) 731-0259 (“Target Phone 41”) on this and other calls where he identified through a Lexis/Nexis database—which is a database that compiles information regarding individuals who are associated through billing records with addresses—search which tied his name and the address 5933 North Paulina, Chicago, Illinois, to the phone number. In addition, on November 23, 2012, at approximately 3:08 p.m., surveillance observed a white Toyota Camry park on the street at approximately 222 N. Kilpatrick. Surveillance observed two black males seated in the front seat of the Toyota. At approximately 3:44 p.m., JAMES got out of the front door of the white Toyota, walked to a parked beige Chrysler van, entered the van, and drove from the area. According to Illinois secretary of state records, the Chrysler van is registered to HAMLIN at the address 5933 N. Paulina, Chicago, Illinois. In subsequent surveillance on many days in this investigation, including February 21, 2013, as detailed below, surveillance observed HAMLIN in conjunction with calls in locations he indicated he would be (*e.g.* paragraph 276 below) and recognized him by reference to his photograph on record with the Chicago Police Department.

<sup>17</sup> The identification of MALCOLM HARRIS and his voice was based on the following: on March 11, 2013, at approximately 4:18 p.m., HAMLIN had a conversation on Target Phone 41 (Call No. 2155) with a speaker referred to as “Malcolm” who ordered 100 grams of heroin from HAMLIN. HAMLIN instructed Malcolm to meet near the Western Avenue exit of Interstate-290. At approximately 9:11 p.m. that day, surveillance officers observed HAMLIN meet a man later identified as MALCOLM HARRIS driving a gold Pontiac Bonneville, bearing temporary Illinois license 430P914, registered to MALCOLM HARRIS, on the 2500 block of West Congress. Surveillance observed HAMLIN toss a dark colored object into the open window of the Pontiac and then drive from the area. Surveillance officers positively identified HARRIS following the observations by referencing his Illinois Driver's License photo. Monitors familiar

HAMLIN stated, "I said, what you trying to do, anyway, so, when he [unknown source] calls me back." HARRIS replied, "A half [one half kilogram of cocaine]. I'm trying to do a half. Dude and them back up here [HARRIS's unknown customer was in the area]. Shit, they trying to get the half, shit." HAMLIN stated, "Alright. I'll let you know. I'll call you when he..." HARRIS replied, "Alright."

261. On February 21, 2013, at approximately 7:20 p.m.,<sup>18</sup> HAMLIN, using Target Phone 41 (Call # 439), had a conversation with MALCOLM HARRIS, using (872) 230-5006. HAMLIN answered, "Hello." HARRIS stated, "What the fuck's the word?" HAMLIN replied, "Shit, he ain't got none. Other than (unintelligible), he's too high for you, man [HAMLIN checked two sources attempting to obtain one half kilogram of cocaine for HARRIS. HAMLIN told HARRIS that one source did not have a half kilogram and a second source's prices were too high]." HARRIS asked, "What did the other nigger want [HARRIS wanted to know the price from the second source]." HAMLIN replied, "He want nineteen five [\$19,500 per half kilogram of cocaine]." HARRIS stated, "Oh, damn. If he'd of said, nineteen, I'd a been... I'd of ran with that. He talking

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with HARRIS's voice on that phone call recognized him as the speaker on this and the other calls cited in which HARRIS used separate phones.

<sup>18</sup> Call # 439 was incorrectly recorded in the computer monitoring system as having occurred at 8:20 p.m., when in fact it occurred at 7:20 p.m.

about nineteen five.” HAMLIN replied, “Yeah. He say, he wanted nineteen five.” HARRIS stated, “See if he’ll do it for the nineteen, 'cause, they ass here, man [HARRIS’s customer was waiting for the cocaine].” HAMLIN stated, “He say, you’ll do it for the nineteen, man?” Following a short pause, HAMLIN returned to the initial conversation with HARRIS. HAMLIN stated, “Alright, I’m gonna hit you back, bro.”

262. At approximately 7:20 p.m., JAMES, using Target Phone 38 (Call # 497), placed an outgoing call to SMITH, at (773) 430-8206.<sup>19</sup> At approximately

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<sup>19</sup> The identification of LADELL SMITH and his voice was based on the following: on December 21, 2012, at approximately 11:52 a.m., JAMES, using Target Phone 38 (Call # 453), had a conversation with SMITH, using (773) 430-8206. During the conversation, JAMES stated, “I’ll be hitting you up and then when something comes across, shit, I’ll hit you up. You know?” SMITH replied, “Alright. Uh, I wanna show you something, too. Uh. when you gonna be around?” JAMES stated, “Shit, uh, I’ll be out (unintelligible).” SMITH replied, “Oh, hey, matter of fact, we could, we could bump in about, in about, 'bout like, six, seven, or something like that.” JAMES responded, “Yeah. Yeah. I’ll be out, bro. Yeah.”

Later, on December 21, 2012, at approximately 7:24 p.m., JAMES, using Target Phone 38 (Call # 497), had a conversation with SMITH, using (773) 430-8206. During the conversation SMITH stated, “Shit, I was mother fucker, gonna make these last runs and come that way.” JAMES replied, “Alright. I’m still sitting here.”

At approximately 9:28 p.m. on December 21, 2012, surveillance officers observed SMITH’s blue Chevrolet Impala, bearing Illinois license plate N707289 which was registered in SMITH’s name and also is linked to SMITH’s driver’s registration information with his driver’s license photograph, arrive and park behind 2457 W. Adams. An unknown male, subsequently identified as SMITH through comparison to his driver’s license photograph on February 21, 2013, exited the Chevrolet and walked toward the building. At approximately 9:28 p.m., JAMES, using Target Phone 38 (Call # 501), had a conversation with SMITH, using (773) 430-8206. SMITH stated, “Hey, hey, my nigger, I’m at the door.” JAMES replied, “Alright.”

7:21 p.m., JAMES, using Target Phone 38 (Call # 498), received an incoming call from LADELL SMITH, using (773) 430-8206.

263. On February 21, 2013, at approximately 7:22 p.m., HAMLIN, using Target Phone 41 (Call # 441), had a conversation with HARRIS, using (872) 230-5006. During the conversation, HAMLIN stated, "My man, who had did something for you, down there on Jackson [HAMLIN was referring to JAMES, who had supplied HARRIS during a previous narcotics delivery]." HARRIS replied, "I can't hear you." HAMLIN stated, "I said, my man, who had did that for you down there on Jackson." HARRIS replied, "Yeah." HAMLIN stated, "You're going to have to go down there and meet him and take care of it, right there [HAMLIN related that JAMES would want HARRIS to go to 2457 W. Adams for the delivery]. So, what you want me to tell him, then, you want it or not?" HARRIS stated, "Hello." HAMLIN replied, "Yeah." HARRIS stated, "He said, go down there and meet him?" HAMLIN stated, "He say, you gotta take of things, right here." HARRIS replied with something unintelligible, and HAMLIN stated, "Huh?" HARRIS replied, "I say, that's the only thing about the shit. The nigger [HARRIS's unknown customer] sitting over here, going to the last time where I went, and then I met you at the liquor store." HAMLIN stated, "Mm-hmm." HARRIS replied, "That's where he's sitting (unintelligible) it's the same person." HAMLIN stated, "Let me see. I'll call you right back."

264. On February 21, 2013, at approximately 7:33 p.m.,<sup>20</sup> HAMLIN, using Target Phone 41 (Call # 442), had a conversation with HARRIS, using (872) 230-5006. During the conversation, HAMLIN stated, “Alright, he say, you gotta come right here and take care of it [HAMLIN relayed to HARRIS that JAMES wanted HARRIS to come to 2457 W Adams to pick up the cocaine].” Later in the conversation, HAMLIN stated, “Where you gonna be? Where you want him to come to at?” HARRIS replied, “I can come get him [JAMES] and he can get in the car with me with it and we can go take care of the shit.” HAMLIN stated, “He ain’t trippin’ on that. I’m just saying...” HARRIS replied, “I gotta go to the same place I always go, when I call you. When I call you for like, a large...” HAMLIN stated, “Right. Let me see what he [JAMES] gonna do, man. ‘Cause, I ... Alright, hold on. He say, what you gonna do, man [HAMLIN speaks to JAMES in the background attempting to arrange the delivery of the cocaine]. ‘Cause, I...” JAMES [in the background] stated, “I’m going to pick up.” HAMLIN stated, “You going... You gonna... I’m gonna give you his number.”

265. On February 21, 2013, at approximately 7:35 p.m.,<sup>21</sup> HAMLIN, using Target Phone 41 (Call # 444), had a conversation with HARRIS, using (872)

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<sup>20</sup> Call #442 was incorrectly recorded in the computer monitoring system as having occurred at 8:33 p.m., when it in fact occurred at 7:33 p.m.

<sup>21</sup> Call #444 was incorrectly recorded in the computer monitoring system as having occurred at 8:35 p.m., when it in fact occurred at 7:35 p.m.

230-5006. During the conversation, HAMLIN stated, "He said, where do you want him to meet you at [HAMLIN was coordinating a meet location for JAMES and HARRIS]?" HARRIS replied, "Shit, he can meet me on Cicero and Lake at the liquor store, if he wants to." HAMLIN stated, "He said, you can meet him on Cicero and Lake, at the liquor store [HAMLIN informed JAMES of the meet location]." HAMLIN, relaying information from JAMES, stated, "He said, alright." HARRIS replied, "Alright, I finna be right that way, now." HAMLIN responded, "Alright." HAMLIN, relaying information to JAMES, stated, "He say, he gonna be right that way, now."

266. At approximately 7:36 p.m., JAMES, using Target Phone 38 (Call # 499), placed an outgoing call to SMITH, at (773) 430-8206.

267. On February 21, 2013, at approximately 7:50 p.m., HAMLIN, using Target Phone 41 (Call # 448), had a conversation with HARRIS, using (872) 333-6842. HAMLIN answered, "Hello." HARRIS stated, "Yeah, this is Malcolm. Uh, my phone dead than a mother fucker. Where he at?" HAMLIN replied, "I don't think he [JAMES] left out, yet. He waiting on his ride [SMITH]." HARRIS replied, "Man, I could of came down there and got his ass." HAMLIN stated, "That's what I was telling you." HARRIS replied, "I'm finna come down there and get his ass." HAMLIN stated, "He probably (unintelligible), let me call him and see."

268. On February 21, 2013, at approximately 8:02 p.m., HAMLIN, using Target Phone 41 (Call # 452), had a conversation with HARRIS, using (872) 333-6842. HAMLIN stated, "He [JAMES] on his way, bro. Let me call you back, I'm doing something."

269. On February 21, 2013, at approximately 8:08 p.m., HAMLIN, using Target Phone 41 (Call # 453), had a conversation with JAMES, using Target Phone 38. During the conversation, HAMLIN stated, "I say, how long you looking like?" JAMES replied, "Shit, let me call him and see, real quick. See what it... See what it is." HAMLIN responded, "Alright."

270. On February 21, 2013, at approximately 8:09 p.m., HAMLIN, using Target Phone 41 (Call # 454), had a conversation with HARRIS, using (872) 230-5006. During the conversation, HAMLIN stated, "Yeah, he told me to tell you, man, he said, you acting like, he got that shit [the 500 grams of cocaine] just sitting in the house with him, man. He say, he gotta go get the shit, man." HARRIS replied, "(Unintelligible) but I'm, he [the unknown customer] steady calling me. Shit, he sitting over there [the unknown customer was waiting]." HAMLIN stated, "You say, what happened, now?" HARRIS replied, "I say, my homie [the unknown customer], the one who (unintelligible) he still, he sitting over there waiting on me. I'm sitting in the liquor store." HAMLIN replied, "Right. Let me see how long he'll... where he at, fool. He say, I just talked to

him. He say, now, you have to go get the shit. It ain't like, he got the shit sitting in his lap." HARRIS replied, "Alright."

271. At approximately 8:36 p.m. JAMES, using Target Phone 38 (Call # 507), placed an outgoing call to SMITH at (773) 430-8206.

272. On February 21, 2013, at approximately 8:36 p.m., HAMLIN, using Target Phone 41 (Call # 464), had a conversation with JAMES, using Target Phone 38. During the conversation, JAMES stated, "Shit, he [SMITH] passing uh, Damen, right now, he say. (Unintelligible) be here [2457 W. Adams] in about three, four minutes, shit." HAMLIN replied, "Alright." JAMES asked, "Where you at? You down that way?" HAMLIN replied, "He on Cicero and Lake. He say, he gonna be up there." JAMES stated, "I mean, where are you at?" HAMLIN replied, "I'm on Lavergne." JAMES stated, "Alright, I'm gonna call you, nigger. You can lead me, right there." HAMLIN replied, "I know you're gonna call me, mother fucker."

273. At approximately 8:38 p.m., JAMES, using Target Phone 38 (Call # 510), placed an outgoing call to SMITH at (773) 430-8206.

274. On February 21, 2013, at approximately 8:41 p.m., HAMLIN, using Target Phone 41 (Call # 465), had a conversation with JAMES, using Target Phone 38. HAMLIN answered, "Yeah." JAMES stated, "Shit, you can go ahead

and meet me up there. Shit, I'm heading that way [JAMES and LADELL SMITH were en route to deliver the cocaine to HARRIS]." HAMLIN replied, "Alright."

275. On February 21, 2013, at approximately 8:41 p.m., HAMLIN, using Target Phone 41 (Call # 467), had a conversation with HARRIS, using (872) 230-5006. HARRIS answered, "Hello." HAMLIN stated, "Yeah, he got off at Kostner." HARRIS replied, "He coming up to the liquor store, right?" HAMLIN stated, "Yeah." HARRIS asked, "What car he in?" HAMLIN replied, "A blue SS Impala. I'm gonna meet him up there, though." HARRIS stated, "Alright."

276. At approximately 8:49 p.m., surveillance observed a white Nissan Murano driven by HAMLIN, enter the parking lot of Prestige Liquors, located at 356 N. Cicero. Approximately one minute later, a beige Chrysler Town and Country van arrived in the lot and parked near the white Nissan. Surveillance observed Individual F exit the driver's door of the beige Chrysler, walk to the white Nissan and speak with HAMLIN through the window. As the two spoke, a blue Buick Lacrosse arrived in the lot and parked next to the white Nissan.

277. On February 21, 2013, at approximately 8:50 p.m., HAMLIN, using Target Phone 41 (Call # 473), had a conversation with JAMES, using Target Phone 38. JAMES answered, "Yeah." HAMLIN asked, "Where you at, now?" JAMES replied, "Shit, I'm pulling in. Them people down there, though, man. (Unintelligible) They right in front of them mother fuckers [JAMES said that he

had observed the police in the area].” HAMLIN stated, “I’m sitting in the lot [the parking lot at Prestige Liquors located at 356 N. Cicero], already.” JAMES replied, “You don’t see them people [police], right there?” HAMLIN stated, “Fuck them.” JAMES replied, “Huh?” HAMLIN stated, “Fuck them.” JAMES asked, “Where you at?” HAMLIN replied, “In the lot.” JAMES asked, “You in the lot?” HAMLIN replied, “Yeah. We can (unintelligible).” JAMES stated, “There’s a blue and white [marked police car] sitting right outside this mother fucker.” Another individual seated in the car with JAMES, who was later identified by comparison to his driver’s license photograph as LADELL SMITH (*see* footnote 19) based upon subsequent surveillance detailed below, could be heard in the background. SMITH stated, “They got somebody pulled over (unintelligible).” HAMLIN replied, “Hey man, you scared of the police, now, man?” JAMES stated, “No, I ain’t scared, mother fucker, I’m just checking it out, shit.” HAMLIN replied, “They got somebody pulled over, right there. The vice [unmarked police car] with them now, too, though. They pulled off, but they got somebody over. I see y’all.”

278. At approximately 8:50 p.m., surveillance observed a blue Chevrolet Impala, bearing Illinois license plate N707289, which was registered to LADELL SMITH, arrive and park in the lot at 356 N. Cicero. The computer registration for the Blue Impala also linked to SMITH’s driver’s license information,

containing his photograph. Surveillance then observed and recognized SMITH driving the blue Impala with JAMES seated in the front passenger seat. JAMES and SMITH left the car and walked toward the white Nissan, at which time HAMLIN got out of the driver's door. Surveillance observed MALCOLM HARRIS get out of the blue Buick. HAMLIN, JAMES, SMITH, Individual F and HARRIS entered the liquor store at 356 N. Cicero.

279. At approximately 8:57 p.m., surveillance observed HAMLIN, JAMES, SMITH, Individual F and HARRIS leave the liquor store. JAMES and HARRIS walked toward the blue Buick. HARRIS entered the driver's seat and JAMES entered the rear passenger seat. An unknown female was observed seated in the front passenger seat of the blue Buick. Individual F entered the beige Chrysler van. HAMLIN entered the white Nissan Murano. SMITH entered the blue Chevrolet Impala. Each of the vehicles drove, in tandem, north on Cicero Avenue and then turned east on Ohio Street, except for the blue Buick, containing HARRIS, JAMES and the unknown female, which continued north bound on Cicero Avenue.

280. On February 21, 2013, at approximately 8:59 p.m., HAMLIN, using Target Phone 41 (Call # 478), had a conversation with JAMES, using Target Phone 38. JAMES answered, "Hello." HAMLIN asked, "Yeah, you got it on you or he got it with him [HAMLIN wanted to know if JAMES delivered the cocaine

to HARRIS]?” JAMES replied, “I got it on me. Pull over.” HAMLIN stated, “Uh, he [SMITH] right there. I just didn’t want to pull all four cars down there.” JAMES replied, “Alright.” HAMLIN stated, “So, he came straight across. He, he right there, with you.” JAMES replied, “Oh, yeah. Alright. Alright.”

281. Based upon the surveillance, the phone conversations on this day, and the seizure of cocaine from SMITH the following day, I believe at this time that JAMES delivered cocaine to HARRIS.

282. At approximately 9:01 p.m., surveillance observed the white Nissan Murano and the blue Chevrolet Impala parked next to each other at 4708 W. Race. Surveillance observed HAMLIN and SMITH speaking to each other from their respective cars.

283. On February 21, 2013, at approximately 9:02 p.m., HAMLIN, using Target Phone 41 (Call # 479), had a conversation with JAMES, using Target Phone 38. During the conversation, JAMES stated, “That’s what I’m saying, why you ain’t just do this in the first mother fucking place [JAMES questioned the need to go to a second location to deliver the cocaine to HARRIS]. Instead we had to go, right there.” HAMLIN replied, “Yeah, that was his idea. Shit.” JAMES stated, “(Unintelligible) backwards, man.” HAMLIN replied, “That was his shit, man. I ain’t had nothing to do with that.” JAMES stated, “Ask him, what’s up? ‘Cause, he already went in and came up [JAMES delivered the

cocaine to HARRIS and was waiting for payment].” HAMLIN replied, “Oh, he did? He probably taking his money off [HAMLIN speculated that HARRIS was taking his profit out of the money received from the unknown customer prior to paying JAMES and SMITH].” JAMES stated, “Alright. Call him and ask him what’s up?” HAMLIN replied, “Alright.” JAMES stated, “I want to get up out of here.”

284. On February 21, 2013, at approximately 9:05 p.m., HAMLIN, using Target Phone 41 (Call # 483), had a conversation with HARRIS, using (872) 333-6842. HAMLIN answered, “Yeah, y’all all good?” HARRIS stated, “Man, this nigger [HARRIS’s unknown customer] done left. I knew this shit was gonna happen.” HAMLIN replied, “He left?” HARRIS stated, “Hell, yeah. They [JAMES and SMITH] are sitting right here in the front with me. I’m steady calling the man [unknown customer’s] phone and he ain’t answered. Finally called, he finally call me back. He left.” HAMLIN replied, “So, why you didn’t say that before, God damn it, uh, when I told you to answer the...” HARRIS stated, “I called him back, after that.” HAMLIN stated, “So, you gave it back to them, already [returned the cocaine to JAMES and SMITH]?” HARRIS replied. “No, call him and tell him to come get it. I’m sitting right here in the car. They behind me.”

285. On February 21, 2013, at approximately 9:06 p.m., HAMLIN, using Target Phone 41 (Call # 484), had a conversation with JAMES, using Target Phone 38. JAMES answered, "Hello." HAMLIN stated, "I guess jump in the car with the nigger, man. Shit." JAMES replied, "Alright."

286. On February 21, 2013, at approximately 9:08 p.m., HAMLIN, using Target Phone 41 (Call # 485), had a conversation with JAMES, using Target Phone 38. JAMES answered, "Hello." HAMLIN asked, "You all good?" JAMES replied, "Hell no, man. You sent me on a fucking blank mission, man [HAMLIN had JAMES locate, obtain and deliver a half kilogram which was ultimately returned without a profit]." HAMLIN stated, "What you mean I sent you on a blank mission?" JAMES replied, "Man, now, he talking about dude done left and all this shit, man." HAMLIN replied, "He done left? Where you all at?" JAMES stated, "I'm sitting right here in front of him and pulling over, now, man." HAMLIN replied, "We sitting here on the next block, man." JAMES stated, "Alright, I'm coming back around."

287. On February 21, 2013, at approximately 9:11 p.m., HAMLIN, using Target Phone 41 (Call # 491), had a conversation with HARRIS, using (872) 333-6842. HARRIS answered, "Hello." HAMLIN stated, "Where, where uh, dude at?" HARRIS replied, "Dude gone, man." HAMLIN stated, "Gone where?" HARRIS replied, "His ass, they stay in Wisconsin." HAMLIN stated, "So, he

came up here, and waited an hour for something and it didn't get here in an hour and he got back on the road." JAMES replied, "Yeah. That man left. I came over here, they said, that man gone." HAMLIN stated, "That's crazy. Alright."

288. The next morning, on February 22, 2013, CPD officers executed a search warrant at the residence of LADELL SMITH, 317 E. 125 St., Apartment 1W, in Chicago, Illinois. In total, the search recovered approximately 1267 grams of powder and crack cocaine, 764 grams of suspected heroin, a .40 caliber Glock model 27 handgun, a bullet proof vest, and over \$20,000 in United States currency. The CPD officers found the vast majority of the cocaine and the heroin, along with the .40 caliber handgun, behind the radio in the dash board area of the blue Chevy Impala, bearing Illinois license plate N707289, registered to SMITH, which he had driven the day before to meet and deliver narcotics to HAMLIN for delivery to MALCOLM HARRIS (*see* paragraphs 278-280 above). Officers arrested SMITH and charged him in the Cook County Circuit Court with state violations concerning the items found in the search.

289. Based on the foregoing, I believe that LADELL SMITH, JAMESON HAMLIN, and CHARLES JAMES supplied MALCOLM HARRIS with 500 grams of cocaine, which HARRIS returned, on February 21, 2013.

- xv. **From April 1 to April 3, 2013, DANIEL VAZQUEZ arranged for the supply of kilograms of cocaine from ERIC PASKON, which he delivered to CHARLES JAMES, EDUARDO RIVERA, NICOLAS FRANCO, and NEFTALI FREYTES, resulting in the seizure of over 700 grams of cocaine from CORY GRIFFIN.**

290. DANIEL VAZQUEZ received orders for cocaine from several of his customers from April 1, 2013, to April 3, 2013, including CHARLES JAMES, EDUARDO RIVERA, NICOLAS FRANCO, and NEFTALI FREYTES. VAZQUEZ sought supply from ERIC PASKON and through it filled those orders. The cocaine which VAZQUEZ supplied to CHARLES JAMES and EDUARDO RIVERA, they delivered to CORY GRIFFIN on April 3, 2013. Later that evening, law enforcement seized 700 grams of cocaine from CORY GRIFFIN during a traffic stop.

- a. **On April 1, 2013, NEFTALI FREYTES ordered ½ kilogram of cocaine from DANIEL VAZQUEZ and VAZQUEZ spoke to ERIC PASKON about receiving more cocaine.**

291. On April 1, 2013, at approximately 1:53 p.m., VAZQUEZ, using Target Phone 42 (Call # 505), had a conversation with NEFTALI FREYTES, aka

“Lucky,” using (773) 946-6257.<sup>22</sup> During the conversation, FREYTES told VAZQUEZ he wanted to obtain a half kilogram of cocaine. Specifically, FREYTES stated, “Hey, you ready for me?” VAZQUEZ replied, “Uh, as far as

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<sup>22</sup> The identification of NEFTALI FREYTES and his voice was based on the following: on April 12, 2013, at approximately 9:52 a.m., VAZQUEZ received a call (Call # 2027) from an unknown male only referred to as “Lucky,” who was using (872) 226-4187, and who monitors recognized as the same speaker who had previously used (773) 946-6257. During the call, “Lucky” related he was at VAZQUEZ’s residence at 330 W. Diversey. VAZQUEZ instructed “Lucky” to park in the garage and come upstairs. At approximately 10:55 a.m., VAZQUEZ received a call (Call # 2028) from ANGEL PEREZ. The two discussed looking for parking on Lincoln Avenue. Surveillance located a red GMC Yukon vehicle utilized by PEREZ, parked on the street at 3015 N. Lincoln Ave. At approximately 11:53 a.m., VAZQUEZ received a call (Call # 2049) from ANWER SHAHBAZ. VAZQUEZ related he was in S&G restaurant and was leaving with “Lucky” to transfer a title on a vehicle. At approximately 12:00 p.m., VAZQUEZ, an unknown male, and an unknown female exited the restaurant. VAZQUEZ, along with the unknown male, entered the red GMC and drove from the area. The unknown female entered a silver Mercedes, bearing Illinois license 5634442, and drove from the area.

