

UNITED STATES DISTRICT COURT
for the
Eastern District of California

FILED

APR 12 2019

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

United States of America
v.
Marquez Jeter

Case No.

2:19 - MJ - 0056 CKD

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 April 11, 2019 in the county of Sacramento in the
Eastern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT OF ATF Special Agent Richelle Caballero Nelson

Continued on the attached sheet.

[Signature]

Complainant's signature

Richelle Caballero Nelson , ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/12/2019

[Signature]

Judge's signature

City and state: Sacramento, California

United States Magistrate Judge Carolyn K. Delaney

Printed name and title

AFFIDAVIT OF ATF SPECIAL AGENT
Richelle Caballero Nelson

I, Richelle Caballero Nelson, being duly sworn, hereby depose and state:

Purpose

1. This Affidavit is made in support of a criminal complaint and arrest warrant for MARQUEZ JETER for:

COUNT ONE: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)

Agent Background

2. I, Richelle Caballero Nelson have been employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco and Firearms and Explosives (ATF) since January 2015. I am currently assigned to the San Francisco Field Division, Sacramento Field Office. I have attended and completed the Criminal Investigation Training Program (CITP) at the Federal Law Enforcement Training Center (FLETC) located in Glynco, Georgia and the Bureau of Alcohol, Tobacco, Firearms, and Explosives Special Agent Basic Training (SABT) also conducted at FLETC; training specifically on firearms, explosives, and laws pertaining to the possession, trafficking, use, and criminal activity of both firearms and explosives. I received my Bachelor's degree in English from the University of California, Riverside and a Master's degree in Homeland Security and Emergency Management from the School of Justice and Safety from Eastern Kentucky University. During my employment with ATF, I have participated and/ or assisted in numerous investigations pertaining to firearms in violation of Titles 18 and 26 of the United States Code and investigations related to controlled substance violations of Title 21 of the United States Code.
3. I am an "investigative or law enforcement officer" of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am an officer of the United States empowered by law to conduct criminal investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516.

4. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested arrest warrant, I have not included each and every fact known to me about this case. Rather, I have set forth only the facts that I believe are necessary to support probable cause.
5. This affidavit is based upon my own personal knowledge but also the knowledge of other law enforcement officers involved in this investigation. Where I describe statements made by other people (including other special agents and law enforcement officers), the statements are described in sum, substance, and relevant part. Similarly, where I describe information contained in reports and other documents or records in this affidavit, this information is also described in sum, substance, and relevant part.

Statement of Probable Cause

Jeter sold a Glock pistol to an ATF confidential informant.

6. On March 13, 2019, Marquez Jeter met with a confidential informant working for ATF and sold a Glock pistol to the informant in exchange for \$1,200. During the gun sale, ATF special agents were able to monitor the gun transaction using a conceal audio/video device.
 - a. The ATF confidential informant is working for monetary gain. The ATF confidential informant has previously been convicted of federal felony firearms violations.

Jeter sold a cache of firearms to an ATF confidential informant.

7. On April 10, 2019, Jeter reached out to the ATF confidential informant and relayed that Jeter had a new supply of firearms. Jeter sent the informant a text message with a photograph of the firearms that Jeter had for sale. The photograph is depicted below.



Photo 1 - Photo sent by Jeter to ATF CI

8. On April 11, 2019, Jeter and two other individuals met with the ATF confidential informant and sold the informant 14 guns in exchange for \$16,500 in cash. Below is a photograph of the firearms that were sold to the informant.

