

ORIGINAL

Approved: Michael Gerber
Michael Gerber / Scott Hartman
Assistant United States Attorneys

Before: HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

14 MJ 1796

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	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violation of
- v. -	:	18 U.S.C. § 2119
	:	
TAKIEM EWING,	:	COUNTIES OF OFFENSE:
a/k/a "Mulla,"	:	Westchester and Bronx
TYRONE FELDER,	:	
a/k/a "Man Man," and	:	
KAREEM MARTIN,	:	
a/k/a "Jamal Walker,"	:	
	:	
Defendants.	:	
	:	
	:	
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SOUTHERN DISTRICT OF NEW YORK, ss.:

KARMA SMITH, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE

1. On or about August 12, 2014, in the Southern District of New York, TAKIEM EWING, a/k/a "Mulla," TYRONE FELDER, a/k/a "Man Man," and KAREEM MARTIN, a/k/a "Jamal Walker," the defendants, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, and death resulted.

(Title 18, United States Code, Section 2119.)

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

2. I am a Special Agent with the FBI, and I have been involved in the investigation of the above-described offenses. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my review of pertinent documents, and from my conversations with fellow law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all 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.

3. The FBI, the New York City Police Department ("NYPD"), and the City of Yonkers Police Department ("YPD") are investigating two commercial robberies, two carjackings, and two murders. Based upon conversations I have had with another FBI agent ("Special Agent-1") I have learned, in substance and in part, the following:

a. On or about August 5, 2014, at approximately 5:30 a.m., the body of a livery cab driver named Maodo Kane (the "Hunter Avenue Homicide Victim") was found shot in the vicinity of Hunter Avenue in the Bronx, New York. He was later pronounced dead.

b. Also on August 5, 2014, at approximately 5:22 a.m., the Yonkers Police Department received a report that a minimart located on McLean Avenue in Yonkers had been robbed at gunpoint. The robbers took cash, bleach, and a cellular telephone. Video footage from outside the minimart revealed that the robbers arrived in a black sedan that resembled the sedan belonging to the Hunter Avenue Homicide Victim.

c. Also on August 5, 2014, at approximately 5:27 a.m., the Yonkers Police Department received a report that a Dunkin' Donuts on Central Park Avenue in Yonkers had been robbed at gunpoint.

d. Also on August 5, 2014, at approximately 11:30 p.m., the black sedan belonging to the Hunter Avenue Homicide Victim was found abandoned near Exterior Street in the Bronx. The vehicle was doused in bleach. Inside was the cellular telephone that was stolen from the Yonkers minimart.

e. On or about August 12, 2014, at approximately 6:00 a.m., the body of a livery cab driver named Aboubacar Bah

(the "Bryant Avenue Homicide Victim") was found shot in the head in the street on Bryant Avenue in the Bronx, New York. He was later pronounced dead.

f. On or about August 12, 2014, at approximately 8:10 a.m., the livery cab belonging to the Bryant Avenue Homicide Victim (the "Victim's Cab") was found abandoned on Underhill Avenue in the Bronx, New York.

g. A ballistics examination has shown that different guns were used to murder the Hunter Avenue Homicide Victim and the Bryant Avenue Homicide Victim. Ballistics evidence shows, however, that both of those guns were used in a single shooting on May 29, 2014 on the corner of Ogden Avenue and West 162nd Street in the Bronx, New York.

4. I have reviewed video footage ("Video-1") from inside and outside an apartment building on Third Avenue between 167th and 168th Streets in the Bronx, New York (the "Third Avenue Building") on August 12, 2014, from approximately 5:00 a.m. to 5:01 a.m.¹ Video-1 shows two men ("Suspect-1" and "Suspect-2") getting into an elevator on the ninth floor of the Third Avenue Building, taking the elevator downstairs, leaving the building, and turning left on to Third Avenue. Suspect-1 is wearing a dark Adidas sweatshirt and is wearing a knapsack. Suspect-2 is wearing a dark Brooklyn Nets sweatshirt.