Illinois license 5634442 is registered to: “Individual G and Individual H 700 S. Adams, Westmont, IL.” Lexis/Nexis database records indicate that Individual H Freytes has a current address of 6414 W. Belmont. Secretary of State records show a driver's license, F632 6208 4231 issued on April 5, 2013, to “Neftali Freytes” at 6414 W. Belmont. Chicago Police Department records show Neftali Freytes to have multiple tattoos which include “Lucky” across his back and “Diana” across his chest. During numerous calls, “Lucky” has related he is on a form of electronic monitoring, has been recently released from the penitentiary, and has limited movement. Illinois Department of Correction records show Neftali Freytes to have been paroled on January 26, 2013, to the address of 6414 W. Belmont.

Surveillance identified the unknown male referred to as “Lucky” observed leaving the restaurant VAZQUEZ at 12:00 p.m. on April 12, 2013, as FREYTES through a comparison to NEFTALI FREYTES’s driver’s license photograph. Additionally, on April 01, 2013, at approximately 7:19 p.m., VAZQUEZ, using Target Phone 42 (Call # 580), received a text message from FREYTES, using (872) 226-4187. FREYTES sent a message referring to his nickname and relating he obtained a new phone. The text message read: “New #. LUCKY”.

what?" FREYTES responded, "Huh?" VAZQUEZ stated, "Why, what are you getting?" FREYTES replied, "Um, what we been discussing. I mean..." VAZQUEZ stated, "What, a neen [nine ounces cocaine] or a hemi [half kilogram cocaine]?" FREYTES replied, "Yeah, I mean... I don't really request, I don't really request a ning ding [nine ounces], unless that's the only thing I could get." VAZQUEZ stated, "Oh, okay. So, the hemi [half-kilogram of cocaine]. Alright uh, I think we might not be ready 'cause my guy went to a Cubs or Sox game, one of those two, he said." FREYTES replied, "Alright, let me call you back, then." VAZQUEZ stated, "(Unintelligible.) But I do got over a nindy, neenee [nine ounces] over here, maybe." FREYTES replied, "Alright, same thing?" VAZQUEZ stated, "I gotta walk in the crib. I'm not sure what I got left but I know I got over a nindy." FREYTES replied, "Alright, cool. Call me right back. Bye."

292. On April 1, 2013, at approximately 6:12 p.m., VAZQUEZ, using Target Phone 42 (Call # 567), had a conversation with ERIC PASKON, using Target Phone 46.<sup>23</sup> During the conversation, VAZQUEZ asked, "Are my things

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<sup>23</sup> The identification of ERIC PASKON and his voice was based on the following: on April 2, 2013, investigators intercepted PASKON using Target Phone 46 in a series of calls with VAZQUEZ arranging to meet with VAZQUEZ to pick up money for previously fronted cocaine. Call nos. 615, 702 and 743.

In conjunction with these phone calls, on April 2, 2013, at approximately 7:59 p.m., surveillance observed VAZQUEZ in a black Jeep park at approximately 3556 N. Pulaski, in Chicago, Illinois. Surveillance observed VAZQUEZ remain in the black Jeep and appear to be speaking on a cellular phone. The investigation intercepted no calls on Target Phone 42 at this time. After approximately 10 minutes, the black Jeep pulled

[cocaine supply] in?" PASKON stated, "Yeah. We're in. We're here. We're ready." VAZQUEZ replied, "Oh, we are?" PASKON stated, "Yeah. I'm... I'll be ready for you, whenever. I could probably see you first thing in the morning." VAZQUEZ replied, "Oh, shit. Okay. Alright, cool. I'm um, just picking up some money, real quick. Doing some runs. Uh..." PASKON stated, "Okay. Call me, call me tonight I'll come scoop... I'll come, I'll come through." VAZQUEZ asked, "What you

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away from the curb and drove to 4156 W. Eddy, where the Jeep parked on the street. VAZQUEZ remained in the black Jeep.

On April 2, 2013, at approximately 8:15 p.m., surveillance observed a black Volkswagen Touareg arrive and park behind the black Jeep. An unknown male, subsequently identified as PASKON, got out of the black Volkswagen and entered the front passenger seat of the black Jeep. On April 2, 2013, at approximately 8:32 p.m., surveillance observed PASKON get out of VAZQUEZ's black Jeep. Surveillance observed PASKON carrying a white, rigid shopping bag. PASKON entered the black Volkswagen and drove away from 4156 W. Eddy. In the series of phone conversations of April 2, 2013, VAZQUEZ discussed paying PASKON \$114,000 for previously fronted narcotics. Based upon the intercepted calls and the surveillance of their meeting which ended with PASKON carrying away a white, rigid shopping bag, I believe VAZQUEZ delivered narcotics proceeds to PASKON during their meeting on April 2, 2013.

On April 3, 2013, at approximately 11:35 a.m., surveillance observed a black Acura, bearing Illinois license plate R828998, which is registered to ERIC PASKON, arrive and park on the street at approximately 1450 N. Fairfield. A lone male exited the black Acura and spoke briefly with an unknown female in the third floor window at 2735 W. Lemoyne. The unknown female dropped a coat out the window to the unknown male on the sidewalk. The unknown male then entered the black Volkswagen observed on surveillance in conjunction with interceptions over Target Phone 42 on April 2, 2013, and drove from the area. Based upon PASKON's registered ownership of the black Acura observed on surveillance, and an apartment at the 2735 W. Lemoyne address, officers compared the Illinois driver's license photograph of ERIC PASKON, 1456 N. Fairfield, Chicago, Illinois (the address of the east door to the 2735 W. LeMoyne apartment building) and recognized him to be the person observed on surveillance meeting with VAZQUEZ on April 2, 2013, and at 2735 W. LeMoyne on April 3, 2013.

need?" PASKON replied, "Uh, I need as much as you can give me [PASKON wanted VAZQUEZ to pay off his previous narcotics debt] possibly." VAZQUEZ stated, "Alright. I'll check when I, as soon as I get there [VAZQUEZ's stash house at 3130 N. Lake Shore Drive], right now."

293. On April 1, 2013, at approximately 6:14 p.m., VAZQUEZ, using Target Phone 42 (Call # 568), had a conversation with FREYTES, using (773) 946-6257. During the conversation, FREYTES stated, "Shit, what's happening?" VAZQUEZ stated, "Shit. Uh shit, I just got the call then [from PASKON about the availability of cocaine], them things are in. So, you should be able to get whatever you want." FREYTES replied, "Alright well, you know what I want, so." VAZQUEZ stated, "Yeah, no. I was calling to see if you needed a neen [nine ounces], just to hold you down. But, I have it at the crib." FREYTES replied, "That's what I'm saying. I mean, I mean, I'm good, I'm good enough to wait [FREYTES had enough cocaine where he could wait until he could receive a half kilogram]. You know what I mean?" VAZQUEZ stated, "Right." FREYTES stated, "That's what I was gonna do. I was just gonna wait until you gave me the call." Later in the conversation, VAZQUEZ stated, "Alright so, and then I'll give you that hemi [half kilo] and you'll give me a deposit [partial payment] as soon as possible?" FREYTES replied, "Yeah, of course, man."

**b. On April 2, 2013, NICOLAS FRANCO ordered a ½ kilogram of cocaine from DANIEL VAZQUEZ.**

294. On April 2, 2013, at approximately 6:12 p.m. VAZQUEZ, using Target Phone 42, had a conversation (Call #706) with NICOLAS FRANCO, using (773) 612-0036.<sup>24</sup> During the conversation, VAZQUEZ stated, “I got some killer shit [cocaine of high quality] right now.” FRANCO replied, “Well they want eight...for sure?” VAZQUEZ replied, “For sure nigga.” FRANCO stated, “It’s like that shit when you first called me like a couple weeks ago like that shit was better than all that other shit, I’m gonna be honest.” VAZQUEZ replied, “Look, the one that I got right now is fire. Everybody is going crazy for it.” FRANCO stated, “Look they want 18 [18 ounces or the equivalent to one-half kilogram cocaine] first thing tomorrow, but they told me go ahead put this order in.” VAZQUEZ replied, “Come on, I’ll be ready.” FRANCO asked, “So what are you gonna do for me eleven-fifty on the eighteen [18 ounces cocaine for \$1150.00 per ounce] or what?” VAZQUEZ replied, “Yeah I could do that for you.”

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<sup>24</sup> The identification of NICOLAS FRANCO and his voice was based on the following: Lexis/Nexis database information, intercepted calls in which VAZQUEZ referred to FRANCO as “Nick,” and physical surveillance of FRANCO receiving cocaine from VAZQUEZ on April 7, 2013. Based upon the phone and database information, surveillance officers examined an Illinois State Identification photo of FRANCO. On April 7, 2013, VAZQUEZ received an incoming call (Call #706) on Target Phone 42 from FRANCO. During this call, VAZQUEZ agreed to deliver 12 ounces of cocaine to FRANCO. After this call, surveillance observed VAZQUEZ at 1310 W. Norwood, in Chicago, Illinois. That day, as VAZQUEZ made a delivery to an individual surveillance recognized as FRANCO from the Illinois State Identification photo.

- c. On April 2, 2013, EDUARDO RIVERA ordered one kilogram of cocaine from DANIEL VAZQUEZ.**

295. On April 2, 2013, between 1:33 p.m. and 2:22 p.m., phone records show two contacts between RIVERA, using (773) 698-4875, and JAMES at Target Phone 38.

296. On April 2, 2013, at approximately 6:36 p.m., VAZQUEZ, using Target Phone 42 (Call # 728), had a conversation with RIVERA, using Target Phone 40. During the conversation,

a. RIVERA asked VAZQUEZ for the price for a kilogram of cocaine to be delivered to JAMES on the following day. Specifically, RIVERA stated, "Uh, what's up with uh... I just got a phone call for a whole one [kilogram of cocaine]. I don't know if you can make it happen." VAZQUEZ replied, "Of the chic [cocaine]?" RIVERA responded, "Yeah." VAZQUEZ asked, "When?" RIVERA stated, "They're just looking for an estimate, fucking uh..." VAZQUEZ responded, "Hello." RIVERA stated, "They're just looking for an estimate, right now." VAZQUEZ replied, "Uh, when they want to do this?" RIVERA stated, "It's for one of my guys. He just wants an estimate. If he... You know, he's shopping

around. That's why." VAZQUEZ replied, "Oh, I could do like thirty eight [\$38,000 per kilogram], maybe."

b. Later in the conversation, RIVERA stated, "You said, thirty eight, right?" VAZQUEZ replied, "Yeah." RIVERA stated, "Okay. It's cool. Um, you see man, I wanna try to make something off it." VAZQUEZ replied, "What happened?" RIVERA stated, "I just wanted to check if I could make a couple bucks off of it. 'Cause, that's exactly what he's got. And I (unintelligible)" VAZQUEZ stated, "That's what he's paying, right now?" RIVERA replied, "Yeah. That's exactly what he. . . You know?" VAZQUEZ stated, "I mean, if it's 100% you know, maybe I could drop five dollars [lower the price by \$500.00] or something. You know?" RIVERA replied, "So like, thirty seven five [\$37,500.00]?" VAZQUEZ stated, "Yeah. If that's gonna make the deal break or whatever. Um, and you know of course, I would just, you know, wanna make sure everything is okay [VAZQUEZ wanted to ensure the amount was paid in full]." RIVERA replied, "Yeah. Yeah. No. You go... It's gonna run to Western [JAMES stash house located at 2457 W. Adams] so, you can just go with me up there. It's for my black homie [CHARLES JAMES]."

c. VAZQUEZ stated, "Shit. I'm scared to go up there.(Unintelligible). To be honest." RIVERA replied, "I don't blame you. Uh, whatever we gotta do." VAZQUEZ stated, "Huh?" RIVERA replied, "Whatever

we gotta do. I'll make it happen, brother. (Unintelligible)." VAZQUEZ stated, "Alright. Well, shit. I don't know how we'll make that happen, but whatever." RIVERA replied, "Yeah, I mean, it'll be guaranteed, brother. It's just, you know, one of my... It's the same black dude that I introduced you to last time." VAZQUEZ stated, "No. No. I'm sure. When are they trying to do that? Today or tomorrow?" RIVERA replied, "Man, he just, he called me this morning, bro and I was shopping around getting estimates and shit. You know I love fucking with you man, you know, you're a good dude. I just wanna make sure uh, he's happy with that ticket [price for the kilogram of cocaine], you know? And I'm pretty sure he will. Let me just get at him and let me see what uh, what the prognosis. 'Cause, it's for his people, that's coming out of town. So, you know?"

297. On April 2, 2013, at approximately 6:49 p.m., VAZQUEZ, using Target Phone 42 (Call # 732), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ stated, "What's going on?" RIVERA replied, "Nothing. You told me uh, to hold up." VAZQUEZ stated, "Oh no, no. I thought, I thought you were just gonna, you know... Yeah. I was talking to my man. I was making sure we could do that ticket [price] for you and everything." RIVERA replied, "Yeah, that's what I... Before I call him [JAMES], I just want to make sure it's at our exposure. You know what I mean? I don't wanna be telling him to come up here and fuck it up." VAZQUEZ stated, "No.

We definitely uh, we definitely should be good. Like, I don't got it in my hands but like, I got my order waiting for me. I didn't pick it up, yet. But it's waiting for me. So, I just talked to him he said, I can come up and get it tonight or in the morning, first thing so." RIVERA replied, "Okay. So, what I'm gonna do right now, right. I'm gonna call my man [JAMES] and I'm gonna confirm. Then, I'm gonna call you back. And if I confirm, I'm gonna set up a time and everything." Later in the conversation, RIVERA stated, "You'll be right next to me. Let's knock this shit out. I just wanna make sure we get it. As long as I know that you can get it for me, then I'll make that call and then we'll make our money, quick." VAZQUEZ replied, "I got it." RIVERA stated, "Okay, I'm making that call, I'll be calling you back in a couple minutes."

298. On April 2, 2013, at approximately 6:52 p.m. and at approximately 7:27 p.m., phone records show three contacts between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

- d. On April 3, 2013, EDUARDO RIVERA completed the negotiation for DANIEL VAZQUEZ to provide a kilogram cocaine to CHARLES JAMES and VAZQUEZ contacted ERIC PASKON to obtain the cocaine.**

299. On April 3, 2013, at approximately 8:53 a.m., phone records show one contact between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

300. On April 3, 2013, at approximately 9:02 a.m., VAZQUEZ, using Target Phone 42 (Call # 788), had a conversation with RIVERA, using Target Phone 40. During the conversation, RIVERA informed VAZQUEZ that JAMES's cocaine customers were expected to arrive and confirmed VAZQUEZ would be able to supply the kilogram of cocaine. Specifically,

a. VAZQUEZ stated, "What up, boy?" RIVERA responded, "What's going... Hey, I apologize about the late phone call, man." VAZQUEZ replied, "No, it's all good, nigger." RIVERA stated, "I had kinda... I hung up on my man. This nigger, I had just woke him up." VAZQUEZ replied, "No, nigger, I just got home. Shit, I had just fell asleep." RIVERA stated, "What was I gonna say? Yeah, my buddy, they're coming in, they're driving in from Michigan, now. They wanna, they wanna do that uh, the whole thing that, what we talked about yesterday." VAZQUEZ replied, "The whole one [kilogram of cocaine]?" RIVERA stated, "Yep." VAZQUEZ replied, "Or the half one?" RIVERA stated, "No. The whole one. The whole one. The whole shabanger." VAZQUEZ replied, "Oh, shit. That's what you said last night?" RIVERA stated, "Yeah. Uh-huh." VAZQUEZ replied, "Oh, I thought you said half last night." RIVERA stated, "No. No. Remember, I had asked for that estimate of the whole one?" VAZQUEZ replied, "Yeah."

b. Later in the conversation, VAZQUEZ stated, "Alright. No, we should be alright. We should be good. I was with my man [PASKON] last night. He's ready for me." RIVERA replied, "Oh great, man. Great. That's what I like to hear. Well, I'm basically uh, he, they just, just called me, like five minutes ago before you called. They're riding up here. So, I'm thinking like maybe an hour or two before they get here. As soon as they... They'll give me a call a half hour before they're out."

301. On April 3, 2013, at approximately 9:24 a.m., VAZQUEZ, using Target Phone 42 (Call # 792), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ and PASKON discussed PASKON delivering at least one and one-half kilograms of cocaine to VAZQUEZ who would send FRANCISCO MIRELES to pick up the cocaine from PASKON. Specifically, PASKON stated, "What's good? What's good? What's good? You ready?" VAZQUEZ replied, "No. Well, I just opened my eyes. Shit, my Wisconsin nigger's already driving over here." PASKON responded, "Alright, cool. (Unintelligible.)" VAZQUEZ stated, "So, so I'll pay for one of those today too, as well. Besides what I'm giving you, right now. Uh, probably I could pay, probably for like one and a half today." PASKON replied, "Ok, that'll be good. That'll help." VAZQUEZ stated, "Yeah. I'll be... That shit gone, G. And..." PASKON replied, "Okay." VAZQUEZ stated, "And I got another one gone, later on today

[kilogram delivery to RIVERA and JAMES]. So, pretty much I'm gonna be done with it all today, actually." PASKON replied, "That'll be really good. That will help. Um, let me, let me jump in the shower. I'll be ready in an hour." VAZQUEZ stated, "Cool, I'm a call Pops [VAZQUEZ would send MIRELES to pick up the cocaine from PASKON]. Tell him to be ready in one hour." PASKON replied, "Alright." VAZQUEZ responded, "Awesome. Thanks."

302. On April 3, 2013, between 9:40 a.m. and 10:03 a.m., phone records show five contacts between FRANCISCO MIRELES, aka "Pops," using (773) 592-4755,<sup>25</sup> and PASKON at Target Phone 46.

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<sup>25</sup> The identification of FRANCISCO MIRELES and his voice was based on the following: on April 8, 2013, in response to Call # 1579 on Target Phone 42, investigators established surveillance at the Flat Top Grill located at 3200 N. Southport. During the conversation, MIRELES, utilizing (773) 592-4755, informed VAZQUEZ he was going to Flat Top on Belmont to have dinner with his wife. Surveillance observed the Unknown Male exit the restaurant with an unknown female. The two entered a 2007 Buick, bearing Illinois license H362287, registered to "Francisco Mireles and Jocelyn Mireles," and drove from the area. Surveillance observed the Buick meet VAZQUEZ, driving a black Jeep, at the corner of Sheridan and Barry. The Unknown Male got out of the Buick and entered the Jeep. After approximately two minutes, the Unknown Male got out of the Jeep carrying a red bag and entered the Buick. Surveillance followed the Buick to 4154 W. Barry where the Buick parked on the street. The Unknown Male got out of the Buick carrying the red bag and entered a gray Honda Odyssey, bearing Illinois license R199154, registered to "Tony Maestre," and drove from the area. Surveillance officers compared the unknown male to a driver's license photo of FRANCISCO MIRELES and positively identified MIRELES as the individual observed on April 8, 2013, in conjunction with call number 1579. Monitors in this investigation familiar with MIRELES's voice recognized him as the speaker in subsequent conversations in which he used different phone numbers. Earlier in the investigation, investigators had incorrectly identified the user of (773) 592-4755 as Tony Maestre, based, in part, on the registration information for the Honda.

303. On April 3, 2013, at approximately 10:09 a.m., VAZQUEZ, using Target Phone 42 (Call # 803), had a conversation with MIRELES, using (773) 592-4755. During the conversation, VAZQUEZ instructed MIRELES to pick up three kilograms of cocaine from PASKON. Specifically, VAZQUEZ stated, "I might need you to meet E [PASKON], right over there. Then I'll just come get that from you, if I could." MIRELES replied, "Okay. Is there a way you can bring me a four and a hit [MIRELES asked VAZQUEZ to supply him with four and one half ounces of cocaine], then?" VAZQUEZ stated, "Wait, didn't we bring you that, yesterday?" MIRELES replied, "Yeah, but I'm working that [MIRELES had an intended customer for the cocaine]. I need another one. It's C.O.D., I gotta give you that [money], tonight." VAZQUEZ stated, "Shit. That's not until after E [PASKON]. Like, I gotta get those [kilograms of cocaine] from E." MIRELES replied, "Oh, okay. I can do that. I can pick that up." VAZQUEZ stated, "Uh, one, two... I gotta do this move first, though. I got one nigger buying a whole one. Eddie's [RIVERA] buying a whole one, today. So, I need you to meet up with E. He should be ready any minute and grab those three [three kilograms of cocaine.]" MIRELES replied, "Okay." VAZQUEZ stated, "And then I'm (unintelligible). I'm gonna send HB over there to pick them up [VAZQUEZ will send PEREZ to pick up the cocaine from MIRELES and deliver it to VAZQUEZ]."

I just don't... I just... Just in case he's ready. If I don't make it in time I don't want to have him waiting. I don't want to have him wait."

304. On April 3, 2013, at approximately 10:50 a.m., surveillance observed a Nissan Pathfinder park on Albany and the driver, EDUARDO RIVERA, got out of the Nissan and entered 1644 N. Albany with a small child.

305. On April 3, 2013, at approximately 10:55 a.m., phone records show one contact between MIRELES, using (773) 592-4755, and PASKON at Target Phone 46.

306. On April 3, 2013, at approximately 11:00 a.m., VAZQUEZ, using Target Phone 42 (Call # 815), had a conversation with PASKON, using Target Phone 46. During the conversation, PASKON stated, "I need another half an hour. I gotta wait on my fucking babysitter to get here." VAZQUEZ replied, "That's fine. That's cool. I just... 'Cause, I got people waiting and shit like that. You know?" PASKON stated, "Yeah, don't worry. As soon as... You want me to call Pops [MIRELES], right now?" VAZQUEZ replied, "Yeah. Pops [MIRELES] is just waiting. He's just waiting for me to tell him what to do." PASKON stated, "Alright. Um, why don't you tell him, why don't you tell him in, in half an hour be over by, by Schubert where we meet [PASKON will meet MIRELES at a location on Schubert Avenue where prior narcotics deliveries have occurred]."

307. On April 3, 2013 between 11:04 a.m. and 11:05 a.m., phone records show two contacts between MIRELES, using (773) 592-4755, and PASKON at Target Phone 46.

308. At approximately 11:06 a.m., VAZQUEZ, using Target Phone 42 (call # 816), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES stated, "Yeah, I just talked to him [PASKON], bro." VAZQUEZ replied, "Alright, cool. Uh, he said about 30 minutes?" MIRELES stated, "Forty-five minutes to an hour [for MIRELES will be able to take delivery of the three kilograms of cocaine from PASKON], he said." Later in the conversation, VAZQUEZ stated, "Okay, I'm gonna have Fatboy [PEREZ] go over there in about thirty, forty-five minutes." MIRELES replied, "Okay, 'cause I'll probably go and pick 'em up [kilograms] and be at the insurance joint, so..." VAZQUEZ stated, "Okay. Where's that by?" MIRELES replied, "That's gonna be... I got one, right here, by my crib, by Milwaukee and Pulaski. And then, I'll have another one by, probably over there by, Narragansett and uh, and Diversey." VAZQUEZ stated, "Alright, let's try to meet, let's meet up after that or I could have Fatboy head that way, you just hand it [kilograms] off to him after you're done. 'Cause, I don't want to mix nothing up. You know?" MIRELES replied, "I got you." VAZQUEZ stated, "You already know where you're going [VAZQUEZ will allow MIRELES to pick up the cocaine, citing he was familiar

with the area from prior narcotics deliveries with PASKON] and shit like that.”

MIRELES replied, “Okay.”

309. On April 3, 2013, at 11:06 a.m., phone records show one contact between MIRELES, using (773) 592-4755, and ANGEL PEREZ, aka “Hellboy,” aka “Fatboy,” at (872) 209-9218.<sup>26</sup>

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<sup>26</sup> The identification of ANGEL PEREZ, aka “Hellboy,” aka “HB,” aka “Fatboy,” and his voice was based on the following: on May 8, 2013, in response to Target Phone 45 (Call #2574), investigators established surveillance at 2047 W. Division where VAZQUEZ, the Unknown Male referred to as “Hellboy” and others were gathering to watch a basketball game. While at that location, investigators called telephone (872) 233-0723, a number previously used by the individual known as “Hellboy.” While maintaining an unobstructed view of the group, the phone was answered by the person identified as ANGEL PEREZ, and a brief conversation took place prior to ending the call.

On May 9, 2013, in response to Target Phone 45 (Call # 2733) investigators established surveillance in the area of Diversey and Sheridan. During the call, VAZQUEZ told “Hellboy” he would pick him up on the side of the building at 330 W. Diversey. Surveillance observed an Unknown Male standing on the street speaking on a cell phone. VAZQUEZ arrived driving a blue Volvo. The Unknown Male entered the Volvo which then drove from the area.

Investigators obtained information regarding a red 2002 GMC Yukon, Illinois license R196062, vehicle utilized by VAZQUEZ’s narcotics associate referred to as “Hellboy” which surveillance has observed frequently parked in the garage of the multi-unit residence located at 330 W. Diversey. Building records indicate the occupants of Apartment 503 as “Daniel Vazquez” and “Individual D.” The same records reflect two vehicles associated with Apartment 503 which maintain full time parking status. A third vehicle associated with Apartment 503, the red GMC Yukon, is granted periodic parking privileges. Building management records indicate the red GMC is utilized by “Angel.”

Chicago Police Department records reflect a November 12, 2011, Traffic Crash, recorded under RD - HT585992, occurred at 5400 W. Eddy. One of the vehicles involved, a 2004 Chevrolet Impala bearing Illinois plate, A650992, was registered to “Daniel Vazquez” and the recorded driver of the vehicle during the crash was “Angel

310. On April 3, 2013, at approximately 11:10 a.m., surveillance observed RIVERA leave 1644 N. Albany Avenue and enter the Nissan Pathfinder with the small child. RIVERA drove the Nissan away eastbound on Wabansia Avenue.

311. On April 3, 2013, between 11:10 a.m. and 11:39 a.m., phone records show five contacts between MIRELES, using (773) 592-4755 and PASKON at Target Phone 46. On April 3, 2013, between 11:21 a.m. and 11:38 a.m., phone records show eight contacts between MIRELES, using (773) 592-4755, and PEREZ at (872) 209-9218.

312. On April 3, 2013, at approximately 11:27 a.m., surveillance observed the Volkswagen Touareg used by PASKON, parked at the corner of Fairfield Avenue and LeMoyne Street in Chicago, Illinois. At approximately 11:35 a.m., surveillance observed a black Acura pull up and park in the driveway at 1450 N. Fairfield Avenue. PASKON got out of the driver's door of the Acura and had a brief conversation with an unknown female in the 3rd floor window at 2735 W LeMoyne Street. The unknown female threw down a jacket to PASKON. PASKON then entered the Volkswagen and drove from the area.

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Perez.” Investigators compared the Illinois Driver's License photo to the Unknown Male observed on surveillance on May 8 and 9, 2013, and confirmed that PEREZ was the individual pictured. Monitors familiar with his voice on the intercepted phone calls recognized him as the speaker on (872) 209-9218 as well. “Hellboy” was previously misidentified in the investigation as an individual named “Rainer Castro,” based, in part, on the registration of the GMC Yukon observed on surveillance.

313. On April 3, 2013, at approximately 11:42 a.m., VAZQUEZ, using Target Phone 42 (Call # 820), had a conversation with ANGEL PEREZ, aka “Hellboy,” aka “Fatboy,” using (872) 209-9218. During the conversation, PEREZ asked if VAZQUEZ was at the 3130 N. Lake Shore Drive stash house to supply MIRELES with \$40,000.00 to pay PASKON. Specifically, PEREZ asked, “Hey uh, ain’t you coming to get E’s paperwork [money for PASKON]?” VAZQUEZ replied, “What happened?” PEREZ stated, “You said, we’re gonna give E like forty [\$40,000.00 for PASKON], right?” VAZQUEZ replied, “Yeah. Are you at the office [stash house at 3130 N. Lake Shore Drive West]?” PEREZ stated, “No. Is Baz [ANWER SHAHBAZ] here, yet?” Later in the conversation, VAZQUEZ stated, “Okay. Well um, call him [MIRELES] see if he could go, real quick. Whatever.” PEREZ replied, “Alright. Alright.”

314. On April 3, 2013, at approximately 11:43 a.m., VAZQUEZ, using Target Phone 42 (Call # 822), had a conversation with ANWER SHAHBAZ, aka “Baz,” aka “BZ,” using (312) 619-0779.<sup>27</sup> During the conversation, VAZQUEZ

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<sup>27</sup> The identification of ANWER SHAHBAZ, aka “Baz,” aka “BZ,” and his voice was based on the following: on March 30, 2013, at approximately 3:46 p.m., VAZQUEZ received an incoming call (Call # 279) on Target Phone 42 from FRANCISCO MIRELES. During this call, MIRELES informed VAZQUEZ that he (MIRELES) received a text from “Baz” [SHAHBAZ] and that MIRELES was going to meet “Baz” at the office [stash house 3130 N. Lake Shore Dr]. At approximately 6:11 p.m., surveillance observed MIRELES sitting in his Honda Odyssey minivan which was parked on Barry Street just east of Sheridan Blvd. At 6:15 p.m., surveillance observed a gray Jaguar bearing Illinois temporary registration 452P672 stop next to MIRELES’s vehicle, then proceed to drive toward a garage. MIRELES followed the

instructed SHAHBAZ to prepare \$40,000.00 for PEREZ to deliver to PASKON. Specifically, VAZQUEZ stated, "This guy kinda wanted another payment of like, forty [a \$40,000 payment for PASKON]." SHAHBAZ replied, "Who uh, uh E [PASKON]?" VAZQUEZ stated, "Yeah." SHAHBAZ replied, "Oh, yeah? But he [PASKON] got, he got those [kilograms], though?" VAZQUEZ stated, "Three of them, yep." SHAHBAZ replied, "Fuck it, man. We got that chica [cocaine] anyway, fuck it." VAZQUEZ stated, "Yeah, so. You know, give me three-oh or four-oh [\$30,000 or \$40,000], whatever you want. And HB is ready to bring it this way [ANGEL PEREZ will deliver the three kilograms to the stash house at 3130 N. Lake Shore Drive West], cuz he's ready, bro." SHAHBAZ replied, "Alright, cool. Yeah, I'm on the other line with him right now, too. So, let me uh... Let me, I gotta pick up a light bulb for my uh... I ordered this light bulb for my, for the car. And then I'm on my way over to the spot [3130 N. Lake Shore Drive West]." VAZQUEZ stated, "Alright, cool. Call HB. HB [PEREZ] is ready

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Jaguar into the garage. At approximately 6:25 p.m. VAZQUEZ received an incoming call (Call #295) on Target Phone 42 from MIRELES. During this call, MIRELES informed VAZQUEZ that "BZ" [SHAHBAZ] let him in the "office [stash house]." Investigating officers ran the registration on the gray Jaguar and found it be registered to ANWER SHAHBAZ. Officers examined SHAHBAZ's Illinois Driver's License photo and identified him as the driver of the Jaguar. Subsequent surveillance of SHAHBAZ revealed that he lived at 1400 S. Michigan, in a multi-unit high-rise apartment building on the 23rd floor. Records from GNP Management Group, which manages the building, indicate that "Anwer Shahbaz" is the current tenant of unit 2308. Monitors familiar with his voice on the intercepted phone calls recognized him as the speaker on subsequent telephones as well.

to go meet you up, to get it real quick. He's over here." SHAHBAZ replied, "Alright. Where you at? You at, you at the spot?" VAZQUEZ stated, "No. I'm finishing up at the barbershop in about 20 minutes." SHAHBAZ replied, "Oh, okay. Alright, I'll take care of it." VAZQUEZ responded, "Alright, cool."

315. On April 3, 2013, at approximately 11:45 a.m., VAZQUEZ, using Target Phone 42 (Call # 828), had a conversation with PEREZ, using (872) 209-9218. During the conversation, VAZQUEZ instructed PEREZ to turn over \$40,000 to MIRELES to give to PASKON and take the three kilograms from MIRELES. Specifically, VAZQUEZ asked, "You talk to uh, BZ [SHAHBAZ]?" PEREZ replied, "Yeah. He's getting a light bulb and then he's going to meet me up [SHAHBAZ will supply PEREZ with \$40,000 to pay PASKON after picking up the light bulb for his car]." VAZQUEZ stated, "Alright, cool. And then you head this way to meet Pops [MIRELES]." PEREZ replied, "What happened?" VAZQUEZ stated, "Huh?" PEREZ stated, "I'm sorry, you were cutting off." VAZQUEZ stated, "And then give him that [money], meet this... Come this way to meet Pop. 'Cause, Pops knows where this guy [PASKON] is going to be out here. And can grab that [cocaine] from him, get the other ones and then we'll go." PEREZ replied, "So then I give the, I give the forty [\$40,000] to Pops?" VAZQUEZ stated, "Yeah." PEREZ replied, "Alright."

316. On April 3, 2013, between 11:50 a.m., and 11:53 a.m., phone records reflect three contacts between MIRELES, using (773) 592-4755, and PASKON at Target Phone 46.

317. On April 3, 2013, at approximately 11:59 a.m., phone records reflect one contact between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

318. On April 3, 2013, at approximately 12:00 p.m., VAZQUEZ, using Target Phone 42 (Call # 831), had a conversation with RIVERA, using Target Phone 40. During the conversation, RIVERA and VAZQUEZ discussed a time and location to meet for the delivery of cocaine to JAMES. Specifically, VAZQUEZ asked, "What's going on. bro?" RIVERA stated, "Two o'clock." VAZQUEZ replied, "That's what time they're [out of state customers] gonna be here?" RIVERA stated, "Yep." VAZQUEZ replied, "Shit (unintelligible)." RIVERA stated, "It's twelve, right now." VAZQUEZ responded, "Huh?" RIVERA stated, "It's twelve now, so." VAZQUEZ replied, "Okay. Alright." RIVERA asked, "Is it happ... Is it possible?" VAZQUEZ replied, "Yeah, it's possible." Later in the conversation, VAZQUEZ stated, "I guess we could meet on Western, if you want. North Avenue. Or uh, like 290 uh..." RIVERA replied, "290 and Western. Yeah, that's better 'cause, just jump on the Lake Shore Drive and boom, boom. That's how easy to do it." VAZQUEZ stated, "Yeah, that's fine."

**e. VAZQUEZ confirmed FRANCO's ½ kilogram of cocaine order.**

319. On April 3, 2013, at approximately 12:23 p.m., VAZQUEZ, using Target Phone 42 (call # 834), had a conversation with FRANCO, using (773) 612-0036. During the conversation, FRANCO confirmed his order with VAZQUEZ for a half-kilogram of cocaine and settled upon an agreed price of \$20,500.00. Specifically, FRANCO stated, "Alright well, I need, I need fucking eighteen [18 ounces, a half-kilogram cocaine]. You got it?" VAZQUEZ replied, "Yeah." FRANCO stated, "Can you... Man, can you do it for uh, twenty stacks and five hundred [\$20,500]?" VAZQUEZ replied, Uh, yeah. I could probably do that." FRANCO stated, "I'm gonna give you twenty stacks and five hundred. That's like, eleven forty a piece [\$1140.00 per ounce] for 'em." VAZQUEZ replied, "That's fine." FRANCO stated, "(Unintelligible) Alright, I'm gonna call you uh, you get ready for me. I'm not trying to sit over there hot as hell." VAZQUEZ replied, "Don't worry, I'll be ready for you."

**f. MIRELES and VAZQUEZ received cocaine from PASKON.**

320. On April 3, 2013 at 12:24 p.m., phone records reflect a contact between MIRELES, using (773) 592-4755, and PASKON at (312) 659-4895.

321. On April 3, 2013, at approximately 12:25 p.m., VAZQUEZ, using Target Phone 42 (Call # 835), had a conversation with MIRELES, using (773)

592-4755. During the conversation, MIRELES informed VAZQUEZ that MIRELES picked up the cocaine from PASKON and would deliver the money after he met with SHAHBAZ. Specifically, MIRELES stated, “Yeah, I got the bitches [three kilograms of cocaine] on me.” VAZQUEZ replied, “Oh so, he didn’t trip about the money? Or you already got the money?” MIRELES stated, “No, BZ [SHAHBAZ] is on his way. But, uh, BZ is on his way to pick him up.” VAZQUEZ replied, “No, no, papa. He didn’t bring... He [PEREZ] didn’t give you that money first?” MIRELES stated, “No. no. BZ, I think, is going to drop it off to me and then I’m going to see him [PASKON]. But he...” VAZQUEZ replied, “Oh, you told him, you were going to bring it to him [MIRELES told PASKON he would bring him the money.]?” MIRELES stated, “Yeah.”

322. On April 3, 2013, at approximately 12:27 p.m., VAZQUEZ, using Target Phone 42 (Call # 836), had a conversation with PEREZ, using (872) 209-9218. During the conversation, VAZQUEZ informed PEREZ that MIRELES already picked up the cocaine from PASKON. Specifically, VAZQUEZ stated, “So, I might (unintelligible) from Pop, real quick. Pop already got ‘em [MIRELES picked up the cocaine from PASKON] (Unintelligible).” PEREZ replied, “Alright. Well, you gonna do it, then?” VAZQUEZ stated, “I’m gonna tell Pop to head this way [3130 N. Lake Shore Drive West], then. Fuck that.” PEREZ replied, “Alright. And then we’ll... And I’m doing... I’m just gonna meet

with Baz [SHAHBAZ] and go over there and bring him that forty [deliver \$40,000.00 to PASKON] or what?" VAZQUEZ stated, "We might as well just wait. There's no hurry, I'll just give it to him when I give him the rest of the money that I'm gonna give him today, anyway." PEREZ replied, "Alright. Cool."

323. On April 3, 2013, at approximately 12:28 p.m., VAZQUEZ, using Target Phone 42 (Call # 837), had a conversation with MIRELES, using (773) 592-4755. During the conversation, VAZQUEZ arranged to meet with MIRELES to take possession of the three kilograms. Specifically, VAZQUEZ stated, "Um shit, where you by right now? I can... 'Cause, I just finished my haircut, right now. I'm out this way, a little bit." MIRELES replied, "I'm on Pulaski and Milwaukee." VAZQUEZ stated, "Do you want to just head this way a little bit and meet me up and I'll grab 'em [kilograms of cocaine], I guess?" MIRELES replied, "I'm about to walk in to go see my agent, bro." VAZQUEZ stated, "Oh, you're over there?" MIRELES replied. "Yeah." VAZQUEZ asked, "Uh, should I grab 'em, real quick? I'm right here." MIRELES replied, "It's up to you. I mean, you can come over here but I still need that paperwork to give this nigger [Money for PASKON]." VAZQUEZ responded, "He's waiting for it, for sure?" MIRELES replied, "Yeah, for sure." VAZQUEZ asked, "Should I call him and ask if he can wait for later? 'Cause, 'Cause I'm here now and I want to get these moves started. I got people waiting for them." MIRELES stated, "Call him

[PASKON] up.” VAZQUEZ asked, “Alright so, I’m just gonna come get it. Should I get it real quick, then?” MIRELES replied, “Yeah, c’mon.” The two agreed to meet in the area of Pulaski and Belmont in Chicago.

**g. VAZQUEZ arranged to pay PASKON for the cocaine.**

324. On April 3, 2013, at approximately 12:31 p.m., VAZQUEZ, using Target Phone 42 (Call # 838), had a conversation with PASKON, using Target Phone 46. During the conversation, PASKON asked, “What’s good? What’s good?” VAZQUEZ responded, “Shit. So um, I was gonna go take this guy [MIRELES] that little money. Do you just want to wait for the other like, one and a half, two that I could probably pay for today, too? Or do you want me to just send this [money] now and send the other [money] one later.” PASKON stated, “Yeah, no. Just send this one now, send this one now, send this one now and then and then I’ll hook him up with some uh, a landscaping job [pounds of cannabis] real quick, right now.” VAZQUEZ replied, “What are we doing on the landscaping? A dollar [\$1000.00 per pound]?” PASKON stated, “Uh, probably. Somewhere around there.” VAZQUEZ replied, “Um. Alright, I’m gonna take him that little money right now, then. Just so we could clear that up and then we should be at like, you know, minus yesterday and today.” PASKON asked, “What are you giving him today?” VAZQUEZ replied, “Another, probably forty

[\$40,000.00].” PASKON stated, “Okay. Alright, good.” VAZQUEZ replied, “So. I’ll only pretty much owe like, thirty [\$30,000.00] maybe. Thirty-four [\$34,000.00], I think it was.” PASKON stated, “Yeah, if you’re giving him forty, I think it’s like, thirty four [VAZQUEZ has a \$34,000.00 balance remaining from previous narcotics deliveries].” VAZQUEZ replied, “Right. Okay. Then, that’s nothing. Perfect.” PASKON stated, “Alright, cool. I’ll call him, right now.”

325. On April 3, 2003, at approximately 12:32 p.m., VAZQUEZ, using Target Phone 42 (Call # 839), had a conversation with SHAHBAZ, using (312) 619-0779. During the conversation, VAZQUEZ stated, “Okay, cool. I just came to uh, grab these things from Pops [Picking up the three kilograms of cocaine from MIRELES]. Fuck it.” SHAHBAZ replied, “Oh, okay. You’re around there anyway, right?” VAZQUEZ stated, “Yeah, so I... Yeah, I wasn’t far. So, I’m just grabbing ‘em, heading back to the office [3130 N. Lake Shore Drive West]. We need to get forty more, forty more ready for him [\$40,000 for PASKON] and send that right out, I guess.” SHAHBAZ replied, “Yeah we got it. Uh, this nigger should be up. (Unintelligible).” VAZQUEZ stated, “And then I should be there, I should be there very shortly. I’m already, pretty much, gonna grab them and head back.” SHAHBAZ replied, “Alright be careful with those [transporting three kilograms], man.” VAZQUEZ stated, “Yeah, I know. Shit. The car is legit and everything [VAZQUEZ was concerned about being stopped by the police for

anything improper regarding the vehicle], right?” SHAHBAZ replied, “Yeah. Honda is, you know.” VAZQUEZ stated, “Okay, cool. I should be alright, then.” SHAHBAZ replied, “Alright, for sure. I’m here. I’ll get that ready and send him [PEREZ] out.”

326. Upon completion of call #839, VAZQUEZ immediately switched to an incoming, awaiting call (Call # 840) and spoke with PEREZ. During the conversation, PEREZ stated, “Alright. Baz [SHAHBAZ] is up there [3130 N. Lake Shore Drive]. I’m on my way over there. So, that’s... We got forty, then.” VAZQUEZ replied, “What?” PEREZ stated, “We got the forty, then?” VAZQUEZ replied, “Yeah, I do. I do. I do. He wants it [PASKON waiting for \$40,000.00 to be delivered], now.” PEREZ stated, “Oh, he wants it now?” VAZQUEZ replied, “Yeah. So, we’re good. Baz [SHAHBAZ] will be getting that ready for you [PEREZ will deliver the money to MIRELES]. And I’m already picking the things up, though. All you got to drop, is the forty off to P [MIRELES].” PEREZ stated, “Alright. Then, I’m on my way over there.”

327. On April 3, 2013, at approximately 12:38 p.m., surveillance observed the red GMC Yukon previously used by VAZQUEZ and MIRELES circle the block around 3130 N. Lake Shore Drive and then leave the area.

328. On April 3, 2013, at approximately 12:39 p.m., VAZQUEZ, using Target Phone 42 (call # 844), had a conversation with MIRELES, using (773)

592-4755. During the conversation, VAZQUEZ informed MIRELES that VAZQUEZ had pulled up behind MIRELES and MIRELES stated he would open the compartment in his vehicle which held the kilograms. Specifically, VAZQUEZ stated, "Yeah, I'm behind you." MIRELES replied, "Alright. I'm gonna open it up. It's right there in the middle. (Unintelligible). Na, I'm coming out." VAZQUEZ stated, "Alright, c'mon."

329. On April 3, 2013, at approximately 12:50 p.m., surveillance observed the red GMC Yukon pull up and park west of the front door at 3130 N. Lake Shore Drive with its hazard lights on. Surveillance observed PEREZ in the driver's seat.

330. On April 3, 2013, at approximately 1:00 p.m., VAZQUEZ, using Target Phone 42 (Call # 847), had a conversation with PEREZ, using (872) 209-9218. During the conversation, VAZQUEZ told PEREZ he was arriving at 3130 N. Lake Shore Drive with the cocaine and that PEREZ was going to deliver \$40,000.00 to PASKON. Specifically, VAZQUEZ asked, "Yo, you upstairs [3130 N. Lake Shore Drive]?" PEREZ replied, "No. I'm just waiting for Baz [SHAHBAZ] to come down, so I can get that [\$40,000.00 to deliver to PASKON]." VAZQUEZ stated, "Can you try to get that door open for me, so I can walk up? I got those things [three kilograms] on me." PEREZ replied, "Aw shit. Uh, where you at right now? He's coming down, he should be coming down. Should I just

wait... Should I just tell him to wait for you?" VAZQUEZ stated, "Well, alright. Well I'm..." PEREZ replied, "(Unintelligible) you want me to bring you that forty [\$40,000.00], right now?" VAZQUEZ stated, "No, you're gonna go take that [deliver the money to MIRELES], I guess. Real quick." PEREZ replied, "Wait, then what the... How is the nigga coming down right now, how you still have to come?" VAZQUEZ "What you mean? You're gonna go take it to him, real quick." PEREZ replied, "What happen?" VAZQUEZ stated, "You're gonna go take it to him, real quick." PEREZ replied, "Aw, yeah, yeah, yeah. So, I having him bring me, bringing it down [SHAHBAZ will supply \$40.000.00 to PEREZ], right now." VAZQUEZ stated, "Right. That's fine. That's fine. I got the other things [kilograms] with me. I'm about to walk in, right now. I'm about to come be there."

331. On April 3, 2013, at approximately 1:02 p.m., surveillance observed the red GMC Yukon reverse down the street to the front door at 3130 N. Lake Shore Drive. Surveillance observed SHAHBAZ exited the front door of the building wearing a black jacket and carrying a black backpack. Surveillance observed SHAHBAZ open the rear door of the GMC and toss the backpack into the backseat which, based upon the intercepted conversations above, I believe contained \$40,000 to be delivered in payment for the cocaine. The GMC then drove west bound on Briar. SHAHBAZ entered the front door at 3130 N. Lake

Shore Drive. Approximately one minute later, surveillance observed VAZQUEZ arrive and park his black Jeep in front of 3130 N. Lake Shore Drive [approximately 345 W. Briar]. VAZQUEZ, wearing a black jacket, light blue shirt and blue jeans, got out of the Jeep carrying a black backpack and entered the front door of the building. Based upon the previous interceptions, surveillance, and eventual seizure of 700 grams of cocaine from CORY GRIFFIN that day, I believe VAZQUEZ was carrying three kilograms of cocaine in the black backpack when he entered the building.

332. On April 3, 2013, at approximately 1:14 p.m., VAZQUEZ, using Target Phone 42 (Call # 856), had a conversation with PEREZ, using (872) 209-9218. VAZQUEZ answered, "Yeah." PEREZ asked, "You in?" VAZQUEZ replied, "Of course, I'm in. What you think, I'm standing outside?" PEREZ stated, "Oh, I don't know. What-cha-ma-call-it (unintelligible). Alright, I guess I gotta drop this shit [\$40,000.00] all the way off by Pops' agent [MIRELES 'insurance agent.] He's by his agent or some shit." VAZQUEZ replied, "What?" PEREZ stated, "Pops is all the way by Milwaukee and fucking um, Central Park. Talking to his..." VAZQUEZ replied, "And? Yeah, I know. And?" PEREZ responded, "No, I'm just asking. My bad, my nigger. Sorry I called."

**h. VAZQUEZ arranged to deliver one kilogram of cocaine to RIVERA.**

333. At approximately 1:28 p.m., VAZQUEZ, using Target Phone 42 (Call # 857), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ stated, "What's going on? What the status?" RIVERA replied, "Nothing much. I'm just in the neighborhood. I'm uh, I'm about to uh, finish getting this car wash. I'm gonna check if these guys got there yet. But they said, they were probably rotating about two o'clock, to get in there. Hey, he's calling me on the other line, B. Let me call you right back." VAZQUEZ responded, "Okay."

334. On April 3, 2013, at 1:26 p.m., phone records reflect contact between RIVERA, using Target Phone 40 and JAMES at Target Phone 38.

335. On April 3, 2013, at approximately 1:27 p.m., VAZQUEZ, using Target Phone 42 (Call # 858), had a conversation with RIVERA, using Target Phone 40. During the conversation, RIVERA stated, "Yeah, he [JAMES] said, they're [cocaine customer] on time. They'll be there in thirty minutes [JAMES's customer will be arriving at 2457 W. Adams]." Later in the conversation, RIVERA stated, "Alright, perfect, man. Everything's falling perfect. We said, that uh, they're, they're running on time. So, thirty-minutes they said, and they'll be there." VAZQUEZ replied, "Everything, everything gonna be on point, right? All the paperwork gonna be on point [VAZQUEZ asking if the customer will have all the money] and everything, ready?" RIVERA stated, "I promise, B.

This is normal for me.” Later in the conversation, VAZQUEZ stated, “Right. Alright cool, bro. I’ll be ready [with the cocaine].” RIVERA replied, “Okay, perfect then. I’ll see you at two o’clock. Okay, bye.”

336. On April 3, 2013, at approximately 1:36p.m., VAZQUEZ, using Target Phone 42 (Call # 865), had a conversation with PEREZ, using (872) 209-9218. During the conversation, PEREZ stated, “Yeah. I just got done with Pop [delivered \$40,000.00 to MIRELES to take to PASKON].” VAZQUEZ replied, “Huh?” PEREZ stated, “I just had saw Pop.” VAZQUEZ stated, “Alright, cool. I’m about to leave here in five minutes to head to the Western spot, over there.” PEREZ replied, “Oh, you need help for that, right?” VAZQUEZ stated, “Yeah. So, this is what I’m gonna do. I’m gonna jump on Lake Shore Drive, go to 290, get off by Western, park my car, jump in with you. By 290 and Western, park that one, jump in with you and we’ll go... we’ll pull in there together.” PEREZ replied, “Alright. Ten four.”

