United States District Court
District of New Jersey

ORIGINAL FILED
JUN 11 2007
MADELINE COX ARLEO
U.S. MAG. JUDGE

UNITED STATES OF AMERICA	:	**CRIMINAL COMPLAINT**
v.	:	
SHAKIR LOVESTORM, a/k/a "Ma Sharad,"	:	**Magistrate No. 07-8070**
and		
JESUS HERNANDEZ, a/k/a "Jay"	:	

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about January 17, 2007, on or about February 2, 2007 and on or about May 10, 2007, in the District of New Jersey and elsewhere, defendants SHAKIR LOVESTORM, a/k/a "Ma Sharad," and JESUS HERNANDEZ, a/k/a "Jay" did

SEE ATTACHMENT A

in violation of Title 18, United States Code, Section 922(g)(1) and 2.

I further state that I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF") and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.

Robert Caprioglio, Special Agent ATF

Sworn to before me and subscribed in my presence,

June 11, 2007
Date

Newark, New Jersey
City and State

Madeline Cox Arleo

HON. MADELINE COX ARLEO
United States Magistrate Judge

ATTACHMENT A

Count I

On or about January 17, 2007, at Newark, in the District of New Jersey and elsewhere, the defendant, SHAKIR LOVESTORM, a/k/a "Ma Sharad," having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm and ammunition, namely a .223 caliber Ruger assault rifle, and four rounds of Remington .223 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

Count II

On or about February 2, 2007, at Newark, in the District of New Jersey and elsewhere, the defendant, SHAKIR LOVESTORM, a/k/a "Ma Sharad,"having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm, namely a 7.62 caliber Ratmil assault rifle, in violation of Title 18, United States Code, Section 922(g)(1).

Count III

On or about May 10, 2007, at Newark, in the District of New Jersey and elsewhere, the defendants, SHAKIR LOVESTORM, a/k/a "Ma Sharad," and JESUS HERNANDEZ, a/k/a "Jay," having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess in and affecting commerce a firearm and ammunition, namely a 9mm Ruger semi-automatic pistol, one 9mm round in the chamber, and forty-three (43) rounds of assorted ammunition, in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

ATTACHMENT B

I, Robert Caprioglio, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF") and have been involved with this long term investigation of the 9-3 set of the Bloods street gang operating in parts of Newark, New Jersey. I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and written reports from other federal agents and law enforcement officers. 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.

Count I

January 17, 2007, Sale of One Firearm

1. On or about January 15, 2007, defendant SHAKIR LOVESTORM, a/k/a "Ma Sharad" offered to sell an SKS firearm to a cooperating witness (hereinafter "CW"). The CW stated that he would purchase the firearm for his people the next day.

2. On or about January 16, 2007, the CW went to defendant SHAKIR LOVESTORM's residence located at 33 N. Hawthorne Lane, Newark, New Jersey and as the CW approached the defendant's residence, he was met by Jesus Hernandez, a/k/a "Jay," who advised the CW that the defendant SHAKIR LOVESTORM, a/k/a "Ma Sharad" did not want to do the deal because it was too "hot," referring to the presence of law enforcement, in the area and did not want to risk transporting a firearm. Later in the evening, the deal was rescheduled for the next day.

3. On or about January 17, 2007, the CW again went to defendant SHAKIR LOVESTORM's residence located at 33 N. Hawthorne Lane, Newark, New Jersey for the purpose of purchasing a firearm. Defendant SHAKIR LOVESTORM greeted the CW at the front door and invited the CW into his residence. Defendant SHAKIR LOVESTORM instructed the CW to wait downstairs while he went upstairs to retrieve the firearm. Defendant SHAKIR LOVESTORM returned a short time later carrying a .223 caliber Ruger assault rifle. Defendant stated that he only had one magazine for the firearm instead of the two magazines originally promised. The CW gave defendant SHAKIR LOVESTORM $1,000 cash and the defendant returned $150 to the CW and explained that $50 for the second magazine that was not produced and $100 was a "finders fee" for bringing a customer to him.

4. The firearm the CW purchased from defendant SHAKIR LOVESTORM on January 17, 2007 was a Ruger, Model MINI-14, .223 assault rifle, bearing serial number 180-00945. This firearm was manufactured in the United States and sold by a dealer in Charlotte, North Carolina.

5. A review of criminal history records revealed that prior to January 17, 2007, defendant SHAKIR LOVESTORM had been convicted of a felony offense punishable by a term of imprisonment greater than one year in a court in the State of New Jersey. Refer to paragraph 4 in Count III for specific details.

Count II

February 2, 2007, Sale of One Firearm

1. Prior to February 1, 2007, defendant SHAKIR LOVESTORM, a/k/a "Ma Sharad" contacted the CW and informed the CW that he had a firearm for sale for $400.00. CW advised the defendant that he would be interested and defendant said he would let the CW know when he comes into possession of the firearm.

2. On or about February 1, 2007, defendant SHAKIR LOVESTORM went to the CW's residence in Newark, Jersey for the purpose of selling the CW a firearm. After a conversation about the firearm to be sold, they agreed to complete the sale the following day.

