

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America
v.
JOSEPH MCCRIMON and
JAMES SHERROD

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Case No.

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 March 29, 2013 in the county of Westchester in the Southern District of New York, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: Title 18, United States Code, Section 2113(a); See attachment.

This criminal complaint is based on these facts:

See attachment.

[X] Continued on the attached sheet.

Complainant's signature

Special Agent Brendan Kenney, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/30/2013

Judge's signature

City and state: White Plains, New York

Hon. Paul E. Davison, U.S. Magistrate Judge

Printed name and title

Approved: 
JAMES MCMAHON
Assistant United States Attorney

Before: HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

----- X
UNITED STATES OF AMERICA : COMPLAINT
-v- : Violation of
 : 18 U.S.C. § 2113(a)
 :
JOSEPH MCCRIMON and :
JAMES SHERROD, :
 :
 : Defendants. : COUNTY OF OFFENSE:
 : WESTCHESTER
----- X

SOUTHERN DISTRICT OF NEW YORK, ss.:

BRENDAN KENNEY, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation and charges as follows:

On or about March 29, 2013, in the Southern District of New York, JOSEPH MCCRIMON and JAMES SHERROD, the defendants, unlawfully, wilfully and knowingly, by force, violence and intimidation, did take and attempt to take from the person and presence of another money belonging to and in the care, custody, control, management, and possession of Wells Fargo, 921 Saw Mill River Road, Ardsley, New York, a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

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

1. I am a Special Agent with the Federal Bureau of Investigation and I have been involved personally in the investigation of this matter. I have been an FBI agent since 2008 and have participated in numerous investigations of bank robberies. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement officers investigating this matter. 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, statements and conversations of others are reported herein, they are reported in

substance and in part, except where otherwise indicated.

2. I have spoken with a detective of the Ardsley Police Department (hereafter the "Detective"), who has told me the following:

a. During the afternoon of March 29, 2013, a tall black male wearing a suit, a fur hat and black knitted gloves, later identified as defendant JOSEPH MCCRIMON, entered the Wells Fargo bank at 921 Saw Mill River Road in Ardsley, New York (hereafter the "Bank"). MCCRIMON gave a teller a note which stated in substance that he would detonate an explosive device in his possession unless the teller gave him money. The teller gave MCCRIMON approximately \$10,000 in cash. MCCRIMON then left the bank. A witness in the bank saw MCCRIMON removing his gloves as he left the bank.

b. Shortly thereafter, the Detective, who was in an unmarked police car, saw a black Chevy Impala occupied by two black males approaching an intersection near the Bank. The Detective saw the passenger in the Impala changing his clothes. The Detective activated his red signal light in order to stop the Impala. The driver of the Impala pulled over and stopped.

c. Less than one minute later, the Impala suddenly took off at high speed. The Detective gave chase. The driver of the Impala, later identified as defendant JAMES SHERROD, passed a line of vehicles waiting at a traffic light by passing to the right of the vehicles and struck a car attempting to make a right turn at the intersection. SHERROD continued driving, at times in the opposite lane of traffic and at speeds that at times exceeded 100 miles per hour, until he crashed the Impala in the Village of Hastings. Both defendants then continued to flee on foot. MCCRIMON carried a black plastic garbage bag with him as he fled on foot.

d. A Hastings police officer apprehended MCCRIMON in the yard of a residence. MCCRIMON no longer possessed the garbage bag. Shortly thereafter, a resident of a house near where MCCRIMON was apprehended told police that he had seen a black male running through his yard and that he had later found a black plastic garbage bag in his yard. When police examined the bag, they found it contained a suit and a fur hat similar to that worn by the robber of the Bank, as seen in photographs of the robbery taken by security cameras in the Bank. One of the pockets of the suit contained black knitted gloves.

3. SHERROD was also apprehended near the scene of the crash. I was present when SHERROD was advised of, and waived, his Miranda rights. SHERROD stated in substance and in part to me that: a) MCCRIMON had proposed earlier that day that they commit a robbery; b) while driving with MCCRIMON and a female

friend later in the day, MCCRIMON told him to stop across the street from a Wells Fargo bank; c) he saw MCCRIMON walk across the street toward the bank; and d) when MCCRIMON returned to the car, he saw MCCRIMON had cash with bands around it, at which point he realized MCCRIMON had robbed the Wells Fargo.

4. At all times relevant to this Complaint, the deposits of the Bank were insured by the Federal Deposit Insurance Corporation.

WHEREFORE, deponent prays that a warrant be issued for the arrest of the above-named defendants and that they be arrested and imprisoned or bailed as the case may be.

Special Agent Brendan Kenney
Federal Bureau of Investigation

Sworn to before me this
30th day of March, 2013

HON. PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK