

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ANDRE GLADNEY,
also known as "Red"

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 January 23, 2015, 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 ANDRE GLADNEY 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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ss

AFFIDAVIT

I, DONALD C. WOOD, being duly sworn, state as follows:

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 Federal and State controlled substance laws, including 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 an arrest

warrant against defendant ANDRE GLADNEY, also known as “Red,” it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the individuals and events described in this Affidavit. This Affidavit is made in support of a Criminal Complaint that charges GLADNEY with distribution of 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) laboratory analysis reports; (d) surveillance reports; (e) criminal history records; (f) information from confidential informants; and (g) my training and experience and the training and experience of other law enforcement agents with whom I have consulted.

FACTS ESTABLISHING PROBABLE CAUSE

5. As described further below, beginning on or about January 15, 2015, GLADNEY coordinated a narcotics transaction with an individual who, unbeknownst to him, was a cooperating source (“CS-2”)¹ working at the direction of

¹ CS-2 began cooperating in this investigation in or around April 2011, and has provided agents with background and intelligence information relative to GLADNEY that has been independently corroborated by law enforcement through the controlled buys described in this Affidavit and through controlled buys made by CS-2 in other law enforcement investigations. Based on these controlled buys, CS-2 has proven reliable and truthful. CS-2 has multiple prior felonies, including convictions for murder, aggravated battery with a firearm, and distribution of a controlled substance. Earlier this year, CS-2 was sentenced to time-served for a narcotics-related offense committed prior to the start of his cooperation in

law enforcement. CS-2 was introduced to GLADNEY by a mutual associate. During the transaction, GLADNEY sold CS-2 approximately 16 grams of heroin in exchange for \$1,700 in United States currency.

6. On January 23, 2015, GLADNEY sold CS-2 approximately 49 grams of heroin in exchange for \$3,000 in United States currency.

**January 15, 2015: GLADNEY Distributed
Approximately 16 grams of Heroin to the CS**

7. On January 14, 2015, at the direction of law enforcement, CS-2 arranged to purchase 20 grams of heroin from GLADNEY.² At approximately 10:30 a.m., CS-2 called GLADNEY, using (773) 824-9169 (the “Gladney Phone”), which call was consensually-recorded.³ During that call, CS-2 said, “Yo, what up

this investigation. The sentencing court was aware of CS-2’s cooperation in this case and others.

² The identification of GLADNEY and GLADNEY’s telephone in this Affidavit is based on the following: First, surveillance agents observed GLADNEY meet with CS-2 in person on January 15, 2015, and January 23, 2015. Agents compared a driver’s license photograph of GLADNEY to the individual they observed on January 15, 2015, and January 23, 2015, and determined that GLADNEY was the person that met with CS-2. Second, CS-2 positively identified a driver’s license photograph of GLADNEY as the person CS-2 met with on January 15, 2015. Third, according to law enforcement databases, the telephone number used to contact GLADNEY is the same telephone number that GLADNEY provided to the Illinois Department of Corrections. Fourth, during recorded telephone conversations, GLADNEY arranged to meet with CS-2 in person on January 15, 2015, and January 23, 2015, and subsequently surveillance agents observed GLADNEY meet with CS-2 on those dates.

³ Some of the consensually-recorded telephone and text message 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-2, the

red?" GLADNEY responded, "What's happening big bro?" CS-2 asked, "You talked to my guy [CS-2 asked GLADNEY if he had spoken with GLADNEY and CS-2's mutual associate]?" GLADNEY responded, "Yeah, I talked to him. He told me the business and, that's what y'all want me to do [GLADNEY confirmed that he talked with their mutual associate, who told GLADNEY that CS-2 wanted to buy 20 grams of heroin]?" CS-2 responded, "Fo sho." GLADNEY then asked, "Alright, so when y'all gon be ready?" and CS-2 responded, "You available today?" GLADNEY responded, "Yeah," and CS-2 asked "OK, uh, how bout 4 o'clock?" GLADNEY responded, "Alright, 4 o'clock, cool."

8. Later that day, at approximately 1:58 p.m., CS-2 called GLADNEY, using the Gladney Phone, which call was consensually-recorded. During that call, CS-2 told GLADNEY "I tried to reach you earlier but I told [CS-2 and GLADNEY's mutual associate] to call you, I got an emergency on one of these houses, the damn pipes burst. I know that's gonna take me longer than what I'm expecting, you feel me." CS-2 then asked GLADNEY, "So if we could change it to tomorrow, you know what I'm saying, you got time tomorrow, could we change it to tomorrow?" GLADNEY responded, "Alright, we can for tomorrow or whenever you get done. It don't make no difference to me."

9. On or about January 15, 2015, at approximately 11:07 a.m., CS-2 called GLADNEY, using the Gladney Phone, which call was consensually-recorded.

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.

CS-2 said, "What's up big brother?" GLADNEY then asked, "It's a go today [GLADNEY asked whether the heroin transaction would happen]?" CS-2 responded, "Yeah, everything's good to go. Today I get off a little late. I'll be ready about 5 though [CS-2 told GLADNEY that the heroin transaction would happen, but that it wouldn't happen until 5 p.m. because of CS-2's job]." GLADNEY said, "Alright, I'm waiting on you." CS-2 asked, "Tickets still the same, right [CS-2 asked GLADNEY whether the price for heroin was still \$85 per gram]?" GLADNEY responded, "Yeah, it's still the same."

10. Later that day, at approximately 4:52 p.m., CS-2 called GLADNEY, using the Gladney Phone, which call was consensually-recorded. During that call, CS-2 asked GLADNEY, "What up big bro you gon be able to make it?" GLADNEY responded, "Yeah, hell yeah; I'm on my way to you now." GLADNEY later asked, "87th street, right? Same place [GLADNEY asked whether the transaction would occur in the Jewel parking lot located at 101 West 87th Street, Chicago, Illinois, where he had previously met CS-2]?" CS-2 responded, "Yeah, same place." GLADNEY replied, "Alright, I'm on my way."

11. In preparation for the transaction, at approximately 5:00 p.m., CS-2 met with investigating agents at a predetermined location in Chicago. During that meeting, investigating agents searched CS-2 and CS-2's vehicle and did not find any contraband or excessive amounts of money. Investigating agents provided CS-2 with approximately \$1,700 to purchase heroin from GLADNEY. Investigating agents

also equipped CS-2 with audio and video recording devices to record CS-2's meeting with GLADNEY.

12. CS-2 departed the predetermined meet location at approximately 5:28 p.m. Investigating agents maintained visual surveillance of CS-2 as he traveled to meet GLADNEY.

13. At approximately 5:54 p.m., CS-2 received a consensually-recorded text message from GLADNEY, using the Gladney Phone, that read "I'm in jewel parking lot." At approximately 5:57 p.m., CS-2 called GLADNEY, which call was consensually-recorded. During this call, GLADNEY directed CS-2 to his location within the Jewel parking lot. Investigating agents observed GLADNEY standing in an aisle waving at CS-2 to direct CS-2 where to park. Investigating agents then observed GLADNEY enter the black Mercury. Investigating agents also observed an unknown female sitting in the passenger seat of the black Mercury.

14. Investigating agents observed CS-2 park and exit his/her vehicle, approach the black Mercury, and enter the backseat of the black Mercury. According to CS-2, GLADNEY handed CS-2 a clear, knotted plastic bag containing a grayish-tan substance suspected to be heroin, and CS-2 gave GLADNEY \$1,700 in United States currency. While in the black Mercury, GLADNEY asked CS-2, "What's this?" CS-2 responded, "That's the ticket [that's the money for the heroin]." CS-2 then asked GLADNEY, "Check this out, right. After I finish, I wanna at least try to get 40 [CS-2 asked GLADNEY whether he could purchase a larger amount of heroin from GLADNEY next time]." GLADNEY responded, "Hey, I got it."

15. At approximately 5:58 p.m., investigating agents observed CS-2 exit the black Mercury, return to his/her vehicle, and then drive away to meet investigating agents at a predetermined location. Investigating agents maintained visual surveillance of CS-2 as he/she traveled to a predetermined location.

16. At approximately 6:08 p.m., investigating agents met CS-2 at the predetermined location. At that meeting, investigating agents retrieved from CS-2 a clear, knotted plastic bag containing a grayish-tan substance suspected to contain heroin. Investigating agents then retrieved the audio and video recording devices from CS-2, and searched CS-2 and CS-2's vehicle for contraband and excessive amounts of money but did not find any. An agent performed a field test of the substance contained in the clear, knotted plastic bag, which indicated positive for the presence of heroin.

17. On or about March 17, 2015, the DEA North Central Laboratory determined that the grayish-tan substance that GLADNEY sold to CS-2 on January 15, 2015, contained approximately 16.6 grams of heroin.

