

United States District Court
District of New Jersey

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
v. : **Hon. Michael A. Hammer**
ARTURO DELACRUZ : **Magistrate No. 14-4042 (MAH)**

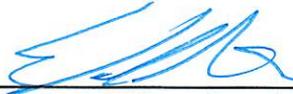
I, Edward Miller, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

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

SEE ATTACHMENT B

continued on the attached page and made a part hereof.


Edward Miller, Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

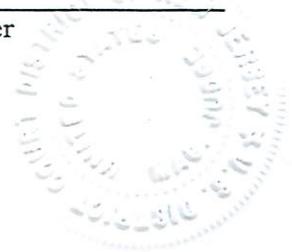
Sworn to before me and subscribed in my presence,

May 8, 2014 at
Date

Newark, New Jersey
City and State

Honorable Michael A. Hammer
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer



SECRET

CONFIDENTIAL

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ATTACHMENT A

Hobbs Act Robbery Conspiracy

Between in or about December 2012, through on or about March 25, 2013, in Mercer and Burlington Counties, in the District of New Jersey and elsewhere, defendant

ARTURO DELACRUZ

did knowingly and willfully conspire and agree with others to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and to commit and threaten physical violence to persons and property in furtherance thereof.

In violation of Title 18, United States Code, Section 1951(a).

ATTACHMENT B

I, Edward Miller, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have personally participated in this investigation and am aware of the facts and circumstances contained herein based on my own investigation, as well as my review of documents, records, information and evidence provided to me by other law enforcement officers and relevant personnel. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint and arrest warrant, I have not necessarily included each and every fact known by the government concerning this investigation. Where statements of others are related herein, they are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the day alleged.

A. Summary of Investigation

1. This application arises from a joint investigation by ATF and various New Jersey state and local law enforcement agencies of a number of armed robberies that took place between September 2012 and March 2013 in Mercer and Burlington Counties, New Jersey. As set forth below, the investigation has revealed that ARTURO DELACRUZ ("DELACRUZ") and his co-conspirators have planned and executed a number of violent armed robberies of various commercial establishments in the Trenton, NJ area, including gas stations, restaurants, travel agencies and money-remitting businesses. The investigation of these robberies, which is summarized below, has included (but is not limited to) the review of video surveillance footage, the collection and analysis of cell phone toll records and cell site information, witness interviews, and the execution of court-authorized search warrants.

B. The Sabor Latino Bar Robbery

2. On December 10, 2012, DELACRUZ and his co-conspirators robbed the Sabor Latino Bar (the "Bar"), located in Trenton, NJ. The Bar's surveillance camera system captured video footage of the robbery. Once inside the Bar, DELACRUZ and one of his co-conspirators ("CC1"), who were wearing dark colored, hooded sweatshirts and ski masks in an attempt to disguise their identities, brandished and pointed firearms at the Bar's patrons and employees. At gunpoint, DELACRUZ and CC1 utilized plastic zip-tie straps to restrain the five individuals who were then present in the establishment. Thereafter, at gunpoint, DELACRUZ and CC1 robbed the Bar's cash drawers, ultimately absconding with approximately

\$12,000 (U.S.) cash, representing the commercial proceeds of the Bar, as well as approximately \$2,000 in cash and jewelry stolen from the Bar's patrons. DELACRUZ and CC1 then exited the Bar and fled the location in a vehicle driven by a second co-conspirator ("CC2").

3. Subsequent investigation, which included witness interviews, video-surveillance footage review, and searches of open source and law enforcement databases, ultimately resulted in the identification of DELACRUZ as one of the perpetrators of the Bar robbery. Significantly, law enforcement officials have determined that DELACRUZ matches the same physical characteristics as one of the perpetrators depicted in the surveillance footage.
4. At all times relevant to this Complaint, the Bar was a commercial establishment engaged in selling food, beverages and other items that moved in, were transferred in, and affected interstate and foreign commerce.

C. The Sunoco Service Station Robbery

5. On December 29, 2012, DELACRUZ and his co-conspirators robbed the Woodrow Wilson Service Plaza Sunoco Gas Station (the "Sunoco") on the New Jersey Turnpike, located in Hamilton Township, NJ. The Sunoco's surveillance camera system captured video footage of the robbery. Once inside the Sunoco, two masked, armed co-conspirators wearing blue, collared button-up shirts similar to those worn by actual Sunoco employees, assaulted and zip-tied the Sunoco shift manager then on-duty. Despite attempts to spray-paint surveillance cameras in the location, these co-conspirators were subsequently identified as CC1 and CC2 (previously referred to above). After the shift manager was subdued, CC1 and CC2 robbed the Sunoco cash drawers and register, ultimately absconding with approximately \$26,000 (U.S.) cash, representing the commercial proceeds of the Sunoco. CC1 and CC2 fled the Sunoco on foot, and then departed the location in a getaway vehicle parked in close proximity to the scene of the robbery.
6. Subsequent investigation of this incident included the following: a) the discovery of discarded cell phones and clothing utilized during the robbery; b) witness interviews; c) video-surveillance footage review; d) cell phone toll record review; e) searches of open source and law enforcement databases; f) a search of DELACRUZ incident to his arrest by local authorities on March 25, 2013;¹ and e) the execution of a state court-authorized search warrant at DELACRUZ' home on March 26, 2013. From these efforts, law enforcement officials confirmed that DELACRUZ