**i. VAZQUEZ delivered the cocaine to RIVERA, JAMES and their customer, GRIFFIN.**

337. On April 3,2013, at approximately 1:46 p.m., surveillance observed SHAHBAZ come out of 3130 N. Lake Shore Drive and stand on the sidewalk where he maintained his position outside the front door. At approximately 1:47 p.m., surveillance observed VAZQUEZ come out of 3130 N. Lake Shore Drive

carrying a black backpack. VAZQUEZ entered the Jeep and drove away northbound on Sheridan and onto south bound Lake Shore Drive. Surveillance observed SHAHBAZ remain on the sidewalk for approximately one minute following VAZQUEZ's departure. SHAHBAZ then re-entered the front door at 3130 N. Lake Shore Drive.

338. On April 3, 2013, at approximately 2:01 p.m., VAZQUEZ, using Target Phone 42 (Call # 873), had a conversation with PEREZ, using (872) 209-9218. During the conversation, VAZQUEZ stated, "Alright, I'm getting off on Western now." PEREZ replied, "Alright, cool."

339. On April 3, 2013, at approximately 2:02 p.m., phone records reflect contact between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

340. On April 3, 2013, at approximately 2:02 p.m., VAZQUEZ, using Target Phone 42 (Call # 875), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ stated, "Yeah, where you at E?" RIVERA replied, "I'm right on Jackson and Western, bro. I'm just driving around waiting for you." VAZQUEZ stated, "I'm already here." RIVERA replied, "Where you at?" VAZQUEZ stated, "I just got off of 290 [I-290], I'm about to park by uh, right off of 290, right here, jump in with my man [PEREZ]." RIVERA replied, "Okay, shit. Just uh, I'm gonna be parked right on uh, right on Western, then."

Just jump in with me.” VAZQUEZ stated, “I’ll let you know when we pulling up.” RIVERA replied, “Alright, you gonna see me. I’m in my gray truck.”

341. On April 3, 2013, at approximately 2:02 p.m., surveillance observed the black Jeep exit Interstate-290 at Oakley/Western Avenue exit. The black Jeep continued west bound onto north bound Western Avenue.

342. On April 3, 2013, at approximately 2:03 p.m., VAZQUEZ, using Target Phone 42, had a conversation (Call #876) with PEREZ, using (872) 209-9218. During this conversation, VAZQUEZ informed PEREZ that he was going to park his vehicle and jump into PEREZ’s vehicle. Specifically, VAZQUEZ stated, “It’s hot over around here, let me park this right here and jump in with you.”

343. After this call, surveillance observed the Jeep pull over and park at approximately 2336 W. Jackson Boulevard. The red GMC Yukon arrived and parked directly behind the black Jeep. Surveillance observed VAZQUEZ get out of the Jeep and then enter the Yukon. The Yukon then drove southbound onto Oakley and out of view.

344. On April 3, 2013, at approximately 2:05 p.m., VAZQUEZ, using Target Phone 42 (Call # 878), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ stated, “I’m about to be on Western, right now, and I’m ready to follow you in [VAZQUEZ will follow

RIVERA to JAMES's stash house at 2457 W. Adams]. Alright, bro?" RIVERA stated, "Alright, cool. I'm gonna be right on Western." VAZQUEZ replied, "You'll see me. I'm in the trinna [vehicle with hidden compartment], the red one [GMC Yukon]." RIVERA replied, "Alright. Got it."

345. At approximately 2:06 p.m., surveillance observed the GMC Yukon driving northbound on Western followed by the Nissan Pathfinder. The two vehicles then drove westbound on Adams Street and parked at Campbell Avenue. Surveillance observed VAZQUEZ get out of the GMC Yukon carrying a black backpack and RIVERA get out of the Nissan Pathfinder carrying a grey diaper bag. Both VAZQUEZ and RIVERA entered CHARLES JAMES's stash house at 2457 W. Adams. Based upon the conversations intercepted, the observations of surveillance, and the eventual seizure of cocaine from CORY GRIFFIN later that evening, I believe VAZQUEZ carried cocaine and RIVERA money to pay for a portion of it into CHARLES JAMES's stash house.

346. At approximately 2:24 p.m., surveillance observed VAZQUEZ, carrying a black backpack, and RIVERA, carrying a grey diaper bag, leave 2457 W. Adams. VAZQUEZ entered the red GMC Yukon and Rivera entered the Nissan Pathfinder. Each of the vehicles drove from the area. Surveillance observed the Nissan drive northbound on Western Avenue. Surveillance observed the red GMC Yukon return to the area of 2336 W. Jackson and park in

front of the black Jeep. After the Yukon arrived, surveillance observed VAZQUEZ, carrying the black backpack, get out of the GMC Yukon and enter the black Jeep.

347. On April 3, 2013, between 2:26 p.m. and 2:29 p.m., phone records reflect three contacts between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

**j. VAZQUEZ arranged to deliver a ½ kilogram of cocaine to FRANCO and a ½ kilogram to FREYTES.**

348. At approximately 2:26 p.m., VAZQUEZ, using Target Phone 42 (call # 880), had a conversation with FRANCO, using (773) 612-0036. VAZQUEZ stated, "Shit, what time you gonna be ready?" FRANCO replied, "I'm gonna be over at 3:30." VAZQUEZ asked, "3:30 exactly?" FRANCO replied, "Since I'm gonna be there, I'm gonna make sure they [FRANCO's customers] got that money ready and shit." VAZQUEZ stated, "Oh, okay." FRANCO stated, "I'm sure they do, though. So, I like... I'm not trying to stay there too long or none of that shit." VAZQUEZ stated, "Here's why, I'm trying to be on point, so I can go there and knock it out."

349. On April 3, 2013, at approximately 2:30 p.m., surveillance observed the GMC Yukon and the Jeep travel southbound on Oakley onto eastbound Interstate-290.

350. On April 3, 2013, at approximately 2:31 p.m., VAZQUEZ, using Target Phone 42 (Call # 888), had a conversation with FREYTES, using (872) 226-4187. During the conversation, VAZQUEZ asked, "Shit uh, are you gonna be ready today or when are you gonna be ready?" FREYTES replied, "I'm trying, I'm trying to put, I'm trying to put together more [money], friend. You know what I'm saying? So, that I could do everything. And put it down, and put something down on the new new [FREYTES wanted to pay off an outstanding narcotics debt and give a partial payment for the half-kilogram to be supplied by VAZQUEZ]." Later in the conversation, VAZQUEZ stated, "So, your shit came in [cocaine obtained from PASKON], so, just let me know."

351. On April 3, 2013, at approximately 2:36 p.m., VAZQUEZ, using Target Phone 42 (Call # 898), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES stated, "Got' em." VAZQUEZ asked, "What did he [PASKON] give you?" MIRELES replied, "Uh, he gave me, I don't even... He gave me two bags [of marijuana]." VAZQUEZ asked, "The big ones or little ones?" MIRELES replied, "The little ones." VAZQUEZ asked, "What they look like? Five of them total?" MIRELES replied, "It look like four of them. Like four square ones." VAZQUEZ stated, "(Coughing) Okay. So, that's a hundred [VAZQUEZ estimated PASKON delivered 100 pounds of cannabis], probably." MIRELES replied, "Mm-hmm [positive response]." VAZQUEZ stated,

“Alright, you’re gonna put those away, right? For now?” MIRELES replied, “Yeah.” VAZQUEZ stated, “Alright. Then I’ll figure it out once I finish with Franco and Eddie [RIVERA].” MIRELES asked, “Okay. What time I’m gonna see you for them two zips [two ounces of cocaine]?” VAZQUEZ replied, “As soon as we’re done with these moves [cocaine deliveries to FRANCO and RIVERA]. Hold on. Hold on.”

352. VAZQUEZ then switched to an awaiting incoming call (Call # 899) and spoke with FRANCO. VAZQUEZ stated, “Yo. Yo.” FRANCO stated, “Yeah man, I’m... that’s cool, they ready [FRANCO’s unknown cocaine customers were awaiting delivery].” VAZQUEZ replied, “They uh, they ready now?” FRANCO stated, “Yeah, I’m on my way over there. I’m at the train, already.” VAZQUEZ replied, “What happened?” FRANCO stated, “I’m already on my way over there. I’ll be there in like twenty.”

353. On April 3, 2013, at approximately 2:38 p.m., VAZQUEZ, using Target Phone 42 (Call # 905), had a conversation with FRANCO, using (773) 612-0036. During the conversation, VAZQUEZ stated, “So what, you’re on your way over there?” FRANCO replied, “Yeah, bro. I’ll be there, yeah. Hey, you said, it’s the top notch, right?” VAZQUEZ stated, “Yes, bro.” FRANCO replied, “Cause uh, look, they probably gonna wanna buy a whole ‘nother, same thing [half-kilogram cocaine] in the morning of this.” VAZQUEZ stated, “G, I’m ready.

I got it.” FRANCO replied, “Good, ‘cause I need to come up [make money from the delivery], bro. (Unintelligible).” VAZQUEZ stated, “Bro, I need this shit, too.” FRANCO replied, “Well, mother fucker, you see it’s been helping like a mother fucker [FRANCO has been developing cocaine customers for VAZQUEZ], though.” VAZQUEZ stated, “That’s why I’m bringing you what you want.” FRANCO stated, “Alright, well, yeah, so uh, who’s bringing it?” VAZQUEZ stated, “Me, I’m coming.” FRANCO stated, “‘Cause, you ain’t been over there. So, you don’t even know where the dude.” VAZQUEZ replied, “No, I don’t.” FRANCO stated, “Aw, fuck. Alright man, just uh, just take Western and then bust a right on Jarvis and a left in the alley. Boom. Boom. And then, I’m gonna be right there behind the barber shop.”

**k. RIVERA explained to VAZQUEZ that JAMES’s customer, GRIFFIN, only has money for 3/4 of a kilogram of cocaine.**

354. On April 3, 2013, at approximately 2:44 p.m., VAZQUEZ, using Target Phone 42 (Call # 914), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ and RIVERA discussed JAMES’s customer taking 3/4 of a kilogram and RIVERA taking the balance. Specifically, VAZQUEZ stated, “Alright, so what were you saying? You’re saying uh, they [JAMES’s cocaine customer GRIFFIN] only want three-fourths but you got enough [money] to take that fourth ? The last of it?” RIVERA replied, “Yeah.

Yep. Yep. Exactly.” VAZQUEZ stated, “Okay. So, just get the money ready and we’ll be ready when they’re ready. I guess.” Later in the conversation, RIVERA stated, “Well, I don’t know why they did that shit [Customer had not arrived, yet], though.” VAZQUEZ replied, “Yeah, let ‘em know we, we on point [more timely] from now on. You know what I’m saying like...” RIVERA stated, “I’m trying, B. See that, dude. I see that. I didn’t... ‘Cause, I do that shit with my son, nonstop. So, you know I gotta be on point, bro.”

355. On April 3, 2013, at approximately 2:47 p.m., VAZQUEZ, using Target Phone 42 (Call # 917), had a conversation with SHAHBAZ, using (312) 619-0779. During the conversation, SHAHBAZ stated, “Yo, what up? How’s everything going?” VAZQUEZ replied, “Shit, no. So, them niggers weren’t ready. Uh, one second, G, one second. So uh, Franco’s ready so, I just came to Franco’s, real quick. And then, they’ll be ready like in about an hour, they said.” SHAHBAZ stated, “Ah well, you should of just kept the one you got and...” VAZQUEZ replied, “Yeah, I just kept heading up north and um, I’m about to meet up Franco in about a five, ten minutes, do that one real quick, if they’re ready. And then head back give you, if you’re still at the office, give you the half money [VAZQUEZ will give SHAHBAZ the money obtained from the half kilogram cocaine delivery to FRANCO] and then give me another half [SHAHBAZ will then give VAZQUEZ and another half kilogram] and I’ll be

ready over there.” Later in the conversation, SHAHBAZ stated, “You didn’t get up with HB [PEREZ]? You got it?” VAZQUEZ replied, “Yeah. Yeah. He’s following us, right now.” SHAHBAZ stated, “Oh, okay. Perfect.” VAZQUEZ stated, “Yeah, we’re together. We’re about to handle these, this move [FRANCO delivery] and then head back [3130 N. Lake Shore Drive] and grab that other half, real quick, and go back and handle that other one [RIVERA/JAMES delivery].”

**1. RIVERA informed VAZQUEZ that JAMES’s customer GRIFFIN was en route.**

356. On April 3, 2013, between 2:53 p.m. and 2:58 p.m., phone records reflect two contacts between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

357. On April 3, 2013, at approximately 2:59 p.m., VAZQUEZ, using Target Phone 42 (Call # 922), had a conversation with RIVERA, using Target Phone 40. During the conversation, RIVERA stated, “Yeah, they [JAMES’s customer GRIFFIN] said, they’re like 25 minutes away, bro.” VAZQUEZ replied, “Okay, I’m gonna start heading back in a few seconds, then.” RIVERA stated, “Yup. Yup. And then uh, I’ll take care of it. With you, me and you. I got the dough in my pocket, we’ll figure this out.” VAZQUEZ replied, “Alright.” RIVERA stated, “Alright brother, I’ll see you over there [JAMES stash house] in twenty

five.” VAZQUEZ asked, “Should I break one of these in half or just keep coming?” RIVERA replied, “No. No. Just keep ‘em just the way they are. Because, I’ll just do the inside there [RIVERA will take the one quarter kilogram not purchased by JAMES’s customer and RIVERA will weigh out 250 grams inside JAMES’s house]. You know what I mean?” VAZQUEZ replied, “Alright. Bye.”

**m. VAZQUEZ delivered the ½ kilogram of cocaine to FRANCO.**

358. On April 3, 2013, at approximately 3:00 p.m., VAZQUEZ, using Target Phone 42 (Call # 923), had a conversation with FRANCO, using (773) 612-0036. During the conversation, VAZQUEZ stated, “Yeah, I’m right here on Birchwood [Avenue] and Western [Avenue].” FRANCO replied, “You’re on what?” VAZQUEZ stated, “Birchwood and Western.” FRANCO stated, “What the fuck is Birchwood, bro? Oh, yeah. You took a right, right there or some shit?” VAZQUEZ replied, “Yeah. I turned right, right here by the Midas.” FRANCO replied, “Alright. Alright.”

359. On April 3, 2013, at approximately 3:04 p.m., VAZQUEZ, using Target Phone 42 (Call # 927), had a conversation with SHAHBAZ, using (312) 619-0779.

a. During the conversation, VAZQUEZ stated, "Yeah uh, Franco's [half kilo delivery] went perfect. It was all good." SHAHBAZ replied, "Oh, yeah." VAZQUEZ stated, "So, they're ready, almost ready for us over there [RIVERA at JAMES's stash house] so, I'm flying back to the office [3130 N. Lake Shore Drive] now, to grab the other half that I need."

b. Later in the conversation, VAZQUEZ stated, "I'll just have to go up and get them, then. It's no big deal." SHAHBAZ replied, "Alright, I put 'em [the cocaine] uh. I couldn't open the finner [safe], again. So, it's on top of the finner." VAZQUEZ stated, "On top of the finner?" SHAHBAZ replied, "Yeah." VAZQUEZ stated, "You couldn't open it?" SHAHBAZ replied, "No. I've been having problems with it, man."

c. Later in the conversation, SHAHBAZ stated, "Your guy's [PEREZ] gonna be with you, right?" VAZQUEZ replied, "Yeah. This nigger, this [guy's] charging these [guys] twenty five for the half [FRANCO is charging his unknown customer \$25,000.00 for half kilogram]." SHAHBAZ stated, "You have to (unintelligible), man. These [guys] are timid out here, bro. You got (unintelligible), you know." VAZQUEZ replied, "This [guy's] done made like, five bucks [\$5000.00] off the shit."

d. Later in the conversation, VAZQUEZ switched to an awaiting incoming call (Call # 928), and spoke with PASKON. PASKON stated, "Um

alright, if you can do me a favor and take a look at them. I only, I only gave you fifty-seven [57 pounds of marijuana]. I only gave you fifty-seven, 'cause I didn't know if you'd want more 'cause they're okay." Later in the conversation, VAZQUEZ stated, "Okay now, if I need another one or two of those things [kilograms of cocaine] am I good?" PASKON replied, "What for the girls [cocaine]?" VAZQUEZ replied, "Yeah." PASKON stated, "Uh man, I, I really don't know. I can, I can find out for you... I can find out for you by tomorrow. Because, I know mine, I know my other ones aren't gonna get here for another eight days, nine days. But, I can go through my other guy. But they're probably going to expensiver ones."

e. Later in the conversation, VAZQUEZ stated, "So, just start knowing that I'm gonna need double my orders from now on. Alright?" PASKON replied, "Alright. Cool." VAZQUEZ stated, "Thank you, bro. I appreciate you a lot." PASKON replied, "Alright, call me tonight."

360. On April 3, 2013, at approximately 3:25 p.m., VAZQUEZ, using Target Phone 42 (Call # 939), had a conversation with PEREZ, using (872) 209-9218.

a. During the conversation, VAZQUEZ asked, "Yeah, Why you keep blowing me up like that when I just walked into the building?" PEREZ replied, "Cause I was fucking, I thought you was gonna take this money up?"

VAZQUEZ related, "Well, I was but you weren't here and I ran to get into the door and you keep blowing me up while I'm in the elevator." PEREZ related, "Well, I don't know, I thought you forgot about the money." VAZQUEZ stated, "Why would I forget about the money, bro?" PEREZ replied, "Because you keep forgetting about shit sometimes." VAZQUEZ stated, "No, I don't forget about money, dog. I don't know what you're talking about. I never forget about my money!" PEREZ replied, "You forget about stuff man." VAZQUEZ stated, "No, well I didn't forget about the money. I just did that move [half kilo deal with FRANCO]. I know what the hell is going on."

b. Later in the conversation, PEREZ asked, "Alright, So are we gonna take this [money] with us? All this cash?" VAZQUEZ replied, "Yeah, we're gonna take it with us 'cause we're already here, unless you wanna come up [3130 N. Lake Shore Drive]."

c. Later in the conversation, PEREZ stated, "You know what I'm gonna do? We're bringing... While you're bringing that [half kilogram], I was. Never mind. I was gonna take it over there. To the house over there [330 W. Diversey], for now. Just put it away." VAZQUEZ replied, "Unless you wanna drop it off at the crib. I don't know, it's up to you." PEREZ stated, "Yeah, I'm gonna drop it off at the crib while you're getting that." VAZQUEZ replied,

“Alright” PEREZ stated, “Put it in the safe over there.” VAZQUEZ replied “Alright.”

**n. JAMES’s customer GRIFFIN arrived at JAMES’s stash house for the 3/4 kilograms of cocaine and RIVERA informed VAZQUEZ.**

361. On April 3, 2013, at approximately 3:45 p.m., phone records reflect contact between RIVERA, using Target Phone 40 and JAMES at Target Phone 38.

362. On April 3, 2013, at approximately 3:57 p.m., VAZQUEZ, using Target Phone 42 (Call # 951), had a conversation with RIVERA, using Target Phone 40. During the conversation RIVERA informed VAZQUEZ that he was about two minutes away and the customers were already at JAMES’s house. Specifically, VAZQUEZ asked, “What up, baby? You here?” RIVERA replied, “Yeah, brother. I’m like two minutes away. I’m on Western. Where you at? They’re [customers] already there.” VAZQUEZ responded, “E, I’m already here.” RIVERA stated, “Alright, I’ll be pulling up. They’re [customers] already there, too. Give me one minute.” VAZQUEZ replied, “Okay, cool.”

- o. VAZQUEZ and PEREZ completed the cocaine delivery to RIVERA, JAMES and GRIFFIN.**

363. On April 3, 2013, at approximately 3:57 p.m., surveillance observed VAZQUEZ arrive in the black Jeep and park in the area of 2336 W. Jackson Boulevard. Approximately two minutes later, surveillance observed the GMC Yukon arrive and park behind the black Jeep. VAZQUEZ, carrying a black backpack, got out of the Jeep and entered the Yukon. Surveillance observed the Yukon pull away, drive to Oakley and Van Buren and park.

364. On April 3, 2013, at approximately 4:02 p.m., RIVERA's Nissan Pathfinder arrived and parked behind 2457 W. Adams.

365. On April 3, 2013, at approximately 4:03 p.m., VAZQUEZ, using Target Phone 42 (Call # 954), had a conversation with RIVERA, using Target Phone 40. During the conversation, VAZQUEZ asked, "Where you at? At the house already?" RIVERA replied, "Yeah, I'm already here." VAZQUEZ stated, "Oh, okay. I'll just pull up there."

366. After call number 954, surveillance observed RIVERA, carrying a gray diaper bag, get out of the Nissan and walk toward the rear of 2457 W. Adams. Surveillance observed RIVERA sitting on the rear exterior stairs of the building.

367. On April 3, 2013, at approximately 4:04 p.m., phone records reflect contact between RIVERA, using Target Phone 40, and JAMES at Target Phone 38.

368. On April 3, 2013, at approximately 4:05 p.m., surveillance observed the red GMC Yukon arrive and park on Campbell near Adams. VAZQUEZ, carrying a black backpack, got out of the GMC and walked toward the rear of 2457 W. Adams. After VAZQUEZ arrived at the rear of the building, surveillance observed RIVERA and VAZQUEZ enter 2457 W. Adams.

369. At approximately 4:08 p.m., surveillance observed a second black Jeep Cherokee arrive and park on Campbell near Adams. A male subsequently identified during a traffic stop, as detailed in paragraphs 377-378 below, as CORY GRIFFIN with a long pony tail, wearing a blue and brown jacket and blue jeans got out of the black Cherokee and entered 2457 W. Adams.

370. On April 3, 2013, at approximately 4:09 p.m., VAZQUEZ, using Target Phone 42 (Call # 955), had a conversation with PEREZ, using (872) 209-9218. During the conversation, PEREZ stated, “. . .pulling up, here.” VAZQUEZ replied, “Somebody is walking up?” PEREZ stated, “Yep.” VAZQUEZ replied, “Someone’s walking up? Alright, cool.”

371. On April 3, 2013, at approximately 4:19 p.m., VAZQUEZ, using Target Phone 42 (Call# 956), had a conversation with PEREZ, using (872)

209-9218. During the conversation, PEREZ asked, "You good?" VAZQUEZ stated, "Yeah. Yeah, we're good." PEREZ replied, "Alright." VAZQUEZ stated, "Alright. Gimme a second. We're just checking it out [GRIFFIN, JAMES, RIVERA and VAZQUEZ were examining the cocaine]."

372. On April 3, 2013, at approximately 4:34 p.m., surveillance observed GRIFFIN come out of 2457 W. Adams and enter the front seat of the black Cherokee. Surveillance observed an unknown black female, subsequently identified as Individual I, seated in the driver's seat and an unknown black male, subsequently identified as Individual J, seated in the driver's side rear seat of the black Cherokee. Surveillance observed GRIFFIN in the front seat of the Cherokee with a white bag on his lap. Surveillance observed GRIFFIN examine the contents of the white bag. Approximately three minutes later, GRIFFIN got out of the black Cherokee with what appeared to be an object under his coat and entered 2457 W. Adams.

373. On April 3, 2013, at approximately 4:34 p.m., VAZQUEZ, using Target Phone 42 (Call# 959), had a conversation with PEREZ, using (872) 209-9218. During the conversation, VAZQUEZ stated, "Yeah. I'm about to come out in a few seconds." PEREZ replied, "Alright, cool. Everything good?" VAZQUEZ stated, "Yeah, everything's good. They just wanna make sure everything on point." PEREZ replied, "Alright."

374. On April 3, 2013, at approximately 4:44 p.m. VAZQUEZ, using Target Phone 42 (Call# 965), received a text message from PEREZ, using (872) 209-9218. PEREZ was concerned the deal between VAZQUEZ and GRIFFIN was taking too long. PEREZ, implying he was armed, encouraged VAZQUEZ to leave the building. The text message read: "Hurry up or im start blasting niggas out here".

375. On April 3, 2013, at approximately 4:47 p.m., surveillance observed VAZQUEZ, carrying a black backpack, and RIVERA, carrying a gray diaper bag, come out of 2457 W. Adams. VAZQUEZ entered the GMC Yukon. RIVERA entered the Nissan Pathfinder. Both vehicles drove west bound on Adams.

376. On April 3, 2013, at approximately 5:05 p.m., surveillance observed the black Cherokee back up to the rear of 2457 W. Adams. GRIFFIN, clutching an object along his left side under his jacket, left the rear of 2457 W. Adams. GRIFFIN opened the rear tailgate of the black Cherokee, crawled into the rear of the Cherokee, and closed the rear tailgate. The black Cherokee then drove away southbound on Campbell at which time surveillance observed GRIFFIN seated in the front passenger seat of the Cherokee.

377. Following the black Cherokee's departure from CHARLES JAMES's stash house, surveillance observed the black Cherokee, while driving northbound on Kedzie, fail to signal while turning onto westbound Madison. Chicago Police

Officers working in conjunction with this investigation stopped the black Cherokee at 3830 W. Madison. Enforcement officers approached the black Cherokee and observed Individual I to be driving the Cherokee, GRIFFIN seated in the front passenger seat and Individual J seated in the rear. The enforcement officer advised Individual I of the traffic violation and asked her to produce a driver's license and insurance. Individual I produced a valid Wisconsin driver's license but could not provide verification of insurance and stated the car was a rental. Officers asked Individual I if there was anything illegal in the vehicle. Individual I replied there was nothing illegal that she knew about. Officers asked if Individual I would give permission to search the Cherokee for any illegal substances. Individual I then supplied verbal permission to search the Cherokee.

378. During a search of the vehicle, officers discovered a white plastic bag concealed in a storage compartment. Closer examination of the bag showed it to contain several clear plastic bags of suspect cocaine and a black brick shaped object. A search of the bag revealed the contents to include: two clear plastic bags of cocaine, one clear plastic bag of crack cocaine and one black duct taped package of cocaine. The contents of the bag were turned over to the Illinois State Police's Division of Forensic Science Center in Chicago, for analysis, and they were found to contain approximately 707 grams of cocaine.

379. Based upon the conversations between VAZQUEZ, MIRELES, SHAHBAZ, PEREZ and RIVERA, and the contact between RIVERA and JAMES, and VAZQUEZ's meeting with RIVERA at JAMES's stash house, and GRIFFIN's arrival at the stash house and exit with object clutched to his side, and the recovery of 707 grams of cocaine from the jeep GRIFFIN rode in, I believe that VAZQUEZ supplied RIVERA and JAMES with a kilogram of cocaine 707 grams of which they gave to GRIFFIN.

**p. FRANCO informed VAZQUEZ that he was happy with the quality of the cocaine and that he would want more.**

380. On April 3, 2013, at approximately 5:57 p.m.,<sup>28</sup> VAZQUEZ, using Target Phone 42 (Call # 986), had a conversation with FRANCO, using (773) 612-0036. During the conversation, FRANCO stated, "Hey uh, that shit [½ kilogram of cocaine] look good, I guess. Uh, but dude, he going to Miami, he's gonna be back Monday so, he gonna grab the same thing on Monday." VAZQUEZ replied, "What's today?" FRANCO stated, "Today Wednesday." VAZQUEZ replied, "Yeah. Shit, we should be ready."

381. Based upon the conversation above, and the earlier conversations in which VAZQUEZ discussed delivering a half-kilogram to FRANCO that day, and

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<sup>28</sup> Due to a technical error on the information from the phone company, this call was incorrectly stored with a time of 6:57 p.m.

the seizure of 707 grams of cocaine from GRIFFIN which VAZQUEZ supplied from the same three kilograms of cocaine he received from PASKON, I believe VAZQUEZ delivered approximately 500 grams of cocaine to FRANCO on April 3, 2013.

**q. VAZQUEZ and MIRELES delivered a ½ kilogram of cocaine to NEFTALI FREYTES.**

382. On April 3, 2013, at approximately 6:49 p.m., VAZQUEZ, using Target Phone 42 (Call # 1000), had a conversation with FREYTES, using (872) 226-4187. During the conversation, VAZQUEZ stated, “What’s up, boy?” FREYTES stated, “Shit. Well uh, check this out. Um, I talked, I told Baz [SHAHBAZ] already, I got a saw, I got a sawbuck [\$10,000.00] for you, I got a sawbuck for you, right now. But I got another sawbuck on the street. You know what I’m saying? So, I got five [\$5000.00] coming in tomorrow, I got five coming in tomorrow early in the morning or whatever. So, I mean I got you cleared. You know? I got a sawbuck right now, though. So, you guys can come pick that up whenever. But I’m like, I’m dead. You know what I’m saying?” VAZQUEZ replied, “Alright. Well um...” FREYTES stated, “So, I don’t know if you want to, if you want to...” VAZQUEZ replied, “Most likely uh, most likely we’re gonna send it [half kilogram of cocaine] that way. But just try to at least have the shit to clear up [VAZQUEZ wanted FREYTES to pay all of his outstanding debt].”

383. On April 3, 2013, at approximately 7:14 p.m., VAZQUEZ, using Target Phone 42 (Call # 1007), had a conversation with FREYTES, using (872) 226-4187. During the conversation, FREYTES stated, "Yeah, I don't know what happened or whatever, I just figured I'll call you back after you're done with your call." VAZQUEZ replied, "No, don't worry about it. I'm talking to BZ [SHAHBAZ], right now. I guess, yeah, most likely we're going to send it [half kilogram of cocaine delivery]. So, I'll let you know, right now." FREYTES responded, "Alright."

384. On April 3, 2013, at approximately 8:17 p.m., VAZQUEZ, using Target Phone 42 (Call # 1016), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES stated, "Hey uh, Luck [FREYTES] changed his number, right?" VAZQUEZ replied, "Uh, yeah but he's home." MIRELES stated, "Can you text it to me?" VAZQUEZ replied, "Um well, are you gonna go to.. You're taking it to his crib, right?" MIRELES responded, "Yeah." VAZQUEZ stated, "Okay. Then just go, get it when you get there. But I'll call him right now and tell him... When are you gonna be there?" MIRELES replied, "Uh, I should be there like, in fifteen minutes, though." VAZQUEZ stated, "Okay, I'll tell him you'll be there in fifteen minutes."

385. On April 3, 2013, at approximately 8:17 p.m., VAZQUEZ, using Target Phone 42 (Call # 1017), had a conversation with FREYTES, using (872)

226-4187. During the conversation, VAZQUEZ stated, “Shit, P’s [MIRELES] going to be there [FREYTES’s residence at 6414 W. Belmont] in about ten, fifteen minutes.” FREYTES replied, “Okay.” VAZQUEZ stated, “And uh, we sent you that, we sent you that nine [nine ounces of cocaine which equals 250 grams of cocaine] you wanted.” FREYTES replied, “Uh, I didn’t want a nine. I wanted the eighteen [eighteen ounces, which equals approximately a half kilogram of cocaine].” VAZQUEZ stated, “Are you sure?” FREYTES replied, “Yeah, I’m pretty positive. That’s what we’ve been discussing.” VAZQUEZ stated, “I thought you said, you wanted the... No, I’m just fucking with you. I got... It’ll be right there.” FREYTES replied, “Damn.”

386. On April 3, 2013, at approximately 8:38 p.m., VAZQUEZ, using Target Phone 42 (Call # 1024), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES stated, “Yeah. Call him [FREYTES]. I’m right here at the door [at FREYTES’s residence at 6414 W. Belmont], bro.” VAZQUEZ replied, “Alright. Bye.”

387. On April 3, 2013, At approximately 8:38 p.m., VAZQUEZ, using Target Phone 42 (Call # 1025), had a conversation with FREYTES, using (872) 226-4187. FREYTES stated, “Yeah.” VAZQUEZ stated, “Pop’s [MIRELES] is at the door [6414 W. Belmont].” FREYTES replied, “Alright.”

388. Based on the foregoing, I believe that on April 3, 2013, ERIC PASKON supplied DANIEL VAZQUEZ, FRANCISCO MIRELES, ANWER SHAHBAZ and ANGEL PEREZ with three kilograms of cocaine. VAZQUEZ and his crew delivered: (1) one kilogram to CHARLES JAMES and EDUARDO RIVERA, 700 grams of which they gave to CORY GRIFFIN which was seized by law enforcement; (2) 500 grams of which they gave to NICOLAS FRANCO; and (3) 500 grams of which they gave to NEFTALI FREYTES.

**xvi. On April 15, 2013, PASKON supplied cocaine to VAZQUEZ, 1 ½ kilograms of which VAZQUEZ supplied to BRANDON ELSING which was seized by law enforcement on April 15, 2013.**

389. On April 11, 2013, at approximately 11:42 a.m., VAZQUEZ had a phone conversation (call #1942) on Target Phone 42 with BRANDON ELSING, using (608) 577-7933.<sup>29</sup> During this call, VAZQUEZ called to see when ELSING wanted to receive another supply of cocaine. Specifically, ELSING stated, “Yeah, no, I talked to him. He was trying to figure out what he’s got together [ELSING’s customer was trying to get money needed to purchase the cocaine].”

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<sup>29</sup> The identification of BRANDON ELSING and his voice was based on the following: the sequence of calls and surveillance described below which resulted in ELSING being stopped by law enforcement and arrested with 1 ½ kilograms of cocaine in his trunk as described in paragraph 434.

I know he's sending them out on Wednesday and he's gonna see if he's capable of doing both [two kilograms of cocaine] at the same time. (Unintelligible)." VAZQUEZ replied, "Okay." ELSING stated, "I will let you know what he says." VAZQUEZ asked, "Are you guys aiming for this week or middle of next week or what are you trying to do?" ELSING replied, "Uh, the last time I talked to him he was thinking beginning of next week but, that depends on if everyone come up with his loot [money]." VAZQUEZ stated, "Well everything is getting here tomorrow they told me, so. They've been going really really fast."

390. On April 13, 2013, at approximately 1:54 p.m., VAZQUEZ had a phone conversation (call #2210) on Target Phone 42 with ELSING, using (608) 577-7933. During this call, ELSING stated, "He said Monday[ELSING's customer stated that he would ready with money for cocaine the next Monday, April 15, 2013]." VAZQUEZ asked, "Monday?" ELSING replied, "Get two [kilograms of cocaine] of them. Yeah, will you be able to do that?" VAZQUEZ stated, "Yeah we should, yeah we should be good. I'm supposed to get mine tomorrow actually so... pretty good timing." ELSING replied, "Yup, so...well, I guess just hit me up when we figure out whatever." VAZQUEZ stated, "Okay sounds good. I'll hit you up tomorrow, we'll go over some shit."

391. On April 13, 2013, at approximately 6:01 p.m., VAZQUEZ had a phone conversation (Call #2265) on Target Phone 42 with ANWER SHAHBAZ,

using (312) 619-0779. During this call, SHAHBAZ stated, “Got a bunch of girl [cocaine orders] man and need that shit. Nothing from E [VAZQUEZ’s cocaine supplier ERIC PASKON, aka “E”] though?” VAZQUEZ replied, “Yeah, I talked to him today, he said tomorrow. We got four or five coming. Brandon [ELSING] wants two COD Monday. But I don’t know.” SHAHBAZ stated, “Man, that’s gonna put us in the game right now man.” VAZQUEZ replied, “You already know.”

**a. VAZQUEZ spoke to PASKON about receiving cocaine.**

392. On April 14, 2013, at approximately 10:54 a.m. VAZQUEZ had a phone conversation (Call#2294) on Target Phone 42 with PASKON, using Target Phone 46. During this call, VAZQUEZ stated, “What’s up my brother? Please tell me some great news.” PASKON replied, “Yeah we’re, we’re good. We’ll have them, We’ll have them [kilograms of cocaine] by like six, seven tonight.” VAZQUEZ asked, “For real?” PASKON replied, “Yeah definitely I already talked, I already talked to the driver.” VAZQUEZ stated, “I’m ready to go to work G. Fuck this.” PASKON replied, “Um, I don’t know I’ll probably see you first thing in the morning though not tonight.” VAZQUEZ asked, “Oh for real, I can’t get mine today?” PASKON replied, “Um, I mean I could throw you two [kilograms of cocaine] today. You got people waiting or what?” VAZQUEZ

stated, "Hell yeah, are you crazy?" PASKON stated, "Well, let me see...let me see when they come in. How late? Because he told me like around five or six but if it's like around eight o'clock I'll probably wait till the morning. But I don't know, like I said, let me see as soon as he calls me cause then I could send my driver. As soon as my driver gets back, then I could get him out there." VAZQUEZ replied, "No problem bro, um, real quick though...can we aim for five [five kilograms of cocaine] or no?" PASKON stated, "Um, I don't know, I mean, well, let's see how quick you run. Let me throw you two at first bro cause I don't want to give you all five. Cause what happens if something happens right away? Let me throw you two the next day I could throw you another two." VAZQUEZ replied, "Look E, E, E, my guy. My Wisconsin [ELSING] coming Monday. He's coming tomorrow. At ten in the morning, he wants to come. He's doing two [two kilograms of cocaine] by himself." PASKON asked, "So if I give you four, if I give you four tomorrow, you could come back and pay me for two the same day?" VAZQUEZ replied, "I could pay you for four probably the same day, bro. I promise." PASKON stated, "Alright." VAZQUEZ stated, "I'll pay you for four the same day and then give me what ever else I got coming." PASKON replied, "Okay, and if you put money on the old tab because yesterday I had to give some cock sucker, I had to give my cock sucking boss fifteen thousand of my own money to cover you."

393. On April 14, 2013, at approximately 11:21 a.m., VAZQUEZ had a phone conversation (Call #2302) on Target Phone 42 with SHAHBAZ, using (312) 619-0779. During this conversation, SHAHBAZ asked, "How about E [PASKON], nothing?" VAZQUEZ replied, "Shit, he said it will be here about five of six." SHAHBAZ asked, "Oh, word?" VAZQUEZ replied, "Yeah I got five coming for us, cuz." SHAHBAZ stated, "Man, we're gonna need more than that, too." VAZQUEZ replied, "Oh yeah. Bran [BRANDON ELSING], he wants to come tomorrow for two, but I don't know." SHAHBAZ stated, "Man, we should only give it to Bran if...only if we get five though. You know what I'm saying?" VAZQUEZ replied, "We got five coming. I'm taxing G. I need my money." SHAHBAZ stated, "Man, you have to, Joe." VAZQUEZ replied, "Man you know we're gonna make a quarter this week, you know that [VAZQUEZ related, that he expected to make \$25,000 in profit on cocaine sales for the week], right?" SHAHBAZ stated, "I hope man if we get them in."

394. On April 14, 2013, at approximately 5:46 p.m., VAZQUEZ had a phone conversation (Call #2349) on Target Phone 42 with PASKON, using Target Phone 46. During this call, VAZQUEZ asked, "You got some good news?" PASKON answered, "What, I'll probably see you tonight, I'll probably see you tonight for two of them [kilograms of cocaine] for your guy in Wisconsin [Brandon ELSING] then, when you bring by the paper work [money], I'll give

you another two.” VAZQUEZ stated, “Wait, I got paper work if I need, if that’s the issue I got some.” PASKON replied, “No, I mean it’s just safer for me to do it that way. You know what I mean? Because, I don’t want to throw four in his hand just in case anything happens.”

395. On April 14, 2013, at approximately 7:03 p.m., VAZQUEZ had a phone conversation (Call #2368) on Target Phone 42 with ERIC PASKON, using Target Phone 46. During this call, VAZQUEZ asked, “E, is tomorrow better for you in the morning, or no?” PASKON replied, “If you wanna do it tomorrow that’s fine. I can do it early.” VAZQUEZ stated, “Yeah, early will be better cause I’m gonna, I’m gonna tell this guy [ ELSING] to um ...I don’t want him to slow me down from what I got goin’ on tomorrow, so I’m a tell his ass to be here at nine, ten in the morning.” PASKON replied, “Call me when you’re up.”

396. On April 14, 2013, at approximately 7:04 p.m., VAZQUEZ had a phone conversation (Call #2369) on Target Phone 42 with ELSING, using (608) 577-7933. During the conversation, VAZQUEZ stated, “Okay, everything is all good, sir. The only problem is the number, so far.” ELSING asked, “What’s the number?” VAZQUEZ laughed and then stated, “He’s at four zero [\$40,000 for a kilogram], but I’m getting him down.” ELSING replied, “Yeah, I don’t think he’ll go for that.” VAZQUEZ stated, “Nah, I know he’s not. I’m not either though. Cause, if I let him do that...Um so it’s here. I’m fighting with him with that.

He's gonna call me like in two minutes. I'm getting a little deposit together for him. To help my number out and shit like that. Um, but he still might be at thirty-nine [\$39,000] though, man. Is that good, could we do that?" ELSING replied, "Uh shit, I'll have to call him and ask." VAZQUEZ stated, "Call me right back, cause I'm gonna stop doing everything I'm doing right now and go get him a deposit just to secure." ELSING replied, "(Unintelligible) better not be no bull shit." Later in the call, VAZQUEZ guaranteed the quality of the cocaine and stated, "It's a hundred percent, it's the same guy and he's been so consistent with me lately. It's been every ten days like consistently, so I'm really feeling something with this guy." ELSING replied, "Alright."

- a. **On April 15, 2013, PASKON supplied VAZQUEZ and MIRELES with three kilograms of cocaine.**

397. Based upon the calls summarized above, on April 15, 2013, investigators established surveillance at PASKON's residence, located at 2735 W. Lemoyne, and observed the following:

- a. At approximately 9:37 a.m., surveillance observed PASKON exit the front door at 2735 W. Lemoyne, enter a black Volkswagen Touareg, and drive from the area.

b. At approximately 9:49 a.m., surveillance observed the black Volkswagen park at approximately 2514 W. George Street, Chicago, Illinois. PASKON stayed seated in the Volkswagen as it remained parked on the street.

c. At this time, VAZQUEZ, using Target Phone 42 (Call # 2422), received a text message from PASKON, using Target Phone 46. In the text, PASKON instructed VAZQUEZ to bring \$15,000 from a previous narcotics delivery, in order to obtain additional cocaine. The text message read: "Bring paper work from the past today".

d. After approximately two minutes, the black Volkswagen drove from the area.

398. On April 15, 2013, at approximately 10:30 a.m., VAZQUEZ had a phone conversation (Call #2431) on Target Phone 42 with ELSING, using (608) 577-7933. During this conversation, VAZQUEZ and ELSING discussed ELSING's estimated time of arrival in Chicago to pick up the cocaine. Specifically, ELSING stated, "I'll hit you when I get done working." VAZQUEZ stated, "Shit, alright uh cool. What time uh you think? What are you thinking?" ELSING replied, "I won't get done until like four so. . . ." VAZQUEZ asked, "Oh, really?" ELSING stated, "Yeah, I wouldn't get down there till like six thirty. And that's probably pushing it." VAZQUEZ replied, "Alright, well I'll definitely be ready, brotha."

399. On April 15, 2013, at approximately 10:36 a.m., VAZQUEZ received an incoming text message on Target Phone 42 (Call #2434) from PASKON, using Target Phone 46. The message from PASKON read, “?call me.”

400. On April 15, 2013, at approximately 10:36 a.m., VAZQUEZ, using Target Phone 42 (Call # 2435), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ and PASKON discussed the delivery of two kilograms of cocaine which VAZQUEZ was to deliver to ELSING.

a. Specifically, VAZQUEZ stated, “What up, boss man?” PASKON replied, “What’s good with you? Where we at?” VAZQUEZ stated, “Shit. So uh, my guy’s gonna be here at 4:30, 5:00, from Wisconsin, for those two [ELSING would arrive around 5 p.m. to pick up two kilograms of cocaine].” PASKON replied, “Okay.” VAZQUEZ stated, “Um, but shit, I could probably do one before he even gets here, C.O.D. I mean, so, I don’t know what you want me to do.”

b. PASKON replied, “Um, man. You know what, man? I got, I got some good news and I got some bad news.” VAZQUEZ responded, “Oh shit, man.” PASKON stated, “I’m only gonna, I’m only gonna be able to give you three [kilograms]. They shorted me, man. They [PASKON’s unknown cocaine source] lied to me.” VAZQUEZ replied, “Three?” PASKON stated, “Yeah, that’s all I could do. I mean, look it, ‘cause, I don’t know, I don’t know, I don’t know how you

want to get 'em around. Maybe, you just want to give your Wisconsin guy one and you want two. Because, I could give you like, eight days until they come back. 'Cause, they'll [PASKON's cocaine source] be back in ten more days but, they shorted me, man. They didn't give me what I wanted." VAZQUEZ replied, "Fuck, man."

c. PASKON stated, "Um, but, you see, I don't wanna, I don't wanna lie to you, either. I don't want to give you those two and then, you get rid of them and you got nothing. You know what I mean?" VAZQUEZ replied, "Yeah. No, absolutely." PASKON stated, "I don't, 'cause, I don't want to fuck you up, somehow. So, so basically, I'm just gonna be able to get you three. But, in ten days, I'm gonna have more, man. But, they just, I mean, they're gonna keep it consistent, I just need to get up my numbers a little [PASKON stated that he needs to pay his source for previous cocaine deliveries]. 'Cause, we're just starting off, again. So, they told me, they told me, in probably like, a month they'll be giving me double of what they're doing, now. So, but that's fine. I just got to uh, I just gotta, I gotta stick with the program. You know what I mean? And I make sure everybody, who's on my team, eats. So, if I, if I give you, if I give you your, your four, your five that you want, then I'm taking food out of other people's mouth [PASKON wants to distribute the current supply of cocaine

fairly among his customers]. You know what I mean? And I try to be as fair as I can.” VAZQUEZ replied, “I understand.”

d. Later in the conversation, PASKON stated, “Alright. Well, when I see you, when I see you, I’ll give you the two for Wisconsin [ELSING] and if you can, bring me fifteen [\$15,000.00]. Bring me fifteen and that time I can go run and get your other one and then, when I see you again, I can give you both of them [PASKON instructed VAZQUEZ to pay PASKON for two kilograms and supply an additional \$15,000 in order to receive a third kilogram].” VAZQUEZ replied, “Alright, so just give me my three now, then. Let me get my three so I can get to work, too. So, I don’t have to just give those to Wisconsin and then I’m fucked.” PASKON stated, “Right. No, no, no. I definitely have three for you. Guaranteed. I’m holding on to it. I ain’t gonna give that shit to nobody. But, when I see you, just let me give you your two for Wisconsin and bring me fifteen and then I can go... Huh?” VAZQUEZ stated, “He, he’s not gonna get here ‘til 5:00, 6:00. I can do one by the time he gets here. Like, I’ll be done with one by the time he gets here, bro. I got people waiting, like crazy.” PASKON stated, “Okay. So, fuck it, then. (Unintelligible).” VAZQUEZ stated, “I’m gonna bring you fifteen so, I can get that fourth one, later on, tonight, from you.”

e. PASKON stated, “Okay. What, what time are you going to be ready?” VAZQUEZ replied, “Shit, nigger. I’m, I’m ready. What do you want me

to do?" PASKON stated, "Um, you want to meet me over by uh, by uh, Diversey? Diversey and Cicero?" VAZQUEZ replied, "Whatever, whatever, I gotta do to get, get to work. Shit, I been fucked up for fucking eight days, dude. I've been fucking hurting. I need the work." PASKON stated, "Yeah, if you want come, come to uh, come to, come to Diversey and Cicero. I can meet you off of there. Um, man. Hold on. Let me call you, right back."

401. On April 15, 2013, at approximately 10:47 a.m., VAZQUEZ, using Target Phone 42 (Call # 2443), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ stated, "What up, E?" PASKON replied, "Ok, I can see you. I can see you in an hour, forty-five minutes." VAZQUEZ stated, "Okay, cool. I'm getting ready." PASKON replied, "Yeah, 'cause, I'm a, I'm a eat, real quick, and then I'll come see you." VAZQUEZ stated, "Alright, cool. I'm a go pick up the fifteen and then I'll start heading that way. In a little bit."

402. On April 15, 2013, at approximately 11:49 a.m., VAZQUEZ, using Target Phone 42, received a text message from PASKON, using Target Phone 46. In the text, PASKON instructed VAZQUEZ to meet him at the corner of Schubert Street and Cicero Avenue, in Chicago, Illinois, where VAZQUEZ was to deliver \$15,000. The text message read: "Schubert and cicero in 45".

403. On April 15, 2013, at approximately 12:55 p.m., VAZQUEZ, using Target Phone 42 (Call # 2475), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES, acting as a courier on behalf of VAZQUEZ, claimed to have spoken with PASKON and was awaiting further direction from VAZQUEZ. Specifically, MIRELES stated, "Alright, so I got my shit on. Uh, yeah, I already talked to him [MIRELES claimed to have spoken with PASKON], bro." VAZQUEZ replied, "You, you, you told him, you're gonna just meet me back up, to get the paper [money]?" MIRELES stated, "Man, I got eight [\$8000.00] on me. You want me to give him eight, for now?" VAZQUEZ replied, "Let him, no. Tell him, tell him what you got and, what, tell him, I'm, I'm already driving towards you." MIRELES replied, "Okay." VAZQUEZ stated, "So, whatever he wants to do." MIRELES replied, "So... Alright. Let me call him back, again."

404. Telephone records for Target Phone 46 indicate that between 12:56 p.m. and 12:58 p.m., on April 15, 2013, there were approximately four contacts with MIRELES, using (773) 592-4755.

405. On April 15, 2013, at approximately 12:57 p.m., VAZQUEZ, using Target Phone 42 (call # 2476), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES stated, "No, he said, he wants that paperwork [PASKON would not accept a partial payment of the required

\$15,000], right now.” VAZQUEZ replied, “Alright, tell him I’ll slide that way.” MIRELES asked, “Where you at? Where you at, so I can start heading towards you?” VAZQUEZ replied, “Uh, I’m up north. (Unintelligible.) By Broadway and uh, Peterson.”

406. On April 15, 2013, at approximately 1:12 p.m., VAZQUEZ, using Target Phone 42 (Call # 2484), had a conversation with MIRELES, using (773) 592-4755. During the conversation, VAZQUEZ and MIRELES chose a meet location where VAZQUEZ was to supply money to be delivered to PASKON. Specifically, MIRELES stated, “I’m about to hit Kimball.” VAZQUEZ responded, “Yeah, meet me at mother fucking KFC, right there, cuz.” Later in the conversation, VAZQUEZ stated, “Wait, you went to the other KFC. I was talking about... Which one?” MIRELES replied, “Um, KFC, right here. Kimball and Peterson.” Later in the conversation VAZQUEZ asked, “So, where you at?” MIRELES replied, “Right here, Jersey, Kedzie. Making a left.” VAZQUEZ stated, “Yeah, make a left on Kedzie. Pull over.”

407. Telephone records for Target Phone 46 indicate that between 1:23 p.m. and 1:43 p.m., on April 15, 2013, there were approximately five contacts with MIRELES, using (773) 592-4755.

