
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Mark Falk
 :
 v. : Mag. No. 11-3765
 :
 EDDY PERALTA : CRIMINAL COMPLAINT

I, Jeffrey Kidder, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about May 4, 2010, in Essex County, in the District of New Jersey and elsewhere, defendant

EDDY PERALTA,

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Ninth Judicial Circuit Court of Florida, did knowingly possess in and affecting commerce, a firearm, namely, a .50 caliber Thompson Black Diamond Rifle, bearing serial number S26964.

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.



Jeffrey Kidder, Special Agent
Federal Bureau of Investigation

Sworn to before me, and
subscribed in my presence

October 26, 2011 at
Newark, New Jersey

HONORABLE MARK FALK
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

I, Jeffrey Kidder, am a Special Agent with the FBI. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Where statements of others are set forth herein, these statements 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 date alleged.

1. On or about May 4, 2010, P.S. contacted a reliable confidential informant ("CI") and informed the CI that EDDY PERALTA ("PERALTA") was in possession of a firearm, and could sell the firearm to the CI. Later that day, P.S. and the CI traveled to a location in Newark, Essex County, New Jersey to meet PERALTA, who was in possession of a Thompson Black Diamond .50 caliber rifle bearing serial number S26964. PERALTA sold this firearm to the CI for a sum of money. P.S. was paid a portion of the proceeds for brokering the sale of the firearm. Following the sale, the CI departed the scene and turned the firearm over to law enforcement. The May 4, 2010 transaction was audio and video recorded.

2. The firearm sold to the CI by PERALTA, as described above in paragraph 1, is a weapon that will, is 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).

3. The firearm sold to the CI by PERALTA, as described above in paragraph 1, was not manufactured in the State of New Jersey and thus necessarily traveled through interstate commerce prior to being possessed by PERALTA.

4. On or about August 2, 2001, PERALTA was convicted in the Ninth Judicial Circuit of Florida, for Sexual Battery in violation of F.S.A. § 794.011(5), a crime punishable by a term of imprisonment exceeding one year. For that offense defendant PERALTA was sentenced to six month's incarceration.

