

United States District Court
District of New Jersey

ORIGINAL FILED

OCT 7 2010

MADELINE COX-ARLEO
U.S. MAG. JUDGE

UNITED STATES OF AMERICA

: HON. MADELINE COX-ARLEO

v.

:

WILLIAM MABEY, SR.,
MICHAEL VACCHIANO,
CRIS ROSENVINGE, and
KENNETH MARTIN
a/k/a "Ninja":

: CRIMINAL COMPLAINT

: Magistrate No. 10-8256

I, James Foley, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least on or about March 24, 2010 through on or about October 6, 2010, in Hudson County, in the District of New Jersey, and elsewhere:

SEE ATTACHMENT A

Forfeiture Allegation:

SEE ATTACHMENT B

I further state that I am a Postal Inspector with the United States Postal Service and that this complaint is based on the following facts:

SEE ATTACHMENT C



JAMES FOLEY
Postal Inspector
U.S. Postal Inspection Service

Sworn to before me and subscribed in my presence,

October 7, 2010
Date

at

Newark, New Jersey
City and State

HON. MADELINE COX-ARLEO
United States Magistrate Judge



Signature of Judicial Officer

ATTACHMENT A

defendants WILLIAM MABEY, SR., MICHAEL VACCHIANO, CRIS ROSENVINGE, and KENNETH MARTIN (a/k/a "Ninja"):

Count 1

did knowingly and intentionally conspire and agree with each other and with others to distribute and possess with intent to distribute 100 kilograms or more of a substance containing marijuana, a Schedule I drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), in violation of Title 21, United States Code, Section 846.

Count 2

knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, and, with the intent to promote the carrying on of specified unlawful activity, conspired and agreed with one another and with others to conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, specifically delivery of U.S. currency through the U.S. Mail and private parcel delivery services, involving the proceeds of a specified unlawful activity, namely distributing and possessing with intent to distribute a controlled substance, contrary to 18 U.S.C. § 1956(a)(1)(A)(i), in violation of 18 U.S.C. § 1956(h).

ATTACHMENT B- FORFEITURE ALLEGATIONS

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 846 set forth in this Complaint, defendant

WILLIAM MABEY, SR.

shall forfeit to the United States as facilitating property of the offense the real property located at 104 CHANGEBRIDGE ROAD, MONTVILLE, NEW JERSEY.

Pursuant to Title 21, United States Code, Section 853.

2. Upon conviction of the offense in violation of Title 21, United States Code, Section 846 set forth in this Complaint, defendant

CRIS ROSENVINGE

shall forfeit to the United States as facilitating property of the offense the real property located at 22 BUCKNELL ROAD, PARLIN, NEW JERSEY.

Pursuant to Title 21, United States Code, Section 853.

ATTACHMENT C

I, James Foley, am a Postal Inspector with the United States Postal Inspection Service ("USPIS"). Based upon my investigation and my discussions with other individuals involved in this investigation, I have knowledge of the facts set forth below. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included every detail of the investigation. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part.

The Marijuana Trafficking and Money Laundering Scheme

1. An investigation has revealed that defendants WILLIAM MABEY, SR.; MICHAEL VACCHIANO; CRIS ROSENVINGE; KENNETH MARTIN (a/k/a "Ninja"); and other persons (collectively, the "Drug Trafficking Organization" or "DTO") are co-conspirators in a controlled substances trafficking and money laundering scheme.
2. The objective of the scheme was to traffic large quantities of California-grown illegal marijuana into the New Jersey/New York metropolitan area in exchange for currency. The on-going transfer of proceeds of the marijuana trafficking to members of the DTO constituted money laundering.
3. The manner and means of the scheme was to produce marijuana at a property in Miranda, California and then ship it from California to multiple addresses in the New Jersey/New York metropolitan area via U.S. Mail. The marijuana parcels were then collected from the delivery addresses by members of the DTO and transported via privately owned vehicle to MICHAEL VACCHIANO's residence in Weehawken, New Jersey. Members of the DTO distributed the marijuana from MICHAEL VACCHIANO's residence in exchange for U.S. currency.
4. Members of the DTO placed a substantial portion of the currency earned as proceeds of the sale of the marijuana into parcels. Members of the DTO transferred these currency parcels from the New Jersey/New York metropolitan area to addresses controlled by members of the DTO in the Novato, California area via U.S. Mail and other parcel shipping services.
5. The intent of this on-going transfer of proceeds from the sale of marijuana was to promote further marijuana trafficking by compensating DTO members located in California and financing production of more marijuana.

