AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

ORIGINAL FILED
FEB 27 2015
WILLIAM T. W

United States of America)
v.)
JAYSON A. QUINONES) Case No. 15-mj- 5515 (KMW)
)
)
)

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 September 2014 to January 2015 in the county of Camden in the _____ District of New Jersey, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. 922(a)(1)(A)	Knowingly and willfully engaging in the business of dealing firearms, while not being a federally-licensed dealer, importer, or manufacturer of firearms.

This criminal complaint is based on these facts:

See attached affidavit

☑ Continued on the attached sheet.

Complainant's signature

Dylan K. Wiggans, Special Agent, ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: 02/27/2015

Judge's signature

City and state: Camden, New Jersey

Karen M. Williams, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

Dylan K. Wiggins, 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 federal law, specifically firearms offenses. Prior to being employed as a Special Agent, I was employed as a police officer in Newark, Delaware for nine years. In addition, I have served as a Detective and as a Federal Task Force Officer assigned to the United States Department of Justice, Drug Enforcement Administration, Wilmington, Delaware Resident Office. As a police officer, I conducted and assisted in numerous drug investigations, including authoring/co-authoring numerous search/seizure warrants, which led to the seizure of illegal substances and additional evidence supporting drug usage/trafficking. I am a graduate of the Delaware State 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 informants. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a Criminal Complaint against Jayson A. QUINONES, I have not included each and every fact known to me concerning this 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 or about September 9, 2014, an individual known to an ATF confidential informant (hereafter referred to as the "CI") as "J-Ru" (later identified by the CI and investigators as defendant QUINONES), approached the CI and said that he had "hammers" (firearms) for sale. Subsequently, between on or about September 15, 2014 and January 5, 2015, the CI purchased eight firearms from QUINONES during the course of seven separate controlled purchases. Law enforcement officers confirmed that one of the firearms purchased from QUINONES was stolen. As the investigation established and as set forth in greater detail below, QUINONES knowingly and willfully engaged in dealing of the firearms himself without a license, in violation of Title 18, United States Code, Section 922(a)(1)(A).

4. 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 QUINONES.

5. 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 has cooperated with law enforcement and has proved reliable. Law enforcement officers have been able to independently corroborate the information provided by the CI through consensual recordings and surveillance operations.

September 15, 2014 Controlled Firearm Purchase

6. On or about September 15, 2014, members of the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Taurus, model 85, .38 Special caliber revolver bearing serial number PE59960, along with two rounds of .38 Special caliber ammunition. The CI purchased the revolver and ammunition from QUINONES with $500.00 of pre-recorded ATF funds. The transaction occurred in the area of River Road and 17th Street in Camden, New Jersey. During the controlled purchase, QUINONES was armed with a .40 caliber handgun on his person. The CI inquired about purchasing QUINONES' .40 caliber handgun also but QUINONES appeared to be hesitant to sell his handgun to the CI. QUINONES stated in substance and in part, that someone had recently shot at him and in retaliation he "had to tear him all up and shit . . . with this .40". QUINONES arrived at

and departed the meeting location in a taxicab. Following the controlled purchase, law enforcement officers continued to surveille QUINONES to the Macedonia Garden apartments at 28th and Saunders Streets, Camden. The controlled purchase was both audio and video recorded.

September 22, 2014 Controlled Firearm Purchase

7. On or about September 22, 2014, the ATF Camden Field Office utilized the CI to conduct the controlled purchase of an Iberia, model JCP40, .40 caliber pistol bearing serial number X7107137 along with one compatible magazine, and sixteen rounds of assorted .40 caliber ammunition. The CI purchased the pistol and ammunition from QUINONES with $800.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8, 2014 controlled purchase. During the controlled purchase, QUINONES told the CI that he had three .40 caliber handguns and displayed a .45 caliber handgun he was concealing on his person to the CI. QUINONES also stated in substance and in part, "I take heads, you heard what I said though? I take heads, like, for the right price I take heads" which, based on my training and experience, indicated that QUINONES was offering to shoot or kill someone for the CI in exchange for money. QUINONES arrived at and departed the meeting location in a taxicab. Following the controlled purchase, law enforcement officers continued to surveille QUINONES to the Macedonia Garden apartments at 28th and Saunders Streets, Camden. The controlled purchase was both audio and video recorded.

October 8, 2014 Controlled Firearm Purchase

8. On or about October 8, 2014, the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Taurus, model PT1911, .45 caliber pistol with serial number NZH85854 along with one compatible magazine which was loaded with seven rounds of assorted .45 caliber ammunition. The CI purchased the pistol and ammunition from QUINONES with $900.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8 and 22, 2014 controlled purchases. QUINONES arrived at and departed the meeting location in a taxicab, and following the controlled purchase was surveilled to the 1900 block of North 44th Street in Pennsauken. The controlled purchase was both audio and video recorded.