**January 23, 2015: GLADNEY Distributed
Approximately 49 grams of Heroin to CS-2**

18. On or about January 22, 2015, at the direction of law enforcement, CS-2 arranged to purchase 50 grams of heroin from GLADNEY. At approximately 11:07 a.m., CS-2 received a text message from GLADNEY, using the Gladney Phone, which was consensually-recorded. GLADNEY wrote, "Hey [CS-2] man I got a call from [CS-2 and GLADNEY's mutual associate] and he told me what you're trying to do and I hollered at my people and they said they'll do 70 a piece what you

say to that [GLADNEY would be able to provide CS-2 heroin at a price of \$70 a gram]?” CS-2 called GLADNEY, using the Gladney Phone, at approximately 11:38 a.m., which call was consensually-recorded, and said, “What up, what up big bro, that’s my bad man but, um, I’m good with that ticket though [CS-2 told GLADNEY that \$70 a gram for heroin was an acceptable price].” GLADNEY responded, “Uh, okay, for the 50 [GLADNEY asked CS-2 if he wanted to buy 50 grams of heroin at \$70 a gram]?” CS-2 replied, “Yeah, I’m good with that ticket [CS-2 agreed to pay \$70 a gram for heroin supplied by GLADNEY]. A, um, tomorrow at about 5 again?” Later in the conversation, GLADNEY said “I’ll do it tomorrow at 5 o’clock.”

19. On or about January 23, 2015, CS-2 called GLADNEY, using the Gladney Phone, at approximately 10:13 a.m., which call was consensually-recorded. During this call, GLADNEY asked, “Want me to just take the shit to my job, and you come grab it from my job [GLADNEY asked CS-2 whether CS-2 would meet GLADNEY at GLADNEY’s workplace to purchase 50 grams of heroin from GLADNEY]?” CS-2 responded, “That sound cool, uh, where you work at?” GLADNEY replied, “I’m gonna be working on Morgan Street today. It’s like on Morgan and Lake.”

20. At approximately 4:36 p.m., CS-2 called GLADNEY, using the Gladney Phone, which call was consensually-recorded. CS-2 asked GLADNEY, “Yeah, yeah, where you at?” GLADNEY responded, “I’m on Morgan and Lake, come by Morgan

and Lake and I'll tell you where to come." CS-2 replied, "Alright, cool. I'll be right at you."

21. In preparation for the transaction, at approximately 4:45 p.m., CS-2 met with investigating agents at a predetermined location in Chicago. During that meeting, investigating agents searched CS-2 and CS-2's vehicle and did not find any contraband or excessive amounts of money. Investigating agents provided CS-2 with approximately \$3,000 to purchase heroin from GLADNEY. Investigating agents also equipped CS-2 with audio and video recording devices to record CS-2's meeting with GLADNEY.

22. CS-2 departed the predetermined meet location at approximately 4:52 p.m. Investigating agents maintained visual surveillance of CS-2 as CS-2 traveled to meet GLADNEY.

23. At approximately 5:08 p.m., CS-2 called GLADNEY, using the Gladney Phone, which call was consensually-recorded. CS-2 told GLADNEY, "I'm on Lake and Morgan now." GLADNEY asked CS-2, "Which way you facing, east or west?" CS-2 replied, "I'm facing west." GLADNEY then instructed CS-2 to "make a right then, make a right down uh, Lake, down Morgan." CS-2 then asked, "Make a right down Morgan?" GLADNEY responded, "Yeah, if you facing west, make a right down Morgan. And I'm finna be by my car." CS-2 asked, "Where yo car at?" GLADNEY responded, "Just keep coming across, across them train tracks and all that."

24. At approximately 5:10 p.m., investigating agents observed CS-2 park his/her vehicle across the street from the black Mercury. Investigating agents

observed CS-2 exit his/her vehicle and approach GLADNEY, who was standing near the rear of the black Mercury. During the course of the transaction, GLADNEY's face was clearly captured on the video recording. Investigating agents observed GLADNEY open and then reach into the trunk of the black Mercury. According to CS-2 and video recordings, GLADNEY handed him a clear, knotted plastic bag suspected to contain heroin, and CS-2 gave GLADNEY \$3,000 in United States currency.

25. Agents observed CS-2 return to his/her vehicle and then drive away. Agents maintained visual surveillance of CS-2 as CS-2 traveled to a location to meet the agents. At that meeting, investigating agents retrieved from CS-2 a clear, knotted plastic bag containing a grayish-brown powdery substance suspected to contain heroin. Investigating agents then retrieved the audio and video recording devices from CS-2, and searched CS-2 and CS-2's vehicle for contraband and excessive amounts of money but did not find any. An agent performed a field test of the substance contained in the clear, knotted plastic bag, which indicated positive for the presence of heroin.

26. On or about March 18, 2015, the DEA North Central Laboratory determined that the grayish-brown substance that GLADNEY sold to CS-2 on January 23, 2015, contained approximately 49.1 grams of heroin.

CONCLUSION

27. Based on the above information, there is probable cause to believe that, on or about January 23, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, ANDRE GLADNEY (also known as “Red”), knowingly and intentionally distributed 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