

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MELVIN SYKES,
also known as "Cooch"

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 November 5, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

Code Section

Offense Description

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

defendant MELVIN SYKES did knowingly and intentionally distribute a controlled substance, namely, a quantity 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.

DONALD C. WOOD
Special Agent, Drug Enforcement Administration

Sworn to before me and signed in my presence.

Date: July 15, 2015

Judge's signature

City and state: Chicago, Illinois

Michael T. Mason, U.S. Magistrate Judge
Printed name and Title

I, Donald C. Wood, being duly sworn, states as follows:

I. INTRODUCTION

1. I am a Special Agent with the United States Drug Enforcement Administration (“DEA”). I have served as a Special Agent for the DEA since December 1997. As a DEA Special Agent, I investigate criminal violations of the Federal and State controlled substance laws including, but not limited to possession with intent to distribute and distribution of controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

2. I have been personally involved in a significant number of narcotics investigations, and as such, I am familiar with the various methods used by narcotics traffickers to transport, store, and distribute narcotics and narcotics proceeds. I have participated in investigations involving various drug types, including heroin, cocaine, and cocaine base in the form of crack cocaine. I have experience with a wide range of investigative techniques, including various types of visual and electronic surveillance, the interception of wire communications; the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances; facilitating controlled deliveries of narcotics; the execution of search and arrest warrants; and the management and use of informants.

3. Because this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint and the issuance of arrest warrant against MELVIN SYKES (also known as “Cooch”), 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 on or about November 5, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, SYKES did knowingly and intentionally distribute a controlled substance, namely, a quantity 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).

4. 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”) officers; (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; (g) information from confidential informants; and (h) my training and experience and the training and experience of other law enforcement agents.

II. PROBABLE CAUSE

A. Summary

5. A cooperating source ("CS-1"),¹ who knows SYKES as "Cooch" from their involvement with the Black P-Stone street gang, provided information to agents about SYKES's drug trafficking activity. Investigating agents confirmed CS-1's information through controlled buys of heroin from SYKES, as detailed below.

6. On or about November 5, 2013, CS-1 purchased approximately 99 grams of heroin from SYKES in exchange for \$8,500.

7. On or about June 24, 2014, CS-1 purchased approximately 23.7 grams of heroin from SYKES in exchange for \$1,650.

B. On or about October 29, 2013, SYKES Gave CS-1 a Sample of Heroin

8. On or about October 29, 2013, at approximately 6:40 p.m., an agent received a call from CS-1, which call was not recorded. During the call, CS-1 informed the agent that CS-1 had been out in the neighborhood and, while he was standing in front of the Family Dollar store located at 1360 North Pulaski Avenue in Chicago, CS-1 was approached by a few individuals, including SYKES. According to CS-1, during the conversation with SYKES and others, SYKES asked if CS-1 was in the market for narcotics and explained that he was selling heroin for \$85 per

¹ CS-1 began cooperating in the instant investigation in or around July 2013, and has proven to be reliable and truthful. CS-1 has provided agents with background and intelligence information relative to targets of this investigation that has been independently corroborated by law enforcement. CS-1 has multiple prior felony convictions, including for possession of a stolen vehicle, unlawful restraint, and several narcotics related offenses since the 1990's. CS-1 is not facing any current criminal charges, but is instead cooperating with law enforcement in exchange for payment. To date, CS-1 has been paid \$7,000.

gram. SYKES then produced a clear-knotted plastic baggie containing a white powder and handed it to CS-1. SYKES instructed CS-1 to try out the heroin and contact him at (312) 619-9037 (the “Sykes Phone”). Soon thereafter, CS-1 and agents met at a predetermined location, at which time CS-1 gave agents the clear-knotted plastic baggie containing the white powder suspected to be heroin.

9. On or about March 20, 2015, the DEA North Central Laboratory determined that the substance SYKES gave to CS-1 on October 29, 2013, contained approximately 0.6 grams of heroin.

