AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

ORIGINAL FILED

MAR - 3 2015

WILLIAM T. WALSH, CLERK

United States of America v. DONAVIN JACKSON a/k/a "Younging"	)))))))	Case No. 15-1020 (AMD)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 6/9/2014 through 7/1/2014 in the county of Camden in the _____ District of New Jersey, the defendant(s) violated:

Code Section	*Offense Description*
Title 18, United States Code, Section 922(a)(1), and Section 2.	Dealing in Firearms without a Federal Firearms License.

This criminal complaint is based on these facts:

See affidavit of probable case, Attachment B.

☑ Continued on the attached sheet.

Complainant's signature

Special Agent Joseph R. Sente, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: MARCH 3, 2015

Judge's signature

City and state: Camden, New Jersey

Honorable Ann Marie Donio, U.S.M.J.

Printed name and title

ATTACHMENT A

From on or about June 9, 2014 through on or about July 1, 2014, in Camden County, in the District of New Jersey, and elsewhere, defendant

DONAVIN JACKSON,
a.k.a. "Younging"

did knowingly and willfully engage in the business of dealing firearms, while not being a federally-licensed dealer, importer, or manufacturer of firearms.

In violation of Title 18, United States Code, Section 922(a)(1)(A), and Title 18 United States Code, Section 2.

CONTENTS APPROVED

UNITED STATES ATTORNEY

BY: _____

Patrick C. Askin

Assistant United States Attorney

Date: 3-3-2015

ATTACHMENT B

Joseph R. Sente, Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), being duly sworn according to law, deposes and states the following:

AFFIANT'S BACKGROUND

1. I have been employed as an ATF Special Agent since 2013, and am currently assigned to the ATF Newark Field Division, Camden Field Office. During this time, I have conducted and/or participated in several investigations involving violations of Title 18, United States Code, specifically the illegal possession and trafficking of firearms by prohibited persons. Prior to being employed as an ATF Special Agent, I was employed as a police officer in Belleville, New Jersey for eight years. While serving as a Belleville detective and a patrol officer, I conducted or assisted in numerous narcotics, carjacking and auto theft investigations. I am a graduate of the Essex County Police Academy, Federal Law Enforcement Training Center, and the ATF National Academy, and have specialized training and experience in various types of investigative activities, including, but not limited to, the following: (a) physical surveillance; (b) the debriefing of defendants, witnesses, informants and other individuals who have knowledge concerning violations of federal firearms laws; (c) undercover operations; (d) the execution of search warrants; (e) the consensual monitoring and recording of conversations; (f) the court authorized interception of both wire and electronic communications (i.e., Title III wiretaps); and (g) the handling and maintenance of evidence.

2. I have personally participated in the investigation discussed below and am aware of the facts contained herein based upon my own investigation as well as information provided to me by other law enforcement officers, sources of information, and/or confidential sources. Since this

Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a Criminal Complaint charging Donavin JACKSON a.k.a. "Younging" (hereinafter referred to as JACKSON) and Dominique LAWRENCE, a.k.a. "Chubby Boy" (hereinafter referred to as LAWRENCE), I have not included each and every fact known to me concerning the investigation. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part. Similarly, dates and times are approximations, and should be read as on about, in about, or at about the date or time provided.

STATEMENT OF PROBABLE CAUSE FOR CRIMINAL COMPLAINT

3. On May 29, 2014, an ATF confidential informant (hereinafter, the "CI") told law enforcement officers that an individual known to the CI as "Younging" offered to sell the CI a TEC-9-style firearm for $1,500. The CI and "Younging" met later that day to arrange for a future firearm purchase, and "Younging" arrived at the meeting location in a gold Chevrolet Lumina (the "Chevrolet"), which was registered to Donavin JACKSON. Law enforcement officers subsequently showed the CI a copy of Donavin JACKSON's New Jersey driver's license photograph, and the CI identified "Younging" as defendant Donavin JACKSON.

4. Subsequently, between June 9, 2014 and September 15, 2014, the CI, at the direction of law enforcement and with the participation of an ATF undercover employee (hereinafter referred to as the "UC"), purchased six firearms from JACKSON and LAWRENCE during the course of five controlled purchases. Of the firearms purchased, one had a completely obliterated serial number. As the investigation established and as set forth in greater detail below, JACKSON and LAWRENCE knowingly and willfully engaged in dealing firearms without a license, in violation of Title 18, United States Code 922(a)(1)(A).

5. Pursuant to ATF standard procedure, prior to and following each of the controlled purchases, investigators searched the CI's vehicle and person for firearms and contraband. In every case, the pre/post searches revealed neither firearms nor contraband in the CI's vehicle or on the CI's person. It should also be noted that the controlled purchases were arranged by the CI under the direction of Agents through a series of cellular telephone calls and text messages between the CI and JACKSON and LAWRENCE.

6. The CI has two prior felony convictions and a pending unlawful possession of a firearm charge being prosecuted by the State of New Jersey. The CI is cooperating in the hope of obtaining consideration in connection with this open state firearm charge, and has also received monetary payment for his cooperation. The CI's active cooperation with law enforcement has proven reliable, and information provided by the CI with respect to this investigation has also been proven reliable and corroborated.

The June 9, 2014 Controlled Purchase: 1 Firearm

7. On June 9, 2014, members of the ATF Camden Field Office utilized the CI and UC to conduct the controlled purchase from JACKSON of a Smith and Wesson, model M&P Shield, .40 caliber semi-automatic handgun with an obliterated serial number and one spare magazine with six rounds of .40 caliber ammunition. The CI and UC purchased the firearm from JACKSON with $800.00 of ATF pre-recorded funds. The controlled purchase occurred in the area of River Road and 17th Street in Camden, New Jersey, and was both audio and video recorded. During the controlled purchase, JACKSON advised the UC that the TEC-9-style firearm JACKSON had offered to sell the CI had been sold already. JACKSON arrived at the meeting location driving a silver Buick LaCrosse (the "Buick"), and prior to departing drove over to a white Infiniti QX56 with New York tags (the "Infiniti") parked in another area of the

meeting location, exited the Buick and leaned into the passenger window of the Infiniti. After re-entering the Buick, both the Buick and the Infiniti departed the meeting location.

The June 11, 2014 Controlled Purchase: 1 Firearm

8. On June 11, 2014, members of the ATF Camden Field Office utilized the CI to conduct the controlled purchase from JACKSON of a Glock, Model 20C, 10mm caliber semi-automatic handgun, with serial number DAP908 and one magazine containing fourteen rounds of 10mm ammunition. The CI purchased the firearm from JACKSON with $1,000.00 of ATF pre-recorded funds. The controlled purchase of these items took place in the area of 18th Street and River Road in Camden, and was both audio and video recorded. JACKSON arrived at the meeting driving the Buick. In addition, when the Buick departed the meeting location following the controlled purchase, investigators observed the Infiniti also depart the meeting location.

The June 18, 2014 Controlled Purchase: 1 Firearm

9. On June 18, 2014, the ATF Camden Field Office utilized the CI and UC to conduct the controlled purchase from JACKSON and LAWRENCE of a Vulcan, model V10-9, 9mm caliber semi-automatic firearm with serial number G5049, along with one high-capacity magazine. The controlled purchase occurred in the same area of River Road and 17th Street in Camden as the June 9, 2014 controlled purchase, and was both audio and video recorded. JACKSON and LAWRENCE arrived at the meeting location at the same time in separate vehicles (JACKSON in the Chevrolet and LAWRENCE in the Infiniti). JACKSON exited the Chevrolet, walked up to the UC's vehicle and signaled the UC to follow him to the Infiniti. Once at the Infiniti, the UC handed JACKSON $1,600.00 in ATF pre-recorded funds. The driver of the Infiniti then retrieved a bag from the front passenger seat area and handed it to JACKSON, who then handed

it to the UC. When the UC asked JACKSON if there was an extra magazine for the firearm, JACKSON repeated the question to the Infiniti's driver, then replied to the UC that there was no extra magazine for the handgun. When the UC asked JACKSON if there was any ammunition, JACKSON asked the Infiniti's driver if there were bullets, to which the Infiniti's driver responded that there were not. When the UC asked about purchasing AK-47-style assault rifles, JACKSON replied that "We can get it for you bro," and the Infiniti's driver confirmed that he had one with a "hundred-round drum." Following the controlled purchase, JACKSON departed in the Chevrolet, followed by the Infiniti. A subsequent law enforcement database inquiry determined that the Infiniti was involved in a traffic stop on June 13, 2014 in which the driver was recorded as Dominique LAWRENCE, with a residence of 817 South 9th Street, Camden. Law enforcement officers subsequently showed the CI a Camden County Sheriff's Office database photograph of Dominique LAWRENCE, and the CI identified defendant Dominique LAWRENCE as the driver of the Infiniti during the June 18, 2014 controlled purchase. The U/C also identified LAWRENCE as the driver of the Infiniti during this controlled firearms purchase.

The July 1, 2014 Controlled Purchase: 2 Firearms

10. On July 1, 2014, the ATF Camden Field Office utilized the CI and UC to conduct the controlled purchase from JACKSON of an Arsenal, model SLR-95, 7.62mm caliber assault rifle with serial number BD370310, along with one high capacity magazine containing 25 rounds of 7.62mm caliber ammunition; and a Jimenez Arms, model J.A. Nine, 9mm semi-automatic handgun with serial number 086930 with one magazine loaded with ten rounds of 9mm caliber ammunition. The controlled purchase occurred in the same area of River Road and 17th Street in Camden as the June 9 and 18, 2014 controlled purchases, and was both audio and video recorded. Approximately fifteen minutes prior to the controlled purchase, investigators observed

LAWRENCE sitting on the front steps of the residence adjoining his residence at 817 South 9th Street in Camden; in addition, a black Ford Explorer (the "Ford") was parked in front of LAWRENCE's residence. Investigators then observed JACKSON driving the Chevrolet as he arrived in front of LAWRENCE's residence, exiting the Chevrolet and entering the driver's side of the Ford. Investigators then observed LAWRENCE entering the driver's side of the Chevrolet and following the Ford as the vehicles departed. Both the Chevrolet and the Ford drove past the meeting location and circled the block; the Ford, driven by JACKSON, subsequently entered the meeting location, while the Chevrolet continued to circle the block during the controlled purchase, driven by LAWRENCE, who appeared to be conducting countersurveillance and monitoring the controlled purchase. JACKSON and the UC exited their vehicles and walked over to the Ford, in which JACKSON told the UC the firearms were located. The UC handed JACKSON $3,000.00 of ATF pre-recorded funds, and retrieved the assault rifle and handgun, contained in a bag and shoe box, respectively, from the Ford. Immediately following the controlled purchase, the Ford departed the meeting location trailed by the Chevrolet. Shortly thereafter, investigators observed JACKSON and LAWRENCE exiting the Chevrolet in front of LAWRENCE's residence. LAWRENCE then entered his residence and JACKSON departed in the Chevrolet.

The September 15, 2014 Controlled Purchase: 1 Firearm

11. On September 15, 2014 members of the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Smith & Wesson, model 1066, 10mm caliber semi-automatic handgun, with serial number TFB2064, along with one magazine containing eight rounds of 10mm ammunition. The CI purchased the firearm from LAWRENCE with $800.00 of ATF pre-recorded funds. The controlled purchase occurred in the same area of River Road and 17th

Street in Camden as the June 9 and 18 and July 1, 2014 controlled purchases, and was both audio and video recorded. During the controlled purchase, LAWRENCE entered the CI's vehicle and retrieved the 10mm handgun from his waistband and handed it to the CI, who then handed the $800 to LAWRENCE. Prior to this controlled purchase, LAWRENCE had told the CI that JACKSON had been raising the prices of the firearms that JACKSON and LAWRENCE had sold together, and that LAWRENCE could sell the CI the 10mm handgun for $800. LAWRENCE also told the CI that LAWRENCE had asked JACKSON to help LAWRENCE commit robberies, but that JACKSON was afraid of doing so. During this controlled purchase, LAWRENCE stated that the CI could deal directly with him going forward, and not through JACKSON.

12. A query of the ATF National Licensing Center revealed that neither JACKSON nor LAWRENCE has ever applied for, or received, a federal firearms license.

13. Throughout the course of the investigation, I received laboratory results for the aforementioned firearms from the Newark Police Department and the Bergen County Sheriff's Department Laboratories. The results reflected that, upon examination, there were no identifiable latent fingerprints discovered on the firearms, and that all of the firearms discussed above were test fired and determined to be operable.

14. On November 14, 2014, an ATF Interstate Nexus Expert determined that none of the firearms purchased from JACKSON and LAWRENCE were manufactured in the State of New Jersey and therefore, must have necessarily traveled in interstate commerce to be present in New Jersey.

National Integrated Ballistic Information Network (NIBIN)

15. On October 3, 2014, I submitted the Smith & Wesson, model 1066 (serial#TFB2064) .10mm pistol, to the Bergen County Sheriff Office (BCSO) Ballistics Laboratory for National Integrated Ballistic Information Network (NIBIN) analysis. BCSO was able to determine that this firearm was a positive match to shell casings recovered from a shooting on April 6, 2014 where the victim was shot twice in the legs (See Camden County Metro Police Department case number 14-04-06-3854). This firearm was recovered from LAWRENCE during the controlled purchase operation conducted on September 15, 2014 in Camden, NJ.

CONCLUSION

16. Based upon the facts set forth in this Affidavit, there is probable cause to believe that Donovin JACKSON and Dominique LAWRENCE violated Title 18 United States Code, Section 922(a)(1)(A) in that they knowingly and willfully engaged in the business of dealing firearms without a license.