UNITED STATES DISTRICT COURT

for the

District of Rhode Island

FILED

JUN - 9 2014

U.S. DISTRICT COURT DISTRICT OF RHODE ISLAND

United States of America
v.

ALLEN PROUT, DOB: 1972

Defendant

Case No. 1:14-mj-115-PAS

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 of 06/06/2014 in the county of _____ in the _____ District of Rhode Island, the defendant violated 18 U. S. C. § 1951(a), an offense described as follows:

(a) conspiracy to committ a Hobbs Act Robbery (or conspiracy to interfere with commerce by threats or violence), in violation of 18 U.S.C. § 1951(a);
(b) conspiracy to possess with intent to distribute and to distribute more than one kilogram of heroin contrary to 21 U.S.C. § 841(a)(1) and (b)(1)(A), all in violation of 21 U.S.C. § 846;
(c) possession of a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c); and
(d) being a felon in possession of firearms, in violation of 18 U.S.C. §§922(g)(1)

This criminal complaint is based on these facts:

See attached Affidavit of Edward Troiano, Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

☑ Continued on the attached sheet.

E. Troiano

Complainant's signature

Edward Troiano, Special Agent - ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: June 9, 2014

Judge's signature

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

FILED
JUN - 9 2014
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

United States of America
v.

EMMETT BLYDEN, DOB: 1970

Defendant

Case No. 1:14MJ114PAS

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 of 06/06/2014 in the county of _____ in the _____ District of Rhode Island, the defendant violated 18 U. S. C. § 1951(a), an offense described as follows:

(a) conspiracy to committ a Hobbs Act Robbery (or conspiracy to interfere with commerce by threats or violence), in violation of 18 U.S.C. § 1951(a);
(b) conspiracy to possess with intent to distribute and to distribute more than one kilogram of heroin contrary to 21 U.S.C. § 841(a)(1) and (b)(1)(A), all in violation of 21 U.S.C. § 846;
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This criminal complaint is based on these facts:

See attached Affidavit of Edward Troiano, Special Agent, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

☑ Continued on the attached sheet.

E. Troiano
Complainant's signature

Edward Troiano, Special Agent - ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: June 9, 2014

Judge's signature

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Edward Troiano, being duly sworn, depose and say:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"). I am assigned to ATF's Providence office. I have been a Special Agent with ATF for the past 20 years. Based on my training and experience as an ATF Special Agent, I am familiar with federal firearms and narcotics laws as well as the Hobbs Act, which criminalizes certain types of robberies and robbery conspiracies. As an ATF Special Agent, I have been involved, either as lead agent or as a member of an investigative team, in numerous Hobbs Act, firearms, and narcotics investigations.

2. This affidavit is submitted in support of an arrest warrant and criminal complaint charging Allen Prout (born in 1972)("Prout") and Emmett Blyden (born in 1970)("Blyden") with

- conspiracy to commit Hobbes Act robbery, in violation of 18 U.S.C. § 1951(a),
- conspiracy to possess with intent to distribute and to distribute more than one kilogram of heroin contrary to 21 U.S.C. § 841(a)(1) and (b)(1)(A), all in violation of 21 U.S.C. § 846,
- possession of of firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c), and
- being a felon in possession of firearms, in violation of 18 U.S.C. §922(g)(1).

3. The information contained in this affidavit relates to ATF's investigation of Prout and Blyden and comes from my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses. This affidavit does not set forth all of my knowledge about this matter or all information known to law enforcement agents about this matter.

Investigation

4. Prout is a convicted felon. His criminal history includes convictions for the following felony offenses: assault with intent to commit a felony in 2000 (for which he was

sentenced to a 20 year term of incarceration with 13 years to serve) and larceny from a person in 1999 (for which he was sentenced to an 8 year term of incarceration with 1 year to serve).

5. Prout is also the subject of an ongoing investigation into a 2012 home invasion in West Warwick, in which a resident of the home planned to acquire oxycodone from another person but was instead robbed by that other person and Prout of the money intended for the purchase of the oxycodone.

6. Blyden is a convicted felon. His criminal history includes convictions for the following felony offenses: possession with intent to distribute narcotics in 2013 (for which he was sentenced to an 8 year term of incarceration, all of which was suspended); possession with intent to distribute narcotics in 2007 (for which he was sentenced to a 15 year term of incarceration with 4 years to serve); and possession with intent to distribute narcotics in 2000 (for which he was sentenced to 7 year term of incarceration with 1 year to serve).