5. I have reviewed video footage ("Video-2") from Third Avenue between 166th and 167th Streets in the Bronx, New York on August 12, 2014 from approximately 5:34 a.m. to 5:36 a.m. Video-2 shows four individuals approaching a car from different directions and getting in a car. Two of the individuals are wearing clothing that is consistent with the description of Suspect-1 and Suspect-2.

6. I have spoken with an NYPD detective ("Detective-1"). Detective-1 informed me that he spoke with a witnesses ("Witness-1"), who informed him in substance and in part of the following:

a. Witness-1 is a livery cab driver who knows the Bryant Avenue Homicide Victim. On the morning of August 12, 2014, Witness-1 had been at a mosque on Third Avenue between 166th and 167th Streets (the "Mosque"). At approximately 5:15

¹ All times provided in this Complaint in connection with the video footage are based on the time stamps on the video footage, except as discussed below.

a.m., Witness-1 left the Mosque and got into Witness-1's livery cab. Before Witness-1 left the Mosque, Witness-1 saw the Bryant Avenue Homicide Victim at the Mosque. Witness-1 also saw the Victim's Cab parked on Third Avenue near the Mosque. At approximately 5:20 a.m., an individual wearing a knapsack approached Witness-1's car and asked for a ride. Witness-1 saw two other individuals nearby, felt uncomfortable, and left.

7. I have spoken with an NYPD detective ("Detective-2"). Detective-2 informed me that he spoke with a witness ("Witness-2"), who informed him in substance and in part of the following:

a. Witness-2 is a livery cab driver who knows the Bryant Avenue Homicide Victim. On the morning of August 12, 2014, Witness-2 had been at the Mosque. Sometime after 5:00 a.m., Witness-2 left the Mosque. Before Witness-2 left the Mosque, Witness-2 saw the Bryant Avenue Homicide Victim at the Mosque. Witness-2 got in Witness-2's car, and observed four individuals separated from one another. At approximately 5:25 a.m., one of those individuals asked Witness-2 for a ride, and informed Witness-2 that it was a ride for four people. Witness-2 declined and drove away.

8. I have reviewed video footage ("Video-3") from Bryant Avenue in the Bronx, New York on August 12, 2014 at approximately 6:00 a.m. Video-3 shows the Victim's Cab rolling down Bryant Avenue and making contact with at least one parked car. Video-3 shows Suspect-1, Suspect-2, and two other individuals ("Suspect-3" and "Suspect-4") (collectively, the "Suspects") running after the Victim's Cab. They got into the Victim's Cab, dumped a body onto Bryant Avenue, and drove away in the Victim's Cab.

9. I have reviewed video footage ("Video-4") from the vicinity of Underhill Avenue between Lafayette and Story Avenues, and Bolton Avenue between Lafayette and Story Avenues, in the Bronx, New York on August 12, 2014 from approximately 6:03 a.m. to 6:05 a.m.² Video-4 shows that the Victim's Cab pulled up, and the Suspects got out of the Victim's Cab. The Suspects wiped the Victim's Cab, and then ran across a walkway to Bolton Avenue between Lafayette and Story Avenues. They took off their sweatshirts and left their sweatshirts and Suspect-1's knapsack in a dumpster. The Suspects then walked toward Lafayette Avenue.

² Law enforcement has confirmed that the time stamp on the video footage from Bolton Avenue is approximately 23 minutes too slow, and the times above have been adjusted to correct for that delay.

10. I have reviewed video footage ("Video-5") from Lafayette Avenue in the Bronx, New York on August 12, 2014 from approximately 6:08 a.m. to 6:09 a.m. Suspect-1 and Suspect-3 got into a car. Suspect-2 and Suspect-4 walked toward Seward Avenue.