408. On the afternoon of April 15, 2013, law enforcement surveillance observed the following:

a. At 1:26 p.m., surveillance observed a gray Honda Odyssey driving southbound on Cicero at Foster.

b. At approximately 1:37 p.m., the gray Honda arrived and parked at approximately 2720 N. Kilpatrick, near Kilpatrick and Schubert, in Chicago, Illinois. Surveillance observed MIRELES seated in the driver's seat, as the lone occupant, of the Honda.

c. At approximately 1:44 p.m., surveillance observed the black Volkswagen Toureg driven by PASKON arrive in the area of the 4700 block of west Schubert and enter the alley north of Schubert. The gray Honda driven by MIRELES followed the Volkswagen westbound into the alley. Immediately thereafter, surveillance observed PASKON and MIRELES in the alley, walking into an open overhead garage door. After approximately 3 minutes, MIRELES, carrying a black plastic bag, and PASKON left the garage and got into their respective vehicles. Both the Honda and Volkswagen left the alley and drove from the area. Surveillance entered the alley and determined the garage utilized by PASKON to have been either 4714 W. Schubert or 4718 W. Schubert. Both garages have similar construction and color.

**b. MIRELES delivered the three kilograms of cocaine to VAZQUEZ's stash house.**

409. On April 15, 2013, at approximately 1:49 p.m., VAZQUEZ, using Target Phone 42 (Call # 2496), had a conversation with MIRELES, using (773) 592-4755. During the conversation, MIRELES informed VAZQUEZ that he obtained three kilograms of cocaine, packaged in 500 gram units, from PASKON. Specifically, MIRELES stated, "Yes, sir." VAZQUEZ asked, "We get 'em?" MIRELES replied, "Yes, sir." VAZQUEZ stated, "(Unintelligible)." MIRELES replied, "Yes, sir. I don't know, it looks like a few of them bitches. Yeah, three [kilograms of cocaine]. They're all in halves, though." VAZQUEZ stated, "Alright. Cool. Uh, we at the office [Stash house located at 3130 N. Lake Shore Drive West]. (Unintelligible)." MIRELES replied, "Huh?" VAZQUEZ stated, "We over here." MIRELES replied, "Ah. I'm heading that way." VAZQUEZ stated, "Alright. Cool."

410. On April 15, 2013, at approximately 2:26 p.m., VAZQUEZ, using Target Phone 42 (Call # 2513), had a conversation with MIRELES, using (773) 592-4755. During the conversation, VAZQUEZ called to determine MIRELES's location and ensure MIRELES would pull into the garage, in order to unload the three kilograms in a more secure area. Specifically, VAZQUEZ asked, "What up, homie. Where you at?" MIRELES replied, "Uh, I'm like, two minutes away. Right here, just past Halsted." VAZQUEZ asked, "Should I wait for you?" MIRELES replied, "Yeah. Yeah. Yeah." VAZQUEZ stated, "Okay. We got four

cars out here.” MIRELES replied, “Oh, shit.” VAZQUEZ stated, “I could park ‘em out on the street. Alright, I’m gonna park ‘em out on the street. Uh, alright.” MIRELES replied, “Where you at?” VAZQUEZ stated, “I’m gonna be right here, somewhere. In the garage or something.”

411. On April 15, 2013, at approximately 2:31 p.m., surveillance observed the gray Honda Odyssey pull into the Barry Street entrance of the parking garage of the 3130 N. Lake Shore Drive building, VAZQUEZ’s stash house for narcotics and proceeds.

412. On April 15, 2013, at approximately 2:46 p.m., VAZQUEZ, using Target Phone 42 (Call # 2520), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ informed PASKON that he received the three kilograms and was satisfied with the quality. VAZQUEZ also asked if he would be able to obtain more cocaine from PASKON.

a. Specifically, PASKON asked, “What’s good?” VAZQUEZ replied, “Shit, just uh, letting you know everything is good over here. I got the... We’re good to go on it. Um, so, did you check on that, the other one [additional kilogram of cocaine], for me?” PASKON replied, “Yeah. I’m uh, he [PASKON’s unknown cocaine source] told me, I can go see him around 6:00 tonight.” VAZQUEZ replied, “Perfect. Perfect.” PASKON stated, “So... No, I don’t know if I’m gonna pick ‘em. He just told me, to come look at ‘em. So, that’s not a good

sign.” VAZQUEZ replied, “Oh, oh, when niggers say, come look at it. That don’t mean too good.” PASKON stated, “I know. That, that’s what I’m telling you. He’s like, you can come by and look at ‘em. And, and he’s like, you can grab three or four, if you want. So, to me, to me that defines it.” VAZQUEZ responded, “Oh, that means, it’s no good.” PASKON stated, “I know. But let me, at least, go see. Let me go see and look what he’s talking about. You never know. But if it’s no good, I’m not gonna grab that shit.”

b. Later in the conversation, VAZQUEZ stated, “Well, I appreciate you, bro. This shit [current supply of three kilograms of cocaine] all gonna be gone, pretty much, pretty soon. Probably today, all of it. So.” PASKON replied, “Yeah, like, like I said, if you want, man, just give the two [kilograms of cocaine] to your guy [ELSING] and you should work the other one so, you can make a little money.”

c. Later in the conversation, VAZQUEZ stated, “Let me see. Shit, I man... I don’t know, man. Alright. Yeah, this ain’t enough for me. Um, alright, I’ll figure something out. Don’t worry about it. I’ll be ready today [VAZQUEZ will pay PASKON after he delivers cocaine to ELSING], for you.”

c. **VAZQUEZ informed ELSING that it would only be 1 ½ kilograms of cocaine and ELSING came to Chicago to pick it up.**

413. On April 15, 2013, at approximately 3:28 p.m. VAZQUEZ, using Target Phone 42 (Call # 2541), had a conversation with ELSING, using (608) 577-7933. During the conversation, VAZQUEZ informed ELSING that VAZQUEZ received a lesser amount of cocaine and would be supplying ELSING with less cocaine than he initially desired.

a. Specifically, VAZQUEZ stated, “What up, brother?” ELSING replied, “Shit, I’ll probably be leaving in, like forty five [ELSING would be en route to meet VAZQUEZ in 45 minutes].” VAZQUEZ stated, “Okay. Um, I’m having a little situation. With um...” ELSING replied, “What’s your situation?” VAZQUEZ stated, “Uh, they fucking... Uh, they [PASKON] shorted me a couple of them, that I was expecting for myself.” ELSING replied, “Yeah.” VAZQUEZ stated, “So, like I’m, I’m kinda like, fucked up... Like, I’m... You know, I don’t charge you, like... I make money off you, of course, but I don’t charge you, like what I charge certain people over here. And right now, it’s so bad that I’m taxing the fuck out these people [VAZQUEZ increased cocaine prices to his other customers] like twelve fifty, thirteen a zip [VAZQUEZ charging \$1250 to \$1300 per ounce of cocaine].” ELSING replied, “Yeah.” VAZQUEZ stated, “Um, so, I’m just trying to figure out, I don’t think I’m gonna have enough for myself. I don’t have shit for myself if I give you these two [Kilograms]. So, I’m trying to see.” ELSING replied, “Ahhh.” VAZQUEZ stated, “Yeah, I know. Me and this guy are

trying to figure it out, right now. Like, they shorted me like, two of 'em, that I was supposed to get. So, I'm like, fucking pissed, right now, man." ELSING replied, "Yeah."

b. VAZQUEZ stated, "They're fire as fuck [high quality], dude. Like, fuck, man." ELSING replied, "What the fuck?" VAZQUEZ stated, "Yeah, so, I know you... I don't know how you felt about taking one and a half." ELSING replied, "Probably do that." VAZQUEZ stated, "Yeah, that will help me out. Because, I'll make a lot more money and I don't have enough. Well, right now, we get 'em every eight days. So, I don't have enough to even last a day." ELSING replied, "Alright." VAZQUEZ stated, "So um, one and a half is here. Solid [In brick form], ready to go for you." ELSING replied, "Alright. You just gonna wait, until I'm ready?" VAZQUEZ stated, "I'll just give you that one and a half. And then, you guys will be ready anyway, in eight days, anyway, right? Like, ten days, eight days? You guys... If you guys are ready, we'll just do it again. You know, in eight, ten days." ELSING replied, "Yeah. We'll see what goes on with this. But, yeah." VAZQUEZ stated, "Aw, well, your guys will be very happy. It's about the quality of it. So..." ELSING replied, "Yeah, I hope so." VAZQUEZ stated, "Oh, no. 100%. Like, guaranteed or money back." ELSING replied, "Alright." VAZQUEZ stated, "Alright, brother. I'll be here waiting for you. Come on down." ELSING replied, "Yeah. Bye."

414. On April 15, 2013, at approximately 4:41 p.m., VAZQUEZ, using Target Phone 42 (Call # 2564), had a conversation with ELSING, using (608) 577-7933. During the conversation, ELSING explained that his customer arrived and he would be en route to VAZQUEZ in Chicago. Specifically, VAZQUEZ stated, "Just checking your ETA." ELSING replied, "Ah shit, just heading out of town." VAZQUEZ stated, "What happened?" ELSING replied, "I'm just heading out. So, yeah. It took him [ELSING's unknown cocaine customer] a little bit to get over to me. But..." VAZQUEZ stated, "Alright. About two and a half hours, or so?" ELSING replied, "Yeah, roughly. Depending on traffic."

415. On April 15, 2013, at approximately 5:55 p.m., VAZQUEZ, using Target Phone 42 (Call # 2575), had a conversation with PASKON, using Target Phone 46. During the conversation, PASKON explained he had an additional half kilogram of cocaine which he would deliver to VAZQUEZ when PASKON arrived to pick up the money for two kilograms.

a. Specifically, PASKON asked, "What, what time do you think I'm going to see you tonight?" VAZQUEZ replied, "Um, my guy will be here in about an hour. So, after that, I'll be able to clear up those two [VAZQUEZ would pay PASKON for two kilograms], real quick." PASKON stated, "Okay. And then, you know what? Uh, I took a half [half a kilogram of cocaine] away from

somebody else, you want it?" VAZQUEZ replied, "Do I.. Excuse me?" PASKON stated, "I took a half away from somebody else, do you want it?" VAZQUEZ replied, "Hell yeah." PASKON stated, "I know. That was a stupid question. Alright." VAZQUEZ laughed. PASKON stated, "When you see me, when you see me, when you see me with that other one, I'll throw you that other half [PASKON would supply a half kilogram of cocaine on consignment]." VAZQUEZ replied, "My nigger, boy. Boy, I'm with you, baby. Let's get it." PASKON stated, "Okay."

b. VAZQUEZ replied, "I ain't going nowhere. I'm staying home, baby." PASKON stated, "Alright. Call me, call me when you're ready." VAZQUEZ asked, "Alright. Are you gonna come by me or what are you going to do?" PASKON replied, "Uh, if you're off the shore [if VAZQUEZ would be in his home near Lake Shore Drive at 330 W. Diversey], yeah, I'll go by you." VAZQUEZ stated, "If you, if you want to come by me, it'll be faster, 'cause, he's [ELSING] coming straight to my house." PASKON replied, "Yeah, that's fine." VAZQUEZ stated, "Okay. No problem. So, about an hour and a half. I'll call you when he gets here and you can start to get ready." PASKON replied, "Just call me, call me when you're ready." VAZQUEZ responded, "Alright. Cool. Perfect."

416. On April 15, 2013, at approximately 6:10 p.m., VAZQUEZ, using Target Phone 42 (Call # 2581), had a conversation with ELSING, using (608)

577-7933. During the conversation, VAZQUEZ explained that PASKON was going to supply another half kilogram which would allow VAZQUEZ to fill ELSING's original order for two kilograms, but ELSING explained that he only brought enough money to pay for 1 ½ kilograms. Specifically, VAZQUEZ stated, "Shit. No. But I was gonna ask you, uh yeah, you didn't bring enough for two [VAZQUEZ wanted to know if ELSING brought enough money to pay for two kilograms of cocaine], though, right?" ELSING replied, "No, I didn't." VAZQUEZ stated, "Okay. Yeah, this fucker threw me an extra one [PASKON was going to supply another half kilogram]." ELSING replied, "Mother fucker. I had it too, and I gave it to him [ELSING originally received money to pay for two kilograms but returned a portion of the money to his unknown customer.]" VAZQUEZ stated, "He's a fucking dick. Like, I don't know why he plays games, like this. Um yeah. He threw me an extra one. So, I had enough, for like, to fill your order. But, it's all good, though. Uh, I mean, I can definitely use it here, though. You know? But, I was just, I was just trying to fill your order. Alright, no. It's all good, though. Fuck it. He gave me an extra one. I'm good, now, though." ELSING replied, "I got one more toll and then I'll be in town. So..." VAZQUEZ stated, "Cool. I'm just grabbing some dinner. Everything is already at my crib, waiting for us."

417. On April 15, 2013, at approximately 7:26 p.m., VAZQUEZ, using Target Phone 42 (Call # 2594), received an incoming text message from PASKON, using Target Phone 46. In the message, PASKON instructed VAZQUEZ to give him money to pay a portion of the outstanding debt from previous narcotics deliveries, in addition to the money to pay for two kilograms delivered earlier in the day. The text message read: "Dont forget to throw me something for the past."

**d. VAZQUEZ delivered 1 ½ kilograms of cocaine to ELSING which was later seized by Wisconsin State Police.**

418. On April 15, 2013, at approximately 7:31 p.m., VAZQUEZ, using Target Phone 42 (Call # 2596), had a conversation with ELSING, using (608) 577-7933. During the conversation, ELSING stated, "I just got off on California. Looks like the traffic blows." VAZQUEZ replied, "Yeah. It's... We definitely chose the wrong time to come." ELSING stated, "Yeah. No. It took me like, fucking, 45 minutes to go like, a mile and a half." VAZQUEZ replied, "Really?" ELSING stated, "Yeah. But, I should be there soon." VAZQUEZ replied, "Yeah. Um, okay."

419. On April 15, 2013, at approximately 7:31 p.m., VAZQUEZ, using Target Phone 42 (Call # 2597), had a conversation with SHAHBAZ, using (312)619-0779. During the conversation, VAZQUEZ informed SHAHBAZ that

ELSING was en route and asked SHAHBAZ to go to the stash house at 3130 N. Lake Shore Drive, prepare the one and a half kilograms for ELSING, and transport the cocaine to VAZQUEZ's residence, located at 330 W. Diversey. Specifically, VAZQUEZ stated, "Uh, Bran's [ELSING] here, already. But, I'm all the way... I'm gonna be at my girl's house in two minutes and then, I'm flying back, over there." SHAHBAZ asked, "Where is he at?" VAZQUEZ replied, "He just got off on Cali [California Avenue exit of Interstate-90]." SHAHBAZ responded, "Oh, where?" VAZQUEZ stated, "Yeah. So, he's gonna be there like, in ten minutes." SHAHBAZ replied, "Shit. Alright. Um, want me to head over there [3130 N. Lake Shore Drive], or what?" VAZQUEZ stated, "Yeah. If you could, bro. At least (unintelligible) at least, I'll meet you guys at my house. You know? At least, we gotta go back and grab that thing [transport the cocaine to VAZQUEZ's home]." SHAHBAZ replied, "Alright. Cool. I'm gonna start heading over there, right now." VAZQUEZ stated, "Yeah. Cool. Perfect. 'Cause, he's, you know, he's already here and we don't want him waiting around. He got all that money, on him." SHAHBAZ replied, "Hell no. Cool. On my way."

420. On April 15, 2013, at approximately 7:46 p.m., surveillance observed a black Dodge Challenger, bearing Wisconsin plate 249NSU, arrive and enter

the outdoor parking area located in the rear of the 330 W. Diversey property.<sup>30</sup>

ELSING got out of the black Dodge, opened the trunk, removed a black bag and closed the trunk lid. Surveillance observed ELSING remove a phone from his pocket and walk toward the 330 W. Diversey building while carrying the black bag.

421. On April 15, 2013, at approximately 7:46 p.m., approximately the same time that surveillance observed ELSING remove his phone and head toward the 330 W. Diversey building, VAZQUEZ, using Target Phone 42 (Call # 2598), had a conversation with ELSING, using (608) 577-7933. During the conversation, ELSING informed VAZQUEZ that he arrived at 330 W. Diversey and VAZQUEZ said he would be there shortly. Specifically, VAZQUEZ answered, "What up, Bran?" ELSING replied, "Yeah. Shit. Walking up [ELSING arrived at 330 W. Diversey]." VAZQUEZ stated, "Uh (sneeze)... Sorry, I need about five, ten minutes to get there. I'm at my other pl... Uh, my other house." ELSING replied, "Ah, you mother fucker." VAZQUEZ stated, "I had to go back and get it 'cause, I didn't bring it with me, over there, yet. Just 'cause, I don't like having nothing over there [VAZQUEZ did not like having cocaine at his residence located at 330 W. Diversey]. So, I'm coming like, I'm five minutes

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<sup>30</sup> Both buildings utilized by VAZQUEZ for his drug trafficking activities, 330 W. Diversey, Chicago, Illinois and 3130 N. Lake Shore Drive, Chicago, Illinois, are high rise apartment buildings with internal garages.

away, at my other house.” ELSING replied, “Alright. There ain’t no five minutes in Chicago.” VAZQUEZ stated, “Uh, yeah there is. BZ [SHAHBAZ] is already on the way there, to meet you up, anyway. So, while I’m go to the house.” ELSING replied, “Alright. (Unintelligible)” VAZQUEZ stated, “He’ll be right there. He’ll be right there any second.” ELSING replied, “Yeah. I’m outback [ELRING was at the rear exterior parking area at 330 W. Diversey].” VAZQUEZ stated, “Alright. Cool. We’ll be right there.”

422. On April 15, 2013, at approximately 7:48 p.m., VAZQUEZ, using Target Phone 42 (Call # 2599), had a conversation with SHAHBAZ, using (312) 619-0779. During the conversation, VAZQUEZ stated, “Yeah. What’s your ETA, B’s [ELRING] already there?” SHAHBAZ replied, “Uh, I’m, I just got to the trap [Stash house located at 3130 N. Lake Shore Drive], right now.” VAZQUEZ stated, “Oh you, oh, you did? Oh, perfect. He’s already uh, he’s in that back parking lot.” SHAHBAZ replied, “Okay. So, after I get it um, bring him up, bring him up to the, to the crib?” VAZQUEZ stated, “Yeah, ‘cause, we gotta count it [ELRING’s payment] all and all that.” SHAHBAZ asked, “Where you at?” VAZQUEZ replied, “I’m already driving that way.” SHAHBAZ stated, “How am I going to get the crib, is my thing?” VAZQUEZ replied, “How, how are you gonna to get in?” SHAHBAZ replied, “Yeah.” VAZQUEZ stated, “Uh, you don’t

have a key? Oh, well, HB [PEREZ] should be actually there, too, actually. He should be there any second.” SHAHBAZ replied, “Alright. Let me call him.”

423. On April 15, 2013, at approximately 7:50 p.m., surveillance observed the black Jeep, previously observed on surveillance being used by VAZQUEZ and his workers, enter the parking garage at 3130 N. Lake Shore Drive.

424. On April 15, 2013, at approximately 7:54 p.m., VAZQUEZ, using Target Phone 42 (Call # 2605), had a conversation with ANGEL PEREZ, aka “Hellboy,” aka “Fatboy,” using (872) 209-9218. During the conversation, VAZQUEZ informed PEREZ that SHAHBAZ needed to get into the apartment at 330 W. Diversey. During the conversation, VAZQUEZ stated, “Uh, no, BZ [SHAHBAZ] needs to get in the house and you got the key.” PEREZ replied, “I’m gonna call Individual K [employee at the 330 W. Diversey property] and tell him to get him in.”

425. On April 15, 2013, at approximately 7:56 p.m., VAZQUEZ, using Target Phone 42 (Call # 2606), had a conversation with SHAHBAZ, using (312) 619-0779. During the conversation, SHAHBAZ stated, “Yeah, this nigger’s car is there [ELSING’s car was parked on the property], bro.” VAZQUEZ replied, “Yeah. I got Individual K [Unknown employee at the 330 W. Diversey property] opening the door for you, right now, bro. Relax. Calm down.”

426. On April 15, 2013, at approximately 8:02 p.m., surveillance observed the black Jeep exit the parking garage at 3130 N. Lake Shore Drive. At 8:05 p.m., surveillance observed the black Jeep arrive and enter the parking garage at 330 W. Diversey.

427. On April 15, 2013, at approximately 8:06 p.m., VAZQUEZ, using Target Phone 42 (Call # 2607), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ stated, "Okay. So um, you could pretty much head out, whenever you want. Um. we're over here at my house, already." PASKON replied, "Alright. Just let me know when you're ready, brother." VAZQUEZ stated, "I mean, you're pretty much... We're pretty much ready." PASKON replied, "Okay. (Unintelligible)." VAZQUEZ stated, "By the time I finish, by the time I finish with him [ELSING], like, you know, it's gonna be quick. It's (unintelligible)." PASKON replied, "Okay. You remember to throw me a little extra?" VAZQUEZ stated, "Well, actually, I only gave my guy [ELSING] um, one and a half [1 ½ kilograms of cocaine]. From Wisconsin. Because, I didn't know you were giving me the other half." PASKON replied, "Okay." VAZQUEZ stated, "So um, I pretty much did a half [VAZQUEZ delivered a half kilogram to other customers], myself, throughout the day. Well, a little less than that. So, I'm gathering... I'm trying to clear you up [VAZQUEZ was trying to pay off old narcotics debts to PASKON], too. You know what I'm

saying? Like, I said I would. But, I only gave him one and a half. So, all the money that I did make is going to clear up the other half, real quick. 'Cause, I want at the minimum, do that. So, just give me another day, I'll have more money, tomorrow. You know? I just wanted to make sure I give you these two, real quick." PASKON replied, "Alright. Cool. Um, I'll be there in 25 minutes." VAZQUEZ replied, "Okay. Take your time."

428. On April 15, 2013, at approximately 8:42 p.m., VAZQUEZ, using Target Phone 42 (Call # 2618), had a conversation with PASKON, using Target Phone 46. VAZQUEZ answered, "What up, E?" PASKON replied, "What's good? I'll be there in uh, five minutes. Please, don't have me waiting downstairs, with this [half kilogram of cocaine]." VAZQUEZ responded, "Oh, okay. No problem." At approximately 8:50 p.m., VAZQUEZ, using Target Phone 42 (Call # 2625), had another conversation with PASKON, using Target Phone 46. During the conversation, PASKON stated, "I'm here." VAZQUEZ replied, "And I was gonna do it too, man. Yeah. Alright. Cool. Here I come."

429. On April 15, 2013, at approximately 8:56 p.m., surveillance observed PASKON's black Volkswagen arrive and park near the front door of the 330 W. Diversey building. PASKON left the Volkswagen and entered the front door of the property.

430. On April 15, 2013, at approximately 8:56 p.m., VAZQUEZ, using Target Phone 42 (Call # 2626), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ answered, "Yeah, I'm in the elevator." PASKON replied, "Okay. I'm parked by the main entrance." Later in the conversation, PASKON stated, "Only 'cause, there is like, two, two Com Ed vehicles sitting over on the other side, I don't like." VAZQUEZ stated, "There's two what?" PASKON replied, "Two Com Ed vehicles. I don't like those guys." VAZQUEZ stated, "Oh, okay. Yeah. I don't like those, either. Alright." PASKON replied, "But I'm, I'm in the front, by the door man."

431. On April 15, 2013, at approximately 8:59 p.m., surveillance observed PASKON exit the front door at 330 W. Diversey. Surveillance observed PASKON carrying a black bag in his hand as he entered the black Volkswagon. PASKON drove away from the area in the Volkswagon.

432. On April 15, 2013, at approximately 9:01 p.m., surveillance observed ELSING exit the door at 330 W. Diversey. Surveillance observed ELSING walk quickly to the black Dodge with a black bag in his hand. ELSING opened the trunk of the Dodge, placed the black bag into the trunk, and closed the lid. Surveillance observed ELSING get into the Dodge and drive from the lot.

433. At approximately 9:16 p.m., surveillance observed the black Dodge enter westbound Interstate 90/94 at California Avenue and head toward

Wisconsin. Investigators contacted members of the Wisconsin State Troopers and asked for the troopers to develop independent probable cause to stop ELSING's black Dodge and search the car.

434. At approximately 10:50 p.m., Wisconsin State Troopers initiated a traffic stop of ELSING in the black Dodge for speeding. The Troopers' search of ELSING's Dodge recovered approximately 1500 grams of cocaine from the Dodge. Investigators submitted the recovered substance to the DEA's North Central Laboratory for analysis and the analysis found it to contain approximately 1472 grams of cocaine hydrochloride.

- e. **On April 16, 2013, VAZQUEZ learned of ELSING's stop and arrest, informed PASKON and stopped using his phone.**

435. On April 16, 2013, at approximately 11:55 a.m., VAZQUEZ, using Target Phone 42 (Call # 2670), had a conversation with PASKON, using Target Phone 46. During the conversation, VAZQUEZ explained how ELSING was stopped by the police. Specifically, VAZQUEZ stated, "Shit. What's going on, bro? How you doing?" PASKON stated, "Chillin'. Chillin'. Okay, I want to uh, I want to throw you uh, I want to throw you some more of these [kilograms of cocaine]. Two or three of 'em more. Right now. Uh, is any of your driver's available?" VAZQUEZ replied, "Um, man. You know what, bro? My mother fucking um, my guy from yesterday, he say, he got popped [VAZQUEZ informed

PASKON of ELSING being arrested in Wisconsin following the delivery of approximately 1500 grams of cocaine], G.” PASKON stated, “What do you mean?” VAZQUEZ replied, “He say, he got popped on the way back home.”<sup>31</sup> PASKON responded, “No.” VAZQUEZ stated, “Yeah, bro. I don’t know what’s going on, bro. I, I, I just turned it [VAZQUEZ phone] back on. It’s been off since yesterday. I just turned it back on, now. Um, but I wasn’t even trying to answer these phone calls. I just saw it was you.” PASKON replied, “Son of a bitch.” VAZQUEZ stated, “Yeah, I mean, I... I don’t know what’s going on. I don’t know if this heat’s from us or from him [VAZQUEZ was unsure if he, PASKON or ELSING was the target of a law enforcement investigation], but, if they got him, it’s most likely from him. Right?” PASKON replied, “Yeah. It’s gotta be from him. Because, if anything, they would of... They would have already done something.” VAZQUEZ stated, “Right. They would have got our ass, already. Right?” PASKON replied, “Exactly. Definitely. They wouldn’t have came after

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<sup>31</sup> On April 16, 2013, at approximately 3:01 a.m., VAZQUEZ, using Target Phone 42 (Call# 2650), had a conversation with an unknown person, using (608) 449-7976. Due to the early morning hour, this call was not monitored. Call records indicate the duration to be approximately 00:02:11. LexisNexis database records indicate (608) 449-7976 to be utilized by “Individual L.” LexisNexis Records show Individual L having a secondary address in Wisconsin shared by ELSING. Because of the association of this phone with ELSING, the statements VAZQUEZ makes about information from ELSING in call number 2670, and the fact that VAZQUEZ stopped using Target Phone 42 on April 16, 2013, as he referenced, I believe that call number 2650 was the call from ELSING informing VAZQUEZ of ELSING’s traffic stop and the cocaine seizure.

him, in the first place. They would of came after me or you.” VAZQUEZ stated, “That’s what I’m saying. So, I’m kind of tweakin’, right now, bro. I’m not gonna even lie. I’m fucking tweakin’, right now. I’m switching everything up, bro. I’m gonna call you in about 15, 20 minutes from uh, the new one [VAZQUEZ would obtain a new telephone and call PASKON].” PASKON replied, “Alright. Cool.” VAZQUEZ stated, “Alright. Bye.”

436. On April 16, 2013, at approximately 12:01 p.m., VAZQUEZ, using Target Phone 42 (Call # 2671), had a conversation with MIRELES, using (773) 592-4755. During the conversation, VAZQUEZ explained that ELSING was stopped by the police and instructed MIRELES to obtain four new telephones. VAZQUEZ answered, “Yo.” MIRELES replied, “What happened?” VAZQUEZ stated, “Shit, bro. Get uh... “B” got popped off, leaving over here [VAZQUEZ explained ELSING was arrested following the delivery of approximately 1500 grams of cocaine].” MIRELES replied, “Who?” VAZQUEZ stated, “B. B. B. B.” MIRELES replied, “Oh, shit. What the fuck.” VAZQUEZ stated, “You have to... Yeah, get up with us, come over here. Uh, go get... Go get f... Uh, cuatro telefonos [VAZQUEZ instructed MIRELES to obtain four telephones].” MIRELES replied, “Alright.” VAZQUEZ stated, “Hurry up.”

437. Telephone records for Target Phone 42 indicate that the last outgoing call was placed at approximately 4:37 p.m. on April 16, 2013.

Telephone records for Target Phone 46 indicate that the phone received an incoming call from Target Phone 45, VAZQUEZ's new phone, at approximately 3:17 p.m. on April 16, 2013.

438. Based on the foregoing I believe that on April 15, 2013, ERIC PASKON supplied cocaine to VAZQUEZ, 1 ½ kilograms of which VAZQUEZ supplied to BRANDON ELSING which was seized by law enforcement.

**xvii. On April 18, 2013, JAMESON HAMLIN delivered 100 grams of heroin to MALCOLM HARRIS.**

439. On April 18, 2013, at approximately 10:54 a.m., JAMESON HAMLIN, using Target Phone 41 (Call # 5240), had a conversation with MALCOLM HARRIS, using (773) 297-3334. During the conversation, HAMLIN and HARRIS discussed HARRIS's order of 100 grams of heroin for the price of \$6,250.00. Specifically, HARRIS asked, "You got some dog food [heroin]?" HAMLIN replied, "Yeah." HARRIS asked, "What's the ticket for a dollar, [HARRIS asked for a price for 100 grams of heroin] real quick?" HAMLIN replied, "Sixty five [\$65.00 per gram]." HARRIS stated, "You always trying to put a extra five on some shit." HAMLIN replied, "What do you mean, I'm always trying to put an extra five on something, man? I gotta eat [profit] too, man." HARRIS stated, "Man, you eatin' without that five. Fuck you talking about?" HAMLIN replied, "Man, whatever, man. Come on with the sixty two fifty

[\$6250], man.” HARRIS stated, “Alright. I’m finna leave from the Daley building. I’m gonna call you in a minute.”

440. On April 18, 2013, at approximately 5:19 p.m., HAMLIN, using Target Phone 41 (Call # 5310), had a conversation with HARRIS, using (773) 297-3334. During the conversation, HARRIS asked how long it would take the obtain the 100 grams. Specifically, HARRIS asked, “How long will it be? ‘Cause, dude said, he on his way out here. How long it gonna be before you can uh, give me that dollar?” HAMLIN replied, “Shit, about 30, about 45 minutes, an hour.” HARRIS responded, “Damn, man.” HAMLIN stated, “You should of called back.” Later in the conversation, HARRIS stated, “Damn, man. I’m gonna tell dude, like forty minutes, then.” HAMLIN replied, “Alright.”

441. On April 18, 2013, at approximately 6:48 p.m., HAMLIN, using Target Phone 41 (Call # 5336), had a conversation with HARRIS, using (773) 297-3334. During the conversation, HAMLIN informed HARRIS he was growing tired of waiting for HARRIS to take the delivery of 100 grams. Specifically, HAMLIN stated, “Hey man, you bullshitting, man. You got me out here sitting around with this bullshit, while you’re down there, God damn it. I hope you got my mother fucking money, when I see your ass.” Later in the conversation, HAMLIN stated. “So, what you gonna do, man? I’m still sitting over here on Lockwood.” HARRIS replied, “(Unintelligible) You on Lockwood, where?”

HAMLIN stated, "By your sister's house, sitting in the car. Waiting on you. You told me, 30 minutes." HARRIS replied, "Man, I... look. Damn, man. I'm over... You're sitting by the house? Here I come. I'm coming right now, man." HAMLIN stated, "You still down there. I'm not gonna sit right here, all this time, while you're all the way down..." HARRIS replied, "Ah, just put it... Look, just put it up around the corner [HARRIS suggested HAMLIN secure the heroin in a building until he arrived]. I'm coming, right now. They, they already in the area, right there." HAMLIN responded, "Put it up around what corner?" HARRIS stated, "Where ever you could put it up, 'till I get up there. I ain't finna be no... I'm leaving, right now. I'm leaving from out here, right, right now." HAMLIN replied, "You gonna have to come on Lavergne [Madison and Lavergne] then, man."

442. On April 18, 2013, at approximately 6:48 p.m., surveillance in the area of Madison Street and Lavergne Avenue, in Chicago, Illinois observed the following:

a. At approximately 6:58 p.m., HAMLIN, driving a white Nissan Murano, arrived and parked on the street at approximately 3 N. Lavergne. HAMLIN was the lone occupant and remained seated in the Nissan.

b. At approximately 7:32 p.m., HAMLIN drove the white Nissan across the street into the Whale Fish and Chicken restaurant located at 4955 W. Madison.

443. On April 18, 2013, at approximately 7:36 p.m., HAMLIN, using Target Phone 41 (Call # 5382), had a conversation with HARRIS, using (773) 297-3334. During the conversation, HARRIS informed HAMLIN that HARRIS was close to HAMLIN's location. Specifically, HARRIS stated, "I'm pulling up, right now." HAMLIN replied, "Where you at?" HARRIS stated, "(Unintelligible) I'm finna turn on..." HAMLIN asked, "Where you at, right now?" HARRIS replied, "Right here on (unintelligible)." HAMLIN stated, "On who?" HARRIS replied, "Washington and Leclair." HAMLIN stated, "Cause, I'm right here, across the street, in uh, the chicken restaurant lot." HARRIS replied, "You got it [100 grams of heroin] on you?" HAMLIN responded, "Yeah." HARRIS stated, "Alright. I'm finna pull over there."

444. On April 18, 2013, at approximately 7:40 p.m., surveillance observed a gray Kia arrive and enter the parking lot at 4955 W. Madison and park next to the white Nissan. Surveillance observed HARRIS exit the Kia and enter the front passenger seat of the Nissan with HAMLIN. An unknown female remained seated in the front passenger seat of the Kia. After approximately one minute, surveillance observed HARRIS leave the Nissan and enter the Kia. The

Kia left the lot and drove west bound on Madison. Mobile surveillance of the Kia was initiated. At approximately 7:45 p.m., the gray Kia arrived and parked at in the alley at the rear of 723 N. Lockwood.

445. On April 18, 2013, at approximately 8:30 p.m., HAMLIN, using Target Phone 41 (Call # 5407), had a conversation with HARRIS, using (733) 297-3334. During the conversation, HAMLIN asked how long it would be until HARRIS paid for the 100 grams. Specifically, HAMLIN stated, “How long you gonna be?” HARRIS replied, “It’ll be like, twenty minutes. I’m still... I’m sitting at the house waiting on him [HARRIS was waiting for his heroin customer to arrive].” HAMLIN stated, “Alright.”

446. On April 18, 2013, at approximately 9:00 p.m., HAMLIN, using Target Phone 41 (Call # 5418), received a text message from HARRIS, using (773) 297-3334. In the text, HARRIS related that his customer arrived and was examining the heroin delivered by HAMLIN. The text message read: “He checking it you I m going to call you in a minute”.

447. On April 18, 2013, at approximately 10:01 p.m., HAMLIN, using Target Phone 41 (Call # 5420), had a conversation with HARRIS, using (773) 297-3334. During the conversation, HARRIS told HAMLIN that the unknown customer did not like the quality of heroin delivered by HAMLIN. Specifically, HAMLIN stated, “What’s happening?” HARRIS replied, “Shit. Where you at

'cause, he, he don't like it." HAMLIN stated, "Alright. Where you at?" HARRIS replied, "I'm gonna pull back up on Lockwood. It's [heroin] on Lockwood, though." HAMLIN replied, "Alright. I'm gonna come that way in a couple minutes." HARRIS replied, "Alright."

448. Based upon the intercepted communications setting up the purchase of 100 grams of heroin at the agreed price of \$6250, surveillance observations of the meeting between HAMLIN and HARRIS thereafter on April 18, 2013, and my training and experience and that of my fellow investigators, I believe HAMLIN supplied HARRIS with 100 grams of heroin during this meeting which HARRIS then decided to return.

**xviii. On May 26, 2013, VAZQUEZ arranged to receive two kilograms of cocaine from PASKON.**

449. On May 26, 2013, at approximately 5:28 p.m., VAZQUEZ, using Target Phone 45 (Call # 5038), had a conversation with PASKON, using Target Phone 49. During that conversation, PASKON informed VAZQUEZ that he would deliver a quantity of cocaine to VAZQUEZ on the following day. Specifically, VAZQUEZ stated, "How you doing, my brother?" PASKON replied, "Great. I'm great. Uh, I will see you tomorrow." VAZQUEZ replied, "Uh, what time? early?" PASKON stated, "Yeah, probably early. The earlier, the better." VAZQUEZ replied, "Oh, snap. Alright. What, what you, what you got for me,

five? Six [VAZQUEZ asked how many kilograms of cocaine PASKON would supply suggesting 5 or 6]?” PASKON stated, “Uh, how about I just give you two. And then come back and give you two, two more and then two, again. You know what I mean? We’ll do it like that [PASKON stated that he would supply VAZQUEZ two kilograms of cocaine at a time].” VAZQUEZ replied, “Okay.”

- a. **On May 27, 2013, PASKON received cocaine from his source which he then delivered to VAZQUEZ’s worker MIRELES.**

450. On May 27, 2013, at approximately 10:00 a.m., surveillance observed PASKON driving a black Volkswagen Touareg arrive and park in the alley near 2715 N. Cicero Avenue. Approximately 12 minutes later, surveillance observed PASKON drive the Volkswagen into the alley north of Schubert Street and park adjacent to a red Chevrolet pick up which was now parked in the alley. While remaining in the vehicles, the Unknown Male driver of the red Chevrolet handed a large white, weighted bag to PASKON through the driver’s side window. Following the transaction, each vehicle drove from the area.

451. On May 27, 2013, at approximately 1:15 p.m., VAZQUEZ, using Target Phone 45 (Call # 5069), had a conversation with PASKON, using Target Phone 49. During the conversation, PASKON informed VAZQUEZ that he had a quantity of cocaine to deliver and that PASKON would call MIRELES directly to set up the delivery. Specifically, PASKON stated, “Oh yeah, what’s good? I

know Pop's [MIRELES] phone is off. I tried calling that [guy] this morning. I was just gonna slide that shit to him [Deliver a quantity of cocaine directly to MIRELES] but that shit, that man's phone is off, too." VAZQUEZ replied, "No, I just talked to him [MIRELES]." PASKON stated, "Oh, maybe... Maybe he turned it on. Yeah, I tried him earlier. I tried him like around 10:30 or 11:00." VAZQUEZ replied, "Oh, yeah. No. I just talked to him, he's up." PASKON stated. "Alright, let me call him." VAZQUEZ replied, "Alright. You gonna uh, are you gonna go grab that now [delivery cocaine to MIRELES], then?" PASKON stated, "Yeah." VAZQUEZ replied, "Alright, cool."

452. On May 27, 2013, at approximately 1:28 p.m., surveillance observed PASKON, carrying the white bag, walk into the front door of the residence located at 2735 W. Lemoyne, which the investigation had previously identified as PASKON's stash house.

453. On May 27, 2013, at approximately 1:49 p.m., VAZQUEZ, using Target Phone 45 (Call # 5077), had a conversation with PASKON, using Target Phone 49. During the conversation, PASKON informed VAZQUEZ that PASKON would be raising the price for cocaine by \$500, but the current price would remain \$34,000.00. Specifically, PASKON stated, "Hey, you know what? You know what I forget to tell you too, man? They, they [PASKON's cocaine source] raised the prices on me, only because I gotta pay the trucker. But I'm not

gonna raise them to you on this batch [The current cocaine price will remain the same]. The next one I might have to bump it up just like, maybe just five hundred [increase the price of each kilogram of cocaine by \$500,00]. ‘Cause, they’re... ‘Cause now, now them cock suckers they’re gonna, they were gonna switch off paying the trucker. I gotta pay a month. They gotta pay a month, so.” VAZQUEZ replied, “Oh, yeah?” PASKON stated, “So, whenever (unintelligible) to them, it’s only five hundo [\$500.00].” Later in the conversation, PASKON stated, “But for right now, we’re still at just thirty-four [\$34,000.00 per kilogram of cocaine].” VAZQUEZ replied, “Okay.”

454. On May 27, 2013, at approximately 1:57 p.m., surveillance observed FRANCISCO MIRELES, driving a gray Honda Odyssey, arrive and park on Cicero Avenue, just south of Schubert, in the same area surveillance observed PASKON receive the white bag earlier in the day.

455. On May 27, 2013, at approximately 2:05 p.m., VAZQUEZ, using Target Phone 45 (Call # 5080), had a conversation with MIRELES, using (224) 619-0384. During the conversation, VAZQUEZ asked, “Shit, you talk to E [PASKON]?” MIRELES replied, “Yep.” VAZQUEZ asked, “How long before you see him?” MIRELES replied, “Like five, ten minutes.” VAZQUEZ stated, “And then you come shake it off [deliver kilograms to the stash house at 3130 N. Lake Shore Drive]?” MIRELES replied, “Yep.” Later in the conversation, MIRELES

asked, "How many [kilograms] are we getting?" VAZQUEZ replied, "I think three or two maybe. But I got six total [VAZQUEZ expected a total of six kilograms from PASKON]." MIRELES stated, "Fuck it. I'll just keep this shit (unintelligible)." VAZQUEZ replied, "Yeah, I got two, two, two [VAZQUEZ expected to receive a total of six kilograms]. So, I'm good." MIRELES stated, "Alright, fuck it. I'll call you as soon as I have them in hand." VAZQUEZ replied, "Alright. Cool. I'm gonna dress and just go to the office [stash house located at 3130 N. Lake Shore Drive] and start getting shit ready."

456. At approximately 2:18 p.m., surveillance observed PASKON arrive in the black Volkswagen and enter the alley east of Cicero Avenue followed by the gray Honda driven by MIRELES. Less than one minute later, both vehicles drove from the alley.

457. At approximately 2:50 p.m., surveillance observed the gray Honda enter the enclosed parking facility at 3130 N. Lake Shore Drive.

458. Based on the forgoing, I believe that on May 27, 2013, ERIC PASKON supplied DANIEL VAZQUEZ and FRANCISCO MIRELES with two kilograms of cocaine.

- b. VAZQUEZ and MIRELES supplied FREYTES with 250 grams of cocaine.**

459. On May 27, 2013, at approximately 3:06 p.m., VAZQUEZ, using Target Phone 45 (Call # 5098), had a conversation with NEFTALI FREYTES, a/k/a “Lucky,” using (773) 982-1425. During the conversation, FREYTES ordered 500 grams of cocaine from VAZQUEZ but VAZQUEZ agreed to supply him with only 250 grams due to FREYTES’s pending debts for prior cocaine supplied.

a. Specifically, FREYTES asked, “Yeah, we can’t get no (unintelligible) yet, man?” VAZQUEZ replied, “No what?” FREYTES stated, “No work [cocaine].” VAZQUEZ stated, “I just walked in the door, actually.” FREYTES replied, “What do you mean?” VAZQUEZ stated, “I just touched down [VAZQUEZ informed FREYTES that he had just received a quantity of cocaine] right now.” FREYTES asked, “You got some work?” VAZQUEZ replied, “I just touched down, right now. That’s why I’m over here. I just came in to grab the shit.” FREYTES asked, “Okay. Um, can I get a full cheesie [500 grams of cocaine]?” VAZQUEZ replied, “Yeah. Are you paying for it or are you just gonna clear up the last one [VAZQUEZ wanted FREYTES to pay off all of his previous debt and then start new with the current delivery]? Start all over? Or how you doing it?”

b. Later in the conversation, FREYTES stated, “I don’t know. You told me, you were gonna start working on the price [FREYTES thought

VAZQUEZ might lower the price for cocaine] for me. ‘Cause, this shit been ridiculous. “VAZQUEZ stated, “What have we been doing? You were doing nineteen for the half [\$19,000.00 for 500 grams of cocaine]?” FREYTES replied, “I was doing... Yeah, nineteen for the half.” Later in the conversation, FREYTES stated, “How about this, we’ll meet half way. I’m gonna give you forty-eight [\$4800.00 owed for past cocaine deliveries]. ‘Cause, I (unintelligible) forty-seven fifty. I’m gonna give you forty-eight. Okay? You’re gonna send the ning ding [nine ounces/250 grams of cocaine] and then I’m gonna owe you ninety-five [\$9500.00 for 250 grams of cocaine].” VAZQUEZ replied, “Right. Okay.” FREYTES stated, “Okay. And then I’m gonna clear... I’ll be done with that, probably by the end of the day [FREYTES expected to have distributed the current supply of cocaine].” VAZQUEZ replied, “Okay. Bye. C’mon [VAZQUEZ agreed with FREYTES’s proposal to pay a portion of what he owed and receive another 250 grams of cocaine].”

460. On May 27, 2013, at approximately 3:29 p.m., surveillance observed MIRELES, driving the gray Honda Odyssey, leave the garage at 3130 N. Lake Shore Drive. At approximately 3:57 p.m., surveillance observed MIRELES begin to drive the gray Honda erratically; including stopping on the street for no apparent reason and executing unexplained u-turns. Fearing detection by the MIRELES given his erratic driving, surveillance stopped following him.

461. On May 27, 2013, at approximately 4:24 p.m., VAZQUEZ, using Target Phone 45 (Call # 5128), had a conversation with MIRELES, using (224) 619-0384. During the conversation, VAZQUEZ asked, "What you doing?" MIRELES stated, "About to finish up with Luck [delivered 250 grams to FREYTES], right now." VAZQUEZ replied, "Oh, yeah. And then, T?" MIRELES stated, "No, he's done [delivered cocaine to an unknown customer]." VAZQUEZ stated, "Damn, cuz. And then you're done, then."

462. Based on the foregoing, I believe that on May 27, 2013, VAZQUEZ and MIRELES supplied FREYTES with 250 grams of cocaine.

**c. On May 28, 2013, VAZQUEZ complains to PASKON of cocaine weight missing from PASKON's May 27 delivery.**

463. On May 28, 2013, at approximately 3:37 p.m., VAZQUEZ, using Target Phone 45 (Call # 5328), sent a text message to PASKON, using Target Phone 49. In the text, VAZQUEZ stated that two of the packaged quantities of cocaine were 25 grams short of the expected weight. The text message read: "Two of them short 25 g each".

464. On May 28, 2013, at approximately 3:47 p.m., VAZQUEZ, using Target Phone 45 (Call # 5069), received a text message from PASKON, using Target Phone 49. The text message read: "That s the way they come they were not open \$".

465. On May 28, 2013, at approximately 3:47 p.m., VAZQUEZ, using Target Phone 45 (Call # 5330), received a text message from PASKON, using Target Phone 49. In the text, PASKON stated that he would inform his source of the shortage. The text message read: "Let me tell them".

466. On May 28, 2013, at approximately 3:47 p.m., VAZQUEZ, using Target Phone 45 (Call # 5331), received a text message from PASKON, using Target Phone 49. In the text, PASKON stated that he would attempt to recover the loss for VAZQUEZ. The text message read: "C if they [PASKON's source] can do any thing".

### **C. Search Warrants**

467. This Affidavit is also offered in support of search warrants for the following residences for documents pertaining to the commission of conspiracy to possess a controlled substance with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, and possession of a controlled substance with the intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1):

a. 216 W. 31st Street, 2nd Floor Apartment, Chicago, Illinois (MICHAEL WHITING's apartment);

i. As set forth in Attachment A for the Application for a search warrant for 216 W. 31st Street, 2nd Floor Apartment,

Chicago, Illinois, the premises to be searched is the apartment on the second floor of a red-brick store front. The entrance door is an unmarked glass door. The apartment building is on the south side of the street and the entrance door faces north. On the east side of the building is a garage investigators have observed WHITING drive into to enter the residence.

- ii. In the course of the investigation, interceptions of WHITING's communications and surveillance of his activities have shown him to utilize the 216 W. 31st apartment many times for both his heroin trafficking and his residence. For instance:
- iii. On October 2, 2012, WHITING, using Target Phone 35, had a conversation (call#5108) with ANTONIO WHITING in which ANTONIO informed WHITING that ANTONIO was going to come over to WHITING's residence. Later at approximately 12:40 p.m., on October 2, 2012, in another conversation (call#5153) ANTONIO informed WHITING that he was downstairs. At approximately the same time, surveillance observed ANTONIO WHITING enter into 216 W. 31st St and later walk onto the balcony of the residence on the second floor while talking on the cell phone. Later the

same day, surveillance observed ANTONIO and MICHAEL WHITING leaving the 216 W. 31st Street apartment and leaving the area.

