

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Patty Shwartz
	:	
v.	:	Mag. No. 11-3082
	:	
MARK MELLS	:	<u>CRIMINAL COMPLAINT</u>

I, Jeff Kidder, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about June 8, 2011, in Essex County, in the District of New Jersey and elsewhere, defendant

MARK MELLS,

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce, firearms, namely, (1) a .45 caliber M10 automatic machine pistol, bearing serial number 45483; (2) a .9 mm Ruger P95 handgun, bearing serial number 31313756; (3) a .40 caliber Heckler & Koch P2000 handgun, bearing serial number 123-013901; and (4) a .45 caliber M1911A1 Auto Ordnance Corps pistol, bearing serial number E13110.

In violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

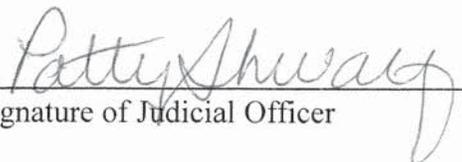


Jeff Kidder, Special Agent
Federal Bureau of Investigation

Sworn to before me, and
subscribed in my presence

June 9, 2011 at
Newark, New Jersey

HONORABLE PATTY SHWARTZ
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

I, Jeff Kidder, am a Special Agent with the Federal Bureau of Investigation ("FBI"). 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. Because 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 June 7, 2011, law enforcement received information that guns were present in a specific apartment located at 118 Seth Boyden Terrace, Newark, New Jersey (the "premises").

2. Pursuant to a federal search warrant, law enforcement conducted a search of the premises on or about June 8, 2011. The defendant, MARK MELLS ("MELLS"), along with his family (including his mother, three younger brothers and his girlfriend) were present at the premises during the search. MELLS and his family were instructed to sit on a couch as law enforcement officers conducted the search.

3. During the search, law enforcement officers discovered several guns hidden at the premises, including:

- a .45 caliber M10 automatic machine pistol, bearing serial number 45483;
- a .9 mm Ruger P95 handgun, bearing serial number 31313756;
- a .40 caliber Heckler & Koch P2000 handgun, bearing serial number 123-013901; and
- a .45 caliber M1911A1 Auto Ordnance Corps pistol, bearing serial number E13110

4. During the search, MELLS became agitated and behaved in a disorderly manner, standing up from where he had been handcuffed and seated by law enforcement officers, and lunging towards the window. MELLS sustained injuries when he broke the glass in the window and was taken to the hospital where he was later arrested.

5. MELLS later told law enforcement officers that the guns belonged to him.

6. All of the firearms found at the premises, as described above in paragraph 3, are weapons that will, are designed to, or may readily be converted to expel a projectile by the action of an explosive, within the meaning of 18 U.S.C. § 921(a)(3).

7. All of the firearms found at the premises, as described above in paragraph 3, were not manufactured in the State of New Jersey and thus necessarily traveled through interstate commerce prior to being possessed by MELLIS.

8. On or about June 11, 2004, MELLIS was convicted in the Superior Court of New Jersey, Essex County, for possession of a handgun in violation of N.J.S.A. § 2C:39-5B, a crime punishable by a term of imprisonment exceeding one year. Defendant MELLIS was sentenced to four years incarceration .