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Approved: Daniel P. Filor
DANIEL P. FILOR
Assistant United States Attorney

Before: HONORABLE JUDITH C. MCCARTHY
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violation of
JOHN BU,	:	18 U.S.C. § 1708
Defendant.	:	COUNTY OF OFFENSE:
	:	WESTCHESTER
----- X		

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMIE TRELLES, being duly sworn, deposes and says that she is a Special Agent with the United States Postal Service ("USPS"), Office of Inspector General, Office of Investigations ("OIG"), and charges as follows:

COUNT ONE

From at least on or about November 2, 2013, up to and including at least on or about November 9, 2013, in the Southern District of New York and elsewhere, JOHN BU, the defendant, unlawfully and knowingly had in his possession a letter, postal card, package, bag, and mail, and an article and thing contained therein, which had been stolen, taken, embezzled, and abstracted, knowing it to have been stolen, taken, embezzled, and abstracted, to wit, BU possessed and sold baseball cards and professional sports cards in a sports memorabilia store in Westchester County, New York, that had been stolen from the United States mail.

(Title 18, United States Code, Section 1708.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

1. I am currently employed as a Special Agent with USPS OIG and have participated in the investigation of this case. This affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers and other people. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

2. I have spoken with employees of the USPS and reviewed documents provided to me by the USPS, and have learned the following:

a. JOHN BU, the defendant, is employed as a customer services supervisor at the Brooklyn Processing and Distribution Center (the "Brooklyn USPS"), located at 1050 Forbell Street, in Brooklyn, New York. BU began working for the USPS in or about October 1999, and became a supervisor at the Brooklyn USPS in or about 2007.

b. All mailings placed into USPS collection boxes in Brooklyn, New York, are routed through the Brooklyn USPS to be delivered to addressees.

c. An employee of the USPS, referred to as "John Doe 1," was arrested on or about July 21, 2011, and charged with stealing items from the mail at the Brooklyn USPS.

3. I have spoken with an individual ("Victim-1") who sent several packages of baseball cards and other professional sports cards using USPS collection boxes located in Brooklyn, New York, between in or about late 2008 and February 2009. Based on my discussions with Victim-1 and my review of documents provided by Victim-1, I have learned the following:

a. Victim-1 mailed at least four packages containing professional sports cards to Beckett Grading System ("Beckett") in Dallas, Texas, which is a company that evaluates sports cards and provides a Beckett Grading System ("BGS") condition or grade for sports cards. Beckett also may provide a unique serial number for cards that it grades. Victim-1 also mailed one package

containing one baseball card to an individual in Indonesia who purchased the card.

b. The first package mailed by Victim-1, in or about late 2008 ("Package-1"), was sent to Beckett and contained approximately 36 sports cards. When the sports cards from Package-1 were delivered back to Victim-1, the package contained only 35 sports cards. The sports card that was missing from Package-1 was a 2001 Pujols BGS 8.5-9 baseball card, bearing serial number 0004327300 ("Pujols Pack-1"), meaning the card was from the year 2001 and depicted baseball player Albert Pujols, and was graded by BGS with a condition 8.5-9. Victim-1 paid approximately \$1,538.37 for Pujols Pack-1.

c. The second package mailed by Victim-1, in or about early February 2009 ("Package-2"), was sent to Beckett and contained approximately 13 sports cards. Among the sports cards in Package-2 were the following: (i) 1971 TOPPS #5 Thurman Munson BGS BVG 9 Mint Beckett All-Star Rookie card, bearing serial number 0000071008, for which Victim-1 had paid approximately \$2,225.00 ("Munson Pack-2"); (ii) 1980-1981 TOPPS #634 Bird / #174 Erving / #139 Johnson BGS 9 card, bearing serial number 0000080970, for which Victim-1 had paid approximately \$1,005.55 ("Bird Pack-2"); (iii) 1985 Lemieux BGS 8.5, for which Victim-1 paid approximately \$191.50 ("Lemieux Pack-2"); and (iv) 1986 Jerry Rice #161 BGS 8.5, for which Victim-1 paid approximately \$60.01 ("Rice Pack-2"). Victim-1 was informed by Beckett that Package-2 never was received by Beckett.

d. The fifth package mailed by Victim-1, in or about late May or early June 2013 ("Package-5"), was sent to Beckett and contained approximately 30 sports cards. Among the sports cards in Package-5 were the following: (i) 1956 TOPPS #135 Mickey Mantle BGS 5, for which Victim-1 paid approximately \$411.56 ("1956 Mantle Pack-5"); and (ii) 1965 TOPPS #350 Mickey Mantle BGS 7, for which Victim-1 paid approximately \$315.01 ("1965 Mantle Pack-5").