C. On or about November 5, 2013, CS-1 Purchased Approximately 99 grams of Heroin from SYKES

10. As a result of the heroin sample provided by SYKES to CS-1, agents directed CS-1 to purchase additional heroin from SYKES.² On or about October 29, 2013, at approximately 8:10 p.m., CS-1 made a consensually recorded call to SYKES using the Sykes Phone,³ during which the following conversation occurred:

² The identification of SYKES and SYKES’s voice in this Affidavit is based on the following: First, surveillance agents observed SYKES meet with CS-1 in person on November 5, 2013, and June 24, 2014. Agents compared a driver’s license photograph of SYKES to the individual they observed on November 5, 2013, and June 24, 2014, and determined that SYKES was the person that met with CS-1. Second, CS-1 positively identified a driver’s license photograph of SYKES as the person CS-1 met with on October 29, 2013, November 5, 2013, and June 24, 2014. Third, CS-1 compared the voice he heard on CS-1’s recorded telephone conversations with SYKES, described in this affidavit, to the voice of SYKES during their in-person conversations and determined they were the same voice. Fourth, during recorded telephone conversations, SYKES arranged to personally meet with CS-1 on November 5, 2013, and June 24, 2014, and subsequently surveillance agents observed SYKES meet with CS-1 on those dates. Fifth, according to the Illinois Secretary of State records, the grey Cadillac referenced in Paragraph 28 was registered to SYKES at an address on North Pulaski Street in Chicago. A search of a law enforcement database revealed that SYKES has listed the same address on North Pulaski Street as his residence.

³ Agents verified the consensually recorded calls between CS-1 and the Sykes Phone referenced in this Affidavit with the phone records for the Sykes Phone.

a. SYKES said, “Oh what’s good fool?”⁴ CS-1 responded, “Hey boy you out done yourself with this one [the heroin sample provided by SYKES was of good quality].” SYKES said, “I told you.” CS-1 said, “Yeah lay up and I’m gonna get with you man. Give me about a hot minute man. I’m gonna take care of some other business and I got you [CS-1 wanted to purchase heroin].” SYKES responded, “Ok ok but I told you though didn’t I?” CS-1 said, “Awe yeah it’s definitely what it is. Uh check it out though, um, is it, is it I said I need that number number you feel me [CS-1 wanted know how much heroin SYKES could sell CS-1]?” SYKES responded, “Right man though you know it don’t even matter you know what I’m sayin at the end of the day [unintelligible] bullshit what you know what I’m sayin?”

b. CS-1 repeated, “No I’m just saying and uh check this out. How long is a football field [CS-1 explained that he/she wanted to purchase 100 grams of heroin from SYKES]?” SYKES commented, “Ok, I know how long [SYKES agreed to sell CS-1 100 grams of heroin].” CS-1 said, “Ok, then that’s what I’m talking about.” SYKES asked, “Ok shit just let me know you know what I’m sayin? Shit what you tryin to do something tomorrow [SYKES wanted to know when CS-1 wanted to

⁴ Some of the consensually-recorded conversations and meetings (the “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 and include my interpretation of words and phrases used in 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 CS-1, 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.

purchase the heroin]?” CS-1 said, “Yeah I’m gonna get back with you on that. The reason why I’m saying that is because I got a lot of other things on my plate and I want to do this expeditiously with you.” SYKES said, “Ok ok, like I say, shit. I’m ready whenever you ready”

11. On or about November 5, 2013, at approximately 10:30 a.m., CS-1 made a consensually recorded call to SYKES using the Sykes Phone, during which conversation, CS-1 said, “Ok listen, today listen today rain sleet or snow we doing this here, about three three fifteen guaranteed [CS-1 would purchase the heroin from SYKES At 3:15 p.m. that day].” SYKES asked, “3:15?” CS-1 confirmed, “Guaranteed, don’t trip. Yeah, three, three fifteen [3:15].” SYKES said, “Ok.” CS-1 said, “So what I’m sayin no matter what, you can tell on that. Listen, guaranteed, you know what I’m sayin. That’s going, that’s done, and I’m gonna make sure that uh, what Eighty Five Hundred. So I’m gonna make sure that all that there is in one ticket, in one basket [CS-1 would pay \$8,500 for the 100 grams of heroin].” SYKES asked, “Ok, for a football field [SYKES confirmed that CS-1 wanted to purchase 100 grams of heroin]?” CS-1 said, “Yeah for the football field [CS-1 confirmed he/she wanted to purchase 100 grams of heroin].” SYKES said, “Ok.”

12. Later that same day, at approximately 2:58 p.m., CS-1 made a consensually recorded call to SYKES using the Sykes Phone, during which the following conversation occurred:

a. SYKES said, “What’s good . . . ?” CS-1 responded, “I’m in the city now.” SYKES asked, “Awe ok ok ok, shit when you gonna do something [SYKES

wanted to know if CS-1 was ready to purchase the heroin]?” CS-1 confirmed, “I’m trying to touch base with you ASAP you know [CS-1 was ready to purchase the heroin].” SYKES said, “Ok ok ok, well shit I’m out west shit goddamn it shit, give me a second, shit, I’m gonna call you I’ll let you know where we could bump up at [SYKES would let CS-1 know where to meet].”