- iv. On October 9, 2012, MICHAEL WHITING, using Target Phone 35, had a conversation (call#6938) with ANTONIO WHITING in which MICHAEL directed ANTONIO to go to “Unc’s” [Richard Hicks] house to pick up the clothes [narcotics] and drop them off to MICHAEL WHITING. After the phone call, surveillance observed Antonio Whiting get out of a Pontiac Grand Prix and receive an unknown object from HICKS at 2907 W. Warren. Surveillance observed ANTONIO WHITING leave HICKS’s residence and later arrive at and enter the 216 W. 31st Street apartment.
- v. On December 1, 2012, MICHAEL WHITING had multiple conversations on Target Phone 35 with Individual M (Call nos. 17888,17898,17946) and ANTONIO WHITING (Call nos. 17987, 17995, 17997, 17998). During these conversations Individual M ordered 15 grams of heroin from WHITING. WHITING did not have the heroin with him so he had Individual M meet him on the west side of Chicago in a

restaurant parking lot where WHITING gave Wilson the key to his apartment at 216 W. 31st Street. WHITING instructed Individual M to pick up ANTONIO WHITING, give ANTONIO WHITING the key to the 216 W. 31st Street apartment that MICHAEL WHITING would give him and then drive ANTONIO WHITING to the apartment so that ANTONIO could retrieve the heroin from the apartment. Individual M's customer was to be in the car with him and ANTONIO so they planned to park around the corner from the apartment so that the customer did not see where the heroin was stored. After arriving at the condo, ANTONIO had a conversation with MICHAEL WHITING to find out where the heroin was located in the condo. WHITING directed ANTONIO to look by the little remote control in MICHAEL WHITING's room. After locating the heroin, ANTONIO informed MICHAEL WHITING that ANTONIO weighed the remainder and found it to be 130 grams of heroin.

b. 2457 W. Adams Street, 2nd floor apt. Chicago, Illinois  
(CHARLES JAMES's stash house);

- i. As set forth in Attachment A for the Application for a search warrant for 2457 W. Adams Street, 2nd floor apt. Chicago, Illinois, the premises to be searched is the apartment on the second floor of a orange-brick row home. The entrance door is a wooden door with an oval window in its center. Above the door in black numerals appears “2457.” The apartment building is on the south side of the street and the entrance door faces north. At the rear of the apartment is a black metal deck with a black metal stairway leading up from the back yard. The back entrance to the apartment is made through a white door with a black-screen door. The brick of the back of the building is orange, as is the front.
- ii. JAMES utilized the 2457 W. Adams Street, 2nd floor apt. multiple times in the course of the investigation several of which were detailed in the body of the affidavit concerning the seizure from GRIFFIN (paragraphs 290-388) and the seizure from BELCHER (paragraphs 110-167). The apartment was consistently referred to by JAMES and his co-conspirators as “Western,” likely due to its location on Adams Street just west of Western Avenue in Chicago.

c. 43 W. 44th Street Apt 2, Chicago, Illinois (CHARLES JAMES's residence);

i. As set forth in Attachment A for the Application for a search warrant for 43 W. 44th Street Apt 2, Chicago, Illinois, the premises to be searched is the apartment on the second floor of a orange-brick row home. The entrance door is a white front door with a white-bordered glass-screen door with a metal staircase walk-up. Above the door printed on the glass transom white numerals appear "43-2." The apartment building is on the south side of the street and the entrance door faces north. At the rear of the apartment is a wooden deck with a wooden stairway leading up from a common black-gated area shared by the other homes. The back entrance to the apartment is made through a black-screen door with a glass transom above it. The brick of the back of the building is orange, as is the front.

ii. Investigators have determined that W. 44th Street Apt 2, Chicago, Illinois, is JAMES's residence in the following ways:

iii. On November 15, 2012, surveillance observed JAMES leave 43 W. 44th St and enter a tan Chevrolet van. After a few

minutes, James exited the van and entered back into 43 W. 44th St. A short time later, James exited 43 W. 44th St, entered the same van, and left the area.

iv. On November 28, 2012, surveillance observed JAMES exit 43 W. 44th St, Apt. 2 and enter a beige Chrysler van.

v. On June 8, 2013, surveillance again observed JAMES leave the residence at 43 W. 44th Street. The door accessing apartment 2 is clearly marked 43-2 on the glass transom above the front doorway. James entered a Chrysler van bearing. The van then drove from the area.

d. 5327 W. Congress, 2nd floor apt. Chicago, Illinois (JAMESON

HAMLIN's residence);

i. As set forth in Attachment A for the Application for a search warrant for 5327 W. Congress, 2nd floor apt., Chicago, Illinois, the premises to be searched is the apartment on the second floor of a brown-brick two-story two-flat apartment building with white-trimmed windows. The entrance door is a red door, to the left and set back from the front of the house, and there is a multiple-unit buzzer box to the right of the front door. On the front brick of the house are the golden

numerals “5327.” The front yard of the residence is enclosed by a black wrought-iron fence. The apartment building is on the south side of the street and the entrance door faces north. At the rear of the apartment is a painted-brown wooden staircase which leads to the second floor apartment’s backdoor, which is white, and has a white screen door with a windowed upper half. The rear of the residence has a beige-vinyl sided addition. On the west of the residence is a paved driveway, bordered by a wooden fence to the west of the residence, and behind is a concrete paved area in the back yard. In the very back of the property is a beige-vinyl detached garage. The driveway is enclosed by a black wrought-iron gate.

- ii. Investigators have determined that 5327 W. Congress, 2nd floor apt., Chicago, Illinois, is the residence of JAMESON HAMLIN. Surveillance has observed him at the residence on multiple occasions. Additionally, on April 16, 2013, HAMLIN, using Target Phone 41, had a conversation with an Unknown Male (Call # 5073). During the conversation, HAMLIN told the Unknown Male that HAMLIN would not be available that

evening because it was his wife's birthday and HAMLIN will be taking her to dinner. Later the same day, HAMLIN, using Target Phone 41, had a conversation with his wife (Call # 5095), using XXX-XXX-4546. HAMLIN related birthday wishes and asked if the kids will be joining them for dinner, prior to the call being minimized.

iii. Peoples Gas billings records show 5327 W. Congress 2nd floor Apartment to be in the name of Individual N, with a date of birth of April 16, 1977 and the same telephone number of the individual involved with HAMLIN's conversation in call number 5095. Driver's license information for a woman with the same first name as Individual N and the last name "Hamlin," indicates that this person also lists the same birth date and the address 5327 W. Congress Pkwy.

e. 5517 N. Luna Street, Chicago, Illinois (EDUARDO RIVERA's residence);

i. As set forth in Attachment A for the Application for a search warrant for 5517 N. Luna Street, Chicago, Illinois, the premises to be searched is a white vinyl-sided single-family home with a red front porch with white railings and a light

maroon roof. The house is on the east side of the street, facing west. The entrance door is a dark color, with a white-framed screen door. Directly over the door, the numerals “5517” are mounted. The rear of the home has a back door which opens onto a green wood deck and a cellar door which opens at steps down from the back yard to the basement. The residence has a detached garage entered from the alley behind the house to the east. The garage is white vinyl-sided, with tan siding on the roof.

- ii. Investigators have determined that 5517 N. Luna Street, Chicago, Illinois, is the residence of EDUARDO RIVERA. Surveillance has observed him at the residence on multiple occasions. Additionally, utilities for the home are registered to RIVERA’s girlfriend, Individual O. Conversations on RIVERA’s phone confirm this relationship and their shared home.
- iii. For instance, on February 19, 2013, at approximately 3:37 p.m., RIVERA, using Target Phone 40 (Call # 311), had a conversation with Individual P, During the conversation, RIVERA and Individual P discussed Individual O. Later on

February 19, 2013, at approximately 7:25 p.m., RIVERA, using Target Phone 40 (Call # 325) spoke with Individual O, using (773) 620-4033. (773) 620-4033 is registered in Individual O's name at the 5517 N. Luna address. During the conversation, RIVERA stated that he picked up their child and was going home. Individual O stated she was just getting off work and heading home and concluded the conversation stating "Alright, I'll see you at the house, babe."

iv. On June 5, 2013, at approximately 1:15 p.m., surveillance observed RIVERA exit the residence at 5517 N. Luna, enter a white Toyota Camry, which was parked on the street and drive from the area. A moment later, surveillance observed a gray Nissan Pathfinder, bearing Illinois license A271105, leave the garage of the residence and drive from the area. A271105 is registered to Individual O at the 5517 N. Luna address.

f. 2735 W. LeMoyne, Apt. 3, Chicago, Illinois (ERIC PASKON's residence);

i. As set forth in Attachment A for the Application for a search warrant for 2735 W. LeMoyne, Apt. 3, Chicago, Illinois, the

premises to be searched is an apartment within a light-tan brick apartment building with stone in-lay ornamentation and white windows. The building spans multiple addresses, and sits on the corner of LeMoyne and Fairfield Avenue. The entrance to the residence is a glass door with a buzzer box with five buttons mounted to the left of the door. A bronze numeral plate with the numbers “2735” is mounted to the left of the entrance on a stone in-lay, and another bronze numeral plate with the numbers “2737” is mounted to the right of the entrance. The door at 2735 W. LeMoyne is on the south side of the street, facing north.

ii. ERIC PASKON is the registered owner of the apartment and, as referenced above in paragraphs 312; 397; and 452, surveillance has observed him there multiple times.

g. 3130 N. Lake Shore Drive West, Apt. 1904, Chicago, Illinois

(DANIEL VAZQUEZ’s stash house);

i. As set forth in Attachment A for the Application for a search warrant for 3130 N. Lake Shore Drive West, Apt. 1904, Chicago, Illinois, the premises to be searched is an apartment within a multi-unit brown brick high-rise apartment building

with each unit displaying a permanent window-unit air conditioner. The main entrance is a glass double-door, with full-length windows on both sides under a black awning with white lettering which states “3130 N. Lake Shore Drive.” The brick on either side of the main entrance is light tan, with white signs mounted on both sides of the door stating “3130 N. Lake Shore Drive” in brown lettering. On the first floor of the building are businesses, including a convenience store and a dry cleaners. The apartment to be searched is on the south side of the nineteenth floor and has a gray door with a chrome handle. Next to the door for the apartment is a gray placard with white numerals etched in stating “1904.”

- ii. As mentioned in paragraphs 408-411; 418-426; and 450-460, above, VAZQUEZ, MIRELES, SHAHBAZ, and PEREZ utilize the apartment to store cocaine and proceeds from the sale of the cocaine. Specifically, on June 6, 2013, at approximately 3:00 p.m., surveillance observed SHAHBAZ and PEREZ enter the apartment. Approximately 10 minutes later, surveillance observed MIRELES enter the apartment. On June 12, 2013,

at approximately 1:37 p.m., surveillance observed VAZQUEZ enter the apartment.

h. 6111 W. Higgins, 2nd floor, Chicago, Illinois (DANIEL VAZQUEZ's residence);

- i. As set forth in Attachment A for the Application for a search warrant for 6111 W. Higgins, 2nd floor, Chicago, Illinois, is a brick two-story residence which appears to contain a basement, first-floor and second-floor levels. At the front of the building is a short flight of stairs, cement landing and a common entry way leading to the first and second floors. There is a doorway located on the east side of the building positioned near the front of the structure. At the rear of the residence is an open wooden stairway leading to landings on the first and second floors which span the width of the building. There is a detached, vinyl sided two car garage in the rear off the alley.
- ii. Following the April 15, 2013, seizure of cocaine from BRANDON ELSING, VAZQUEZ moved his residence from the 330 W. Diversey building. Investigators have determined

that VAZQUEZ's residence is currently 6111 W. Higgins, 2nd floor, Chicago, Illinois, in the following ways:

- iii. On June 16, 2013, at approximately 11:30 a.m., surveillance observed DANIEL VAZQUEZ, wearing a blue T-shirt and light colored pants and Individual Q, wearing a white shirt and red shorts, exit the front door at 6111 W. Higgins. VAZQUEZ and Individual Q entered the blue Volvo and drove from the area.
- iv. Later, at approximately 9:39 p.m., the blue Volvo arrived and parked at approximately 6110 W. Higgins. VAZQUEZ exited the Volvo and entered the front door at 6111 W. Higgins. Moments later, the darkened 2nd floor apartment was illuminated. The front window of the 2nd floor apartment did not have any shades, blinds or covering of any kind obstructing the front window.
  - i. 6414 W. Belmont, Apt. 2nd Floor, Rear, North Apartment, Chicago, Illinois (NEFTALI FREYTES's residence);
    - i. As set forth in Attachment A for the Application for a search warrant for 6414 W. Belmont, Apt. 2nd Floor Rear, North Apartment, Chicago, Illinois, the premises to be searched is

an apartment on the second floor of a tan brick store-front building on the north side of the street. The building has reflective glass on much its front. On the first floor of the building is a business with window stickers stating “Pediatric Clinic LTD” in white writing on a blue background. The front door entrance to the apartments of the building is on the southeast corner of the building facing north. It is a glass door with parallelogram-shaped white stickers with italic-black numbers reading, “6414.” The second floor of the building has a rear entrance on the north side of the building accessible by a wooden staircase. The entrance has a brown metal door with a chrome ball-shaped handle.

- ii. 6414 W. Belmont, Apt. 2nd Floor Rear, North Apartment, Chicago, Illinois, is the residence of NEFTALI FREYTES. Surveillance has observed him entering and leaving the building on multiple occasions, and on April 12, 2013, and April 15, 2013, observed VAZQUEZ and PEREZ delivering cocaine to him at the address. Additionally, FREYTES is on parole from a Cook County Circuit Court conviction for Aggravated Unlawful Use of a Weapon in case number

12CR0407301 and has registered 6414 W. Belmont, Apt. 2nd Floor Rear, North Apartment, Chicago, Illinois, as his address with the Illinois Department of Corrections.

- iii. FREYTES has indicated that he has obtained a gun. Specifically, on April 3, 2013, at approximately 6:49 p.m., VAZQUEZ, using Target Phone 42, had a conversation (call#1000) with FREYTES in which they discussed a kidnaping incident and FREYTES informed VAZQUEZ that he acquired a “Bertha” [an assault rifle]. Specifically, FREYTES told VAZQUEZ that he wanted to acquire as many guns as possible because he didn’t want to be “naked” [referring to being without a weapon].

- j. 2002 beige Honda Odyssey Van, VIN 2HKRL18952H554373, with license plate R199154 (VAZQUEZ’s delivery vehicle);

- i. As described above in paragraphs 325; 408; 411; 454; 456; 457; and 460, VAZQUEZ and his crew utilize the 2002 beige Honda Odyssey Van, VIN 2HKRL18952H554373, with license plate R199154 in order to transport cocaine.
- ii. Calls intercepted in the course of the investigation indicate that the Odyssey has a concealed compartment which

VAZQUEZ and his associates utilize to hid cocaine and cocaine proceeds: for instance, on May 31, 2013, at approximately 12:26 p.m., VAZQUEZ, using Target Phone 45 (Call # 5791) had a conversation with an Unknown Male. During the conversation, VAZQUEZ and the Unknown Male discuss picking up the GMC Yukon, in which the Unknown Male had installed a hidden compartment. The two also discussed VAZQUEZ ordering floor mats to help conceal the hidden compartment in the Odyssey utilized by MIRELES. Specifically, the Unknown Male stated, "He's [Unknown Male's father] right there, bro. He's on his way back to the house so, he'll be there [Unknown location to pick up the GMC Yukon]." VAZQUEZ replied, "Perfect. I'm just leaving downtown and I'll be heading that way in a few minutes." Unknown Male stated, "Okay. Cool, bro. Call me when you're (unintelligible) and I'll let him know you're there." VAZQUEZ replied, "Thank you, bro." Unknown Male stated, "No problem." VAZQUEZ asked, "How soon can I get another car in there?" Unknown Male replied, "Uh, it all depends on how big [A large complex compartment would take more time]

we're looking at. 'Cause uh, I got two waiting right now." VAZQUEZ stated, "Oh, you do?" Unknown Male replied, "Yeah. But if it's something I can knock out right away, then I can look at it, real quick. But if not, 'til I'm done with these two." VAZQUEZ stated, "I think I still want him to do like, the floor mats or something for the vinna, [Van utilized by MIRELES] remember?" Unknown Male replied, "Right. Right. Right." VAZQUEZ stated, "Or something. 'Cause, it's just not right like that. Like, all you gotta do is lift it up and see there is something there [VAZQUEZ was concerned the hidden compartment would be exposed if anyone were to lift the carpeting in the van], you know?" Unknown Male replied, "Okay. Well, let me, let me get done with these two and then we'll figure out a day and get you, get you in."

- k. 2002 maroon GMC Yukon, VIN 1GKEK13Z02R245706, with license plate R196062 (VAZQUEZ's delivery vehicle).
  - i. As described above in paragraphs 327; 329; 331; 343-346; 363; 368, VAZQUEZ and his crew utilize the 2002 maroon GMC Yukon, VIN 1GKEK13Z02R245706, with license plate R196062, in order to transport cocaine and cocaine proceeds.

ii. Calls intercepted in the course of the investigation indicate that the Yukon has a concealed compartment which VAZQUEZ and his associates utilize to hid cocaine and cocaine proceeds: on April 14, 2013, at approximately 7:47 p.m., VAZQUEZ, using Target Phone 42 (Call # 2383) had a conversation with PEREZ, using (872) 209-9218. In the call, VAZQUEZ asked PEREZ about money MIRELES had given to PEREZ. PEREZ explained the money was stored in the hidden compartment in the Honday. During the conversation VAZQUEZ asked, "Hey, you got cash on you?" PEREZ replied, "Hell no." VAZQUEZ asked, "Where is all that money Pop [MIRELES] gave you?" PEREZ replied, "Oh, that's in uh, the trinap [trap]." VAZQUEZ asked, "Where at the house?" PEREZ replied, "Yeah, at the car. But in the trinap [PEREZ explained the money was still stored in MIRELES's van and not accessible to PEREZ], it's in the truck." VAZQUEZ replied, "Oh my God. We got no cash on us? What the fuck?" PEREZ stated, "Up in the trinap. Up in there."

468. I have participated in investigations that have lead to the issuance of search warrants involving violations of narcotic laws. These warrants

involved the search of locations including: residences of targets, their associates and relatives, “stash houses” (houses used as drug/money storage locations), storage facilities, bank safe deposit boxes, cellular/camera phones, and computers. Evidence, searched for, and recovered in these locations has included controlled substances, records pertaining to the expenditures and profits realized there from, monetary instruments and various assets that were purchased with the proceeds of the drug trafficking.

469. Through training, experience, and discussions with other experienced agents, I know that:

a. Drug traffickers commonly maintain books, papers, files, and other records which reflect the names, addresses and/or telephone numbers of their suppliers, couriers, customers, and other associates in the illegal drug trade.

b. Drug traffickers maintain books, records, receipts, notes, ledgers, airline tickets, money orders, and other files relating to the purchase, packaging, sale, distribution, and transportation of their product.

c. Drug traffickers conceal in their residences and/or places of business the proceeds of their illegal activity, including large amounts of United States currency, financial instruments, precious metals, jewelry, rare coins,

works of art, and other items of value, as well as books and records regarding the acquisition, use, and disposition of such items of value.

d. When drug traffickers amass large proceeds from the sale of controlled substances, they attempt to legitimize these profits, often accomplishing this goal by using the services of banks, other financial institutions, and real estate brokers; and maintain books and papers related to such efforts.

e. It is common for drug traffickers to maintain the aforementioned books, papers, and documents in secure places within their residences and/or places of business so that the drug traffickers have ready access to such information.

f. Drug traffickers frequently take, or cause to be taken, photographs of themselves, their associates in the drug trade, property acquired from the distribution of drugs, and their product, and such photographs are often kept in their residences and/or places of business.

#### **Items Requested To Be Seized at Search Sites a - k**

470. Based on the foregoing it appears that there is probable cause to seize from the foregoing locations the following items:

a. Paraphernalia for packaging, processing, diluting, weighing, and distributing controlled substances, such as scales, funnels, sifters, grinders,

glass panes and mirrors, razor blades, plastic bags, heat-sealing devices, and dilutants; and paraphernalia for packaging cash drug proceeds including heat sealing devices, plastic packaging for cash, rubber bands, and money-counting devices;

b. Personal books and papers reflecting names, addresses, telephone numbers, and other contact or identification data relating to distribution of controlled substances, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, electronic storage or other related equipment;

c. Books, records, receipts, notes, ledgers, airline tickets, money orders, wire transfer or money remittance records, and other records related to the receipt, expenditure and concealment or other disposition of income, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, electronic storage or other related equipment, relating to the distribution of controlled substances;

d. Cash, currency, financial instruments, and records relating to controlled substances income and expenditures of proceeds of drug transactions, and evidence of financial transactions relating to obtaining, transferring, secreting, or spending of large sums of money made from engaging, in drug trafficking activities;

e. Pagers, cellular phones, electronic organizers, caller identification, answering machine tapes, and other communication devices and the contents thereof, including names, addresses, telephone numbers and other contact or identification information of participants in drug trafficking activities;

f. Photographs of individuals, associates, their property and their drugs;

g. Records reflecting names, nicknames, addresses, and telephone numbers of both current and past drug associates;

h. Safes, safety-deposit boxes, keys for safety-deposit boxes, hidden compartments and other secure locations, which often contain the proceeds of narcotics-trafficking activity, including large amounts of United States currency, financial instruments, precious metals, jewelry, and other items of value, as well as books and records regarding the acquisition, use, and disposition of such items of value;

i. Canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bills, statements, identification documents and keys; and,

j. Documents related to rental, lease, or ownership of the search sites identified herein.

## No-Knock Arrest Warrants

471. Due to the armed nature of DANIEL VAZQUEZ, NEFTALI FREYTES, aka “Lucky,” and ANGEL PEREZ, aka “Hellboy,” aka “HB,” aka “Fatboy,” DEA and CPD request no-knock authority from the Court for the agents and officers executing each individual’s arrest warrant. Specifically, all three men have been involved in intercepted phone conversations discussing their possession of weapons. For instance:

a. On April 1, 2013, at approximately 5:48 p.m., VAZQUEZ, using target Phone 42 (Call # 560), had a conversation with SHAHBAZ, using (312) 619-0779. During the conversation, VAZQUEZ and SHAHBAZ discussed making money, avoiding being robbed by rival gang members, and leaving the Chicago area. Specifically, SHAHBAZ stated, “So, soon as I leave I go to Sammy’s to fucking check my whip just to make sure them niggers didn’t put a thing on it [SHAHBAZ examined his vehicle searching for a tracking device]. He wasn’t there but I just got out manually checked the whip and it was all good.” Later in the conversation, VAZQUEZ asked, “You didn’t get that plate number, did you?” SHAHBAZ replied, “It started with an N, I know. “ VAZQUEZ stated, “(Unintelligible)” SHAHBAZ replied, “We gotta, we gotta, we gotta figure out where to get these license plate numbers [vehicle registration] and do some more like, of our own investigations. You know what I’m saying?” VAZQUEZ stated,

“We gotta air them bitches out [shoot the rival gang members], man, That’s it. Air them niggers out every time we see them. Fuck that shit.”

b. On April 3, 2013, at approximately 9:32 a.m., VAZQUEZ, using Target Phone 42 (Call # 794), had another conversation with Individual R. During the conversation, VAZQUEZ informed Individual R of his temper and a ready supply of firearms. Specifically, VAZQUEZ stated, “Yeah, I got a real bad temper, [Individual R]. I got a real bad temper.” Individual R replied, “You, you do?” VAZQUEZ stated, “Yeah! (Unintelligible) I was in jail... Nigger, at 12 years old I already I was doing two years in jail, nigger. St. Charles. Twelve years old. When I was 16 they gave me five years in prison. I was only 16, I wasn’t even supposed... How the fuck they put me in prison, I was only 16 years old. I don’t understand that shit, either. But I had to go to mother fucking, I had to go to prison, nigger. I had to go to mother fucking uh, um, (unintelligible).” Later in the conversation, VAZQUEZ stated, “Niggers didn’t want no part of us, though. Of course not. No, [Individual R], I still got a lot of guns. A lot of people owe me favors.”

c. On April 3, 2013, at approximately 9:42 a.m., VAZQUEZ, using Target Phone 42 (Call # 800), had a conversation with Individual R. During the conversation, VAZQUEZ explained to Individual R that he will start shooting when threatened. Specifically, VAZQUEZ stated, “I’m by Kedzie so,

right here, Crown Town [An area controlled by the Latin Kings street gang] nigger, where all the Kings be at. I ain't worried about the Kings, brother. That's... This is all my niggers [Illinois Department of Corrections records show VAZQUEZ to be an admitted member of the Latin Kings]. I'm worried about them other niggers." Later in the conversation, VAZQUEZ stated, "I mean, I'll come up shooting. I ain't really cutting niggers up, right now. You know. I'll shoot a nigger, though."

d. On April 3, 2013, at approximately 6:49 p.m., VAZQUEZ, using Target Phone 42, had a conversation (call#1000) with FREYTES in which they discussed a kidnaping incident and FREYTES informed VAZQUEZ that he acquired a "Bertha" [an assault rifle]. Specifically, FREYTES told VAZQUEZ that he wanted to acquire as many guns as possible because he didn't want to be "naked" [referring to being without a weapon].

e. On April 3, 2013, at approximately 4:44 p.m. VAZQUEZ, using Target Phone 42 (Call# 965), received a text message from PEREZ, using (872) 209-9218. PEREZ was concerned the deal between VAZQUEZ and GRIFFIN was taking too long. PEREZ, implying he was armed, encouraged VAZQUEZ to leave the building. The text message read: "Hurry up or im start blasting niggas out here".

f. On April 4, 2013, at approximately 10:02 p.m., VAZQUEZ, using Target Phone 42 (Call # 1174), had a conversation with an Unknown Male. While the phone continued to ring, VAZQUEZ can be heard in the background chambering a round into a semi-automatic weapon. Unknown Male stated, "Where you at?" VAZQUEZ replied, "I'm at the crib. Um, shit now, be super careful. I uh, I think they tried to tie somebody else, right now. A few minutes ago." Unknown Male replied, "For real?" VAZQUEZ stated, "Yeah. They tied up the wrong person. A neighbor instead of who they were after. But now somebody is missing. One of the guys is missing all day. So, they might have snatched one of the guys up." Unknown Male asked, "What guy? Who?" VAZQUEZ stated, "One of the guys. I think they snatched up Steve-O." Unknown Male replied, "For real?" VAZQUEZ stated, "Yeah. Steve's miss... missing right now."

Unknown Male replied, "Wow." VAZQUEZ stated, "Yeah. This shit is serious. So, be careful. I'm, I'm strapping up [VAZQUEZ was arming himself.] right now, shit." Unknown Male replied, "Alright."

FURTHER AFFIANT SAYETH NOT.

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Daniel Hoormann  
Special Agent  
Drug Enforcement Administration

Subscribed and sworn to before me this 19th day of June, 2013.

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HON. MARIA VALDEZ  
United States Magistrate Judge