7. On June 2, 2014, a confidential informant ("CI") advised ATF that Prout had contacted the CI. Prout asked the CI to set up a robbery and inquired about the availability of guns for the robbery. Prout said that he had a crew ready to conduct the robbery. The CI told Prout that he may know of something and would get back in touch with the CI. In order to further investigate Prout and his crew, ATF instructed the CI to arrange to meet Prout, and prepared the CI to describe a fictitious scenario involving a the robbery of two kilograms of heroin from a residence used as storage site by narcotics traffickers.

8. This CI has provided information in other investigations that has led to multiple arrests, the seizure of narcotics and firearms, and the seizure of currency. Information provided by the CI has been independently corroborated in other investigations, and ATF has not known the CI to knowingly provide false or misleading information.

9. On June 4, 2014, on ATF's instruction, the CI traveled to 51 Tanner Street in Providence, Rhode Island. The CI was outfitted with an audio and video recording device. The CI reported, and the audio and video recordings confirm, that he met with Prout at 51 Tanner Street. At the meeting, the CI and Prout discussed conducting an armed home invasion of a

location that would contain two kilograms of heroin and a large sum of United States currency. Prout inquired about the layout of the target location, and the CI provided a description. Prout offered to bring handcuffs with him, and the CI indicated that he would provide zip-ties. Prout indicated that he had two people available to assist in the invasion. Prout said that one was named Emmett. Prout said that he did not have a gun for the job. The CI, in turn, indicated that he would provide guns for the entire group. Prout inquired how many people were expected to be in the target location and stated that he would "lay them all down." The CI and Prout also discussed conducting a second home invasion in Connecticut after this one was completed. The CI concluded the meeting by saying that he would be in touch when the heroin was present or expected to be present at the target location.

10. On June 5th and 6th, Prout contacted the CI by text message on multiple occasions inquiring about the status of the planned robbery.

11. On June 6, 2014, the CI contacted Prout and said that it was time to meet and arm the crew. At approximately 6:40 pm, Prout and Blyden arrived at an apartment being used by the CI for this investigation. The apartment had been outfitted with audio and video recording equipment, and the interactions between the CI, Prout, and Blyden were recorded. Inside the apartment, in the living room area, the CI described the target location for the robbery. Prout asked whether the CI had the firearms. The CI reaches for a toolbox, and Prout instructs the CI that the guns should be "wiped down." The CI then showed Prout and Blyden three guns in the toolbox, all of which had previously been made inoperative but each of which was designed to expel a projectile by means of explosive force. The CI then proceeded to further discuss the robbery. The CI said that there would be two kilograms of heroin in the target location. The CI said that he could get access to fentanyl to dilute the heroin, and they discussed the approximate value of each kilogram of heroin. Prout indicated that he believed that each kilogram would be worth approximately $65,000. The group discussed a second home invasion to do after completion of this robbery. Prout asked how many people would be in the house and exactly where the drugs were located, and the CI indicated that he was unsure of the exact

number but stated that the drugs would be located in a locked room in the apartment. The group discussed the details of how to make entry into the apartment, and the CI distributed a Smith and Wesson 9mm pistol to Prout and a Glock .40 caliber pistol to Blyden. Prior to handling the Glock, Blyden puts a blue rubber glove on his hand, and Prout says he has his gloves elsewhere. Prout handles his gun with a portion of the sweatshirt he is wearing. As the group further discusses the crime, Prout and Blyden switched guns. The group proceed to have further discussion for several minutes, and then the CI uttered the takedown phrase, stepped out of the living room area, and law enforcement agents moved in. The video recording shows Prout and Blyden taking their respective guns and tossing them as agents are approaching.

12. Agents took Prout and Blyden into custody and both were transported to separate police cruisers in the vicinity. Both were advised of their rights, acknowledged understanding their rights, and admitted to their involvement in a scheme to rob an apartment of heroin using guns and to their possession of firearms in anticipation of the robbery.

13. Based on my training and experience, I know that Smith & Wesson and Glock firearms are manufactured outside Rhode Island.

14. Based on my training an experience, I know that 1 kilogram of heroin is a distribution quantity of heroin. Users do not typically amass such large quantities for personal use. Furthermore, a kilogram of heroin is worth well in excess of $50,000 based on wholesale transactions between distributors. Based on the quantity of heroin at issue in the robbery scheme, I believe there is probable cause to believe that Prout and Blyden intended to distribute or re-sell the heroin to others.

15. I know based on my training and experience that heroin is not grown in the United States and arrives here from abroad.

Conclusion

16. Based on the above, I believe that there is probable cause to believe that Prout and Blyden committed the offenses set forth in paragraph 2 above.

Edward J. Troiano
Special Agent
Bureau of Alcohol, Tobacco and Firearms

Subscribed and sworn to before
me this 9th day of June 2014,
at Providence, Rhode Island

PATRICIA A. SULLIVAN
United States Magistrate Judge