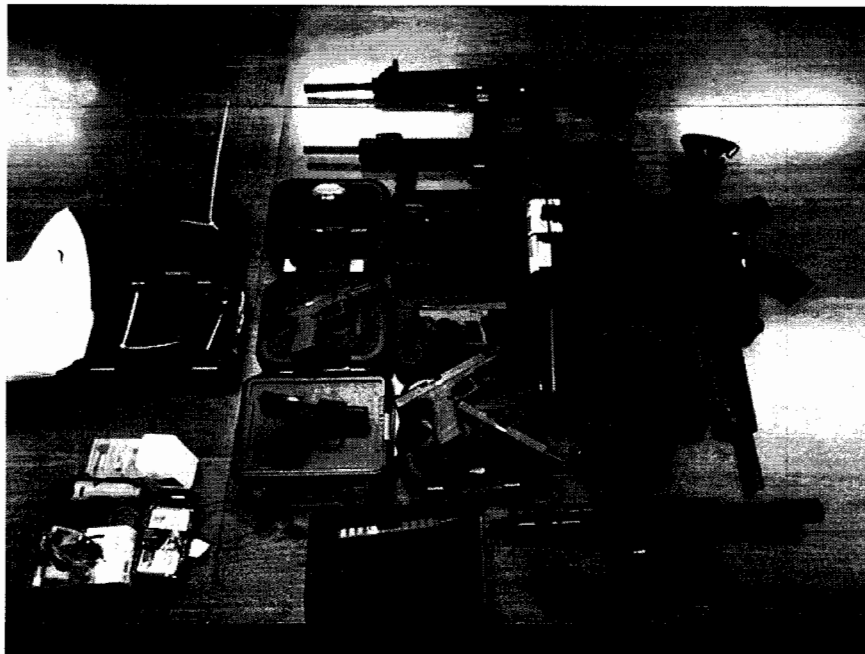


Photo 2 - Photo of guns sold by Jeter to ATF CI

9. Jeter was arrested shortly after completing the firearms sales to the informant. Jeter and the two individuals appeared to have divided up the money. Inside of the car that Jeter and two individuals were traveling in, law enforcement officers found two more guns.

Jeter Previously Convicted of Felon in Possession of a Firearm

10. Jeter has the following prior criminal convictions:
 - a. A 1998 felony conviction for grand theft from person, in violation of California Penal Code § 487. Jeter was sentenced to twelve months incarceration and three years probation. In 1999, his probation was revoked and he was sentenced to two years in prison.
 - b. A 2000 misdemeanor conviction for battery, in violation of California Penal Code § 242. Jeter was sentenced to three days incarceration and three years probation.
 - c. A 2000 felony conviction for possession of a controlled substance for sale, in violation of California Health & Safety Code § 11351. Jeter was sentenced to two years in prison.
 - d. A 2008 federal felony conviction for felon in possession of a firearm, in violation of 18 U.S.C. § 922(g). Jeter was sentenced to 57 months incarceration and three years of supervised release. In 2009, his supervised release was revoked and he was ordered to serve an additional 24 months incarceration.
 - e. A 2016 felony conviction for possession of a controlled substance for sale, in violation of California Health & Safety Code § 11351. Jeter was sentenced to 365 days incarceration and three years probation.

Interstate Nexus

11. After the March 13, 2019 firearms purchase, the Bureau of Alcohol, Tobacco, Firearms and Explosives conducted a preliminary interstate nexus review and determined that the Glock pistol had previously travelled in interstate or foreign commerce.

12. According to the packaging materials that came with the guns purchased on April 11, 2019, the firearms appeared to have been purchased from a gun store in Dallas, Texas. The serial numbers on most of the firearms had been obliterated. Four of the guns were Glock-manufactured pistols.

Conclusion

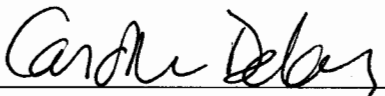
13. Based on the above information, I believe that Jeter has committed a violation of 18 U.S.C. § 922(g). I hereby request that an arrest warrant be issued for Marquez Jeter based on the aforementioned facts.

I swear, under the penalty of perjury, that the foregoing information is true and correct to the best of my knowledge, information, and belief.



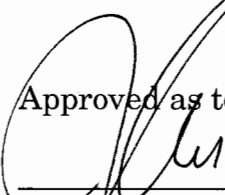
Richelle Caballero Nelson
ATF Special Agent

Sworn and Subscribed to me
on April 12, 2019,



Hon. CAROLYN K. DELANEY
United States Magistrate Judge

Approved as to form:



JUSTIN L. LEE
Assistant United States Attorney

PENALTY SLIP

United States v. Marquez Jeter

COUNT ONE: 18 U.S.C. § 922(g) – Felon in Possession of a Firearm

Imprisonment for not more than 10 years; and/or
Fine of up to \$250,000
Term of Supervised Release of up to 3 years.

COURT ASSESSMENT: \$100