4. I have spoken with an individual ("Victim-2") who met with JOHN BU, the defendant, in a sports memorabilia store (the "Store") in Westchester County, New York, on multiple occasions in November 2013. Based on my discussions with Victim-2 and my review of documents provided by Victim-2, I have learned the following:

a. Victim-2 was working in the Store on or about November 2, 2013, when a male entered the Store and offered to several various baseball cards to Victim-2. That day, Victim-2 paid

approximately \$1,250.00 for two baseball cards sold to him by the male, including (i) 1956 TOPPS #135 Mickey Mantle BGS 5; and (ii) 1965 TOPPS #350 Mickey Mantle BGS 7.

b. Victim-2 was working in the Store on or about November 9, 2013, when the same male from whom he purchased the Mickey Mantle cards on November 2, 2013, entered the Store and offered to several various baseball cards and sports cards to Victim-2. That day, Victim-2 paid approximately \$5,000.00 for sports cards sold to him by the male, including: (i) 1971 TOPPS #5 Thurman Munson BGS BVG 9 Mint Beckett All-Star Rookie card, bearing serial number 0000071008; (ii) 1980-1981 TOPPS #634 Bird / #174 Erving / #139 Johnson BGS 9 card, bearing serial number 0000080970; (iii) 1985 Lemieux BGS 8.5; (iv) 1986 Jerry Rice #161 BGS 8.5; and (v) 2001 Pujols BGS 8.5-9 baseball card, bearing serial number 0004327300.

c. Based on a photograph I showed to Victim-2 of JOHN BU, the defendant, Victim-2 identified the man from whom Victim-2 purchased sports cards on November 2, 2013, and November 9, 2013, as BU.

5. Based upon my review of bank account records received from Citi Bank ("Citi") in response to a subpoena, I have learned that JOHN BU, the defendant, was the owner of an account at Citi, which account received deposits for checks in the amounts of \$1,250.00 and \$5,000.00 in November 2013.

6. I interviewed JOHN BU, the defendant, on or about April 30, 2014, and after informing BU of his Garrity rights, BU made the following statements, in part and in substance:

(a) BU stated at the beginning of the interview that he collects sports cards, does not have receipts from buying sports cards, and only sold a small amount of sports cards, totaling less than \$500.00;

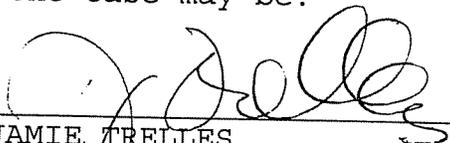
(b) After being confronted with evidence contrary to BU's original statements, BU admitted that he had purchased a number of sports cards and coins from John Doe 1 in 2008 or 2009 at the Brooklyn USPS when Doe was BU's supervisor;

(c) Among the sports cards BU purchased from John Doe 1 for approximately \$7,000.00 were cards of players Mickey Mantle, Albert Pujols, Jackie Robinson, Lou Gehrig, and Larry Bird;

(d) BU knew that John Doe 1 had been arrested for stealing from the USPS mail, and that BU "assumed" the cards he purchased from Doe had been stolen, which was why BU had not been truthful at the beginning of the interview; and

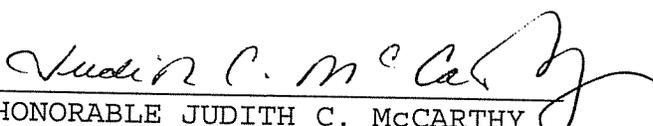
(e) BU sold some of the sports cards purchased from Doe to a dealer in Westchester.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of JOHN BU, the defendant, and that he be imprisoned, or bailed, as the case may be.



JAMIE TRELLES
Special Agent
United States Postal Service

Sworn to before me this
19 day of May 2014



HONORABLE JUDITH C. MCCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK