
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Mark Falk
 :
 v. : Mag. No. 13-3641 (MF)
 :
 LEE CARABALLO : **CRIMINAL COMPLAINT**

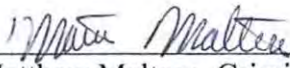
I, Matthew Maltese, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Criminal Investigator with the United States Attorney's Office, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Matthew Maltese, Criminal Investigator
United States Attorney's Office

Sworn to before me and
subscribed in my presence,

July 10, 2013, at
Newark, New Jersey

HON. MARK FALK
U.S. MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

Count One (Theft of a Motor Vehicle by Force, Violence, and by Intimidation)

On or about November 30, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant LEE CARABALLO, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle, namely a 2010 Toyota Corolla, that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another, namely Victim #1, by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

Count Two (Use of a Firearm in Furtherance of a Crime of Violence)

On or about November 30, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant LEE CARABALLO, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically the carjacking set forth in Count One, did knowingly use, carry, and, in furtherance of such crime, possess a firearm, which was brandished.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(ii) and Section 2.

ATTACHMENT B

I, Matthew Maltese, am a Criminal Investigator with the United States Attorney's Office. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about November 30, 2012, at or around 1:30 a.m., Victim #1 was sitting in his/her vehicle, a silver 2010 Toyota Corolla, which was parked in his/her driveway. An individual wearing a black skull cap and black jacket, later identified as defendant LEE CARABALLO, approached the driver's side window of the vehicle. Defendant LEE CARABALLO pointed a firearm at Victim #1's head and ordered Victim #1 out of the car. Victim #1 complied. After Victim #1 exited the vehicle, defendant LEE CARABALLO continued to point a firearm at Victim #1 and demanded his/her wallet and cell phone. Victim #1 gave defendant LEE CARABALLO his/her wallet and indicated that his/her cell phone was in the vehicle. Defendant LEE CARABALLO then entered Victim #1's vehicle and fled the area.

2. Later that same day, a Roselle Park police officer conducted a traffic stop of defendant LEE CARABALLO, who was then driving a black 2000 Mercedes. The officer asked defendant LEE CARABALLO for his license, registration, and proof of insurance. Defendant LEE CARABALLO was unable to produce an insurance card for his vehicle.

3. Upon approaching the vehicle, the Roselle Park police officer also detected the odor of burnt marijuana, and he asked defendant LEE CARABALLO whether he had been smoking it. Defendant LEE CARABALLO admitted that he had previously smoked marijuana in the vehicle. The officer then searched the vehicle and found, among other things, a black jacket, two Toyota keys and a black iPhone.

4. Defendant LEE CARABALLO was placed under arrest and transported to Roselle Park police headquarters.

5. While at police headquarters, officers observed that the iPhone that was recovered from defendant LEE CARABALLO's vehicle was receiving Facebook messages on the home screen. The messages stated, in sum and substance, that they were sorry the iPhone owner's vehicle had been stolen. Shortly thereafter, officers observed the iPhone receiving an alert stating that the iPhone had been stolen, and that the owner of the iPhone was attempting to track the phone's location.

6. Victim #1 subsequently positively identified defendant LEE CARABALLO as the individual who carjacked him/her. Victim #1 also identified the Toyota keys and black iPhone,

which were recovered from defendant LEE CARABALLO's vehicle, as his/her Toyota keys and black iPhone, which were taken during the carjacking.

7. Victim #1's 2010 Toyota was not manufactured in the State of New Jersey.