¹ As further explained in Section E, *infra*, DELACRUZ was arrested by local authorities in Westampton, NJ, following the robbery of a Gulf Gas station employee at a TD Bank branch location on March 25, 2013.

planned the Sunoco robbery, and that he provided clothing and firearms to his co-conspirators in order to execute the robbery. Significantly, items recovered from DELACRUZ' home during the court-authorized search included a black bag containing several items utilized in the planning and execution of the Sunoco robbery. Specifically, this "robbery kit" was found to contain a blue, collared button-up shirt, a yellow safety-vest, a 12 ounce can of Krylon spray paint, and a number of white, plastic zip-ties. It has been determined that these items were similar to those worn and utilized by DELACRUZ' co-conspirators during the Sunoco robbery.

7. At all times relevant to this Complaint, the Sunoco was a commercial establishment engaged in selling gasoline, food, beverages and other items that moved in, were transferred in, and affected interstate and foreign commerce.

D. The Rapido Flores Multiservices Agency Robbery

8. On March 15, 2013, DELACRUZ and his co-conspirators robbed a Trenton area commercial business establishment called 'The Rapido Flores Multiservices Agency' (the "Agency"). The Agency's surveillance camera system captured video footage of the robbery. Upon gaining entry to the Agency, two men (whose faces were captured on video), assaulted, zip-tied and robbed the Agency owner at gunpoint, ultimately absconding with approximately \$6,000 (U.S.) cash, which represented the commercial proceeds of the Agency. The perpetrators, later identified as CC2 (previously referred to above) and a third co-conspirator ("CC3"), then fled the Agency and entered a white S.U.V. driven by DELACRUZ. The vehicle was positively identified as a 2004 Kia Sorento, NJ Reg. No. N31CXH, which was registered to one of DELACRUZ' known associates.
9. Subsequent investigation of the incident included the following: a) witness interviews; b) video-surveillance footage review; c) searches of open source and law enforcement databases; d) a search of DELACRUZ incident to his arrest by local authorities on March 25, 2013; and e) the execution of a state court-authorized search warrant at DELACRUZ' home on March 26, 2013. From these efforts, law enforcement officials confirmed that DELACRUZ planned the Agency robbery, and that he provided firearms to his co-conspirators in order to execute the robbery. Significantly, items recovered from DELACRUZ incident to his arrest included several marked bills (U.S.) that were stolen from the Agency by DELACRUZ' co-conspirators during robbery.
10. At all times relevant to this Complaint, the Agency was a commercial establishment engaged in money-remitting services and the sale of various goods and other items that moved in, were transferred in, and affected interstate and foreign commerce.

E. The Gulf Station Robbery

11. On March 25, 2013, DELACRUZ and his co-conspirators robbed the acting manager (the "Victim") of a Trenton area Gulf Gas station (the "Gulf Station") during the execution of his official duties. DELACRUZ and two co-conspirators ("CC4" and "CC5"), while driving a red Dodge Neon, bearing NJ license plate number G92-CTM (the "Neon"), followed the Victim as he collected proceeds from the Gulf Station, and then drove to a TD Bank branch location in Westampton, NJ, to deposit same. As the Victim attempted to enter the bank to make a deposit, he was approached by CC4 and CC5, who had exited the Neon while brandishing a tire iron. CC4 and CC5 eventually located and stole a white, five-gallon bucket containing approximately \$536.87 in change from the vicinity of the Victim's vehicle. The money contained in the bucket represented proceeds of the Gulf Station's tire air machine, which the Victim had intended to deposit at the TD Bank branch on behalf of the gas station. CC4 and CC5 were then observed as they entered the Neon and departed the location heading east on a local road toward the entrance ramp to NJ State Route 295. Based on the information provided by the Victim, local police officers quickly located the Neon on Rt. 295 N, and stopped the vehicle in the vicinity of the exit ramp for Rt. 130 N. Inside the Neon, in plain view, officers viewed the white bucket and the tire iron previously referenced by the Victim. The driver of the vehicle was subsequently identified as DELACRUZ. All three men were arrested at the scene. Following his arrest, DELACRUZ stated, in substance and in part, that he knew what he did was wrong but that he was trying to generate money for his family.
12. At all times relevant to this Complaint, the Gulf Station was a commercial establishment engaged in the sale of gasoline and other goods and items that moved in, were transferred in, and affected interstate and foreign commerce.