b. After some further discussion about potential locations to meet, CS-1 asked, “Alright, well you tell me, where do think it would be good?” SYKES said, “Shit god damn it probably shit North Ave and Karlov, the Laundromat . . . Spin Cycle.” Ultimately, CS-1 agreed, “Ah, ok ok ok, I know what you’re talking about ok.” SYKES said, “Yeah.” CS-1 asked, “Alright, how long do you think?” SYKES said, “I’m finna get enroute now.” CS-1 said, “Ok, well I’m finna get enroute.” SYKES asked, “So about how long will it take you?” CS-1 said, “It will take me no more than fifteen minutes I mean.” SYKES asked, “Well, we still playing the same football game [did CS-1 still want to purchase 100 grams of heroin]?” CS-1 confirmed, “Yeah a hundred yeah.” SYKES said, “Alright. . . Alright you said about thirty minutes?” CS-1 said, “Yeah.”

13. Later that day, at approximately 3:15 p.m., agents met with CS-1 at a predetermined location. Agents searched CS-1 and CS-1’s vehicle and did not find any contraband or excessive amounts of money. Agents equipped CS-1 with audio recording equipment in order to consensually record the CS-1’s meeting with SYKES, and provided CS-1 with \$8,500 in pre-recorded buy money to make the

heroin purchase. CS-1 then departed the area in CS-1's vehicle followed by surveillance agents.

14. At approximately 3:37 p.m., CS-1 made a consensually recorded call to SYKES using the Sykes Phone, during which conversation CS-1 informed SYKES that he/she was close to the location they agreed to meet and SYKES explained that he was in the area of North Avenue and Halsted and would be on his way to meet with CS-1.

15. At approximately 3:46 p.m., surveillance agents observed CS-1 arrive and park in a parking lot for the Spin Cycle Laundromat located at 4059 North Avenue in Chicago. At approximately 4:10 p.m., surveillance agents observed a blue 2012 Chevrolet van, bearing Illinois registration 37145X (the "blue Chevy"), arrive and park in the same parking lot. Surveillance agents then observed SYKES and another individual exit the blue Chevy. SYKES exited from the passenger side of the vehicle. Soon thereafter, SYKES approached and entered the front passenger side of CS-1's vehicle.

16. According to CS-1 and the audio recording, while inside CS-1's vehicle, SYKES took from his jacket a clear plastic bag containing suspected heroin and gave it to CS-1. CS-1 then gave SYKES the \$8,500, which SYKES then counted and confirmed with CS-1 that the purchase amount was \$8,500.

17. At approximately 4:13 p.m., surveillance agents observed SYKES exit CS-1's vehicle while appearing to hold something under his coat. CS-1 then departed the area in CS-1's vehicle.

18. Soon thereafter, CS-1 met with investigating agents at a predetermined location, at which point CS-1 gave the clear-knotted plastic bag containing suspected heroin to the agents. Investigating agents retrieved the audio recording equipment from CS-1. Agents then searched CS-1 and CS-1's vehicle and did not discover any contraband or excessive amounts of money. An agent performed a field test of the substance contained in the plastic baggie, which indicated as positive for the presence of heroin.

19. On or about March 23, 2015, the DEA North Central Laboratory determined that the substance SYKES sold to CS-1 on November 5, 2013, contained approximately 99 grams of heroin.

D. On or about June 24, 2014, CS-1 Purchased Approximately 25 Grams of Heroin from SYKES

20. On or about June 20, 2014, CS-1 informed agents that during an unrecorded meeting with SYKES that day, SYKES offered to sell him heroin at a rate of \$65 per gram. On or about June 23, 2014, at the direction of agents, during an unrecorded meeting with SYKES, CS-1 informed SYKES that he/she wanted to purchase 25 grams of heroin for the price of \$1,650. As a result, CS-1 and SYKES agreed to meet the next day to engage in the heroin transaction.

21. On or about June 23, 2014, at approximately 4:29 p.m., CS-1 made a consensually recorded telephone call to SYKES, using the Sykes Phone, during which conversation SYKES asked, "Ok so we still got our date [SYKES asked if CS-1 still planned to purchase heroin from SYKES the next day]?" CS-1 responded,

“Yeah I’m gonna lay up here right now I’m out south trying to get something done right now, I’m gonna call you back.” SYKES said, “Ok.”

22. On or about June 23, 2014, at approximately 8:15 p.m., CS-1 sent a text message to SYKES, using the Sykes Phone, that read, “We still got a date [CS-1 confirmed that CS-1 would purchase heroin from SYKES the next day].”