3. On or about February 2, 2007, SHAKIR LOVESTORM left a 7.62 caliber Ratmil assault rifle at the CW's home while the CW was not there and told the CW's family member to hold the weapon for the CW. A short time later the CW recovered the weapon from his home and immediately contacted an ATF agent who arranged for the CW to surrender the firearm to him. Shortly thereafter, at the direction of law enforcement, the CW went to defendant SHAKIR LOVESTORM's residence, located at 33 N. Linden Lane, Newark, New Jersey and gave the defendant $400.00 as payment for the firearm. A Special Agent of the ATF, acting in an undercover capacity (hereinafter "UC"), spoke to defendant SHAKIR LOVESTORM on the telephone and acted as the firearm buyer. SHAKIR LOVESTORM confirmed to the UC that the rifle had come from him. The defendant asked the UC whether everything was alright with the rifle and the UC told the defendant that he was happy with the rifle. The defendant then informed the UC that the price of the firearm should have been $450.00 and directed the UC to give $50.00 to the CW as a "middle man" fee. Defendant said he wanted to make sure that the CW was taken care of. The UC said he would pay the CW the $50.00. The UC and the defendant then discussed a possible future sale of additional firearms.

4. The firearm the CW purchased from defendant SHAKIR LOVESTORM on February 2, 2007, was a 7.62 caliber Ratmil assault rifle, Model Nomak 1, bearing serial number 1-7614-97. This firearm was manufactured in the Romania and sold by a dealer in Surfside Beach, South Carolina.

5. A review of criminal history records revealed that prior to February 2, 2007, defendant SHAKIR LOVESTORM had been convicted of a felony offense punishable by a term of imprisonment greater than one year in a court in the State of New Jersey. Refer to paragraph 4 in Count III for specific details.

Count III

May 10, 2007, Sale of One Firearm

1. On or about May 9, 2007, defendant SHAKIR LOVESTORM, a/k/a "Ma Sharad" contacted the CW and informed the CW that he had a "17 shot" Ruger for sale for $550.00. CW advised the defendant that he would purchase the firearm the next day.

2. On or about May 10, 2007, the CW walked to defendant SHAKIR LOVESTORM's residence, located at 33 N. Linden Lane, Newark, New Jersey for the purpose of purchasing a firearm. Prior to entering defendant's residence, defendant JESUS HERNANDEZ, a/k/a "Jay" instructed the CW to go his residence at 41 N. Linden Lane, Newark, New Jersey, where defendant SHAKIR LOVESTORM would meet the CW. Once SHAKIR LOVESTORM arrived at defendant JESUS HERNANDEZ's residence, defendant SHAKIR LOVESTORM removed a firearm from the back of his car and the three individuals entered defendant JESUS HERNANDEZ's residence. Once inside, SHAKIR LOVESTORM handed the CW a 9mm Ruger semi-automatic pistol and the CW handed SHAKIR LOVESTORM approximately $550.00 in cash, which SHAKIR LOVESTORM divided between himself and defendant JESUS HERNANDEZ. Defendants SHAKIR LOVESTORM and JESUS HERNANDEZ then informed the CW that they were expecting a shipment of .45 caliber firearms in the near future and they would call the CW when that occurs.

3. The firearm the CW purchased from defendants SHAKIR LOVESTORM and JESUS HERNANDEZ on May 10, 2007 was a Ruger 9mm semi-automatic pistol, Model P89, with an obliterated serial number. This firearm was manufactured in Prescott, Arizona.

4. A review of criminal history records revealed that prior to May 10, 2007, defendant SHAKIR LOVESTORM had been convicted of a felony offense punishable by a term of imprisonment greater than one year in a court in the State of New Jersey. Specifically, on or about December 11, 1984, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Robbery, in violation of N.J.S.A. 2C:15-1; on or about February 8, 1989, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Receiving Stolen Property, in violation of N.J.S.A. 2C:20-7; on or about April 5, 1989, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Receiving Stolen Property, in violation of N.J.S.A. 2C:20-7 and Possession of CDS, in violation of N.J.S.A. 2C:35-10(A)(1); on or about May 9, 1991, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Receiving Stolen Property, in violation of N.J.S.A. 2C:20-7 and Distribution of CDS, in violation of N.J.S.A. 2C:35-5(A)(1); on or about May 16, 1991, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Possession of CDS, in violation of N.J.S.A. 2C:35-10(A)(1); on or about October 10, 1995, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Essex County of Receiving Stolen Property, in violation of N.J.S.A. 2C:20-7 and Attempting to Elude Police, in violation of N.J.S.A. 2C:29-2B; and on or about November 18, 2005, defendant SHAKIR LOVESTORM was convicted in New Jersey Superior Court, Union County, of Burglary, in violation of N.J.S.A. 2C:18-2.

5. A review of criminal history records revealed that prior to May 10, 2007, defendant JESUS HERNANDEZ had been convicted of a felony offense punishable by a term of imprisonment greater than one year in a court in the State of New Jersey. Specifically, on or about February 7, 1997, defendant JESUS HERNANDEZ was convicted in New Jersey Superior Court, Union County of Burglary, in violation of N.J.S.A. 2C:18-2.

6. Based on my knowledge, training, and experience and that of other ATF agents who have worked on this case, it is my opinion that the three guns sold by defendant SHAKIR LOVESTORM to the CW are firearms within the meaning of Title 18 U.S.C. Section 921(a)(3).