

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DEONTE THOMAS,
also known as "12th Street"

CASE NUMBER:
UNDER SEAL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about April 14, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant violated:

Code Section

Title 21, United States Code, Section 841(a)(1).

Offense Description

knowingly and intentionally possessed 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

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

DMITRY LAGOCHA
Special Agent, Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: June 23, 2015

Judge's signature

City and state: Chicago, Illinois

MARIA VALDEZ, U.S. Magistrate Judge
Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

| ss

AFFIDAVIT

I, DMITRY LAGOCHA, being duly sworn, state as follows:

2. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed for ten months. My current responsibilities include investigating, among other things, violations of federal narcotics laws, including Title 21, United States Code, Section 841(a). Through my training, education, and experience, I am familiar with the sale and distribution of controlled substances.

3. This affidavit is submitted in support of a criminal complaint alleging that DEONTE THOMAS knowingly and intentionally distributing 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). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging THOMAS with distributing a controlled substance, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

4. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents and in law enforcement records, information provided by a confidential source, review of consensually recorded conversations, physical surveillance, and review of video surveillance.

5. The investigation included the use of consensually recorded conversations and meetings. The summaries of recorded conversations in this affidavit do not include reference to

all of the topics covered during the conversations. Further, the quoted materials set out in this affidavit are taken from draft summaries of the recordings themselves, not final transcripts.

6. In some of the paragraphs describing meetings or conversations, I have included interpretations of the discussion in brackets. These interpretations include meanings attributed to coded language and vague references used by the speakers. My understanding and interpretation of the conversations is based upon the content of the conversations, information provided by a confidential source, the context of both prior and subsequent conversations, my knowledge derived from this investigation, my training and experience, and the training and experience of other law enforcement agents.

FACTS SUPPORTING PROBABLE CAUSE

7. The FBI began investigating drug trafficking activity in the vicinity of Grenshaw Street and Independence Boulevard, in Chicago, in approximately the summer of 2013. According to a confidential source (the "CS"),¹ THOMAS is an individual who engaged in drug trafficking in the vicinity of Grenshaw Street and Independence Boulevard. As part of his/her cooperation, the CS identified a known photograph of THOMAS.

8. On or about August 21, 2013, working at the direction of FBI agents, the CS participated in a controlled purchase of heroin from THOMAS.² Specifically, at approximately 10:55 a.m., FBI agents met with the CS at a pre-determined staging area. Agents searched the CS and his vehicle for contraband. After finding none, agents provided the CS with

¹ The CS has worked with the FBI since approximately August 2008. The CS agreed to cooperate with law enforcement in exchange for monetary compensation for services provided, including reimbursement of expenses. Since in or about August 2008, the CS has been paid approximately \$75,490 since 2008 in exchange for his/her cooperation. During the course of the investigation, the CS provided the FBI with reliable information, which the FBI was able to corroborate through surveillance, audio/visual recordings, and the seizure of narcotics. The CS has no prior felony convictions, but has been arrested approximately nine times between 2002 and 2013.

² The identification of THOMAS in this Affidavit is based on the following: (1) the CS identified THOMAS based on a prior arrest photo; (2) the CS identified THOMAS as the person from whom he/she purchased heroin on or about August 21, 2013 as described herein; (3) FBI agents who conducted surveillance of the August 21, 2013 heroin transaction compared a known photograph of THOMAS with the person observed during the surveillance and in the audio/video recording made by the CS and determined them to be the same person.

approximately \$2,200 in pre-recorded FBI buy money to purchase the heroin. Agents also provided the CS with a transmitter and FBI recording equipment. A surveillance team followed the CS as he departed the staging location.

9. Agents conducting surveillance followed the CS as he traveled to a Church's Chicken restaurant located at the intersection of South Independence Boulevard and West Roosevelt Road. Agents observed the CS park his vehicle and enter the restaurant.

10. According to the audio/visual recording made by the CS, the CS sat down at a table in the restaurant near two unidentified males (UMs) and THOMAS. The CS greeted THOMAS by calling him "12th [for 12th Street, THOMAS's nickname]." After making small talk, the CS said to THOMAS, "Nigger still got some shit left?" The CS also said, "They wanted to get another one [another bundle of heroin]." One of the UMs asked the CS, "What they want?" The CS responded, "A 'B' and a half, 15 [the CS said he wanted to purchase a bundle and a half, or 15 packs, of heroin]."³ The UM then asked the CS about money, stating to the CS, "You got the money on you now, alright come on."

11. According to surveillance agents/officers, the CS exited the Church's Chicken with THOMAS and an unknown black female. The CS, the unknown female, and THOMAS entered the CS's vehicle. The CS then drove the car around the block and parked his vehicle near an alley on the east side of the Church's Chicken (just south of Grenshaw Street). Surveillance observed the CS and THOMAS walk north toward Grenshaw.

12. According to the audio/visual recording, the CS and THOMAS walked up a stairwell to the rear porch of an apartment building. THOMAS reached into a vent on the window of the apartment and retrieved a bundle that was secreted within the vent. According to the CS, and as

³ Based upon my training and experience and knowledge of this investigation, I believe that a "bundle" consists of ten separate "packs" of packaged heroin; each "pack" consists of approximately 13 individual user-quantity packets of heroin.

reflected by the audio/visual recording, THOMAS then began placing individual packages of heroin into a black plastic bag.

13. As reflected by the audio/visual recording, the CS told THOMAS, “Don’t bust down three of those.” THOMAS responded, “don’t bust down three [the CS asked THOMAS to leave three packs of heroin intact instead of breaking them down into individual user-quantity portions]?”

14. According to the audio/visual recording, the CS and THOMAS then discussed the price for the heroin. The CS asked THOMAS, “alright, what you charge me, \$110 a pack?” THOMAS responded, “that ain’t shit . . . 130 [THOMAS informed the CS that the price for the heroin was \$130 per pack].” The CS asked THOMAS, “alright, so how much I owe you? . . . You gave me, what, 16 packs, right?” THOMAS responded, “Yeah.” The two calculated the total price based on 16 packs of heroin. The CS stated, “that’s \$2,080.” THOMAS agreed by saying, “that’s \$2,080.”

15. According to the audio/visual recording, after calculating the price for 16 packs of heroin, the CS said to THOMAS, “give me one more [pack of heroin].” The CS recalculated the price and told THOMAS, “that’s \$2210. I got \$2,200 [the CS informed THOMAS that he only had \$2,200].” THOMAS laughed. The CS said, “it’s only ten dollars, mother fucker.” THOMAS responded, “alright.” THOMAS then said, “I just put a whole ‘nother one in there. That’s 17 [THOMAS had placed another pack of heroin in the CS’s black plastic bag, which totaled 17].” According to the CS, the CS handed THOMAS \$2,200. The audio/visual recording shows that THOMAS and the CS walked down the stairs, and the CS returned to his vehicle.

16. Surveillance observed the CS enter his vehicle and followed him to a pre-determined staging area. The CS handed FBI agents a black plastic bag, which contained approximately 221 individual yellow baggies with batman logos. Agents performed a field test of

a small sample of the recovered substance inside the baggies, and it indicated the presumptive presence of heroin.

17. FBI agents sent the recovered evidence to the Drug Enforcement Agency for further testing. The testing confirmed the presence of heroin with a net weight of approximately 103.5 grams.

CONCLUSION

18. Based on the information in this affidavit, there is probable cause to believe that DEONTE THOMAS knowingly and intentionally distributed 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).

FURTHER AFFIANT SAYETH NOT.

DMITRY LAGOCHA
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on June 23, 2015.

MARIA VALDEZ
United States Magistrate Judge