23. On or about June 24, 2014, at approximately 11:10 a.m., CS-1 made a consensually recorded telephone call to SYKES, using the Sykes Phone, during which conversation, CS-1 said, “I’m on my way to the city now.” SYKES responded, “Ok.” CS-1 said, “I should be there within a few hours and I’m gonna hit you up as soon as I’m there be ready.” SYKES confirmed, “Ok I’m all ready for you [SYKES was prepared to sell CS-1 heroin].”

24. The next day, on or about June 24, 2014, at approximately 2:25 p.m., agents met with CS-1 at a predetermined location. Agents searched CS-1 and CS-1’s vehicle and did not find any contraband or excessive amounts of money. Agents equipped CS-1 and CS-1’s vehicle with audio and video recording equipment in order to consensually record the CS-1’s meeting with SYKES, and provided CS-1 with \$1,650 in pre-recorded buy money to make the heroin purchase. CS-1 then departed the area in CS-1’s vehicle followed by surveillance agents.

25. At approximately 2:39 p.m., CS-1 made a consensually recorded telephone call to SYKES, using the Sykes Phone, during which conversation CS-1 told SYKES that he was getting off the expressway and that he would be at the Family Dollar in five or ten minutes.

26. At approximately 2:55 p.m., CS-1 made a consensually recorded telephone call to SYKES, using the Sykes Phone, during which conversation, CS-1 asked, "I'm up here, I was finna call you, I was gonna go get me something to drink but I'm calling you right now." SYKES responded, "Oh so you there?" CS-1 said, "Yeah I'm right here." SYKES said, "Oh well shit I'm finna be right up there in about like two minutes." CS-1 said, "Alright, you know I'm in the white van, I'm in the van." SYKES confirmed, "Ok Family Dollar, right." CS-1 said, "Yeah." SYKES said, "Ok here I come."

27. At approximately the same time, surveillance agents observed SYKES driving a silver Cadillac bearing Illinois registration S214077 (the "silver Cadillac") on Pulaski toward the Family Dollar store located at 1360 North Pulaski Avenue in Chicago. Soon thereafter, at approximately 2:59 p.m., surveillance agents observed SYKES, on foot, walk toward CS-1's vehicle, and get into the front passenger seat of CS-1's vehicle.

28. According to CS-1 and the audio and video recording, while inside CS-1's vehicle, SYKES handed a clear plastic bag containing suspected heroin to CS-1. SYKES said, "It's 24, I owe you one [the heroin weighed only 24 grams of heroin, and not 25 grams heroin originally planned, so SYKES owed CS-1 one gram of heroin]."⁵ CS-1 then gave SYKES the \$1,650, and SYKES asked "What this is?" CS-1 responded, "that's sixteen fifty [CS-1 confirmed he paid \$1,650 for the heroin]."

⁵ Soon after this transaction, CS-1 made a consensually recorded call to SYKES to inquire about the one gram of heroin, but CS-1 ultimately told SYKES not to worry about the additional gram of heroin.

SYKES said, "Ok." SYKES proceeded to discuss with CS-1 SYKES's plans to sell marijuana. While SYKES was inside CS-1's vehicle, SYKES's face was clearly captured on the video recording.

29. At approximately 3:05 p.m., surveillance agents observed SYKES exit CS-1's vehicle and leave the area of the Family Dollar store on foot. CS-1 then departed the area in CS-1's vehicle. At approximately 3:08 p.m., surveillance agents observed SYKES enter his residence on North Pulaski via the back door. Agents observed that the silver Cadillac was parked behind the residence.

30. Soon thereafter, CS-1 met with investigating agents at a predetermined location, at which point CS-1 gave the clear-knotted plastic bag containing suspected heroin to the agents. Investigating agents retrieved the audio and video recording equipment from CS-1. Agents then searched CS-1 and CS-1's vehicle and did not discover any contraband or excessive amounts of money. An agent performed a field test of the substance contained in the plastic baggie, which indicated as positive for the presence of heroin.

31. On or about March 20, 2015, the DEA North Central Laboratory determined that the substance SYKES sold to CS-1 on June 24, 2014, contained approximately 23.7 grams of heroin.

III. CONCLUSION

32. Based upon the above information, there is probable cause to believe on or about November 5, 2013, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, MELVIN SYKES (also known as “Cooch”), did knowingly and intentionally distribute a controlled substance, namely, a quantity 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).

FURTHER AFFIANT SAYETH NOT.

DONALD C. WOOD
Special Agent
Drug Enforcement Administration

SUBSCRIBED AND SWORN to before me on July 15, 2015.

MICHAEL T. MASON
United States Magistrate Judge