DTO Activities in Furtherance of the Scheme

6. On or about May 5, May 7, May 12, and October 5, 2010, among other dates, law enforcement observed MICHAEL VACCHIANO and WILLIAM MABEY, SR. collect parcels suspected to contain marijuana (suspected based on the packaging, use of partially false delivery and return address information, and other suspicious indicia) from

addresses in the New Jersey/New York metropolitan area, including CRIS ROSENVINGE's residence, located at 104 Changebridge Road, Parlin, New Jersey, and WILLIAM MABEY, SR.'s residence, located at 22 Bucknell Road in Montville, New Jersey, and transport the parcels to MICHAEL VACCHIANO's residence.

7. Between on or about April 9, 2010 through May 13, 2010, law enforcement intercepted four parcels that were shipped via U.S. Mail from California to addresses in the New Jersey/New York metropolitan area controlled by members of the DTO. Each of these parcels contained approximately 17 to 20 pounds of marijuana.
8. Review of U.S. Postal Service shipment records reveals that, from January 2010 through September 2010, more than 200 suspected marijuana parcels were shipped from California to addresses in the New Jersey/New York metropolitan area controlled by members of the DTO, including WILLIAM MABEY SR.'s residence, CRIS ROSENVINGE's residence, and KENNETH MARTIN's residence in North Bergen, New Jersey, among others.
9. Between on or about March 24, 2010 through July 6, 2010, law enforcement intercepted four parcels that were shipped via U.S. Mail from the New Jersey/New York metropolitan area to addresses controlled by members of DTO in California. Each of these parcels contained between \$100,000 to \$300,000 in U.S. currency. The total currency seized from these four parcels exceeded \$699,000.
10. On or about June 15, 2010, MICHAEL VACCHIANO sent via U.S. Mail multiple parcels suspected to contain currency earned as proceeds of marijuana distribution from post offices located in Hoboken, Glen Ridge, and Cedar Grove, New Jersey to addresses in California controlled by DTO members.
11. Review of U.S. Postal Service shipment records reveals that, from January 2010 through September 2010, more than 100 suspected currency parcels were shipped from the New Jersey/New York metropolitan area to addresses in California controlled by members of the DTO.
12. Law enforcement surveillance identified a pattern of illegal controlled substance trafficking activity at MICHAEL VACCHIANO's residence: MICHAEL VACCHIANO would move his vehicle out of the garage; a short time later, a vehicle driven by another suspected member of the DTO would arrive and enter the garage for approximately 15 to 45 minutes. The garage door would shut immediately after each vehicle entered and exited the garage. Among the persons observed entering MICHAEL VACCHIANO's residence in this manner was WILLIAM MABEY, SR.
13. On October 6, 2010, a law enforcement search of MICHAEL VACCHIANO's residence discovered well in excess of \$1 million in U.S. currency; in excess of 100 kilograms of

marijuana; extensive records reflecting financial transactions relating to the DTO scheme; and shipping materials addressed to DTO members in California.

14. MICHAEL VACCHIANO was in MICHAEL VACCHIANO's residence at the time the search was executed. He was discovered with envelopes of currency on his person.
15. WILLIAM MABEY, SR.'s vehicle was in MICHAEL VACCHIANO's residence garage at the time the search was executed. WILLIAM MABEY, SR. was found a short distance away, in a property in Weehawken, New Jersey owned by members of the DTO who principally reside in California.
16. KENNETH MARTIN was found at the same property as WILLIAM MABEY, SR. KENNETH MARTIN stated that he resides in North Bergen, New Jersey, is employed by the DTO members who own the property where he was found, and that he was born in Japan.
17. A law enforcement search of the Global Positioning System ("GPS") in MICHAEL VACCHIANO's vehicle revealed a saved entry for KENNETH MARTIN's residence. The nickname designated by MICHAEL VACCHIANO for this saved entry is "Ninja."
18. Based upon KENNETH MARTIN's birthplace of Japan and MICHAEL VACCHIANO's designation for KENNETH MARTIN's residence in the GPS, there is probable cause to believe that MICHAEL VACCHIANO's nickname for KENNETH MARTIN is "Ninja."
19. Among the records of DTO financial transactions discovered in MICHAEL VACCHIANO's residence are what appear to be records of payment to DTO members identified by nicknames. Among these records are payments indicated well in excess of \$25,000 to "Ninja."
20. Law enforcement investigation also revealed that KENNETH MARTIN has engaged in high-value currency transactions associated with members of the DTO who principally reside in California.
21. On October 6, 2010, a law enforcement search of CRIS ROSENVINGE's residence revealed a quantity of marijuana and approximately \$20,000 in U.S. currency.
22. CRIS ROSENVINGE stated that he was compensated by the DTO in exchange for receiving packages of marijuana. He stated that he was principally compensated with marijuana.

23. An additional law enforcement search on October 6, 2010 of the residence of a DTO member in Carteret, New Jersey discovered in excess of \$1,000,000 in U.S. currency. The total amount of U.S. currency seized by law enforcement as proceeds of the DTO scheme on October 6, 2010 was well in excess of \$2 million.