11. I have spoken with an NYPD Detective ("Detective-3"). From those conversations I have learned, in substance and in part, the following:

a. Detective-3 spoke with a livery cab driver ("Witness-3"). Witness-3 informed Detective-3, in substance and in part, that at approximately 6:10 a.m. on August 12, 2014, Witness-3 picked up two individuals from the vicinity of the intersection of White Plains Road and Seward Avenue in the Bronx, New York. Witness-3 drove the two individuals in his livery cab ("Cab-1") to the vicinity of the Third Avenue Building. Witness-3 saw those individuals walking towards the Third Avenue Building.

12. I have reviewed video footage ("Video-6") from inside and outside the Third Avenue Building on August 12, 2014, from approximately 6:17 a.m. to 6:21 a.m. Video-6 shows that Suspect-1 and Suspect-3 got out of a car, entered the Third Avenue Building, and went up in the elevator to the ninth floor. Approximately two minutes later, Suspect-2 and Suspect-4 got out of a car, entered the Third Avenue Building, and went up in the elevator to the ninth floor. Detective-3 has reviewed portions of Video-6. Detective-3 has seen Cab-1. He informed me that, on Video 6, Suspect-2 and Suspect-4 got out of a car that appears to be Cab-1.

13. I have spoken with a cooperating witness ("CW-1"),³ and showed CW-1, among other things, some of the video footage discussed above. I have learned, in substance and in part, the following:

a. CW-1 was shown, among other things, portions of Video-1. CW-1 said that Suspect-1 looked like "Mulla," and CW-1 identified Suspect-2 as "Kareem."

b. CW-1 was shown, among other things, portions of Video-6. CW-1 identified Suspect-1 as "Mulla." CW-1 identified

³ CW-1 has pleaded guilty to various federal offenses, and is providing assistance to law enforcement in the hope of receiving a lesser sentence.

Suspect-2 as "Kareem." CW-1 identified Suspect-3 as TYRONE FELDER, a/k/a "Man Man," the defendant.

14. I have spoken with an NYPD Detective ("Detective-4") who informed me that CW-1 previously identified a picture of TAKIEM EWING as "Mulla." CW-1 previously identified a picture of TYRONE FELDER as "Man Man." CW-1 previously identified a picture of KAREEM MARTIN as "Kareem."

15. I have spoken with an NYPD Sergeant ("Sergeant-1"). Sergeant-1 informed me, in substance and in part, that he had spoken with an individual in the management office for the Third Avenue Building, and learned that a certain individual ("Person-1") leases an apartment with other individuals on the ninth floor of the Third Avenue Building (the "Apartment").

16. I have spoken with an NYPD Detective ("Detective-5") who informed me that he showed the superintendent of the Third Avenue Building a picture of Suspect-1. The superintendent identified Suspect-1 as a person who lives in the Apartment with Suspect-1's mother.

17. Following his arrest in this case, TAKIEM EWING, a/k/a "Mulla," the defendant, identified Person-1 as his mother.

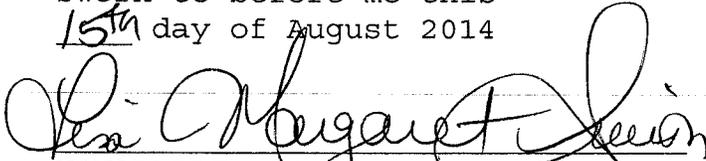
18. I have been informed by a Task Force Officer with the FBI ("TFO-1") that TFO-1 spoke with an employee of the manufacturer of the Victim's Car ("Employee-1"). Employee-1 told TFO-1 that the Victim's Cab was manufactured in Kentucky.

WHEREFORE, the deponent respectfully requests that TAKIEM EWING, a/k/a "Mulla," TYRONE FELDER, a/k/a "Man Man," and KAREEM MARTIN, a/k/a "Jamal Walker," the defendant, be imprisoned or bailed, as the case may be.



KARMA SMITH
Special Agent
Federal Bureau of Investigation

Sworn to before me this
15th day of August 2014



HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York