Identification of "J-Ru" as QUINONES

9. On or about October 9, 2014, a Special Agent from the ATF Camden Field Office contacted the Camden County Police Department-Metro in an effort to identify "J-Ru." Investigation revealed that "J-Ru's" possible identity was defendant Jayson A. QUINONES. Further investigation revealed that "J-Ru" was possibly a Bloods gang member who frequented the area of 28th and Saunders Streets in Camden, New Jersey. A query of a Camden County Police Department-Metro database on the aforementioned name showed that Jayson Quinones (Black/Hispanic male, date of birth January 8, 1994, SSN xxx-xx-0010, FBI #920070WC5, New Jersey Identification #806386D) was arrested in 2010 for drug-related offenses. Jayson Quinones was also contacted by the Camden Police Department on or about November 11, 2009, May 8, 2013, and August 12, 2014. During the aforementioned police contacts, Jayson Quinones' address was recorded as 1907 North

44th Street, Pennsauken, New Jersey. ATF personnel obtained a Camden County Police Department-Metro arrest photograph of Jayson Quinones and positively recognized Jayson Quinones as "J-Ru," herein referred to as defendant QUINONES.

October 14, 2014 Controlled Firearm Purchases

10. On or about October 14, 2014, the ATF Camden Field Office utilized the CI to conduct two separate controlled purchases of firearms. During the first transaction, the CI purchased a Smith & Wesson, model 10, .38 Special caliber revolver bearing serial number D928389 along with four rounds of assorted .38 Special caliber ammunition. The CI purchased the revolver and ammunition from QUINONES with $650.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8 and 22 and October 8, 2014 controlled purchases. The controlled purchase was audio recorded.

11. A query of the National Crime Information Center ("NCIC") for a Smith & Wesson, model 10, .38 Special caliber revolver bearing serial number D928389 revealed that the firearm was reported stolen on or about April 10, 2012, in Collingswood, New Jersey. A subsequent check with the Collingswood Police Department confirmed that said firearm was indeed reported as stolen.

12. During the second controlled purchase on or about October 14, 2014, the CI purchased a Ruger, model Blackhawk, .357 Magnum caliber revolver with serial number 37-40467 along with nine rounds of .357 Magnum caliber ammunition. The CI purchased the revolver and ammunition from QUINONES with $700.00 of pre-recorded ATF funds. The

controlled purchase of these items occurred in the area of Wayne Avenue and 17th Street in Camden. The controlled purchase was both audio and video recorded.

The CI Identifies "J-Ru" as QUINONES

13. On or about October 20, 2014, ATF personnel met with the CI regarding recent contact the CI had with QUINONES. The CI advised that QUINONES contacted the CI via cell phone over the previous weekend. The CI reported that QUINONES told the CI that he may have a .380 caliber firearm for sale. The CI also informed Agents that QUINONES told the CI that he did not have the firearm yet, but that he would contact the CI when he was in possession of same. During the meeting, I showed the CI a copy of a photograph of QUINONES' New Jersey driver's license picture. The CI positively identified the person in the photograph as "J-Ru," the person from whom the CI had purchased the above-described firearms.

November 18, 2014 Controlled Firearm Purchase

14. On or about November 18, 2014, the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Colt (Springfield Armory), model 1911, .45 caliber pistol with serial number 106815 along with two magazines and two rounds of .45 caliber ammunition. The CI purchased the pistol and ammunition from QUINONES with $1,000.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8 and 22 and October 8 and first October

14, 2014 controlled purchases. The controlled purchase was both audio and video recorded.

December 8, 2014 Controlled Firearm Purchase

15. On or about December 8, 2014, the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Haskell Manufacturing Inc. (Hi-Point Firearms), model JHP 45, .45 caliber pistol bearing serial number X453804 along with one magazine from QUINONES. The CI purchased the firearm from QUINONES with $1,000.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8 and 22, October 8 and first October 14, and November 14, 2014 controlled purchases. The controlled purchase was both audio and video recorded.

January 5, 2015 Controlled Firearm Purchase

16. On or about January 5, 2015, the ATF Camden Field Office utilized the CI to conduct the controlled purchase of a Ruger, model Single-Six, .22 caliber revolver bearing serial number 300865 along with six rounds of .22 caliber ammunition from QUINONES. The CI purchased the firearm and ammunition from QUINONES with $700.00 of pre-recorded ATF funds. The transaction occurred in the same area of River Road and 17th Street in Camden as the September 8 and 22, October 8 and first October 14, and November 14 and December 8, 2014 controlled purchases. The controlled purchase was both audio and video recorded.

17. During the course of the investigation, the aforementioned firearms were transferred to the Bergen County Sheriff's Office Crime Scene Unit for processing. All of the firearms were examined and found operable.

18. During the course of the investigation, a query of the ATF National Licensing Center revealed that QUINONES has never applied for, nor received, a federal firearms license.

19. On or about January 9, 2015, an ATF Interstate Nexus Expert determined that the stolen Smith & Wesson, model 10, .38 Special caliber revolver bearing serial number D928389 purchased from QUINONES on or about October 14, 2014 was not manufactured in the State of New Jersey. Therefore, for the firearm to be present in New Jersey it must have traveled in interstate commerce.

CONCLUSION

20. Based upon the facts and evidence set forth in this Affidavit, there is probable cause to believe that defendant Jayson A. QUINONES violated Title 18, United States Code, Section 922(a)(1)(A) in that he knowingly and willfully engaged in the business of dealing firearms without a license.