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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

EDYNESSON BAUDUY,
and AARON RICHARD,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

Amanda Van Houten, being duly sworn, deposes and states that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to the law and acting as such.

On or about August 12, 2025, within the Eastern District of New York and elsewhere, the defendant EDYNESSON BAUDUY, knowing that he had been previously convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce a firearm, to wit: a black 9 mm Ruger P95DC firearm, with serial number 31199716.

(Title 18, United States Code, Sections 922(g)(1) and 3551 et seq.)

On or about August 12, 2025, within the Eastern District of New York and elsewhere, the defendant AARON RICHARD, knowing that he had been previously convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce ammunition, to wit: Spear .380 ammunition.

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR AN ARREST WARRANT

(18 U.S.C. § 922(g)(1) and 3551 et seq.)

25-MJ-248

(Title 18, United States Code, Sections 922(g)(1) and 3551 et seq.)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), assigned to C-19, the Violent Crime Task Force. I have been an agent with the FBI for approximately three years and working on C-19 for approximately 18 months. I have been involved in the investigation of numerous cases involving violent crime, including shootings and the recovery of firearms and ammunition. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendants' criminal history records; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about August 12, 2025, officers with the New York City Police Department ("NYPD") were on patrol in the 70th Precinct. While driving through the precinct at approximately 7:25 p.m., the officers heard gunshots nearby and immediately responded to the vicinity of 533 Ocean Avenue, Flatbush, Brooklyn. When the officers arrived at the scene, they observed a portion of a gunfight still in progress between two men, later identified as the defendants EDYNESSON BAUDUY and AARON RICHARD. The officers focused on the man closest to them (BAUDUY), who was then shot and fell to the ground while the others on the scene, including RICHARD, scattered. The officers called for backup and emergency

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

medical services, recovered the gun used by BAUDUY, and remained with BAUDUY. The gun was a black 9 mm Ruger P95DC firearm, with serial number 31199716. Emergency services personnel then drove BAUDUY to the hospital. From photographs taken at the crime scene by NYPD personnel, BAUDUY was wearing a green zip-up jacket and light-colored pants. BAUDUY also had a black backpack, which contained a New York State Electronic Benefits Transfer card listing his name as Edynesson Bauduy and with a date of birth matching BAUDUY's.

3. NYPD detectives canvassed the area for video surveillance footage capturing two men, later identified as defendant EDYNESSON BAUDUY and defendant AARON RICHARD, shooting at one another. The video footage depicts a group of men standing in front of a building on the east side of Ocean Avenue near 533 Ocean Avenue with bystanders walking past. A black man with dreadlocks wearing a white T-shirt and shorts (later identified as RICHARD) was walking next to and conversing with a black man wearing a dark shirt on a scooter in front of a light-colored Nissan SUV. Suddenly RICHARD swung his right arm and struck the other man in the face, causing him to drop his scooter. A third black man, wearing a green zip-up jacket and light-colored pants and wearing a black backpack (later identified as BAUDUY), who had been with the group of men outside of the building ran around the other side of the Nissan SUV and fired at RICHARD. RICHARD then pulled a gun from his right shorts pocket and returned fire as he was running in front of 533 Ocean Avenue. On the video surveillance footage, there are multiple visible muzzle flashes, which signifies that a gun was fired, from RICHARD's gun as he fires at BAUDUY. In the video footage, RICHARD never crosses past the Nissan SUV to the other side of Ocean Avenue.

4. NYPD crime scene officers recovered two Spear .380 shell casings on the east sidewalk in front of 533 Ocean Avenue, which appears consistent with where RICHARDS fired his gun.

5. NYPD detectives captured a still from the video surveillance footage clearly reflecting the individual subsequently identified as RICHARD. After further investigation, they developed a lead that the person in that photograph may be RICHARD, who they learned was currently on parole. RICHARD's parole officer confirmed that the person in that photograph was RICHARD, a person she supervises. The parole officer has had eight in-person meetings with RICHARD during the last four months.

6. I have reviewed the defendant EDYNESSON BAUDUY's criminal history and have determined that he has multiple felony convictions. On or about September 13, 2023, BAUDUY was convicted in Kings County Supreme Court, after a guilty plea, of Robbery in the Second Degree: Aided by Another, in violation of N.Y.P.L. § 160.10(1), a Class C Felony, for which he was sentenced to three years' imprisonment. Also on September 13, 2023, he was convicted, after a guilty plea, of Attempted Assault in the First Degree: Intent To Cause Serious Injury With Weapon, in violation of N.Y.P.L. § 120.10(1), a Class C Felony, from a different incident, for which he was also sentenced to a term of three years' imprisonment. He was incarcerated on November 2, 2023, and released from custody on June 10, 2025.

7. I have reviewed the defendant AARON RICHARD's criminal history and have determined that he has a felony conviction. Among other convictions, on March 29, 2023, RICHARD was convicted in Kings County Supreme Court of a Hate Crime/ Assault in the Third Degree: Cause Physical Injury With Intent, in violation of N.Y.P.L. § 120.00(1)(H), a Class E

Felony, for which he was sentenced to an indeterminate term of two to four years' imprisonment. He was incarcerated on April 13, 2023, and released from custody on April 24, 2025.

8. I have conferred with an interstate nexus expert, a Special Agent of the ATF, who has informed me, in sum and substance, that the black 9 mm Ruger P95DC firearm, with serial number 31199716 and the Spear .380 ammunition recovered in this case were manufactured outside the State of New York.

WHEREFORE, your deponent respectfully requests that the defendants EDYNESSON BAUDUY and AARON RICHARD be dealt with according to law.

Amanda Van Houten
Special Agent
Federal Bureau of Investigation

Sworn to before me on this
___ day of August, 2025

THE HONORABLE SETH D. EICHENHOLTZ
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK